



STORMWATER MANAGEMENT PLAN (SWMP)
for compliance with
Small Municipal Separate Storm Sewer System

Permit No. AZG2016-002

Issued on: September 30, 2016



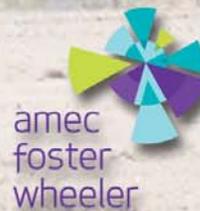
Prepared for:

Avondale

City of Avondale
11465 West Civic Center Drive
Avondale, Arizona 85323



Prepared by:



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Environment & Infrastructure, Inc.
4600 East Washington Street, Suite 600
Phoenix, Arizona 85034

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Arizona Pollutant Discharge Elimination System
Small Municipal Separate Storm Sewer Systems Permit 2016
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March 2017

CERTIFICATION

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

David Janover, City Engineer
City of Avondale, AZ

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EXECUTIVE SUMMARY

The City of Avondale (City) must develop and implement a Stormwater Management Plan (also referred to as a Stormwater Management Program [SWMP]) as required by the Arizona Department of Environmental Quality's (ADEQ) Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems to Waters of the United States No. AZG2016-002 (Permit). The Permit was issued by ADEQ effective on September 30, 2016 and supersedes Permit No. AZG2002-002 issued by ADEQ on December 19, 2002.

This SWMP has been developed in accordance with 40 CFR Part 122; Arizona Revised Statutes (ARS) Title 49, Chapter 2, Article 3.1; and Arizona Administrative Code (AAC) Title 18, Chapter 9, Articles 9 and 10. The SWMP has been prepared to meet the requirements identified Permit Section 5.1 and is certified according to Permit Section 9.9.

This SWMP outlines the City's program to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP), to protect water quality, and to satisfy the appropriate requirements of the Clean Water Act (CWA) in accordance with ADEQ's Stormwater Phase II program. This goal is achieved through implementing six minimum control measures (MCMs):

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination (IDDE) Program
- Construction Activity Stormwater Runoff Control
- Post-Construction Stormwater Management
- Pollution Prevention and Good Housekeeping

The SWMP is designed to be a comprehensive program document outlining how the stormwater program is implemented and maintained, therefore, additional sections have been added to address:

- Fiscal Resources
- Legal Authority
- MS4 Mapping
- Monitoring
- Reporting
- Program evaluation and revision
- Signatory Requirements

1.0 INTRODUCTION

The City of Avondale's Stormwater Management Program (SWMP) is designed to address the need to prevent or reduce discharges of pollutants to Waters of the United States. The Program specifically considers the six Minimum Control Measures (MCMs) outlined in the Arizona Department of Environmental Quality (ADEQ) General Permit AZG2016-002 for small municipal separate storm sewer systems (MS4s).

The Best Management Practices (BMPs) presented here have been proposed because they address the six MCMs, are appropriate for the City of Avondale's stormwater system, achievable and measurable, and anticipated to make improvements in the City's stormwater quality. For each BMP, the appropriate measurable goals are delineated along with a schedule including an indicated frequency of planned actions.

2.0 EXISTING STORMWATER SYSTEM

The City's Municipal Separate Stormwater System (MS4) is comprised of a system of municipally owned or operated curbs, gutters, inlets, catch basins, underground pipes, retention basins, natural washes and man-made channels. The City practices low impact development (LID) by keeping stormwater nearest to the source by requiring onsite retention. The majority of the City is designed using on-site retention to allow stormwater up to the 100 year 2-hour event to be retained on site and infiltrate into the ground via drywells. Stormwater not retained is conveyed to City outfalls through the MS4. The MS4 is maintained primarily by the City's Development and Engineering Services Department with support from the Public Works Division.

3.0 RECEIVING WATERS

The City is relatively flat but gradually slopes from north to south. The City requires all new development to be designed to retain the 100 year 2-hour rain event plus one foot of freeboard on site. Stormwater not retained onsite enters the MS4 and, in the majority of the City, pools behind the Flood Control District of Maricopa County's (FCDMC) levee before discharging to the Agua Fria River via storm drain river penetrations owned and operated by FCDMC (a regulated Phase II MS4). Ultimately, the Agua Fria River discharges into the Gila River (See Figure 1). Both the Agua Fria River and the Gila River are found to be supporting their designated uses and are not impaired or Outstanding Arizona Waters (OAW). Subsequently, the City does not discharge into any water with an approved Total Maximum Daily Loads (TMDL).

4.0 LEGAL AUTHORITY

The City's legal authority is defined in the Avondale Municipal Code, Chapter 8 Drainage and Flood Control, Article 2 – Stormwater Quality. The City has legal authority to fully implement the SWMP including the right to prohibit illicit discharges to the MS4, conduct inspections, and carry out necessary enforcement procedures.

4.1 ENFORCEMENT

To comply with the Permit, the City has created an Enforcement Response Plan (ERP). The ERP outlines the procedures the City designees will follow to enforce its stormwater ordinance.

Escalation measures presented in the ERP are briefly described below and the ERP is presented in Attachment C:

The City applies the following enforcement measures to achieve compliance with this SWMP and the MS4 Permit.

1. A verbal warning.
2. Violation Notice.
3. City Code Violation Ticket.
4. The liable party then has the right to appeal the ticket at a City Court Hearing. The Violation Ticket is not to exceed \$2,500 per violation, per day. In addition, if found guilty they will be liable to any associated costs to remedy the situation. See the complete Civil Citation Process Flowchart in Attachment C.

If the violator takes insufficient actions, the City may proceed with its abatement process as described in the City Code. The City will perform the minimum corrective actions to restore compliance and the violator will be responsible for the associated costs to reimburse the City.

5.0 FISCAL RESOURCES

Avondale currently receives funding for the MS4 program from the City's environmental fee that was implemented on July 18, 2012. Each water user is charged \$1 per month and is billed monthly. A portion of the environmental fee is applied towards annual ADEQ permit fees and SWMP compliance activities. The City has adequate financial resources to develop, implement, and enforce the six minimum control measures. As a result of ADEQ issuing the Permit with new program elements, the City is current assessing whether modifications to the environmental fee are warranted to cover additional program areas.

6.0 MS4 MAPPING

The City maintains a Geographic Information System (GIS)-based stormwater infrastructure map/database to manage its storm sewer system information. The database includes the locations of stormwater conveyances, municipal stormwater infrastructure, outfalls and screening locations. MS4 mapping is routinely updated through activities performed under the IDDE and Construction MCMs. Updates to the MS4 map are performed continuously throughout each year, as they are received/identified.

7.0 MINIMUM CONTROL MEASURES

This section outlines the six MCMs. Implementation of these MCMs are required by the Permit. The six minimum control measures are:

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination (IDDE) Program
4. Construction Activity Stormwater Runoff Control
5. Post-Construction Stormwater Management
6. Pollution Prevention and Good Housekeeping

Each MCM is described in more detail in the following sub-sections. Each MCM contains a responsible department and a number of Best Management Practices (BMPs) selected by the City. A table summarizing each MCM, BMP, and frequency or deadline are at the end of this document. The City Organizational Chart can be found in Attachment E.

In addition to these MCMs, the Permit also requires the development of an ERP, a written SWMP (this document), an annual report, and analytical monitoring for certain waterbody conditions. The City does not discharge to impaired or OAW water bodies; therefore, no analytical monitoring is required.

The City is a member of Phoenix area STormwater Outreach for Regional Municipalities (STORM), a public education based group of Phase I and Phase II MS4 communities that are committed to developing stormwater education and outreach materials such as related radio ads, TV ads, billboards, handouts, handouts, etc. The City's partnership with STORM does not wholly satisfy all six MCMs, but supplements the City's efforts to provide a more comprehensive SWMP.

7.1 MCM-1: PUBLIC EDUCATION AND OUTREACH

BMPs included in this section are intended to meet the requirements outlined in Permit section 6.4.1. The Public Education and Outreach MCM targets different sectors of the public.

The City will assess the needs of the existing Public Education Program, update current programs, and develop new programs to ensure value.

According to the 2010 census, the City is broadly characterized as:

- A size of 41.3 square miles
- A growing population of 76,238 residents
- A population comprised of approximately 50.3% Hispanic or Latino, 34.0% white alone, 9.3% black or African American alone and less than 6.4% of American Indian, Asian, and Native Hawaiian.

- 39.6% of households speak languages other than English at home
- 32.6% of persons are under 18 years old
- 19.0% of persons hold a bachelor's degree or higher

Based on this high level assessment of the City's population, the City can tailor its education and outreach program to effectively convey messages to a largely young, diverse, and bilingual population.

Activities under this MCM will target floatables including trash and household hazardous waste. Significant reductions in these pollutants can be made by informing citizens of their role in stormwater pollution prevention and increasing awareness. The City's approach is intended to raise a general level of awareness on actions the public can take to help protect overall water quality and specifically limit impacts on stormwater runoff.

In order to reach citizens with targeted messages regarding the City's SWMP and their role in it, the City will focus its outreach and education efforts in print media, the *RAVE Review*, the City's website and Facebook page.

In addition, various members of City staff will be educated in IDDE recognition and the hazards of illicit discharge to increase the likelihood of preventing and reporting workplace illicit discharges.

Table 1 identifies the BMPs, schedule, measurable goals and responsible party(s) for the Public Education and Outreach minimum control measure.

7.1.1 BMP 1.1 – Education Program

The City will implement an educational program to increase knowledge and change behavior of the public so that pollutants in stormwater are reduced. The City is an active participant with STormwater Outreach for Regional Municipalities (STORM) within the Phoenix area. STORM's mission is to provide stormwater-related public education to residents of all member communities. This is achieved through a wide range of outreach methods including: radio ads, TV ads, billboards, handouts, handouts, media campaigns, public events, etc. The City's partnership with STORM supplements the City's efforts to provide a stormwater outreach activities.

The Environmental Program Manager will ensure that the City defines goals and modify any ineffective messages. The City will report on the program's overall effectiveness in the annual report.

7.1.2 BMP 1.2 – Printed Materials

As part of its public education and outreach activities, the City distributes printed educational materials to City residents at public events and makes them available at the City Hall. Printed materials include handouts, rack cards, coloring books, and other advertisements. These materials may be either developed by or with STORM or generated in-house and are an effective medium for the education of the general public including schoolchildren. The materials educate

the public on the City's SWMP, pool draining procedures, general MS4 information and provide contact numbers and addresses for any questions. Currently the City provides STORM developed books free of charge in the public library. The books contain educational information regarding the importance of stormwater. In addition, City-made handouts outlining the importance of stormwater quality will be provided to construction contractors and operators with approved Erosion Controls Plans.

7.1.3 BMP 1.3 – Periodicals

The City occasionally publishes educational materials, information, and public notices in a number of periodicals throughout the year. Periodicals may include: *RAVE Review*, *West Valley View*, and *Arizona Republic*. Articles and information is published on an as needed basis.

7.1.4 BMP 1.4 – Events

Educational stormwater materials are displayed and distributed at a minimum of two of the City's events each year. City events target multiple demographics making them useful places to inform the public. Examples of potential events include: Landscape Workshops, Tres Rios Spring and Fall Festivals, Tres Rios Clean Up, Resident Appreciation Night, Tale of Two Cities Celebration, Pets in Police Service Program, STEM Fest, Avondale Kid Fest, and Make a Difference Day.

7.1.5 BMP 1.5 – Website

BMP 1.5 is designed to meet the requirements of Permit sections 5.0, 6.4.1.1, and 6.4.2.1.

The City maintains an informational and resourceful website. The stormwater program page is a practical and cost-effective way for the City to provide useful information to the public. The website will be available to citizens at all times excluding maintenance periods. The website contains links to the SWMP, NOI, and other stormwater resources. In addition to the City's website, the City also maintains a City Facebook page. The City can post information to their Facebook page as an additional way to inform the public on stormwater related issues or concerns.

7.2 MCM-2: PUBLIC INVOLVEMENT AND PARTICIPATION

This section is intended to meet the requirements outlined in Permit section 6.4.2.

The public involvement component of the City's SWMP is crucial for developing support by the citizenry and is ultimately tied to the success of the SWMP. The City will ensure that the public participation program will involve all socio-economic groups. Stormwater meetings and events will be publicized and open to the public

Table 2 identifies the BMPs, schedule, measurable goals and responsible party(s) for the Public Involvement and Participation minimum control measure.

7.2.1 BMP 2.1 – Public Notice of SWMP and NOI

BMP 2.1 is designed to meet the requirements of Permit section 6.4.2.1 and 6.4.2.2.

To meet Permit requirements, during the renewal of this permit the City will submit a complete NOI to ADEQ who will review, approve and distribute the NOI for public review and comment for a 30-day public comment period. Over this time the public will have the opportunity to provide input on the management program. This process will meet public notice requirements. The City will also provide a copy of its SWMP, NOI, and the annual permit reports through the webpage and in City Hall, and will follow all public notice requirements as required by permit.

7.2.2 BMP 2.2 – Public Participation

BMP 2.2 is designed to meet the requirements of Permit section 6.4.2.1.

The City coordinates volunteers for the Tres Rios Make a Difference Day cleanup program. The cleanup program can include drainage ditches and other stormwater system components, including the banks of the Agua Fria and/or Gila rivers. By providing volunteer opportunities the City hopes to raise awareness of actions the public can take to reduce impacts on stormwater quality in Avondale.

7.2.3 BMP 2.3 – Complaint Program

BMP 2.3 is designed to meet the requirements of Permit section 6.4.2.3.

Stormwater complaints are currently handled by the Code Enforcement Division. The public can file complaints via telephone, website, or by using the myAvondale app which is available to download for free. Complaints submitted regarding illicit discharge and property maintenance will be investigated by a Code Enforcement Officer, who has the proper authority to address any potential violations. Other complaints are addressed by the Environmental Program Manager. For a full description of enforcement actions see the Civil Citation Process Flowchart in Attachment C.

7.3 MCM-3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) PROGRAM

This section is intended to meet the requirements outlined in Permit section 6.4.3. The BMPs are targeted to detect and eliminate potential illicit discharges.

For purposes of permit compliance, the City has developed and implemented an ordinance with enforcement strategies, that successfully prohibit illicit discharges into the public drainage system. The City currently utilizes visual inspection of outfalls, inventory of the drainage systems, reports from public employees, and complaints from the public to detect illicit discharges. Through the public education minimum control measure and employee training, the City will educate the public and City employees on the hazards of illicit discharges and illegal dumping into the drainage system.

The illicit discharge detection control measure involves both municipal staff and agencies, and local citizens. The program will work to detect and eliminate illicit discharges. Non-stormwater discharges allowed under General Permit No. AZG2016-002 that are not considered “illicit” include:

- water line flushing
- landscape irrigation

- diverted stream flows
- rising ground waters
- uncontaminated groundwater infiltration
- uncontaminated pumped ground water
- discharges from potable water sources
- foundation drains
- air conditioning condensate
- irrigation water
- springs
- water from crawl space pumps
- footing drains
- lawn watering
- individual residential car washing
- discharges from riparian habitats and wetlands
- dechlorinated swimming pool discharges*
- street wash water
- discharge or flows from emergency firefighting activities

**Prohibited discharges: The exception to the non-stormwater discharges mentioned above is swimming pool discharges. The City adopted Municipal Code 8-56 "Violations" concerning the discharge of dechlorinated and chlorinated pool water. The City's policy does not allow pool water discharge into the storm sewer system. Dechlorinated pool water may be used as onsite irrigation or discharged to the sanitary sewer.*

Table 3 identifies the BMPs, schedule, measurable goals and responsible party(s) for the Illicit Discharge Detection and Elimination Program minimum control measure.

7.3.1 BMP 3.1 – Enforcement Procedures

See section 4.1 of this SWMP for the enforcement procedure process which is designed to meet Permit section 6.4.3.2, and 6.4.3.5.

7.3.2 BMP 3.2 – Illicit Discharge Prevention and Reporting

BMP 3.2 is designed to meet the requirements of Permit section 6.4.3.4.

Education of the public and City employees regarding hazards associated with illicit discharges will be handled through multiple outlets as described in the Public Education and Outreach section. Public and City employee education materials are developed to better the understanding of Municipal Ordinance requirements. Employees will also receive training as described in the Pollution Prevention/Good Housekeeping section. With a better understanding of illicit discharges and illegal dumping citizens and employees will be encouraged to report illegal dumping of any materials into the storm drain system. Employees will follow procedures outlined within the IDDE Standard Operation Procedures (SOP) and ERP to prevent, identify, report and mitigate illicit discharges.

7.3.3 BMP 3.3 – Dry Weather Screening

BMP 3.3 is designed to meet the requirements of Permit section 6.4.3.8a.

The City or their contractor perform annual inspections of stormwater outfalls during dry weather as a part of the overall illicit discharge detection and elimination program. Illicit discharges found

during inspections will be traced upstream and eliminated as expeditiously as possible (See BMP 3.5 Follow-up Screening Procedures). Facilities found to have illicit discharges will be re-inspected as necessary to verify no additional illicit discharges have occurred. See Attachment J for detailed IDDE Inspection/Investigation Standard Operation Procedures (SOP).

7.3.4 BMP 3.4 – Wet Weather Monitoring

BMP 3.4 is designed to meet the requirements of Permit section 6.4.3.8.b.

As shown on Figure 1, the City is bordered by the City of Goodyear to the west and the City of Tolleson to the east. Due to safety concerns (unstable slopes, outfall depth greater than 20 feet, limited means of entrance through levee system) and the few number of outfalls discharging directly from the City, the City has designated 1 outfall and 4 screening locations for wet weather monitoring.

City staff or their contractor will perform inspections of stormwater discharge at 1 outfall and 4 screening locations (See Figure 1), 2 times during each wet season during regular City business hours. For the purposes of wet weather monitoring, the summer and winter wet seasons are defined as:

Summer wet season is June 1st through October 31st
Winter wet season is November 1st through May 31st.

The inspections will be documented on the “IDDE Inspection/Investigation Form” (See attachment F). The City will provide a summary of wet weather visual assessments in each annual report. See Attachment J for detailed IDDE Inspection/Investigation Standard Operation Procedures (SOP).

7.3.5 BMP 3.5 – Follow-up Screening Procedures

BMP 3.5 is designed to meet the requirements of Permit section 6.4.3.8.c.

If illicit discharge or illegal dumping is detected from complaint reports, dry weather screening, or wet weather monitoring a full investigation into the pollutant source will be conducted. If the contaminant is discovered at a piped outfall, upstream manholes will be inspected to determine the discharge location. A camera truck may also be implemented to trace the location of discharge from within the pipe. See Attachment C for the enforcement procedure process.

7.3.6 BMP 3.6 – Unpermitted Discharges

BMP 3.6 is designed to meet the requirements of Permit section 6.4.3.11.

The City actively works to identify unpermitted facilities and activities that are discharging to the MS4. To identify these facilities and activities the City will:

- Audit 20% of active construction projects (greater than 1 acre) located within the City’s limits for AZPDES Construction General Permit (CGP) coverage.

- Audit new businesses with Standard Industrial Classification (SIC) Codes listed in the Multi Sector General Permit (MSGP). Reports of new business licenses will be developed annually by the Business Licensing Department to verify if any applicable industrial facilities have applied for business licenses.

Additionally, if illicit discharge complaints result in an investigation at a business, the City will assess AZPDES MSGP coverage and, if appropriate, will report potential non-filers to ADEQ.

The City will then cross reference the list of businesses using ADEQs megasearch database (<http://megasearch.azdeq.gov/megasearch/>) if the business is not listed, the City will mail an informational letter recommending the business owner contact ADEQ to determine if MSGP coverage is required. The City will include a list of all facilities contacted throughout the year in the annual report.

7.3.7 BMP 3.7 – Staff Training

See section 8.0 of this SWMP for complete training information. BMP 3.7 is designed to meet the requirements of Permit section 6.4.3.10.

7.4 MCM-4: CONSTRUCTION ACTIVITY STORMWATER RUNOFF CONTROL

This section is intended to meet the requirements outlined in Permit section 6.4.4. The City requires an NOI, Authorization to Discharge (ATD), and Erosion Control Plan (ECP) prior to grading permit issuance. In addition, construction sites will be inspected at least once during the active phase of construction (see BMP 4.2).

Table 4 identifies the BMPs, schedule, measurable goals and responsible party(s) for the Construction Activity Stormwater Runoff Control minimum control measure.

7.4.1 BMP 4.1 – Construction Inventory

BMP 4.1 is designed to meet the requirements of Permit section 6.4.4.1.b.

The City maintains an inventory of all construction sites within City boundaries that disturb 1 acre or more. Construction projects are managed by the City's tracking software, Accela. Construction sites are regularly loaded into Accela when project information is submitted for building permits. The inventory is managed appropriately and searchable by site address.

7.4.2 BMP 4.2 – Inspection and Enforcement Procedures

BMP 4.2 is designed to meet the requirements of Permit section 6.4.4.2c, 6.4.4.2d, and 6.4.4.5.

The City will inspect construction sites for stormwater compliance a minimum of one time during the active phase of construction. Upon inspection, the Inspector will complete an inspection form (see Attachment F) and retain an electronic or hard copy for a minimum of 3 years.

If a non-compliance is identified during the inspection, the Inspector will notify the permittee and follow up within 7 days to ensure corrective actions have been made. If corrective actions have not been implemented the inspector will begin the enforcement process described in Attachment C.

In the case that a complaint is received for a potential stormwater non-compliance at or emanating from a construction site, the inspector will investigate the call within 7 days of receiving the complaint.

7.4.3 BMP 4.3 – Site Plan Review Procedures

BMP 4.3 is designed to meet the requirements of Permit sections 6.4.4.2f, 6.4.4.2g and 6.4.4.2h.

Any construction activities in the City of Avondale that meet the criteria to require AZPDES CGP permit coverage from ADEQ will be required to submit an NOI, ATD, and ECP that has been prepared by a qualified person certifying its accuracy and completeness. A qualified person includes:

- Certified professional in erosion and sedimentation control (CPESC)
- Certified professional in storm water quality (CPSWQ)
- Registered professional engineer (civil, agricultural, or environmental) in the State of Arizona with a minimum of five (5) years of design and/or management experience in stormwater permitting/compliance work.

The ECP refers to the portion of the SWPPP that contains only the plan view of the site and BMPs. The City also requires additional information not typically required on ECPs and as such, has provided a template available on their website to assist applicants in providing project information.

The Development and Engineering Services Department will review the submitted documents and plans to assure compliance with all City Standards. All plan review fees are due in accordance with current adopted fee schedule. If not approved, comments will be provided by staff, and those comments must be complied with on subsequent submittals. Once the ECP is approved, the contractor will collect the approved ECP when the first civil construction permit is paid and issued.

Prior to collecting the City-approved ECP the contractor must submit a Notice of Intent (NOI), and Authorization To Discharge (ATD) from the Arizona Department of Environmental Quality (ADEQ).

7.4.4 BMP 4.4 – Staff Training

BMP 4.4 is designed to meet the requirements of Permit section 6.4.4.3.

City Inspectors will be trained with recent Stormwater Management procedures on an annual basis. See section 8.0 of this SWMP for specific training requirements and schedules.

7.4.5 BMP 4.5 – Operator Education and Public Involvement

BMP 4.5 is designed to meet the requirements of Permit section 6.4.4.4.

Contractors are required to be familiar with the City's stormwater management practices and ordinance requirements. The City will provide educational handouts when construction permits are approved as well as a brief stormwater discussion during the pre-construction meeting between the City and contractors. During inspections the City inspector will also educate and field questions from the contractor while onsite.

The City has adopted the FCDMC Erosion and Sediment Control Practices Manual, and encourages contractors to review the Erosion Control Manual. The Erosion Control Manual contains BMP fact sheets in Section 5 and can be found at the following location: <http://www.maricopa.gov/DocumentCenter/View/2368>.

7.5 MCM-5: POST-CONSTRUCTION STORMWATER MANAGEMENT

This section is intended to meet the requirements outlined in Permit section 6.4.5. The Avondale City Code contains regulations regarding retention of stormwater for new and redeveloped construction sites. These ordinances establish methods and standards for retention basins for new construction and redevelopment projects within the City. The ordinances were adopted to control post-construction flooding and stormwater runoff control for water quality purposes.

Table 5 identifies the BMPs, schedule, measurable goals and responsible party(s) for the Post-Construction Stormwater Management minimum control measure.

7.5.1 BMP 5.1 – Stormwater Control Inventory

BMP 5.1 is designed to meet the requirements of Permit section 6.4.5.3.

All stormwater control BMPs are inventoried in GIS. Upon completion of projects, contractors are required to deliver site as-built plans to the City prior to final permit issuance. The as-built plans are then digitized by the City's GIS department. As-built plans are typically digitized soon after being submitted so that stormwater infrastructure remains up to date in case of an illicit discharge investigation.

7.5.2 BMP 5.2 – Enforcement Procedures

BMP 5.2 is designed to meet the requirements of Permit section 6.4.5.1.

See Attachment C for the enforcement procedure process.

7.5.3 BMP 5.3 – Site Plan Review Procedures

BMP 5.3 is designed to meet the requirements of Permit section 6.4.5.2.

Site plans, including all post-construction BMPs, are required to be submitted to the City as part of the development permit process (See BMP 4.3 Site Plan Review Procedures). When as-built

plans are submitted at the end of the project, post-construction BMPs and retention requirements are reviewed for accuracy.

7.5.4 BMP 5.4 – Operations and Maintenance Plan

BMP 5.4 is designed to meet the requirements of Permit section 6.4.5.4.

All post-construction BMPs are required to be maintained by the entity responsible for its operations and maintenance. Responsibility is typically determined prior to issuance of the Final Plat and is typically documented through an operation and maintenance agreement. The agreement follows the property regardless of property owner changes.

Inspections of post-construction BMPs that discharge to the MS4 and are required to be maintained by an entity other than the City (such as an HOA or commercial property owner) will be performed on a complaint driven basis.

Inspection of post-construction BMPs that are a part of the MS4 and can be expected to convey flow in storm events less than the 100 yr. 2hr. event will be inspected by the City or their contractor. The City will inspect approximately 20% of post-construction BMPs each year. Inspections will be documented using the Post-Construction Inspection Form (see Attachment F).

7.6 MCM-6: POLLUTION PREVENTION AND GOOD HOUSEKEEPING

This section is intended to meet the requirements outlined in Permit section 6.4.6. The City recognizes that any SWMP requires diligent good housekeeping and pollution prevention to be successful. The City already practices many pollution prevention activities, and is committed to improving their good housekeeping practices in maintenance and operations activities. The City also realizes that evaluation and refinement of good housekeeping and pollution prevention is beneficial, and is committed to the BMPs and schedules described below. City operations impacted by MCM-6 will predominantly be operations conducted by the Public Works Department and the Development and Engineering Services Department. Specific operations to be impacted include vehicle maintenance, facilities maintenance, and parks operations.

Table 6 identifies the BMPs, schedule, measurable goals and responsible party(s) for Pollution Prevention and Good Housekeeping minimum control measure.

7.6.1 BMP 6.1 – Municipal Facility Inventory and Prioritization

BMP 6.1 is designed to meet the requirements of Permit sections 6.4.6.a., 6.4.6.b, and 6.4.6.c.

The municipal facility inventory is managed via prioritized spreadsheet. The inventory can be found in Attachment D. Municipal facilities with a potential to discharge are listed along with their inspection priority and schedule.

The facilities are ranked by priority. Priority is determined by pollutant type and risk to discharge. Site inspection schedule is determined by facility priority. More frequent inspections are performed on higher risk facilities. Low priority facilities must be inspected once every 5 years or 20% per

year for the permit length. Medium priority facilities must be inspected every other year while high priority facilities are inspected annually.

Facilities with SIC codes that require MSGP coverage are included in the list, but are not included as SWMP requirements since they are already regulated under another AZPDES permit. The City owns additional properties, such as future right-of-ways, but these have been omitted from the inventory due to their extremely low potential to discharge pollutants.

7.6.2 BMP 6.2 – Operations Inspection and Maintenance (O&M Procedures)

BMP 6.2 is designed to meet the requirements of Permit section 6.4.6.g.

Street Sweeping - The City has a street sweeping program. All City streets are swept once per month.

Vehicle Maintenance - The City's current vehicle maintenance is done at the Municipal Operations and Service Center. City-owned vehicles are also washed at this location. All maintenance and washing of vehicles is performed in a closed bay. All vehicle wash water is collected and treated in an onsite oil/water separator before discharging to the sanitary sewer. When required, the City contracts the oil/water separator to be pumped and treated offsite.

7.6.3 BMP 6.3 – Implement Pollution Controls

BMP 6.3 is designed to meet the requirements of Permit section 6.4.6.e.

The City has developed Stormwater Pollution Prevention Plans (SWPPPs) or Pollution Prevention Plans (P2 Plans) for multiple City facilities. The plans indicate best practices to use in the event of a spill. In addition, City staff maintains public catch basins and other stormwater infrastructure. Furthermore, the City maintains MSGP permits for its required facilities.

7.6.4 BMP 6.4 – Staff Training

BMP 6.4 is designed to meet the requirements of Permit section 6.4.6.f.

Training is required to ensure the BMPs under MCM 6 are performed correctly.

- All maintenance employees should, at a minimum, have a general knowledge of stormwater pollution prevention procedures.
- Facilities Manager and Facilities Supervisors shall be trained on the Facility Inspection process.

All training schedules, responsibilities, and content are covered in section 8.0 of this SWMP below.

8.0 TRAINING

The City has a training program to address the training requirements for municipal employees outlined in permit sections 6.4.3.10 (IDDE) and 6.4.6 (Pollution Prevention/Good Housekeeping

for Municipal Operators). In addition to this permit-required training, the City also trains construction and post-construction inspectors and plan reviewers (permit sections 6.4.4 and 6.4.5, respectively).

Employees targeted for training may include: building site inspectors, construction plan reviewers, construction and post-construction inspectors, code enforcement officers, public safety personnel, field maintenance crews, and those employees who are involved in targeted operations and/or their supervisors. Training can also be provided to certain City contractors at the discretion of the Environmental Program Manager. The training program is based on the identified needs of the municipal employees. See table below for an outline of the training provided by the City.

Course	Audience	Frequency	General Training Content
General Stormwater Awareness (IDDE)	- All City Personnel	Annual	- Stormwater quality basics - Identifying and Reporting Illicit Discharges
Municipal Facilities	- Facilities Manager - Facility's Supervisors - Public Works Employees - Fleet Mechanic - Field Operations Staff - Parks Staff	Annual	- Facility Inspections - Enforcement/Forms - Relevant components of MSGP
Inspections	- Engineering Inspectors - Public Works Employees (MSGP) - Chief Building Official - Building Inspectors - Code Compliance Division - Contractors	Annual	- Site Inspections - Plan Review Process - Enforcement/Forms - Relevant components of CGP

8.1 TYPES OF TRAINING

The following sections describe the different types of storm water pollution prevention training conducted by the City.

8.1.1 Illicit Discharge Detection and Elimination (IDDE)

As outlined in permit section 6.4.3.10, training is required to inform public employees of hazards associated with illegal discharges and improper disposal of waste. The goals of the program are to raise awareness, and prevent Illicit Discharges (IDs) and Illicit Connections (ICs), and to encourage employees to report IDs and ICs they may encounter.

8.1.2 Municipal Facilities

As outlined in Permit section 6.4.6.f, training is required on the O&M program for municipal operations. The goal of the program is to prevent or reduce pollutant runoff from municipal operations due to activities including but not limited to: park and open space maintenance, fleet and building maintenance, new construction and land disturbances (see sections 4.1.3 and 4.1.4), and stormwater system maintenance. Training topics may include:

- Maintenance activities, schedules, and inspection procedures for controls to reduce floatables and other pollutants.
- Controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas.
- Procedures to properly dispose of waste removed from the City and municipal operations (including dredge spoil, accumulated sediments, floatables, and other debris).

8.1.3 Construction Inspection

As outlined in Permit section 6.4.4.3, training is required for employees responsible for conducting construction site inspections and applying enforcement actions against construction site operators. The goal of the program is to prevent or reduce pollutant runoff from construction sites.

8.1.4 Post-Construction Inspection

As outlined in Permit section 6.4.4.3, training is required for employees responsible for performing site plan review and inspecting post-construction site controls. The goal of the program is to prevent or reduce pollutant runoff from new development and redevelopment projects.

8.2 TRAINING FREQUENCY

The City conducts annual training for all existing employees on the topics identified in section 8.1. Additionally, new employees receive on-boarding training on the topics identified in section 8.1 and then continue to attend the regular annual trainings. Training is also provided when employees are assigned new operations, tasks, equipment, or protocols.

8.3 TRAINING METHOD

Training may be provided by one or more of the following methods:

- Incorporated into existing training programs (i.e. safety, materials handling, new employee orientation, etc.).
- Established through on-the-job awareness and reinforcement (storm water pollution prevention posters, articles on the City's internal website, etc.).
- Provided through more traditional training such as in-house workshops or presentations.

8.4 TRAINING MEASUREABLE GOALS

The measurable goal for all training BMPs is to track and report the number of employees trained during each reporting period. All formal trainings will be documented with sign-in sheets and agendas.

9.0 ANALYTICAL MONITORING

Permit section 7.0 requires monitoring for small MS4s that discharge to impaired waters with established Total Maximum Daily Load(s) (TMDLs). The City MS4 drains to the Agua Fria and Gila Rivers. At this time, the segments discharged to are not listed on Arizona's 303(d) list and there is no established TMDL nor is it classified as an OAW; therefore, the City's SWMP does not include provisions for stormwater monitoring. The SWMP will be updated annually, and analytical monitoring provisions will be added in the future if necessary.

10.0 REPORTING REQUIREMENTS

This section describes the reporting requirements as outlined in the Permit. **Table 7** outlines the timeframe for Permit requirements that are not included in a specific BMP.

10.1 ANNUAL REPORT

The City will submit its required report annually by September 30 of each year. The report will include:

- Status of compliance with permit conditions.
- Updates regarding mapping requirements (including percent complete).
- Assessment of the effectiveness of the BMPs.
- Assessment of the progress towards achieving the measurable goals for each of the six minimum control measures (including description of the targeted message for each audience, distribution method and dates, and program evaluation method).
- Description of the activities used to promote public participation.
- The status of any plans or activities required by the IDDE programs, including results of illicit discharge potential protocols, number of illicit discharges located, number of illicit discharges removed, and employee training.

- All outfall screening and monitoring data collected.
- The status of any plans or activities required by General Monitoring Program.
- Status of the construction runoff management including number of project plans reviewed, number of inspections, and number of enforcement actions.
- Status of stormwater management for new development and redevelopment.
- Status of ordinance development and review.
- Status of the operation and maintenance programs (6.4.6.1).
- Description of any changes in identified BMPs or measureable goals.
- Description of activities to be conducted during next reporting cycle.

10.2 DISCHARGE MONITORING REPORTS.

The City will submit Discharge Monitoring Reports (DMR) each year with its annual report no later than September 30 of each year. Results from dry and wet weather visual monitoring performed as described in section 7.3 of this SWMP will be included in the DMR. Should an illicit discharge be confirmed during an inspection, the City will also include the following information in the DMR:

- Location of discharge and its source(s)
- Description of the discharge
- Estimated illicit discharge duration
- Method of discovery
- Date of discovery
- Date of elimination
- Mitigation or enforcement action
- Responsible person (if known)
- Estimated volume

10.3 OTHER REPORTING

Per Permit section 9.12 the City is required to:

- Notify ADEQ of any noncompliance to the Permit which may endanger human health or the environment;
- Give notice to ADEQ as soon as possible of any planned physical alterations or additions to permitted facilities;
- Give advance notice to ADEQ of any planned changes that may result in noncompliance with permit requirements, and

- Contact ADEQ if the City becomes aware that relevant information in the NOI or any other submitted report was not included.

11.0 PROGRAM ASSESSMENT

The City or their contractor will annually evaluate City performance against the SWMP. All BMPs will be assessed for appropriateness and effectiveness by analyzing their established goals. If necessary, ineffective or infeasible BMPs may be modified or replaced, however documentation of why the BMP was insufficient, expectation of the replacement BMP, and why the replacement BMP will meet the defined goals is required within the SWMP. Adding components or controls to BMPs can be done at any time. The self-evaluation will be included in Attachment H as well as submitted to ADEQ as part of the annual report.

12.0 RECORD KEEPING

The City will keep all records pertaining to the Permit for a minimum period of 3 years. The records will include all reports, follow up documentation, inspection records, enforcement actions, and data used in the development of the notice of intent.

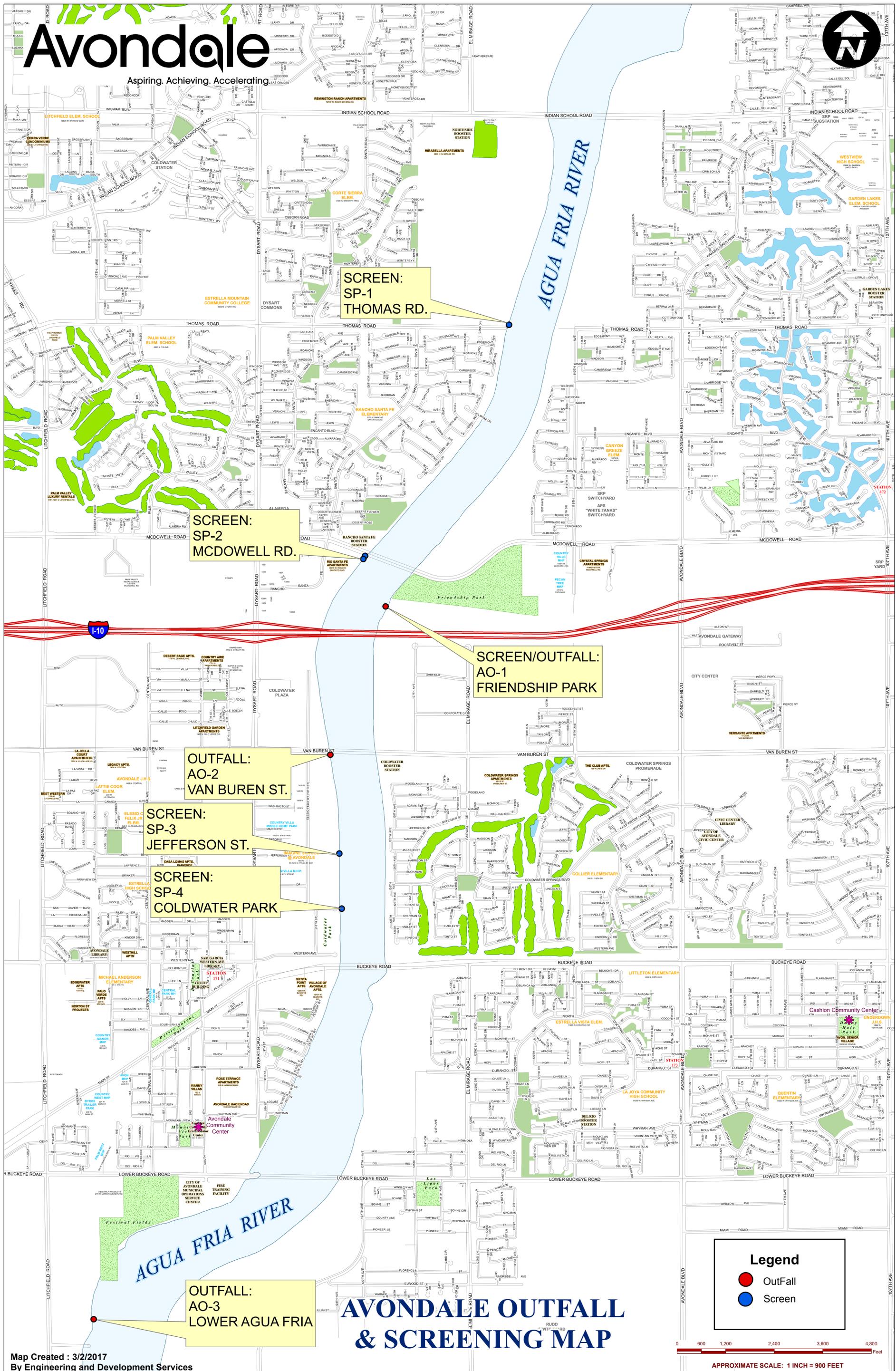
13.0 PLAN AVAILABILITY

The Stormwater Management Plan is maintained online and accessible to the public. The SWMP can be viewed at <http://www.avondale.org/index.aspx?NID=2568>. A hardcopy of the City's SWMP is kept at the City Hall for public viewing during normal business hours.

FIGURES

Avondale

Aspiring. Achieving. Accelerating



SCREEN:
SP-1
THOMAS RD.

SCREEN:
SP-2
MCDOWELL RD.

SCREEN/OUTFALL:
AO-1
FRIENDSHIP PARK

OUTFALL:
AO-2
VAN BUREN ST.

SCREEN:
SP-3
JEFFERSON ST.

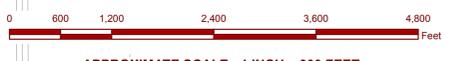
SCREEN:
SP-4
COLDWATER PARK

OUTFALL:
AO-3
LOWER AGUA FRIA

AVONDALE OUTFALL & SCREENING MAP

Legend

- OutFall
- Screen



TABLES

Table 1 – Public Education and Outreach BMPs

BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
1.1 Local Outreach Group	<p>Development and Engineering Services Department STORM will provide stormwater related public education to all member communities.</p>	Document PSA effort and number of people reached.	1 per year minimum
1.2 Printed Materials	<p>Development and Engineering Services Department The City and STORM will work together to generate an effective medium to educate the public (including schoolchildren and construction contractors/operators) about stormwater importance.</p>	Document where stormwater materials are handed out and how many stormwater information books/ handouts are taken.	2 per year minimum
1.3 Periodicals	<p>Community Relations and Public Affairs Office City publishes stormwater educational material in <i>Rave Review</i> and <i>West Valley View</i> as needed.</p>	Document number of articles published each year.	1 per year minimum
1.4 Events	<p>Development and Engineering Services Department City of Avondale organized stormwater educational events.</p>	Number of times events are organized.	1 per year minimum
1.5 Website	<p>Community Relations and Public Affairs Office The City maintains stormwater information on the City's website as well as their Facebook page where citizens can voice their opinions.</p>	Document updates of the website, articles accessed, and dates of publication.	Available year-round



Table 2 – Public Involvement and Participation BMPs

BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
2.1 Public Notice of SWMP and NOI	Development and Engineering Services Department The City will submit a complete NOI to ADEQ and will make the NOI available to the Public on their website for a 30-day comment/review period.	Document comments and who reviewed the NOI and what reviews they made.	Once per permit
2.2 Public Participation	Parks, Recreation and Libraries Department and Development and Engineering Services Department Coordinate volunteers for Tres Rios Make a Difference Day cleanup programs.	Record number of participants, locations of cleanup, and amount of debris collected.	2 per year minimum
2.3 Complaint Program	Neighborhood and Family Services Department The Code Enforcement Division will investigate any potential violations submitted via telephone, website, or myAvondale app, which is free.	Document the number of telephone, website, and app complaints regarding stormwater related issues. Document number of problems/incidents resolved.	Ongoing as complaints are received

Table 3 – Illicit Discharge Detection and Elimination BMPs

BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
3.1 Enforcement Procedures	Neighborhood and Family Services Department Procedures are established and will be used by Code Enforcement Officer to enforce illicit discharges.	Record number of violations each year.	Ongoing as illicit discharges are identified.
3.2 Illicit Discharge Prevention and Reporting	Development and Engineering Services Department Procedures designed to prevent, identify, report, and mitigate Illicit Discharges are contained within the SOP and ERP.	Record number of illicit discharges reported each year.	Annually
3.3 Dry Weather Screening	Development and Engineering Services Department Inspect outfalls and/or screening points during dry periods to identify potential illicit discharges.	Complete inspection documentation Record number of dry weather screenings performed each year.	Inspect annually
3.4 Visual Wet Weather Monitoring	Development and Engineering Services Department Visually monitor outfalls and/or screening points in response to a rain event to identify potential illicit discharges.	Document inspections Record number of wet weather visual monitoring inspections performed each year.	2 per wet season per year minimum for each outfall or screening point
3.5 Follow-up Screening Procedures	Development and Engineering Services Department Develop and implement procedures to identify source of illicit discharge	Develop/revise procedures	Annually



BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
3.6 Unpermitted Discharges	Development and Engineering Services Department Check permits of businesses and active construction sites in order to identify potentially unpermitted facilities and non-filers.	Record the number and contact information of contacted sites and facilities potentially requiring AZPDES coverage..	Once per permit cycle
3.7 Staff Training	Development and Engineering Services Department Yearly training of staff	City will record number of employees who received stormwater training each year.	1 per year minimum

Table 4 – Construction Site Runoff Control BMPs

BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
4.1 Construction Inventory	Development and Engineering Services Department Keep current database of current construction projects.	Database developed and kept current	Ongoing
4.2 Inspection and Enforcement Procedures	Development and Engineering Services Department Inspect construction projects for stormwater compliance.	Inspect construction sites Document inspections in inspection reports Record number of inspections each year.	Ongoing
4.3 Site Plan Review Procedures	Development and Engineering Services Department Review erosion control plans to ensure compliance.	Review plans and record number of erosion control plans reviewed.	Ongoing
4.4 Staff Training	Development and Engineering Services Department Annual staff training.	Train plans review staff Train inspection staff Document and record trainings	Annual training
4.5 Operator Education and Public Involvement	Development and Engineering Services Department Contractor education program and onsite training.	Record number of Operators who received stormwater training handouts each year.	Ongoing



Table 5 – Post Construction Runoff Control BMPs

BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
5.1 Stormwater Control Inventory	Development and Engineering Services Department Develop and maintain a GIS database of permanent stormwater BMPs.	Update database as new BMPs are completed.	Ongoing
5.2 Enforcement Procedures	Development and Engineering Services Department Develop SOPs for ensuring permanent stormwater BMPs are being inspected and maintained by private property owners.	Develop and enforce procedures	Ongoing
5.3 Site Plan Review Procedures	Development and Engineering Services Department Develop and implement SOPs for permanent stormwater BMP design, construction oversight and as-built verification. Review plans for compliance with regulations and SOP.	Develop/revise SOPs Document plan review	Ongoing
5.4 Operations and Maintenance Plan	Development and Engineering Services Department Require private developments to maintain their BMPs. City shall inspect public post-construction BMPs using the Post-Construction Inspection Form.	City shall inspect 20% of post-construction BMPs at public facilities each year and respond to complaints at private facilities.	20% Annually

Table 6 – Pollution Prevention/Good Housekeeping BMPs

BMP Category	BMP Responsibility and Description	Measurable Goals	BMP Frequency/ Timeline
6.1 Municipal Facility Inventory and Prioritization	Development and Engineering Services Department Develop an inspection schedule for municipal facilities based on potential discharge priority.	Evaluate each facility and operation Develop prioritization Inspect facilities based upon prioritization. Document inspection findings.	Within 6 months of permit coverage; inspections ongoing
6.2 Operations Inspection and Maintenance	Field Operations Department A. Vehicle Maintenance	Inspect the Municipal Operations and Service Center; identify activities that should be modified/included to prevent pollutant discharges.	Year 3
	B. Street Sweeping programs	Continue street sweeping program; document tons of solids removed	Ongoing
6.3 Implement Controls	Field Operations Department A. Maintain structural controls installed on municipal facilities.	Inspect and maintain (as necessary) structural controls; document inspections	Ongoing
	B. Review pollution prevention plans for municipal facilities.	Review and update pollution prevention plans	Annually
6.4 Staff Training	Development and Engineering Services Department Yearly training for City Engineer and Facilities Supervisor on pollution prevention	Document training. Record number of employees who received stormwater training.	Annually

Table 7 - Program Management Requirements

Reporting and Assessment	Frequency	Timeframe
Annual Report	Annually	September 30
Self-Evaluation	Annually	September 30
Discharge Monitoring Reports	Annually	September 30
Storm Sewer System Mapping – Keep maps current	Update as new stormwater systems come online	Ongoing
Enforcement Response Plan – Implement the Enforcement Response Plan	Implement ongoing	Ongoing



ATTACHMENT A

ACRONYMS AND DEFINITIONS

ACRONYMS

The following is a list of acronyms and abbreviations that are used in this document.

AAC	Arizona Administration Code
ADEQ	Arizona Department of Environmental Quality
ARS	Arizona Revised Statutes
AZPDES	Arizona Pollutant Discharge Elimination System
BMP(s)	Best Management Practice(s)
CGP	Construction General Permit
CWA	Clean Water Act
ECP	Erosion Control Plan
ERP	Enforcement Response Plan
FCDMC	Flood Control District of Maricopa County
GIS	Geographic Information System
IC	Illicit Connection
ID	Illicit Discharge
IDDE	Illicit Discharge Detection and Elimination
MCM(s)	Minimum Control Measure(s)
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
OAW	Outstanding Arizona Water
O&M	Operations and Maintenance
STORM	Stormwater Outreach for Regional Municipalities

SWMP	Stormwater Management Plan
TMDL	Total Maximum Daily Load

DEFINITIONS

Arizona Pollutant Discharge Elimination System (AZPDES) - The ADEQ implementation of the EPA program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under the Clean Water Act.

Best Management Practices (BMPs) - Measures or practices used to prevent or minimize the amount of pollution entering surface waters. BMPs may take the form of a process, activity, or physical structure.

Discharge - The conveyance, channeling, runoff, or drainage stormwater, including snowmelt, from a site.

Minor Spills - Spills that have a volume less than the reportable quantity, can be controlled and cleaned up with onsite resources, do not contaminate the environment, and do not cause injury to personnel.

National Pollutant Discharge Elimination System (NPDES) - The EPA program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under the Clean Water Act.

Non-stormwater discharge - Any discharge not comprised entirely of stormwater except discharges authorized by a NPDES/AZPDES permit.

Outfall - Any discernible stormwater conveyance (e.g., pipe, ditch, swale, canal) that discharges to waters of the state or to a separate municipal storm system. See also point source discharge.

Point Discharge - Any discernible, confined, and discrete conveyance, including pipes, ditches, channels, tunnels, conduits, and wells.

Pollutant - Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into stormwater.

Precipitation - Any form of rain or snow.

Run-on - Stormwater surface flow or other surface flow that enters the site other than that where it originated.

Runoff - Part of precipitation, snowmelt, or irrigation water that runs off the land into streams or other surface water. It can carry pollutants from the air and land into the receiving waters.

Stormwater - Stormwater runoff, snowmelt runoff, and surface runoff and drainage.



ATTACHMENT B

NOTICE OF INTENT



NOTICE OF INTENT (NOI)

for Arizona Pollutant Discharge Elimination System (AZPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit (AZG2016-002)

Regulated small Municipal Separate Storm Sewer Systems (MS4s) must submit a Notice of Intent (NOI) to the Arizona Department of Environmental Quality (ADEQ) to obtain MS4 general permit coverage. Permittees must complete a NOI form and submit the original, ink-signed document to the address below:

Arizona Department of Environmental Quality
 Surface Water Section/ Stormwater & General Permits Unit (5415A-1)
 1110 West Washington Street
 Phoenix, AZ 85007

A. SMALL MS4 INFORMATION

Legal Name of Municipality or Organization:
 City of Avondale

Choose one: <div style="display: flex; justify-content: space-around;"> Existing Permittee New Permittee </div>	Operator Type: <div style="text-align: center;">City</div>
--	---

Mailing Address: 11465 W Civic Center Dr	County: <div style="text-align: center;">Maricopa</div>
---	--

City: Avondale	State: AZ	Zip Code: <div style="text-align: center;">85323</div>
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Latitude/ Longitude at approximate geographic center of MS4 (D/M/S):
 33° 23' 8" N / 112° 19' 9" W

B. PRIMARY MS4 PROGRAM MANAGER CONTACT PERSON

Name: Paul A. Lopez, CSBA	Title: Engineering Plan Review Manager
------------------------------	---

Department:
 Development and Engineering Services

Mailing Address:
 11465 W Civic Center Dr Suite 120

City: Avondale	State: AZ	Zip Code: <div style="text-align: center;">85323</div>
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Phone Number: 623-333-4219	Fax Number: 623-333-0420	Email Address: plopez@avondale.org
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Has another governmental entity agreed to satisfy any of your permit obligations?	Yes	No
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If "yes" to the above question, name the other governmental entity and describe the agreement(s) between entities:

Click here to enter text.

C. BILLING INFORMATION			
Same as Primary MS4 Program Manager Contact Person Information? If "yes," proceed to Section D.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Name: Click here to enter text.	Title: Click here to enter text.		
Department: Click here to enter text.			
Mailing Address: Click here to enter text.			
City: Click here to enter text.	State: Click here to enter text.	Zip Code: Click here to enter text.	
Phone Number: Click here to enter text.	Fax Number: Click here to enter text.	Email Address: Click here to enter text.	
D. ENFORCEMENT AUTHORITY OR OTHER MECHANISM			
Illicit Discharge Detection and Elimination (IDDE) Enforcement Authority or other mechanism established?		Yes	No
Describe IDDE Enforcement Authority or other mechanism: City of Avondale Municipal Code Current City Code meets all Permit requirement; however, the Code is currently under revision and will be completed by 9/30/2018.			
Name of Enforcement Authority or other mechanism: Article II – Stormwater Quality Protection		Effective Date or Estimated Date of Adoption: 9/30/2018	
Construction Site Stormwater Runoff Enforcement Authority or other mechanism established?		Yes	No
Describe Construction Site Stormwater Enforcement Authority or other mechanism: City of Avondale Municipal Code Current City Code meets all Permit requirement; however, the Code is currently under revision and will be completed by 9/30/2018.			
Name of Enforcement Authority or other mechanism: Article II – Stormwater Quality Protection		Effective Date or Estimated Date of Adoption: 9/30/2018	
Post-Construction Stormwater Management Enforcement Authority or other mechanism established?		Yes	No
Describe Post-Construction Enforcement Authority or other mechanism: City of Avondale Municipal Code Current City Code meets all Permit requirement; however, the Code is currently under revision and will be completed by 9/30/2018.			
Name of Enforcement Authority or other mechanism: Article II – Stormwater Quality Protection		Effective Date or Estimated Date of Adoption: 9/30/2018	

E. MAPPING COMPONENTS				
1. Stormwater Sewer Mapping (including roads with drainage system, municipal streets, catch basins, curbs, gutter, ditches, man-made channels, or storm drains that are owned or operated by the permittee and convey stormwater to Waters of the US)		Percent Complete at time of NOI submission 100%		
If 100% of requirements are NOT met for an existing permittee and for all new permittees, include a timeline, measurable goals, and estimated date of completion (MM/YY) for Stormwater Sewer Mapping: Click here to enter text.				
2. Outfall Mapping		Percent Complete at time of NOI submission 100%		
If 100% of requirements are NOT met for an existing permittee and for all new permittees, include a timeline, measurable goals, and estimated date of completion (MM/YY) for Outfall Mapping: Click here to enter text.				
3. Identification of Receiving Waters (names and locations of all the Waters of the US that receive discharge from those outfalls)		Percent Complete at time of NOI submission 100%		
If 100% of requirements are NOT met for an existing permittee and for all new permittees, include a timeline, measurable goals, and estimated date of completion (MM/YY) for Receiving Water Identification: Click here to enter text.				
F. SUMMARY OF RECEIVING WATERS				
Does the MS4 have outfalls that discharge to Waters listed in A.A.C. R18-11 Article 1, Appendix B?		<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No
If "yes" the MS4 discharges to receiving water(s) listed in A.A.C. R18-11 Article 1, Appendix B, then the following section must be completed. If "no" discharges occur to receiving water(s) listed in A.A.C. R18-11 Article 1, Appendix B, then the following section does <u>not</u> need to be filled out, proceed to Section G. If you answer "yes," the receiving water segment is Impaired, Not-Attaining or an Outstanding Arizona Water (OAW), you must also complete Part H.3- Impaired, Not-Attaining and OAWs and BMPs.				
Identify Appendix B surface water(s) that receives discharge(s) from the MS4	Number of outfalls discharging to receiving water?	Is the receiving water listed as an Impaired, Not-Attaining or OAW (choose one)?	List Pollutant(s) causing the Impairment(s):	Does the receiving water have a TMDL?
Agua Fria River	3	No	Click here to enter text.	No
Click here to enter text.		Choose an item.	Click here to enter text.	
Click here to enter text.		Choose an item.	Click here to enter text.	
Click here to enter text.		Choose an item.	Click here to enter text.	
Click here to enter text.		Choose an item.	Click here to enter text.	

G. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY

G-1. MCM 1: Public Education and Outreach

For MCM 1- Public Education and Outreach, use the pull down menu to indicate the BMP Category (column 1). You may override the selection and type in your own BMP. Include a brief description of the BMP (column 2) including the personnel position or department(s) responsible. Describe the Measureable Goals (column 3) for each BMP, including the targeted audience such as commercial, construction, industrial or residential for MCM 1. Column 3 should include milestones, timeframes and frequencies. Insert the month and year (MM/YY) in the Start Date (column 4) to indicate the date the BMP was initiated or enter your own text to override the selection.

BMP Category (enter your own text to override the drop down menu)	BMP Description (include personnel position or department responsible)	Measurable Goals (include milestones, timeframes and frequencies) and include the Targeted Audience	Start Date (MM/YY) (enter your own text to override the drop down menu)
1.1 Education Program	<u>Development and Engineering Services Department</u> The City and STORM will provide stormwater related public education to all member communities.	Document outreach efforts and number of people reached. (1 time per year minimum) Audience - general public	01/05
1.2 Printed Materials	<u>Development and Engineering Services Department</u> The City and STORM will provide printed educational materials at public events and make them available at the City Hall.	Document where stormwater materials are handed out and how many stormwater information books/ brochures are distributed. (Distribute materials at 2 events per year minimum) Audience - schoolchildren, contractors, general public	01/05
1.3 Periodicals	<u>Community Relations and Public Affairs Office</u> City publishes educational material in RAVE Review, West Valley View, and Arizona Republic.	Document number of articles published each year. (Publish 1 article per year minimum as needed) Audience - general public	01/05
1.4 Events	<u>Development and Engineering Services Department</u> City of Avondale organized stormwater educational events.	Document number of events organized and number of participants. (Organize 2 events per year minimum) Audience - general public	01/05
1.5 Website	<u>Community Relations and Public Affairs Office</u> The City maintains stormwater information on the City's website as well as their Facebook page where citizens can voice their opinions.	Document updates of the website, articles accessed, and dates of publication. (Website available year-round) Audience - general public	01/06

CM 1: Public Education and Outreach

Use this space to add any additional information for MCM1:

The Public Education and Outreach control measure will target the general public including schoolchildren and construction contractors/operators.

G-2. MCM 2: Public Involvement and Participation

For MCM 2- Public Involvement and Participation, use the pull down menu to indicate the BMP Category (column 1). You may override the selection and type in your own BMP. Include a brief description of the BMP (column 2) including the personnel position or department(s) responsible. Describe the Measureable Goals (column 3) for each BMP. Column 3 should include milestones, timeframes and frequencies. Insert the month and year (MM/YY) in the Start Date (column 4) to indicate the date the BMP was initiated or enter your own text to override the selection.

BMP Category (enter your own text to override the drop down menu)	BMP Description (include personnel position or department responsible)	Measurable Goals (include milestones, timeframes and frequencies)	Start Date (MM/YY) (enter your own text to override the drop down menu)
2.1 Public Notice of SWMP and NOI	<u>Development and Engineering Services Department</u> The City will submit a complete NOI to ADEQ who will distribute the NOI to the public for a 30-day comment/ review period.	Document comments and who reviewed the NOI/ what comments they submitted.	02/15
2.2 Public Participation	<u>Parks, Recreation and Libraries Department and Development and Engineering Services Department</u> Coordinate volunteers for the Tres Rios Make a Difference Day cleanup program.	Record number of participants, location of cleanup, and types of debris collected.	10/15
2.3 Complaint Program	<u>Neighborhood and Family Services Department</u> The Code Enforcement Division will investigate any potential violations submitted via telephone, website, or using the myAvondale app, which is free.	Document the number of telephone, website, and app complaints regarding stormwater related issues. Document number of problem/ incidents resolved.	01/10
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.

MCM 2: Public Involvement and Participation

Use this space to add any additional information about MCM2:

The City of Avondale will provide public participation programs that will target all citizens including schoolchildren and all socio-economic groups. All stormwater related events/ meetings will be open to the public.

G-3. MCM 3: Illicit Discharge Detection and Elimination (IDDE) Program

For MCM 3- Illicit Discharge Detection and Elimination (IDDE) Program, use the pull down menu to indicate the BMP Category (column 1). You may override the selection and type in your own BMP. Include a brief description of the BMP (column 2) including the personnel position or department(s) responsible. Describe the Measureable Goals (column 3) for each BMP. Column 3 should include milestones, timeframes and frequencies. Insert the month and year (MM/YY) in the Start Date (column 4) to indicate the date the BMP was initiated or enter your own text to override the selection.

BMP Category (enter your own text to override the drop down menu)	BMP Description (include personnel position or department responsible)	Measurable Goals (include milestones, timeframes and frequencies)	Start Date (MM/YY) (enter your own text to override the drop down menu)
3.1 Enforcement Procedures	<u>Neighborhood and Family Services Department</u> Procedures are established and will be used by Code Enforcement Officer to enforce illicit discharges.	City will record number of violations each year.	07/05
3.2 Illicit Discharge Prevention and Reporting	<u>Development and Engineering Services Department</u> Procedures designed to prevent, identify, report and mitigate Illicit Discharges are contained within the SOP and ERP.	City will record number of violations each year.	05/15
3.3 Dry Weather Screening	<u>Development and Engineering Services Department</u> Outfall inspections during dry periods in order to identify potential illicit discharges.	City will record number of dry weather inspections performed each year.	05/16
3.4 Wet Weather Monitoring	<u>Development and Engineering Services Department</u> Inspections during wet seasons to identify potential illicit discharges.	City will record number of wet weather monitorings performed each year.	09/17
3.5 Follow-up Screening Procedures	<u>Development and Engineering Services Department</u> Procedure to find source of illicit discharge	City will track the number of illicit discharge investigations and resolution each year.	09/17

3.6 Unpermitted Discharges	<u>Development and Engineering Services Department</u> Verification of required AZPDES/NPDES permits in order to identify unpermitted facilities and construction sites.	Record the number and contact information of contacted sites and facilities potentially requiring AZPDES coverage.	09/17
3.7 Staff Training	<u>Development and Engineering Services Department</u> Yearly training of staff.	City will record number of employees who received stormwater training each year.	12/05
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.

MCM 3: Illicit Discharge Detection and Elimination (IDDE) Program

Use this space to add any additional information about MCM3:

[Click here to enter text.](#)

G-4. MCM 4: Construction Activity Stormwater Runoff Control

For MCM 4- Construction Activity Stormwater Runoff Control, use the pull down menu to indicate the BMP Category (column 1). You may override the selection and type in your own BMP. Include a brief description of the BMP (column 2) including the personnel position or department(s) responsible. Describe the Measureable Goals (column 3) for each BMP. Column 3 should include milestones, timeframes and frequencies. Insert the month and year (MM/YY) in the Start Date (column 4) to indicate the date the BMP was initiated or enter your own text to override the selection.

BMP Category (enter your own text to override the drop down menu)	BMP Description (include personnel position or department responsible)	Measurable Goals (include milestones, timeframes and frequencies)	Start Date (MM/YY) (enter your own text to override the drop down menu)
4.1 Construction Inventory	<u>Development and Engineering Services Department</u> Database management of current construction projects.	City will record number of new entries to construction inventory each year.	12/05
4.2 Inspection and Enforcement Procedures	<u>Development and Engineering Services Department</u> Inspection of construction projects for stormwater compliance.	City will record number of inspections each	12/05
4.3 Site Plan Review Procedures	<u>Development and Engineering Services Department</u> Engineering Department will review Erosion Control Plans to ensure compliance.	City will record number of Erosion Control Plans that have been reviewed each year.	12/05
4.4 Staff Training	<u>Development and Engineering Services Department</u> Annual staff training.	City will record number of employees who received stormwater training each year.	12/05
4.5 Operator Education and Public Involvement	<u>Development and Engineering Services Department</u> Contractor education program and onsite training.	City will record number of Operators who received stormwater training/handouts each year.	09/17

MCM 4: Construction Activity Stormwater Runoff Control

Use this space to add any additional information about MCM4:

[Click here to enter text.](#)

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

For MCM 5- Post-Construction Stormwater Management in New Development and Redevelopment, use the pull down menu to indicate the BMP Category (column 1). You may override the selection and type in your own BMP. Include a brief description of the BMP (column 2) including the personnel position or department(s) responsible. Describe the Measureable Goals (column 3) for each BMP. Column 3 should include milestones, timeframes and frequencies. Insert the month and year (MM/YY) in the Start Date (column 4) to indicate the date the BMP was initiated or enter your own text to override the selection.

BMP Category (enter your own text to override the drop down menu)	BMP Description (include personnel position or department responsible)	Measurable Goals (include milestones, timeframes and frequencies)	Start Date (MM/YY) (enter your own text to override the drop down menu)
5.1 Stormwater Control Inventory	<u>Development and Engineering Services Department</u> GIS database of stormwater facility as-built plans.	Update database as new BMPs are completed.	01/02
5.2 Enforcement Procedures	<u>Development and Engineering Services Department</u> Enforcement procedures for private infrastructure.	City will review enforcement procedures annually for value.	07/05
5.3 Site Plan Review Procedures	<u>Development and Engineering Services Department</u> As-built verification of plan design for stormwater facilities.	City will record number of As-built plans that have been reviewed and added to the City's GIS Database each year.	05/06
5.4 Operations and Maintenance Plan	<u>Development and Engineering Services Department</u> Management of maintenance plan of stormwater facilities for private and public entities.	City will inspect approximately 20% of municipal post-construction BMPs each year.	09/17

Use this space to add any additional information about MCM5:

[Click here to enter text.](#)



G-6. MCM 6: Pollution Prevention and Good Housekeeping

For MCM 6- Pollution Prevention and Good Housekeeping, Insert the Facility Name applicable to the MS4. Use the pull down menu to indicate the BMP Category (column 1). You may override the selection and type in your own BMP. Include a brief description of the BMP (column 2) including the personnel position or department(s) responsible. Describe the Measureable Goals (column 3) for each BMP. Column 3 should include milestones, timeframes and frequencies. Insert the month and year (MM/YY) in the Start Date (column 4) to indicate the date the BMP was initiated or enter your own text to override the selection. For those BMPs that are not Facility specific, use the rows after the Facility Name inserts.			
BMP Category (enter your own text to override the drop down menu)	BMP Description (include personnel position or department responsible)	Measurable Goals (include milestones, timeframes and frequencies)	Start Date (MM/YY) (enter your own text to override the drop down menu)
Choose an item.	Click here to enter text.	Click here to enter text.	Choose an item.
Insert Facility Name: Click here to enter text.			
Insert Pollution Prevention and Good Housekeeping BMPs that are not facility specific below			
6.1 Municipal Facility Inventory and Prioritization	<u>Development and Engineering Services Department</u> Inventory of facilities has been created. Inspection schedule for municipal facilities is based on potential discharge priority.	Inventory of facilities will be updated as needed. City will record number of facilities inspected each year.	09/17
6.2 Operations Inspection and Maintenance	<u>Field Operations Department</u> Facility Inspections Vehicle Maintenance and Street Sweeping programs.	City will record number and frequency of maintenance actions and facility inspections each year.	07/03
6.3 Implement Pollution Controls	<u>Field Operations Department</u> Maintenance pollution prevention plans are established for City facilities.	City will review in-place controls each year. City will record number of public basins that are maintained each year.	02/15
6.4 Staff Training	<u>Development and Engineering Services Department</u> Yearly training for all applicable City employees with emphasis on job roles that have a higher potential to affect stormwater quality.	City will record number of employees who received stormwater training each year.	12/05



MCM 6 Pollution Prevention and Good Housekeeping

Use this space to add any additional information about MCM6:

[Click here to enter text.](#)

H. MONITORING		
1. DRY WEATHER VISUAL OUTFALL MONITORING		
Has a dry weather visual discharge monitoring program been developed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If the above answer is "yes," provide the actual date of implementation:		1/1/2005
If the above answer is "no," provide estimated date of completion:		Click here to enter a date.
Estimated total number of municipal stormwater outfalls	Percent of total number of municipal stormwater outfalls to be monitored each year	
3	100%	
2.A VISUAL STORMWATER DISCHARGE MONITORING		
Below identify a minimum of five outfalls or field screening points for the visual stormwater discharge monitoring program		
Outfall or field screening point identification number	Name of receiving water	Is the receiving water listed as an Impaired, Not-Attaining or OAW (choose one)?
Outfall 1	Agua Fria River	No
Screening Point 1	Agua Fria River	No
Screening Point 2	Agua Fria River	No
Screening Point 3	Agua Fria River	No
Screening Point 4	Agua Fria River	No
2.B VISUAL STORMWATER DISCHARGE MONITORING ALTERNATIVE		
Are you proposing a visual stormwater discharge monitoring alternative?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If "yes" a visual stormwater discharge monitoring alternative is being proposed, provide a description of the proposed alternative and how the proposed alternative is as effective as, or is more effective than, visual stormwater discharge monitoring in the space below.		
<p>Due to safety concerns for City personnel, during rain events 2 of the 3 proposed outfalls above will only be inspected during dry weather conditions. Instead, 1 outfall and 4 screening points have been selected in locations deemed safe that will provide representative samples of the MS4's stormwater quality. The outfall and screening points chosen are spread throughout the City, and will collect stormwater from municipal, residential, and commercial areas.</p>		
3. IMPAIRED, NOT-ATTAINING AND OAW MONITORING AND BMPS		
Part H.3 is to be completed only if the MS4 has outfalls that discharge to an Impaired, Not-Attaining or Outstanding Arizona Water (OAW), or a combination there of.		
Has a Sampling and Analysis Plan (SAP) been developed in accordance with permit Part 5.1.g?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If the above answer is "no," provide an estimated date of completion for the SAP:		Click here to enter a date.

List each individual receiving water that is Impaired, Not-Attaining or an OAW that the MS4 discharges to	How many outfalls will be sampled?	List outfall ID or unique identification	List parameter(s) to be analyzed	Provide a description of how the selected BMPs will specifically address the pollutant(s) causing the impairments or how the BMPS will be protective of the OAW
Click here to enter text.		Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.		Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.		Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.		Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.		Click here to enter text.	Click here to enter text.	Click here to enter text.

I. NOTES AND ADDITIONAL INFORMATION

Use the space below to provide any additional information about the MS4 program.
 Click here to enter text.

J. FEES

Fill out either Part A for a New Permittee or Part B for an Existing Permittee. If a New Permittee, choose one check box below to indicate the MS4s population and applicable initial permit fee. Insert the total payment included with the NOI in the text box. If an Existing Permittee, choose one check box below to indicate the MS4s population. Note: The estimated MS4 population should be based on latest Decennial Census by the Bureau of Census.

<p>Part A</p> <p><input type="checkbox"/> New Permittee.</p> <p>I confirm the correct fee payment is included with the NOI.</p> <p><input type="checkbox"/> <or = to 10,000: \$2,500</p> <p><input type="checkbox"/> >10,000 but ≤ 100,000: \$5,000</p> <p><input type="checkbox"/> > 100,000: \$7,500</p> <p><input type="checkbox"/> Non-traditional MS4 such as hospital, college or military: \$5,000</p> <p>Total fee payment included: Click here to enter text.</p>	<p>Part B</p> <p><input checked="" type="checkbox"/> Existing Permittee.</p> <p>No fee is required for NOI submission. You will continue to be invoiced on your current annual fee billing cycle.</p> <p><input type="checkbox"/> <or = to 10,000</p> <p><input checked="" type="checkbox"/> >10,000 but ≤ 100,000</p> <p><input type="checkbox"/> > 100,000</p> <p><input type="checkbox"/> Non-traditional MS4 such as hospital, college or military</p>
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K. CERTIFICATION

Pursuant to A.R.S. § 41-1030:

(1) ADEQ shall not base a licensing decision, in whole or in part, on a requirement or condition not specifically authorized by statute or rule. General authority in a statute does not authorize a requirement or condition unless a rule is made pursuant to it that specifically authorizes the requirement or condition.

(2) Prohibited licensing decisions may be challenged in a private civil action. Relief may be awarded to the prevailing party against ADEQ, including reasonable attorney fees, damages, and all fees associated with the license application.

(3) ADEQ employees may not intentionally or knowingly violate the requirement for specific licensing authority. Violation is cause for disciplinary action or dismissal, pursuant to ADEQ’s adopted personnel policy. ADEQ employees are still afforded the immunity in A.R.S. §§ 12-821.01 and 12-820.02.

I certify under penalty of law that I have met the eligibility conditions of this permit and 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, I certify that the



information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Printed Name: David Janover	Title: City Engineer
Ink Signature	Date:



ATTACHMENT C

ENFORCEMENT RESPONSE PLAN

CITY CODE VIOLATION TICKET CIVIL CITATION PROCESS

Enforcement Response Plan (ERP)

INTRODUCTION

As required by the by the Arizona Department of Environmental Quality's (ADEQ) Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) to Waters of the United States No. AZG2016-002 (Permit), the City of Avondale is required to develop and implement an Enforcement Response Plan (ERP). This ERP describes the City's procedures and policies regarding enforcement of the City's municipal ordinances relating to stormwater quality protection, including illicit discharges. Compliance shall be achieved through progressively stricter responses as needed. The ERP includes the following items relative to the City's enforcement procedures:

- A description of the types of enforcement issued by the City.
- A description of specific strategies for escalating enforcement response, where necessary, to address persistent, repeat or escalating violations.

The basis for the City's stormwater program enforcement can be found in the following documents:

- City Code Chapter 8 Article II – Stormwater Quality Protection
- City Code Chapter 19 Article VI – Subdivision Regulations

This ERP documents the policies and procedures in support of the documents noted above.

1.0 ENFORCEMENT PROCESS

The City's enforcement of construction stormwater violations, water quality violations and illicit discharges is authorized by multiple sections of the City's municipal code.

1.1 NEW DEVELOPMENT

For new development and redevelopment sites, the City requires approval through a permitting process. Appropriate permits issued by the Engineering, Planning, and Building Safety Divisions are required before construction can begin. Prior to issuing a building permit, Building Safety staff ensure that Planning and Engineering Permits and/or other stormwater-related permits have been submitted and approved. Once development is completed, Building Safety staff ensures as-builts have been submitted and approved before issuing a Certificate of Occupancy. If issues arise during construction, the Building Inspector will withhold inspections and/or Certificates of Occupancy as necessary. Withholding inspections and/or Certificates of Occupancy is found to be the most effective in achieving compliance.

1.2 ILLICIT DISCHARGES

The City has a training program to educate appropriate employees on the identification of illicit discharges. Where an illicit discharge has been identified, it is routed to Code Enforcement for investigation. The Code Enforcement Officer performs an inspection to identify the source and pollutant being discharged. The Code Enforcement Officer then determines the appropriate enforcement response.

2.0 RESPONSE CRITERIA TO CONSIDER

Upon discovery of a violation of the City's Ordinance, the enforcement process begins by identifying the stormwater violation and determining the severity of the enforcement response. The following criteria should be considered when determining the appropriate enforcement response:

- *Effect on the Environment* - Violations that have the potential to negatively impact the City's stormwater system, private property, or washes are urgent and require expeditious action. Such violations warrant bypassing verbal warnings and moving to more aggressive actions to gain quick compliance.
- *Compliance History of the Violator* - The violator's compliance history can affect the enforcement response. Recurring violations may indicate that an operator's treatment system is inadequate, that the operator has taken a casual approach to operating and maintaining the treatment system or that an operator does not intend to comply with the ordinance. Repeated violations by the same person or company reflects egregiousness and/or willfulness.
- *Duration* - Where a violator has been issued a verbal or written warning, the compliance clock begins. Failure to complete corrective actions within the established time may indicate that escalated enforcement actions are needed to gain compliance.
- *Good Faith of the Violator* - 'Good Faith' is defined as the violator's honest intention to remedy non-compliance evidenced by actions which give support to this intention. Good faith shall be demonstrated by cooperation and completion of corrective measures in a timely manner. A violator's good faith in correcting noncompliance is a factor in determining which enforcement response is suitable.

3.0 CATEGORIES OF VIOLATIONS

There are two general categories of violations:

- *Permit violations* - These types of violations are typically construction projects holding a Building Permit that are in violation of permit conditions.
- *Operating without a permit violations* - These violations include illicit discharges, illegal dumping, or land disturbances that begin without first obtaining an appropriate Permit.

The type of violation and severity of the violation sets the type of enforcement and aggressiveness of each enforcement steps. The sections following describe the steps.

The Code Enforcement Officer, Engineering Inspector, or their designee may employ any combination of the following enforcement actions, and may escalate enforcement responses where necessary to address persistent non-compliance, repeat or escalating violations, or

incidents of major environmental harm. Section 2 includes criteria that can cause an enforcement action to be escalated to gain compliance and prevent damages.

3.1 VERBAL WARNINGS

For less severe violations or for first time offenders, the Code Enforcement Officer, Engineering Inspector, or their designee may issue verbal warnings that specify the nature of the violation, any required corrective action, and a time to comply with a documented verbal warning. Warnings are documented in myAvondale, the City's tracking system.

3.2 WRITTEN WARNING

A City Code Violation Ticket is a written warning intended for minor violations. The Code Enforcement Officer, Building Inspector, or their designee may issue a City Code Violation Ticket to the responsible party and/or property owner where the violation has occurred. See Appendix A for a copy of the City Code Violation Ticket. The City Code Violation Ticket typically includes:

- The description and nature of the violations to the City's Ordinance, approved Erosion Control Plans (ECPs), and/or construction plans.
- The location of where the violations have occurred.
- A description of the steps that must be taken to rectify the violation. Steps may include the development and submittal of Corrective Action Plans, repair of measures on a construction site, immediately ceasing illicit discharges and/or repairing any damages that occurred.
- The deadline by which the repairs or remediation work must be completed to avoid escalated enforcement.
- Signature and Title of the person issuing the Corrective Order.

3.3 NOTICE OF VIOLATION

If a Written Warning has not been addressed to the satisfaction of the Code Enforcement Officer, Building Inspector, or their designee may issue a Notice of Violation (NOV) to the responsible party and/or property owner where the violation has occurred. Furthermore, a Notice of Violation may be the first notice to the violator for serious violations or for repeat offenders.

The NOV does not include the specific fine or penalty amount; however, the the issuance of an NOV does not preclude the City from seeking appropriate penalties..

The NOV requires the violator to submit a written explanation of the violation and a Corrective Action Plan within a set timeframe established in the NOV. The Corrective Action Plan must be submitted by the violator to the Director of Development Services. An inspection to ensure that

corrective actions have been completed is conducted by the Director, or their designee at the Directors discretion. Submission of the Corrective Action Plan in no way relieves the violator of liability for any violations occurring before or after receipt of the NOV.

The NOV includes:

- The description and nature of the violations to the City's Ordinance, approved ECPs, and/or construction plans.
- The location of where the violations have occurred.
- A description of the ordered repair or remediation work which is necessary to bring the activity or site into compliance.
- Requirement to submit to the City's Director of Development Services within 10 days a written Corrective Action Plan to correct the violation.
- Deadline by which the repair or remediation work must be completed to avoid escalated enforcement. This becomes the expiration date of the NOV. Note that the expiration date is based upon the violator's date of receipt of the NOV.
- Signature and Title of the person issuing the NOV.

3.4 CIVIL CITATIONS

A civil citation is a monetary penalty, not to exceed \$2,500 per violation, per day, assessed by the City to any person violating the City's Ordinance or a permit. The fine is considered punitive in nature and is not related to any specific cost borne by the City. The City shall also recover any damages to the City's stormwater system for actions taken by the City to rectify a violation or for actions taken by the City to stop illicit discharges. Civil citations are prepared and served by a Code Enforcement Officer.

Along with the civil citation, the City may request for a written Corrective Action Plan to be submitted to the City within the timeframe established in the citation. The Corrective Action Plan must include actions to be taken to bring a site or activity into compliance and must include a timeline to complete actions. The Corrective Action Plan must be submitted by the violator to the Director of Development Services. An inspection to ensure that any corrective actions have been completed may be conducted by the Director or their designee. Submission of this plan in no way relieves the violator of liability for any violations occurring before or after receipt of the NOV.

Civil citations are generally issued after the NOV expires and when corrective actions have not been completed. See Civil Citations Process for additional clarification provided as Appendix B. The amount of the penalty is determined by the magistrate court and is typically proportional to the harm caused by the violation and the City's cost to repair damages. The Magistrate's Court,

with input from the Director of Development Services or their designee, will consider the following criteria when assessing penalties:

- The amount of damage to the public health and the environment.
- The amount of effort put forth by the violator to remedy this violation.
- The economic benefit gained by the violator for not obeying the law.
- Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity.
- The amount of penalty established by ordinance or resolution for specific categories of violations.
- Any unusual or extraordinary enforcement costs incurred by the City.
- Any equities of the situation that outweigh the benefit of imposing any penalty or damage assessment.

The Magistrate's Court, with input from the Director of Development Services or their designee, may also consider these additional criteria for determining penalties of violations:

- Willingness and cooperation of the violator to remedy this violation and remediate any damage.
- Whether the violation was intentional, negligent, or accidental.
- Costs incurred by the City for any administrative or remediation costs, including the investigative and monitoring activities. This is often computed in terms of number of man-hours necessary to deal with the problem.
- Prior violations for this violator or at this location.

Within fifteen (15) days of receipt of the notice, such person shall pay the penalty or file a written request for a hearing with the City manager's office or their designee. If a hearing is held, the City manager or their designee shall issue a written decision, and such decision shall be final.

3.5 CRIMINAL PENALTIES

Criminal prosecution is a formal process of charging individuals and organizations with violations of ordinance provisions that are punishable, upon conviction, by fines and/or imprisonment. Criminal prosecution is an appropriate enforcement action when there is evidence of willful noncompliance and when criminal negligence or intent can be proven. Some examples of these

are altering or falsifying reports, tampering with samples, unauthorized discharges, and violations of administrative orders.

The criminal enforcement process begins when the City has reason to believe crimes have been or will be committed. This information may be gathered during routine inspections or monitoring activities or in the form of reports from employees or the public. Citations may be issued by a Code Officer in the Code Enforcement Department when it is determined the operator's efforts, or lack thereof, to obtain compliance through less formal actions have failed. If crimes are suspected or known, the Director of Development Services or their designee shall notify the City's Attorney for proper collection of evidence.

Any person who negligently, willfully or intentionally violates any stormwater provision of the City Ordinance shall be guilty of a misdemeanor and shall be punished subject to the penalty jurisdictional of the Magistrate's Court. Each day of a violation shall constitute a new and separate offence.

4.0 ADDITIONAL RESPONSE ALTERNATIVES FOR PERMIT VIOLATIONS

Additional response alternatives are available for development-related violations including any one or a combination of the following:

4.1 STOP WORK ORDER

Development Services staff can initiate a Stop Work Order where the site has active City permits, such as a Building Permit. The Stop Work Order must include the steps necessary to bring the site in compliance with applicable permits. Where a Code Enforcement Officer, Building Inspector, or their designee determines that a permit is being violated, the following steps must be taken:

- The City's Code Enforcement Officer, Building Inspector, or their designee issues a Stop Work Order.
- The Code Enforcement Officer, Building Inspector, or their designee notifies the Director of Development Services of the Stop Work Order.
- The Code Enforcement Officer, Building Inspector, or their designee re-inspects to ensure compliance before the City releases the Stop Work order.

A Stop Work Order may be issued to the permit holder and/or property owner of a construction site to suspend work under the following circumstances:

- If a Corrective Order has not resulted in a corrective action at a Construction Site which is acceptable to the Code Enforcement Officer, Building Inspector, or their designee by the expiration date of the Corrective Order.

- If work, which requires a SWPPP, has proceeded without first submitting a plan and obtaining a permit.
- Incidents which may cause damage to the MS4 and/or the health and welfare of the public and City personnel.
- Incidents which may cause damage to the environment.
- Chronic violations and/or failures to comply with Verbal Warnings, Corrective Orders and Notices of Violation

A Stop Work Order typically includes:

- The description and nature of the violations to the City's Ordinance or construction plans.
- The location of where the violations have occurred.
- A description of the ordered repair or remediation work necessary to comply with the City's Ordinance
- Requirement to submit a Corrective Action Plan within 10 days of the Stop Work Order. The Corrective Action Plan must address actions that will be taken to bring the site into compliance.
- Signature and Title of the person issuing the Stop Work Order.

If a Stop Work Order is initiated a follow up inspection will be scheduled as soon as appropriate corrective actions can be completed. With the Code Enforcement Officer, Building Inspector, or their designee's approval, work may then proceed onsite.

4.2 WITHHOLD BUILDING INSPECTIONS

Where a City Code Enforcement Officer, Building Inspector, or their designee determines that a permit is being violated and building has commenced on the site, building inspections may also be withheld by the following procedure:

- The Code Enforcement Officer, Building Inspector, or their designee notifies the Building Safety Department to withhold building inspections. Building Safety Department places a hold on building inspections and will not issue a Certificate of Occupancy.
- A City Code Enforcement Officer, Building Inspector, or their designee shall re-inspect to ensure compliance before the City releases the hold on building inspections.

If a site is found to be building without appropriate permits and approval from the City a Stop Work Order will be initiated until all necessary permits have been completed and approved. With the

Code Enforcement Officer, Building Inspector, or their designee's approval, work may then proceed onsite.

4.3 WITHHOLD PLAN APPROVALS

When violations are known to exist, the Director of Development Services or their designee may withhold the approval of all plans the responsible party or property owner submits. The project is flagged within myAvondale to hold all plans until violations are resolved.

4.4 WITHHOLD RELEASE OF CERTIFICATE OF OCCUPANCY

If the post-construction BMPs do not pass the final stormwater inspection by the Building Inspector, the City may withhold the release of the Certificate of Occupancy until the site passes its final stormwater inspection by the following procedure:

- The Building Inspector notifies the Development Services Department to withhold the Certificate of Occupancy.
- The Building Inspector notifies the Director of Development Services of the hold on Certificate of Occupancy.
- The Building Inspector shall re-inspect to ensure compliance before the City releases the hold on the Certificate of Occupancy.

5.0 ADDITIONAL ACTION BY AVONDALE

Where violations are not corrected in a timely manner or where the violation is damaging or has the imminent potential of damaging other properties or water bodies, the City, or its contractor, may enter upon the lot or parcel of land and correct the violation. Where the City completes repairs, the costs incurred by the City and/or its contractor (including inspection, administration, labor, equipment costs) shall be from the offender through collection of bonds or directly billing the offender.

Where Avondale is fined and/or placed under a compliance schedule by the state or federal government for violation(s) of its NPDES (AZPDES) permit, and Avondale can identify the person(s) who caused such violations(s) to occur, the City may pass through the penalty and cost of compliance to that business or person(s).

6.0 CORRECTIVE ACTION PLANS

With any corrective action noted above, the City has the authority to require a violator submit a Corrective Action Plan (CAP). Some corrective actions needed at a site are straight forward, simple actions such as cleaning out sediment controls or vegetating an area. However, other actions may take more planning and thought. In those situations, the City can require a CAP. A CAP may include any or all of the following items, depending on the violation:

- A proposed description of and design for immediate actions. Examples include installation of additional sediment controls.
- A proposed description of final actions to bring the site fully into compliance. An example could be the submittal of a detailed engineering plan.
- A proposed schedule for actions to bring the site into compliance.

When requiring a CAP, the inspector must set a deadline for submittal of the CAP for review and acceptance. If immediate measures are needed to halt damages to the City's stormwater system, private property or a wash, those actions should be separately addressed in the enforcement action and required immediately as opposed to waiting on submittal of the CAP.

APPENDIX A

CITY CODE VIOLATION TICKET



CITY OF AVONDALE, MARICOPA COUNTY STORM WATER CITY CODE VIOLATION TICKET

Citation No.:		Docket No.:		Court No.: 0760		Complaint No.:		<input type="checkbox"/> 1 st Offense <input type="checkbox"/> Repeat			
Defendant: First			Middle			Last					
Address: <input type="checkbox"/> Residential <input type="checkbox"/> Business <input type="checkbox"/> Mailing						City, State & Zip					
Driver's License No. & State		DOB		<input type="checkbox"/> M <input type="checkbox"/> F	Social Security No		Ht	Wt	Eyes	Hair	Origin
ON	Month	Day	Year	Time		<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Residential	<input type="checkbox"/> Business			
AT	Address						City of Avondale Maricopa County State of Arizona				
SECTION #	Violation Description						<input type="checkbox"/> Criminal <input type="checkbox"/> Civil <input type="checkbox"/> Notice of Violation Civil Fine \$				
Disposition Code:			Date of Disposition:			Sanction:					
YOU MUST APPEAR AT:		Avondale City Court 11325 W. Civic Center Drive Avondale, AZ 85323		ON	Month	Day	Year	AT	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> CIVIL – WITHOUT ADMITTING RESPONSIBILITY, I ACKNOWLEDGE RECEIPT OF THIS CITATION. <input type="checkbox"/> CRIMINAL – WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AS DIRECTED HERON.				I CERTIFY UPON REASONABLE GROUNDS, I BELIEVE THE PERSON(S) NAMED ABOVE COMMITTED THE ACTS DESCRIBED HEREIN AND I HAVE: <input type="checkbox"/> SERVED <input type="checkbox"/> CERTIFIED MAIL (RETURN RECEIPT REQUESTED) A COPY OF THIS NOTIFICATION UPON THE RESPONSIBLE PERSON:							
X _____ SIGNATURE				X _____ CITY REPRESENTATIVE ID# DATE ISSUED							

COURT – WHITE

DEFENDANT – PINK

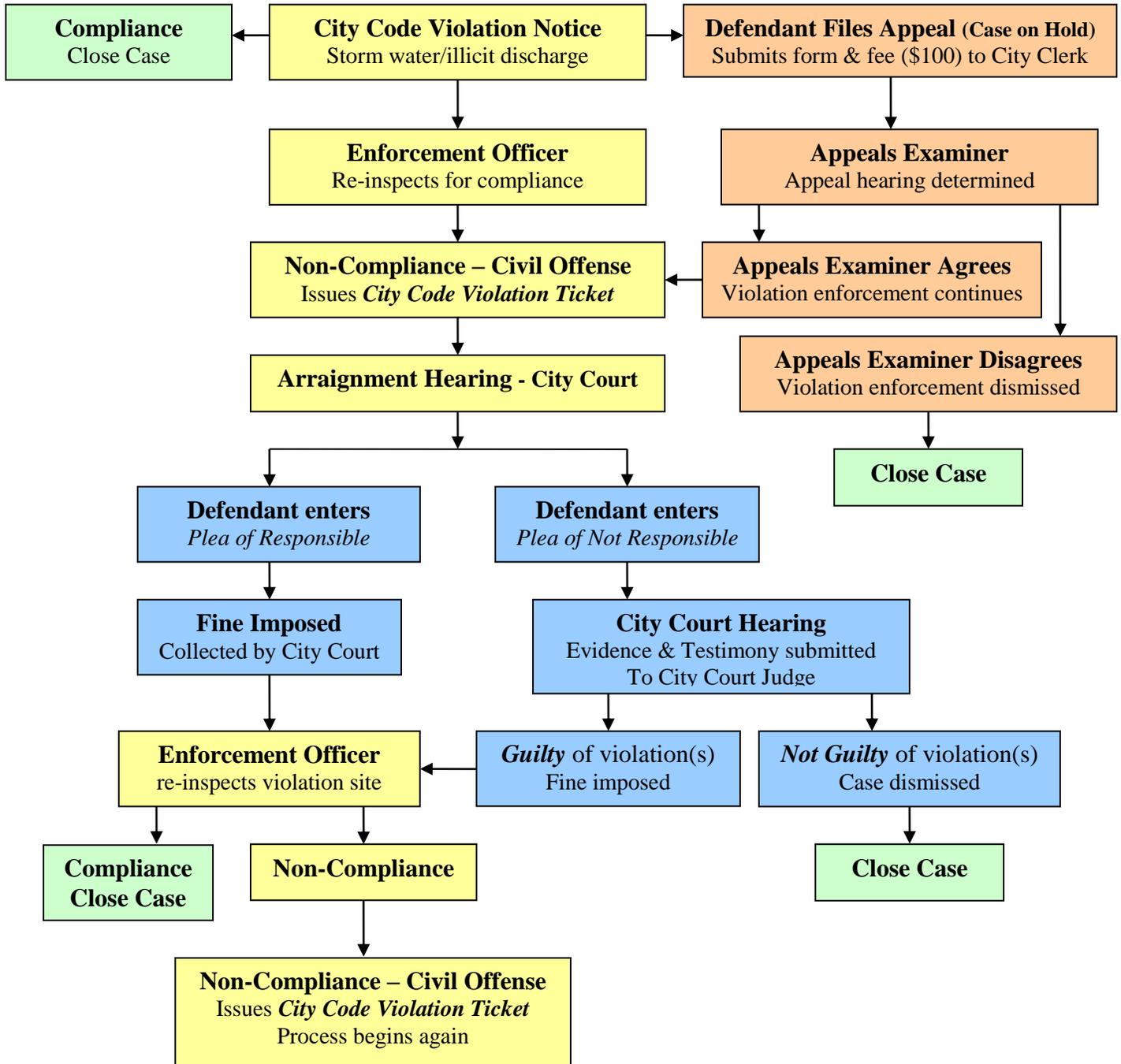
PROSECUTOR – GOLDEN ROD

ENFORCEMENT - CANARY

APPENDIX B
CIVIL CITATION PROCESS



STORM WATER/ILLICIT DISCHARGE CIVIL CITATION PROCESS





ATTACHMENT D

MUNICIPAL FACILITY LIST

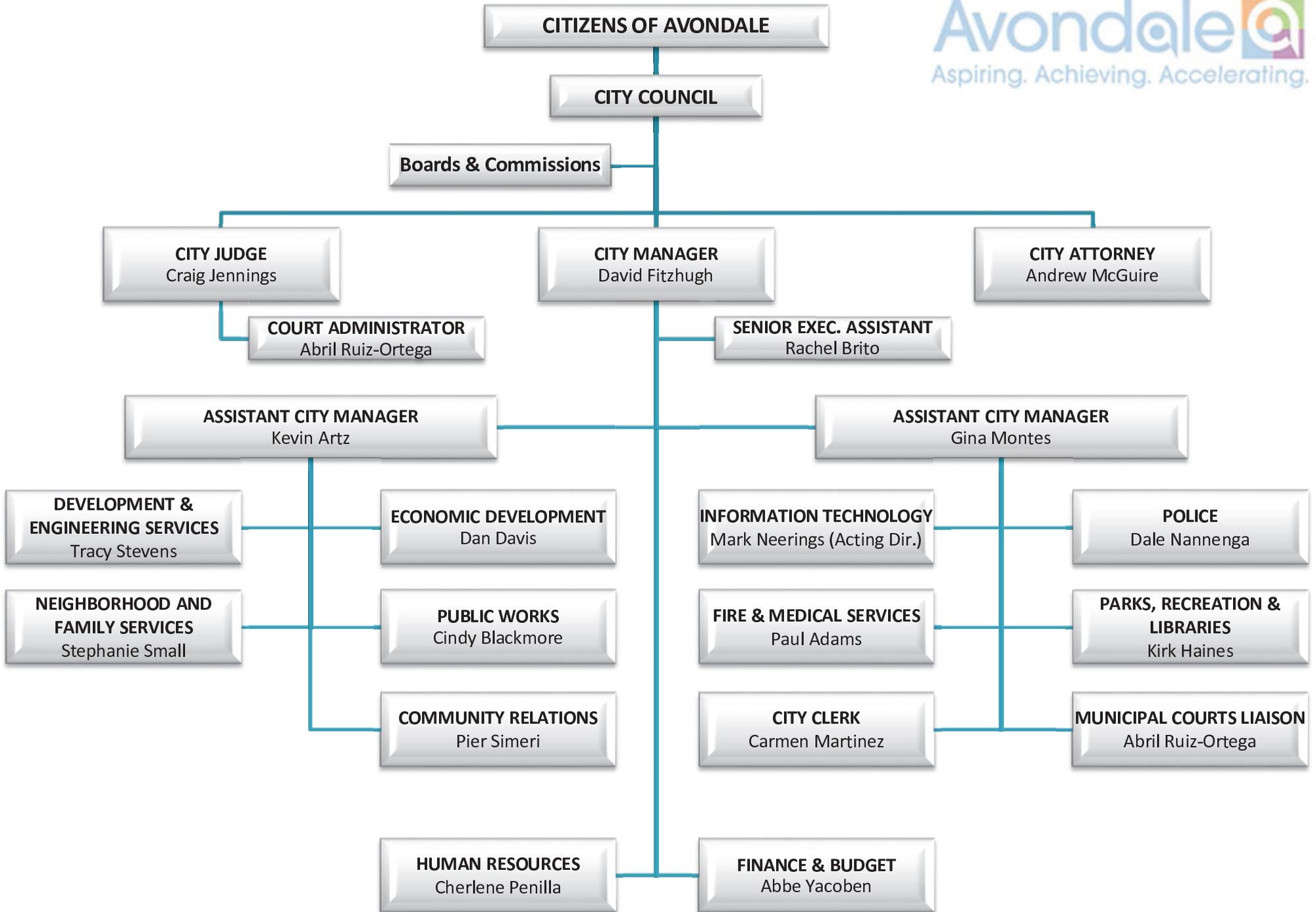
Municipal Facility	Address	Priority	Inspection Schedule
Wastewater Treatment Plant	4800 S. Dysart Road	High	N/A (MSGP Coverage)
Municipal Operations and Service Center (MOSC)	399 E. Lower Buckeye Road	High	N/A (MSGP Coverage)
Police Headquarters	11485 W. Civic Center Drive	Medium	Every other year
Fire Station 171	101 S. 3rd Street	Medium	Every other year
Fire Station 172	1825 N. 107th Avenue	Medium	Every other year
Fire Station 173	11510 W. Durango	Medium	Every other year
Police Sub Station	519 E. Western Avenue	Medium	Every other year
Police Department	Western and 6th Street	Medium	Every other year
Fire Station 171	501 E Western Ave	Medium	Every other year
Festival Fields Park (40 acres)	101 E. Lower Buckeye	Medium	Every other year
Friendship Park (55 acres)	12325 W. McDowell Road	Medium	Every other year
Coldwater Park (22 acres)	10 N. Eliseo C. Felix Way	Medium	Every other year
Avondale Comm. Center	1007 S. 3rd Street	Low	20% per year
Cashion Comm. Center	10857 W. Pima Street	Low	20% per year
City Hall	11465 W. Civic Center Drive	Low	20% per year
Court	11325 W. Civic Center Drive	Low	20% per year
Old Town Library	328 W. Western Ave.	Low	20% per year
Sam Garcia Library	495 E. Western Avenue	Low	20% per year
Care First Center	Western Avenue and 4th Avenue	Low	20% per year
Boys and Girls Club	301 E Western Ave	Low	20% per year
Senior Center	1007 S. 3rd Street	Low	20% per year
Civic Center Library	11350 W. Civic Center Drive	Low	20% per year
Las Ligas Park (8 acres)	12421 W. Lower Buckeye Road	Low	20% per year
Dennis Deconcini Park (5 acres)	351 E. Western Avenue	Low	20% per year
Dessie Lorenz Park (5 acres)	202 E. Main Street	Low	20% per year
Donnie Hale Park (8 acres)	10875 W. Pima Street	Low	20% per year
Fred Campbell Park (2 acres)	101 E. Lawrence Boulevard	Low	20% per year
Sernas Plaza Mini Park (1 acre)	495 E. Western	Low	20% per year
Doc Rhodes Mini Park (1 acre)	NWC Central and Western	Low	20% per year

Mountain View Park (6 acres)	201 E. Mountain View Drive	Low	20% per year
Recharge Facility	500-74-020B 500-75-013C 500-02-064 501-75-013C	Low	20% per year
Coldwater Booster Station (CWBS) & Well #15	12533 W. Van Buren Street	Low	20% per year
Rancho Santa Fe Booster Station & Well #19	12550 W. McDowell Road	Low	20% per year
North Side Booster Station & Well #6	3850 N. El Mirage Road	Low	20% per year
Gateway Booster Station & Well #8A	1940 N. 99th Avenue	Low	20% per year
Cashion Booster Station	1848 S. 107th Avenue	Low	20% per year
Norh East/Garden Lakes Booster Station & Well #17	3100 107th Avenue	Low	20% per year
Bohne Booster Station	3420 S. 123rd Circle	Low	20% per year
Mountain View Park Booster Station & Well #5	203 E. Mountain View Drive	Low	20% per year
Agua Fria Booster Station & Well #1	531 E. Riley Drive	Low	20% per year
Well #7	4125 N. El Mirage Road	Low	20% per year
Well #10	12105 W. Thomas Road	Low	20% per year
Well #11	12319 W. Cambridge Avenue	Low	20% per year
Well #12	2316 N. 123rd Lane	Low	20% per year
Well #16	12551 W. McDowell Road	Low	20% per year
Well #16B	Friendship Park	Low	20% per year
Well #18	13081 W. McDowell Road	Low	20% per year
Well #20	4722 N. El Mirage Road	Low	20% per year
Well #21	12236 W. Chase Lane	Low	20% per year
Well #22	500-29-982	Low	20% per year
Well #23	11805 W. Encanto Boulevard	Low	20% per year
Well #24	101-01-015	Low	20% per year
Well #25	500-27-011	Low	20% per year
Donatella Lift Station	2100 N. 120th Drive	Low	20% per year
Friendship Lift Station	12320 W. McDowell Road	Low	20% per year
10th Street Lift Station	1477 N. Eliseo C. Felix Jr. Way	Low	20% per year
Central Lift Station	1410 N. Central Avenue	Low	20% per year
Lawrence Lift Station	201 E. Lawrence Avenue	Low	20% per year
Whyman Hacienda Lift Station	1010 S. Dysart Road	Low	20% per year
Riley Lift Station	809 E. Riley Drive	Low	20% per year
4th Street Lift Station	395 S. Lower Buckeye Road	Low	20% per year
Littleton Lift Station	1431 S. 107th Drive	Low	20% per year
Fulton Lift Station	13501 W. Verde Lane	Low	20% per year



ATTACHMENT E

ORGANIZATIONAL CHART AND RESPONSIBILITIES





Department	Name/Title	Responsibility
Administration	City Manager	Signs MS4 Permit
Development & Engineering Services	City Engineer	Code Enforcement, Inspection of Facilities. Oversee and direct maintenance of the MS4 (water quality)
	GIS Technician	Maintain current mapping system of City stormwater system
	Building/Engineering Inspectors	Report potential illicit discharges
	Engineering Construction Manager	Log new construction projects
	Environmental Program Manager	Implements Stormwater Management Plan
Neighborhood and Family Services	Code Enforcement Manager	Respond to IDDE reports
Public Works	Public Works Director	Oversees and implements city MSGP activities and good housekeeping
Community Relations	Community Relations Director	Facilitate Outreach/Involvement Events/Social Media Posts
Parks, Recreation, & Libraries	Parks, Recreation and Libraries Director	Facilitate Outreach/Involvement Events



ATTACHMENT F

FORMS

**IDDE Inspection/Investigation Form
Construction Site Inspection Form
Post-Construction Inspection Form**

**IDDE INSPECTION/INVESTIGATION FORM
CITY OF AVONDALE**



Section 1: Background Data

Outfall ID:	Date:	Time:
Inspector/Investigator:		
Inspection/Investigation Type: (Pick One)		
<input type="checkbox"/> Dry Weather Inspection <input type="checkbox"/> IDDE Investigation <input type="checkbox"/> 3-Day Follow-up Inspection <input type="checkbox"/> Visual Assessment (If so, check sampling description boxes below) <input type="checkbox"/> Sampling Event #1 <input type="checkbox"/> Sampling Event #2 <input type="checkbox"/> Summer Wet Season (6/1 - 10/1) <input type="checkbox"/> Winter Wet Season (11/1 – 5/31)		
Photos? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, append photos to this report.		
Precipitation w/in last 72 hours? <input type="checkbox"/> Yes <input type="checkbox"/> No Approximate Rainfall (in) _____		Weather (approx. temp, etc.):
Land Use in Drainage Area (check all that apply):	<input type="checkbox"/> Open Space Other: _____ Known Industries: _____	
<input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Commercial		

Section 2: Physical Indicators

INDICATOR	DESCRIPTION	COMMENTS
Outfall Damage	<input type="checkbox"/> None <input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion <input type="checkbox"/> Other: _____	
Deposits / Stains	<input type="checkbox"/> None <input type="checkbox"/> Oily <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint <input type="checkbox"/> Other: _____	
Abnormal Vegetation	<input type="checkbox"/> None <input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited	
Poor Water Quality	<input type="checkbox"/> None <input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae <input type="checkbox"/> Other: _____	
Pipe Algae Growth	<input type="checkbox"/> None <input type="checkbox"/> Brown <input type="checkbox"/> Orange <input type="checkbox"/> Green <input type="checkbox"/> Other:	
Do physical indicators suggest an illicit discharge has occurred? <input type="checkbox"/> No <input type="checkbox"/> Yes		
Flow Present?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: <input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial And go to Section 3. If no flow and no physical indicators, skip to Section 4 and close investigation. If no flow but physical indicators are present, skip to Section 4 and schedule 3-Day Follow-Up.	

**IDDE INSPECTION/INVESTIGATION FORM
CITY OF AVONDALE**

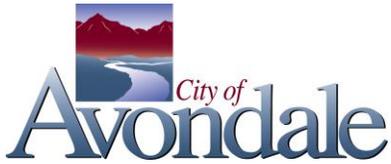


Section 3: Discharge Description (flowing outfalls only)

INDICATOR	CHECK if Absent	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	<input type="checkbox"/> (No odor)	<input type="checkbox"/> Sewage <input type="checkbox"/> Rancid/Sour <input type="checkbox"/> Sulfide <input type="checkbox"/> Laundry <input type="checkbox"/> Petro/gas <input type="checkbox"/> Other: _____	<input type="checkbox"/> 1-Faint	<input type="checkbox"/> 2-Easily detected	<input type="checkbox"/> 3-noticeable from a distance
Color	<input type="checkbox"/> (Colorless)	<input type="checkbox"/> Gray <input type="checkbox"/> Brown <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Red/Orange <input type="checkbox"/> Multicolor <input type="checkbox"/> Other: _____	<input type="checkbox"/> 1-Faint color visible in sample bottle	<input type="checkbox"/> 2-Color clearly visible in sample bottle	<input type="checkbox"/> 3-Clearly visible in outfall flow
Turbidity	<input type="checkbox"/> (Clear)	See severity	<input type="checkbox"/> 1-Slightly cloudy	<input type="checkbox"/> 2-Cloudy	<input type="checkbox"/> 3-Opaque
Floatables – does not include trash!	<input type="checkbox"/> (Clean)	<input type="checkbox"/> Sewage <input type="checkbox"/> Suds/Foam <input type="checkbox"/> Oil sheen <input type="checkbox"/> Plant Debris <input type="checkbox"/> Other: _____	<input type="checkbox"/> 1-Few/slight; origin not obvious	<input type="checkbox"/> 2-Some indications of origin	<input type="checkbox"/> 3-Some; origin obvious
Do physical indicators suggest an illicit discharge is present? (Y/N)					

Section 4: Enforcement and Resolution

<input type="checkbox"/> Source identified (describe below) _____
<input type="checkbox"/> Estimated illicit discharge duration (hours) _____
<input type="checkbox"/> Estimated volume (gallons) _____
<input type="checkbox"/> Date of discharge elimination _____
<input type="checkbox"/> 3-Day Follow-up Inspection required (describe reason why below)
Enforcement action taken? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:
Source/Resolution: _____



Inspection #

CITY INSPECTORS

CONSTRUCTION SITE SWPPP INSPECTION CHECKLIST

Inspector Information			
Name:		Date:	/ /
Phone:	- -	Time In: Time Out:	: - :

Type of Inspection			
<input type="checkbox"/>	Initial	<input type="checkbox"/>	Monthly or Rain Event
<input type="checkbox"/>		<input type="checkbox"/>	Remediation Follow-Up
<input type="checkbox"/>		<input type="checkbox"/>	Final
Weather at time of inspection:			

Facility Information			
Development/Project:		Phase:	
Location/Address:			
COA Permit Number	ENG-10		
AZPDES ID	AZCON-		
Parcel or Section #s:			
Owner:		Phone:	- -
Operator/SWPPPM:		Phone:	- -

Site Information									
Nature of Project	<input type="checkbox"/>	Residential	<input type="checkbox"/>	Roadway	<input type="checkbox"/>	Utility	<input type="checkbox"/>	Right-of-Way	
	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Geotechnical	<input type="checkbox"/>	Offsite	
Stage of Construction	<input type="checkbox"/>	Clearing & Grading			<input type="checkbox"/>	Infrastructure		<input type="checkbox"/>	Vertical
	<input type="checkbox"/>	Rough or Mass Grade			<input type="checkbox"/>	Final Grade		<input type="checkbox"/>	Stabilization
Is the site located within one-mile of a river or direct tributary thereof?						<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, list name and proximity to the site.									

Yes	No	General Site Inspection
<input type="checkbox"/>	<input type="checkbox"/>	Is the NPDES/AZPDES Permit number posted near the main entrance to site?
<input type="checkbox"/>	<input type="checkbox"/>	Is a copy of the approved NOI visibly posted?
<input type="checkbox"/>	<input type="checkbox"/>	Is there a copy of the SWPPP Manual onsite and available for review?
<input type="checkbox"/>	<input type="checkbox"/>	Has there been a rain event within the past 24 to 48 hours?
<input type="checkbox"/>	<input type="checkbox"/>	Are the perimeter control BMP's installed?
<input type="checkbox"/>	<input type="checkbox"/>	Are there locations of discharges of sediment or other pollutants from the site?
<input type="checkbox"/>	<input type="checkbox"/>	Are there locations where additional BMP's need to be added or where existing BMPs are inadequate? (if yes please clarify in the notes section)

CITY OF AVONDALE
 STORMWATER POLLUTION PREVENTION PLAN CHECKLIST

<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				

<i>Good Housekeeping BMPs</i>					
BMP Installed & operating Properly?		Unique BMP Number (GH)	Corrective Action Needed	Date for corrective action	Date corrective action was completed
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				

CITY OF AVONDALE
 STORMWATER POLLUTION PREVENTION PLAN CHECKLIST

		Final Inspection
Yes	No	Yes to All = Post Construction Checklist for Any Future Storm Water Issues
<input type="checkbox"/>	<input type="checkbox"/>	Are all soil disturbing activities complete?
<input type="checkbox"/>	<input type="checkbox"/>	Temporary erosion and sediment control measures have been removed?
<input type="checkbox"/>	<input type="checkbox"/>	All areas of the construction site not covered by permanent pavement have been stabilized with vegetative cover (70% area coverage), groundcover, or decomposed granite?
<input type="checkbox"/>	<input type="checkbox"/>	Is the SWPPP complete, and has the contractor prepared the NOT?

Post Construction BMPs					
BMP Installed & operating Properly?		Unique BMP Number	Corrective Action Needed	Date for corrective action	Date corrective action was completed
Yes	No				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
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<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				



ATTACHMENT G

TRAINING RECORDS



ATTACHMENT H

SELF EVALUATION RECORDS



ATTACHMENT I

ORDINANCES

Article II - STORMWATER QUALITY PROTECTION

Sections:

8-44 - Statement of purpose.

It is the purpose of this article to promote the public health, safety and general welfare by limiting the discharge of pollutants into the public storm sewer system. This system shall be used for the sole purpose of conveying stormwater, and all necessary measures to prevent pollution in the public storm sewer system shall be taken. (Ord. No. 1114-05, § 1, 6-20-05)

8-45 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Applicable water quality standard" means a numeric or narrative water quality criterion that limits the quantity or concentrations of pollutants that may be present in navigable waters as such term is defined in Arizona Administrative Code (A.A.C.), Title 18, Chapter 11, Article 1, as amended.

"Arizona Pollutant Discharge Elimination System" OR "AZPDES" program means the program outlined in Arizona Revised Statutes (A.R.S.), Title 49, Chapter 2, Article 3.1, and the A.A.C., Title 18, Chapter 9, Article 9.

"AZPDES Coordinator" means the person designated by the city manager, or that person's successor or designee, who is authorized by this article or other state authorized (i.e. AZPDES program to administer it's provisions.

"AZPDES permit" means an authorization to discharge pollutants which is issued pursuant to 40 C.F.R. § 122.26(b)(14)(x) and 40 C.F.R. § 122.26(b)(15) in Arizona

"Best management practices" means the schedules of activities, prohibitions, and practices, general good housekeeping practices, pollution prevention practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to the public storm sewer system and ultimately other waters of the United States. Best management practices also include treatment requirements, operating procedures and practices to control plant site runoff, spilling or leaks, sludge or waste disposal or drainage from raw material storage.

"Buffer Zone" means an area of land designated for environmental protection.

"Construction" means any activity that includes clearing, grading, and excavating resulting in land disturbance. However, it does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

"Construction activity" means earth-disturbing activities such as, clearing, grading, excavating, stockpiling of fill material and other similar activities. This definition encompasses both large construction activities defined in 40 .C.F.R. § 122.26 (b)(14)(x) and small construction activities in 40 C.F.R. § 122.26 (b)(15)(i) and includes construction support activities.

"Construction general permit" means an AZPDES permit issued by the permitting authority that authorizes stormwater discharges from construction-related activities.

"Construction site" means the land or water area where construction activities will occur, including construction support activities, and where control measures will be installed and maintained. The construction support activities may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether. The construction site is often a smaller subset of the lot or parcel within which the project is taking place.

"Construction waste" means waste is generated from construction, demolition, renovation, and/or repair activities. Construction waste can include but is not limited to concrete truck washout, unused and leftover construction materials and litter.

"Detention facility" means a detention basin or alternative structure designed for the purpose of temporary storage of stormwater runoff and gradual release of the stored water at controlled rates.

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

"Discharge of a pollutant" means any addition of any "pollutant" or combination of pollutants to the City's stormwater system or to "waters of the United States" from any "point source," or any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from surface runoff which is collected or channeled by man. See 40 C.F.R. § 122.2.

"Effective operating condition" means a control measure is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges and manage stormwater quantity.

"Environmentally Sensitive Areas" means the designation for an area which needs special protection because of its landscape, wildlife or historical value.

"Erosion and sediment control" refers to actions, measures or best management practices designed to minimize the accelerated erosion and suspension of sediment by water or wind.

"Impervious" means surfaces such as building rooftops, pavements, sidewalks, driveways, etc. that cannot effectively infiltrate rainfall.

"Land disturbance" means any activity, that changes the volume or peak flow discharge rate of stormwater runoff from the land surface, including, but not limited to: (i) the grading, digging, cutting, scraping, or excavating of soil; (ii) placement of fill materials; (iii) paving; (iv) construction; (v) substantial removal of vegetation; or (vi) any activity which bares soil or rock.

"Multi Sector General Permit" means an AZPDES permit issued by the permitting authority that authorizes stormwater discharges associated with industrial activities from Mineral and Non-Mining facilities.

"Municipal separate storm sewer system" or "MS4" means a publicly-owned conveyance or system of conveyances that: (i) discharges to waters of the United States and is designed or used for collecting or conveying stormwater; (ii) is not a combined sewer; and (iii) is not part of a publicly-owned treatment facility.

"Nonresidential use" means any real property that is actually or intended to be used for commercial, industrial, agricultural, or recreational purposes; the immediate vicinity of five (5) or more connected residential dwelling units; and residential subdivisions or dwellings that have not yet been issued a certificate of occupancy.

"Notice of intent" or "NOI" means an application (form) that is submitted to the permitting authority to notify of the intent to be covered by the ruling/active general permit (construction general permit, multi-sector, or MS4 general permit), and trigger the review and permit-waiting time associated with the permit. The NOI serves as a legally binding promise to comply with general permit conditions.

"Permitting authority" means the AZPDES-authorized state agency that administers the AZPDES stormwater program. Permitting authorities issue permits, provide compliance assistance, and inspect and enforce the program.

"Permittee" means an entity or its successors, agents, employees, or assigns that has applied for and received a permit, authorization, license, or permission from the city to conduct land-disturbance activities.

"Pervious" means a porous surface that does not prevent the entry of water into the soil and decreases stormwater runoff.

"Pollutant" means sediment, fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt

(e.g., overburden material), and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances.

"Pollution" means the presence of pollutants on land or in stormwater.

"Post-construction site" means a site at which land-disturbance activities related to construction have been completed.

"Post-construction stormwater control measures" means those measures, either structural or non-structural, that are implemented and maintained to manage stormwater runoff after construction has been completed.

"Public storm drain system" means all or any part of the publicly-owned storm drains, basins, curbs, culverts, ditches, washes, joint-use drainage facilities, pipes, graded areas, and gutters located within easements, rights-of-way, parks, streets, roads or highways, or in common areas of real property owned by the city, that are used for collecting, retaining, detaining, or conveying stormwater.

"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, placing, leaching, dumping, or disposing into or on any land in a manner that significant materials, pollutants, or stormwater may come to be located in the public storm drain system.

"Sanitary waste" means liquid or solid wastes originating solely from humans and human activities, such as wastes collected from toilets, showers, wash basins, sinks used for cleaning domestic areas, sinks used for food preparation, clothes washing operations, and sinks or washing machines where food and beverage serving dishes, glasses, and utensils are cleaned.

"Significant materials" means any solid, liquid, or gaseous substance other than stormwater, that can release pollutants, including but not limited to: raw materials; fuels; solvents; detergents; finished materials; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 United States Code Section 9601(14); any chemical for which a report must be filed pursuant to Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986, 42 United States Code Section 11023; fertilizers; pesticides; herbicides; and waste materials, including garbage, trash, ashes, slag, yard waste, animal waste, and sludge.

"Stormwater" means rain water runoff, snow melt runoff and surface runoff and drainage.

"Stormwater pollution prevention plan" OR "SWPPP" means a site-specific, written document that, among other things: (1) identifies potential sources of stormwater pollution at the location of the construction activity; (2) describes control measures to reduce or eliminate pollutants in stormwater discharges from the construction activity; and (3) identifies procedures the operator will implement to comply with the terms and conditions of the AZPDES construction general permit. "Total suspended solids" or "TSS" means a measure of the suspended solids in a water column.

"Waters of the states" means such waters as defined in 33 United States Code Section 1362(7), as amended. (Ord. No. 1114-05, § 1, 6-20-05; Ord. No. 1188-606, § 1, 6-5-06)

8-46 - General powers.

- (a) The AZPDES CCoordinator may regulate the use, grading, paving, maintenance and operation of public rights-of-way and the public storm drain system so as to reduce, to the maximum extent practicable, the addition of pollutants to stormwater in quantities or concentrations that could reasonably be expected to cause or contribute to either a violation of an applicable water quality standard or any condition of a stormwater AZPDES permit issued to the city; or any other act that causes or contributes to damage to the public storm drain system. The AZPDES Coordinator may regulate the use of the public storm drain system through administrative rules, permits, or other written forms of approval for activities that could release pollutants or stormwater to the public storm drain system.
- (b) Nothing in this article shall be construed as an assumption by the city of any other person's duties or responsibilities arising under any applicable law, including the common law. Except where required to

comply with applicable law, any activities of the AZPDES Coordinator authorized by this article are permissive rather than mandatory.

- (c) The AZPDES Coordinator will provide implementation guidance to assist the public in complying with this article. This guidance may consist of fact sheets, policy and procedure manuals and other pertinent information relating to the development and implementation of best management practices. (Ord. No. 1114-05, § 1, 6-20-05)
- (d) The AZPDES Coordinator may require owners or operators of facilities or activities that handle petroleum, oil, grease, or other pollutants with the potential to impact stormwater quality to: 1) provide and maintain stormwater controls to prevent discharge to the MS4; 2) keep appropriate records regarding stormwater controls, and 3) comply with applicable local, county, state and federal regulations governing the facilities purpose and operation (such as the Multi Sector General Permit).

8-47 - Declaration of nuisance.

- (a) It is hereby declared to be a public nuisance for any person to directly or indirectly release materials, pollutants, or stormwater without proper authorization in quantities, velocities or concentrations that cause or contribute to, or may reasonably be expected to cause or contribute to: (i) damage to a publicly-owned right-of-way or the public storm drain system; (ii) a violation of an applicable water quality standard; or (iii) a violation of any condition of a stormwater AZPDES permit issued to the city.
- (b) As used in this section, proper authorization exists if an activity affecting stormwater is specifically authorized in (i) this article; (ii) an administrative rule, permit, plan approval, or other authorization issued in compliance with this article, or (iii) a stormwater AZPDES permit. (Ord. No. 1114-05, § 1, 6-20-05)

8-48 - Requirement for new development projects to submit SWPPP; construction permit issuance; fees.

- (a) Any entity applying for a permit, authorization, license, or permission for construction activity that will disturb one or more acres of land, or will disturb less than one acre, but is part of a common plan of development or sale that will ultimately disturb one acre or more, shall prepare and implement a SWPPP for the management of stormwater discharges associated with construction activities. The SWPPP shall be developed in accordance with the most recent Construction General Permit (CGP) (June 3, 2013 or as later amended) and shall include at a minimum:
 - (1) A legible site map, also referred to as an Erosion Control Plan (ECP) or SWPPP Map, showing the entire site that identifies:
 - (i) Topography of the site, existing types of cover (e.g., forest, pasture, pavement, structures), and drainage pattern(s) of flow onto, over, and from the site property before and after major grading activities;
 - (ii) Drainage divides and direction of stormwater flow for all drainage areas located within the project limits (i.e., use arrows to show which way stormwater will flow);
 - (iii) Areas of soil disturbance and areas that will not be disturbed. Boundaries of the property and of the locations where construction activities will occur;
 - (iv) Locations of temporary and permanent control measures identified in the SWPPP;
 - (v) Locations where stabilization control measures are expected to occur;
 - (vi) Areas protected by buffers (i.e., either the 50-foot buffer or other buffer areas retained on site when within 50 feet of a perennial water) The site map must show the boundary line of all such buffers;
 - (vii) Locations of on-site material, waste, borrow areas, or equipment storage areas, and other supporting activities;
 - (viii) Locations of all potential pollutant-generating activities. Examples include, but are not limited to: the pollutant-generating activities (fueling and maintenance operations; concrete,

paint, and stucco washout); waste disposal; solid waste storage and disposal; and dewatering operations;

- (ix) Locations of all surface waters and any impaired waters or OAWs within 1/4 mile of the site if none exist on site or within ¼ mile of the site, the SWPPP shall indicate so;
 - (x) Stormwater discharge location(s), using arrows to indicate discharge direction;
 - (xi) Locations and registration numbers of all on-site drywells and drywells on adjacent properties that have the potential to receive stormwater from the site; if none exist, the SWPPP shall indicate so;
 - (xii) Areas where final stabilization has been accomplished and no further construction permit requirements apply; if none, the SWPPP shall indicate so; and
 - (xiii) Location and boundaries of Environmentally Sensitive Areas and Buffer Zones to be preserved.
- (2) The statement and signature by a qualified person certifying the accuracy and completeness of the SWPPP. A qualified person includes personnel (either the operator's employees or outside personnel) who are knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possess the skills to assess conditions at the construction site that could impact stormwater quality, and the skills to assess the effectiveness of any control measures selected to control the quality of stormwater discharges from the construction activity.
- (b) The applicant shall provide the ECP to the AZPDES Coordinator for review before a construction permit is issued by the city. In cases where an application is submitted for a grading permit, such permit shall not be issued until the AZPDES Coordinator has reviewed and approved the best management practices and the permit shall be made conditional upon compliance with the best management practices. If the AZPDES Coordinator determines the ECP is inadequate to prevent pollutants from discharging into the MS4, the AZPDES Coordinator may authorize and require additional best management practices or and/or configurations thereof. Along with the ECP, the applicant shall submit to the AZPDES Coordinator the following:
- (1) A copy of an accurate and complete (including signature) NOI submitted to the permitting authority to seek coverage under the construction general permit.
 - (2) A copy of the Authorization to Discharge (ATD) from the permitting authority regarding authorization status.
 - (3) A copy of the Maricopa County Air Pollution Control Regulation (air permit) application approval for the project.
- (c) Fees for project review and for review and approval of best management practices for grading permits shall be established by the city council as part of the annual budget process or as otherwise adopted by city council resolution. (Ord. No. 1188-606, § 2, 6-5-06)

8-49 - Requirement to install and maintain erosion and sediment control measures pursuant to a reviewed and approved ECP.

All land-disturbing activities at the construction site shall be completed in accordance with the SWPPP. The permittee shall implement all best management practices as described in the SWPPP and as necessary to prevent discharge of pollutants from the construction site.

8-50 – Requirement to keep the SWPPP current.

BMPs shown on the SWPPP and the controls in place on the construction site should be consistent. Documentation of the SWPPP revisions/updates are to be maintained on-site.

8-51 - Requirement to properly control and dispose of construction and sanitary waste; prohibited practices; federal, state, and county permits.

Construction and sanitary wastes are considered significant stormwater pollutants, and their proper management and impact minimization is important. Therefore, the permittee shall:

- (a) Properly control and dispose of both construction debris/waste and sanitary waste in accordance with the SWPPP and City code.
- (b) Not willfully release or cause to be released pollutants to stormwater runoff or stormwater infrastructure.
- (c) Apply for and obtain all federal, state, county, and local permits required for construction sites, including disposal of construction and sanitary waste. (Ord. No. 1188-606, § 4, 6-5-06)

8-52 – Requirement to inspect.

The permittee shall periodically inspect all BMPs to ensure that they are operating correctly and have not been damaged and/or altered. The permittee shall conduct inspections and maintain an inspection report in accordance with the construction general permit by the permitting authority. (Ord. No. 1188-606, § 3, 6-5-06)

8-53 - Requirements related to operation and management of all existing and new post-construction stormwater structures.

- (a) Owners and/or operators of stormwater structures or facilities located on private property shall be fully responsible to properly operate and maintain these facilities pursuant to design specifications. Examples of such facilities include detention basins, retention basins, drywells, channels, culverts, and drainage pipes.
- (b) If a permanent drainage facility is not properly operated or maintained, the city may warn the owner/operator of the deficiency in writing. In the event that an improperly operated or maintained drainage facility results in a hazardous condition to the city or in a potential violation of the city's Phase II MS4 Permit, the city may act unilaterally to address and/or correct the situation. Any costs incurred by the city to address or correct an improperly operated or maintained private/communal drainage facility shall be borne by the owner/operator.
- (c) The AZPDES Coordinator shall have the right to enter and inspect private/communal drainage facilities in accordance with the provisions of section 8-52 of this article. (Ord. No. 1188-606, § 5, 6-5-06)

8-52 - Inspections.

- (a) The AZPDES Coordinator shall enforce the provisions of this article. The AZPDES Coordinator is authorized to make inspections (i) in the normal course of job duties; (ii) in response to a complaint that an alleged violation of the provisions of this article may exist; or (iii) when there is reason to believe that a violation of this article has been or is being committed. The AZPDES Coordinator may collect and analyze samples of stormwater and significant materials, install and require the installation of stormwater sampling and measurement devices, and examine records concerning significant materials and stormwater.
- (b) The AZPDES Coordinator may enter onto any real property, or into any building or premises, at all reasonable times to determine compliance with this article or a stormwater AZPDES permit issued to the city, or to otherwise permit the duties imposed by this article, provided that if such property, building, or premises is occupied, the AZPDES Coordinator shall present credentials to the occupant and request entry. If such property, building, or premises is unoccupied, the AZPDES Coordinator shall first make a reasonable effort to locate the owner or other person having charge of control of the building or premises and request entry. If entry is refused, the AZPDES Coordinator has recourse to

every remedy provided by law to secure entry, including the acquiring of an administrative warrant from the city court.

- (c) When the AZPDES Coordinator has first obtained a proper inspection warrant, administrative warrant, or other remedy provided by law to secure entry, no owner, occupant, or person having charge, care, or control of any real property, structure, or building shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the administrative authority for the purpose of inspection pursuant to this article.
- (d) It shall be a criminal violation to interfere with, prevent, or attempt to interfere with or prevent an individual employed by the city or other person contracted for by the city, from investigating an alleged violation of this article, or from correcting or abating a violation of this article.
- (e) It shall be a criminal violation to knowingly make a false or fraudulent statement, or knowingly misrepresent a fact, or mislead an individual employed by the city or other person contracted for by the city, when that individual is investigating a violation or alleged violation of this chapter, or is correcting or abating a violation of this chapter.
- (f) Inspections conducted pursuant to this article may be expanded to include items covered by other chapters of this Code that relate to the quality or management of stormwater. (Ord. No. 1114-05, § 1, 6-20-05)

8-53—8-55 - Reserved.

8-56 - Violations.

- (a) It shall be unlawful, punishable by civil or criminal sanctions as set forth below, for any person to cause, facilitate, aid or abet any violation of, or to fail to perform any act or duty required by, any provision of this article, or any rules or regulations promulgated hereunder.
- (b) When two (2) or more persons have liability to the city or are responsible for a violation of this article, their responsibility shall be joint and several.
- (c) It shall be a civil (non-criminal) violation, punishable as set forth below, for a person to:
 - (1) Use, handle, store, treat, spill, dump, or dispose of stormwater, pollutants or significant materials in a manner that creates a public nuisance as defined in section 8-47.
 - (2) Release to a publicly-owned right-of-way or MS4 any substance that is not composed entirely of stormwater except (i) releases pursuant to a AZPDES permit; (ii) releases resulting from fire-fighting and street maintenance activities; and (iii) releases of materials as provided in subsections (e) and (f) of this section.
 - (3) Violate the terms and conditions of a permit or approval granted pursuant to subsection 8-56(e) below, or the provisions of a SWPPP including, without limitation, best management practices, submitted to the city in accordance with section 8-48 of this article.
 - (4) Begin construction before obtaining all required permit approvals from the City.
- (d) It shall be a criminal violation, punishable as set forth below, for a person to:
 - (1) Use, handle, store, spill, dump or dispose of significant materials in a manner that could reasonably be expected to cause or contribute to the addition of pollutants to the MS4.
 - (2) Without good cause, interfere with or prohibit any city employee from conducting any activities in furtherance of the requirements of this article, including conducting inspections and taking samples.
- (e) This section does not prohibit releases of stormwater from stormwater retention or detention basins if a permit or approval is first obtained from the AZPDES Coordinator. A person seeking such a permit or approval shall demonstrate that the release is not reasonably expected to cause or contribute to a public nuisance as defined in section 8-47 of this article.

- (f) This section does not prohibit releases from: water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration; uncontaminated pumped groundwater; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation waters; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; discharges from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; and, discharges or flows from firefighting activities. (Ord. No. 1114-05, § 1, 6-20-05; Ord. No. 1188-606, § 6, 6-5-06)

8-57 - Civil (non-criminal) penalties.

- (a) Any person that commits a civil violation as set forth in section 8-56 above, shall be subject to a civil (non-criminal) action in any court of competent jurisdiction to collect a civil penalty for a sum not to exceed two thousand five hundred dollars (\$2,500.00) per day for each violation, see section 8-61 below. In seeking the assessment of a civil penalty, the following criteria shall be considered:
- (1) The seriousness of the violation;
 - (2) The economic benefit, if any, resulting from the violation;
 - (3) Any history of such violations;
 - (4) Any good-faith efforts to comply with the applicable requirements;
 - (5) The economic impact of the penalty on the violator; and
 - (6) Such other factors as justice may require.
- (b) In addition to the civil penalty imposed herein, the person shall be liable for any penalties imposed on the city as a result of the violation.
- (c) The city manager or designee shall provide written notice and an opportunity to be heard to any person assessed a civil penalty under this article. Within fifteen (15) days of receipt of the notice, such person shall pay the penalty or file a written request for a hearing with the city manager's office or designee. If a hearing is held, the city manager or designee shall issue a written decision, and such decision shall be final. (Ord. No. 1114-05, § 1, 6-20-05)

8-58 - Criminal penalties.

A person that commits a criminal violation as set forth in section 8-56 above shall be subject to a criminal action in any court of competent jurisdiction and, if found guilty thereof, shall be guilty of a class 2 misdemeanor. (Ord. No. 1114-05, § 1, 6-20-05)

8-59 - Enforcement of judgments.

Any judgment for abatement, restitution or civil (non-criminal) penalties taken pursuant to this article may be enforced as any other civil judgment. (Ord. No. 1114-05, § 1, 6-20-05)

8-60 - Violations not exclusive.

Violations of this article are in addition to any other violation enumerated within this Code and in no way limit the penalties, actions or abatement procedures which may be taken by the city for any violation of this article which is also a violation of any other provision of this Code or any other applicable law. The remedies specified herein are cumulative and the AZPDES Coordinator, or the city attorney, may proceed under these or any other remedies authorized by law. (Ord. No. 1114-05, § 1, 6-20-05)

8-61 - Each day separate violation.

Each day any violation of any provision of this article or the failure to perform any act or duty required by this article continues shall constitute a separate offense. (Ord. No. 1114-05, § 1, 6-20-05)

8-62 - Service of notices.

- (a) Any notice required to be given for any purposes under this article shall be by either having the AZPDES Coordinator hand-deliver the notice, or by mailing the notice by certified mail, return receipt requested.
- (b) Notice is deemed effective on the date it is hand-delivered or deposited in the United States Mail, certified mail, return receipt requested.
- (c) Nothing herein shall preclude the city from giving additional oral or written notice at its discretion. If the city does elect to give any additional notice in any instance, it shall not thereby become obligated to give such additional notice thereafter in the same or other situation. (Ord. No. 1114-05, § 1, 6-20-05)

8-63 - Restitution.

In addition to any civil or criminal penalty provided for in this article, any person violating this article shall be liable for all costs which may be associated with the city's rectification of any violation of this article. The court shall impose restitution in addition to any administrative, civil or criminal penalties. (Ord. No. 1114-05, § 1, 6-20-05)

8-64—8-70 - Reserved.

8-71 - Abatement in lieu of or in addition to other actions.

- (a) In addition to or in lieu of denial of access or filing a civil or criminal complaint, the city may file notice to abate any violation of this article. Such abatement shall proceed independently of any civil or criminal violation filed pursuant to this article.
- (b) If any person served a notice to abate by the city pursuant to this article fails to comply with such notice or order, the city may correct or abate the conditions subject to the notice.
- (c) The AZPDES Coordinator shall prepare a verified statement as to the actual cost of correcting or abating the violation, and shall add an additional five (5) percent for costs of inspection and other incidental costs associated with abating the violation. The statement shall be delivered or mailed, certified mail, return-receipt requested, to the owner(s) or other person(s) the notice to abate or order was served upon. That statement shall further set forth the following:
 - (1) The person has fifteen (15) calendar days from the date of delivery or mailing of the statement to pay.
 - (2) Appeal procedures. (Ord. No. 1114-05, § 1, 6-20-05)

8-72 - Notice to abate.

- (a) If, after an inspection, the city finds one (1) or more violations of this article, and the city elects to use the abatement process, the city shall, in writing, notify the owner, or agent for the owner.
- (b) The notice to abate shall set forth the following information:
 - (1) The owner has fifteen (15) calendar days from the mailing of the notice to abate to correct the violation.
 - (2) Identification of the property in violation by street address if known, and if unknown, then by book, map and parcel number.
 - (3) Statement of the violation in sufficient detail to allow a reasonable person to identify and correct the violation(s).
 - (4) Re-inspection date and time.
 - (5) Name, address and phone number of the city inspector who sent the notice to abate.
 - (6) A warning stating that if the violations are not corrected within the fifteen (15) calendar day period the city can abate the problem and assess the owner the cost of such abatement and record a lien on the property for the assessment.

(7) Appeal procedures.

(8) The fifteen (15) calendar day notice set forth in this section shall not apply to emergency abatements pursuant to section 8-77. (Ord. No. 1114-05, § 1, 6-20-05)

8-73 - Appeal of notice to abate.

- (a) Any notice to abate can be appealed to the city manager or designee.
- (b) An appeal must be filed within fifteen (15) calendar days of the service of the notice to abate or assessment and must be filed with the office of the city manager or designee by submitting a copy of the appeal to the city clerk.
- (c) Failure of a person entitled to appeal under this article to timely file an appeal shall constitute a waiver of the right to a hearing of the complaint before the city manager or designee and such person shall be estopped to deny the validity of any notice or assessment which could have been timely appealed.
- (d) The notice of appeal shall set forth, in writing, the person's reasons for believing no violation of the article has occurred or that the assessment is excessive.
- (e) The individual appealing shall accompany the written appeal with an appeal fee of one hundred dollars (\$100.00), such sum to be deposited in the general fund of the city.
- (f) In case of financial hardship, the fee may be suspended until the decision on appeal is rendered. The city manager or designee may also waive the fee upon a finding of financial hardship. (Ord. No. 1114-05, § 1, 6-20-05)

8-74 - Procedure on appeal.

- (a) The city manager or designee shall set a hearing date for review of the appeal within forty (40) calendar days of the receipt of notice of appeal.
- (b) The city manager or designee shall take testimony from all parties to the appeal. The parties may, if they choose, be represented by an attorney. The hearing shall be informal and the rules of evidence shall not apply.
- (c) The city manager or designee shall prepare a written summary of the hearing and shall set forth the decision reached. A decision shall be rendered within fifteen (15) calendar days of the hearing and the findings and decision shall be mailed to all parties to the appeal. (Ord. No. 1114-05, § 1, 6-20-05)

8-75 - Abatement variances and time extensions.

- (a) Any person may request a variance or time extension of a notice to abate or assessment. Such request shall be made to the city manager or designee.
- (b) The same time limits for filing and written submittal set forth in section 8-73 applies to this section.
- (c) The procedure shall be the same as set forth in section 8-74.
- (d) The city manager or designee may grant a variance only where it is determined that all of the following apply:
 - (1) Special circumstances or conditions apply to this appeal application such as hardship which is not self imposed;
 - (2) Authorization of the variance is necessary for the preservation and enjoyment of substantial property rights; and
 - (3) Authorization of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.
- (e) If a variance is granted by the city manager or designee, the condition in subsection (d) allowing the variance and the extent of the variance shall be set forth in a written finding.

- (f) The city manager or designee may grant one (1) extension of the time limit set forth in section 8-72. Such extension shall not exceed one hundred eighty (180) calendar days. The extension period granted by the city manager or designee starts to run on the day the city manager or designee issues a decision pursuant to section 8-74(c). The city manager or designee may grant an extension only where it is shown that:
- (1) It would create a hardship to comply with the notice to abate within the fifteen-day period of section 8-72; and
 - (2) The moving party presents a plan that is approved by the city manager or designee, by which said party will comply with the decision within no more than one hundred eighty (180) calendar days. (Ord. No. 1114-05, § 1, 6-20-05)

8-76 - Stay of order during appeal.

Except for violations requiring an emergency abatement, the timely filing of an appeal shall stay enforcement of a notice to abate or assessment until the appeal is final as determined by the city manager or designee. (Ord. No. 1114-05, § 1, 6-20-05)

8-77 - Emergency abatement.

If a situation presents an imminent danger or threat to the health, safety or welfare of any person or the public in general, the city may issue a notice to abate directing the responsible person to take such action as is appropriate to correct or abate the emergency. In addition, the city may act to correct or abate the emergency. In the event the city is unable to contact the responsible person, such inability in no way affects the city's right to correct or abate the emergency. The responsible person shall be granted a review before the city manager or designee on the matter upon that person's request, as soon as practicable, but such appeal shall in no case stay the abatement or correction of such emergency. (Ord. No. 1114-05, § 1, 6-20-05)

8-78—8-85 - Reserved.



ATTACHMENT J

IDDE INSPECTION/INVESTIGATION SOP

Illicit Discharge Detection and Elimination Standard Operating Procedures

Prepared for:



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1.0 Introduction

This document presents the City of Avondale's plan for illicit discharge detection and elimination (IDDE) activities in compliance with requirements outlined in AZPDES Phase II General Permit No. AZG2016-002 (Permit). The Permit requires the City to develop an IDDE program that contains a set of standard investigative procedures to identify the source of illicit connections and discharges and to require their removal from the system. Although the Permit does not outline specific procedures to follow, the IDDE program must, to the maximum extent practical (MEP), implement efforts to find and remove illicit discharges as well as to increase knowledge of the stormwater collection system and pollutants of concern.

2.0 Important Terminology and Key Concepts

Pollutants of Concern

The three illicit discharges most commonly found in urban settings include:

1. **Pathogenic and toxic pollutants** should be considered the most severe since contact or consumption of storm water contaminated by these pollutants could cause illness and significant water treatment problems for downstream users. These pollutants may originate from:

- Sanitary, commercial, and industrial wastewater;
- Inappropriate household toxicant disposal;
- Automobile engine degreasing; and
- Excessive use of chemicals (pesticides, herbicides, and fertilizers).

2. **Nuisance pollutants** offer aquatic life threatening conditions to the storm drainage system. These pollutants can cause excessive dissolved oxygen depletions, tastes, odors, and colors in downstream water supplies, algal blooms, offensive floatables, and noticeably turbid water. These pollutants may originate in residential and commercial areas from:

- Sanitary wastewaters;
- Laundry wastewaters;
- Lawn irrigation runoff;
- Automobile wash waters;
- Construction site dewatering; and
- Washing of concrete ready-mix trucks.

3. **Relatively clean water** discharged through a storm drainage system is commonly found during an outfall inventory. Relatively clean water discharges can originate from the following:

- Fire hydrant flushing;
- Infiltrating groundwater; and
- Infiltration from potable waterline leak.

Pathogenic and nuisance pollutants should be prioritized in a manner that ensures prompt action in the source identification process as these types of pollutants have the most harmful effects to the environment.

Allowable Discharges

Non-stormwater discharges that do not significantly contribute sources of pollutants to the MS4 due to the nature of the discharges or conditions set for by the City are allowed.

Allowable discharges include:

- water line flushing,
- landscape irrigation,
- diverted stream flows,
- rising ground waters,
- uncontaminated ground water infiltration,
- 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,
- discharges from riparian habitats and wetlands,
- dechlorinated swimming pool discharges*,
- and street wash water, and discharges or flows from fire fighting activities.

**Prohibited discharges: The exception to the non-stormwater discharges mentioned above is swimming pool discharges. The City adopted Municipal Code 8-56 "Violations" concerning the discharge of dechlorinated and chlorinated pool water. The City's policy does not allow pool water discharge into the storm sewer system.*

Illicit Discharge

The term illicit discharge is defined in the Permit as:

"...any discharge to a municipal separate storm sewer that is not comprised entirely of stormwater except discharges pursuant to a AZPDES/NPDES permit (other than the AZPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from firefighting activities."

Source Identification

Source identification are the office and field tasks used to track a potential illicit discharge to the source and determine if the discharge is in fact an illicit based on analysis of samples taken or investigation conducted.

3.0 Summary of City IDDE Procedures

This section summarizes the City's systematic approach to eliminating illicit discharges.

3.1 Report of Potential Illicit Discharges to the Code Enforcement Division

The process begins through the identification of a potential illicit discharge. Identification is expected to be achieved by internal reporting from City personnel, external reporting/complaints, and outfall and field screening point visual assessments.

3.1.1 Internal Reporting

Through implementing the City's stormwater training program, many City employees will be educated on illicit discharge recognition and reporting. Reports of potential illicit discharges are

received from employees from various City departments (e.g. Law Enforcement, Public Works maintenance crews) during their ordinary course of work. Observations are reported through field crew supervisors to the Code Enforcement Division or Environmental Program Manager and can also be submitted through the myAvondale app.

3.1.2 External Observation

Citizens, visitors, and others are able to notify the Environmental Program Manager or Code Enforcement Division of the presence of potential illicit discharges. These complaints are received through the complaint system app myAvondale. The reporter can upload a photo and provide a description of the potential illicit discharge. Quick transmittal of information can help improve the prioritization and response time by City personnel.

3.1.3 Visual Monitoring

Dry Weather Outfall Monitoring

During dry weather the AZPDES Coordinator performs annual outfall screening of each regulated outfall at least 72 hours after a storm event that results in a discharge from the storm sewer system. This process will be the primary method for detecting illicit connections. If an outfall is found to be discharging during the dry weather outfall screening, the potential illicit discharge tracking steps outlined in Section 4.1 should be initiated. See Appendix A for IDDE Inspection/Investigation Forms, Instructions, and Flowchart.

Visual Stormwater Discharge Monitoring

City staff will perform a visual inspection of at least X outfalls and X screening locations, 2 times during each wet season. For the purposes of wet weather monitoring, the summer and winter wet seasons are defined as:

Summer wet season is June 1st through October 31st

Winter wet season is November 1st through May 31st.

Results of visual discharge monitoring are recorded on a Discharge Monitoring Report (DMR) for submittal with the annual report.

The grab samples should be collected in clear plastic containers for analysis. The samples should be analyzed in the field for the following parameters:

- Color
- Odor
- Clarity
- Floating, Settled, and Suspended Solids
- Foam
- Sheen

If determined necessary samples may be collected and analyzed in a lab for parameters of potential concern.

In the event City personnel or their contractor cannot access any outfall(s) or screening point during a wet weather discharge, the City will conduct wet weather screening as soon as practicable after the storm or discharge event.

See Appendix A for IDDE Inspection/Investigation Forms, Instructions, and Flowchart.

4.0 Illicit Discharge Source Identification

The identification step has two primary components: 1) Potential illicit discharge tracking to identify the source, and 2) illicit elimination through enforcement or notification. These steps apply only to the instances in which the potential illicit discharge is flowing into the MS4.

4.1 Potential Illicit Discharge Tracking and Source Identification

The first step in the source identification process is to track the discharge up to the source. The source can be tracked upstream either to the actual pollution causing event (e.g. vehicle accident with spilled fuel, illegal connection of car wash drain to storm system) or until a system owned by another entity is encountered.

The AZPDES Coordinator will begin the tracking process at the potential illicit discharge location. The procedure is the same regardless of how the discharge was discovered (screening, internal or external reporting). The following steps should be generally followed:

1. At an outfall where a dry weather flow or visual assessment containing pollutants was collected was found or at the initial point of discovery of the discharge, physical parameters of the flow should be recorded.
2. If the discharge continues upstream and can be tracked, move upstream in the direction of the discharge. Continue investigation at each intersection until the 1) source is found, 2) or the discharge can no longer be tracked upstream (e.g. underground, between manholes) is encountered.

4.2 Illicit Discharge Detection

Once a potential illicit flow has been tracked to the source or where no further visual evidence can be collected, Enforcement Officers must determine if the flow is an illicit discharge.

5.0 Follow-up

If illicit discharge or illegal dumping is detected a full investigation into the pollutant source will be conducted. If the contaminant is discovered at a piped outfall, upstream manholes will be inspected to determine the discharge location. A camera truck may also be implemented to trace the location of discharge from within the pipe. See the Enforcement Response Plan (ERP) for the enforcement procedure process.

6.0 Reporting and Enforcement

Reporting and enforcement are the final steps to removing illicit discharges. At this point, a discharge is known to be an illicit and the source has been positively identified or the discharge was tracked as far as possible. The steps outlined in the ERP can now be implemented.

APPENDIX A

**IDDE INSPECTION/INVESTIGATION :
INSTRUCTIONS
FLOWCHART
FORMS**

Instructions for Completing the IDDE Inspection/Investigation Form

Section 1: Background Data

Enter the outfall or screening point identification number from the stormwater outfall inventory. Include the: date including day month and year, name of the person or persons conducting the inspection/investigation, and a concise description of the weather conditions at the time of the assessment including approximate temperature. Note whether there has been measureable rainfall in the investigation area within the last 72 hours. Check the appropriate box for the type of assessment being conducted, and document observations with photographs whenever possible. Cameras that automatically date and time stamp photographs are preferred. Photographs should be appended to the final copy of the form and included in the electronic version of the form as well.

Section 2: Physical Indicators

This section provides a description of the condition of the outfall. These physical indicators may provide evidence that illicit discharges have occurred when there is no flow at the time of the investigation. **This section is to be completed whether or not there is flow.**

Do physical indicators suggest an illicit discharge has occurred? (Yes/No): Answer yes if there is physical evidence of past or current illicit discharges.

Flow Chart Procedure:

- If *No* is entered for flow and physical indicators, close the investigation and complete Section 4 of the form.
- If *No* is entered for flow but physical indicators are present, schedule a 3-Day Follow-Up inspection and complete Section 4.
- If *Yes* is entered for flow (regardless of the presence of physical indicators), complete proceed to Section 3.

Section 3: Discharge Description (Flowing Outfalls Only)

Complete table describing outfall characteristics (odor, color, turbidity, floatables). This section is filled out for flowing outfalls only. After documenting the physical properties of the discharge, the field crew should attempt to trace the flow to its source. If the flow originates underground and access to manholes in roadways is required for tracking, the process may need to be delayed until proper safety procedures (traffic control, confined space entry, etc.) can be arranged.

Flow Chart Procedure:

- If the discharge can be tracked, implement tracking procedures and identify the source.
- If the discharge cannot be tracked and shows signs of significant contamination, conduct field screening.

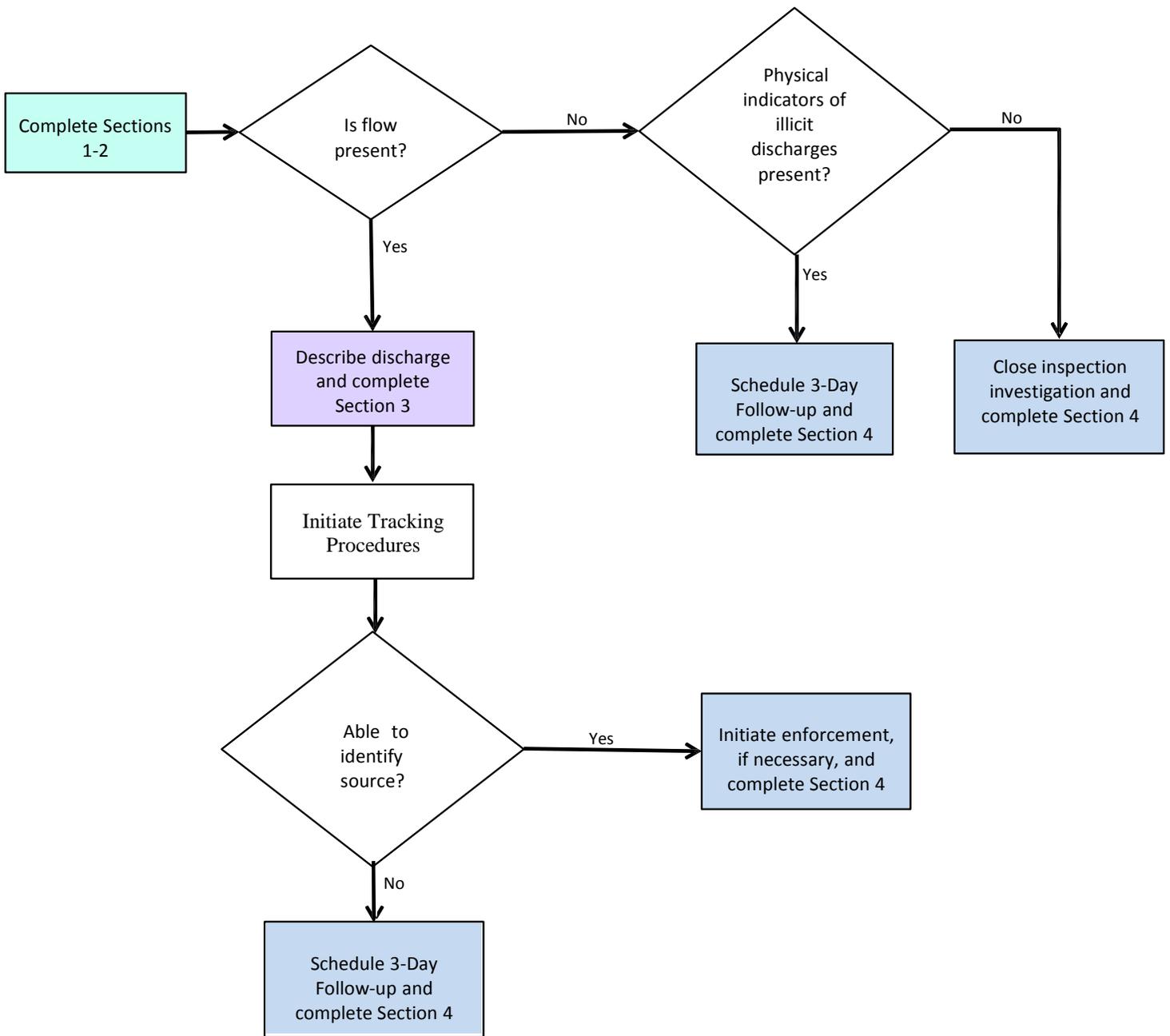
Section 4: Enforcement and Resolution

Check the appropriate box for the resolution of the investigation: Source Identified, 3-Day Follow-up Inspection, or Investigation Closed.

Enforcement Action: Identify whether enforcement action was taken. Describe the action: verbal notice, written notice, etc.

Source/Resolution: Describe the source if found and final resolution.

FLOW CHART FOR IDDE INSPECTION/INVESTIGATION FORM
CITY OF AVONDALE



**IDDE INSPECTION/INVESTIGATION FORM
CITY OF AVONDALE**



Section 1: Background Data

Outfall ID:	Date:	Time:
Inspector/Investigator:		
Inspection/Investigation Type: (Pick One) <input type="checkbox"/> Dry Weather Inspection <input type="checkbox"/> IDDE Investigation <input type="checkbox"/> 3-Day Follow-up Inspection <input type="checkbox"/> Visual Assessment (If so, check sampling description boxes below) <input type="checkbox"/> Sampling Event #1 <input type="checkbox"/> Sampling Event #2 <input type="checkbox"/> Summer Wet Season (6/1 - 10/1) <input type="checkbox"/> Winter Wet Season (11/1 – 5/31)		
Photos? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, append photos to this report.		
Precipitation w/in last 72 hours? <input type="checkbox"/> Yes <input type="checkbox"/> No Approximate Rainfall (in) _____		Weather (approx. temp, etc.):
Land Use in Drainage Area (check all that apply): <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Commercial	<input type="checkbox"/> Open Space Other: _____ Known Industries: _____	

Section 2: Physical Indicators

INDICATOR	DESCRIPTION	COMMENTS
Outfall Damage	<input type="checkbox"/> None <input type="checkbox"/> Spalling, Cracking or Chipping <input type="checkbox"/> Peeling Paint <input type="checkbox"/> Corrosion <input type="checkbox"/> Other: _____	
Deposits / Stains	<input type="checkbox"/> None <input type="checkbox"/> Oily <input type="checkbox"/> Flow Line <input type="checkbox"/> Paint <input type="checkbox"/> Other: _____	
Abnormal Vegetation	<input type="checkbox"/> None <input type="checkbox"/> Excessive <input type="checkbox"/> Inhibited	
Poor Water Quality	<input type="checkbox"/> None <input type="checkbox"/> Odors <input type="checkbox"/> Colors <input type="checkbox"/> Floatables <input type="checkbox"/> Oil Sheen <input type="checkbox"/> Suds <input type="checkbox"/> Excessive Algae <input type="checkbox"/> Other: _____	
Pipe Algae Growth	<input type="checkbox"/> None <input type="checkbox"/> Brown <input type="checkbox"/> Orange <input type="checkbox"/> Green <input type="checkbox"/> Other: _____	
Do physical indicators suggest an illicit discharge has occurred? <input type="checkbox"/> No <input type="checkbox"/> Yes		
Flow Present?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: <input type="checkbox"/> Trickle <input type="checkbox"/> Moderate <input type="checkbox"/> Substantial And go to Section 3. If no flow and no physical indicators, skip to Section 4 and close investigation. If no flow but physical indicators are present, skip to Section 4 and schedule 3-Day Follow-Up.	

**IDDE INSPECTION/INVESTIGATION FORM
CITY OF AVONDALE**



Section 3: Discharge Description (flowing outfalls only)

INDICATOR	CHECK if Absent	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	<input type="checkbox"/> (No odor)	<input type="checkbox"/> Sewage <input type="checkbox"/> Rancid/Sour <input type="checkbox"/> Sulfide <input type="checkbox"/> Laundry <input type="checkbox"/> Petro/gas <input type="checkbox"/> Other: _____	<input type="checkbox"/> 1-Faint	<input type="checkbox"/> 2-Easily detected	<input type="checkbox"/> 3-noticeable from a distance
Color	<input type="checkbox"/> (Colorless)	<input type="checkbox"/> Gray <input type="checkbox"/> Brown <input type="checkbox"/> Yellow <input type="checkbox"/> Green <input type="checkbox"/> Red/Orange <input type="checkbox"/> Multicolor <input type="checkbox"/> Other: _____	<input type="checkbox"/> 1-Faint color visible in sample bottle	<input type="checkbox"/> 2-Color clearly visible in sample bottle	<input type="checkbox"/> 3-Clearly visible in outfall flow
Turbidity	<input type="checkbox"/> (Clear)	See severity	<input type="checkbox"/> 1-Slightly cloudy	<input type="checkbox"/> 2-Cloudy	<input type="checkbox"/> 3-Opaque
Floatables – does not include trash!	<input type="checkbox"/> (Clean)	<input type="checkbox"/> Sewage <input type="checkbox"/> Suds/Foam <input type="checkbox"/> Oil sheen <input type="checkbox"/> Plant Debris <input type="checkbox"/> Other: _____	<input type="checkbox"/> 1-Few/slight; origin not obvious	<input type="checkbox"/> 2-Some indications of origin	<input type="checkbox"/> 3-Some; origin obvious
Do physical indicators suggest an illicit discharge is present? (Y/N)					

Section 4: Enforcement and Resolution

<input type="checkbox"/> Source identified (describe below) _____
<input type="checkbox"/> Estimated illicit discharge duration (hours) _____
<input type="checkbox"/> Estimated volume (gallons) _____
<input type="checkbox"/> Date of discharge elimination _____
<input type="checkbox"/> 3-Day Follow-up Inspection required (describe reason why below)
Enforcement action taken? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:
Source/Resolution: _____



ATTACHMENT K

MS4 PERMIT

PERMIT NO. AZG2016-002

STATE OF ARIZONA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
PHOENIX, ARIZONA 85007

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT FOR STORMWATER DISCHARGES
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
TO WATERS OF THE UNITED STATES

This permit provides authorization to discharge under the Arizona Pollutant Discharge Elimination System (AZPDES) program, in compliance with the provisions of the Arizona Revised Statutes (A.R.S) and, Title 49, Chapter 2, Article 3.1, the Arizona Administrative Code (A.C.C.), and Title 18, Chapter 9, Article 9.

This general permit specifically authorizes stormwater discharges from small municipal separate storm sewer systems (MS4s) in Arizona to Waters of the United States, pursuant to 40 CFR § 122.34. All discharges authorized by this general permit shall be consistent with the terms and conditions of this general permit.

This general permit becomes effective on September 30, 2016.

This general permit and the authorization to discharge expires at midnight, September 29, 2021.

Signed this 29th day of September, 2016.

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY


Trevor Baggione, Director
Water Quality Division

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1.0 COVERAGE UNDER THIS GENERAL PERMIT

1.1 Permit Area

This permit covers and applies to traditional and non-traditional regulated, Small Municipal Separate Storm Sewer Systems (MS4s) in Arizona, except those located in Indian Country:

- a. City or Town – Urbanized area(s) determined by the most recent Decennial Census by the Bureau of Census, including areas annexed during the permit term;
- b. County – Un-incorporated urbanized area determined by the most recent Decennial Census by the Bureau of Census;
- c. State, federal, and other publicly-owned properties that the director determines contributes to a violation of a water quality standard or is a significant contributor of pollutants to Waters of the U.S. and
- d. Areas outside of an urbanized area as designated by the director pursuant to Arizona Administrative Code (A.A.C.) R18-9-A902(D).

1.2 Eligibility

This permit authorizes the discharge of stormwater from small municipal separate storm sewer systems (MS4s) provided the permittee complies with all the requirements of this general permit, and the MS4:

- a. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census; or
- b. Is designated for permit authorization by the department under the A.A.C. R-18-9-A902(D)(1), R18-9-A902(D)(2), R-18-9-A902(E), and R18-9-A905(A)(1)(f) which incorporates 40 CFR §122.32.

1.3 Non-Stormwater Discharges

1.3.1 Except as provided in Part 1.3.2, the permittee shall prohibit non-stormwater discharges into its MS4 unless the discharges are authorized by a separate NPDES or AZPDES permit.

1.3.2 The following categories of non-stormwater discharges (occurring within the jurisdiction of the permittee) are prohibited if the discharges are identified by the permittee as significant contributors of pollutants to the MS4. If any of the following categories of discharges are identified as a significant contributor, the permittee must address the category as an illicit discharge as specified in Part 6.4.3.1:

- a. Water line flushing
- b. Landscape irrigation
- c. Diverted stream flows
- d. Rising ground waters
- e. Uncontaminated ground water infiltration
- f. Uncontaminated pumped groundwater
- g. Discharges from potable water sources
- h. Foundation drains
- i. Air conditioning condensate
- j. Irrigation water

- k. Springs
- l. Water from crawl space pumps
- m. Footing drains
- n. Lawn watering
- o. Individual residential car washing
- p. Discharges from riparian habitats and wetlands
- q. Dechlorinated swimming pool discharges
- r. Street wash water, and
- s. Discharges or flows from firefighting activities

1.4 Limitations of Coverage

Except as provided in Part 1.3.2, this general permit does not authorize:

- 1.4.1** Discharges mixed with sources of non-stormwater unless the non-stormwater discharges comply with an applicable NPDES or AZPDES permit, as addressed in Part 1.3.1;
- 1.4.2** Stormwater discharges associated with industrial activity as defined in 40 CFR §122.26(b)(14)(i)-(ix) and (xi);
- 1.4.3** Stormwater discharges associated with construction activity as defined in 40 CFR §122.26(b)(14)(x) or 40 CFR §122.26(b)(15);
- 1.4.4** Stormwater discharges currently covered under another permit;
- 1.4.5** Discharges to impaired waters listed (including not-attaining waters) if discharge(s) from the MS4 contain, or may contain, pollutant(s) for which the receiving water is listed except:
 - a. If a TMDL has been established and the stormwater management program (SWMP) is consistent with the requirements of the TMDL, including any wasteload allocation or load allocation in the TMDL. The SWMP must also identify Best Management Practices (BMPs) the permittee will use to meet wasteload allocations or load allocations and include monitoring for associated pollutant(s); and
 - b. If a TMDL has not been established and the SWMP includes a section describing how the program will control the discharge of 303(d) listed pollutants and ensure to the maximum extent practicable that discharges from the MS4 will not cause or contribute to exceedances of surface water quality standards. The SWMP must also identify BMPs the permittee will use to control discharges and include monitoring of their effectiveness.
- 1.4.6** Discharges that do not comply with Arizona's anti-degradation rule R18-11-107;
- 1.4.7** Stormwater discharges prohibited under 40 CFR §122.4.

1.5 Permit Compliance

Non-compliance with any requirement of this permit constitutes a violation of the permit and may result in an enforcement action, including injunctive relief and/or penalties under state and federal laws.

2.0 AUTHORIZATION UNDER THIS GENERAL PERMIT

Upon the effective date of this permit, existing and new permittees automatically have coverage under this permit for up to 180 days. Existing and new Small MS4 operators who wish to retain coverage under this permit must submit a complete and accurate Notice of Intent to ADEQ within 180 days of the effective date of this permit.

2.1 Obtaining Permit Coverage

2.1.1 A person seeking authorization to discharge under this general permit shall submit to the department a complete and accurate Notice of Intent (NOI) on a form provided by the department and includes, at a minimum, the following information:

- a. Name of MS4
- b. Operator name and title
- c. Mailing address
- d. Annual fee billing information
- e. Contact person
- f. Contact information
- g. Estimated population (based on most recent Decennial Census by the Bureau of Census)
- h. Receiving water(s) – those listed in A.A.C., Title 18, Chapter 11, Article 1, Appendix B
- i. The number of outfalls that discharge to a receiving water listed in A.A.C. R18-11, Appendix B
- j. Outfall, name or identification of outfalls required in “i,” above
- k. Identification of a minimum of five (5) outfalls (or screening points) to be included in the visual stormwater discharge monitoring program (Part 6.4.3.8)
- l. Identification of impaired and not-attaining waters that receive discharges from the MS4, including the pollutant(s) causing the impairment, total maximum daily load, and waste load allocation(s), as applicable
- m. Identification of Outstanding Arizona Waters that receive discharges from the MS4
- n. BMPs and measurable goals for each of the six (6) minimum control measures (MCMs) identified in Part 6.4
- o. Outfall name or identification of those outfalls to be utilized for analytical monitoring of stormwater discharges to impaired, not-attaining waters and Outstanding Arizona Waters
- p. Schedule for developing and implementing BMPs and associated program elements specified in this permit
- q. Proposal for alternative to visual stormwater discharge monitoring, if applicable (Part 6.4.3.8)
- r. Additional information specified in the NOI for ADEQ to determine eligibility under this permit.

2.1.2 Eligible persons wishing to retain coverage under this permit (existing and new MS4 operators) must submit a complete and accurate NOI to the department within 180 days of the effective date of this permit. Small MS4 operators notified after the effective date of this permit must submit a NOI within 180 days of receiving notification in writing by ADEQ that they are subject to permitting. Persons failing to submit a new NOI within the applicable timeframe will be considered discharging without a permit.

- 2.1.3** If the department notifies the applicant of deficiencies or inadequacies in any portion of the NOI, or requests additional information, the applicant must correct the deficient or inadequate portions and submit a revised NOI that addresses the deficiencies within seven (7) days of receiving notification.
- 2.1.4** The permittee must submit a revised NOI to the department within fifteen (15) days whenever there is a change of information (certifying official, mailing address, contact information, BMPs, measurable goals, etc.).
- 2.1.5** Notice of Intent forms submitted to ADEQ will be posted on the ADEQ website and made available for public comment. ADEQ may request additional information from the application based on public comments.

2.2 Permit Fees

Permittees are subject to fees established in A.A.C. R18-14-109. The department will issue an invoice annually to the permittee at the address identified on the NOI.

New permittees must submit the applicable fee with their NOI.

Existing permittees are not required to include the annual fee when submitting an NOI to obtain coverage under this permit.

2.3 Terminating Coverage

A permittee may terminate coverage under this general permit by submitting a notice of termination (NOT) on a form provided by the department. Authorization to discharge terminates at midnight on the day the NOT is received by the department.

If the operator does not obtain coverage under an alternate AZPDES permit that authorizes the discharge of stormwater prior to submitting the NOT, the operator will be considered discharging without a permit.

NOTs must be signed in accordance with Part 9.9 and must be submitted to the following address until such time as electronic submission is available:

Arizona Department of Environmental Quality
Surface Water Section (5415A-1)
1110 West Washington Street
Phoenix, AZ 85007

2.4 Coverage under an Individual Permit

Pursuant to A.A.C. R18-9-C902, a person may request, or be required by the director, to obtain coverage under an individual permit.

2.5 Continuation of this General Permit

If this permit is not reissued prior to the expiration date, it will be administratively continued in accordance with A.A.C. R18-9-C903 and remain in force and effect for discharges that were authorized prior to expiration.

If the MS4 operator does not submit a timely, complete, and accurate NOI requesting authorization to discharge under a reissued permit or a timely request for authorization under an individual or alternative general permit, authorization under this permit will terminate on the due date for the NOI under the reissued permit unless otherwise specified in the reissued permit.

3.0 STORMWATER PROGRAM ENFORCEMENT

3.1 Establish Enforcement Procedures

Within twenty-four (24) months from the effective date of this permit, existing and new permittees shall adopt and implement local ordinance(s) or other regulatory mechanism(s) that provide adequate enforcement procedures that satisfy the requirements of this permit to control pollutant discharges into its MS4.

3.2 Enforcement Requirements

If not already developed, the permittee must establish and exercise enforcement procedures to comply with this permit. To be considered adequate, enforcement procedures must, at a minimum, address the following:

- a. Prohibit and eliminate illicit connections and discharges to the MS4;
- b. Control the discharge of spills, and prohibit dumping or disposal of materials other than stormwater into the MS4;
- c. Require compliance with conditions in the permittee's ordinances, permits, contracts, or orders;
- d. Require owners/operators of construction activities, new or redeveloped land, and industrial and commercial facilities to minimize the discharge of pollutants to the MS4 through the installation, implementation, and maintenance of stormwater control measures;
- e. To the extent allowed under State law, the permittee must have methods to enter private property for the purpose of inspecting at reasonable times any facilities, equipment, practices, or operations related to stormwater discharges to determine whether there is compliance with local stormwater control ordinances/standards;
- f. The permittee must promptly require violators cease and desist illicit discharges or discharges of stormwater in violation of any ordinance or standard and/or cleanup and abate such discharges;
- g. To the extent allowable under State and federal law, the permittee must impose civil or criminal sanctions (including referral to a city or district attorney) and escalate corrective response, consistent with its enforcement response;
- h. Identify departments within the permittee's jurisdiction that conduct stormwater-related activities and their roles and responsibilities under this permit. Include an up-to-date organizational chart specifying these departments and key personnel positions;
- i. Identification of the local administrative and legal procedures and ordinances available to mandate compliance with stormwater-related ordinances and therefore with the conditions of this permit; and
- j. A description of how stormwater related-ordinances are implemented and appealed.

3.3 Enforcement Response Plan(s)

The permittee shall develop an enforcement response plan (ERP) that specifies how it will exercise its legal authority to comply with this permit. The ERP shall include a prioritization schedule that establishes escalated enforcement for non-compliance of illicit discharges and construction activities. In developing the ERP, the permittee shall include the following factors in prioritizing escalated enforcement: severity of non-compliance, repeated non-compliance, proximity to a receiving water or storm sewer system, and other appropriate factors. The ERP must be developed and implemented within twenty-four (24) months of obtaining permit coverage.

4.0 STORM SEWER SYSTEM MAPPING

The permittee must prepare and maintain an up-to-date map of the municipal separate storm sewer system. At a minimum, the map system must be sufficient in scope and detail to identify and isolate illicit discharges. The permittee is not required to submit storm sewer system mapping infrastructure to ADEQ unless specifically requested, and shall make mapping information available to ADEQ or EPA to assess permit compliance.

4.1 Develop a map that includes, at a minimum, the following components:

- a. Storm sewer system (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains that are owned or operated by the permittee and convey stormwater to Waters of the U.S.),
- b. Location of all outfalls, and
- c. Name and location of all Waters of the U.S. that receive discharges from outfalls.

4.2 Existing permittees shall update map(s) within twelve (12) months from the effective date of this permit to include areas added as a result of the most recent Decennial Census (including annexed areas) and annually thereafter. Updates shall include mapping components identified in Section 4.1 above.

4.3 New permittees must include a mapping schedule in their NOI. The schedule must include how the permittee will conduct the mapping process, a timeline, measurable goals and estimated completion date(s). The permittee shall have its storm system mapped by the end of the fourth year of permit coverage.

4.4 The permittee must include a narrative description of the status of storm sewer system mapping, outfall mapping, and waters of the U.S. that receive discharges from the outfalls (including percent complete) in each annual report (see Part 8.3).

5.0 STORMWATER MANAGEMENT PROGRAM

The permittee shall develop, implement, and enforce a SWMP that is designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. The program shall be documented and available for review by ADEQ, U.S. EPA, and interested persons.

Existing permittees shall modify or update their existing SWMP to meet the terms and conditions of this permit within six (6) months of the effective date of this permit.

New permittees shall develop a SWMP that meets the conditions of this permit within one (1) year of the effective date of this permit.

At a minimum, all permittees must annually assess, evaluate, and update the BMPs and SWMP and incorporate any revisions necessary to maintain permit compliance. The annual SWMP review must occur in connection with preparing the annual report (see Parts 8.1 and 8.3).

5.1 Contents of the Stormwater Management Program

At a minimum, the SWMP shall contain the following:

- a. Listing of all receiving waters, their classification under the applicable state water quality standards, any impairment(s) and associated pollutant(s) of concern, applicable TMDLs and WLAs, and number of outfalls from the MS4 that discharge to each waterbody;
- b. The process and schedule for creating and maintaining an up-to-date map that includes, at a minimum, the storm sewer system, outfalls, and receiving waters;
- c. Listing of all discharges that cause or contribute to the exceedance of an applicable surface water quality standard;
- d. Description of any other practices to achieve compliance with Part 6.1 and 6.2;
- e. Description of practices to achieve compliance with Parts 6.3 and 6.4 (MEP and MCM requirements). For each permit condition identify:
 1. The personnel, position or department responsible for the measure,
 2. The BMPs for each control measure or permit requirement, and
 3. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity and/or quality associated with its endpoint. Each goal shall have a measure of assessment.
- f. Description of practices to achieve compliance with applicable TMDLs or waste load allocation, including measurable goal(s) for each BMP and corresponding milestones and timeframes. Each goal must have an associated measure of assessment;
- g. Analytical monitoring program for impaired or not-attaining waters, and for Outstanding Arizona Waters to ensure compliance with permit limitations, wasteload allocation(s), and surface water quality standards.

The analytical monitoring program shall include a Sampling and Analyses Plan (SAP) that includes the following minimum components: sample collection, equipment and containers, decontamination, calibration procedures, sample frequency (based on illicit discharge characteristics), document site conditions, field notes, sample preservation, tracking (chain-of-custody), and handling;

- h. Protocol for annual program evaluation (Part 8.1). Update annually and maintain copies; and
- i. Identification of personnel (department, position, etc.) responsible for program implementation.

5.2 Stormwater Management Plan Availability

The permittee shall retain a copy of the current SWMP required by this permit at the office or facility identified on the NOI and shall be available upon request by ADEQ or U.S. EPA, or their authorized representatives.

A copy of the most up-to-date SWMP shall be made available to the public during normal business hours and posted on the permittee's website.

6.0 EFFLUENT LIMITATIONS

The permittee shall develop, implement and enforce a program to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and the Arizona Surface Water Quality Standards.

6.1 Water Quality Based Effluent Limitations

Pursuant to Clean Water Act 402(p)(3)(B)(iii), this permit includes provisions to ensure that discharges from the permittee's small MS4 do not cause or contribute to an exceedance of surface water quality standards, in addition to requirements to reduce the discharge of pollutants to the maximum extent practicable.

6.2 Surface Water Quality Standards

The permittee shall implement the six (6) minimum control measures specified in Part 6.4 to the maximum extent practicable to protect water quality, and to satisfy water quality requirements of the Clean Water Act, including attainment of surface water quality standards.

If the permittee discovers, or is otherwise notified by ADEQ or U.S. EPA, that a discharge from the MS4 is causing or contributing to an exceedance of an applicable surface water quality standard, the permittee shall expand or better tailor its BMPs within the scope of the six (6) minimum control measures in Part 6.4 to achieve progress toward attainment of surface water quality standards.

To assure compliance with permit limitation, ADEQ may require the permittee to conduct analytical monitoring and will provide notice to the permittee in writing (see also Part 7).

6.3 Requirements to Reduce the Discharge of Pollutants

The permittee shall reduce the discharge of pollutants to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate requirements of the Clean Water Act by implementing the six (6) minimum control measures in part 6.4.

6.4 Minimum Control Measures

- a. Existing permittees shall continue to implement their existing SWMPs while making updates pursuant to this permit. This permit does not extend the compliance deadlines set forth in Permit AZG2002-002.
- b. Implementation of one (1) or more of the minimum control measures described in Parts 6.4.1 - 6.4.6 or other permit requirements may be shared with another entity (including another interconnected MS4) or the other entity may fully implement the measure or requirement, if the following requirements are satisfied:
 - The other entity implements the control measure as specified in the SWMP;
 - The particular control measure or component thereof undertaken by the other entity is at least as stringent as the corresponding permit requirement;
 - The other entity agrees to implement the control measure on the permittee's behalf. The annual report must specify that the permittee is relying on another entity to satisfy some of its permit obligations and specify what those obligations are;
 - The permittee remains responsible for compliance with all permit obligations if the other entity fails to implement the control measures (or component thereof). The permittee may enter into a legally-binding agreement with the other entity regarding the other entity's

performance of control measures, but the permittee remains ultimately responsible for permit compliance.

6.4.1 Public Education and Outreach

Objective: The permittee shall implement an education program that includes educational goals based on stormwater issues of significance within the MS4 area. The program shall include a focus on pollutants of concern for impaired and TMDL waters, and priority waters that receive a discharge from the MS4. The ultimate objective of a public education program is to increase knowledge and change behavior of the public so that pollutants in stormwater are reduced.

6.4.1.1 The permittee shall implement the public education program required by 40 CFR §122.34(b)(2) by distributing educational material to the MS4 community. The educational program shall define goals, express specific messages, define the targeted audience for each message, and identify responsible parties for program implementation. At a minimum, the program shall provide information concerning the impact of stormwater discharges on water bodies within the community, especially waters that are impaired, not-attaining, or identified as Outstanding Arizona Waters. The program shall identify steps and/or activities the public can take to reduce the pollutants in stormwater runoff and their impacts to the environment.

6.4.1.2 The program shall focus on messages for specific audiences as well as show progress toward the defined educational goals of the program. The permittee shall identify methods that it will use to evaluate the effectiveness of the educational messages and the overall education program. Any methods used to evaluate the effectiveness of the program shall be tied to the defined goals of the program and the overall objective of changes in behavior and knowledge.

6.4.1.3 The permittee shall modify any ineffective messages or distribution techniques.

6.4.1.4 The permittee shall document in each annual report: the messages for each audience; the method of distribution; the measures/methods used to assess the effectiveness of the messages, and the method/measures used to assess the overall effectiveness of the education program.

6.4.2 Public Involvement and Participation

Objective: The permittee shall provide opportunities to engage the public to participate in the review and implementation of the permittee's SWMP.

6.4.2.1 All public involvement activities shall comply with state and local public notice requirements. The SWMP and all annual reports shall be available to the public. The permittee is encouraged to satisfy this requirement by posting records online.

6.4.2.2 The permittee shall annually provide the public an opportunity to participate in the review and implementation of the SWMP.

6.4.2.3 The permittee shall report on the activities undertaken to provide public participation opportunities including compliance with Part 6.4.2.1. Public participation opportunities pursuant to Part 6.4.2.2 may include, but are not limited to, websites, hotlines, clean-up teams, monitoring teams, or an advisory committee.

6.4.3 Illicit Discharge Detection and Elimination (IDDE) Program

The permittee shall implement an IDDE program to systematically find and eliminate sources of non-stormwater to its municipal separate storm sewer system and to implement procedures to prevent illicit connections and discharges.

The IDDE program shall be recorded in a written document. The IDDE program shall include each of the elements described in Part 6.4.3.8 (a through c), unless the permittee provides a written explanation within the IDDE program as to why a particular element is not applicable to the permittee. For existing permittees, the written IDDE program shall be completed within six (6) months of the effective date of this permit. For new permittees, the written IDDE program shall be completed within one (1) year of the effective date of the permit. The permittee shall implement the IDDE program in accordance with the goals and milestones set forth in Parts 5.0 and 6.4.3.

6.4.3.1. Definitions and Prohibitions

The permittee shall prohibit illicit discharges (including sanitary sewer overflows) to and from its MS4 and require removal of such discharges consistent with Part 6.4.3.5 of this permit. An illicit discharge is any discharge to a municipal separate storm sewer that is not composed entirely of stormwater *except*:

- a. Discharges authorized under a separate NPDES permit that authorize a discharge to the MS4;
- b. Non-stormwater discharges allowed by Part 1.3.2.

6.4.1.5 Enforcement Procedures

The IDDE program must ensure the permittee has adequate enforcement procedures to accomplish the following tasks: prohibit illicit discharges; investigate suspected illicit discharges; eliminate illicit discharges, including discharges from properties not owned or operated by the MS4 that discharge into the MS4 system; and implement appropriate enforcement procedures and actions. Adequate enforcement procedures consists of a current effective ordinance, by-law, or other regulatory mechanism. For existing permittees, the ordinance, by-law, or other regulatory mechanism was a requirement of AZG2002-002 and is required to be effective under that permit. The written IDDE program shall include a reference or citation of the authority the permittee will use to implement all aspects of the IDDE program as specified in Part 3.0.

6.4.3.3 Statement of IDDE Program Responsibilities

The permittee shall establish a written statement that clearly identifies responsibilities with regard to eliminating illicit discharges. The statement shall identify the lead municipal agency or department responsible for implementing the IDDE Program as well as any other agencies or departments that may have responsibilities for aspects of the program. Where multiple departments and agencies have responsibilities to the IDDE program, specific areas of responsibility shall be defined and processes for coordination and data sharing shall be established and documented.

6.4.3.4 Illicit Discharge Prevention and Reporting

The permittee shall develop and implement process(es) and procedures designed to prevent, identify, report, and mitigate illicit discharges to and from the MS4 (this may be a part of the education program required by Part 6.4.1; reporting (hotlines), and training of public employees involved in the IDDE program).

6.4.3.5 Eliminating Illicit Discharges

Illicit discharges to the MS4 are prohibited and constitutes a violation of this permit when the permittee is not fully implementing applicable permit requirements and the SWMP.

Upon detection of an illicit discharge, the permittee shall eliminate it as expeditiously as possible. The permittee shall identify and notify all responsible parties for any such discharge and require immediate cessation in accordance with its legal authorities. Where elimination of an illicit discharge is not immediately possible, the permittee shall establish an expeditious schedule for its elimination and report the dates of identification and schedules for removal in the permittee's annual reports. The permittee shall immediately commence actions necessary for elimination. In the interim, the permittee shall take all reasonable and prudent measures to minimize the discharge of pollutants to its MS4.

To the extent known, the permittee shall include in the annual report the following information: the location of the illicit discharge and its source(s); a description of the discharge; estimated illicit discharge duration; the method of discovery; date of discovery; date of elimination; mitigation or enforcement action; responsible person (if known); and estimated volume.

6.4.3.6 Non-Stormwater Discharges

The non-stormwater discharges identified in Part 1.3.2 do not need to be addressed as an illicit discharge unless it is determined by the permittee that any of these sources is a significant contributor of pollutants. Non-stormwater discharges from the MS4 that cause or contribute to a violation of a surface water quality standard where the permittee fails to take action to eliminate the discharge of pollutants constitutes a permit violation.

6.4.3.7 Existing Permittees IDDE Programs

During the development of the new components of the IDDE program required by this permit, existing permittees must continue to implement their current IDDE program required by the AZG2002-002 to detect and eliminate illicit discharges to its MS4.

6.4.3.8 Visual Monitoring

The permittee shall develop, implement, and maintain a visual monitoring program that includes both dry weather and stormwater discharges to identify, monitor, and eliminate illicit discharges; and to ensure compliance with effluent limitations in this permit.

The monitoring programs shall include written procedures for conducting visual monitoring of outfalls from the MS4.

Monitoring procedures shall include, at a minimum, the following information/observations: outfall identification, personnel, time, date, weather conditions at time of inspection, estimated flowrate, apparent odor, color, clarity, debris, floatables, and other necessary information to characterize the screening.

In the event an illicit discharge is discovered as a result of dry or wet weather outfall monitoring, the permittee shall implement measures to eliminate the illicit discharge (part 6.4.3.5).

For each confirmed illicit discharge, the permittee shall include in the annual report the following information: the location of the discharge and its source(s); a description of the discharge; estimated illicit discharge duration; the method of discovery; date of discovery; date of elimination; mitigation or enforcement action; responsible person (if known); and estimated volume.

a) Visual Dry Weather Outfall Monitoring

Within six (6) months of obtaining authorization to discharge, the permittee shall develop and implement a visual, dry weather outfall monitoring program. Dry weather monitoring must be conducted at least 72 hours after a storm event that resulted in a discharge from the storm sewer system.

The permittee shall document and include findings of dry weather monitoring in the annual report.

b) Visual Stormwater Discharge Monitoring

The permittee shall identify a minimum of five (5) outfalls that are representative of its stormwater discharges to conduct visual stormwater discharge monitoring. If the permittee has less than five (5) outfalls, then the permittee shall monitor all outfalls as part of the stormwater discharge monitoring program. In the event a Small MS4 does not have five (5) outfalls, a minimum of five (5) screening points, or combination of outfalls and screening points, shall be utilized. Screening points shall be at locations where stormwater leaves the Small MS4's permitted area including locations where stormwater may discharge to another MS4 or other conveyance. The outfalls / screening points selected for visual stormwater discharge monitoring shall be identified in the NOI.

Within six (6) months of obtaining authorization to discharge, the permittee shall develop and implement a stormwater discharge visual monitoring program. The stormwater discharge monitoring program must be conducted in response to a storm event that results in a discharge from the storm sewer system and, to the extent practicable, should include the first flush.

The permittee shall conduct a minimum of two (2) stormwater discharge monitoring events during each wet season of the representative outfall(s) and shall document and include findings in the annual report.

Summer Wet Season: June 1 through October 31
Winter Wet Season: November 1 through May 31

In the event a permittee cannot access any outfall(s) during a wet weather discharge, the permittee shall conduct wet weather screening as soon as practicable after the storm or discharge event.

Visual Stormwater Discharge Monitoring Alternative – the permittee may elect to submit in its NOI (see part 2.1.1) alternative practices to visual stormwater discharge monitoring. In doing so, the permittee shall include a written description as to how and why the proposed alternative is as effective, or more effective, than visual stormwater discharge monitoring.

c) Follow-up Screening

The permittee shall establish a follow-up screening schedule for identified or suspected illicit discharges to ensure they do not recur.

6.4.3.9 Indicators of IDDE Program Progress

The permittee shall define or describe indicators for tracking program success. At a minimum, indicators shall include measures that demonstrate efforts to locate illicit discharges identified and removed. Such measures may include response time to inspection, public awareness, time from discovery to elimination, and other appropriate factors.

The permittee shall evaluate and report the overall effectiveness of the program based on the tracking measures outlined in Part 6.4.3.8 in the annual program evaluation and in the annual report.

6.4.3.10 Staff Training

The permittee shall, at a minimum, provide annual training to employees involved in the IDDE program (e.g., street workers, inspectors, solid waste personnel, etc.). The training must include the IDDE program components and how to recognize illicit discharges. The permittee shall report on the frequency and type of employee training in the annual report.

6.4.3.11 Unpermitted (Illicit) Discharges to the MS4

The permittee shall develop, implement, and enforce a program to actively identify facilities and activities (e.g., industrial facilities, construction activities, etc.) that discharge to the MS4 without an AZPDES/NPDES permit.

The permittee shall include the number of facilities contacted each year in the annual report and shall include the facility name, type of activity conducted at the facility (including SIC code, to the extent known), and whether or not the facility has AZPDES permit coverage, if known or available.

A description of the permittee's illicit discharge program shall be included in the SWMP.

6.4.4 Construction Activity Stormwater Runoff Control

The permittee must develop, implement, maintain, and enforce a construction activity stormwater runoff control program to minimize or eliminate pollutant discharges to the MS4s from construction activities that will disturb one (1) or more acres of land, including sites less than one (1) acre that are part of a common plan of development or sale.

6.4.4.1 Construction Activity Stormwater Runoff Implementation

Existing and new permittees must assess existing legal authority, codes, and other relevant mechanisms and adopt, and implement measures to ensure compliance with construction activity runoff timeframe(s) specified in Part 3.1.

6.4.4.2 Construction Activity Stormwater Runoff Program Components

The construction activity stormwater runoff control program shall include, at a minimum, the elements in Paragraphs a. through h. of this part:

- a. An ordinance or other regulatory mechanism that requires the use of sediment and erosion control practices.
- b. An inventory of all construction activities that disturb or will disturb one (1) or more acres within the permitted area, including those that are less than one (1) acre but are part of a larger common plan of development or sale if the larger common plan will ultimately disturb greater than one (1) acre.
- c. Written procedures for site inspections and enforcement of sediment and erosion control measures. If not already existing, these procedures shall be completed within one (1) year from the date of submitting an NOI to ADEQ. The procedures shall clearly define who is responsible for site inspections as well as who has authority to implement enforcement procedures. The program must allow the permittee, to the extent authorized by law, to impose sanctions ensuring compliance with the local program. These procedures and regulatory authorities shall be documented in the SWMP.
- d. In developing construction activity inspection frequency, the permittee shall consider, at a minimum, the following:
 1. Phase of construction;
 2. Proximity to an impaired, not-attaining water or Outstanding Arizona Water;
 3. Size of the construction activity (acreage disturbed); and
 4. History of non-compliance (site or operator).
- e. Based on construction activity inspection findings, the permittee must take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure compliance in accordance with the permittee's enforcement response plan required under Part 3.3.
- f. Requirements for construction operators to implement sediment and erosion control BMPs appropriate for the conditions at the construction activity. Examples of appropriate sediment and erosion control measures for construction activities include local requirements to:
 1. Minimize the amount of disturbed area and protect natural resources;
 2. Stabilize sites when projects are complete or operations have temporarily ceased;
 3. Protect slopes on the site of the construction activity;
 4. Protect storm drain inlets and armor all newly-constructed outlets;
 5. Use perimeter controls at the site;

6. Stabilize entrance(s) and exit(s) at the location of the construction activity to prevent off-site tracking; and
 7. Inspect stormwater controls at consistent intervals.
- g. Requirements to control wastes, including but not limited to: discarded building materials; paints; fertilizers; concrete wash out; chemicals; litter; and sanitary wastes.
- h. Written procedures for site plan review. If not already existing, the procedures for site plan review which incorporate consideration of potential water quality impacts shall be completed within one (1) year from date the NOI is submitted to ADEQ. Site plan review shall include: a review by the permittee of the site design; the planned operations at the location of the construction activity; planned stormwater controls during the construction phase; and the planned controls to be used to manage runoff created after development (see 6.4.5).

6.4.4.3 Personnel Qualifications

The permittee shall ensure staff who conduct activities related to implementing the construction stormwater program (permitting, plan review, construction activity inspections, enforcement, etc.) have the knowledge, skills, and abilities to proficiently carryout their assigned duties.

6.4.4.4 Construction Activity Operator Education and Public Involvement

The permittee must develop and implement a program to provide education to construction activity operators on erosion and sediment control best management practices requirements and establish procedures for receipt of and consideration of information submitted by the public (see also Part 6.4.2).

6.4.4.5 Tracking and Recordkeeping

The permittee must track the number of inspections and re-inspections of construction activities to verify the sites are inspected at the frequency established under Part 6.4.4.2 (d) and (e) and include this information in the annual report.

6.4.5 Post-Construction Stormwater Management in New Development and Redevelopment

Permittees shall develop, implement, and enforce a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb one (1) or more acres of land (or less than one (1) acre if part of a common plan of development) that discharge into the permittee's MS4.

The post-construction stormwater management program must include a combination of structural and/or non-structural best management practices, as well as the components identified in this section.

Permittees shall maintain all records associated, including enforcement actions, in accordance with Part 8.2

6.4.5.1 Regulatory Mechanism for Post-Construction Stormwater Controls

The new development/redevelopment program shall include an ordinance or regulatory mechanism to address runoff from new development and redevelopment projects.

The regulatory mechanism must specify that owners or operators of new development and redevelopment sites discharging to the MS4, design, install, and maintain post-construction stormwater controls that reduce or eliminate the discharge of pollutants from the site after construction activities are completed.

Permittees must evaluate existing ordinance or other regulatory mechanism(s) to address post-construction stormwater runoff from new development and redevelopment projects. If it is determined existing ordinances or other regulatory mechanism(s) must be modified, the permittee must develop, adopt and implement a revised ordinance or other mechanism within the timeframes(s) specified in Part 3.1.

The permittee's new development/redevelopment program shall have procedures to ensure any stormwater controls or management practices for new development and redevelopment will prevent or minimize impacts to water quality from stormwater runoff.

6.4.5.2 Site Plan Review

The permittee shall design, implement, and maintain a site plan review process to evaluate and approve post-construction stormwater controls.

6.4.5.3 Post-Construction Stormwater Control Inventory

Within the first year of the effective date of this permit, the permittee shall implement and maintain an inventory system of all post-construction structural stormwater control measures installed and implemented at new development and redeveloped sites, including both public and private sector sites located within the permit area that discharge into the MS4. The inventory must be searchable by property location (either on paper or electronic) or other relevant criteria.

6.4.5.4 Operation and Maintenance of Post-Construction BMPs

The permittee shall establish processes, procedures, and other such provisions necessary to ensure the long-term operation and maintenance of post-construction stormwater BMPs.

6.4.6 Pollution Prevention and Good Housekeeping for Municipal Operations

The permittee must develop, implement, and maintain an operations and maintenance program that includes a training component with the ultimate goal of preventing or reducing pollutant runoff and protecting water quality from municipal facilities and activities. The provisions in this part apply to facilities and activities that are not subject to separate AZPDES permitting.

Existing permittees must continue to implement established operation and maintenance programs while updating those programs, as necessary, to comply with the requirements of this permit. Program updates must be developed and implemented within six (6) months of obtaining permit coverage.

New permittees must develop and implement the following program requirements within one (1) year of obtaining permit coverage.

At a minimum, the program must include:

- a. Develop an inventory of municipal operations that discharge;
- b. Prioritize municipal facilities based on their risk to discharge pollutants and develop and implement a site inspection schedule (example, more frequent inspections for higher risk facilities, less frequent inspections for lower risk facilities);
- c. Develop and implement an inspection schedule for municipally-owned and operated facilities and activities to ensure stormwater controls are effective and being properly maintained;
- d. Based on inspection findings, update municipally-owned or operated facilities priority status and modify inspection frequency, as appropriate;
- e. Develop and implement stormwater controls at municipally-owned or operated facilities and discharge activities to reduce or eliminate the discharge of pollutants;
- f. Develop and implement an employee training program to incorporate pollution prevention and good housekeeping techniques into everyday operations and maintenance activities; and
- g. Develop maintenance activities, maintenance schedules, and long-term inspections procedures for structural and non-structural stormwater controls to reduce floatables, trash, and other pollutants discharged from the MS4.

7.0 ANALYTICAL MONITORING

In addition to analytical monitoring of municipal stormwater discharges to impaired, not-attaining waters and Outstanding Arizona Waters (OAWs), ADEQ may notify the permittee in writing of additional monitoring requirements to ensure protection of receiving water quality or to ensure permit compliance. Additional monitoring will be required if there is evidence that a pollutant is being discharged by the permittee that may be causing or contributing to exceedances of a water quality standard. Any such notice will provide an explanation of the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

Analytical monitoring shall be conducted in accordance with approved test methods in accordance with A.A.C. R18-9-A905(B).

7.1 General Monitoring Requirements

The monitoring provisions of this Part apply to permittees that must conduct analytical monitoring. The permittee shall collect and analyze stormwater samples and document monitoring activities consistent with the procedures described in Part 6.4.3.8 and Part 9.

- a. The purpose of the monitoring section of this permit is to:
 1. Assess the impacts to impaired, not-attaining, or Outstanding Arizona Waters (OAWs) resulting from stormwater discharges from Small MS4 outfalls;
 2. Characterize stormwater discharges;
 3. Identify sources of elevated pollutant loads and specific pollutants; and
 4. Assess the overall health and evaluate long-term trends in water quality of impaired, not attaining, or OAWs.
- b. The permittee shall identify in the SWMP and annual reports discharges that:
 1. Discharge to impaired waters listed on the Arizona's 303(d) list (Category 5) and those listed as not attaining (Category 4) on Arizona's Water Quality Assessment report;
 2. Discharges to OAWs listed in A.A.C. R18-11-112; and
 3. Additional monitoring required by ADEQ.
- c. Annual reporting requirements for outfall monitoring are included in Part 8.3.
- d. Analytical Monitoring Schedule:
 1. Existing Permittees – Impaired, not-attaining, and OAW monitoring must be fully implemented no later June 1, 2017.
 2. New Permittees – Impaired, not-attaining, and OAW monitoring must be fully implemented no later than November 1, 2017.
 3. Alternative schedule specified by ADEQ.

The required monitoring events may be distributed during seasons when precipitation occurs, or when snowmelt results in a measurable discharge from the site. Wet seasons apply statewide and are defined as follows:

Summer wet season: June 1 – October 31
Winter wet season: November 1 – May 31

The term 'wet season' includes areas of the state where freezing conditions exist that prevent runoff from occurring for extended periods. In areas where freezing conditions exist, the required monitoring and sample collection may be distributed during seasons when precipitation runoff, either as melting snow or rain mixed with melting snow, occurs.

7.2 Discharges to Impaired and Not-Attaining Waters

If an outfall discharges to an impaired or not-attaining water, the permittee shall develop and implement a monitoring program for all pollutants for which the waterbody is listed.

If the waterbody is listed for suspended solids, turbidity or sediment/sedimentation and the discharge occurs for more than 48 hours after the storm event, the permittee shall monitor for suspended sediment concentration (SSC). If the pollutant causing the impairment is expressed in the form of an indicator or surrogate pollutant, the permittee shall monitor for that indicator or surrogate pollutant.

The permittee shall comply with all applicable waste load allocations established in approved TMDLs. In the event monitoring requirements (frequency, analytical parameters, etc.) are established in an approved TMDL, the permittee shall comply with the specifications in the approved TMDL.

7.3 Discharges to Outstanding Arizona Waters

Analytical monitoring of outfalls that discharge to an OAW must be conducted twice per wet season for the entire permit term to assure discharges from the MS4 do not degrade existing water quality, or cause or contribute to an exceedance of an Arizona surface water quality standard. The permittee shall establish a list of analytical parameters to be included in the monitoring program and shall identify the analytical parameter and justification/rationale for selecting the key parameters in the SWMP.

7.4 Tracking

Permittees with outfalls that discharge to impaired, not-attaining, or OAWs shall develop a system to track the information required in the permit and the information required to be reported in the annual report (see Part 8.3). The tracking system shall be developed and implemented within twelve (12) months of the effective date of this permit.

The permittee must implement, and revise as necessary, a comprehensive monitoring and assessment program. A description of this program must be included in the SWMP. The monitoring and assessment program must be designed to meet the following objectives:

- a. Assess compliance with this permit;
- b. Measure the effectiveness of the permittee's stormwater management program;
- c. Assess the chemical, physical, and biological impacts to receiving waters resulting from stormwater discharges;
- d. Characterize stormwater discharges;
- e. Identify sources of specific pollutants;
- f. Detect and eliminate illicit discharges and illegal connections to the MS4; and
- g. Assess the overall health and evaluate long-term trends in receiving water quality.

8.0 PROGRAM ASSESSMENT, RECORDKEEPING, AND REPORTING

8.1 Program Evaluation

8.1.1 The permittee shall annually self-evaluate its compliance with the terms and conditions of this permit. The permittee shall maintain the annual evaluation documentation as part of the SWMP. The permittee shall include this information in the annual report.

8.1.2 The permittee shall evaluate the appropriateness of the selected BMPs in achieving the objectives of each control measure and the defined measurable goals. The permittee may change BMPs in accordance with the following provisions:

- a. Adding (but not subtracting or replacing) components or controls may be made at any time;
- b. Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternative BMP may be made if the proposed changes meet the criteria of this Part.

The permittee shall include this information in the annual report.

8.1.3 BMP modification documentation shall include the following information and all documentation shall be kept in the SWMP:

- a. An analysis of why the BMP is ineffective or infeasible;
- b. Expectations on the effectiveness of the replacement BMP; and
- c. An analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced.

The permittee shall indicate BMP modifications along with a brief explanation of the modification in the annual report.

8.1.4 ADEQ may require the permittee to add, modify, repair, replace or change BMPs or other measures described in the annual reports to address the following:

- a. Impacts to receiving water quality caused or contributed to by discharges from the MS4;
- b. To satisfy conditions of this permit;
- c. To include more stringent requirements necessary to comply with new state or federal legal requirements; or
- d. Attainment of surface water quality standards.

Any changes requested by ADEQ will be in writing and will require the permittee to develop a schedule to implement the changes and will offer the permittee the opportunity to propose alternative program changes to meet the objective of the requested modification.

8.2 Recordkeeping

- 8.2.1** The permittee shall keep all records required by this permit for a period of at least three (3) years. Records include information used in the development of any written program required by this permit, any monitoring results, copies of reports, records of screening, follow-up and elimination of illicit discharges; maintenance records; inspection records; enforcement actions; and data used in the development of the notice of intent, SWMP, plans, and annual reports. This list provides examples of records that should be maintained, but is not all inclusive.
- 8.2.2** Records other than those required to be included in the discharge monitoring report (Part 8.3) and annual report (Part 8.4), shall be submitted upon request by ADEQ, or U.S. EPA.
- 8.2.3** The permittee shall make the records relating to this permit, including the written stormwater management program, available to the public. The public may view the records during normal business hours. The permittee may charge a reasonable fee for copying requests. The permittee is encouraged to satisfy this requirement by posting records online.

8.3 Discharge Monitoring Report

The permittee must submit all monitoring results (analytical and visual monitoring results) on a discharge monitoring report (DMR) in a manner prescribed by ADEQ (electronic, paper format, etc.). In the event electronic reporting becomes available, permittees must submit analytical and visual monitoring results using an online program or portal application prescribed by ADEQ (or U.S. EPA). DMRs must be submitted no later than September 30 of each year and shall include analytical and visual monitoring results for the period July 1 through June 30 of the preceding calendar year.

8.4 Annual Report

The permittee shall submit an annual report each year of the permit term to ADEQ. The reporting period is from July 1 through June 30 each year. The annual report is due to ADEQ on or before September 30 each year for the reporting period. The annual reports shall contain the following information:

- a. The status of compliance with the permit terms and conditions;
- b. Updates regarding mapping requirements (see Part 4.1), including percent complete;
- c. An evaluation of the appropriateness and efficacy of the selected BMPs;
- d. An assessment of the progress towards achieving the measurable goals and objectives of each control measure in Part 6.4 including description of the targeted messages for each audience; method of distribution and dates of distribution; methods used to evaluate the program; and any changes to the program;
- e. Description of the activities used to promote public participation;
- f. Description of the activities related to implementation of the IDDE program including: status and results of the illicit discharge potential protocols described in Parts 6.4.3.4 (program responsibilities and systematic procedure); number and identifier of assets inspected or evaluated; number and identifier of outfalls screened; number of illicit discharges located; number of illicit discharges removed; and employee training;

- g. All outfall screening and monitoring data collected by or on behalf of the permittee during the reporting period and cumulative for the permit term, including but not limited to all data collected pursuant to Parts 6.4.3 and 7.0;
- h. The status of any plans or activities required by Part 6.4.3 and/or Part 7.1 (impaired and not-attaining waters), including:
 - 1. Identification of all discharges determined to be causing or contributing to an exceedance of water quality standards and description of response;
 - 2. For discharges subject to TMDLs, identification of specific BMPs used to address the pollutant identified as the cause of the impairment and assessment of the BMPs effectiveness at controlling the pollutant;
- i. Status of the construction runoff management including number of project plans reviewed, number of inspections, and number of enforcement actions;
- j. Status of stormwater management for new development and redevelopment including status of ordinance development and review;
- k. Status of the operation and maintenance programs required by Part 6.4.6.1;
- l. Description of any changes in identified BMPs or measurable goals;
- m. Any additional reporting requirements specified in Parts 1-7; and
- n. Description of activities to be conducted during the next reporting cycle.

Reports must be submitted to ADEQ at the following address:

Arizona Department of Environmental Quality
1110 West Washington Street, Mail Code 5451A-1
Phoenix, Arizona 85007

In the event electronic reporting becomes available, permittees must submit their annual reports using an online program or portal application prescribed by ADEQ (or U.S. EPA).

9.0 STANDARD PERMIT CONDITIONS

Standard permit conditions in Part 9 are consistent with the general permit provisions required under 40 CFR 122.41 and A.A.C. R-18-9-A905(A)(3).

1. **Duty to Comply:** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(a)(1) and A.R.S. §§ 49-261, 262, 263.01, and 263.02.]
 - a. The operator shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act; A.R.S. Title 49, Chapter 2, Article 3.1; and A.A.C. Title 18, Chapter 9, Article 9, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.
 - b. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person discharging under this permit is required to comply.
 - c. The operator shall comply with any effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

2. **Duty to Reapply / Continuation of the Expired General Permit:** [A.A.C. R18-9-A905, which incorporates 40 CFR 122.41(b) and A.A.C. R18-9-C903]
 - a. Upon reissuance of the general permit, the permittee shall file an NOI, within the timeframe specified in the new general permit, and shall obtain new written authorization to discharge from the Director.
 - b. If the Director does not reissue the general permit before the expiration date, the current general permit will be administratively continued and remain in force and effect until the general permit is reissued.
 - c. Any operator granted authorization to discharge under the general permit before the expiration date automatically remains covered by the continued general permit until the earlier of:
 - i. Reissuance or replacement of the general permit, at which time the operator shall comply with the NOI conditions of the new general permit to maintain authorization to discharge; or
 - ii. The date the operator has submitted a Notice of Termination; or
 - iii. The date the Director has issued an individual permit for the discharge; or
 - iv. The date the Director has issued a formal permit decision not to reissue the general permit, at which time the operator shall seek coverage under an alternative general permit or an individual permit, or cease discharge.

3. **Need To Halt or Reduce Activity Not a Defense:** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(c)]

It shall not be a defense for an operator in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. **Duty to Mitigate:** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(d)]

The operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment per A.R.S. § 49-255.01(E)(1)(d).

5. Proper Operation and Maintenance: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(e)]

The operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the operator to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.

6. Permit Actions: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(f)]

This permit may be modified, revoked and reissued, or terminated for cause. Filing a request by the operator for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(g)]

This permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, nor any infringement of federal, state, Indian tribe, or local laws or regulations.

8. Duty to Provide Information: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(h)]

The operator shall furnish to ADEQ, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The operator shall also furnish to ADEQ upon request, copies of records required to be kept by this permit.

9. Signatory Requirements: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(k) and (l); A.A.C. R18-9-A905(A)(1)(c), which incorporates 40 CFR 122.22]

All Notices of Intent (NOI) and Notices of Termination (NOT) must be signed as follows:

- a. NOIs:
 - i. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - ii. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or
 - iii. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal (or state) agency includes: (1) The chief executive officer (or director) of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

- b. All NOTs, reports, plans, inspection reports, monitoring reports, and other information required by this permit must be signed by a person described in Part 9.9(a), above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - i. The authorization is made in writing by a person described in Subsection 9(a) above;
 - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of manager, operator, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a named individual or any individual occupying a named position); and
 - iii. The signed and dated written authorization is included in the SWMP. A copy must be submitted to ADEQ, upon request.
- c. Certification. Any person signing documents under the terms of this permit shall make the following certification:

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

10. Inspection and Entry: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(i)]

The operator shall allow the Director or an authorized representative upon the presentation of credentials and such other documents as may be required by law to:

- a. Enter upon the operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
- b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this general permit;
- c. Inspect at reasonable times any facility or equipment (including monitoring and control equipment), practices or operations regulated or required under this permit;
- d. Sample or monitor at reasonable times any substances or parameters at any location, for the purposes of assuring permit compliance or as otherwise authorized by A.R.S. Title 49, Chapter 2, Article 3.1, and 18 A.A.C. 9, Articles 9.

11. Monitoring and Records: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(j)]

- a. Representative Samples/Measurements: Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
- b. Retention of Records: The operator shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date permit coverage ends. Operators shall submit any such records to the Director upon request. The operator shall retain the SWPPP developed in accordance with Part 6 of this permit, for at least three (3) years after the last modification or amendment is made to the plan. The Director may extend this retention period upon request by notifying the operator in writing at any time prior to the end of the standard three year retention period.

- c. Records Contents: Records of monitoring information must include:
- i. The date, exact location, and time of sampling or measurements;
 - ii. The initials or name(s) of the individual(s) who performed the sampling or measurements;
 - iii. The date(s) analyses were performed;
 - iv. The time(s) analyses were initiated;
 - v. The initials or name(s) of the individual(s) who performed the analyses;
 - vi. References and written procedures, when available, for the analytical techniques or methods used;
 - vii. The analytical techniques or methods used; and
 - viii. The results of such analyses.
- d. Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which includes the possibility of fines and/or imprisonment.

12. Reporting Requirements: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(l)]

- a. Planned changes: The operator shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
- i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (incorporated by reference at A.A.C. R18-9-A905(A)(1)(e)); or
 - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1) (incorporated by reference at A.A.C. R18-9-A905(A)(3)(b)).
- b. Monitoring reports: Monitoring results must be reported at the intervals specified elsewhere in this permit.
- i. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms (paper or electronic) provided or specified by ADEQ.
 - ii. If the operator monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
 - iii. Calculations for all limitations which require averaging of measurements must use an arithmetic mean and non-detected results must be incorporated in calculations as the limit of quantitation for the analysis.
- c. Anticipated noncompliance: The operator shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
- d. Twenty-four hour reporting:
- i. The operator shall report to ADEQ any noncompliance with this permit which may endanger human health or the environment. The operator shall orally notify the office listed below within 24 hours:

Arizona Department of Environmental Quality – Water Quality Division
1110 W. Washington Street
Phoenix, AZ 85007
Office: (602) 771 - 4508

- ii. A written submission shall also be provided to the office identified above within five (5) days of the time the operator becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- iii. The following shall be included as information which must be reported within 24 hours under this paragraph.
 - 1) Any upset which exceeds any effluent limitation in the permit.
 - 2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.44(g) which is incorporated by reference at A.A.C. R18-9-A905(A)(3)(d)).
- iv. ADEQ may waive the written report on a case-by-case basis for reports under this subsection if the oral report has been received within 24 hours.
- e. Other noncompliance: The operator shall report all instances of noncompliance not otherwise required to be reported under this subsection, at the time monitoring reports are submitted. The reports shall contain the information listed in subsection 12(d).
- f. Other information: When the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Department, the operator shall promptly submit the facts or information to ADEQ at the address listed in Part 8.2.

13. Reopener Clause: [A.A.C. R18-9-A905(A)(3)(d), which incorporates 40 CFR 122.44(c)]

The Department may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines, which may be promulgated in the course of the current permit cycle.

14. Other Environmental Laws:

No condition of this general permit releases the operator from any responsibility or requirements under other environmental statutes or regulations. For example, this permit does not authorize the "taking" of endangered or threatened species as prohibited by Section 9 of the Endangered Species Act, 16 U.S.C. 1538. Information regarding the location of endangered and threatened species and guidance on what activities constitute a "taking" are available from the U.S. Fish and Wildlife Service. The operator shall also comply with applicable State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC).

15. State or Tribal Law: [Pursuant to A.A.C. R18-9-A904(C)]

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Tribal law or regulation under authority preserved by Section 510 of the Clean Water Act.

16. Severability:

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

17. Requiring Coverage under an Individual Permit or an Alternative General Permit: [Pursuant to A.A.C. R18-9-C902 and R18-9-A909]

- a. The Director may require a person authorized by this permit to apply for and/or obtain either an individual AZPDES permit or an alternative AZPDES general permit. Any interested person may petition the Department to take action under this section. The Department may require an operator authorized to discharge under this permit to apply for an individual permit in any of the following cases:
 - i. A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
 - ii. Effluent limitation guidelines are promulgated for point sources covered by the general permit;
 - iii. An Arizona Water Quality Management Plan containing requirements applicable to the point sources is approved;
 - iv. Circumstances change after the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;
 - v. If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:
 - 1) The location of the discharge with respect to waters of the United States,
 - 2) The size of the discharge,
 - 3) The quantity and nature of the pollutants discharged to waters of the U.S., and
 - 4) Any other relevant factor.
- b. If an individual permit is required, the Director shall notify the discharger in writing of the decision. The notice shall include:
 - i. A brief statement of the reasons for the decision;
 - ii. An application form;
 - iii. A statement setting a deadline to file the application;
 - iv. A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate;
 - v. The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and
 - vi. The applicant's right to request an informal settlement conference under A.R.S. 41-1092.03(A) and 41-1092.06.
- c. The discharger shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.
- d. If the discharger fails to submit the individual permit application within the time period established in Part 9.17(c) the applicability of the general permit to the discharger is automatically terminated at the end of the day specified by the Director for application submittal.
- e. Coverage under the general permit shall continue until an individual permit is issued or denied unless the general permit coverage is terminated under Part 9.17(d).

18. Request for an Individual Permit: [Pursuant to A.A.C. R18-9-C902]

- a. An operator may request an exclusion from coverage of a general permit by applying for an individual permit.
 - i. The operator shall submit an individual permit application under R18-9-B901(B) and include the reasons supporting the request no later than 90 days after publication of the general permit.
 - ii. The Director shall grant the request if the reasons cited by the operator are adequate to support the request.
- b. If an individual permit is issued to a person otherwise subject to a general permit, the applicability of the general permit to the discharge is automatically terminated on the effective date of the individual permit.

19. Change of Operator: [A.A.C. R18-9-C904]

If a change of ownership or operator occurs for a facility operating under a general permit:

- a. Permitted owner or operator: The operator shall provide the Department with a Notice of Termination by certified mail within 30 days after the new owner or operator assumes responsibility for the facility.
 - i. The Notice of Termination shall include all requirements for termination specified in the general permit for which the Notice of Termination is submitted.
 - ii. An operator shall comply with the permit conditions specified in the general permit for which the Notice of Termination is submitted until the Notice of Termination is received by the Department.
- b. New owner or operator:
 - i. The new owner or operator shall complete and file a Notice of Intent with the Department within the time period specified in the general permit before taking over operational control of, or initiation of activities at, the facility.
 - ii. If the previous operator was required to implement a stormwater pollution prevention plan, the new owner shall develop a new stormwater pollution prevention plan, or may modify, certify, and implement the old stormwater pollution prevention plan if the old stormwater pollution prevention plan complies with the requirements of the current general permit.
 - iii. The operator shall provide the Department with a Notice of Termination if a permitted facility ceases operation, ceases to discharge, or changes operator status. In the case of a construction activity, the operator shall submit a Notice of Termination to the Department when:
 - 1) The facility ceases construction operations and the discharge is no longer associated with construction or construction-related activities,
 - 2) The construction is complete and final site stabilization is achieved, or
 - 3) The operator's status changes.

20. Bypass: [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(m)]

- a. Definitions:
 - i. Bypass means the intentional diversion of waste streams from any portion of a treatment facility;

- ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
 - b. Bypass not exceeding limitations: The operator may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions Part 9.20(c) and 20(d).
 - c. Notice:
 - i. Anticipated bypass. If the operator knows in advance of the need for a bypass, if possible prior notice shall be submitted at least ten days before the date of the bypass.
 - ii. Unanticipated bypass. The operator shall submit notice of an unanticipated bypass as required in Part 9.12(d).
 - d. Prohibition of bypass:
 - i. Bypass is prohibited, and ADEQ may take enforcement action against the operator for bypass, unless:
 - 1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - 3) The operator submitted notices as required under Part 9.20(c).
 - ii. ADEQ may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in this Part 9.20(d).
- 21. Upset:** [A.R.S. §§ 49-255(8) and 255.01(E), A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(n)]
- a. Definition: Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the operator. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
 - b. Effect of an upset: An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part 9.21(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - c. Conditions necessary for a demonstration of upset: An operator who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - i. An upset occurred and that the operator can identify the cause(s) of the upset;
 - ii. The permitted facility was at the time being properly operated;

- iii. The operator submitted notice of the upset as required in Part 9.12(d)(iii); and
 - iv. The operator complied with any remedial measures required under Part 9.4.
- d. Burden of proof: In any enforcement proceeding, the operator, who is seeking to establish the occurrence of an upset, has the burden of proof.

22. Penalties for Violations of Permit Conditions

Any permit noncompliance constitutes a violation and is grounds for an enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

- a. Civil Penalties: A.R.S. § 49-262 provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 2, 3 or 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed \$25,000 per day per violation.
- b. Criminal Penalties: Any person who violates a condition of this general permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 2, Article 9 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

10.0 DEFINITIONS

1. **Analytical monitoring** – means monitoring conducted to provide quantitative results in accordance with A.A.C. R18-9-A905(B).
2. **Best management practices (BMPs)** – means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of “waters of the United States.” BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
3. **Common plan of development** – a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one plan. A ‘plan’ is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.
4. **Construction activity** – means earth-disturbing activities such as, clearing, grading, excavating, stockpiling of fill material and other similar activities. This definition encompasses both large construction activities defined in 40 CFR 122.26 (b)(14)(x) and small construction activities in 40 CFR 122.26 (b)(15)(i) and includes construction support activities.
5. **Controls or Control Measures or Measures** – means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or control the pollution of waters of the United States. Controls also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
6. **CWA or The Act** means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95 217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.
7. **Department** – the Arizona Department of Environmental Quality.
8. **Discharge** – when used without qualification means the “discharge of a pollutant.”
9. **Discharge of a pollutant** – any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from surface runoff which is collected or channeled by man. See 40 CFR 122.2.
10. **Discharge point** – the location where stormwater flows exit the construction activity.
11. **Effluent limitations** – means any limitation or condition on quantities, discharge rates, or concentration of pollutants which are discharged from a point source.
12. **Effluent Limitations Guideline (ELG)** – defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.
13. **Ephemeral water** – a surface water that has a channel that is at all times above the water table, and that flows only in direct response to precipitation. [A.A.C. R18-11-101(22)]

14. **Existing Permittees** means Small MS4 operators who had coverage under ADEQ's 2002 Small MS4 General Permit.
15. **Facility** means any "point source" or any other facility (including land or appurtenances thereto) that is subject to regulation under the AZPDES/NPDES program.
16. **Field Screening Point** means location(s) where municipal stormwater leaves a Small MS4 operator's permitted area and goes to a Waters of the U.S. by way of a conveyance (such as another municipal storm sewer system).
17. **Illicit connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.
18. **Illicit discharge** means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a AZPDES/NPDES permit (other than the AZPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from firefighting activities.
19. **Impaired water** – waters that have been assessed by ADEQ, under the Clean Water Act, as not attaining a water quality standard for at least one (1) designated use, and are listed in Arizona's current 303(d) List or on the 305(b) Category 4 list.
20. **Intermittent water** or **Intermittent stream** – a stream or reach that flows continuously only at certain times of the year, as when it receives water from a spring or from another surface source, such as melting snow. [A.A.C. R18-11-101(25)]
21. **Maximum Extent Practicable (MEP)** – means maximum extent practicable, the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges. A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34. CWA section 402(p)(3)(B)(iii) requires that a municipal permit "shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design, and engineering methods, and other provisions such as the Administrator or the State determines appropriate for the control of such pollutants.
22. **Measurable Goal** means a quantitative measure of progress in implementing a component of a storm water management program.
23. **Minimize** – to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.
24. **Municipal separate storm sewer** – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
 - a. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to waters of the United States;
 - b. Designed or used for collecting or conveying stormwater;
 - c. Which is not a combined sewer; and
 - d. Which is not part of a Publicly Owned Treatment Works.

- 25. Municipal separate storm sewer system (MS4)** – all separate storm sewers defined as “large,” “medium,” or “small” municipal separate storm sewer systems or any municipal separate storm sewers on a system-wide or jurisdiction-wide basis as determined by the Director under A.A.C. R18-9-C902(A)(1)(g)(i) through (iv). [A.A.C. R18-9-A901(23)]. This also includes similar systems owned or operated by separate storm sewer municipal jurisdictions not required to obtain stormwater discharge authorization.
- 26. New Permittees** means Small MS4 operators who did not have permit coverage under ADEQ’s 2002 Small MS4 General Permit.
- 27. Not-Attaining** means a surface water is assessed as impaired, but is not placed on the 303(d) List because:
- a. A TMDL is prepared and implemented for the surface water;
 - b. An action, which meets the requirements of R18-11-604(D)(2)(h), is occurring and is expected to bring the surface water to attaining before the next 303(d) List submission; or
 - c. The impairment of the surface water is due to pollution but not a pollutant, for which a TMDL load allocation cannot be developed.
- 28. Non-traditional MS4** means systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings. 40 CFR 122.26(a)(16)(iii).
- 29. Notice of Intent (NOI)** – the application to operate under this general permit.
- 30. Notice of Termination (NOT)** – the application to terminate coverage under this general permit.
- 31. Outfall** – means a *point source* as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two (2) municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.
- 32. Outstanding Arizona Water (OAW)** – a surface water that has been designated by ADEQ as an outstanding state resource under A.A.C. R18-11-112.
- 33. Owner or operator** means the owner or operator of any “facility or activity” subject to regulation under the NPDES program.
- 34. Perennial water** – a surface water that flows continuously throughout the year (A.A.C. R18-11-101(30)).
- 35. Permittee** – refers to any person (defined below) authorized by this NPDES permit to discharge to Waters of the United States.
- 36. Person** – an individual, employee, officer, managing body, trust, firm, joint stock company, consortium, public or private corporation, including a government corporation, partnership, association or state, a political subdivision of this state, a commission, the United States government or any federal facility, interstate body, or other entity.
- 37. Point source** – any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

- 38. Pollutant** – sediment, fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt (e.g., overburden material), and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances. [A.R.S. § 49-201(29)]
- 39. Receiving water** – as used in this permit means “Water of the United States” as defined in 40 CFR §122.2 that receives discharges from the MS4.
- 40. Satellite Installation** - means facilities that are not subject to separate AZPDES permitting, are non-contiguous with the primary facility, and meet the following criteria: a) located in an urbanized area, and b) have the potential to discharge pollutants. Examples include golf courses, parks and recreation areas, and vehicle and equipment maintenance facilities.
- 41. Stormwater** – stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).
- 42. Stormwater Discharge Associated with Construction Activity** – a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).
- 43. Stormwater Discharge Associated with Industrial Activity** means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant (See 40 CFR §122.26(b)(14) for specifics of this definition).
- 44. Stormwater Management Program (SWMP)** means a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system. For the purposes of this permit, the Stormwater Management Program is considered a single document, but may actually consist of separate programs (e.g. "chapters") for each permittee.
- 45. Stormwater Pollution Prevention Plan (SWPPP)** – a site-specific, written document that, among other things: (1) identifies potential sources of stormwater pollution at the location of the construction activity; (2) describes control measures to reduce or eliminate pollutants in stormwater discharges from the construction activity; and (3) identifies procedures the operator will implement to comply with the terms and conditions of this general permit.
- 46. Surface Water** – as used in this permit means “Water of the United States” as defined in 40 CFR §122.2.
- 47. Total Maximum Daily Load (TMDL)** – an estimation of the total amount of a pollutant from all sources that may be added to a water while still allowing the water to achieve and maintain applicable surface water quality standards. Each total maximum daily load shall include allocations for sources that contribute the pollutant to the water, as required by section 303(d) of the clean water act (33 United States Code, Section 1313(d)) and regulations implementing that statute to achieve applicable surface water quality standards. [A.R.S. § 49-231(4)]
- 48. Turbidity** – a condition of water quality characterized by the presence of suspended solids and/or organic material; expressed as nephelometric turbidity units (NTU).

- 49. Waste Load Allocation (WLA)** – The maximum load of pollutants each discharger of waste is allowed to release into a particular waterway. Discharge limits are usually required for each specific water quality criterion being, or expected to be, violated. WLAs constitute a type of water quality-based effluent limitation. (See 40 C.F.R. § 130.2(h))
- 50. Waters of the United States (U.S.)** – defined in 40 CFR 122.2.
- 51. Wetland** – an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. A wetland includes a swamp, marsh, bog, cienega, tinaja, and similar areas. [A.A.C. R18-11-101(49)]