City of Moore

Stormwater Management Program

Small Municipal Separate Storm Sewer System (MS4) ODEQ General Permit OKR04

City of Moore
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June 2023

SIGNATURES OF RESPONSIBLE OFFICIALS

City of Moore, Oklahoma

The statements made in this Storm Water Management Program document, and the programs described herein, are hereby declared to be accurate and fulfill the intent of the City of Moore to comply with the requirements of the State of Oklahoma's Phase II Small Municipal Separate Storm Sewer System Discharges Within the State of Oklahoma Storm Water General Permit No. OKR04 for municipalities.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information 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.

Brooks Mitchell 5-31-23

Brooks Mitchell, City Manager Date

City of Moore
Small Municipal Separate Storm Sewer System
Stormwater Management Program

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ATTACHMENTS

Definitions

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.

Construction Site Operator means the party or parties that meet one or more of the following descriptions:

(1) Has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications or;

(2) Has day-to-day operational control of those activities at a project that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Control Measure as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State.

CWA or The Act means the 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.*

Director means the Executive Director or chief administrator of the Department of Environmental Quality or an authorized representative.

Discharge, when used without a qualifier, refers to "discharge of a pollutant" as defined at 40 CFR §122.2.

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

Illicit Discharge is defined at 40 CFR §122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an OPDES or NPDES permit (other than the OPDES permit for discharges from the SMS4) and discharges resulting from fire fighting activities.

MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA §402(p). A discussion of MEP as it applies to SMS4s is found at 40 CFR § 122.34.

Municipal Separate Storm Sewer System (MS4) is defined at 40 CFR § 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) 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, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2.

NOI is an acronym for "Notice of Intent" to be covered by this permit and is the mechanism used to "register" for coverage under a general permit.

National Pollutant Discharge Elimination System (NPDES) is a National program for issuing, modifying, revoking and reissuing, terminating, imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA.

Outfall is a point where a municipal separate storm sewer discharges to waters of the United States.

Redevelopment is any alterations of a property that change the footprint of a site or building in such a way that results in the disturbance of equal to or greater than 1 acre of land.

Small Municipal Separate Storm Sewer System is defined at 40 CFR §122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a state, city, town, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, 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 CWA that discharges to waters of the State, but is not defined as "large"' or "medium" municipal separate storm sewer system. This term includes 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.

Storm Water is defined at 40 CFR §122.26(b)(13) and means storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

SWMP is an acronym for "Storm Water Management Program."

"You" and "Your" as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

Waters of the United States – (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (b) All interstate waters, including interstate "wetlands"; (c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters: (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes; (2)From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; (3) Which are used or could be used for industrial purposes by industries in interstate commerce; (d) All impoundments of waters otherwise defined as waters of the United States under this definition; (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition; (f) The territorial sea; and (g) "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition. Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applied only to man-made bodies of water which neither were originally created in waters of the United Sates (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted croplands by any other federal agency, for the purpose of the Clean Water Act, The final authority regarding Clean Water act jurisdiction remains with EPA.

Acronyms

BMP – Best Management Practice

CGP – Construction General Permit

CWA - Clean Water Act

GPS – Global Positioning System

IDDE – Illicit Discharge Detection and Elimination

LID – Low Impact Development

LPST – Leaking Petroleum Storage Tanks

MCM – Minimum Control Measures

MEP – Maximum Extent Practicable

MS4 – Municipal Separate Storm Sewer System

NOC – Notice of Change

NOI – Notice of Intent

NPDES – National Pollutant Discharge Elimination System

POC – Pollutant of Concern

RP – Responsible Party

SWMP – Stormwater Management Program

SWPPP or SW3P or SWP3 – Stormwater Pollution Prevention Plan

ODEQ – Oklahoma Commission on Environmental Quality

TMDL – Total Maximum Daily Load

OPDES – Oklahoma Pollutant Discharge Elimination System

Introduction

The City of Moore (City) has updated this Stormwater Management Program (SWMP) in accordance with the requirements of the Oklahoma Department of Environmental Quality (ODEQ), Oklahoma Pollutant Discharge Elimination System (OPDES) General Permit No. OKR04 Phase II Small Municipal Separate Storm Sewer System (MS4) permit. The purpose of the SWMP is to describe the Minimum Control Measures (MCM) and Best Management Practices (BMP) for implementation of specific programs, controls and activities with the intent of reducing the potential discharge of pollutants from the MS4 that could reach Waters of the United States.

Regarding the quality of stormwater runoff associated with City activities, it is the intent of the City to maintain a comprehensive SWMP that establishes applicable pollution prevention criteria and guidelines, to comply with specific OPDES requirements, and to continue its proactive stance regarding water quality issues.

The City will be implementing its program on a fiscal year basis, and will submit its annual reports as specified in Part V.C of the Phase II Small MS4 General Permit OKR04.

Purpose of the SWMP

This SWMP includes specific pollution prevention measures, treatment or pollutant removal techniques, stormwater monitoring, use of legal authority and other appropriate means to control the quality of stormwater discharged from the City MS4 to the Maximum Extent Practicable (MEP). The SWMP incorporates measurable goals, whenever practicable, and includes controls necessary to prohibit the discharge of non-stormwater into the MS4. The SWMP covers the term of the permit and will be updated as necessary to ensure compliance.

The SWMP presents the City's effort in complying with its environmental policy as well as implementing a successful stormwater program. The SWMP includes the relevant OPDES permit language (depicted in italic) for each MCM. It describes and defines BMP for each of the MCM, measurable goals for each BMP, and an implementation schedule for all activities. Attachment A provides a Summary Table of individual BMP for each MCM. The City will evaluate the need for revision of the SWMP at least annually. Additional BMP may be included, and equivalent BMP substituted, based on these evaluations. The City understands that elimination of a BMP, without the inclusion of an equivalent BMP, requires the City to submit a notice of change (NOC) to ODEQ.

1.0 MCM 1 - Public Education and Outreach Program

1.1 Permit Requirements

Implement a program to distribute information and education materials to the community and MS4 staff or conduct equivalent outreach activities to promote behavior changes to reduce pollutants in stormwater runoff and eliminate illicit discharges. The activities shall be tailored using a mix of locally appropriate strategies to target specific audiences and communities.

(1) Include education and involvement efforts for target audiences:

- *(a) Traditional municipalities such as cities, counties, etc. must address the general public being served by the MS4.*
- *(b) Non-traditional municipalities such as universities, hospital complexes, prisons, special districts, etc. and federal facilities must address the community served by the MS4. For example, at a university it would be the faculty, other staff, students, and visitors, while at a military base, it would include military personnel (and dependents) contractors, employees, tenants, visitors, etc.*
- *(c) Departments of transportation must address the community working on or served by the transportation network within the MS4 including employees, contractors, and the general public.*

(2) Public education and involvement activities may include those listed in Table V-1. At a minimum, public education and involvement activities shall be conducted as outline in Table V-2.

Table V-1 Public Education and Involvement Activities

Public Education Activities	Public Involvement Activities
-brochures/pamphlets -displays/posters/kiosks -local public service announcements -newspaper articles/press releases -publication of MS4 annual report, SWMP, or ordinances -signage -storm drain markings -utility bill insert or other mailing -videos -website	-waterway/watershed clean-up or trash removal event -contests -household hazardous waste collection event -involvement in development of MS4 SWMP -meetings (e.g. public hearing, council meeting, citizen committee meeting, etc.) -school programs -special events/fairs -targeted group training -volunteer event -water monitoring event -workshop

Table V-2 Minimum Public Education and Involvement Activities Per Year

Coordinating MCM And Description		Category 1	Category 2	Category 3
1	public education	2 activities per year	4 activities per year	4 activities per year
	public involvement	1 activity per year	2 activities per year	2 activities per year
2	outreach or educational activity for industrial runoff	--	--	once every two years
	staff training	--	--	once every two years
3	outreach or educational activity for illicit discharge	once every two years	once per year	once per year
	staff training	once every two years	one per year	once per year
4	outreach or educational activity for construction runoff	once every two years	once per year	once per year
	staff training	once every two years	one per year	once per year
5	public education for post-construction runoff	once every two years	once per year	once per year
6	staff training	once every two years	one per year	once per year

(a) In coordination with MCM 2

- *Implement an education program to involves local industries, and*
- *Conduct staff training to address requirements for inspection and enforcement of BMPs such as minimizing exposure, good housekeeping, preventive maintenance, spill prevention and response, and erosion and sediment controls at industrial facilities.*

(b) In coordination with MCM 3

- *Implement an education program to involve public employees, businesses and the general public making them aware of hazards associated with illegal discharges and improper disposal of waste.*
- *Promote, publicize, and facilitate the reporting of illicit discharges, and*
- *Conduct staff training to identify and report illicit discharges.*

(c) In coordination with MCM 4

- *Implement an education program to involves local developers,*
- *Implement and enforce procedures for receipt and consideration of information submitted by the public, and*
- *Conduct staff training to address requirements for inspection and enforcement of erosion and sediment control measures once*

construction begins.

(d) In coordination with MCM 5, implement an education program to involve developers and the public and make them aware of project designs that minimize water quality impacts, including LID strategies.

(e) In coordination with MCM 6, conduct staff training to prevent and reduce stormwater pollution from MS4 activities.

(3) Include a process by which public comments on the SWMP are received and reviewed by the person responsible for the SWMP.

(4) Comply with state and local public notice requirements when implementing your program.

(5) You must make your records, including the NOI and SWMP, available to the public.

(6) If you discharge waters identified on the latest 303(d) list of impaired waters, your program must be directed toward targeted groups of commercial, industrial, and institutional entities likely to have significant stormwater impacts on your impaired waters.

1.2 MCM 1 Program Implementation and Objectives

The City uses the appropriate number of public education BMP to inform individuals and groups about the steps they can take to reduce stormwater pollution and become involved in the stormwater program.

Individuals and/or groups are encouraged to volunteer and participate in City events. Efforts utilized to fulfill this control measure will be documented and records of these activities will be summarized in the annual reports.

The City has several programs, publications and forums for educating and involving City employees, businesses, contractors, and the general public on issues affecting stormwater quality. Elements of the program focus on general public programs and education on environmental issues, such as proper handling and application of pesticides and fertilizers, proper handling of used oil and toxic materials and improvement and awareness of construction and maintenance activities.

1.2.1 Target Audience

Businesses, the general public, contractors, and City employees will be targeted to help reduce potential pollution. For residential chemical (pesticides and herbicides) use and disposal, the City will target education programs to individual homeowners and multi-family residents. For commercial chemical use and disposal, the City will target education programs to commercial retailers and those businesses that store and use chemicals, including construction sites.

1.2.2 Target Pollutant Sources

The City's Public Education program will primarily address household pollutants by educating individual homeowners on the proper use and disposal of:

- Pesticides
- Fertilizers
- Detergents
- Solvents
- Motor oil
- Animal waste
- Antifreeze
- Other motor and engine fluids
- Household trash
- Yard waste

Through use of a city contracted recycling and household pollutant collection program, the discharge of pollutants will be diminished.

1.2.3 Outreach Strategy

The Table in Appendix A will be used to address this MCM for the permit term. Each BMP lists the activity description, schedule of implementation (frequency), target dates, and annual Measurable Goals for the BMP.

The City's public education and involvement program will target:

- Homeowners will be educated on the proper use and disposal of fertilizers and other household chemicals as well as proper septic system maintenance, where needed.
- Homeowners will be educated on how to properly dispose of pet waste.
- Primary and/or Secondary education grades will learn about water quality and urban sources of pollution through the Blue Thumb's "Storm Sewer In a Suitcase" classroom program, or similar adopted programs, for school children.
- The City's education program will develop brochures and signage that target residential, commercial and construction activities that may negatively impact the stormwater quality of the MS4.

The City's Public Education program has a goal of providing stormwater education material to homeowners in the City. This will be accomplished through the distribution of brochures and flyers, social media posts, and public meetings.

2.0 MCM 2 – Industrial Stormwater Runoff Control

2.1 Permit Requirements

Category III MS4s shall implement and enforce a program to prevent or reduce pollutants in any stormwater runoff to your MS4 from independently owned industrial activities that discharge into your small MS4. At a minimum, the program requirements shall be consistent with the OKR05 General Permits for Stormwater Discharges from Industrial Activities (OKR05).

(1) Maintain and annually update a list of industrial facilities that are subject to OKR05, or individual OPDES or NPDES permits for discharges of stormwater associated with industrial activity, that ultimately discharge to your small MS4.

(2) Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to require BMPs that will minimize exposure, provide good housekeeping, preventive maintenance, spill prevention and response, and erosion and sediment controls, as well as sanctions to ensure compliance.

(3) Implement and enforce procedures for site inspection and enforcement of control measures, including enforcement escalation procedures for recalcitrant or repeat offenders. Document inspection findings and take all necessary follow-up actions (i.e. re-inspection, enforcement) to ensure site compliance. At a minimum, site inspections shall be conducted at the frequency's outlined in Table V-3.

Table V-3 Minimum Number of Industrial Facilities Inspected Per Year

Number of Facilities Within MS4 Boundaries	Number of Facilities Inspected
< 50	20% per year[1]
≥ 50	10 per year

[1] The number of facilities inspected shall be rounded up to the nearest integer.

2.2 MCM 2 Program Implementation and Objectives

The City will implement and enforce a program for independently owned industrial activities that will help prevent or reduce the pollutants in stormwater that discharge into the MS4. Requirements of the program will be consistent with the OKR05 General Permit for Stormwater Discharges from Industrial Activities.

The City will develop and maintain a list of permitted facilities under an OKR05 permit within the city limits of Moore. The City will implement an ordinance to require BMPs that will minimize exposure, provide good housekeeping preventative maintenance, spill prevention and response, and erosion and sediment controls. The City will also develop internal procedures for inspecting industrial sites for compliance based upon the number of facilities within the MS4 boundaries.

2.2.1 Public Involvement in Program Development

The City will take appropriate steps to inform and include citizens and stakeholders in understanding and providing input for the development of the Industrial Stormwater program. This may include the City:

- Presenting information about the Industrial Stormwater program in City Council public meetings
- Responding to questions from the public and distributing information to the community upon request
- Placing notices at City Hall and other available facilities, about the stormwater program that includes requests for citizen input.

2.2.2 Target Audience

The Industrial Stormwater program will primarily target independently owned industrial facilities that discharge into the MS4 and are subject to OKR05 general permit for stormwater discharges from industrial activities.

2.2.3 Evaluating Program Effectiveness

Measurable Goals will be established for each industrial stormwater BMP. These are summarized in Appendix A. BMP effectiveness will be demonstrated by keeping a record of industrial facilities within the MS4 and developing procedures to inspect industrial sites. The City will maintain a record of inspection results to determine routine compliance with industrial stormwater program.

3.0 MCM 3 – Illicit Discharge Detection and Elimination (IDDE)

3.1 Permit Requirements

Implement and enforce a program to detect and eliminate illicit discharges, including illegal dumping and on-site sewage disposal systems, into your small MS4. Your program must include dry weather field screening (DWFS), identify non-stormwater flows, and new elements should be developed and implemented as necessary. At a minimum, your program must adopt the following procedures:

i. Identify priority areas including areas with a higher likelihood of illicit connections or discharges (e.g., areas with older sanitary sewer lines or with a history of sewer overflows or cross-connections; areas with older infrastructure that are more likely to have illicit connections; areas of industrial, commercial, or mixed use; areas with a history of past illicit discharges; areas with a history of illegal dumping or citizen complaints; and areas that discharge to ARCs or ORWs). Update this priority area list to reflect changing priorities annually.

ii. Trace or investigate the source of an illicit discharge. The investigation shall take place within 72 hours of the receipt of any complaints, reports or monitoring information that indicates a potential illicit discharge.

iii. Remove the source of the illicit discharge.

iv. Identify problems using visual indicators and simple field test kits. Laboratory methods can be reserved for situations where you have identified a problem and need to enforce on a suspected illicit discharger.

v. At a minimum, DWFS shall be conducted at the frequency outlined in Table V-4 below.

Table V-4 Minimum Frequency of Dry Weather Field Screening

	Category 1	Category 2	Category 3
DWFS at all identified outfalls	20% per year[1]	40% per year[1]	40% per year[1]
DWFS at high priority areas	once per year	once per year	once per year

[1] The number of outfalls screened shall be rounded up to the nearest integer.

vi. Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to effectively prohibit illicit discharges into your small MS4 and implement appropriate enforcement procedures and actions. If you

lack legal authority for direct enforcement action, you must include procedures to notify DEQ when a party fails to comply with the requirements. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your illicit discharge detection and elimination program.

vii. *Maintain and annually update a storm sewer system map showing the locations of all outfalls and the names and locations of all waters of the state that receive discharges from those outfalls.*

viii. *Maintain and annually update a list of occasional incidental non-stormwater discharges or flows as allowed in Part II(B)(2) that will not be addressed as illicit discharges.*

3.2 MCM 3 Program Implementation and Objectives

The City will implement a comprehensive program to detect and eliminate illicit discharges following the requirements in the OPDES General Permit OKR04. The program will rely upon accepted methods of pollutant detection; specifically, the EPA Cooperative Agreement No. X-82907801-0 Illicit Discharge Detection and Elimination - A Guidance Manual for Program Development and Technical Assessments.

There are two categories of pollutants that will be addressed in different ways.

The first category is pollutants introduced into the MS4 from individuals in a one-time distinct episode at a discrete point of entry. Examples of these are dumping of yard waste, motor oil, antifreeze or trash onto the ground. These types of pollutants, when discovered in the MS4, cannot be effectively investigated as to the source (i.e. the individual causing the pollution). Also, they are not normally discovered using a City-wide MS4 inspection program. One of the best means of discovery will be through input from residents, City crews, police and fire workers, business, and area agency field crews. Prevention of future isolated pollution episodes will rely upon implementation of the Public Education and Public Participation programs presented above.

The second category is pollutants from sources that have a chronic or frequently repeating discharge that can be traced using visual inspections, and possibly, chemical field test kits. Pollutants from these sources are typically dispersed downstream as a detectable odor, visual color, increased turbidity, excessive algae growth, or changes in water chemistry (e.g. pH or conductivity) when compared to uncontaminated water in the MS4. These chronic pollutants are amenable to "source tracking" inspections, and the sources are more likely to be found and mitigated.

The City will implement an effective illicit discharge detection and elimination program through utilization of the following procedures:

- Ensure that maps and field procedures are effective by performing reconnaissance

surveys to verify accuracy and effectiveness;

- Collect illicit discharge and pollution information, as applicable, from citizens, police and fire units, City public works crews, other municipalities, non-profit organizations, volunteer stream monitors, students and educational institutions, construction

  contractors and workers, local building officials and floodplain administrator, and State and Federal agencies as applicable;
- Ensure that the municipal ordinances are consistent with the requirements of the SWMP and OKR04 permit;
- Evaluate existing and near-future land uses in the City, and delineate priority areas that have the greatest potential to discharge pollutants;
- Investigate, as necessary, and take follow-up action, as appropriate, for different types of pollutants and discharges;
- If source tracking is necessary for chronic or frequently occurring sources, conduct field monitoring to locate the pollutant source, relying upon visual inspections, and simple field test kits (e.g. chlorine residual, pH, dissolved oxygen, temperature, conductivity, etc.) whenever possible, or using contract professionals when necessary;
- Ensure that field and facility data are compiled in a manner that facilitates the inspection process (e.g. information about possible pollutants and/or sources are provided to inspectors in a timely fashion);
- For sources of known origin and having a designated responsible party, take appropriate remediation/enforcement action to mitigate the pollutant source;
- Develop Quality Assurance training for inspectors and managers;
- Assign authority to a key City staff person to evaluate program effectiveness and ensure data quality;
- Implement procedures for enforcement, including how to approach owners of potential sources during on-sight inspections, how to present field data to owners confirming the source, and what procedures the owner must take to remove the discharge; and
- Periodically evaluate, using the City's management and field staff, the inspection and enforcement program, and make modifications as necessary to improve program effectiveness.

3.2.1 Allowable Non-Stormwater Discharges

The following non-stormwater sources are allowed, and which the City has determined to not be substantial contributors of pollutants to the MS4:

- Water line flushing
- Landscape irrigation
- Diverted stream flows
- Rising ground waters
- Residential building wash water without detergents
- Uncontaminated pumped ground water
- Uncontaminated ground water infiltration
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensate
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual residential car washing
- De-chlorinated swimming pool discharges
- Street wash water
- Fire hydrant flushing
- Non-commercial or charity car washes
- Discharges from riparian areas and wetlands
- Discharges in compliance with a separate OPDES or National Pollutant Discharge Elimination System (NPDES) NPDES permit
- Discharges or flows from firefighting activities (firefighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities)
- Other allowable non-stormwater discharges listed in 40 CFR '122.26(d)(2)(iv)(B)(1). Discharges in compliance with a separate Oklahoma Pollutant Discharge Elimination System (OPDES) or National Pollutant Discharge Elimination System (NPDES) NPDES permit

The list of all allowable non-stormwater discharges will be maintained by City administrative staff. Any local controls required by the City on these incidental discharges will be placed in the SWMP by written amendment.

3.2.2 MS4 Map Development and Update

To the greatest extent possible, map data will rely upon available GIS, with common attributes to facilitate data development within the City and preparing Annual Reports. Mapping will involve:

- Receiving updates of existing records to determine the extent of available map data;
- Updating common map attributes;
- Collecting field data using City crews/contractors to verify locations and descriptions of MS4 attributes;
- Periodic review of MS4 system map data by staff for possible updates;
- Updating the GIS map database, as necessary;
- Global Positioning System (GPS) will be used, when needed, to provide coordinate data for the MS4 system, facility locations and sampling sites when required;
- Digital and paper aerial photography, and USGS 7.5 Minute Quadrangle maps will be used to assist with development of the GIS map layers; and
- The City will maintain available GIS data and digital and paper aerial photos of the City's MS4.

The City will keep records of map deficiencies and errors, and technical staff will periodically update map data as necessary.

3.2.3 Education and Training for City Field Staff

The City trains public employees who are directly responsible for MS4 operations as well as staff who may come into contact with, or otherwise observe, an illicit discharge or illicit connection to the MS4. Personnel who perform MS4 operations are provided with training that contains information on preventing and reducing potential stormwater pollution from the City MS4.

3.2.3.1 Inform Employees and the Public

The City may use the following types of activities when informing the public and City employees about the hazards associated with illegal discharges and improper disposal of

waste:

- Place posters at City Hall, distribute brochures or flyers, and/or post information on social media to encourage proper use and disposal of household chemicals, maintenance of on-site sewage disposal systems, and recycling;
- Discuss the Phase II program in a City council meeting open to the public;
- Support regional household pollutant collection events; and
- Support local and regional recycling of wastes.

3.2.4 Public Reporting of Illicit Discharges, Illicit Dumping and Spills

Specific emphasis on educating the public and training City personnel are important and integral aspects of the SWMP. Many pollution problems can be avoided by having an informed populous willing to participate in improving stormwater quality. The City is committed to establishing a Program to promote, publicize and facilitate public reporting of the presence of illicit discharges or water quality impacts associated with discharges from the MS4.

3.2.5 Procedure for Spill Prevention and Response to Illicit Discharges

The City will continue to implement and improve, as necessary, programs that prevent, contain, and respond to spills that may discharge into the MS4. Where discharge of material resulting from a spill is necessary to prevent loss of life, personal injury or severe property damage, the City will ensure the parties responsible for the spill take all reasonable steps to minimize or prevent any adverse effects to human health or the environment. The program will rely upon accepted methods of pollutant detection; specifically the EPA Cooperative Agreement No. X-82907801-0 Illicit Discharge Detection and Elimination - A Guidance Manual for Program Development and Technical Assessments.

3.2.5.1 Ordinance

The City will update, as necessary, its ordinance prohibiting illicit discharges to the MS4 and periodically evaluate the need for modifications. This will involve:

- During the first twelve months of the permit, compare model stormwater pollution ordinances to existing City ordinances and make modifications to local codes, if needed;

- During the first year of the permit, evaluate staffing needs and during the second year acquire additional resources, if needed, to ensure that the City will be able to comply with all provisions and perform all required responsibilities in the ordinance;
- Delegate management authority to key City staff to manage all inspection and enforcement activities; and
- Periodically evaluate program effectiveness and make changes, as appropriate, to the ordinance and/or City resources and manpower.

3.2.6 Source Investigation and Elimination

The City requires the elimination of illicit discharges and improper disposal practices as expeditiously as possible. If the responsible party (RP) is identified, the City will notify the RP that a proposed plan of action must be submitted to the City within a reasonable amount of time depending on the situation (usually 10-days). In the interim, the City will require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.

Where elimination of an illicit discharge within 30 days is not possible, the City will request an expeditious schedule for removal of the discharge. If the City does not agree with the corrective measure(s) and/or the time schedule, the City will initiate enforcement procedures, and/or may refer the case to the ODEQ for further action and/or enforcement.

3.2.6.1 Notification of Observed Illicit Discharges

Upon detection of a potential illicit connection, dumping, other illegal activity or accidental spills, the City will investigate on-site and then report the problem as appropriate. In the event that a possible illicit discharge is identified, the City will trace the flow upstream to the point of origin. The City will report flows origination to the appropriate RP or the adjacent MS4 operator within 72 hours of discharge confirmation for further action. In the event the flow appears to create a hazard or contain toxic or noxious substances, the City will report the flow to the ODEQ within 24 hours orally or by fax, and by written report within five (5) working days.

3.2.7 Inspections

When episodic incidental pollution is reported to the City (e.g. motor oil dumped into a storm drain), the City's stormwater staff will perform inspections and record the date, location, information source, and description of the event. If necessary, a public works crewman will be sent to investigate and determine if the site should be cleaned (e.g. removal of yard waste, containment of oil, etc.). After inspection and/or cleanup, the City will keep a record of all actions taken regarding the pollution incident. The incident data

will be included in the City's Annual Report and used to evaluate program effectiveness.

When chronic pollution is reported, the same incident information will be recorded, and a public works crewman will be sent to investigate. If the source is not immediately obvious, the City will initiate the visual inspection investigation of the site and attempt to track the source upstream from the pollutant incident. If the source is located, the City will contact the owner/RP to request that the source be mitigated within a reasonable time.

The City will perform a follow-up inspection to confirm that the source of pollution has

been mitigated. If mitigation has not occurred, then the City will take increasingly more strict action leading up to enforcement action by the City, and possibly to include ODEQ and EPA enforcement as well. Throughout the administrative and investigative process, the City will document all major actions in writing to permanent City files. Data from all such incidents will be included in the City's Annual Report and used to evaluate program effectiveness.

The source tracking inspections for chronic sources will consist of a visual inspection program performed by City crews, and may include one or more field test kits for parameters that monitor the most likely type of stormwater pollution that is indicated (e.g. chlorine residual, pH, dissolved oxygen, conductivity, etc.). The visual inspection will describe and/or quantify the extent of pollution (e.g. floatables, excess algae growth, dead or stressed stream vegetation and organisms, color of water, odors, sediments, etc.). If source tracking requires more technically sophisticated methods, then the City may use contract professionals to conduct appropriate sampling and information gathering to locate sources.

Standard paper field forms and/or electronic field data recording devices will be used to make data collection systematic. Data may be entered and/or downloaded into computer databases for analysis, sharing and reporting. As needed, field data will be linked to the City's available GIS of the MS4.

4.0 MCM 4 - Construction Site Stormwater Runoff Control

4.1 Permit Requirements

Implement and enforce a program to reduce pollutants in any stormwater runoff to your MS4 from construction activities. At a minimum, the program requirements shall be consistent with the OKR10 General Permit for Stormwater Discharges from Construction Activities (OKR10).

i. Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to require erosion and sediment controls as well as sanctions to ensure compliance. Review and revise your existing ordinance to meet the permit requirements. If you lack legal authority for direct enforcement action, you must include procedures to notify DEQ if a construction site operator fails to comply with your construction site stormwater runoff control program. You may rely on DEQ for assistance in enforcement of this provision of the permit in these cases.

ii. Implement and enforce procedures for site plan review which incorporate consideration of potential water quality impacts including erosion and sediment controls, controls of other wastes, and any other impacts that must be examined according to the requirements of the local ordinance or other regulatory mechanism.

iii. Implement and enforce procedures for site inspection and enforcement of control measures including enforcement escalation procedures for recalcitrant or repeat offenders. Document inspection findings and take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure site compliance. At a minimum, site inspections shall be conducted at the frequencies outlined in Table V-5 below.

Table V-5 Minimum Frequency of Construction Site Inspections

	Category 1	Category 2	Category 3
Sites that are greater than 40 acres	once per quarter	once per month	once per month
Sites that discharge to a waterbody that is identified as impaired[1]	once per quarter	once per month	once per month
Sites that discharge to a waterbody with an established TMDL	once per quarter	once per month	once per month
Sites that have been identified as a threat to water quality (e.g. sites with recalcitrant or repeat offenders)	once per quarter	once per month	once per month
All other sites	at least once during active construction	once per quarter[2]	once per quarter[2]

[1] Sites that discharge within 1 stream mile of a waterbody that is impaired for sediment or turbidity.

[2]You may develop and implement procedures and criteria for reducing the inspection frequency. However, at a minimum, sites shall be inspected at least once during active construction. Such procedures and criteria shall be documented in your SWMP.

4.2 MCM 4 Program Implementation and Objectives

The City will continue to implement a comprehensive inspection and enforcement program to address the pollution of stormwater runoff from active construction sites of one acre or more. The City will review, and update as necessary, an ordinance prohibiting the discharge of pollutants and sediment from construction sites one acre or more, and require the deployment of adequate erosion control measures. The City's building inspector will perform periodic inspections of compliance with local codes while on site during other construction inspections.

The City will also rely upon the existing statewide OPDES general permit for construction activities (OKR10), presently administered by the ODEQ, to fulfill requirements of this MCM. The City will perform, as needed, periodic inspections of construction sites for compliance with OKR10 requirements. The City will perform inspections on construction sites one acre or more, and record any apparent non-compliance related activities. The City will enact enforcement remedies as necessary to mitigate non-compliant activities.

Measurable goals will be established for each Construction Site Runoff Control BMP. BMP effectiveness will be demonstrated by compiling and evaluating data from inspections performed. If pollution sources are mitigated as a result of the inspection and enforcement program, then the mitigation action will be recorded as a BMP success. Data from the stormwater inspections will be used to verify successful implementation of on-site construction BMP.

The City will continue to develop a program to control construction site runoff by taking the following measures:

- Review and/or update as necessary an ordinance to require erosion and sediment controls, as well as sanctions to ensure compliance;
- Require construction site operators to implement appropriate erosion and sediment control BMP;
- Require construction site operators to control waste such as discarded building materials, sanitary waste and chemicals;
- Continue to implement procedures, such as site plan review, that incorporates consideration of potential water quality impacts; and
- Continue to implement a construction site inspection and enforcement program.

4.2.1 Ordinance

The City will update, as necessary, an effective ordinance prohibiting construction related discharges to the MS4 and periodically evaluate the need for modifications. This will involve:

- During the first 12 months of the permit, compare model construction ordinances to existing City ordinances and evaluate necessary modifications to City codes, if needed;
- The ordinance will include at least the following prohibited discharges:
    - Wastewater from washout of concrete and wastewater from water well drilling operations, unless managed by an appropriate control;
    - Wastewater from washout and cleanout of stucco, paint, from release oils, and other construction materials;
    - Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
    - Soaps or solvents used in vehicle and equipment washing; and
    - Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate BMP.
- During the second year of the permit, evaluate staffing needs and acquire additional resources, if needed, to ensure that the City will be able to inspect and enforce all provisions in the ordinance;
- Delegate management authority to key City staff to manage inspection and enforcement activities; and
- Periodically evaluate program effectiveness and make changes, as appropriate, to the ordinance and/or City resources and manpower.

4.2.2 Plan to Ensure Compliance

The City will continue to implement a comprehensive program to address construction related activities to ensure compliance with erosion and sediment control measures at construction sites. These will include:

- Construction sites will be required through City ordinance to establish erosion and sediment controls;
- The ordinance will have enforcement provisions to ensure that the necessary controls are implemented. This may include non-monetary penalties, fines, bonding requirements, and permit denial;
- The City will establish guidelines and requirements for erosion and sediment control BMP and methods to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste; and
- Enforcement measures will be used as appropriate to take corrective actions. Escalated enforcement may be used when egregious conditions exist.

4.2.3 Procedures for Site Plan Review

The administrative review process will include consideration of water quality issues for these activities. The City will continue to:

- Implement administrative procedures for site plan review to ensure consistency with City erosion and sediment control requirements; and
- Ensure that construction activities are in compliance with local floodplain ordinances.

4.2.4 Construction Site Inspections

The City will continue to implement a program for inspection of construction activities one acre or more. Stormwater control inspections will be performed by the City staff or their designees and integrated into their normal construction inspection activities.

- A stormwater inspection form will be used to document inspection results of site visits;
- Stormwater inspections will be conducted during the routine construction inspections by the City designated inspector, or other designee;
- The stormwater inspection form documents the adequacy of the erosion and sediment control measures being used and note any deficiencies and remedial actions necessary;
- Inspection data from the forms will be retained in paper form or entered into a computer database;
- Best professional judgment of the designated inspector and/or City Engineer will be used to determine stormwater inspection frequency, taking into account local site-specific conditions and activities;
- Enforcement will rely upon initially encouraging mitigation by the owner/operator, followed by a written warning to mitigate within a reasonable time, followed by issuance of a fine under authority of the local ordinance; and
- Any immediate and significant threat to health and safety will be enforced immediately.

4.2.5 Target Audience

The target audience for MCM 3 will focus on construction site operators and City administration, developers, and builders.

5.0 MCM 5 - Post-Construction Management in New Development and Redevelopment

5.1 Permit Requirements

Implement and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one (1) acre, including projects less than one (1) acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program must maintain pre-development runoff conditions and ensure that controls are in place that would prevent or minimize water quality impacts.

i. *Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to require the use of BMPs, with highest preference given to LID techniques and practices, to address post-construction runoff from new development and redevelopment projects.*

ii. *Implement and enforce procedures, such as ordinances or other regulatory mechanisms, to ensure adequate long-term operation and maintenance of BMPs that are installed during and left in place after the completion of a construction project. Maintenance may be conducted by the MS4 or by the owner/operator of the BMP(s). For this part, the owner/operator is the party with control over operational and maintenance activities of the BMP(s), including home owner associations (HOAs), commercial and industrial entities. Owners of individual residential properties, which serve as the owner's primary residence, may be excluded.*

iii. *Review local ordinances, regulations, and engineering plans or specifications to identify any legal/regulatory barriers to LID as well as opportunities to promote LID. Develop a schedule to remove those barriers and implement identified opportunities. If a barrier is not removed or an opportunity is not implemented, provide a justification. You may use the EPA Water Quality Scorecard as a guide. You can download the document from the following EPA website: https://19january2017snapshot.epa.gov/sites/production/files/201404/documents/water-quality-scorecard.pdf.*

iv. *Assess current street design, parking lot guidelines, and other requirements that affect the creation of impervious cover and implement additional guidelines or design standards to support LID design options. Provide a justification if additional guidelines are not implemented.*

5.2 MCM 5 Program Implementation and Objectives

This MCM will require, through City ordinance, all operators of construction activities, that disturb one acre or more, including projects less than one (1) acre that are part of a larger common plan of development or sale, to develop and implement structural and/or non-structural BMPs based on the local site conditions that minimize water quality impacts, as well as the development of procedures to inspect post-construction runoff from new development and redevelopment projects and development of a mechanism to ensure the long-term operation and maintenance of the BMP.

The post-construction program will be developed to address local conditions within the

City. Factors that will be considered in developing the local post-construction program are:

- Proximity of the site to impaired waterbodies on the State's 303(d) list;
- Erosivity of the site (e.g. slope, soil type, vegetative cover, etc.);
- Size of construction activities and site disturbance;
- Receiving water characteristics (flows, depths, riparian cover, etc.)

The post-construction ordinance may require contractors to implement BMP to prevent erosion and non-stormwater runoff from sites after construction has ceased. The ordinance will provide options for ensuring long-term operation and maintenance of the site.

The City's existing drainage criteria requires post- runoff flow rates not to exceed pre-development runoff flow rates. The City may require that any flow reduction structures in new development or re-development areas (e.g. on- site or regional stormwater detention) will consider impacts on downstream water quality.

Specific water quality needs will be identified and addressed through administrative procedures when local zoning codes and floodplain management codes are amended. All public comments concerning water quality issues will be considered during amendment of zoning and floodplain management codes. The City will encourage protection of sensitive water quality areas (e.g. wetlands, riparian areas, etc.) and encourage use of buffers along sensitive waterbodies.

5.2.1 Non-Structural BMP

The City will implement and encourage the use of the following non-structural City policies and BMP at new development and redevelopment sites:

- Utilization of the most recent Comprehensive Plan for the City to direct growth to identified areas and protect sensitive water resources such as local wetlands and riparian zones;
- Encourage new development and re-development projects to maintain open spaces, provide buffers along sensitive waterbodies and minimize impervious surfaces and disturbance of soils and vegetation wherever practical; and
- Encourage developers to implement source control measures as good housekeeping practices.

5.2.2 Structural BMP

The City will implement and encourage the use of the following structural BMP at new development and redevelopment sites:

- Encourage contractors to use stormwater storage structures such as wet ponds and detention basins; and
- Encourage contractors to use LID and filtration practices such as grassy swales and filter strips and infiltration practices such as infiltration basins and infiltration trenches.

5.2.3 Ordinance

The City will update as necessary and adopt an ordinance to address the post-construction policies and BMP described above.

5.2.4 Long-Term Operation & Maintenance

The City will ensure long-term operation and maintenance (O&M) of the BMP by requiring that developers either transfer ownership of structural BMP (storm sewer infrastructure, detention basins, etc.) to the City or provide for third-party ownership and maintenance responsibility (e.g. transfer ownership to a homeowner's association).

5.2.5 Low Impact Development/Green Infrastructure

Low Impact Development (LID) is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles, such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional, and safe site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles, such as bio-retention facilities, vegetated swales, xeriscape landscaping, and permeable pavements. By implementing LID principles and practices where safe, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within a watershed.

Green Infrastructure (GI) is a relatively new and flexible EPA term, and it has been used differently in different contexts. However, EPA intends the term to generally refer to systems and practices that use or mimic natural processes to infiltrate, evapotranspirate (the return of water to the atmosphere either through evaporation or by plants), or reuse stormwater or runoff on the site where it is generated. GI can be used at a wide range of landscape scales in place of, or in addition to, more traditional stormwater control elements to support the principles of LID. GI approaches currently in use include green roofs, vegetated swales, vegetated median strips, and protection and enhancement of riparian buffers and floodplains. GI can be used almost anywhere where soil and vegetation can be safely worked into the City landscape. GI also allows stormwater to be absorbed and cleansed by soil and vegetation and allowed to flow back into groundwater or surface water resources. The LID/GI strategies that the City may employ are as follows:

- Structural Controls may include the following:
    - Retention/irrigation ponds

- Extended detention (wet/dry basins)
- Vegetative filter strips
- Vegetated swales
- Constructed wetlands
- Sedimentation ponds/traps
- Infiltration ponds
- Catch basins
- Grated inlets
- Outfall velocity dissipation controls

- Non-Structural Controls may include the following:
  - Street sweeping
  - Litter collection
  - "No Mow" areas
  - Storm drain markers

5.2.6 Identification and Selection of Structural Controls

The hydraulics and necessary structural controls for stormwater runoff will be identified by the City during the plan review phase for construction or redevelopment projects located within the City. The City maintains a number of manuals and guidance documents that will be relied upon both during the plan review phase of projects one acre or more and during the maintenance activities that follow completion of the projects requiring post-construction controls.

The City will maintain copies of the most recent guidance manuals in locations readily accessible to staff and contractors.

Post-construction inspections will be conducted at least once at project sites requiring post-construction controls after construction has ceased. The inspection of these sites will be used to evaluate the effectiveness of the post-construction BMP. The information gathered will be used to evaluate the measurable goals for the permit's annual report.

5.2.7 Target Areas

The City has determined that certain construction activities, under some circumstances, have a greater potential to cause water quality problems. The following areas are hereby designated as high priority and will be targeted:

- Post-construction sites that have had larger than 5 acres disturbed at the time of active construction.

- Construction sites of one acre or more that have not had any post-construction BMP or other effective controls implemented to control post-construction runoff; and
- Construction sites that are within a watershed of an impaired stream as indicated on the State's 303(d) list and have the potential to discharge pollutants that could cause violations of State Water Quality Standards.

6.0 MCM 6 - Pollution Prevention/Good Housekeeping for MS4 Operations

6.1 Permit Requirements

Implement and enforce an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from MS4 operations such as streets, roads, highways, parking lots, maintenance and storage yards, fueling areas, waste transfer stations, fleet or maintenance shops, salt/sand storage locations and snow disposal areas.

i. Maintain and annually update an inventory of all your MS4 operations that are impacted by this program.

ii. Maintain and annually update a list of industrial facilities you own or operate that are subject to the OKR05, or individual OPDES or NPDES permits for discharges of stormwater associated with industrial activity, that ultimately discharge to your small MS4. Include the authorization number or a copy of the industrial NOI form for each facility.

iii. Implement and enforce procedures for controlling, reducing or eliminating the discharge of pollutants. At a minimum, you must proceed as follows:

(1) Require implementation of BMPs,8 including sediment and erosion controls during

(a) routine maintenance,

(b) water line breaks and emergency repairs, and

(c) after line breaks, emergency repairs, and routine maintenance have been completed. Stabilization measures shall be implemented within fourteen (14) calendar days of completion.[9]

(2) Ensure that vehicle wash waters are not discharged into the MS4 or waters of the state.

iv. Implement and comply with procedures to ensure that new flood management projects are assessed for impacts on water quality.

iv. Any contractors hired to perform maintenance activities on MS4 facilities must be contractually required to comply with all of your stormwater control measures, good housekeeping practices and facility-specific stormwater management operating procedures. The MS4 shall provide oversight to ensure these contractual obligations are met.

v. Implement and enforce procedures for inspection and maintenance of structural and non-structural BMPs, including maintenance activities, maintenance schedules and long-term inspection procedures for controls to reduce floatables and other pollutants discharged to your small MS4. At a minimum, inspections shall be conducted at the frequencies outlined in Table V-6 below.

Table V-6 Minimum Frequency of Inspections at Facilities Subject to MCM 6

	Category 1	Category 2	Category 3
Site inspections at MS4 facilities subject to the OKR05 or individual OPDES or NPDES permit	once per quarter	once per quarter	once per quarter
Site inspections at other MS4 facilities impacted by this program	once per year	once per year	once per year

b. Permit Recommendations

i. Establish procedures for proper use, storage, and disposal of both petroleum and non-petroleum products at schools, town offices, police and fire stations, pools, parking

[8] Ensure appropriate actions are taken that may be necessary to ensure public health and safety.

[9] Complete the installation of stabilization measures as soon as practicable, but no later than 14 calendar days after stabilization measures have been initiated or 7 calendar days if you discharge to an impaired waterbody, ORW or ARC.

6.2 MCM 6 Program Implementation and Objectives

The City's goal is to perform municipal activities in a careful and proper manner that prevents and/or reduces pollutant runoff. Municipal operations include parks and open space maintenance, fleet and building maintenance, new construction and land disturbances, building oversight and stormwater system maintenance.

6.2.1 Operation and Maintenance Program (O&M)

The following operations and facilities are owned by the City and are subject to the requirements of this MCM:

- Maintenance yard located at 512 NW. 27th St.
- Storage yard located at 601 Vermeer Dr.
- Recycling facility located at 220 N. Telephone Rd.; and,
- Parks and Recreation storage area located at 1561 NE. 12th St.

6.2.2 Municipal Permitted Facilities

The following facilities are owned/operated by the City and subject to the EPA Multi-Sector General Permit (MSGP) for stormwater:

- Moore Municipal Landfill, OPDES Permit No. 3555028.

The following facilities are owned/operated by the City and subject to NPDES/OPDES discharge permits:

- Moore wastewater treatment plant, OPDES Permit No. OK00279391; and,
- Moore water treatment plant, OPDES Permit No. PWSID2001412.

6.2.3 Employee Training Program

The City will update and implement a training program for City employees. The program will address MS4 maintenance and prevention of stormwater pollution from City activities. Areas to be addressed by the training program include:

- Park and open space maintenance.
- Fleet and building maintenance.
- New construction and land disturbance; and
- Stormwater system maintenance.

6.2.4 Pollutant Control Program

The City will implement a program to control and reduce floatables and other pollutants to the MS4, including maintenance activities and schedules as well as long-term inspection procedures. The following areas will be addressed:

- City streets and roads.
- Municipal parking lots.
- City maintenance and storage yards.
- City operated recycling stations.
- City fleet maintenance shops with outdoor storage areas; and,
- Municipal salt/sand storage locations.

The City will implement structural BMP where appropriate to control contaminated runoff from City-owned storage areas for vehicles, equipment, and materials exposed to rainfall. These may include silt fencing, grassy swales, sediment ponds and/or others as deemed appropriate.

The City will rely upon public education to reduce the amount of trash and chemical pollutants placed on City streets.

City Public Works crews will be instructed to report observed pollution problems and/or trash buildup on City streets or in the City's stormwater collection system. City Public

Works crews will remove debris and trash from streets and the MS4 system as necessary.

The City will store materials in areas that have sufficient berms and other flow control structures to prevent excess runoff of salt into local streams. The City will dispose of removed materials in a proper manner.

6.2.5 Flood Management Projects

The City will ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of water quality protection devices or practices.

6.2.6 Target Audience

The City operations and facilities are owned by the City and are subject to the requirements of this MCM training and implementation of MCM 5 will focus on City employees and their contractors.

7.0 Impaired Waterbodies and Total Maximum Daily Load (TMDL) Requirements

7.1 Permit Requirements

IV. A. Discharges to Impaired Waters Operators seeking coverage under this permit shall not cause or contribute, or have the reasonable potential to cause or contribute, to a violation of a water quality standard. If you have discharges to receiving waters included in the latest section 303(d) list of impaired waters under the CWA, you must document in your SWMP how you will comply with the following requirements.

1. Implement and maintain BMPs that will ensure that the 303(d) impairment caused by identified pollutants (e.g., nitrogen, phosphorus, bacteria) in your receiving waters will not cause, have the reasonable potential to cause, or contribute to an in-stream exceedance of water quality standards. You must provide the following information when developing or revising your SWMP:

- *a. You must develop a plan which lists the BMPs you have implemented or will implement to reduce the pollutants of concern. The plan must describe how you expect the selected controls to reduce the pollutants of concern.*
- *b. Your outreach programs must be directed toward targeted groups of commercial, industrial and institutional entities likely to have significant stormwater impacts on your impaired waters.*
- *c. You must identify any non-stormwater discharges that contribute significant pollutants to your impaired waters.*
- *d. You must locate those areas likely to have illicit discharges and conduct inspections based on the priority areas in the watershed of your 303(d) listed waterbodies.*
- *e. You must include any operation and maintenance procedures for structural and nonstructural stormwater controls to reduce pollutants discharged into your impaired water.*
- *f. You must ensure that new flood management projects assess the impacts on water quality and examine existing projects to determine if incorporating additional water quality protection devices and practices are necessary.*
- *g. You must choose BMPs from EPA's menu or select others that can be used for managing the identified pollutants (e.g., nitrogen, phosphorus, bacteria) in your discharges. The details of the BMPs can be viewed on the following EPA website: https://www.epa.gov/npdes/national-menu-best-management-practices-bmpsstormwater#edu*
- *h. If the POC is bacteria, you must include a list of identified BMPs addressing the areas below, as applicable, in the SWMP and implement as appropriate. You must include these BMPs under each associated minimum control measure under Part V(C). BMPs must address:*
  - *i. sanitary sewer system by*
    - *(1) identifying and making improvements,*
    - *(2) identifying and correcting lift station inadequacies,*
    - *(3) making improvements in reporting violations, and*
    - *(4) strengthening controls.*
  - *ii. on-site sewage facilities by*
    - *(1) identifying and addressing failing systems, and*
    - *(2) addressing inadequate maintenance of these facilities.*

iii. illicit discharges and dumping by placing additional efforts into reducing waste sources of bacteria (e.g., septic systems, grease traps, and grit traps).

iv. animal sources by expanding existing programs to identify and target potential sources (e.g., zoos, pet waste, horse stables, and livestock sale barns).

v. residential education programs by increasing focus on

(1) bacteria discharging from residential sites either directly or during runoff events,

(2) fats, oils and grease clogging sanitary sewer lines and resulting in overflows,

(3) decorative ponds, and

(4) pet waste.

2. Where a discharge is already authorized under this permit and is later determined to cause, have the reasonable potential to cause, or contribute to the in-stream exceedance of an applicable water quality standard, DEQ will notify you. You must take all necessary actions to ensure that future discharges do not cause, have the reasonable potential to cause, or contribute to, in-stream exceedance of a water quality standard and must document these actions in the SWMP. If an exceedance remains or recurs, the coverage under this permit may be terminated by DEQ, and DEQ may require an application for coverage under an alternative general permit or an individual permit.

IV. B. Established Total Maximum Daily Load (TMDL) Allocations

Discharge of a pollutant into any water for which a TMDL or watershed plan in lieu of a TMDL for that pollutant has been either established or approved by the DEQ or the EPA is prohibited, unless the discharge is consistent with that TMDL or watershed plan.

1. SWMP Review and Modification: Your MS4 shall evaluate the existing SWMP in relation to the TMDL reduction goals. Any resulting modifications shall be implemented within two (2) years of the effective date of the TMDL and then as needed. At a minimum, your evaluation shall provide and identify each of the following items and information:

a. Provide a list of approved TMDLs, or watershed plans applicable to your MS4's discharge(s), as well as any associated implementation plans.

b. Provide the WLA for each POC assigned to your discharge(s), as well as any other TMDL limitations, conditions, monitoring or other requirements applicable to the discharge(s).

c. Identify potential significant sources of POCs entering your discharge(s).

d. Identify opportunities to address the POCs identified within the TMDL or watershed plan and implement those changes. Justification shall be provided for any changes that are not made. At a minimum, your MS4 shall expand or modify the

i. existing public education programs to reduce the discharge of POCs,

ii. existing IDDE or DWFS programs to specifically address the POCs, and

iii. existing ordinances or other regulatory mechanisms to require the reduction or control of POCs, enforcement procedures for noncompliance, and develop additional ordinances, or other regulatory mechanisms, as necessary.

2. TMDL Pollutant Reduction Plan: Your MS4 shall participate in a coordinated regional pollutant reduction plan or develop their own individual plan. The plan must incorporate all approved TMDLs addressing the MS4's stormwater discharge(s) and place emphasis on all the POCs associated with impairments. At a minimum, the plan shall provide the following items:

a. Develop a specific list of BMPs, including alternative BMPs, to be used in order to meet the requirements of the TMDL, watershed plan, and/or associated implementation plan.

Summary information on some BMPs that may be considered for pollutant reduction can be found in the TMDL reports referenced in Table IV-1. Permittees are not limited to BMPs listed in these TMDL reports and should select BMPs appropriate to the local community that are expected to result in progress toward meeting the reduction goals established in the TMDL.

b. These BMPs shall be evaluated at least once per year to monitor or assess progress or effectiveness in reducing the discharge of POCs. The result of the evaluation shall be included in the annual report.

c. If a selected BMP does not achieve the measurable goal or reduce the discharge of POCs, an alternative BMP shall be implemented within three (3) years of determining a BMP is ineffective.

d. Implement a specific schedule for compliance with each TMDL or watershed plan to ensure that the WLA and/or associated implementation plan will be met within any timeframes established in the TMDL or watershed plan. The schedule shall specify annual pollutant load reductions and BMPs to make progress toward and ultimately achieve the measurable goal. The schedule shall include interim milestones that shall be evaluated every three (3) years.

e. If the POC is bacteria, the plan shall include BMPs that address all elements listed in Part IV(A)(1)(h)(i)-(v).

f. If your MS4 achieves compliance with an assigned WLA, at a minimum, you must continue to implement BMPs that are equivalent to those in effect at the time of compliance.

3. TMDL Pollutant Monitoring Plan: Your MS4 shall participate in a coordinated regional pollutant monitoring plan or develop their own individual plan. The plan should be designed to establish the effectiveness of the selected BMPs and demonstrate progress toward achieving the reduction goals of the TMDLs or watershed plans, and eventual attainment of water quality standards.

4. TMDL Baseline Monitoring Plan (Optional): Your MS4 may participate in a coordinated regional baseline monitoring plan or develop their own individual plan. The plan should be designed to determine the existing levels of POCs in your MS4's discharge(s) and identify high priority areas which may benefit from targeted BMPs.

5. Monitoring Requirements: At a minimum, the monitoring plan(s) shall provide

a. a detailed description of the program goals, monitoring plan, and sampling and analytical methods,

b. a list and map of the selected TMDL pollutant monitoring sites,

c. the frequency of data collection to occur at each station or site,

d. the parameters to be measured relevant to the TMDL(s), and

e. the Quality Assurance Project Plan that complies with EPA requirements.

6. Annual Reporting: Your MS4 shall include a TMDL implementation report as part of your annual report. The TMDL implementation report shall include the status and actions taken to implement.

7.2 TMDL Program Implementation and Objectives

Lake Thunderbird is on Oklahoma's 2012 303(d) list for impaired beneficial uses of

public/private water supply and warm water aquatic community life. Causes of impairment have been identified in the Final Lake Thunderbird Report for Nutrient, Turbidity, and Dissolved Oxygen TMDLs, approved by the EPA on November 13, 2013, as low oxygen levels, high levels of chlorophyll-*a*, and high turbidity (DEQ, 2010a). Lake Thunderbird is designated by the Oklahoma Water Quality Standards (OWRB 2011) as a Sensitive Water Supply (SWS) since the Lake serves as the primary public water supply source for the cities of Norman, Midwest City and Del City. There are three municipalities within the Lake Thunderbird watershed: the City of Moore, the City of Norman and Oklahoma City.

The City of Moore Compliance Plan is a plan for achieving the required 35% waste load (WL) reduction of total suspended solids (TSS), total nitrogen (TN), total phosphorous (TP), and carbonaceous biological oxygen demand (CBOD) established in the TMDL. The "waste load" (WL) reduction activities are also included as minimum control measures in the City of Moore Oklahoma Pollutant Discharge Elimination System (OPDES) Phase II Small MS4 permit required Storm Water Management Plan.

The CP presents the strategies to meet the WL reductions and TMDL goals as specified in the TMDL and current MS4 permit. Specifically, the CP will provide the basis for the City to:

1. Provide Best Management Practices (BMPs) to achieve an equivalent of 35% WL reductions of its contributing watershed which stormwater runoff is managed to the maximum extent practicable (MEP).
2. Meet TMDL Waste load Allocations (WLAs) approved by the Oklahoma Department of Environmental Quality (DEQ) and EPA.
3. Educate and involve residents, businesses, and stakeholder groups in achieving measurable water quality improvements.
4. Establish a reporting framework that will be used for annual reporting as required in the City's OPDES MS4 Permit.
5. Identify necessary maintenance, adaptive management, staffing, and financial strategies to implement the CP.

7.3 TMDL Program BMP

To meet the 35% reduction goal, the City will utilize a diverse and comprehensive approach for meeting the TMDL requirements as needed. This includes:

- Implementing stormwater management projects, including traditional BMPs and LID practices where applicable, and Educational BMP;
- Employing a variety of programs to improve water quality, including mechanical street sweeping, construction site inspections, and IDDE; and
- Fostering partnerships to encourage private development of stormwater management practices.

Finally, the City believes that by implementing stormwater management projects, employing a variety of programs, and fostering partnerships, it will be on track to meet the TMDL goals. Implementing these practices will provide a reduction of 35% of its current WL to meet the TMDL requirement of 205.1 Kg/day of TN, 44.5 Kg/day of TP, 781.3 Kg/day of CBOD, and 16,236.0 Kg/day of TSS by the end of the third MS4 permit period. Education and enforcement programs focused on illicit discharges, in concert with water and sanitary sewer infrastructure improvements, will also result in a reduction of nutrients. A monitoring program focused on illicit discharges will address the TMDL for TSS and nutrients from construction and industrial permittees.

7.4 TMDL Implementation Report

The City of Moore will include a TMDL implementation report as part of its MS4 annual report. The TMDL implementation report will include the status and actions taken by the City to implement the TMDL compliance plan and monitoring program. The TMDL implementation report will document relevant actions taken by the City that affect MS4 stormwater discharges to the waterbody segments that are the subject of the TMDL. This TMDL implementation report will also identify the status of any applicable TMDL implementation schedule milestones, monitoring data, and BMP implementation.

7.5 Evaluating Progress with the TMDL

Compliance with the TMDL and progress toward achieving the waste load allocations and load reduction goals will be evaluated at each renewal of the MS4 permit, generally every 5 years. Consideration will be given to:

- Water quality data and results from the pollutant monitoring and tracking program.
- The status of achieving milestones and accomplishing items in the current compliance plan.
- Any revisions that have been made to or proposed for the compliance plan; and,
- Any proposed enhancements to the compliance plan for the next permit term.

If sufficient progress is not demonstrated, an updated compliance plan and implementation schedule will be required to be submitted within 6 months. Noncompliance may subject the permittee to enforcement action.

8.0 Deadlines for SWMP Compliance

Full implementation of the SWMP will be developed and implemented as included in individual MCM BMP.

9.0 Roles and Responsibilities

Per OPDES permit requirements, the SWMP, together with any local agreements, must clearly identify the roles and responsibilities of the City. Roles and responsibilities for the City's OPDES Permit requirements are included in individual MCM BMP.

10.0 SWMP Resources

The City provides adequate funds, staff, equipment, and support capabilities to implement its activities under the SWMP. The cost of the SWMP and permit implementation is funded by the City.

If warranted, additional controls will be developed and implemented in accordance with the City's OPDES permit.

Current Staff

Community Development Director - Elizabeth Weitman

Stormwater Planner- Lauren Purcell

Stormwater Manager - Mike Harlan

11.0 SWMP Review and Updates

The SWMP will be evaluated annually to determine the plan’s effectiveness and efficiency. The SWMP will be revised as necessary to support needed changes based on the SWMP evaluation and/or requests made through permit requirements. The annual review of the current SWMP will be conducted in conjunction with the preparation of the annual report required under this permit.

If required, the SWMP will be revised by the City during the term of the permit in accordance with the approved permit procedures. Though not anticipated, the City will implement the SWMP on all new areas added to their portion of the MS4 (or for which they become responsible for implementation of stormwater quality controls) as expeditiously as practicable, but not later than three years from addition of the new areas. Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the City will create a plan for implementing the SWMP on all affected areas.

If warranted, additional controls will be developed and implemented in accordance with the City's OPDES Permit.

12.0 Retention of SWMP Records

The City retains the SWMP and all associated records for at least three years after coverage under this permit terminates.

If warranted, additional controls will be developed and implemented in accordance with the City's OPDES permit.

ATTACHMENT A

BMP Summary Tables

MCM 1: Public Education and Involvement (V.C.1)									
NO.	BMP	OKR04 REFERENCE	DESCRIPTION OF ACTIVITY	TARGET AUDIENCE	MEASURABLE GOAL	IMPLEMENTATION YEAR	TARGET DATE	ADDITIONAL WQ REQUIREMENTS	NEW/REVISED BMP FOR 2021-26 PERMIT CYCLE
1.1	Brochures/Flyers	V.C.1.a.i(1); V.C.1.a.ii(2)	Develop and distribute brochures/flyers and materials to educate public about: 1. stormwater pollution prevention 2. fertilizer use 3. hazards associated with illegal discharges and improper disposal of waste 4. Proper disposal of animal waste	General public	Distribute a minimum of 100 brochures annually.	Continuous	June		
1.2	Social Media Posts	V.C.1.a.i(1); V.C.1.a.ii(2)	Post messages on social media about stormwater pollution prevention, fertilizer use, and hazards associated with illegal discharges and improper disposal of waste.	General public	Post one stormwater educational message per quarter	Continuous	December		X
1.3	Stormwater webpage	V.C.1.a.i(1); V.C.1.a.ii; V.C.1.a.v	Maintain a stormwater webpage on City website with education materials and facilitate the reporting of stormwater quality concerns and illicit discharges.	General public	Review and update the content of the webpage annually. Post copies of the NOI and SWMP for public review.	Continuous	July	TMDL, impaired waters	
1.4	Stormwater Education for Schools	V.C.1.a.i; V.C.1.a.ii	Work with local schools to provide educational presentations about the impacts of stormwater pollution.	Students	Provide educational presentations to two (2) schools annually.	Continuous	May	TMDL, impaired waters	X
1.5	Stormwater Public Meeting	V.C.1.a.i; V.C.1.a.ii; V.C.1.a.vi	Coordinate public meetings as needed to discuss Phase II MS4 Program, Lake Thunderbird TMDL and the City of Moore TMDL Compliance and Monitoring Plans.	City Council, General public	Hold one (1) meeting annually.	Continuous	September	TMDL	
1.6	Recycling/Pollutant Collection	V.C.1.a.i; V.C.1.a.ii	Participate in a public event in conjunction with recycling collection to encourage public participation in learning about environmental and natural resource issues and to raise environmental awareness in the public.	General public	Participate in one (1) public collection event annually.	Continuous	November	TMDL, impaired waters	
1.7	Household Hazardous Waste Collection	V.C.1.a.i; V.C.1.a.ii	Encourage Public Participation in household hazardous materials recycling to learn about environmental and natural resource issues and to raise environmental awareness in the public.	General public	Participate in one (1) public collection event annually.	Continuous	November	TMDL, impaired waters	
1.8	Storm Drain Markers	V.C.1.a.i; V.C.1.a.ii	Encourage public participation in learning about environmental and natural resource issues and to raise environmental awareness in the public. Coordinate with private developers to install storm drains with water quality messaging.	General public	Track total number of storm drains with water quality messaging installed annually.	Continuous	July	TMDL, impaired waters	
1.9	Pollution Hotline	V.C.1.a.i; V.C.1.a.ii; V.C.1.a.iii	Continue advertising of Hotline on Stormwater Website. Assess hotline funding mechanisms. Continue implementation of hotline to allow citizens to easily report pollution concerns to personnel in the city who can take appropriate action to address stormwater pollution issues.	General public	Maintain a log of all stormwater pollution complaints in the Stormwater Division. Respond to citizen complaints within 72 hours of receipt.	Continuous	January		
1.10	Staff Training	V.C.1.a.ii(2) and (3)	Provide training to appropriate city staff on: 1. illicit discharges, 2. construction site stormwater runoff, and 3. Lake Thunderbird TMDL requirements.	City staff	Provide staff training annually.	Continuous	January	TMDL, impaired waters	

1.11	Staff Training	V.C.1.a.ii(1)	Provide training to appropriate city staff on industrial stormwater runoff.	City staff	Provide training every two years.	Permit Year 3 (June 2023-24)	June		
1.12	Staff Training	V.C.1.a.ii(5)	Provide training to appropriate city staff on pollution prevention at MS4 operations.	City staff	Provide staff training annually.	Permit Year 3 (June 2023-24)	June		
1.13	Construction Industry Outreach Activities	V.C.1.a.i(3) and (4)	Provide training to local developers, contractors, and home builders about construction site stormwater runoff, post-construction runoff, and illicit discharges.	Local developers, contractors, and builders.	Provide training annually.	Permit Year 4 (June 2024-25)	June	TMDL, impaired waters	
1.14	Industrial Industry Outreach Activities	V.C.1.a.ii(1)	Provide training to local industrial facilities about industrial site stormwater runoff.	Local industrial facilities	Provide training every two years.	Permit Year 5 (June 2025-26)	June		

MCM 2: Industrial Stormwater Runoff Control (V.C.2)							
NO.	BMP	OKR04 REFERENCE	DESCRIPTION OF ACTIVITY	MEASURABLE GOAL	IMPLEMENTATION YEAR	TARGET DATE	NEW/REVISED BMP FOR 2021-26 PERMIT CYCLE
2.1	OKR05 Facility Database	V.C.2.a.i	Develop and maintain a list of OKR05 permitted facilities within the City of Moore.	Develop the list using DEQ data. Update the list annually.	Permit Year 2 (June 2022-23)	June	
2.2	City Ordinance	V.C.2.a.ii	Implement an ordinance to require BMPs that will minimize exposure, provide good housekeeping preventative maintenance, spill prevention and response, and erosion and sediment controls.	Review and update ordinances within two (2) years of OKR04 and OKR05 renewal.	Permit Year 3 (June 2023-24)	June	
2.3	Industrial Facility Inspection	V.C.2.a.iii	Develop internal procedures to inspect industrial sites. Inspect industrial facilities for compliance.	Develop internal procedures to inspect industrial sites. Inspect up to 10 (or 20% of total industrial facilities if less than 50) per year.	Permit Year 4 (June 2024-25)	June	X

MCM 3: Illicit Discharge Detection and Elimination (V.C.3)								
NO.	BMP	OKR04 REFERENCE	DESCRIPTION OF ACTIVITY	MEASURABLE GOAL	IMPLEMENTATION MONTH/YEAR	TARGET DATE	ADDITIONAL WQ REQUIREMENTS	NEW/REVISED BMP FOR 2021-26 PERMIT CYCLE
3.1	Storm Sewer Map Update	V.C.3.a.i	Update the MS4 Storm Sewer Map to maintain locations of outfalls within the MS4. Develop and maintain a list of high priority areas within the MS4.	Update the outfall map and high priority list annually.	Continuous	May	TMDL, impaired waters	
3.2	Illicit Discharge/Illegal Dumping Hotline	V.C.3.a	Continue advertising of Pollution Hotline on Stormwater Website. Assess hotline funding mechanisms. Continue implementation of hotline to allow citizens to easily report pollution concerns to personnel in the city who can take appropriate action to address stormwater pollution issues.	Maintain a log of all stormwater pollution complaints in the Stormwater Division. Respond to citizen complaints within 72 hours of receipt.	Continuous	July		
3.3	City Ordinance	V.C.3.a.vi	Review and update the stormwater ordinance section consistent with the requirements of the SWMP and OKR04 permit.	Review and revise ordinance one per permit cycle.	Continuous	January		
3.4	Dry Weather Field Screening (DWFS) for Illicit Discharges	V.C.3.a.ii, iii, iv, v	Implement a Dry Weather Field Screening (DWFS) program to assess condition of outfalls and detect illicit discharges, including illegal dumping and connections to the MS4. Illicit discharge investigations should include City inspections of the MS4 to detect illicit discharges. The inspections will be done visually by inspecting creeks, channels, manholes, and other accessible parts of the MS4.	Screen identified outfalls annually and each high priority area outfall annually Trace, investigate, and remove all identified illicit discharges within 72 hours of identification. Collect samples where appropriate to characterize the pollutant.	Continuous	May	TMDL, impaired waters	X

3.5	MS4 IDDE Source Investigation and Elimination	V.C.3.a.ii, iii, iv, v	Conduct MS4 screenings of outfalls and high priority areas identified within the City.	Report the total number of illicit discharges and/or connections identified and the approximate area of the MS4 screened annually.	Continuous	May	TMDL, impaired waters	
3.6	Complaint Inspections	V.C.3.a.ii, iii, iv, v	Conduct MS4 Inspections of all complaints received to Pollution Hotline.	Report the number of illicit discharges/connections inspected annually and the total number of enforcement actions.	Continuous		TMDL, impaired waters	
3.7	Non-Stormwater Discharges	V.C.3.a.viii	Maintain a list of occasional, incidental non-stormwater discharges that are allowable under OKR04 (Part II(B)(2)) that will not require additional investigation under MCM3.	Update the list annually.	Continuous	January		

MCM 4: Construction Site Stormwater Runoff Control (V.C.4)								
NO.	BMP	OKR04 REFERENCE	DESCRIPTION OF ACTIVITY	MEASURABLE GOAL	IMPLEMENTATION YEAR	TARGET DATE	ADDITIONAL WQ REQUIREMENTS	NEW/REVISED BMP FOR 2021-26 PERMIT CYCLE
4.1	Construction Site Inspections	V.C.4.a.iii	Develop construction notification program to include requirements for construction site operators to implement appropriate BMP for erosion and sediment controls and control waste. Utilize procedures for SWPPP receipt for proposed construction sites one acre or more. Maintain and use inspection procedures for the BMP.	Inspect all sites greater than 40 acres in size, sites that discharge to an impaired waterbody, sites that discharge to a TMDL waterbody, and sites that have been identified as a threat to water quality at least once per month during construction. Inspect all other sites at least once per quarter during construction.	Continuous		TMDL, impaired waters	
4.2	Stormwater Ordinance	V.C.4.a.i	The City's stormwater ordinance provides for natural vegetative buffers or a combination of buffers and other BMPs must be maintained to protect water quality during and after construction.	Review and update ordinance requirements for compliance with OKR04 once per permit cycle.	Continuous	January	TMDL	
4.3	Procedures for Site Plan Review	V.C.4.a.ii	All construction sites with an earth disturbance of one acre or larger are required to develop a SWPPP and obtain an OKR10 permit, and provide documentation to the City prior to earth disturbing activities.	Review all submitted permit applications, stormwater pollution prevention plans, and sediment and erosion control plans.	Continuous		TMDL, impaired waters	

MCM 5: Post-Construction Management in New Development and Redevelopment (V.C.5)								
NO.	BMP	OKR04 REFERENCE	DESCRIPTION OF ACTIVITY	MEASURABLE GOAL	IMPLEMENTATION YEAR	TARGET DATE	ADDITIONAL WQ REQUIREMENTS	NEW/REVISED BMP FOR 2021-26 PERMIT CYCLE
5.1	Post-Construction Notification and Inspection Program	V.C.5.a.i	Maintain and update the post-construction notification program to promote effective post-construction stormwater management and prevent or minimize water quality impacts and attempt to maintain pre-development runoff conditions.	Inspect all sites regardless of size, sites that discharge to an impaired waterbody, sites that discharge to a TMDL waterbody, and sites that have been identified as a threat to water quality at least once post construction.	Once During 2021-2026 Permit Cycle	March		X
5.2	Strategies for Structural BMPs	V.C.5.a.ii	Develop strategies for operation and maintenance of the MS4 system including drainage, detention, and stormwater runoff from pre- and post-development activity. Structural BMPs from the Lake Thunderbird TMDL and other City projects should be	Identify and maintain a log of permanent structural BMPs implemented during development and update annually.	Continuous	March	TMDL, impaired waters	X

			reviewed in the first two years of the permit term to identify needed changes or additions.					
5.3	Permanent Stormwater BMP Inspections	V.C.5.a.ii	Inspections of permanent post-construction stormwater controls will be performed to ensure proper function and maintenance, and to screen for illicit discharges. Either City or the operator of the permanent BMP will conduct inspections to verify proper operations and maintenance of the structural stormwater quality controls.	Inspect all MS4-owned permanent post-construction BMPs annually. Inspect 50% of privately owned BMPs which have been identified annually.	Continuous	March		X
5.4	Ordinance Review	V.C.5.a.iv.	Assess current street design, parking lot guidelines, and other requirements that affect the creation of impervious cover and implement additional guidelines or design standards to support stormwater design options. Provide a justification if additional guidelines are not implemented	Conduct review once during the 2021-2026 permit cycle.	Once During 2021-2026 Permit Cycle	January		

MCM 6: Pollution Prevention (P2)/Good Housekeeping for Municipal Operations (V.C.6)								
NO.	BMP	OKR04 REFERENCE	DESCRIPTION OF ACTIVITY	MEASURABLE GOAL	IMPLEMENTATION YEAR	TARGET DATE	ADDITIONAL WQ REQUIREMENTS	NEW/REVISED BMP FOR 2021-26 PERMIT CYCLE
6.1	Street Sweeping (Roadway Pollution Prevention)	V.C.6.a.vi	Street sweeping activities for City-owned roadways and parking lots according to established procedures.	Sweep 2000 curb miles annually.	Continuous	June		
6.2	List of City-Owned Facilities	V.C.6.a.i and ii	Maintain a list of all city-owned facilities that are impacted by this MCM, including those that are subject to the OKR05 permit, individual NPDES/OPDES permit, or which have the potential to contribute polluted stormwater runoff.	Review and update list of facilities annually.	Continuous	June		
6.3	P2 Procedures for City-Owned Projects and Facilities	V.C.6.vi	City facility inspections will identify operations that contribute to stormwater pollution and develop operational BMPs to reduce or eliminate sources. This may include waste oil recycling, current MS4 structural controls and maintenance efforts, street sweeping, catch-basin cleaning, ditch/swale cleaning.	Inspect sites subject to OKR05 or an individual NPDES/OPDES permit at least once per quarter. Inspect sites at all other City-owned facilities impacted by this program at least once per year.	Continuous	June		
6.4	BMPs for City Operations	V.C.6.iii	Selected BMPs for City operations including facility maintenance, parks, and landscape maintenance, water, and sewer line maintenance, and MS4 maintenance will be implemented.	Ensure BMPs are implemented for all routine maintenance work and water line breaks and emergency repairs until site stabilization has been implemented for City projects. Stabilization measures must be implemented within fourteen (14) calendar days of completion. Ensure no vehicle wash water is discharged to the MS4 of waters of the State from City-owned facilities or projects.	Permit Year 4 (June 2024-25)	June		
6.5	Emergency Response Spill Kits	V.C.6.vi	Emergency response spill kits will be furnished in vehicles with a spill risk.	Ensure spill kits are available for all Fleet, Line Maintenance, Parks Maintenance, and Sanitation vehicles and facilities (with a spill risk).	Continuous	June		X

ATTACHMENT B

OPDES Permit No. OKR04

Oklahoma Department of Environmental Quality Water Quality Division

General Permit OKR04

Phase II Small Municipal Separate Storm Sewer System Discharges Within the State of Oklahoma

JUNE 1, 2021

General Permit for Stormwater Discharges Associated with Municipal Separate Storm Sewer Systems in Small Cities, Urbanized Areas, and Other County Areas in the State of Oklahoma

AUTHORIZATION TO DISCHARGE UNDER THE

OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act (CWA), Public Law 92-500, as amended, 33 U.S.C. § 1251 *et seq.*; as required under the Stormwater Phase II Rule at 40 CFR §§ 122-124; and the provisions of the Oklahoma Pollutant Discharge Elimination System (OPDES) OAC 252:606-1-3(b)(3), incorporating by reference 40 CFR §§ 122.26, 122.30-122.35; operators of Small Municipal Separate Storm Sewer Systems (MS4s) are authorized to discharge in accordance with the conditions and requirements set forth herein. The Stormwater Phase II Rule was originally published on December 8, 1999, (64 FR 68722) and became effective on February 7, 2000.

This permit is a reissuance by the Department of Environmental Quality (DEQ) and shall become effective on June 1, 2021. This permit and the authorization to discharge shall expire at midnight on May 31, 2026. As provided in this permit, operators of Small MS4s, located in areas specified herein and who submit Notices of Intent (NOI) in accordance with PART III of this permit are authorized to discharge pollutants to waters of the state in accordance with the conditions and requirements set forth herein.

Signed and issued this 30th day of April, 2021.

Shellie R. Chard, Director
Water Quality Division

Michael B. Moe, P.E., Engineering Manager
Municipal Wastewater and Stormwater Permits Section
Water Quality Division

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PART I: DEFINITIONS AND ACRONYMS

All definitions contained in section 502 of the CWA (33 U.S.C. § 1362) and 40 CFR § 122.2 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence.

I.A. **Aquatic Resource of Concern (ARC)** is a waterbody corridor which contains habitat for federally listed (by the U.S. Fish and Wildlife Service) or state listed (by the Oklahoma Department of Wildlife Conservation) endangered or threatened aquatic species.

I.B. **Best Management Practice (BMP)** is the schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

I.C. **Construction Site Operator** means, for the purpose of this permit and in the context of stormwater associated with construction activity, any party or parties associated with a construction project that meets either of the following criteria:

1. The party must have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (e.g., owner of the site).
2. The party must have day-to-day operational control of those activities at a project that are necessary to ensure compliance with a Stormwater Pollution Prevention Plan (SWP3) for the site or other permit conditions (e.g., general contractor of the project).

In addition, ‘‘owner’’ refers to the party that owns the structure being built. Ownership of the land where construction is occurring does not necessarily imply the property owner is an operator (e.g., a landowner whose property is being disturbed by construction of a gas pipeline or a landowner who allows a mining company to remove dirt, shale, clay, sand, gravel, etc. from a portion of his property). This definition is provided to inform permittees of DEQ's interpretation of how the regulatory definitions of “operator” and “facility or activity” are applied to discharges of stormwater associated with construction activity.

I.D. **Control Measure** refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the state.

I.E. **Clean Water Act (CWA)** [33 U.S.C. 1251 et seq.] (formerly referred to as the Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended, Pub. L. 95-21l, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117.

I.F. **Director** means the Executive Director, chief administrator or an authorized representative of the Department of Environmental Quality.

I.G. **Discharge**, when used without a qualifier, refers to “discharge of a pollutant” as defined at 40 CFR §122.2.

I.H. **Illicit Discharge** is defined at 40 CFR §122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges authorized under an OPDES or NPDES permit (other than the OPDES permit for discharges from the MS4) and discharges resulting from firefighting activities.

I.I. **Impaired Water** is a water which does not meet one or more of its beneficial uses due to not attaining applicable narrative or numeric water quality standards. Impaired waters are identified in the CWA section 303(d) listing from Appendix C of the most recent Integrated Report. Impaired

waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

I.J. **Large Common Plan of Development or Sale** means an area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. This plan consists of many small construction projects that collectively add up to one or more acres of total disturbed land. For example, an original common plan of development of a residential subdivision might lay out the streets, house lots, and areas for parks, schools and commercial development that the developer plans to build or sell to others for development. All these areas would remain part of the common plan of development or sale until the intended construction is completed.

I.K. **Low Impact Development (LID)** is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

I.L. **Maximum Extent Practicable (MEP)** is the technology-based discharge standard for Municipal Separate Storm Sewer Systems (MS4s) to reduce pollutants in stormwater discharges that was established by section 402(p) of the CWA, 33 U.S.C. § 1342. Maximum extent practicable for this permit is detailed in Part V.C.

I.M. **Municipal Separate Storm Sewer System (MS4)** is used to refer to either a Large, Medium, or Small Municipal Separate Storm Sewer System. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Oklahoma City MS4 includes MS4s operated by Oklahoma City, the Oklahoma Department of Transportation, and others). The term MS4 is defined at 40 CFR § 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is/are

1. 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 an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
2. designed or used for collecting or conveying stormwater;
3. not a combined sewer; and
4. not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 403.3(q).

I.N. **Newly Regulated Small MS4** refers to a small MS4 newly designated as a result of US census data or other new information, and thus required to be covered under an OPDES permit.

I.O. **Notice of Intent (NOI)** is the mechanism used to "register" for coverage under a general permit.

I.P. **Non-traditional MS4** means state and federal prisons, office complexes, hospitals, state transportation agencies, universities, public housing authorities, schools and other special districts.

I.Q. **Notice of Termination (NOT)** is the mechanism used to terminate coverage under a general permit.

I.R. **Outstanding Resource Waters (ORW)** are designated as such in Oklahoma's Water Quality Standards under OAC 785:45-3-2(a).

I.S. **Pollutant of Concern (POC)** is a pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in the latest 303(d) list, a TMDL report, or watershed plan.

I.T. **Quality Assurance Project Plan (QAPP)** is a document that outlines the procedures that those who conduct a monitoring project will take to ensure that the data they collect and analyze meets project requirements.

I.U. **Small MS4** is defined at 40 CFR §122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the state, but is not defined as a "large"' or "medium" municipal separate storm sewer system. This term includes 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.

I.V. **Small MS4 Newly Designated after the Date of Permit Issuance** refers to a small MS4 newly designated by EPA or DEQ after the date of this permit issuance.

I.W. **Stabilization** is the process of covering exposed ground surfaces with vegetative or non-vegetative practices that reduce erosion and prevent sediment discharge from occurring.

I.X. **Stormwater** is defined at 40 CFR §122.26(b)(13) and means stormwater runoff, snow melt runoff, and surface runoff and drainage.

I.Y. **Stormwater Management Program (SWMP)** refers to a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system (MS4).

I.Z. **Total Maximum Daily Load (TMDL)** refers to the sum of the individual wasteload allocations (WLAs) for point sources, safety, reserves, and loads from nonpoint sources and natural background.

I.AA. **Urbanized Area (UA)** is defined by the U.S. Census Bureau. The Census Bureau's urban areas represent densely developed territory, and encompass residential, commercial, and other non-residential urban land uses. The Census Bureau delineates urban areas after each decennial census by applying specified criteria to decennial census and other data. The Census Bureau identifies an urbanized area as an area with 50,000 or more people.

I.BB. "**You" or "Your**,**"** as used in this permit, is intended to refer to the permittee, operator or discharger, as the context indicates, and that party's responsibilities (e.g., the city, the county, the flood control district, the U.S. Air Force, etc.).

I.CC. **Waters of the State** means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, storm sewers and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, and shall include under all circumstances the waters of the United States which are contained within the boundaries of, flow through, or border upon this state or any portion thereof. Provided waste treatment systems, including treatment ponds or lagoons designed to meet federal and state requirement other than cooling ponds as defined in the CWA or rules promulgated thereto, and prior converted cropland are not waters of the state [27A O.S. §1-1-201(20)].

I.DD. **Wasteload Allocation (WLA)** is the fraction of the total pollutant load apportioned to all point sources, and includes stormwater discharges regulated as point sources which are identified in the TMDL as WLA_MS4.

PART II: COVERAGE UNDER THIS PERMIT

II. A. Eligibility

This permit authorizes discharges of stormwater and certain non-stormwater discharges from small MS4s.[1] All operators of small MS4s meeting any of the requirements below are required to comply with this permit:

1. Small MS4s fully or partially located within an UA, as determined by the most recent Decennial Census by the U.S. Bureau of Census.
2. Small MS4s located outside of an UA with a population greater than or equal to (≥) 10,000 but less than or equal to (≤) 100,000 with a population density greater than or equal to (≥) 1,000/square mile or more, as determined by the most recent Decennial Census by the U.S. Bureau of Census.
3. Designated MS4s contributing substantial pollutant loads to a regulated MS4 through interconnections.
4. Designated MS4s determined by the Director to be applicable.

II. B. Types of Authorized Discharges

1. Stormwater discharges from small MS4s are authorized to enter waters of the state except as listed under Part II(C).
2. Authorized non-stormwater discharges are
    a. diverted stream flows;
    b. uncontaminated discharges from riparian areas and wetlands;
    c. uncontaminated ground water or spring water;
    d. residential building wash water that does not use detergents, solvents, and/or soaps;
    e. uncontaminated pumped ground water;
    f. uncontaminated ground water infiltration;
    g. uncontaminated discharges from potable water sources, including water line flushing and fire hydrant flushing;
    h. foundation drains;
    i. air conditioning condensate;
    j. water from crawl space pumps;
    k. footing drains;
    l. residential, non-commercial, and charity car washing;
    m. landscape irrigation and lawn watering, provided all pesticides, herbicides, and fertilizers have been applied in accordance with the approved manufacturers' instructions and/or labeling;
    n. uncontaminated and dechlorinated swimming pool discharges;

[1] This permit authorizes discharges of stormwater and certain non-stormwater discharges from small MS4s, as defined in 40 CFR § 122.26(b)(16), adopted and incorporated by reference in Oklahoma Administrative Code (OAC) 252:606-1-3(b)(3). This includes MS4s designated under 40 CFR § 122.32(a)(1) and 40 CFR § 122.32(a)(2) that describe the referenced area with a population greater than or equal to (≥) 10,000 but less than or equal to (≤) 100,000, and small MS4s located in UAs. Operators of small MS4s located outside of an UA may be designated as a regulated MS4.

o. street wash water, including wash water generated from the washing of other impervious surfaces such as sidewalks and parking lots, that does not use detergents, solvents, and/or soaps;
p. discharges in compliance with a separate Oklahoma Pollutant Discharge Elimination System (OPDES) or National Pollutant Discharge Elimination System (NPDES) permit;
q. discharges of gray water from municipal splash pads (aka, spray parks or spray grounds), as defined in 27A O.S. § 2-6-107, unless otherwise permitted or regulated by DEQ, provided the discharges comply with all applicable municipal or county ordinances enacted pursuant to law (discharges from recirculating systems shall be dechlorinated); and
r. discharges or flows from emergency firefighting activities or training activities that are not taking place at a permanent facility, provided procedures are in place for the Incident Commander, Fire Chief, or other on-scene firefighting official in charge to make an evaluation regarding potential releases of pollutants from the scene.
    i. Measures must be taken to reduce any such pollutant releases to the MEP subject to all appropriate actions necessary to ensure public health and safety.
    ii. These procedures must be documented in your SWMP.
    iii. These discharges must be in compliance with Part IV.

3. Non-stormwater discharges are authorized only under the following conditions:
    a. Discharges are insignificant sources of pollutants to your small MS4 because of the nature of the discharges or because of the conditions you have established for allowing these discharges to occur (e.g., charity car washes with appropriate controls, proximity to sensitive waterbodies).
    b. Document in your SWMP any local controls or conditions placed on discharges.
    c. Include a provision in your SWMP prohibiting any individual non-stormwater discharge that is determined to be contributing significant amounts of pollutants to your MS4.

II. C. Limitations on Coverage

1. Discharges mixed with non-stormwater are unauthorized unless such discharges are
    a. in compliance with a separate OPDES or NPDES permit, or
    b. determined not to be a substantial contributor of pollutants to waters of the state in accordance with Part II(B)(2) of this permit.
2. Discharges associated with industrial activity, as defined in 40 CFR § 122.26(b)(14), are unauthorized.
3. Stormwater discharges associated with construction activity, as defined in 40 CFR § 122.26(b)(15), are unauthorized except as provided by Part VIII of this permit.
4. Stormwater discharges currently covered under another permit are unauthorized.
5. Discharges exceeding water quality standards are unauthorized. Your SWMP must include a description of all necessary BMPs and other measures that you will be using to ensure that discharges, or future discharges, will not cause, have the reasonable potential to cause, or contribute to an exceedance of water quality standards. DEQ may require corrective action or an application for an individual permit or alternative general permit if a small MS4 is determined to cause, have the reasonable potential to cause, or contribute to an exceedance of water quality standards.
6. Discharges not consistent with a TMDL are unauthorized. Discharge of a pollutant into any water for which a TMDL, or watershed plan in lieu of a TMDL, for that pollutant has been either established or approved by DEQ or U.S. Environmental Protection Agency (EPA) is prohibited, unless your discharge is consistent with that TMDL, or watershed plan. You must incorporate into

your SWMP any conditions necessary to ensure discharges are consistent with the assumptions and requirements of any such TMDL, or watershed plan. This eligibility condition and compliance with Part IV(B) applies at the time you submit a NOI (see Exhibit III) for coverage. If conditions change after you have permit coverage, you may remain covered by the permit provided you comply with the applicable requirements of Part IV. For discharges not eligible for coverage under this permit, you must apply for and receive an individual or other applicable general OPDES permit.

7. Discharges originating on Indian Country are unauthorized. Stormwater discharges from MS4s or construction activities occurring on Indian Country, as defined in 18 U.S.C. § 1151, are not under the authority of DEQ and are not eligible for coverage under this permit. If discharges of stormwater require authorization under federal NPDES regulations, a permit for these discharges must be obtained from the EPA.
8. Discharges of material resulting from a spill are unauthorized. If discharges from a spill are necessary to prevent imminent threat to human life, personal injury, or severe property damage, the permittees have the responsibility to ensure the party responsible for the spill takes reasonable and prudent measures to minimize the impact of discharges on human health and the environment. These responsibilities may be in the form of a spill prevention and response plan or through implementation and legal enforcement of other BMPs developed to satisfy the MCMs.

II. D. Historic Preservation

Oklahoma DEQ's OPDES permitting activities are not federal undertakings and, therefore, are not subject to review under section 106 of the National Historic Preservation Act (NHPA). However, applicants and permittees must comply with the Oklahoma State Register of Historic Places Act (53 O.S. § 361), where applicable, and the Burial Disturbance Law (21 O.S. §§ 1168.0-1168.6), as well as with any applicable local laws concerning the identification and protection of historic properties.

Applicants and permittees who may receive federal funding or other federal assistance in the completion of their projects must be aware that compliance with section 106 of the NHPA may apply. For information about the section 106 review process in Oklahoma, Oklahoma properties listed on or eligible for the National Register of Historic Places and related topics, contact the following**:**

State Historic Preservation Office
Oklahoma Historical Society
Oklahoma History Center
800 Nazih Zuhdi Drive
Oklahoma City, OK 73105
Tel: (405) 521-6249
To identify historic properties, see the following website:
http://www.okhistory.org/index

Oklahoma Archeological Survey
111 East Chesapeake
Norman, OK 73019
Tel: (405) 325-7211
To identify archeological sites, see the following website:
http://www.ou.edu/archsurvey

II. E. Meeting Eligibility Requirements for Endangered Species

1. Eligibility Criteria
   a. Activities authorized by this permit must avoid unacceptable effects to federal and state listed endangered or threatened (listed) species or designated critical habitats. Direct and indirect effects must be considered. Coverage under this permit is available only if your stormwater discharges, allowable non-stormwater discharges, and discharge-related activities are not likely to
      i. jeopardize the continued existence of any listed species or result in the adverse modification or destruction of critical habitat, or
      ii. cause a prohibited "take" of endangered or threatened species,[2] unless such "take" is authorized under sections 7 or 10 of the Endangered Species Act (ESA).
   b. Discharge-related activities authorized by this permit include activities which cause, contribute to, or result in stormwater point source pollutant discharges and measures to control stormwater discharges. These include the construction and operation of BMPs to control, reduce, or prevent stormwater pollution.
2. Eligibility Certification
   a. You must certify that you have met eligibility criteria for protection of threatened or endangered species and their critical habitat. Your signed NOI will constitute your certification of eligibility. If the eligibility requirements cannot be met, you may seek coverage under a DEQ individual permit. This eligibility must be evaluated before the NOI is submitted. DEQ strongly recommends that you conduct this evaluation at the earliest possible stage to ensure that measures to protect listed species are incorporated early in the planning process.
   b. You must state on the NOI which of the criteria listed in Part II(E)(2)(c) you are relying upon for meeting the Endangered Species eligibility.
   c. You must meet one or more of the criteria below for the entire term of coverage under this permit. If you are located partially or wholly in an area described in Exhibit I,[3] then you must meet criterion B, C, D, or E for the term of this permit. If you are not located in the shaded area or watersheds listed in Exhibit I, then you meet the terms of criterion A. The information used to make the eligibility determination must be documented and included as part of the SWMP.
      i. Criterion A requires that endangered or threatened species or critical habitats are not in proximity to the small MS4. The point where authorized discharges reach waters of the state is not located within an area shown as an ARC.
      ii. Criterion B requires that in the course of a separate federal action involving the small MS4, formal or informal consultation with the U.S. Fish and Wildlife Service (FWS) under section 7 of the ESA has been concluded and that consultation
         (1) addressed the effects of the stormwater discharges, allowable non-stormwater discharges, and discharge-related activities on listed species and critical habitat; and

[2] "Endangered" and "threatened" are defined under section 3 of the ESA and 50 CFR § 17.3.

[3] Refer to Exhibit I for the map and list of Aquatic Resources of Concern for this permit. The shaded regions of the map are considered to be Aquatic Resources of Concern.

(2) resulted in either a "no jeopardy" opinion or a written concurrence by the FWS on a finding that the stormwater discharges, allowable non-stormwater discharges, and discharge-related activities are not likely to adversely affect listed species or critical habitat. You must submit a copy of the FWS determination with your NOI.

iii. Criterion C requires that the activities of the small MS4 are authorized under section 10 of the ESA and that authorization addresses the effects of the stormwater discharges, allowable non-stormwater discharges, and discharge-related activities on listed species and critical habitat. You must submit a copy of the authorization with your NOI.

iv. Criterion D requires that the applicant has evaluated, using best judgment and available scientific and commercial data, the effects of the stormwater discharges, allowable non-stormwater discharges, and discharge-related activities on listed species and critical habitat. Based on the evaluation, the permittee has determined that there is no reason to believe the discharge and discharge-related activities are likely to adversely affect any listed species or result in the adverse modification or destruction of critical habitat. Any measures necessary to maintain eligibility under this criterion must be documented in the SWMP.

v. Criterion E requires that the stormwater discharges, allowable non-stormwater discharges, and discharge-related activities were already addressed in another operator's certification of eligibility under Part II(E) which includes the small MS4 activities. By certifying eligibility under this criterion, the applicant agrees to comply with any measures or controls upon which the other operator's certification was based. Your SWMP must identify the operator upon whom you are relying.

PART III: AUTHORIZATION UNDER THIS PERMIT

III. A. Obtaining Authorization

1. Submit an official NOI to receive authorization to discharge stormwater from a small MS4 (see Exhibit III). The NOI you submit must be complete with all required information and supporting documentation.
2. There is an annual permit fee and an application fee for all renewal or new NOIs. For new permittees, the first year's permit fee will be prorated and will cover the period beginning the issuance date of your authorization and ending June 30th of the coinciding fiscal year. The fee schedule is in OAC 252:606-3-4(d). An invoice will be sent upon receipt of the NOI. Your authorization will not be processed until the fee is paid.
3. Upon receipt of your properly completed NOI and application/permit fees, DEQ will process the information and notify you by return mail with an authorization certificate accompanied by a letter of notification. You are not authorized to discharge stormwater from a small MS4 under the terms and conditions of this permit until an authorization is received from DEQ.
4. Where a change of operator is required, or where a new operator is added after submittal of a NOI, a new NOI must be submitted prior to the change or addition.

III. B. Categories of Small MS4s

This permit divides small MS4s into categories based on population as determined by the most recent Decennial Census by the U.S. Bureau of Census.

1. Category 1 small MS4s serve a population less than (<) 10,000 within an UA, unless otherwise specified.
2. Category 2 small MS4s serve a population greater than or equal to (≥) 10,000, but less than (<) 50,000, within an UA, or a population greater than or equal to (≥) 10,000 but less than or equal to (≤) 100,000 with a population density greater than or equal to (≥) 1,000/square mile or more located outside of an UA.
3. Category 3 small MS4s serve a population greater than or equal to (≥) 50,000 within an UA.

III. C. Deadlines for Notification

1. Renewal Permittees must submit a new NOI (see Exhibit III) or apply for an individual permit within 90 days of the effective date of this permit. Authorization under the 2015 permit will be administratively extended for a period not to exceed 90 days from the effective date of this Permit. You must update your existing SWMP according to this Permit.
2. Newly Regulated Small MS4s must submit a NOI within 180 days of the effective date of this permit. You must develop and implement a SWMP according to this permit. You are required to implement the SWMP during the first five (5) year permit term (see Part V).
3. Small MS4 Newly Designated after the Date of Permit Issuance are required to submit a NOI to DEQ within 180 days of being notified by DEQ that you operate a regulated small MS4 unless the notice specifies a different deadline. You must develop and implement a SWMP according to this permit. You are required to implement the SWMP as soon as practicable.

III. D. Co-Permittees

You may partner with other MS4s to develop and implement your SWMP. Each co-permittee must complete a separate NOI form. Your SWMP must clearly describe which permittees are responsible for implementing each of the control measures.

III. E. Terminating Coverage

1. You must submit a completed NOT (see Exhibit IV) to DEQ within 30 days if you
   a. cease discharging stormwater from the MS4,
   b. cease operations at the MS4, or
   c. transfer ownership or responsibility for the MS4 to another operator.
2. DEQ will review the NOT for completeness. Upon completing review, DEQ will notify you if the termination requirements have been met. You are responsible for meeting the terms of this permit until such notification has been issued.

III. F. Where to Submit

Submit your documents, along with supporting materials, to DEQ at the following address, fax, or email:

Oklahoma Department of Environmental Quality
Water Quality Division
PO Box 1677
Oklahoma City, OK 73101-1677

(fax) 405-702-8101

(email) ms4permitting@deq.ok.gov

All documents shall be submitted in accordance with all state and federal reporting requirements.

PART IV: SPECIAL CONDITIONS AND COMPLIANCE WITH WATER QUALITY STANDARDS

IV. A. Discharges to Impaired Waters

Operators seeking coverage under this permit shall not cause or contribute, or have the reasonable potential to cause or contribute, to a violation of a water quality standard. If you have discharges to receiving waters included in the latest section 303(d) list of impaired waters under the CWA, you must document in your SWMP how you will comply with the following requirements.[4]

1. Implement and maintain BMPs that will ensure that the 303(d) impairment caused by identified pollutants (e.g., nitrogen, phosphorus, bacteria) in your receiving waters will not cause, have the reasonable potential to cause, or contribute to an in-stream exceedance of water quality standards. You must provide the following information when developing or revising your SWMP:
    a. You must develop a plan which lists the BMPs you have implemented or will implement to reduce the pollutants of concern. The plan must describe how you expect the selected controls to reduce the pollutants of concern.
    b. Your outreach programs must be directed toward targeted groups of commercial, industrial and institutional entities likely to have significant stormwater impacts on your impaired waters.
    c. You must identify any non-stormwater discharges that contribute significant pollutants to your impaired waters.
    d. You must locate those areas likely to have illicit discharges and conduct inspections based on the priority areas in the watershed of your 303(d) listed waterbodies.
    e. You must include any operation and maintenance procedures for structural and non-structural stormwater controls to reduce pollutants discharged into your impaired water.
    f. You must ensure that new flood management projects assess the impacts on water quality and examine existing projects to determine if incorporating additional water quality protection devices and practices are necessary.
    g. You must choose BMPs from EPA's menu or select others that can be used for managing the identified pollutants (e.g., nitrogen, phosphorus, bacteria) in your discharges. The details of the BMPs can be viewed on the following EPA website: https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu
    h. If the POC is bacteria, you must include a list of identified BMPs addressing the areas below, as applicable, in the SWMP and implement as appropriate. You must include these BMPs under each associated minimum control measure under Part V(C). BMPs must address
        i. sanitary sewer system by
            (1) identifying and making improvements,
            (2) identifying and correcting lift station inadequacies,
            (3) making improvements in reporting violations, and
            (4) strengthening controls.

[4] Compliance with this requirement does not preclude any enforcement activity as provided by the CWA for the underlying violation.

ii. on-site sewage facilities[5] by
(1) identifying and addressing failing systems, and
(2) addressing inadequate maintenance of these facilities.
iii. illicit discharges and dumping by placing additional efforts into reducing waste sources of bacteria (e.g., septic systems, grease traps, and grit traps).
iv. animal sources by expanding existing programs to identify and target potential sources (e.g., zoos, pet waste, horse stables, and livestock sale barns).
v. residential education programs by increasing focus on
(1) bacteria discharging from residential sites either directly or during runoff events,
(2) fats, oils and grease clogging sanitary sewer lines and resulting in overflows,
(3) decorative ponds, and
(4) pet waste.

2. Where a discharge is already authorized under this permit and is later determined to cause, have the reasonable potential to cause, or contribute to the in-stream exceedance of an applicable water quality standard, DEQ will notify you. You must take all necessary actions to ensure that future discharges do not cause, have the reasonable potential to cause, or contribute to, in-stream exceedance of a water quality standard and must document these actions in the SWMP. If an exceedance remains or recurs, the coverage under this permit may be terminated by DEQ, and DEQ may require an application for coverage under an alternative general permit or an individual permit.

IV. B. Established Total Maximum Daily Load (TMDL) Allocations

Discharge of a pollutant into any water for which a TMDL or watershed plan in lieu of a TMDL for that pollutant has been either established or approved by the DEQ or the EPA is prohibited, unless the discharge is consistent with that TMDL or watershed plan.

1. SWMP Review and Modification: Your MS4 shall evaluate the existing SWMP in relation to the TMDL reduction goals. Any resulting modifications shall be implemented within two (2) years of the effective date of the TMDL and then as needed. At a minimum, your evaluation shall provide and identify each of the following items and information:
   a. Provide a list of approved TMDLs or watershed plans applicable to your MS4's discharge(s), as well as any associated implementation plans.
   b. Provide the WLA for each POC assigned to your discharge(s), as well as any other TMDL limitations, conditions, monitoring or other requirements applicable to the discharge(s).
   c. Identify potential significant sources of POCs entering your discharge(s).
   d. Identify opportunities to address the POCs identified within the TMDL or watershed plan and implement those changes. A justification shall be provided for any changes that are not made. At a minimum, your MS4 shall expand or modify the
      i. existing public education programs to reduce the discharge of POCs,
      ii. existing IDDE or DWFS programs to specifically address the POCs, and
      iii. existing ordinances or other regulatory mechanisms to require the reduction or control of POCs, enforcement procedures for noncompliance, and develop additional ordinances, or other regulatory mechanisms, as necessary.

[5] (for entities with appropriate jurisdiction)

2. TMDL Pollutant Reduction Plan: Your MS4 shall participate in a coordinated regional pollutant reduction plan or develop their own individual plan. The plan must incorporate all approved TMDLs addressing the MS4's stormwater discharge(s) and place emphasis on all the POCs associated with impairments. At a minimum, the plan shall provide the following items:
    a. Develop a specific list of BMPs, including alternative BMPs, to be used in order to meet the requirements of the TMDL, watershed plan, and/or associated implementation plan. Summary information on some BMPs that may be considered for pollutant reduction can be found in the TMDL reports referenced in Table IV-1. Permittees are not limited to BMPs listed in these TMDL reports and should select BMPs appropriate to the local community that are expected to result in progress toward meeting the reduction goals established in the TMDL.
    b. These BMPs shall be evaluated at least once per year to monitor or assess progress or effectiveness in reducing the discharge of POCs. The result of the evaluation shall be included in the annual report.
    c. If a selected BMP does not achieve the measurable goal or reduce the discharge of POCs, an alternative BMP shall be implemented within three (3) years of determining a BMP is ineffective.
    d. Implement a specific schedule for compliance with each TMDL or watershed plan to ensure that the WLA and/or associated implementation plan will be met within any timeframes established in the TMDL or watershed plan. The schedule shall specify annual pollutant load reductions and BMPs to make progress toward and ultimately achieve the measurable goal. The schedule shall include interim milestones that shall be evaluated every three (3) years.
    e. If the POC is bacteria, the plan shall include BMPs that address all elements listed in Part IV(A)(1)(h)(i)-(v).
    f. If your MS4 achieves compliance with an assigned WLA, at a minimum, you must continue to implement BMPs that are equivalent to those in effect at the time of compliance.
3. TMDL Pollutant Monitoring Plan: Your MS4 shall participate in a coordinated regional pollutant monitoring plan or develop their own individual plan. The plan should be designed to establish the effectiveness of the selected BMPs and demonstrate progress toward achieving the reduction goals of the TMDLs or watershed plans, and eventual attainment of water quality standards.
4. TMDL Baseline Monitoring Plan (Optional): Your MS4 may participate in a coordinated regional baseline monitoring plan or develop their own individual plan. The plan should be designed to determine the existing levels of POCs in your MS4's discharge(s) and identify high priority areas which may benefit from targeted BMPs.
5. Monitoring Requirements: At a minimum, the monitoring plan(s) shall provide
    a. a detailed description of the program goals, monitoring plan, and sampling and analytical methods,
    b. a list and map of the selected TMDL pollutant monitoring sites,
    c. the frequency of data collection to occur at each station or site,
    d. the parameters to be measured relevant to the TMDL(s), and
    e. the Quality Assurance Project Plan that complies with EPA requirements.[6]
6. Annual Reporting: Your MS4 shall include a TMDL implementation report as part of your annual report. The TMDL implementation report shall include the status and actions taken to implement

[6] EPA Requirements for Quality Assurance Project Plans (QA/R-5).

the TMDL pollutant reduction plan and monitoring program. The TMDL implementation report shall provide

a. any relevant actions taken by the permittee that affect MS4 stormwater discharges to the waterbody segments that are the subject of the TMDL,
b. the status of any applicable TMDL implementation schedule milestones,
c. an evaluation of the effectiveness of the pollutant reduction plan and monitoring program to ensure progress toward attainment of water quality standards,
d. an evaluation of the permittee's pollutant load contributions and reductions to demonstrate consistency with all approved TMDLs and progress toward meeting any reduction goals established in the TMDLs,
e. an evaluation of the implemented BMPs to monitor or assess progress or effectiveness in reducing the discharge of POCs, and
f. a summary of any revisions made to address applicable new or revised TMDLs or watershed plans that are approved after the effective date of this permit.

7. TMDL Implementation Schedule: The SWMP review and modification, TMDL pollutant reduction plan, and TMDL pollutant monitoring plan(s) shall be implemented as outlined in Table IV-1.

Table IV-1 TMDL Implementation Schedule

	Option A	Option B
SWMP review and evaluation	no more than two years from TMDL effective date	
TMDL pollutant baseline monitoring plan	--	no more than three years from TMDL effective date
TMDL pollutant reduction plan	no more than three years from TMDL effective date	no more than 5 years after implementation of the baseline monitoring plan
TMDL pollutant monitoring plan	no more than three years from TMDL effective date	no more than 5 years after implementation of the baseline monitoring plan

8. Existing Approved TMDLs: The following table lists existing approved TMDLs at the time of permit issuance, which are affected by MS4 stormwater discharges. This permit serves as notification of the requirement to implement these TMDLs for the applicable MS4 discharges. DEQ will provide written notification to MS4 sources identified in these TMDLs that are not subject to this permit. Any new or revised TMDL or watershed plans affected by MS4 stormwater discharges that are approved after the effective date of this permit will be identified in the next permit cycle or modification.

Table IV-2 Existing Approved TMDLs Affected by MS4 Stormwater Discharges

Watershed Basin	TMDL Report	Identified MS4 Sources	Effective Date
Basin 1 Middle Arkansas-Verdigris-Neosho	Neosho River Basin Bacteria TMDLs-2008	Miami	June 1, 2022
	Lower Bird Creek Watershed Bacteria TMDLs-2011	Catoosa Broken Arrow Owasso	June 1, 2022

		Tulsa Tulsa County	
	Arkansas River and Verdigris River Area-Bacteria and Turbidity TMDLs-2012	Bixby Broken Arrow Claremore Coweta Jenks Muskogee Sand Springs Sapulpa Tulsa	June 1, 2022
	Arkansas River and Haikey Creek Bacteria TMDLs-2008	Bixby Broken Arrow Tulsa Tulsa County	June 1, 2022
Basin 5 Canadian-North Canadian-Deep Fork	North Canadian River Area Bacteria TMLDs-2010	Choctaw Del City Midwest City Moore Mustang Nicoma Park ODOT* Oklahoma City Spencer Tinker Airforce Base Yukon	June 1, 2022
	Lake Thunderbird Nutrient, Turbidity, and Dissolved Oxygen TMDLs-2013	Moore Norman Oklahoma City	June 1, 2022
Basin 6 Cimarron-Upper Arkansas	Cimarron River Area Bacteria and Turbidity TMDLs-2012	Oklahoma City (with ODOT* as copermittee) The Village	June 1, 2022
	Salt Fork of the Arkansas River Area Bacteria and Turbidity TMDLs-2011	Ponca City	June 1, 2022

* Oklahoma Department of Transportation

IV. C. Discharges to Outstanding Resource Waters (ORWs)

Except for discharges of stormwater from temporary construction activities, new discharges located within the watershed of any waterbody designated Outstanding Resource Water (ORW) in Oklahoma's Water Quality Standards are not allowed and are not authorized by this permit. Discharges to ORW waters from MS4s existing as of June 25, 1992, are allowed but such stormwater discharges are prohibited from increased load of any pollutant. If any part of your MS4 discharges to an ORW waterbody, you must document in your SWMP how you will comply with this prohibition.

IV. D. Site-Specific Requirements (Reserved)

PART V: STORMWATER MANAGEMENT PROGRAM (SWMP)

V. A. Requirements

You must develop new elements, as needed, and continue to implement and enforce a written SWMP designed to reduce the discharge of pollutants from your MS4 to the MEP, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA. The SWMP should include BMPs, control techniques and systems, design and engineering methods, an enforcement component and such other provisions as the Director determines appropriate for the control of such pollutants.

1. Renewal Permittees must review your SWMP and, if necessary, revise and update existing, and/or develop new, BMPs and measurable goals in your SWMP to meet the requirements of this permit or as required by the Director to ensure compliance with the CWA. Modifications and updates shall be reflected in your SWMP and implemented within two (2) years of the effective date of this permit and then as needed. You are required to keep the SWMP document up to date during the term of the permit. Compliance deadlines are not extended for small MS4s required to have obtained coverage under the 2015 OKR04 permit.
2. Newly Regulated Small MS4s must develop a written SWMP and include all applicable MCM requirements. You must define and list the BMPs that you or another entity will implement for each of the MCMs listed in Part V(C). You must provide program development, implementation and enforcement schedules for full implementation of the complete SWMP as soon as practicable, but no later than five (5) years from the effective date of this permit. Credible interim progress in developing and implementing SWMP elements must be made over the term of the permit.
3. Small MS4s Newly Designated after the Date of Permit Issuance must develop a written SWMP and include all applicable MCM requirements. You must define and list the BMPs that you or another entity will implement for each of the MCMs listed in Part V(C). You must provide program development, implementation and enforcement schedules for full implementation of the complete SWMP as soon as practicable, but no later than five (5) years from the effective date of this permit or according to the schedule that the Director specifies in the DEQ notification. Measurable interim progress in developing and implementing SWMP elements must be made over the term of the permit.
4. You must list and define measurable goals[7] for BMPs that you, or another entity, will be implementing for each of the stormwater MCMs listed in Part V(C) and provide an explanation for how and why you selected each BMP and measurable goal for your SWMP. For each BMP, you must
    a. include measurable goals,
    b. identify the target audience(s) or participant(s),
    c. include the months and years in which you will undertake required actions including interim milestones and the frequencies of the actions, and
    d. identify who will be responsible for implementing or coordinating the BMPs for your SWMP.

[7] EPA strongly recommends that measurable goals include, where appropriate,
- the activity, or BMP, to be completed;
- a schedule or date of completion; and
- a quantifiable target to measure progress toward achieving the activity or BMP.

Measurable goals that include these three components, and are easy to quantify, will allow both you and your permitting authority to assess progress at reducing pollutants to the MEP. You may use EPA's "*Measurable Goals Guidance for Phase II Small MS4s*" by visiting http://www.epa.gov/npdes/pubs/measurablegolas.pdf.

5. Implementation of one or more of your stormwater MCMs may be shared with another government entity or may be fully implemented by another government entity, but only if there is a written agreement that they will implement the MCM on your behalf. This written agreement must be maintained as part of your SWMP. If the other government entity agrees to report on an MCM, you must supply the other government entity with the reporting requirements contained in Part V(C). If the other government entity fails to implement the MCM on your behalf, then you remain responsible for compliance with permit obligations. You must modify your SWMP within one (1) year to address how you will implement the control measure and comply with permit requirements.

V. B. Required SWMP Updates

1. As determined by the Director, DEQ may require changes to be made to your SWMP to meet permit requirements. Such changes may be necessary to:
   a. Address additional information related to receiving waters that have been adversely impacted by discharges from your MS4, or to discharges that have caused or contributed to or may have the reasonable potential to cause or contribute to a violation of a water quality standard.
   b. Include more stringent requirements necessary to comply with new federal statutory or regulatory requirements.
   c. Include other conditions to comply with the goals and requirements of the CWA, including TMDL requirements.
   d. Include requirements based on information obtained by DEQ during routine MS4 evaluations, annual report review, or as otherwise determined by the Director.
2. Changes requested by the Director will be made in writing by DEQ, set forth a schedule for you to develop the changes, and offer you the opportunity to propose alternative SWMP changes to meet the objective of the requested modification. Within the schedule provided by DEQ, you must submit a copy of the revisions made to the SWMP.

V. C. Minimum Controls Measures (MCMs)

The six (6) MCMs that must be included in your SWMP are listed below. A seventh optional Control Measure is described in Part VIII. Each MCM must comply with the items included in the "Permit Requirements" section. You are encouraged to consider incorporating the "Permit Recommendations" into your program, but they are not mandatory. Each MCM will require you to review and revise your existing program, as necessary. Any revisions shall be completed within two (2) years of the effective date of this permit, then as needed. You must develop new elements, as necessary, and continue to implement and enforce the existing program.

Newly regulated small MS4s, or small MS4s designated after the date of permit issuance, must develop a schedule for full implementation of the MCM program(s) as soon as practicable, but no later than five (5) years from the effective date of this permit or according to the schedule that the Director may specify.

1. <u>MCM 1: Public Education and Involvement</u>

a. <u>Permit Requirements</u>: Implement a program to distribute information and educational materials to the community and MS4 staff, or conduct equivalent outreach activities to promote behavior changes to reduce pollutants in stormwater runoff and eliminate illicit

discharges. The activities shall be tailored using a mix of locally appropriate strategies to target specific audiences and communities.

i. Include education and involvement efforts for target audiences.
   (1) Traditional municipalities such as cities, counties, etc., must address the general public being served by the MS4.
   (2) Non-traditional municipalities such as universities, hospital complexes, prisons, special districts, and federal facilities, etc., must address the community served by the MS4. For example, at a university it would be the faculty, other staff, students, and visitors. At a military base, it would include military personnel, their dependents, contractors, employees, tenants, visitors, etc.
   (3) Departments of Transportation must address the community working on and/or served by the transportation network within the MS4 including employees, contractors, and the general public.

ii. Public education and involvement activities may include those listed in Table V-1. At a minimum, public education and involvement activities shall be conducted as outlined in Table V-2.
   (1) In coordination with MCM 2
      (a) implement an education program to involve local industries, and
      (b) conduct staff training to address requirements for inspection and enforcement of BMPs such as minimizing exposure, good housekeeping, preventive maintenance, spill prevention and response, and erosion and sediment controls at industrial facilities.
   (2) In coordination with MCM 3
      (a) implement an education program to involve public employees, businesses, and the general public make them aware of hazards associated with illegal discharges and improper disposal of waste;
      (b) promote, publicize and facilitate the reporting of illicit discharges; and
      (c) conduct staff training to identify and report illicit discharges.
   (3) In coordination with MCM 4
      (a) implement an education program to involve local developers,
      (b) implement and enforce procedures for receipt and consideration of information submitted by the public, and
      (c) conduct staff training to address requirements for inspection and enforcement of erosion and sediment control measures once construction begins.
   (4) In coordination with MCM 5, implement an education program to involve developers and the public and make them aware of project designs that minimize water quality impacts, including LID strategies.
   (5) In coordination with MCM 6, conduct staff training to prevent and reduce stormwater pollution from MS4 activities.

iii. Include a process by which public comments on the SWMP are received and reviewed by the person(s) responsible for the SWMP.

iv. Comply with state and local public notice requirements when implementing your program.

v. You must make your records, including the NOI and SWMP, available to the public.

vi. If you discharge to waters identified on the latest 303(d) list of impaired waters, your program must be directed toward targeted groups of commercial, industrial and

institutional entities likely to have significant stormwater impacts on your impaired waters.

Table V-1 Public Education and Involvement Activities

Public Education Activities	Public Involvement Activities
-brochures/pamphlets -displays/posters/kiosks -local public service announcements -newspaper articles/press releases -publication of MS4 annual report, SWMP, or ordinances -signage -storm drain markings -utility bill insert or other mailing -videos -website	-waterway/watershed clean-up or trash removal event -contests -household hazardous waste collection event -involvement in development of MS4 SWMP -meetings (e.g. public hearing, council meeting, citizen committee meeting, etc.) -school programs -special events/fairs -targeted group training -volunteer event -water monitoring event -workshop

Table V-2 Minimum Public Education and Involvement Activities Per Year

Coordinating MCM And Description		Category 1	Category 2	Category 3
1	public education	2 activities per year	4 activities per year	4 activities per year
	public involvement	1 activity per year	2 activities per year	2 activities per year
2	outreach or educational activity for industrial runoff	--	--	once every two years
	staff training	--	--	once every two years
3	outreach or educational activity for illicit discharge	once every two years	once per year	once per year
	staff training	once every two years	one per year	once per year
4	outreach or educational activity for construction runoff	once every two years	once per year	once per year
	staff training	once every two years	one per year	once per year
5	public education for post-construction runoff	once every two years	once per year	once per year
6	staff training	once every two years	one per year	once per year

b. Permit Recommendations: The goal of this MCM is to inform your community about the importance of reducing pollutants in stormwater runoff and to encourage their active

participation. There are a variety of practices that could be incorporated into a public education, outreach, and involvement program.

i. Use stormwater educational materials developed locally or provided by EPA, states, MS4s and other organizations.

ii. Contact the Blue Thumb Program for assistance with your public education and involvement program that could include storm drain marking, assistance with newsletters and brochures, planning of civic events, and borrowing Blue Thumb educational tools for local events. Contact Blue Thumb or find out details about their program at the addresses below:

- Oklahoma Conservation Commission, Statewide Blue Thumb Program
  128 East 3rd Avenue
  Bristow, OK 74010
- http://www.ok.gov/conservation/Agency_Divisions/Water_Quality_Division/Blue_Thumb/index.html

iii. Distribute stormwater messages to the public by using locally available methods such as brochures, factsheets, pamphlets, booklets, educational displays, bill inserts, promotional giveaways, workshops, social media, and local cable access channels on TV.

iv. Provide information to homeowners on stormwater pollution prevention topics such as trash, recycling, landscaping, lawn care, pest control, pet waste management, household hazardous wastes, residential car washing and water conservation.

v. Provide information to businesses on stormwater pollution prevention topics such as automobile maintenance, chemical storage and disposal, illicit discharges, erosion and sediment controls, and promoting LID.

vi. Establish a citizen advisory group or utilize existing citizen organizations to participate in the development, implementation and revision of your SWMP. Make an effort to reach out and engage all economic and ethnic groups by involving them in public activities pertaining to your SWMP.

vii. Conduct public meetings or citizen panels to allow people to discuss various viewpoints and provide input concerning appropriate stormwater management policies and BMPs.

viii. Create opportunities for the public to participate in the implementation of stormwater controls.

(1) Encourage individuals or groups to conduct storm drain marking and/or participate in community programs such as "Adopt-A-Storm Drain." In this program, citizens keep storm drains free of debris and monitor what is entering local waterways through storm drains.

(2) Organize community clean-up activities along local waterbodies.

(3) Train citizen watch groups to aid local enforcement authorities in the identification of polluters.

(4) Develop a volunteer monitoring program. Volunteer water quality monitoring gives citizens first-hand knowledge of the quality of local waterbodies and provides a cost-effective means of collecting water quality data. Contact Blue Thumb for assistance with your volunteer monitoring program.

2. MCM 2: Industrial Stormwater Runoff Control

a. Permit Requirements: Category 3 MS4s shall implement and enforce a program to prevent or reduce pollutants in any stormwater runoff to your MS4 from independently-owned industrial activities that discharge into your small MS4. At a minimum, the program requirements shall be consistent with the OKR05 General Permit for Stormwater Discharges from Industrial Activities (OKR05).

i. Maintain and annually update a list of industrial facilities that are subject to OKR05, or individual OPDES or NPDES permits for discharges of stormwater associated with industrial activity, that ultimately discharge to your small MS4.

ii. Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to require BMPs that will minimize exposure, provide good housekeeping, preventive maintenance, spill prevention and response, and erosion and sediment controls, as well as sanctions to ensure compliance. Review and revise your existing ordinance to meet permit requirements. If you lack legal authority for direct enforcement action, you must include procedures to notify DEQ if a facility fails to comply with your program. You may rely on DEQ for assistance in enforcement of this provision of the permit in these cases.

iii. Implement and enforce procedures for site inspection and enforcement of control measures, including enforcement escalation procedures for recalcitrant or repeat offenders. Document inspection findings and take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure site compliance. At a minimum, site inspections shall be conducted at the frequencies outlined in Table V-3 below.

Table V-3 Minimum Number of Industrial Facilities Inspected Per Year

Number of Facilities Within MS4 Boundaries	Number of Facilities Inspected
< 50	20% per year[1]
≥ 50	10 per year

[1] The number of facilities inspected shall be rounded up to the nearest integer.

b. Permit Recommendations

i. Use sanctions and enforcement mechanisms, including non-monetary penalties (such as stop work orders), fines, bonding requirements, legal action, and/or permit denials for non-compliance.

ii. Expand your procedures for site inspection and enforcement to industrial sites that are not subject to the OKR05 permit.

iii. Develop, implement, and enforce procedures for site plan review which incorporates considerations of potential water quality impacts and any other impacts that must be examined according to the requirements of the local ordinance or other regulatory mechanisms.

3. MCM 3: Illicit Discharge Detection and Elimination

a. Permit Requirements: Implement and enforce a program to detect and eliminate illicit discharges, including illegal dumping and on-site sewage disposal systems, into your small

MS4. Your program must include dry weather field screening (DWFS), identify non-stormwater flows, and new elements should be developed and implemented as necessary. At a minimum, your program must adopt the following procedures:

i. Identify priority areas including areas with a higher likelihood of illicit connections or discharges (e.g., areas with older sanitary sewer lines or with a history of sewer overflows or cross-connections; areas with older infrastructure that are more likely to have illicit connections; areas of industrial, commercial, or mixed use; areas with a history of past illicit discharges; areas with a history of illegal dumping or citizen complaints; and areas that discharge to ARCs or ORWs). Update this priority area list to reflect changing priorities annually.

ii. Trace or investigate the source of an illicit discharge. The investigation shall take place within 72 hours of the receipt of any complaints, reports or monitoring information that indicates a potential illicit discharge.

iii. Remove the source of the illicit discharge.

iv. Identify problems using visual indicators and simple field test kits. Laboratory methods can be reserved for situations where you have identified a problem and need to enforce on a suspected illicit discharger.

v. At a minimum, DWFS shall be conducted at the frequency outlined in Table V-4 below.

Table V-4 Minimum Frequency of Dry Weather Field Screening

	Category 1	**Category 2**	**Category 3**
DWFS at all identified outfalls	20% per year[1]	40% per year[1]	40% per year[1]
DWFS at high priority areas	once per year	once per year	once per year

[1] The number of outfalls screened shall be rounded up to the nearest integer.

vi. Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to effectively prohibit illicit discharges into your small MS4 and implement appropriate enforcement procedures and actions. If you lack legal authority for direct enforcement action, you must include procedures to notify DEQ when a party fails to comply with the requirements. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your illicit discharge detection and elimination program.

vii. Maintain and annually update a storm sewer system map showing the locations of all outfalls and the names and locations of all waters of the state that receive discharges from those outfalls.

viii. Maintain and annually update a list of occasional incidental non-stormwater discharges or flows as allowed in Part II(B)(2) that will not be addressed as illicit discharges.

b. Permit Recommendations

i. Implement a written spill response and prevention plan to ensure the appropriate actions will take place when a spill occurs within your small MS4.

ii. Expand your plan to detect and address illicit discharges to your system to include sanitary sewer overflows, a used oil recycling program, and trash and debris

management. You may use EPA's illicit discharge detection and elimination manual to develop or revise your plan. You can download the document from the following EPA website: https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=20017KFK.txt.

4. MCM 4: Construction Site Stormwater Runoff Control

a. Permit Requirements: Implement and enforce a program to reduce pollutants in any stormwater runoff to your MS4 from construction activities. At a minimum, the program requirements shall be consistent with the OKR10 General Permit for Stormwater Discharges from Construction Activities (OKR10).

i. Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to require erosion and sediment controls as well as sanctions to ensure compliance. Review and revise your existing ordinance to meet the permit requirements. If you lack legal authority for direct enforcement action, you must include procedures to notify DEQ if a construction site operator fails to comply with your construction site stormwater runoff control program. You may rely on DEQ for assistance in enforcement of this provision of the permit in these cases.

ii. Implement and enforce procedures for site plan review which incorporate consideration of potential water quality impacts including erosion and sediment controls, controls of other wastes, and any other impacts that must be examined according to the requirements of the local ordinance or other regulatory mechanism.

iii. Implement and enforce procedures for site inspection and enforcement of control measures including enforcement escalation procedures for recalcitrant or repeat offenders. Document inspection findings and take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure site compliance. At a minimum, site inspections shall be conducted at the frequencies outlined in Table V-5 below.

Table V-5 Minimum Frequency of Construction Site Inspections

	Category 1	**Category 2**	**Category 3**
Sites that are greater than 40 acres	once per quarter	once per month	once per month
Sites that discharge to a waterbody that is identified as impaired[1]	once per quarter	once per month	once per month
Sites that discharge to a waterbody with an established TMDL	once per quarter	once per month	once per month
Sites that have been identified as a threat to water quality (e.g. sites with recalcitrant or repeat offenders)	once per quarter	once per month	once per month
All other sites	at least once during active construction	once per quarter[2]	once per quarter[2]

[1] Sites that discharge within 1 stream mile of a waterbody that is impaired for sediment or turbidity.

[2]You may develop and implement procedures and criteria for reducing the inspection frequency. However, at a minimum, sites shall be inspected at least once during active construction. Such procedures and criteria shall be documented in your SWMP.

b. Permit Recommendations
   i. Use sanctions and enforcement mechanisms, including non-monetary penalties (such as stop work orders), fines, bonding requirements, legal action, and/or permit denials for non-compliance.
   ii. Offer incentives for developers to incorporate LID such as expedited permit review, reduced application fees and public recognition.
   iii. Expand your procedures for site plan review, site inspection and enforcement to sites that are not subject to OKR10.

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

a. Permit Requirements: Implement and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one (1) acre, including projects less than one (1) acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program must maintain pre-development runoff conditions and ensure that controls are in place that would prevent or minimize water quality impacts.
   i. Implement and enforce an ordinance, or other regulatory mechanism, to the extent allowable under state or local law, to require the use of BMPs, with highest preference given to LID techniques and practices, to address post-construction runoff from new development and redevelopment projects.
   ii. Implement and enforce procedures, such as ordinances or other regulatory mechanisms, to ensure adequate long-term operation and maintenance of BMPs that are installed during and left in place after the completion of a construction project. Maintenance may be conducted by the MS4 or by the owner/operator of the BMP(s). For this part, the owner/operator is the party with control over operational and maintenance activities of the BMP(s), including home owner associations (HOAs), commercial and industrial entities. Owners of individual residential properties, which serve as the owner's primary residence, may be excluded.
   iii. Review local ordinances, regulations, and engineering plans or specifications to identify any legal/regulatory barriers to LID as well as opportunities to promote LID. Develop a schedule to remove those barriers and implement identified opportunities. If a barrier is not removed or an opportunity is not implemented, provide a justification. You may use the EPA Water Quality Scorecard as a guide. You can download the document from the following EPA website: https://19january2017snapshot.epa.gov/sites/production/files/2014-04/documents/water-quality-scorecard.pdf.
   iv. Assess current street design, parking lot guidelines, and other requirements that affect the creation of impervious cover and implement additional guidelines or design standards to support LID design options. Provide a justification if additional guidelines are not implemented.

b. Permit Recommendations
   i. Promote non-structural/structural BMPs which are appropriate for the local community, minimize water quality impacts and attempt to maintain pre-development runoff conditions in your new development and redevelopment post-

construction management program. These BMPs include post-construction plan review, green roofs, green parking, narrower residential streets, open space design, protection of natural features, riparian/forested buffer, street design and patterns, grassed swales, infiltration basin/trench, porous pavement, bioretention/rain gardens, catch basin inserts, vegetated filters, and stormwater wetland/wet ponds.

ii. Consider requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition). Provide buffers along sensitive waterbodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation. Encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure. Consider adopting and implementing LID practices through an ordinance or other regulatory mechanism.

iii. Complete an inventory of impervious areas (such as conventional pavements, sidewalks, driveways, roadways, parking lots and rooftops) and directly connected impervious areas (portion of impervious area with a direct hydraulic connection to the receiving waters via continuous paved surfaces, gutters, pipes and other impervious features). Based on the results of the inventory, determine the areas that may have the potential to be retrofitted with BMPs (such as LID) designed to reduce the frequency, volume and peak intensity of stormwater runoff to and from your MS4.

iv. Use measures such as minimization of the percentage of impervious area after development, minimization of directly connected impervious areas, and source control measures such as good housekeeping, preventive maintenance and spill prevention.

v. Use structural BMPs, as appropriate, that may include
   (1) storage practices such as wet ponds and extended-detention outlet structures;
   (2) filtration practices such as grassed swales, bioretention cells, sand filters and filter strips; and
   (3) infiltration practices such as basins and trenches.

vi. Within your required long-term operation and maintenance program, consider including pre-construction review of BMP designs, inspections during construction to verify BMPs are built as designed and penalty provisions for noncompliance. Options to help ensure that future operation and maintenance responsibilities are clearly identified include a written agreement between you and another party such as the post-development landowners or regional authorities.

vii. Use incentives to encourage interest in LID, such as increased densities, reduced review time/expedited review time, tax incentives, reduced application fees, public recognition, dedicated review team, flexibility in design restrictions, adjustments to required parking, lower stormwater fees, new fee structure and reduced conventional stormwater requirements.

6. <u>MCM 6: Pollution Prevention/Good Housekeeping for MS4 Operations</u>

a. <u>Permit Requirements</u>: Implement and enforce an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from MS4 operations such as streets, roads, highways, parking lots, maintenance and storage yards, fueling areas, waste transfer stations, fleet or maintenance shops, salt/sand storage locations and snow disposal areas.

i. Maintain and annually update an inventory of all your MS4 operations that are impacted by this program.

ii. Maintain and annually update a list of industrial facilities you own or operate that are subject to the OKR05, or individual OPDES or NPDES permits for discharges of stormwater associated with industrial activity, that ultimately discharge to your small MS4. Include the authorization number or a copy of the industrial NOI form for each facility.

iii. Implement and enforce procedures for controlling, reducing or eliminating the discharge of pollutants. At a minimum, you must proceed as follows:

(1) Require implementation of BMPs,[8] including sediment and erosion controls during

(a) routine maintenance,

(b) water line breaks and emergency repairs, and

(c) after line breaks, emergency repairs, and routine maintenance have been completed. Stabilization measures shall be implemented within fourteen (14) calendar days of completion.[9]

(2) Ensure that vehicle wash waters are not discharged into the MS4 or waters of the state.

iv. Implement and comply with procedures to ensure that new flood management projects are assessed for impacts on water quality.

v. Any contractors hired to perform maintenance activities on MS4 facilities must be contractually required to comply with all of your stormwater control measures, good housekeeping practices and facility-specific stormwater management operating procedures. The MS4 shall provide oversight to ensure these contractual obligations are met.

vi. Implement and enforce procedures for inspection and maintenance of structural and non-structural BMPs, including maintenance activities, maintenance schedules and long-term inspection procedures for controls to reduce floatables and other pollutants discharged to your small MS4. At a minimum, inspections shall be conducted at the frequencies outlined in Table V-6 below.

Table V-6 Minimum Frequency of Inspections at Facilities Subject to MCM 6

	Category 1	**Category 2**	**Category 3**
Site inspections at MS4 facilities subject to the OKR05 or individual OPDES or NPDES permit	once per quarter	once per quarter	once per quarter
Site inspections at other MS4 facilities impacted by this program	once per year	once per year	once per year

b. Permit Recommendations

i. Establish procedures for proper use, storage, and disposal of both petroleum and non-petroleum products at schools, town offices, police and fire stations, pools, parking

[8] Ensure appropriate actions are taken that may be necessary to ensure public health and safety.

[9] Complete the installation of stabilization measures as soon as practicable, but no later than 14 calendar days after stabilization measures have been initiated or 7 calendar days if you discharge to an impaired waterbody, ORW or ARC.

garages and other permittee-owned or operated buildings or utilities. Develop or continue to implement a Spill Response and Prevention Plan to ensure that appropriate actions will take place when a spill occurs within your small MS4.

ii. Establish procedures for catch basin inspections, cleaning and repairs, and sweeping streets, sidewalks, and permittee-owned parking lots within your small MS4.

V. D. Reviewing and Updating the SWMP

1. You must conduct a review of your SWMP, at least annually, in conjunction with the preparation of the annual report required under Part VI(C).
2. Your SWMP shall be modified as needed during the life of this permit. Under the following circumstances, your modifications must provide the following additional information in your SWMP.
   a. SWMP changes are required to comply with new requirements of this permit.
   b. BMP(s) determined to be ineffective or infeasible must be replaced with one or more alternative BMP(s). Your modifications shall provide the following analysis of why the BMP(s) is/are technically or economically ineffective or infeasible:
      i. Provide a description of your expectations for the effectiveness of the replacement BMP.
      ii. Provide an analysis of why the replacement BMP is expected to achieve the goals of the BMP(s) to be replaced.

V. E. Transfer of Ownership or Operational Authority

The entity responsible for SWMP implementation must implement the SWMP for all new areas added to your portion of the MS4 (or for which you become responsible for implementation of stormwater quality controls) as soon as possible, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, you must have a plan for implementing your SWMP on all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the annual report.

PART VI: MONITORING, RECORD KEEPING, AND REPORTING

VI. A. Monitoring

1. You must design your monitoring program to evaluate SWMP compliance, the appropriateness of identified BMPs, and progress toward achieving identified measurable goals. If you discharge to a water of the state for which a TMDL has been approved, you may have additional monitoring requirements under Part IV of this permit.
2. If you plan to conduct monitoring, you are required to comply with the following methods:
    a. Representative monitoring requires that samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
    b. Laboratory methods require analysis that must be conducted according to test procedures approved under 40 CFR §136.1 *et seq*.
3. Monitoring records must provide the
    a. date, exact place, and time of sampling or measurements;
    b. name(s) of the individual(s) who performed the sampling or measurements;
    c. date(s) analysis was/were performed;
    d. name(s) of the individual(s) who performed the analysis;
    e. analytical techniques or methods used; and
    f. results or observations of such analysis.
4. The reporting of monitoring results may be required by the Director to be submitted electronically on an Electronic Discharge Monitoring Report (e-DMR).

VI. B. Record Keeping

1. Retain records of all monitoring information and include all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of e-DMRs, a copy of the OPDES permit, and records of all data used to complete the NOI for this permit, for a period of at least three (3) years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the Director at any time.
2. You must retain the SWMP required by this permit (including a copy of the permit language) at a location accessible to the Director. You must make your records, including the NOI and SWMP, available to the public.

VI. C. Annual Reports

If you implement your SWMP on a calendar year basis (January 1st through December 31st), you must submit your annual report by April 30th of the calendar year following the reporting period. If you implement your SWMP on a fiscal year basis (July 1st through June 30th), you must submit your annual report by October 31st of the fiscal year following the reporting period.

1. The content of the annual report shall provide all of the following information:
    a. Report the status of your compliance with permit conditions, including an assessment of the progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP.
    b. For each BMP identified in your SWMP, include an assessment of the
        i. progress made toward achieving each measurable goal, and

ii. appropriateness of the BMP.

c. Report the results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the SWMP at reducing the discharge of pollutants to the MEP.

d. Provide a summary of the stormwater activities you plan to undertake during the next reporting cycle (including an implementation schedule).

e. Provide a summary of any proposed changes to your SWMP, including changes to any BMPs or any identified measurable goals that apply to the SWMP elements.

f. Provide a description and schedule for implementation of any additional BMPs or monitoring that may be necessary to reduce/eliminate the discharges of the pollutant of concern into impaired waters on the 303(d) list.

g. Provide a description and schedule for implementation of any additional BMPs or monitoring that may be necessary to ensure compliance with any applicable TMDL or watershed plan in lieu of a TMDL.

h. Submit information on all new annexed areas and any resulting updates required to the SWMP.

i. Provide notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable) and a copy of the written agreement with that entity.

2. If the optional permit requirement for municipal construction activities is elected, you must also submit a progress report concerning the elected optional permit requirements. At a minimum you must submit the number of
   a. active construction sites that are currently covered under the elected optional permit requirement,
   b. construction projects that were started during the reporting period,
   c. construction projects that were completed during the reporting period,
   d. construction sites that were covered under the elected optional permit requirement that have reached final stabilization, and
   e. inspections that were conducted.
3. Submit your report to the address, fax, or e-mail specified in Part III(F).

PART VII: STANDARD PERMIT CONDITIONS

VII. A. Duty to Comply

You must comply with all conditions of this permit insofar as those conditions are applicable to each permittee, either individually or jointly. Any violation of this permit constitutes a violation of the Oklahoma Pollutant Discharge Elimination System Act (OPDES), 27A O.S. § 2-6-206 *et seq.*, the CWA and regulations promulgated thereto. Furthermore, permit violations may be grounds for the issuance of an enforcement action, permit termination, revocation and reissuance, modification and/or denial of a permit renewal application. The OPDES Act and CWA also provide that any violation of this permit may subject the permittee to the following penalties:

1. Administrative penalties may be assessed up to $10,000 per day per violation for each day during which the violations continue with a $125,000 per violation maximum.
2. Civil penalties may be assessed up to $10,000 per day per violation.
3. Criminal penalties may range from the minimum of $2,500 to the maximum of $2,000,000 with a maximum jail time of 30 years in the state penitentiary.
4. Penalties for permit fraud are subject to a maximum of $20,000 and a maximum of 4 years in prison.

VII. B. Duty to Re-Apply

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for, and obtain, a new permit.

VII. C. Continuation of the Expired General Permit

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act (APA) and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earlier of

1. the reissuance or replacement of this permit,[10]
2. the issuance of an individual permit for your discharges, or
3. a formal permit decision by the permitting authority not to reissue this permit.[11]

VII. D. Need to Halt or Reduce Activity is Not a Defense

It shall not be a defense for you 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.

[10] At which time you must comply with the NOI conditions of the new permit to maintain authorization to discharge.
[11] At which time you must seek coverage under an alternative general permit or individual permit.

VII. E. Duty to Mitigate

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

VII. F. Duty to Provide Information

You must furnish to the Director, 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. You must also furnish to the Director, upon request, copies of records required to be kept by this permit.

VII. G. Other Information

If you become aware that you have failed to submit any relevant facts in your Notice of Intent (NOI) or submitted incorrect information in the NOI or in any other report to the Director, you must promptly submit or correct such facts or information.

VII. H. Signatory Requirements

1. All NOIs must be signed and certified.
    a. For a corporation, the NOI must be signed and certified by a *responsible corporate officer*. For the purpose of the NOI, a *responsible corporate officer* is defined as follows:
        i. The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person that performs similar policy decision making functions for the corporation.
        ii. 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.
    b. For a partnership or sole proprietorship, the NOI must be signed and certified by a general partner or the proprietor, respectively.
    c. For a municipality, state, federal, or other public agency, the NOI must be signed and certified by either a *principal executive officer* or ranking elected official. For purposes of the NOI, a *principal executive officer* of a federal agency is
        i. the chief executive officer of the agency, or
        ii. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).
2. All NOTs, SWMPs, SWP3s, reports, certifications or other information required by this permit, and other information requested by the Director, shall be signed by a person described in Part

VII(H)(1) or by a *duly authorized representative* of that person.[12] A person is a *duly authorized representative* if the authorization

a. is made in writing by a person described in Part VII(H)(1) and submitted to the Director, or
b. 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, or position of equivalent responsibility for environmental matters for the regulated entity.

3. If an authorization is no longer accurate because a different operator has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement of Part VII(H)(2) above must be submitted to the Director prior to or together with any reports, information, or notices of termination to be signed by an authorized representative.
4. Any person signing documents under terms of this permit shall make the following certification:

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

VII. I. Property Rights

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

VII. J. Proper Operation and Maintenance

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit and with the conditions of your SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by you only when the operation is necessary to achieve compliance with the conditions of the permit.

VII. K. Inspection and Entry

You must allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Director), at reasonable times and upon the presentation of credentials and other documents as may be required by law, to do any of the following:

1. Enter the premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit.

[12] Signed and dated written authorization must be included in your SWMP.

2. Access and copy any records that must be kept under the conditions of this permit.
3. Inspect any facilities, equipment (including monitoring and control equipment) and operations regulated or required under this permit.
4. Sample or monitor any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by the CWA.

VII. L. Permit Actions

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

VII. M. Permit Transfers

This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the CWA.

VII. N. Anticipated Noncompliance

You must give advance notice to the Director of any planned changes in the permitted small MS4 or activity that may result in noncompliance with this permit.

VII. O. State Environmental Laws

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve you from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under the authority preserved by section 510 of the CWA (33 U.S.C. § 1370) and 40 CFR § 131.4.
2. No condition of this permit releases you from any responsibility or requirements under other environmental statutes or regulations.

VII. P. Severability

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

VII. Q. Procedures for Modification or Revocation

Permit modification or revocation will be conducted according to OAC 252:606-1-3(b)(3), (4) adopting and incorporating by reference 40 CFR §§ 122.62-122.64, 124.5.

VII. R. Requiring an Individual Permit or Alternative General Permit

1. DEQ may require any person seeking authority under or authorized by this permit to apply for and/or obtain either an individual OPDES permit or an alternative OPDES general permit. Any

interested person may petition DEQ to take action under this paragraph. Where DEQ requires you to apply for an individual OPDES permit, DEQ will notify you in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for you to file the application, and a statement that on the effective date of issuance or denial of the individual OPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. DEQ may grant additional time to submit the application upon request of the applicant. If you fail to submit an individual OPDES permit application in a timely manner as required by DEQ under this paragraph, then the applicability of this general permit to you is automatically terminated at the end of the day specified by DEQ for application submittal. This paragraph does not apply to any person whom the Director determines was never eligible under Part II(A). The Director may also require a discharger to file for an individual permit prior to submission of a NOI.

2. Any permittee may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, you must submit an individual application in accordance with the requirements of 40 CFR § 122.33(b)(2), with reasons supporting the request, to the Director. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by you are adequate to support the request.
3. When an individual OPDES permit is issued to a discharger otherwise subject to this permit, or you are authorized to discharge under an alternative OPDES general permit, the applicability of this permit to the individual OPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual OPDES permit is denied to an operator otherwise subject to this permit, or the operator is denied coverage under an alternative OPDES general permit, the applicability of this permit to the individual OPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Director.

VII. S. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

VII. T. Twenty-Four (24) Hour Reporting

1. You shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time you become aware of the circumstances. A written submission[13] shall also be provided within 5 days of the time you become aware of the circumstances. The written submission shall contain a description of the
   a. noncompliance and its cause;
   b. 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
   c. steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
2. You shall report the following information to DEQ within 24 hours
   a. any unanticipated bypass which exceeds any effluent limitation in the permit,
   b. any upset which exceeds any effluent limitation in the permit, and

[13] DEQ may waive the written report on a case-by-case basis for reports if the oral report has been received within 24 hours.

c. any violation of a maximum daily discharge limitation for any of the pollutants listed by the DEQ in the permit to be reported within 24 hours.

PART VIII: OPTIONAL PERMIT REQUIREMENTS FOR MUNICIPAL CONSTRUCTION ACTIVITIES

The development of this optional provision for municipal construction activities is an alternative for the small MS4 operator seeking coverage under this permit. This provision does not apply to Oklahoma Turnpike Authority (OTA) or Oklahoma Department of Transportation (ODOT), who are also small MS4 operators. Additionally, contractors working for the small MS4 operator are not required to obtain separate authorization as long as the contractor does not meet the definition of "construction site operator" but does remain compliant with the conditions of this permit. Small MS4s that choose to develop this option will be authorized by this permit to discharge stormwater and certain non-stormwater from construction activities where the small MS4s are the "construction site operators." For small MS4s that choose to develop this measure, it shall be part of the SWMP submitted with the initial NOI.

1. If this optional provision is elected, you must comply as follows:
    a. Maintain compliance with the terms and conditions of the most recent OKR10 General Permit for Stormwater Discharges from Construction Activities (OKR10), excluding NOI, NOT, and permit fee submittal requirements.
    b. Update your SWMP to provide
        i. a description of how construction activities will generally be conducted by the small MS4 including local conditions and other site-specific considerations,
        ii. a description of how the small MS4 will implement the technology-based requirements to comply with Part III of the OKR10 permit,
        iii. a description of how the small MS4 will ensure that the SWP3 requirements are properly implemented and maintained at the construction site or how the small MS4 will ensure that the contractors obtain a separate authorization for stormwater discharges from DEQ for each project, and
        iv. the general SWP3 conditions and a procedure to include site-specific BMPs to account for local considerations.
2. If you choose not to develop this optional measure, then you must submit a NOI and seek coverage under the OKR10 permit.

EXHIBIT I: ENDANGERED AND THREATENED SPECIES AND THEIR CRITICAL HABITAT OF CONCERN

The Aquatic Resources of Concern (ARC) identified in this permit are current as of February 2021. For the most current list of ARCs, please refer to the DEQ GIS Map and Data Viewer (https://gis.deq.ok.gov/maps/).

1. Sensitive waters and watersheds for federally listed species, as defined by the U.S. Fish and Wildlife Service for the OPDES OKR04 permit for small MS4s

Grand (Neosho) River - A 2-mile corridor (1 mile from each bank) of the main stem of the Grand (Neosho) River above its confluence with Tar Creek. This corridor includes portions of Ottawa and Craig Counties.

Cimarron River - A 2-mile corridor (1 mile from each bank) of the main stem of the Cimarron River from the US Hwy-77 Bridge in Logan County upstream to and including Beaver County. This corridor includes river segments in Beaver, Harper, Kingfisher, Logan, Major, Woods, and Woodward counties.

South Canadian River - A 2-mile corridor (one mile from each bank) of the main stem from the Eufaula Reservoir flood pool upstream to the northern border of Custer County. This corridor includes river segments in Blaine, Caddo, Canadian, Cleveland, Custer, Grady, Hughes, McClain, McIntosh, Pittsburg, Pontotoc, Pottawatomie, and Seminole counties.

Muddy Boggy River - A 2-mile corridor (1 mile from each bank) of the main stem of the Muddy Boggy River which includes portions of Choctaw, Atoka, and Coal Counties.

Kiamichi River – The watershed of the Kiamichi River is upstream from the Hugo Reservoir. This watershed includes portions of Choctaw, Pushmataha, Atoka, Pittsburg, Latimer, and Leflore Counties.

Little River – The watershed of the Little River includes portions of Choctaw, LeFlore, Pushmataha and McCurtain Counties.

Glover River – The watershed of the Glover River includes portions of Pushmataha and McCurtain Counties.

Mountain Fork River – The watershed of the Mountain Fork River is above Broken Bow Reservoir and includes portions of Leflore and McCurtain Counties.

Northeast HUC-11 Watersheds – The watersheds are identified by the following 11-digit Hydrologic Unit Codes: 11070206030, 11070206060, 11070207190, 11070208070, 11070209020, 11070209030, 11070209040, 11070209050, 11070209060*, 11070209070, 11070209100, 11070209110 and 11070209120. These watersheds include portions of Ottawa, Craig, Delaware, and Mayes Counties.

* *This HUC does not contain a known Ozark cavefish cave. It was included because it is entirely surrounded by 11 digit HUCs with known Ozark cavefish caves; therefore, we assume that Ozark cavefishes likely occupy this portion of the watershed as well.*

Elk River – A 2-mile corridor (1 mile from each bank) of the Elk River which includes portions of Delaware County.

Spring River – A 2-mile corridor (1 mile from each bank) of the Spring River which includes portions of Ottawa County.

Verdigris River – A 2-mile corridor of the main stem from the dam of Lake Oologah to the confluence of the Arkansas River which includes river segments in Rogers, Wagoner, and Muskogee counties.

2. Sensitive waters and watersheds for State listed species, as defined by the Oklahoma Department of Wildlife Conservation for the OPDES OKR04 permit for small MS4s

Illinois River – A **10-mile** corridor (5 miles from each bank within the watershed) of the main stem of the Illinois River above Tenkiller Reservoir. This corridor includes portions of Cherokee, Delaware, and Mayes Counties.

Lee and Little Lee Creeks – The watershed of Lee Creek and Little Lee Creek which includes portions of Sequoyah and Adair Counties.

Note: *No stormwater discharge-sensitive endangered or threatened species occur in the following counties: Alfalfa, Beckham, Carter, Cimarron, Comanche, Garfield, Garvin, Grant, Greer, Johnston, Kiowa, Lincoln, Murray, Nowata, Okfuskee, Oklahoma, Okmulgee, Rogers, Stephens, Texas, Washington, or Washita.*

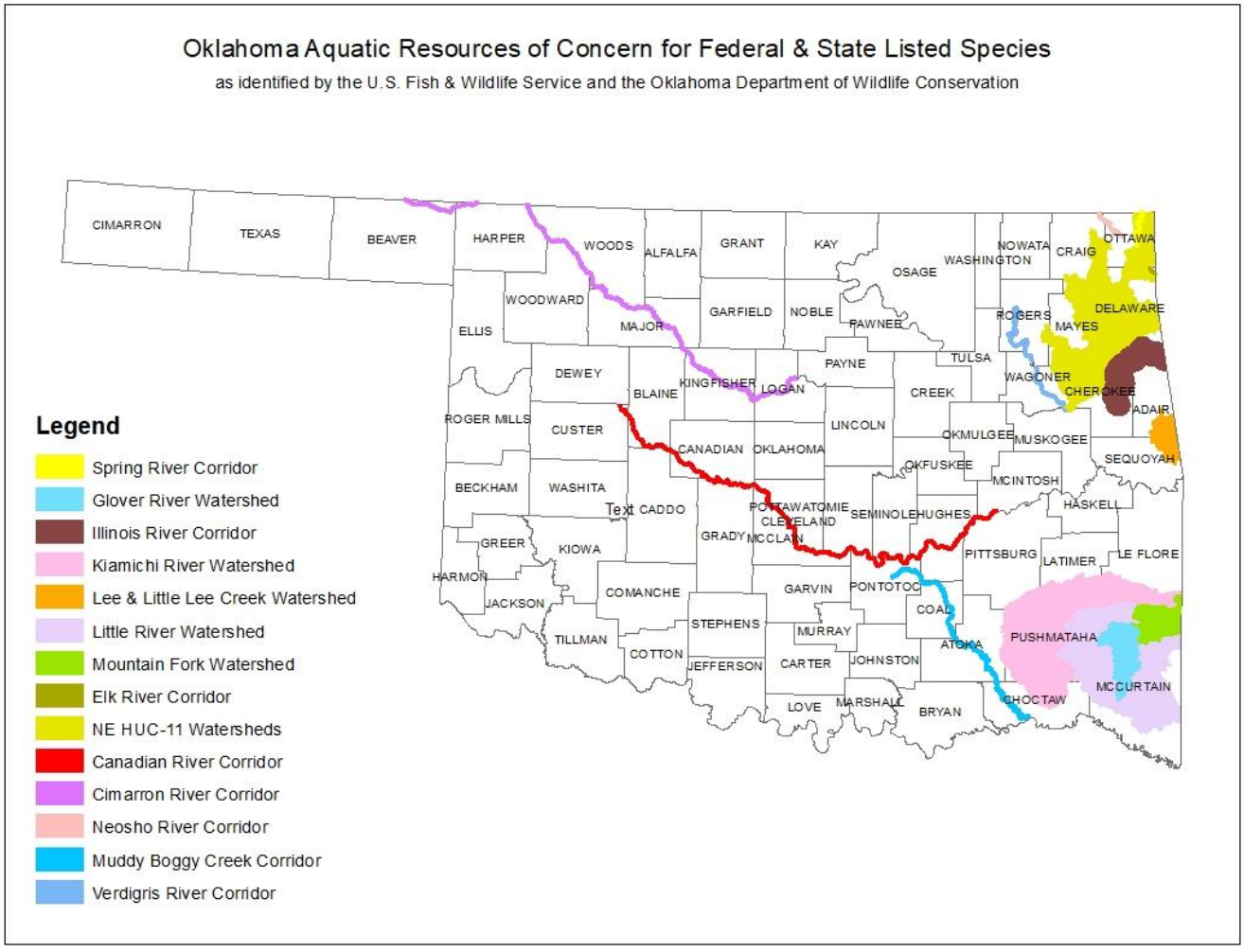

EXHIBIT II: MCM SUMMARY

A summary of MCM requirements is included in Table 2-1. For more detailed information on each MCM, please refer to Parts V(C) and VIII.

Table 2-1 MCM Summary

<table>
<tr><th></th><th></th><th>Category 1</th><th>Category 2</th><th>Category 3</th></tr>
<tr><td rowspan="3">MCM 1</td><td>General requirements</td><td colspan="3">Implement and enforce a program to distribute information and promote behavior change to reduce pollutants in stormwater discharges to your MS4:
1) Education and involvement efforts shall identify an appropriate target audience
2) In coordination with MCM 2
-implement an education and involvement program for local industries, and
-conduct staff training.
3) In coordination with MCM 3
-implement an education and involvement program for public employees, business, and the general public;
-promote, publicize and facilitate the reporting of illicit discharges; and
-conduct staff training.
4) In coordination with MCM 4
-implement an education and involvement program for the local development community,
-implement and enforce procedures for the receipt and consideration of information submitted by the public, and
-conduct staff training.
5) In coordination with MCM 5
-implement an education and involvement program for developers and the public.
6) In coordination with MCM 6
-conduct staff training.
7) Include a process to receive and review public comments on your SWMP.
8) Comply with state and local public notice requirements when implementing your program.
9) Make your records, including the NOI and SWMP, available to the public.
10) If you discharge to waters identified on the 303(d) list of impaired waters, your program must be directed toward entities likely to have a significant stormwater impact on those impaired waters.</td></tr>
<tr><td>Public education activities</td><td>2 activities per year</td><td>4 activities per year</td><td>4 activities per year</td></tr>
<tr><td>Public involvement activities</td><td>1 activity per year</td><td>2 activities per year</td><td>2 activities per year</td></tr>
</table>

	Public education or involvement activities and staff training in coordination with another MCM:					
	MCM 2	**Activity**	--	--	once every two years	
		Staff training	--	--	once every two years	
	MCM 3	**Activity**	once every two years	once per year	once per year	
		Staff training	once every two years	once per year	once per year	
	MCM 4	**Activity**	once every two years	once per year	once per year	
		Staff training	once every two years	once per year	once per year	
	MCM 5	**Activity**	once every two years	once per year	once per year	
	MCM 6	**Staff training**	once every two years	once per year	once per year	
MCM 2	**General requirements**		--	--	Implement and enforce a program to prevent or reduce pollutants in stormwater runoff from industrial activities that discharge into your MS4: 1) Maintain list of industrial facilities. 2) Implement and enforce ordinances. 3) Implement and enforce procedures for site inspection and enforcement.	
	Number of facilities within MS4 boundaries		--	--	< 50	≥ 50[1]
	Number of facilities inspected		--	--	20% per year	10 per year
MCM 3	**General requirements**		Implement and enforce a program to detect and eliminate illicit discharges into your MS4: 1) Incorporate dry weather field screening (DWFS) procedures. 2) Implement and enforce ordinances. 3) Maintain a storm sewer system map. 4) Maintain a list of occasional incidental non-stormwater discharges.			

	DWFS at all identified outfalls	20% per year[1]	40% per year[1]	40% per year[1]
	DWFS at high priority areas	once per year	once per year	once per year
MCM 4	**General requirements**	Implement and enforce a program to reduce pollutants in stormwater runoff from construction activities that discharge into your MS4: 1) Implement and enforce ordinances. 2) Implement and enforce procedures for site plan review. 3) Implement and enforce procedures for site inspection and enforcement.		
	Sites that are greater than 40 acres	once per quarter	once per month	once per month
	Sites that discharge to a waterbody that is identified as impaired[2]	once per quarter	once per month	once per month
	Sites that discharge to a waterbody with an established TMDL	once per quarter	once per month	once per month
	Sites that have been identified as a threat to water quality (i.e. sites with recalcitrant or repeat offenders)	once per quarter	once per month	once per month
	All other sites	at least once during active construction	one per quarter[3]	once per quarter[3]
MCM 5	**General requirements**	Implement and enforce a program to address stormwater runoff from new development and redevelopment projects that discharge into your MS4: 1) Implement and enforce ordinances. 2) Implement and enforce procedures to ensure adequate long-term operation and maintenance of BMPs. 3) Identify and remove legal/regulatory barriers to LID; identify and implement opportunities to implement LID. 4) Assess street and parking lot designs/guidelines and implement LID options.		
MCM 6	**General requirements**	Implement and enforce an operation and maintenance program to prevent or reduce pollutant runoff from MS4 operations: 1) Maintain an inventory of MS4 operations. 2) Maintain a list of MS4 facilities subject to the OKR05 permit. 3) Implement and enforce procedures to control, reduce, or eliminate discharge of pollutants from MS4 operations.		

		4) Implement and enforce procedures to ensure new flood management projects are assessed for impacts on water quality. 5) Implement contractor requirements and oversight. 6) Implement and enforce procedures for inspection and maintenance for BMPs.		
	Site inspections at MS4 facilities subject to the OKR05 or individual OPDES or NPDES permit	once per quarter	once per quarter	once per quarter
	Site inspections at other MS4 facilities impacted by this program	once per year	once per year	once per year

[1] The number of facilities inspected or outfalls screened shall be rounded up to the nearest integer.
[2] Sites that discharge within 1 stream mile of a waterbody that is impaired for sediment or turbidity.
[3] You may implement procedures and criteria for reducing the inspection frequency. However, at a minimum, sites shall be inspected at least once during active construction. Such procedures and criteria shall be documented in your SWMP.

EXHIBIT III: NOTICE OF INTENT

DEQ FORM 605-R04 November 1, 2020		**Oklahoma Department of Environmental Quality** **Notice of Intent (NOI)** **for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) under the OPDES General Permit OKR04**

Submission of this NOI constitutes notice that the parties identified in Sections I and II of this form intend to be authorized by DEQ for stormwater discharges associated with MS4s. Becoming a permittee obligates such dischargers to comply with the terms and conditions of the OKR04 permit. To obtain an authorization from DEQ, this form must be complete with all the pertinent information.

All necessary information must be provided on this form. See instructions for completing the NOI on page 3 of this form. All associated fees must be submitted with this NOI.

☐-NEW APPLICATION ☐-MODIFICATION or ☐-RENEWAL of current permit, authorization number: OKR04 _____

I. MS4 Information

Your MS4 jurisdiction shall cover the entire area within the corporate boundaries of the municipality if your city is not located entirely within an Urbanized Area.

Name of MS4: _____ Legal status of the operator of MS4: ☐-Federal ☐-State ☐-Private ☐-Municipal (public other than federal or state)

Address: _____

City: _____ State: _____ Zip Code: _____ County: _____

Latitude: _____ Longitude: _____ Approximate area (sq. miles) of MS4: _____

II. MS4 Contact Information

Responsible Party: _____ Phone: _____

Title: _____ Email: _____

Address: _____ City: _____ State: ____ Zip Code: ____

Stormwater Program Manager: _____ Phone: _____

Title: _____ Email: _____

Address: _____ City: _____ State: ____ Zip Code: ____

Permit Fee Billing Contact: _____ Phone: _____

Title: _____ Email: _____

Address: _____ City: _____ State: ____ Zip Code: ____

III. Co-Permittee Information

Are you co-permitting with another entity? ☐-No ☐-Yes, complete the following:

Co-Permittee: _____ Legal status of the operator of co-permittee: ☐-Federal ☐-State ☐-Private ☐-Municipal (public other than federal or state)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____ County: _____

Latitude: _____ Longitude: _____ **Certification by the co-permittee is required in Section IX.**

Stormwater Program Manager: _____ Phone: _____

Title: _____ Email: _____

IV. Receiving Water Information Use additional sheets of paper as needed

Name of Receiving Waterbody	Is this waterbody impaired? If so, what are its impairments?	Is there a TMDL for that impairment?
	☐-Yes ☐-No	☐-Yes ☐-No
	☐-Yes ☐-No	☐-Yes ☐-No
	☐-Yes ☐-No	☐-Yes ☐-No

Do you discharge into an Outstanding Resource Water? ☐-Yes ☐-No

V. Endangered Species Eligibility

a. ☐-My MS4 is not located within any of the corridors of federal- and state-identified Aquatic Resources of Concern (ARC).

b. ☐- Informal consultation with the USFWS, or a separate federal action, has addressed the effects of stormwater discharges from my MS4, or has resulted in a "no jeopardy" opinion or written concurrence that discharges are not likely to adversely affect any listed species or critical habitat.

c. ☐-My MS4 is authorized under section 10 of the Endangered Species Act (ESA) and a copy of the authorization is attached.

d. ☐-The discharges from my MS4 are not likely to adversely affect any listed species or critical habitat.

e. ☐-My MS4 is relying on another permittee's certification of eligibility and agrees to comply with the conditions of that certification.

VI. Optional Minimum Control Measure (MCM) 7

Will your MS4 utilize MCM 7 for municipal construction activities? ☐-No ☐-Yes

VII. Required Attachments

☐- An updated map showing your MS4 boundaries

☐-Authorization under section 10 of the ESA or ☐-NA

☐-Application and permit fee or ☐-Invoice is needed for application and permit fee

VIII. Reporting Period for Annual Report

Will your MS4 report based on: ☐-Calendar year (January-December) or ☐-Fiscal year (July-June)

IX. Certification

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

Print Name: _____ Date: _____

Signature:_____ Title: _____

Certification of Co-Permittee (if applicable)

Print Name: _____ Date: _____

Signature:_____ Title: _____

DEQ FORM 605-R04 November 1, 2020		Instructions for Completing Notice of Intent (NOI) for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) under the OPDES General Permit OKR04

Completing the NOI Form
To complete an NOI form, type or print in all of the appropriate places of the form. Check the appropriate box whether you are filing for a new application, a modification, or a renewal of your current permit. Enter your current authorization number if you are applying for permit modification or renewal.

I. MS4 Information
Provide the MS4 name, legal status, street address, latitude/longitude of the City Hall or approximate center of the MS4, and the approximate area, in square miles, of the MS4.

II. MS4 Contact Information
Provide the legal name, title, mailing address, phone number, and email for the following:
1) Responsible Party: the person meeting the definition as described in IX. Certification.
2) Stormwater Program Manager: the person primarily responsible for implementing the Stormwater Management Plan (SWMP) and ensuring compliance with the OKR04 general permit.
3) Permit Fee Billing Contact: the person primarily responsible for receiving invoices and/or submitting annual permit fees and/or permit application fees.

III. Co-Permittee Information
You may partner with other MS4s to develop and implement your SWMP. For each co-permittee, provide the name of the entity, legal status, street address, and latitude/longitude. In addition, include the legal name, mailing address, phone number, and email for the co-permittee's stormwater program manager.

IV. Receiving Water Information
Identify all of the waterbodies that receive stormwater discharges from your MS4. Check the appropriate box(es) if the receiving waterbody is listed in the DEQ Integrated Report for 303(d) impaired waterbodies or drains to a watershed with an approved Total Maximum Daily Load (TMDL) report. Identify the pollutant(s) for which the waterbody is impaired.

V. Endangered Species Eligibility
Complete this section by checking the box which applies to your MS4.

VI. Optional Minimum Control Measure (MCM) 7
Indicate if you will be implementing MCM 7 optional permit requirements for municipal construction activities.

VII. Required Attachments
Submit a copy of the following with your NOI:
-an updated map showing your MS4 boundaries
-a copy of your authorization under section 10 of ESA (if applicable) -application and permit fee or indicate if an invoice is needed

VIII. Reporting Period for Annual Report
Indicate which reporting period your MS4 will be using for the annual report.

IX. Certification
The NOI must be signed by the responsible party as described below:
For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) 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 (ii) 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;
For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; for limited liability companies (LLC), by an owner/managing member/partner;
For a municipality, state, federal, or other public facility: by either a principal executive officer or ranking elected official.

Where to File the NOI form:
Completed NOIs must be submitted to the following address:
Water Quality Division
Municipal Discharge & Stormwater Permitting Section
Oklahoma DEQ
P.O. Box 1677
Oklahoma City, Oklahoma 73101-1677

Or fax it to: (405) 702-8101
Or email to: ms4permitting@deq.ok.gov

An NOI that is unsigned, incomplete, or does not have the required attachments will not be processed for permit coverage.

EXHIBIT IV: NOTICE OF TERMINATION

DEQ FORM **605-R04B** November 1, 2020		**Oklahoma Department of Environmental Quality** **Notice of Termination (NOT)** **for Stormwater Discharges Under an OPDES General Permit**

Submission of this NOT form constitutes notice that the operator identified in Section II of this form no longer intends to be authorized to discharge stormwater under an OPDES General Permit. Authorization is not terminated until you are notified that all termination requirements have been met and your complete NOT has been processed by DEQ.

All necessary information must be provided on this form. See completing instructions on the back of this form.

I. Permit Information

DEQ Authorization Number: OKR_____

Reason for termination (check one only):

☐ A new owner or operator has taken over responsibility for the facility/site/project and has submitted a separate Notice of Intent for permit coverage.

☐ OKR05: stormwater discharges associated with industrial activity have ceased.

☐ OKR10: all construction activities have been completed and all other requirements, including final stabilization on all portions of the site, have been met.

☐ OKR04: stormwater discharges associated with municipal separate storm sewer systems (MS4s) have ceased.

☐ You obtained coverage under an individual or alternative general permit for all stormwater discharges (DEQ Permit No. OK_____).

II. Operator Information

Operator: _____ Phone: _____

Mailing Address: _____ Email: _____

City: _____ State: _____ Zip Code: _____ County: _____

III. Facility/Project/MS4 Information

Facility/Project/MS4: _____ Latitude: _____

Mailing Address: _____ Longitude: _____

City: _____ State: _____ Zip Code: _____ County: _____

IV. New Operator Information

New Operator: _____ Phone: _____

Mailing Address: _____ Email: _____

City: _____ State: _____ Zip Code: _____ County: _____

V. Certification

I certify under penalty of law that all stormwater discharges from the identified MS4 that are authorized by an OPDES general permit have been eliminated, or that I am no longer the operator of the MS4, or that I have ceased operations at the MS4. I understand that by submitting this Notice of Termination I am no longer authorized to discharge stormwater under this permit, and that discharging pollutants in stormwater to waters of the state is unlawful under the Clean Water Act and OAC 252:606-1-3(b)(3) where the discharge is not authorized by an OPDES permit. I also understand that the submission of this Notice of Termination does not release an operator from liability for any violations of this permit, the Clean Water Act, and the Oklahoma Pollution Discharge Elimination Act.

Print Name: _____ Date: _____

Signature: _____ Title: _____

DEQ FORM 605-R04B November 1, 2020		Instructions for Completing Notice of Termination (NOT) for Stormwater Discharges Under an OPDES General Permit

When To File NOT Form:

The Permittee currently covered for stormwater discharges under an OPDES General Permit, must submit an NOT within 30 days if one or more of the following conditions have been met:

- A new owner or operator has taken over responsibility for the facility/project/MS4, and has submitted a separate Notice of Intent for permit coverage.
- OKR05: stormwater discharges associated with industrial activity have ceased.
- OKR10: all construction activities have been completed and all other requirements, including final stabilization on all portions of the site, have been met.
- OKR04: stormwater discharges associated with municipal separate storm sewer systems (MS4s) have ceased.
- You obtained coverage under an individual or alternative general permit for all stormwater discharges.

I. Permit Information

Provide the current OPDES General Permit number assigned to the facility/project/MS4 identified in Section II. Indicate your Reason for submitting this NOT by checking the appropriate box. If you have obtained coverage under an individual or alternative general permit, provide the permit number.

II. Operator Information

Provide the legal name of the company, firm, public organization or any other entity that operates the facility/site/MS4 described in this NOT. Provide the operator's phone number, mailing address, and email address.

III. Facility/Project/MS4 Information

Provide the legal name of the facility/project/MS4 and complete street address, including city, county state, and ZIP code. If the facility/project/MS4 lacks a street address, indicate the general location (e.g. intersection of State Highways 74 and 34).

Provide the latitude and longitude at the entrance or center of the facility/project, or the MS4's City Hall or approximate geographical center. Latitude and longitude can be obtained online at DEQ, USGS, or by using other mapping tools.

For OKR10 permittees, you must also include an updated map that shows all disturbed areas over the course of your construction project (i.e., aerial images or general site maps with project extents marked, including stabilized areas of concrete or asphalt batch plants, equipment staging yards, stockpiles, borrow areas, wash-out areas, etc.) with this form.

IV. New Operator Information

If applicable, provide the legal name of the company, firm, public organization or any other entity that has assumed ownership for the facility/project/MS4 described in this NOT. Provide the phone number, complete physical address including city, state, ZIP code, and email address. If there is more than one new operator, use additional sheet(s) to include all the new operators' information. For OKR10 permittees, you are required to prepare a Notification of Change of Ownership (NCO) form for reach new owner and submit the NCO form to DEQ. NCO forms may be submitted at the time of change of ownership or with the NOT.

V. Certification

The NOT must be signed as follows:

For a corporation: by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (i) 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 (ii) 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;

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; for limited liability companies (LLC), by an owner/managing member/partner;

For a municipality, state, federal, or other public facility: by either a principal executive officer or ranking elected official.

Where to File a NOT form:

Completed NOTs must be submitted to the following address:

Stormwater Unit of ECLS
Oklahoma DEQ
P.O. Box 1677
Oklahoma City, Oklahoma 73101-1677

Or fax it to: (405) 702-6226
Or email to: ecls-stormwaterpermitting@deq.ok.gov

An unsigned or undated NOT form will not be processed for termination of permit coverage.