Stormwater Management Program
Town of Queen Creek

Town of Queen Creek
Public Works Department
Environmental Services

To fulfill requirements in the
Small Municipal Separate Storm Sewer System (MS4)
General Permit (AZG2021-002)

Updated 09/2024

Stormwater Management Program
Town of Queen Creek

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LIST OF ABBREVIATIONS

Abbreviation	Term/Phrase/Name
ADEQ	Arizona Department of Environmental Quality
AZPDES	Arizona Pollutant Discharge Elimination System
BMP	Best Management Practice
CFR	Code of Federal Regulations
CWA	Clean Water Act
DMR	Discharge Monitoring Report
EPA	US Environmental Protection Agency
IDDE	Illicit Discharge Detection and Elimination
MCM	minimum control measure
MEP	maximum extent practicable
MS4	Municipal separate storm sewer system
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
O&M	operation and management
SOP	Standard Operating Procedure
Permit	Arizona Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems to Waters of the United States (Permit No. AZG2021-002)
SWMP	Stormwater Management Plan / Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
Town	Town of Queen Creek Arizona

1.0 CERTIFICATION STATEMENT

Permittee Name: Town of Queen Creek Arizona

Permit Number: AZG2021-002

Stormwater Management Program Contact and Certifying Official:

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Operations Manager/Environmental

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In accordance with the Arizona Pollutant Discharge Elimination System General Permit for Discharge from Small Municipal Separate Storm Sewer Systems to Waters of the United States (Permit No AZG2021-002) Section 9.9.b, the person occupying the Operations Manager/Environmental position is a duly authorized representative of the Town of Queen Creek Arizona.

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.

_____ _____

Ramona Simpson Date
Queen Creek Operations Manager/Environmental

2.0 INTRODUCTION

The purpose of this Stormwater Management Program (SWMP) for the Town of Queen Creek (Town) is to comply with the Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (AZG2021-002) (Permit), developed by the Arizona Department of Environmental Quality (ADEQ). The Permit became effective on September 16, 2022. The SWMP, also referred to as a Stormwater Management Plan, is the primary document describing the Town's programs and procedures for compliance with the Permit. A copy of the Permit is included in Attachment 1.

The Town desires to discharge under that Permit and prepared and submitted a Notice of Intent (NOI) to ADEQ, as required by Section 2.0 of the Permit, on November 16, 2022. ADEQ determined that the best management practices (BMPs) and measurable goals in the Town's NOI satisfactorily complied with Permit requirements, authorizing the Town for Permit coverage. A copy of the NOI and Permit authorization letter is included in Attachment 2.

Town staff prepared and implemented this SWMP in accordance with Section 4 of the Permit. This SWMP addresses stormwater runoff and discharges located within the Town limits. It was developed to serve as a comprehensive management tool to improve stormwater quality throughout the Town. The goal of this SWMP is to ensure to the maximum extent practicable (MEP) that discharges from the MS4 do not cause or contribute to exceedances of surface water quality standards through compliance with the AZPDES MS4 program requirements.

This SWMP generally follows the format provided by ADEQ in the SWMP Model to fulfill requirements in the Permit. The Town has developed BMPs for the six minimum control measures (MCMs) described in the Permit to reduce the discharge of pollutants to the MEP. The MCMs are listed below and discussed in Chapter 3.

- MCM-1 – Public Education and Outreach
- MCM-2 – Public Involvement and Participation
- MCM-3 – Illicit Discharge Detection and Elimination (IDDE)
- MCM-4 – Construction Activity Stormwater Runoff Control
- MCM-5 – Post-Construction Stormwater Management in New Development and Redevelopment
- MCM-6 – Pollution Prevention and Good Housekeeping for Municipal Operations

2.1 Regulatory Background

In response to concern over the pollution in America's waterways, Congress passed the Clean Water Act (CWA) in 1972. The CWA is the primary federal law that protects our nation's surface water bodies or waters of the United States. Polluted stormwater runoff was addressed specifically under the CWA by a two-phase program that relies on the National Pollutant Discharge Elimination System (NPDES) permit coverage. The two phases of the NPDES stormwater program are known as Phase I and Phase II.

In 1990 the US Environmental Protection Agency (EPA) implemented Phase I of the NPDES stormwater program, under the CWA. Phase I addressed the prevention of pollution from stormwater runoff from medium and large MS4s (serving populations over 100,000), construction activities disturbing five acres of land or greater, and 10 categories of industrial activities. To expand the protection of water bodies and promote cleaner water, the Phase II Final Rule was published in the Code of Federal Regulations (CFR) on December 8, 1999. This rule extends the NPDES permit coverage to include small MS4s serving urbanized areas (a residential population of at least 10,000 and a population density of 1,000/square mile), as well as that from small construction activities. The Town of Queen Creek was identified by ADEQ as a municipality that met the population threshold (based on the 2010 census) and therefore, the Town is required to comply with the Phase II requirements in the Permit.

The goals of the Phase II Program are similar to the Phase I program, which are to reduce the discharge of pollutants to the MEP, protect water quality, and satisfy the water quality requirements of the CWA. The Town submitted its NOI application on March 27, 2016, which has primacy over the NPDES program in Arizona through their AZPDES program. By submitting the NOI, the Town effectively applied for coverage under the Permit.

2.2 Geographic Setting

The Town of Queen Creek is located at 33°15′47″N and -111°38′05″W. Town limits lie primarily within Maricopa County, but also extend into Pinal County on the eastern and southern borders. East and south of Queen Creek Town Limits in Pinal County is the unincorporated community of San Tan Valley (estimated population of 99,894 in 2020). The Town encompasses a total area of 42.32 square miles, and the population is estimated at 61,727 (July 2020).

2.3 Receiving Waters

The Town of Queen Creek does not contain perennially flowing waterways. Stormwater flows from the Town and surrounding community are directed to one ephemeral wash: Queen Creek Wash (see map in Attachment 3). This conveyance is dry except during and immediately after significant rainfall. Queen Creek Wash is a well-defined natural channel that originates in the Superstition Mountains in north Pinal County and flows southwesterly, passing through Whitlow Reservoir and the Sonoqui Detention Dike. Near the eastern edge of the Town, Queen Creek Wash turns to the northwest and passes through the middle of the Town before leaving the Town Limits near the intersection of South Power Road and East Queen Creek Road, before continuing westerly through Maricopa County and eventually discharging into the East Maricopa Floodway. Queen Creek Wash receives sheet runoff from Town residential and undeveloped properties, as well as agricultural fields located in the immediate vicinity of the wash. Queen Creek channel is owned by Roosevelt Water Conservation District.

Queen Creek wash has not been listed by ADEQ as impaired, there is no total maximum daily loads (TMDLs) established for the wash, and it has not been designated as outstanding Arizona Water. Thus, the monitoring requirements described in the Permit for waterways with this designation do not apply to the Queen Creek SWMP.

2.4 SWMP Implementation

Overall responsibility for administering the Permit and SWMP rests with the Town Manager; however, implementing the SWMP requires participation from multiple departments throughout the Town. Key supporting departments include Public Works (Facility Services, Fleet Services, Street Services, and Environmental Programs), Community Services (Ground Services) and Development Services (Engineering, Code Enforcement, and Inspections). A Stormwater Organizational Chart of the personnel involved in supporting the SWMP is included in Attachment 4 and implementation schedules are provided in Tables 3-1 through 3-6 for MCM-1 through MCM-6, respectively. This SWMP is meant to be a living document and as departments, responsibilities, personnel, and procedures/practices change within the Town, this information will be updated accordingly. Changes to the SWMP will be documented in the SWMP Modification Log provided in Attachment 5.

3.0 MINIMUM CONTROL MEASURES

3.1 Public Education and Outreach (MCM-1)

This MCM addresses how the Town disseminates information on the importance of preventing stormwater pollution to the general public. The requirements for this MCM are outlined in Permit, Section 6.1. The objective of this MCM is to increase the knowledge and change behavior of the public so pollutants in stormwater can be reduced.

The target audience for this MCM is the general public; however, specific audiences that are targeted include General Public, Business, Construction, and School Education. The target pollutants for the public education and outreach campaign consist of common residential pollutants that may contaminate receiving waters, such as pet waste, trash, household hazardous waste, pesticides, waste automotive fluids, nutrients, and sediment.

This MCM is intended to ensure greater public support for the stormwater program and greater compliance through education. An informed and engaged public can significantly contribute to the success of the program.

In general, the Town emphasizes education in the SWMP as a cost-effective and proactive means to reduce stormwater pollutants rather than implement reactive methods to remove stormwater pollutants. To satisfy the requirements of this MCM, the Town has selected the BMPs listed in Table 3-1.

Table 3-1: MCM-1 – Public Education and Outreach – BMPs and Measurable Goals

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
1-2	Social Media	Town staff will use the Town website and other social media to distribute information on the stormwater program.	Town staff will monitor the number of times the Town website and social media are accessed by the public regarding the stormwater program.
1-3	Webpage	The Town website will be used to to inform the public about the SWMP and the stormwater program by providing information on various aspects of stormwater pollution prevention and other topics related to the SWMP.	Town staff will update the stormwater page on the Town's website as appropriate on a regular basis. Town staff will track these changes and report in the Annual Report.
1-4	Outreach Materials	Town staff will continue to work with regional and state stormwater programs (STORM and AZWater) to research and develop educational materials on stormwater pollution prevention and develop appropriate materials for dissemination to specific audiences in the community.	Town staff will review materials from programs and other agencies on an ongoing basis and will update information for distribution.

3.2 Public Involvement and Participation (MCM-2)

This MCM addresses the Town's planned processes for how the public will play an active role in the development and implementation of the SWMP. The requirements for this MCM are outlined in Permit Section 6.2. The objective of this MCM is to provide opportunities to engage the public to participate in the implementation of the SWMP. Community participation provides for broader public support, shorter implementation schedules, a broader base of expertise, and the development of important relationships with other community and government programs.

This program will be integrated with MCM-1 activities to incorporate education with hands-on programs. The target audience for this MCM is the general public. The target pollutants are the same as for MCM-1 (pet waste, trash, household hazardous waste, pesticides, waste automotive fluids, nutrients, and sediment.).

The BMPs for this MCM provide opportunities for public involvement in the implementation of the SWMP. To satisfy the requirements of this MCM, the Town has selected the BMPs listed in Table 3-2.

Table 3-2: MCM-2 – Public Involvement and Participation – BMPs and Measurable Goals

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
2-1	Public Involvement	Town staff will provide the SWMP and the NOI on the Town's website and make it available for the public to comment	Comments received on the SWMP and any actions incorporated into the SWMP will be documented and recorded in the Annual Report.
2-2	Public Participation	Cleanup Activities	The Town will support cleanup acivities to allow citizens the opportunity to cleanup the watershed and washes. The program will utilize the Town Volunteer Program and existing programs with boy scout troops and religious groups to enhance the cleanups and maximize participation. The number of events will be doumented in the Annual Report.
2-3	Public Participation	Trash Collection and Recycling Programs	To minimize trash accumulation in the Town washes, Town staff will continue to implement and document trash cleanup and recycling programs to engage the public in trash reduction particpation. The Town will utilize programs such as the "Shut Your Lid" program, which is designed to minimize the release of trash to public streets and waterways. The program will be assessed on an annual basis for program effectiveness.

3.3 Illicit Discharge Detection and Elimination (MCM-3)

The Town is responsible for implementing an Illicit Discharge Detection and Elimination (IDDE) Program designed to eliminate illicit discharges, illicit connections, and improper disposal to the MS4. An illicit discharge is any discharge to a MS4 that is not composed entirely of stormwater except discharges pursuant to an AZPDES Permit and certain allowable non-stormwater discharges listed in the Permit. An illicit connection is any man-made structure connecting an illicit discharge directly to an MS4. The Standard Operating Procedures (SOPs) is the written IDDE Program used by the Town for detecting and eliminating non-stormwater discharges is described in Attachment 6. The following statement identifies responsibilities with regard to eliminating illicit discharges (as required in Permit section 6.3.3):

> The Town of Queen Creek is responsible for implementing the IDDE Program, including the following departments: Streets, Facilities, Grounds, Environmental, Engineering, and Code Enforcement (as depicted in the organizational chart in Attachment 6). The Town's Environmental Services Coordinator (under the oversight of the Operations Manager/Environmental) will be responsible for coordinating the overall program, including data sharing, training, reporting, and overall communication among departments and staff.

The SOP covers the following aspects of the IDDE Program:

- Processes and procedures have been implemented to prevent, identify, mitigate, and report illicit discharges.
- Illicit discharges to the MS4 are eliminated when discovered.
- Written dry weather and stormwater discharges (wet weather) visual monitoring procedures have been developed and have been implemented.
- Indicators of program success have been identified and include an evaluation of illicit discharges identified during dry and wet weather monitoring, assessment of illicit discharges identified by Town staff, and quantification and assessment of illicit discharges reported by the public on the Pollution Prevention page of the Town website.

The requirements for this MCM are outlined in Permit Section 6.5. The objective of this MCM is to find and eliminate sources of non-stormwater to and from the MS4 and prevent illicit connections and discharges. This program, combined with MCM-1, MCM-2, and MCM-6, promote awareness of the importance of protecting the surface water quality by eliminating illicit discharges to the stormwater system.

BMPs within this section are intended to detect and eliminate illicit discharges, identify sources of non-stormwater discharges (in both dry and wet weather), build awareness of hazards from illegal discharges, and identify non-stormwater flows through visual observations. A map of the outfalls within town limits are shown on Attachment 7.

To satisfy the requirements of this MCM, the Town has selected the BMPs listed in Table 3-3.

Table 3-3: MCM-3 – Illicit Discharge Detection and Elimination (IDDE) Program – BMPs and Measurable Goals

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
3-1	Training	Town staff has developed materials for the IDDE program and uses them to train Town staff and the general public about illicit discharges and stormwater pollution prevention.	Annual staff training will be conducted for appropriate Town personnel.
3-2	Implement IDDE Program	Town staff developed and continues to implement a plan to monitor and identify the source or sources of non-stormwater discharges, including illegal dumping, to the Town's stormwater system.	Town staff conducts inspections of the appropriate stormwater outfalls and investigates any non-stormwater discharges. The results will be tablulated in the Annual Report.
3-3	Implement IDDE Program	The Town will enforce, to the extent allowable by state law, stormwater policies and requirements necessary to comply with this section of the Permit. Legal authority for enforcement is described in the Town's Stormwater Quality Management and Discharge Control Ordinance (Attachment 8), which was incorporated into the Town Code in September 2018.	Through MCM-1 and MCM-2, Queen Creek residents and business owners will continue to be educated on how to identify illicit discharges and how to report them to the Town's website. The number of reported issues and applicable results will be tracked on an annual basis and reported in the Annual Report.
3-4	Dry Weather Visual Observations	Town staff has developed a dry weather visual observation porgram to identify sources of non-stormwater discharge during dry weather and eliminate the sources where possible.	Dry weather visual observations will be conducted on a regular basis and the results of the observations and any investigations will be recorded annualy in the Annual Report.

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
3-5	Wet Weather Monitoring	Town staff has developed a wet weather observation program to observe storm events for evidence of illicit discharge and identify sources where possible.	Wet weather observations will be conducted four times per year at all three priority outfalls each year. The results of the observations and any investigations will be recorded annualy in the Annual Report.
3-6	Written IDDE Procedures	Town staff has developed written procedures for conducting the IDDE observations and investigation for both dry and wet weather (see Attachment 6).	The IDDE written procedures are provided with the Draft SWMP for public review and will be updated annualy as needed.
3-7	Monitor 20% of Outfalls	20% of outfalls will be monitored annually.	Complete a detailed inspection of 20% of the Town's stormwater outfalls annually. Additional monitoring may occur in response to a complaint received.

3.4 Construction Activity Stormwater Runoff Control (MCM-4)

This section describes the Town's procedures for plan review, site inspection, and stormwater enforcement at construction sites. The requirements for this section are outlined in Permit Section 6.4. The objective of this MCM is to minimize or eliminate pollutant discharge from construction sites to the Town's MS4. Polluted stormwater runoff from construction sites often flows to storm drains and into receiving waters and this MCM is meant to prevent the source of pollution from construction sites.

Target construction sites are those that result in the disturbance of one or more acres, as well as those disturbing less than one acre if those activities are part of a larger common plan of development or sale with an overall planned area of disturbance equal to or greater than one acre.

Sediment is the primary target pollutant from construction sites, but other pollutants include motor oil, trash, and landscape debris.

BMPs within this section are intended to reduce runoff pollution from construction-related activities through education, ordinance, and site plan review and inspection.

Construction Inventory, Permit Section 6.4.2b:

- Currently, Inventory resides in the Town's permitting software (Accela).

Site Inspection Procedures, Permit Section 6.4.2c:

- The Site Inspection Procedures are addressed in the Town's Design Standards and Procedures Manual, via a site inspection checklist.
- The inspection process includes the following elements:
    - Tracking software (Accela) for keeping track of inspections
    - Site prioritization
    - Inspection checklist
    - Inspection frequency
    - List of BMPs

Sediment and Erosion Control BMPs, Permit Section 6.4.2h:

- Construction site BMPs are installed by the contractor, following existing procedures in the Town of Queen Creek Design Standards and Procedures Manual.

Controlling Wastes, Permit Section 6.4.2i:

- As described above, the procedures for controlling wastes at active construction sites are included in the Town's Design Standards and Procedures Manual.

To satisfy the requirements of this MCM, the Town has selected the BMPs listed in Table 3-4.

Table 3-4: MCM-4 – Construction Activity Stormwater Runoff Control – BMPs and Measurable Goals

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
4-1	Enforcement	Legal authority for enforcement is described in the Town's Stormwater Quality Management and Discharge Control Ordinance (Attachment 8), which was incorporated into the Town Code in September 2018.	The existing ordinance will be reviewed annually and edited as necessary.
4-2	Inspections	Construction sites (as identified in this Permit) are assessed to determine if BMPs are sufficient to prevent illicit discharge.	Town staff will continue to implement regular construction site inspections and record reports of illicit discharges/illegal dumping.
4-3	Education/ Public Involvement	Town staff has developed an educational program targeting the construction industry and developers.	Using resources by provided by groups such as AZWater and STORM (state and regional outreach groups), Town staff provides opportunities aimed at educating developers and operators on BMPs and SWPPP requirements.
4-4	Inventory	Town staff has developed a process for tracking construction activities that disturb one acre or more and has created an inventory based on the process.	The inventory is updated on an on-going basis and documented in the Annual Report.
4-5	Training	Town staff will be trained annually on the appropriate inspection and tracking procedures to comply with the Permit.	The Annual Training event and staff trained will be documented in the Annual Report.
4-6	Erosion & Sediment Control	Sediment and erosion control measures will be implemented appropriate to the construction activity.	Town staff will use the Design Standards and Procedures Manual SWPPP Checklist to document appropriate sediment and erosion control measures.

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
4-7	Control Wastes	Measures to control construction wastes will be implemented appropriate to the construction activity.	Town staff will use the Design Standards and Procedures Manual to document appropriate sediment and erosion control measures.

3.5 Post-Construction Stormwater Management in New Development and Redevelopment (MCM-5)

This section identifies programs the Town carries out to address the importance of stormwater runoff management after construction is completed. The requirements for this section are outlined in Permit Section 6.5. Substantial impacts of post-construction runoff are caused by an increase in the type and quantity of pollutants in stormwater runoff. The objectives of this MCM are to reduce the discharge of pollutants to stormwater runoff from areas of new development and redevelopment after construction is completed and to provide for long term BMPs and inspection programs to improve stormwater quality.

Target development projects are new development and redevelopment sites that result in the disturbance of one or more acres, as well as those disturbing less than one acre if those activities are part of a larger common plan of development or sale with an overall planned area of disturbance equal to or greater than one acre.

The primary target pollutant from post-construction is sediment, but this MCM is also designed to reduce levels of trash, oil and grease, nutrients, pesticides and other pollutants related to developed properties.

To satisfy the requirements of this MCM, the Town has selected the BMPs listed in Table 3-5.

Table 3-5: MCM-5 – Post-construction Stormwater Management in New Development and Redevelopment – BMPs and Measurable Goals

BMP Number	BMP Category	BMP Category	Measurable Goal
5-1	Runoff Control Assessment	Legal authority for enforcement is described in the Town's Stormwater Quality Management and Discharge Control Ordinance (Attachment 8), which was incorporated into the Town Code in September 2018.	Town staff has developed a process for reviewing current procedures and codes related to long-term drainage and erosion control.
5-2	Inspections	A process has been developed to identify illicit discharges from existing BMPs that may be failing or not performing appropriately.	The inspection program has been integrated into the illicit discharge program (MCM-3) through inspections and annual reporting.
5-3	Inventory	Town staff has developed a process for implementing an inventory of BMPs for new development projects > 1 acre.	Town staff will continue to update the tracking inventory as construction projects are completed and reported in the Annual Report.
5-4	Site Plan Reviews	In conjunction with the MCM-4 site plan review process, Town staff will review the existing site plan review process for new construction and update as necessary to meet Permit requirements.	The site plan review process will be assessed annually.
5-5	Structural and Non-Structural BMPs	Structural and Non-structural BMPs are in place and functioning properly.	Visual observations and documentation of structural and non-structural post-construction BMPs.

3.6 Pollution Prevention and Good Housekeeping for Municipal Operations (MCM-6)

This section outlines the Town's Operation and Management (O&M) program for preventing and/or reducing pollutant runoff from municipal operations. The requirements for this section are outlined in Permit Section 6.6. Training components are discussed in Section 4. The BMPs within this MCM address routine activities in the operation and maintenance of drainage systems, roadways, parks and open spaces, and other municipal operations to help ensure a reduction in pollutants entering the storm drain system. The objective associated with this MCM is to reduce the exposure of potential pollutants from Town-owned facilities to watersheds by limiting/controlling the pollutants at the source. This program will be integrated with MCMs 1, 2, and 3 to promote awareness of water quality concerns in performing routine roadway maintenance and operation, municipal yard operations, and other practices.

Target activities/operations for municipal operations include primarily:

- Building Maintenance
- Vehicle and Equipment Maintenance and Operation
- Outdoor Maintenance and Storage Areas
- Street and Parking Area Cleaning and Repair
- Stormwater Infrastructure Maintenance and Repair

The BMPs in this program include source controls and materials management practices. Source controls are BMPs designed to prevent or reduce pollutants at the source and include BMPs such as storm drainage system maintenance and flood control projects. Materials management BMPs are designed to reduce pollutants with non-structural controls through programs. Target pollutants for municipal operations are sediment, trash, pet waste, waste automotive fluids, and nutrients.

BMPs within this section are intended to control pollutants in runoff from Town operations and maintenance activities including parks and open spaces, fleet and building maintenance, street sweeping operations, and stormwater system maintenance. To satisfy the requirements of this MCM, the Town has selected the BMPs listed in Table 3-6.

Table 3-6: MCM-6 – Pollution Prevention and Good Housekeeping for Municipal Operations – BMPs and Measurable Goals

BMP Number	BMP Category	BMP Description	Measurable Goal(s)
6-1	Training	Town staff will develop a training program for Town personnel involved with operations and maintenance of Town facilities.	Appropriate Town staff will be trained annually on the procedures necessary to meet Permit requirements and new staff will be trained as part of the on-boarding process. The number of trainings will be quantified in the Annual Report.
6-2	Inventory	Town staff has developed an inventory of Town facilities that discharge and will prioritize the list based on risk.	The inventory will be updated annually and documented in the Annual Report as appropriate.
6-3	Written Procedures	Town staff has developed inspection schedules and written procedures for assessing municipal facilities to meet Permit requirements.	Written procedures have been implemented and will be updated as needed.
6-4	O&M Procedures	Town staff has developed O&M procedures for assessing municipal facilities to meet Permit requirements.	O&M procedures have been implemented and updated as needed.
6-5	Implement Controls	Town staff have implemented site specific BMPs to address stormwater pollution prevention as it relates to Town facilities. These BMPs include street sweeping, litter control programs, basin cleaning and other O&M practices.	Town staff will review the BMPs implemented for this MCM and quantify inspection frequency annually.
6-6	Inspections	Develop inspection procedures and frequency based on facility prioritization.	Town staff will review inspection procedures annually and document changes in Annual Report.

4.0 MUNICIPAL EMPLOYEE TRAINING

The Town has a training program to address the training requirements for municipal employees outlined in Permit sections 6.3 (IDDE) and 6.6 (Pollution Prevention/Good Housekeeping for Municipal Operators). In addition to this Permit-required training, the Town also trains construction and post-construction inspectors (Permit sections 6.4 and 6.5, respectively). This BMP is presented as its own section in this SWMP to consolidate all required municipal training in one location.

Target employees are: building site inspectors, construction plan reviewers, construction and post construction inspectors, code enforcement officers, public safety personnel, and those employees who are involved in target operations and/or their supervisors. Training can also be provided to certain Town contractors at the discretion of the Operation Manager/Environmental. The training program is based on the identified needs of the municipal employees.

4.1 Types of Training

The following sections describe the different types of stormwater pollution prevention training conducted by the Town.

4.2 Illicit Discharge Detection and Elimination

As outlined in permit Section 6.3 of the Permit, training is required as part of the IDDE Program to inform public employees of hazards associated with illegal discharges and improper disposal of waste. The goals of the program are to raise awareness of illicit discharges and illicit connections, to prevent them where possible, and to encourage employees to report illicit discharges and connections they may encounter during the normal course of their jobs. Attachment 7 contains the IDDE SOPs for the IDDE Program. Appropriate Town staff will be trained in these procedures so they can conduct the IDDE Program in compliance with Permit Section 6.3.

4.3 Municipal Facilities

As outlined in Permit Section 6.6, training is required on the O&M Program for municipal operations. The goal of the program is to prevent or reduce pollutant runoff from municipal operations due to activities, including but not limited to: park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. Training topics may include:

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

4.4 Construction Inspection

Training is required for employees responsible for conducting construction site inspections and applying enforcement actions against construction site operators (Permit Section 6.4). The goal of the program is to prevent or reduce pollutant runoff from construction sites from entering the Town's MS4.

4.5 Training Frequency

The Town conducts annual training for new employees and annual refresher training to existing employees on the topics identified in Section 4.1. Training is also provided when employees are assigned new operations, tasks, equipment, or protocols.

4.6 Training Method

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

- Incorporate stormwater training into existing training programs (e.g., safety, materials handling, new employee orientation, current online employee training, etc.)
- Establish on-the-job awareness and reinforcement, articles on the Town's internal website, etc.)
- Provide more customary training such as in-house workshops or presentations

4.7 Training Measurable Goals

The measurable goal for this BMP is to track and report the number of employees trained during each reporting period for each of the categories listed above.

5.0 QUALIFYING STATE OR LOCAL PROGRAM

The Town has developed new BMPs in response to the need to apply for a municipal stormwater discharge permit. The Town is not aware of any qualifying local or state programs that would adequately address the requirements of the Small MS4 General Permit.

6.0 SHARING RESPONSIBILITY

The Town will have the responsibility to implement all measures within this SWMP. There are no shared responsibilities for MCM implementation.

7.0 MONITORING

The Town will evaluate program compliance, the appropriateness of identified BMPs, and progress towards achieving identified measurable goals. The Town storm sewer system drains to Queen Creek Wash. At this time, a TMDL has not been established for this receiving water. Also, Queen Creek Wash is not listed on Arizona's 303(d) List of Impaired Waterbodies. See the Sampling and Analysis Plan (SAP) in Appendix 8.

8.0 SWMP ASSESSMENT AND REPORTING

8.1 Program Evaluation

The Town will annually self-evaluate its compliance with the terms and conditions of the Permit. As part of the evaluation, the Town will assess the appropriateness of the selected BMPs in achieving the objectives of each MCM and the defined measurable goals. The Town will review the SWMP in August of each year starting in August 2023 and evaluate the implementation status of the SWMP components as well as the effectiveness of each component or combination of components.

The annual review will include the following:

- A review of the status of program implementation and compliance
- A review of monitoring data (if applicable), any changes in monitoring methods and parameters, and an assessment of the overall monitoring program.
- A review of any revision or change of BMPs during the year and an assessment of the effectiveness of such revision
- An overall assessment of the goals and direction of the SWMP and effectiveness of BMPs
- Updated implementation schedule
- Annexed areas located within the Permit boundaries and associated BMPs

During the annual review, the Town will determine if the SWMP needs to be revised. If SWMP revisions are needed, the Town will notify ADEQ of any additions. If components of the SWMP need to be replaced, the Town will submit the proposed revisions to ADEQ with an explanation of why the original practice was ineffective and how the replacement will better address the goals of the management practice.

The Town will change BMPs in accordance with the following provisions:

- Adding (but not subtracting or replacing) components or controls may be made at any time
- Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternative BMP may be made if the following procedures are documented:
    - An analysis of why the BMP is ineffective or infeasible
    - Expectations on the effectiveness of the replacement BMP
    - An analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced.

All changes made to the SWMP under this section will be discussed in the Annual Report.

8.2 Recordkeeping

The Town will keep all records required by the Permit for a period of at least three years. Records include information used in the development of any written program required by the Permit, any monitoring results, copies of reports, records of visual observations, follow-up and elimination of illicit discharges; maintenance records; inspection records; enforcement actions; and data used in the development of the notice of intent, SWMP, plans, and annual reports.

The Town will make the records relating to the Permit, including the SWMP, available to the public. The public may view the records during normal business hours.

8.3 Annual Report

To comply with Permit Section 8.3, the Town will submit an Annual Report by September 30 of each year (or as required by ADEQ) for the preceding period of July 1 through June 30. The Annual Report will contain the following information:

1. The status of compliance with the Permit terms and conditions;
2. Updates regarding mapping requirements (Section 4.1 of the Permit);
3. An evaluation of the appropriateness and efficacy of the selected BMPs;
4. An assessment of the progress towards achieving the measurable goals and objectives of each control measure in Section 6.0 of the Permit, including description of the targeted messages for each audience; method of distribution and dates of distribution; methods used to evaluate the program; and any changes to the program;
5. Description of the activities used to promote public participation;
6. Description of the activities related to implementation of the IDDE program including: status and results of the illicit discharge potential protocols described in Section 6.3 (program responsibilities and systematic procedure); number and identifier of assets inspected or evaluated; number and identifier of outfalls observed; number of illicit discharges located; number of illicit discharges removed; and employee training;
7. All outfall visual observations and monitoring data collected by or on behalf of the Town during the reporting period;
8. The status of any plans or activities required by Section 6.0 and/or Section 7.1 (impaired and not-attaining waters), including:
    a. Identification of all discharges determined to be causing or contributing to an exceedance of water quality standards and description of response;

9. Status of the construction runoff management including number of project plans reviewed, number of inspections, and number of enforcement actions;
10. Status of stormwater management for new development and redevelopment including status of ordinance development and review;
11. Status of the operation and maintenance programs required by Section 6.6;
12. Description of any changes in identified BMPs or measurable goals;
13. Any additional reporting requirements specified in Sections 1-7; and
14. Description of activities to be conducted during the next reporting cycle.

Reports will be submitted to ADEQ online using the portal application prescribed by ADEQ.

8.4 Other Reporting

The Town will submit all monitoring results (visual monitoring results and analytical results, as necessary) on a discharge monitoring report (DMR) in a manner prescribed by ADEQ (electronic, paper format, etc.). In the event electronic reporting becomes available, the Town will submit analytical and visual monitoring results using an online program or portal application prescribed by ADEQ. DMRs will be submitted no later than September 30 of each year (unless otherwise required by ADEQ) and will include analytical and visual monitoring results for the period July 1 through June 30 of the preceding calendar year. Copies of DMRs and Annual Reports are kept on file by the Town Environmental Services Coordinator and are available upon request.

ATTACHMENT 1 - ADEQ PHASE II MS4 PERMIT

ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY

Arizona Pollutant Discharge Elimination System
General Permit for Stormwater Discharges
From Small Municipal Separate Sewer Systems
to Protected Surface Waters

This permit provides authorization to discharge under the Arizona Pollutant Discharge Elimination System (AZPDES) program, in compliance with the provisions of the Arizona Revised Statutes (A.R.S), Title 49, Chapter 2, Article 3.1, the Arizona Administrative Code (A.C.C.), Title 18, Chapter 9, Article 9, and Chapter 11, Article 1; and the Clean Water Act as amended (33 U.S.C. 1251 *et seq*.). This general permit authorizes stormwater discharges of pollutants from small municipal separate storm sewer systems (MS4s) in Arizona to Protected Surface Waters, pursuant to federal conditions in 40 CFR § 122.34 and A.R.S. Title 49 Chapter 2, Article 3.1 *et seq*. State requirements for discharges to non-WOTUS protected surface waters are enforceable solely by the Arizona Department of Environmental Quality (ADEQ). All discharges authorized by this general permit shall be consistent with the terms and conditions of this general permit.

This general permit is effective on September 30, 2021.

This general permit and the authorization to discharge expires at midnight on September 29, 2026.

This general permit was modified on Sep 16, 2022

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Trevor Baggiore, Director
Water Quality Division

Contents

1.0 COVERAGE UNDER THIS GENERAL PERMIT

1.1 **Permit Area** (40 CFR 122.28(a)(1))

This permit covers and applies to traditional and non-traditional regulated, Small Municipal Separate Storm Sewer Systems (MS4s) in Arizona except those located in Indian Country. This permit is not authorized for use by sites with stormwater discharges associated with MS4s on any Indian Country lands in Arizona. Authorization for discharges in Indian Country must be obtained through US EPA Region IX or other appropriate authority.

- City or Town – Urbanized area(s) determined by the most recent Decennial Census by the Bureau of Census, including areas annexed during the permit term;
- County – Unincorporated urbanized area determined by the most recent Decennial Census by the Bureau of Census;
- State, federal, and other publicly-owned properties that the Director determines contributes to a violation of a water quality standard or is a significant contributor of pollutants to protected surface waters; and
- Areas outside of an urbanized area as designated by the Director pursuant to Arizona Administrative Code (A.A.C.) R18-9-A902(D).
- If your small MS4 is not located entirely within an urbanized area, only the portion that is within the urbanized area is regulated, pursuant to 40 CFR 122.32(1)(a).

1.2 **Eligibility** (40 CFR 122.32)

This permit authorizes the discharge of stormwater from MS4s to all waters on the protected surface water list, including discharges to waters of the U.S. (WOTUS) and non-WOTUS protected surface waters. The requirements of discharges to non-WOTUS protected surface waters are state-only, and enforceable solely by ADEQ. An MS4 requiring coverage:

1. Is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census; or
2. Is designated for permit authorization by the department under the A.A.C. R-18-9-A902(D)(1), R18-9-A902(D)(2), R-18-9-A902(E), R18-9-A905(A)(1)(f) which incorporates 40 CFR §122.32.
3. Existing permittees shall implement all requirements of this permit within one (1) year of the effective date of the permit. Existing permittees shall maintain their Stormwater Management Program (SWMP) implemented under the 2016 Phase II MS4 permit until requirements of this permit are implemented.
4. New permittees shall implement all requirements of this permit within two (2) years of obtaining permit coverage. During the first two permit years, new

permittees may request, in writing to ADEQ, a one-time extension of one (1) additional year to complete a specific permit requirement. Requests should be emailed to AZPDES@azdeq.gov.

1.3 Limitations of Coverage

This general permit does not authorize:

1. Discharges mixed with sources of non-stormwater unless the non-stormwater discharges comply with an applicable NPDES or AZPDES permit, as addressed in Part 6.3(6), IDDE;
2. Stormwater discharges associated with industrial activity as defined in 40 CFR §122.26(b)(14)(i)-(ix) and (xi);
3. Stormwater discharges associated with construction activity as defined in 40 CFR §122.26(b)(14)(x) or 40 CFR §122.26(b)(15);
4. Stormwater discharges currently covered under another permit;
5. Discharges to impaired or not-attaining waters, listed in the Clean Water Act 303(d) list of Impaired Waters, if discharge(s) from the MS4 contain, or may contain, pollutant(s) for which the receiving water is listed except:
    a. If a TMDL has been established and the stormwater management program (SWMP) is consistent with the requirements of the TMDL, including any wasteload allocation or load allocation in the TMDL. (See Appendix C for specific TMDL wasteload allocations.) The SWMP shall also identify Best Management Practices (BMPs) the permittee will use to meet wasteload allocations or load allocations and include monitoring for associated pollutant(s); and
    b. If a TMDL has not been established and the SWMP includes a section describing how the program will control the discharge of 303(d) listed pollutants and ensure to the maximum extent practicable that discharges from the MS4 will not cause or contribute to exceedances of surface water quality standards (SWQS). The SWMP shall also identify BMPs the permittee will use to control discharges and include monitoring of their effectiveness.
6. New or expanded point-source discharges directly to water classified as an Outstanding Arizona Water (OAW) under A.A.C. R18-11-112.

1.4 Permit Compliance (40 CFR 122.36)

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

2.0 AUTHORIZATION UNDER THIS PERMIT

Existing permittees that have coverage as of the effective date of this permit:

1. Within the first year of this permit, the permittee shall update the SWMP as necessary to comply with the requirements of Part 4 of this permit; and
2. Within the first 60 calendar days from the effective date of this permit, the permittee shall submit a new NOI in myDEQ. The MS4 may continue to comply with the terms and conditions of the expired permit (AZG2016-002) until the NOI is submitted and payment is made for the permit application fee.

New permittees shall submit a NOI in myDEQ and pay the permit application fee to obtain coverage under this permit.

2.1 Notice of Intent (NOI)

1. A person seeking authorization to discharge under this general permit shall submit to the department a complete and accurate NOI on a form provided by the department and includes, at a minimum, the following information:
    a. Name of MS4;
    b. Operator name and title;
    c. Mailing address;
    d. Annual fee billing information;
    e. Contact person;
    f. Contact information;
    g. Estimated population of regulated area (based on most recent decennial census by the Bureau of Census);
    h. Protected surface water(s);
    i. The number of outfalls that discharge to a protected surface water(s); and
    j. Outfall name or identification, for outfalls required in “i” above.
2. If the department notifies the applicant of deficiencies or inadequacies in any portion of the NOI, or requests additional information, the applicant shall correct the deficient or inadequate portions and submit a revised NOI that addresses the deficiencies within seven (7) days of receiving notification.
3. The permittee shall submit a revised NOI to the department within fifteen (15) days whenever there is a change of information (certifying official, mailing address, contact information, etc.).

2.2 Permit Fees

Permittees are subject to fees established in A.A.C. R18-14-109, Table 6. The department will issue an invoice annually to the permittee at the address identified on the NOI. Permittees shall submit the applicable fee when submitting an NOI to obtain coverage under this permit.

2.3 Terminating Coverage (NOT)

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

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

NOTs shall be signed in accordance with Part 9.9 and shall be submitted to ADEQ via email at AZPDES@azdeq.gov. The email subject line must include "Termination – MS4 Permittee Name."

2.4 Coverage under an Individual Permit

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

2.5 Continuation of this General Permit

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

If the MS4 operator does not submit a timely, complete, and accurate NOI requesting authorization to discharge under a reissued permit or a timely request for authorization under an individual or alternative general permit, authorization under this permit will terminate on the effective date of the reissued permit unless otherwise specified in this permit. See Part 2.0.

3.0 STORMWATER PROGRAM ENFORCEMENT

3.1 Establish Enforcement Procedures (40 CFR 122.34(b)(3)(B))

Permittees shall adopt and implement local ordinance(s) or other regulatory mechanism(s) that provide adequate enforcement procedures to satisfy the requirements of this permit to control pollutant discharges into its MS4.

3.2 Enforcement Requirements

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

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

10. A description of how stormwater related-ordinances are implemented and appealed.

3.3 Enforcement Response Plan(s)

The permittee shall develop an enforcement response plan (ERP) that specifies how it will exercise its legal authority to comply with this permit. The ERP shall include a prioritization schedule that establishes escalated enforcement for non-compliance of illicit discharges and construction activities. In developing the ERP, the permittee shall include the following factors in prioritizing escalated enforcement:

1. Severity of non-compliance;
2. Repeated non-compliance;
3. Proximity to a receiving water or storm sewer system; and
4. Other appropriate factors.

4.0 STORMWATER MANAGEMENT PROGRAM

The permittee shall develop, implement, and enforce a Stormwater Management Program (SWMP) that is designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the federal Clean Water Act and A.R.S Title 49 Chapter 2, Article 3.1 *et seq*. The program shall be documented and available for review by ADEQ, U.S. EPA, and interested persons.

1. Existing permittees shall modify or update their existing SWMP to meet the terms and conditions of this permit within one (1) year of the effective date of this permit**.**
2. New permittees shall develop a SWMP that meets the conditions of this permit within two (2) years of the effective date of their coverage.
3. At a minimum, and at least annually, all permittees shall assess, evaluate, and update the SWMP and incorporate any revisions necessary to maintain permit compliance. The annual SWMP review shall occur in connection with preparing the annual report (see Parts 8.1 and 8.3).

4.1 Contents of the Stormwater Management Program

At a minimum, the SWMP shall contain the following:

1. Listing of all protected surface waters, their classification under the applicable state surface water quality standards (SWQS), any impairment(s) and associated pollutant(s) of concern, applicable TMDLs and WLAs, and number of outfalls from the MS4 that discharge to each waterbody;
2. The process and schedule for creating and maintaining an up-to-date map that includes, at a minimum, the storm sewer system, outfalls, and protected surface waters;
3. Illustrate any areas that are not subject to the MS4 and identify why there is no discharge within the MS4 boundaries;
4. Listing of all known, ongoing discharges that cause or contribute to the exceedance of an applicable surface water quality standard;
5. Description of practices to achieve compliance with the permit. For each permit condition identify:
    a. The personnel, position or department responsible for implementing the measure; and
    b. The BMPs for each control measure or permit requirement.
6. Description of practices to achieve compliance with applicable TMDLs or waste load allocation, including measurable goal(s) for each BMP and

corresponding milestones and timeframes. Each goal shall have an associated measure of assessment;

7. Analytical monitoring program for impaired or not-attaining waters, and for Outstanding Arizona Waters to ensure compliance with permit limitations, wasteload allocation(s), and SWQS;
8. The analytical monitoring program shall include a Sampling and Analysis Plan (SAP) that includes the following minimum components: sample collection, equipment and containers, decontamination, calibration procedures, sample frequency (based on illicit discharge characteristics), document site conditions, field notes, sample preservation, tracking (chain-of-custody), and handling;
9. Protocol for annual program evaluation (Part 8.1). Update annually and maintain copies; and
10. Identification of personnel (department, position, etc.) responsible for program implementation.

4.2 Stormwater Management Plan Availability

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

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

5.0 WATER QUALITY STANDARDS

The permittee shall develop, implement and enforce a program to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of federal and state laws.

5.1 Water Quality Based Effluent Limitations

Pursuant to Clean Water Act 402(p)(3)(B)(iii) and A.R.S 49-255.04, this permit includes provisions to ensure that discharges from the permittee's small MS4 do not cause or contribute to an exceedance of SWQS, in addition to requirements to reduce the discharge of pollutants to the maximum extent practicable.

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

5.2 Surface Water Quality Standards (SWQS)

1. The permittee shall implement the six (6) Minimum Control Measures (MCMs) specified in Part 6 to the maximum extent practicable to protect water quality, and to satisfy water quality requirements of the Clean Water Act, including attainment of SWQS.
2. If the permittee discovers, or is otherwise notified by ADEQ or U.S. EPA, that a discharge from the MS4 is causing or contributing to an exceedance of an applicable surface water quality standard, the permittee shall expand or better tailor its BMPs within the scope of the six (6) minimum control measures in Part 6.0 to achieve progress toward attainment of SWQS. The requirements for discharges to non-WOTUS protected surface waters are state-only, and enforceable solely by ADEQ.

6.0 MINIMUM CONTROL MEASURES

The permittee shall reduce the discharge of pollutants to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate requirements of the Clean Water Act and A.R.S 49-255.04 by implementing the six (6) minimum control measures (MCMs) in parts 6.1 – 6.6 below.

1. Existing permittees shall continue to implement their existing SWMPs while making updates pursuant to this permit. This permit does not extend the compliance deadlines set forth in previous permits.
2. Implementation of one (1) or more of the minimum control measures described in Parts 6.1 – 6.6 or other permit requirements may be shared with another entity (including another interconnected MS4) or the other entity may fully implement the measure or requirement, if the following requirements are satisfied (See 40 CFR 122.35(a)):
    a. The other entity implements the control measure as specified in the SWMP;
    b. The particular control measure or component thereof undertaken by the other entity is at least as stringent as the corresponding permit requirements
    c. The other entity agrees to implement the control measure on the permittee's behalf. The SWMP shall specify that the permittee is relying on another entity to satisfy some of its permit obligations and specify what those obligations are;
    d. The permittee remains responsible for compliance with all permit obligations if the other entity fails to implement the control measures (or component thereof). The permittee may enter into a legally binding agreement with the other entity regarding the other entity's performance of control measures, but the permittee remains ultimately responsible for permit compliance.

6.1 Public Education and Outreach (40 CFR 122.34(b)(1))

The permittee shall identify and implement an educational program that focuses on the impacts of stormwater discharges to and from the MS4.

1. At a minimum, the permittee shall provide public education, outreach to at least one (1) target group, and focus its efforts on conveying relevant messages using one (1) or more appropriate topics listed below during each year of the permit term. Topics listed are not exclusive, and the permittee may focus its effort on one (1) or more target group(s) and topic(s) most relevant to the MS4.
    a. *Target Groups:*

        General Public, Residential Community, Homeowners, , Schools

b. *Topics:*

i. Post-construction ordinances and long-term maintenance requirements for permanent stormwater controls;

ii. Stormwater runoff issues and residential stormwater management practices;

iii. Potential water quality impacts of application of pesticides, herbicides and fertilizer and control measures to minimize runoff of pollutants in stormwater;

iv. Potential impacts of animal waste on water quality and the need to clean up and properly dispose of pet waste to minimize runoff of pollutants in stormwater;

v. Illicit discharges and illegal dumping, proper management of non-stormwater discharges, and to provide information on reporting spills, dumping, and illicit discharges;

vi. Spill prevention, proper handling and disposal of toxic and hazardous materials, and measures to contain and minimize discharges to the storm sewer system;

vii. Installation of catch basin markers or stenciling of storm sewer inlets to minimize illicit discharges and illegal dumping to storm sewer system;

viii. Proper management and disposal of used oil; or

ix. Community activities (monitoring programs, environmental protection organization activities, etc.).

2. At a minimum, the permittee shall provide business sector education/outreach to at least one (1) target group and focus its efforts on conveying relevant messages using one (1) or more appropriate topic(s) listed below during each year of the permit term. Topics listed are not exclusive, and the permittee may focus its efforts on one (1) or more target group(s) and topic(s) most relevant to the MS4.

1. *Target Groups:*

Development, Community/Home Owner Association, Construction Site Operators, Targeted Sources or Types of Businesses (industrial or commercial)

2. *Topics:*

i. Planning ordinances and grading and drainage design standards for stormwater management in new developments and significant redevelopments;

ii. Post-construction ordinances and long-term maintenance requirements for permanent stormwater controls;

iii. Municipal stormwater requirements and stormwater management practices for construction sites;

iv. Illicit discharges and proper management of non-stormwater discharges;

v. Spill prevention, proper handling of toxic and hazardous materials, and measures to contain and minimize discharges to the storm sewer system;

vi. Proper management and disposal of used oil and other hazardous or toxic materials, including practices to minimize exposure of materials/wastes to rainfall and minimize contamination of stormwater runoff;

vii. Stormwater management practices, pollution prevention plans, and facility maintenance procedures; or

viii. Water quality impacts associated with land development (including new construction and redevelopment).

3. The program shall focus on messages for specific audiences as well as show progress toward the defined educational goals of the program. The permittee shall identify methods that it will use to evaluate the effectiveness of the educational messages and the overall education program.
4. The permittee shall modify any ineffective messages or distribution techniques on an annual basis. See Part 8.1(3) for record keeping requirements.

6.2 Public Participation and Involvement (40 CFR 122.34(b)(2))

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

1. All public involvement activities shall comply with state and local public notice requirements. The SWMP and all annual reports shall be available to the public. The current SWMP and annual report in subsequent years shall be posted no later than 30-days of the due date of the annual report. See 1.2(3) and (4).
2. The permittee shall annually provide the public an opportunity to participate in the review, revisions, updates, and implementation of the SWMP.
3. The permittee shall create opportunities for citizens to participate in the implementation of stormwater controls, for example, but not limited to:
   a. Stream clean-ups;
   b. Storm drain stenciling;

c. Volunteer monitoring;

d. Disposal of household hazardous waste;

e. Educational activities; and

f. Facilitation of Adopt-A-Wash, Adopt-A-Park, and Adopt-A-Street litter control activities.

4. The permittee shall provide and publicize a reporting system to facilitate and track public reporting of spills, discharges and/or dumping to the MS4 on a continuous basis.

5. The permittee shall document the details of the public involvement and participation program in the SWMP.

6.3 Illicit Discharge Detection and Elimination (IDDE) Program

(40 CFR 122.34(b)(3))

The permittee shall identify, develop, implement and enforce a program to detect and eliminate illicit discharges into the MS4. The IDDE program shall be recorded in a written document and maintained in the SWMP. The IDDE program shall include each of the elements listed in this section.

1. Storm Sewer Mapping

   The permittee shall prepare and maintain an up-to-date map of the MS4. At a minimum, the storm sewer map shall be sufficient in scope and detail to identify and isolate illicit discharges. The permittee is not required to submit storm sewer system mapping infrastructure to ADEQ unless specifically requested, and shall make mapping information available to ADEQ or EPA to assess permit compliance.

   The permittee shall develop a map that includes, at a minimum, the following:

   a. Storm sewer system including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains that are owned or operated by the permittee and convey stormwater to protected surface waters.

   b. The location of all outfalls; and

   c. The name and location of all protected surface waters that receive discharges from outfalls.

   Existing permittees shall review and update maps within one (1) year from the effective date of this permit, including areas annexed within the previous permit term.

   For existing permittees that have an increase of their “Urbanized Area” (UA) based on the 2020 Census, mapping shall be completed as following:

a. Within three (3) years from the effective date of the updated UAs from the Decennial Census;
b. At a minimum of 33% each year (permit years 1-3) and will be updated in the annual report; and
c. Supporting documentation should be maintained in the SWMP.

New permittees must include a mapping schedule in their NOI. The schedule must include how the permittee will conduct the mapping process, a timeline, and estimated completion dates.

2. Enforcement Procedures

a. The permittee shall prohibit non-stormwater discharges into the storm sewer system by implementing appropriate enforcement procedures and actions authorized by current ordinances, by-laws or other regulatory mechanisms. See Part 3.2 Enforcement Requirements for additional requirements on ordinances.

b. The written IDDE program shall include a reference or citation of the authority (ordinance or other regulatory mechanism) the permittee will use to implement all aspects of the IDDE program.

3. Statement of IDDE Program Responsibilities

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

4. Illicit Discharge Detection and Elimination Reporting

The Permittee shall track and maintain records of the activities conducted to meet the requirements of Parts 6.1 – 6.6. The Permittee shall submit as part of each annual report a summary of IDDE activities in tabular format. The required fields are:

a. MS4 Name;

b. Date incident reported or discovered;

c. Date of the beginning of your response;

d. Date of the end of your response;

e. Did the discharge reach a protected surface water (yes, no, or unknown);

f. Incident location (address or latitude and longitude);

g. Pollutants;

h. Source; and

i. Correction method(s).

5. Eliminating Illicit Discharges

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

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

6. Non-Stormwater Discharges

The following categories of non-stormwater discharges or flows shall be addressed when such discharges are identified by the permittee as sources of pollutants to a protected surface water:

a. Water line flushing;

b. Landscape irrigation, including flood irrigation;

c. Diverted stream flows;

d. Rising ground waters;

e. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20)) to separate storm sewers;

f. Uncontaminated pumped groundwater;

g. Discharges from potable water sources;

h. Foundation drains;

i. Air conditioning condensation;

j. Irrigation water;

k. Springs;

l. Water from crawl space pumps;

m. Footing drains;

n. Lawn watering;

o. Individual residential car washing;

p. Flows from riparian habitats and wetlands;

q. Dechlorinated swimming pool discharges;

r. Street wash water;

s. Discharges or flows from emergency firefighting activities;

t. Discharges authorized by another NPDES or AZPDES permit.

7. Visual Monitoring

The permittee shall develop, implement, and maintain a visual monitoring program that includes both dry weather and wet weather stormwater discharges to identify, monitor, and eliminate illicit discharges; and to ensure compliance with effluent limitations in this permit. The ratio of dry weather and wet weather screenings conducted each year will be determined by the permittee.

a. The monitoring programs shall include written procedures for conducting visual monitoring of outfalls from the MS4. Monitoring procedures shall include, at a minimum, the following information/observations: outfall identification, personnel, time, date, weather conditions at time of inspection, estimated flowrate, apparent odor, color, clarity, debris, floatables, and other necessary information to characterize the screening.

b. The permittee shall visually monitor at least 20% of all outfalls each year including both dry and wet weather screenings. The ratio of dry weather and wet weather screenings conducted each year will be determined by the permittee. Re-inspection of outfalls may be included in the annual monitoring percentage. In the event an illicit discharge is discovered, the permittee shall implement measures to eliminate the illicit discharge (parts 6.3(1) - 6.3(6)); and

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

d. In the event a Small MS4 has fewer than five (5) outfalls, a minimum of five (5) screening points, or combination of outfalls and screening points, shall be utilized for the visual monitoring requirement. Screening points shall be at locations where stormwater leaves the Small MS4's permitted area including locations where stormwater may discharge to another MS4 or other conveyance.

8. Indicators of IDDE Program Progress

   The permittee shall define or describe indicators for tracking program success. At a minimum, indicators shall include measures that demonstrate efforts to locate illicit discharges that were identified and removed. Such measures may include response time to inspection, an increase in public awareness, time from discovery to elimination, and other appropriate factors. The permittee shall evaluate the overall effectiveness of the program at least annually and incorporate improvements as necessary.

9. Staff Training

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

10. AZPDES Non-Filers

    The permittee shall implement a program to identify illicit discharges to the MS4 identified in accordance with the IDDE program established in Section 6.3. The permittee shall report suspected non-filers to ADEQ within 30 days. The report provided to ADEQ shall include, at a minimum, the facility name and the location of the suspected non-filer. The reports shall be submitted to ADEQ at AZPDES@azdeq.gov. If more than one non-filer is identified within a 30-day period, the notifications may be combined into a single report.

6.4 Construction Activity Stormwater Runoff Control (40 CFR 122.34(b)(4))

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

1. Construction Activity Stormwater Runoff Implementation

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

2. Construction Activity Stormwater Runoff Program Components

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

   a. An ordinance or other regulatory mechanism that requires the use of sediment and erosion control practices and allows the permittee, to the extent authorized by law, to impose sanctions ensuring compliance with the local program. See Part 3.2 Enforcement Requirements for additional requirements on ordinances.

b. An inventory of all construction activities that disturb or will disturb one (1) or more acres within the permitted area, including those that are less than one (1) acre but are part of a larger common plan of development or sale if the larger common plan will ultimately disturb greater than one (1) acre.

c. Written procedures for site plan review shall include:

    1. A review of the site design;

    2. The planned operations at the location of the construction activity;

    3. Planned stormwater controls during each construction phase; and

    4. The planned controls to be used to manage runoff created after development. (see 6.5)

d. Written procedures for site inspections and enforcement of sediment and erosion control measures. The procedures shall clearly define who is responsible for site inspections as well as who has authority to implement enforcement procedures. The program shall allow the MS4, to the extent authorized by law, to impose sanctions ensuring compliance with the local program. These procedures and regulatory authorities shall be documented in the SWMP.

e. In developing procedures for site inspections and enforcement control measures, the permittee shall consider, at a minimum, the following:

    1. The phase of construction;

    2. Proximity to an impaired, not-attaining or OAW;

    3. Size of the construction activity (acreage disturbed); and

    4. History of non-compliance (site or operator).

f. Implement procedures for site inspections of public and private construction projects in accordance with the frequency specified below:

    1. Sites (1) one acre or larger that are within 1/4 mile of an impaired or not-attaining protected surface water, that is impaired for turbidity or Suspended Sediment Concentration (SSC), shall be inspected a minimum of once per week, and within 24 hours of the occurrence of each storm event of 0.5 inches or greater in a 24 hour period;

    2. Site inspection frequency for sites not subject to part f.1 (above) may follow section a or b below, or any combination thereof:

        a. Sites shall be inspected within one month of the start of construction. This inspection may count towards quarterly inspections.

            i. Sites shall be inspected quarterly; and

            ii. Sites shall be inspected upon completion of construction and prior to final approval or occupancy. This inspection may count towards quarterly inspections.

b. Sites meeting the below i - v requirements may reduce inspection frequency to every six months. The permittee must document which sites are inspected under this reduced frequency section:

   i. The nearest downstream receiving water is ephemeral;

   ii. The construction activity occurs on a site designed so that all stormwater generated by disturbed areas of the site exclusive of public rights-of-way is directed to one or more retention basins that are designed to retain the runoff from an extreme event. For the purposes of this subsection, "extreme event" means a rainfall event that meets or exceeds the local one hundred-year, two-hour storm event as calculated by an Arizona registered professional engineer using industry practices;

   iii. The owner or operator complies with erosion and sediment control measures;

   iv. The owner or operator maintains the capacity of the retention basins; and

   v. Construction conforms to the standards prescribed by this section.

Compliance during this permit term shall be determined by achieving at least 80% of scheduled inspections annually.

g. Based on construction activity inspection findings, the permittee shall take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure compliance in accordance with the permittee's enforcement response plan required under Part 3.3.

h. The permittee shall require construction operators to implement sediment and erosion control BMPs appropriate for the conditions at the construction site. Examples of appropriate sediment and erosion control measures for construction activities include local requirements to:

   1. Minimize the amount of disturbed area and protect natural resources;

   2. Stabilize sites when projects are complete or operations have temporarily ceased;

   3. Protect slopes on the site of the construction activity;

   4. Protect storm drain inlets and armor all newly-constructed outlets;

   5. Use perimeter controls at the site;

   6. Stabilize entrance(s) and exit(s) at the location of the construction activity to prevent off-site tracking; and

   7. Inspect stormwater controls at consistent intervals.

i. The permittee shall require construction operators to control wastes, including but not limited to: discarded building materials, paints, fertilizers, concrete washout, chemicals, litter, equipment leaks, and sanitary wastes.

3. Personnel Qualifications

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

4. Construction Activity Operator Education and Public Involvement

   The permittee must develop and implement a program to provide education to construction activity operators on erosion and sediment control BMP requirements and establish procedures for receipt of, and consideration of, information submitted by the public.

6.5 Post-Construction Stormwater Management in New Development and Redevelopment (40 CFR 122.34(b)(5))

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

1. The post-construction stormwater management program shall include a combination of structural and/or non-structural best management practices, as well as the components identified in this section.
2. An ordinance or regulatory mechanism shall be implemented to address runoff from new development and redevelopment projects. The regulatory mechanism shall specify that owners or operators of new development and redevelopment sites discharging to the MS4, design, install, and maintain post-construction stormwater controls that reduce or eliminate the discharge of pollutants from the site after construction activities are completed. See Part 3.2 Enforcement Requirements for additional requirements on ordinances.

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

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

3. Site Plan Review

   The permittee shall design, implement, and maintain a site plan review process to evaluate and approve post-construction stormwater controls. See permit part 6.4(2)(c) for site plan review requirements.

4. Post-Construction Stormwater Control Inventory

   The permittee shall implement and maintain an inventory system of all post-construction structural stormwater control measures installed and implemented at new development and redeveloped sites, including both public and private sector sites located within the permit area that discharge into the MS4. The inventory must be searchable by property location (either on paper or electronic) and other relevant criteria (e.g., type: retention, detention, green stormwater infrastructure, permeable pavement, dry well, size: feet, acre, volume; and, purpose: sediment removal, metals treatment, oil and grease).

5. Operation and Maintenance of Post-Construction BMPs

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

6.6 Pollution Prevention and Good Housekeeping for Municipal Operations (40 CFR 122.34(b)(6))

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

1. At a minimum, the program shall include control measures for reducing or eliminating the discharge of pollutants from:
   a. streets, roads, highways;
   b. municipal parking lots;
   c. maintenance and storage yards;
   d. fleet or maintenance shops with outdoor storage areas;
   e. salt/sand storage locations and snow disposal areas operated by the permittee;
   f. waste transfer stations; and
   g. disposal of waste removed from the separate storm sewers and areas listed above (such as dredge spoil, accumulated sediments, floatables, and other debris).

2. Operation and Maintenance of Pollution Prevention and Good Housekeeping BMPs

   The permittee shall establish processes, procedures, and other such provisions necessary to ensure the long-term operation and maintenance of stormwater BMPs. At a minimum, the processes and procedures shall include:

   a. Development of an inventory of municipally-owned and operated facilities and activities that discharge;

   b. Prioritize municipal facilities based on their risk to discharge pollutants and develop and implement a site inspection schedule (example, more frequent inspections for higher risk facilities, less frequent inspections for lower risk facilities);

   c. Develop and implement an inspection schedule for municipally-owned or operated facilities and activities, based on priority, to ensure stormwater controls are effective and being properly maintained. Inspections shall be implemented with the following frequencies:

      i. High risk facilities shall be inspected at least once every quarter;

      ii. Medium risk facilities shall be inspected at least twice per year; and

      iii. Low risk facilities shall be inspected at least once per year.

   d. Based on inspection findings, update municipally-owned or operated facilities priority status and modify inspection frequency, as appropriate;

   e. Develop and implement stormwater controls at municipally-owned or operated facilities and discharge activities to reduce or eliminate the discharge of pollutants;

   f. Develop and implement an annual employee training program to incorporate pollution prevention and good housekeeping techniques into everyday operations and maintenance activities; and

   g. Develop maintenance activities, maintenance schedules, and long-term inspections procedures for structural and non-structural stormwater controls to reduce floatables, trash, and other pollutants discharged from the MS4.

   Existing permittees shall continue to implement established operation and maintenance programs while updating those programs, as necessary, to comply with the requirements of this permit.

7.0 MONITORING REQUIREMENTS

All MS4s are required to perform Stormwater Characterization Monitoring as set forth in this section. Additionally, MS4s that have stormwater discharges to impaired or not-attaining waters, OAWs, or waters with TMDLs shall monitor for the impairments, as outlined in this section.

Additionally, ADEQ may notify the MS4 in writing of any additional monitoring requirements to ensure protection of receiving water quality or to ensure permit compliance. Additional monitoring will be required if there is evidence that a pollutant is being discharged by the permittee that may be causing or contributing to exceedances of a water quality standard. Any such notice will provide an explanation of the reasons for the monitoring, locations, and parameters to be monitored, frequency and period of monitoring, sample types, and reporting requirements.

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

7.1 Monitoring and Assessment Program

1. The monitoring provisions of this section apply to all permittees that must conduct analytical monitoring. The permittee shall implement, and revise as necessary, a comprehensive monitoring and assessment program that includes a Sampling and Analysis Plan (see 7.3).

   A description of this program shall be included in the SWMP. The monitoring and assessment program shall be designed to meet the following objectives:

   a. Assess the impacts to impaired, not-attaining, or Outstanding Arizona Waters (OAWs) resulting from stormwater discharges from Small MS4 outfalls;

   b. Characterize stormwater discharges;

   c. Identify sources of elevated pollutant loads and specific pollutants; and

   d. Assess the overall health and evaluate long-term trends in water quality of impaired, not attaining, or OAWs.

2. The permittee shall identify outfall locations in the SWMP that:

   a. Discharge to impaired waters (Category 5);

   b. Discharge to not-attaining waters (Category 4);

   c. Discharges to OAWs listed in A.A.C. R18-11-112; and

   d. Are subject to additional monitoring required by ADEQ.

7.2 Stormwater Characterization Monitoring Requirements

1. Stormwater Sampling

   The permittee shall conduct stormwater characterization monitoring of discharges from the MS4 to protected surface waters at the outfalls identified by the permittee in Part 7.2(4). The permittee shall sample stormwater discharges from the MS4, as required in Appendix B, one (1) time within the first three and one-half (3.5) years of the effective date of the permit; new permittees shall sample stormwater discharges from the MS4 within the first three and one-half (3.5) years after obtaining permit coverage. This monitoring requirement shall provide discharge characterization data of stormwater discharges from the MS4.

2. Qualifying Storm Event

   The permittee shall conduct the required stormwater characterization monitoring for qualifying storm events. A qualifying storm event is rainfall in the amount of 0.1 inches or more and a resulting discharge, within the first 24-hours of the event. The permittee shall design stormwater sampling procedures to include the "first flush" (first 30 minutes of storm event discharge) of a qualifying storm event, to the maximum extent practicable.

3. Storm Event Records

   The sampled qualifying storm event is 0.1 inches or more of rainfall and resulting in a discharge at the outfall. The permittee shall include the sampled qualifying storm event data in the DMR, including the following information:

   a. Date of the qualifying storm event; and

   b. Amount of rainfall (in inches) in the drainage area for each stormwater monitoring location identified in 7.2(4).

4. Monitoring Locations

   The permittee shall identify at least three (3) outfalls or locations within the MS4, representative of stormwater pollution from the MS4 for stormwater characterization monitoring. The identified outfalls for this one-time characterization monitoring must be reported in a discharge monitoring report (DMR), including the identification of the land use for the area served by the outfall from the following three uses: residential, commercial, industrial. The permittee's selected outfalls must be representative MS4 discharges and discharge to a protected surface water.

5. Adverse Climatic Conditions

   Sampling of a qualifying storm event is not required during adverse climatic conditions. Adverse climatic conditions which prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, electrical storms, etc.). Information on the conditions that prevented sampling shall be reported to ADEQ with the DMRs. Where additional stormwater sampling is required, the

permittee shall continue to monitor subsequent storm events during the monitoring season and perform storm water sampling of a qualifying storm event if another occurs during the same wet season.

6. Stormwater Characterization DMR

All parameters listed in Appendix B shall be monitored. Any additional parameters may be monitored as determined by the permittee. All parameters monitored must be reported to ADEQ via the DMR provided in myDEQ.

ADEQ will provide an electronic DMR in myDEQ for each permittee to record their stormwater characterization monitoring.

a. This DMR shall be submitted within 30 days after receiving laboratory results from characterization monitoring.

b. For existing permittees, this DMR will be available from October 1, 2021 through March 30, 2024, allowing the entry of data and/or no discharge codes throughout the first three and one-half (3.5) years of permit coverage.

c. For new permittees, a DMR will be made available for the first three and one-half (3.5) years after obtaining permit coverage.

The permittee shall retain records of all stormwater monitoring information with the SWMP.

7.3 Sampling and Analysis Plan (SAP)

The permittee shall develop a written SAP for analytical monitoring of stormwater discharges, including but not limited to:

1. The name(s) and title of the person(s) who will perform the monitoring;
2. Locations of monitoring sites;
3. A map showing the segments or portions of the protected surface water that are most likely to be impacted by the discharge of pollutant(s);
4. Water quality parameters and pollutants to be sampled;
5. The citation and description of the sampling protocols to be used; and
6. Identification of the analytical methods and related method detection limits (if applicable) for each parameter required. The permittee shall use analytical methods with a Limit of Quantitation (LOQ) that is lower than the effluent limitations, Assessments Levels, Action Levels, or other water quality criteria, if any, specified in this permit. If all methods have LOQs higher than the applicable water quality criteria, the permittee shall use the approved analytical method with the lowest LOQ.

7.4 Discharges to Impaired or Not-Attaining Waters or Outstanding Arizona Waters

1. Discharges to impaired or not-attaining waters:

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

   b. If the waterbody is listed for suspended solids, turbidity or sediment/sedimentation and the discharge occurs for more than 72 hours after the storm event, the permittee shall monitor for suspended sediment concentration (SSC). If the pollutant causing the impairment is expressed in the form of an indicator or surrogate pollutant, the permittee shall monitor for that indicator or surrogate pollutant.

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

2. Discharges to OAWs:

   a. The permittee shall perform analytical monitoring for the following parameters, if the MS4 has discharges to an OAW:

      1. Biochemical oxygen demand (BOD)
      2. Total suspended solids (nonfilterable) (TSS)
      3. pH
      4. Fecal coliform
      5. Oil and grease

   b. The permittee shall also sample for any pollutants for which the OAW is impaired or not-attaining.

   Note - this condition does not apply for discharges to OAWs that are non-WOTUS protected surface waters.

3. Discharges to a Lake:

   If the protected surface water is a lake that is impaired or not-attaining, a site-specific proposal for sampling the impact area shall be implemented and kept as part of the SWMP.

7.5 Monitoring Frequency and Deadlines

All MS4s that have discharges to impaired or not-attaining waters or OAWs shall perform analytical monitoring as per the frequencies and deadlines stated in this permit part.

1. The operator shall conduct analytical monitoring a minimum of one (1) time per wet season throughout the duration of permit coverage. Analytical monitoring is only required when stormwater or snowmelt discharges from an outfall in sufficient quantity to allow for sample collection and analysis.

   For the purposes of analytical monitoring, wet seasons are defined as follows:

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

2. The operator shall conduct analytical monitoring at outfalls observed or suspected to discharge the greatest amount of pollutants using Table 7 below:

Table 7 Minimum Number of Samples to Collect	
Number of Outfalls	Number of Samples
1 to 4	All
5 to 20	5
over 20	10

3. Calibration and Maintenance of Equipment and Monitoring Methods:

   a. All monitoring instruments and equipment (including operators' own field instruments for measuring pH and turbidity) shall be calibrated and maintained in accordance with manufacturers' recommendations. All laboratory analyses shall be conducted according to test procedures specified in 40 CFR Part 136. The permittee shall use analytical methods with a Limit of Quantitation (LOQ) that is lower than the effluent limitations, Assessments Levels, Action Levels, or other water quality criteria, if any, specified in this permit. If all methods have LOQs higher than the applicable water quality criteria, the Permittee shall use the approved analytical method with the lowest LOQ.

   b. All samples collected for analytical monitoring shall be analyzed by a laboratory that is licensed by the Arizona Department of Health Services (ADHS) Office of Laboratory Licensure and Certification. This requirement does not apply to parameters that require analysis at the time of sample collection as long as the testing methods used are approved by ADHS or ADEQ. These parameters may include flow, dissolved oxygen, pH, temperature, and total residual chlorine.

c. The permittee may conduct field analysis of turbidity if the permittee has sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to properly perform the field analysis.

d. The permittee may conduct field analysis of E. coli if the permittee has sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to properly perform the field analysis using Colilert or an equivalent.

7.6 Analytical Monitoring DMR

All permittees subject to analytical monitoring shall submit the results on the electronic Discharge Monitoring Report (DMR) in myDEQ. The permittee shall retain records of all stormwater monitoring information with the SWMP.

The DMR shall be submitted within 30 days after receiving laboratory results. In the event no samples are collected during a wet season, the DMR indicating “no data” using the appropriate No Discharge Information (NODI) code(s) shall be submitted no later than:

- June 30 (for winter sampling)
- November 30 (for summer sampling)

8.0 PROGRAM ASSESSMENT, RECORDKEEPING, AND REPORTING

8.1 Program Evaluation

1. The permittee shall annually self-evaluate its compliance with the terms and conditions of this permit. The permittee shall maintain the annual evaluation documentation as part of the SWMP.
2. The permittee shall evaluate the appropriateness of the selected BMPs in achieving the objectives of each control measure and the defined measurable goals. The permittee may change BMPs in accordance with the following provisions:
    a. Adding (but not subtracting) components or controls may be made at any time;
    b. Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternative BMP may be made if the proposed changes meet the criteria of this Part, 8.1.
3. BMP modification documentation shall include the following information and all documentation shall be kept in the SWMP:
    a. An analysis of why the BMP is ineffective or infeasible;
    b. Expectations on the effectiveness of the replacement BMP; and
    c. An analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced.
4. ADEQ may require the permittee to add, modify, repair, replace or change BMPs or other measures described in SWMP to address the following:
    a. Impacts to receiving water quality caused or contributed to by discharges from the MS4;
    b. To satisfy conditions of this permit;
    c. To include more stringent requirements necessary to comply with new state or federal legal requirements; or
    d. Attainment of SWQS.
5. Any changes requested by ADEQ will be in writing and will require the permittee to develop a schedule to implement the changes and will offer the permittee the opportunity to propose alternative program changes to meet the objective of the requested modification.

8.2 Recordkeeping

1. The permittee shall keep all records required by this permit for a period of three (3) years from the date the record is created. Records include

information used in the development of any written program required by this permit, any monitoring results, copies of reports, records of screening, follow-up and elimination of illicit discharges; maintenance records; inspection records; enforcement actions; and data used in the development of the NOI, SWMP, plans, and annual reports. This list provides examples of records that should be maintained, but is not all inclusive.

2. Records other than those required to be included in the discharge monitoring report (Part 8.3) and annual report (Part 8.4) shall be submitted upon request by ADEQ or U.S. EPA. Requirements for discharges to non-WOTUS protected surface waters are state-only and records need only be submitted to ADEQ.

3. The permittee shall make the records relating to this permit, including the written stormwater management program, available to the public. The public may view the records during normal business hours. The permittee may charge a reasonable fee for copying requests. The permittee is encouraged to satisfy this requirement by posting records online.

8.3 Annual Report

The permittee shall submit an annual report each year of the permit term to ADEQ. The reporting period is from July 1 through June 30 each year. The annual report is due to ADEQ on or before September 30 each year for the reporting period. Please see Appendix A for the annual report requirements.

9.0 STANDARD PERMIT CONDITIONS

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

1. **Duty to Comply:** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR122.41(a)(1) and A.R.S. §§ 49-261, 262, 263.01, and 263.02.]

   a. The operator shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act, A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Article 9, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.

   b. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person discharging under this permit is required to comply.

   c. The operator shall comply with any effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

2. **Duty to Reapply / Continuation of the Expired General Permit:** [A.A.C. R18-9-A905, which incorporates 40 CFR 122.41(b) and A.A.C. R18-9-C903]

   a. Upon reissuance of the general permit, the permittee shall file an NOI, within the timeframe specified in the new general permit, and shall obtain new written authorization to discharge from the Director.

   b. If the Director does not reissue the general permit before the expiration date, the current general permit will be administratively continued and remain in force and effect until the general permit is reissued.

   c. Any operator granted authorization to discharge under the general permit before the expiration date automatically remains covered by the continued general permit until the earlier of:

      i. Reissuance or replacement of the general permit, at which time the operator shall comply with the NOI conditions of the new general permit to maintain authorization to discharge; or

      ii. The date the operator has submitted a NOT; or

      iii. The date the Director has issued an individual permit for the discharge; or

      iv. The date the Director has issued a formal permit decision not to reissue the general permit, at which time the operator shall seek coverage under an alternative general permit or an individual permit, or cease discharge.

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

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

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

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

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

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

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

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

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

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

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

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

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

a. All Notices of Intent (NOI) and Notices of Termination (NOT) shall be signed as follows:

   i. For a corporation*:* By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

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

   iii. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal (or state) agency includes: (1) The chief executive officer (or director) of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

b. All NOTs, reports, plans, inspection reports, monitoring reports, and other information required by this permit shall be signed by a person described in Part 9.9(a), above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   i. The authorization is made in writing by a person described in Subsection 9(a) above;

   ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of manager, operator, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a named individual or any individual occupying a named position); and

   iii. The signed and dated written authorization is included in the SWMP. A copy shall be submitted to ADEQ, upon request.

c. Certification. Any person signing documents under the terms of this permit shall make the following certification:

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

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

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

a. Enter upon the operator's premises where a regulated facility or activity is located or conducted or where records shall be kept under the conditions of this permit;

b. Have access to and copy at reasonable times, any records that shall be kept under the conditions of this general permit;

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

d. Sample or monitor at reasonable times any substances or parameters at any location, for the purposes of assuring permit compliance or as otherwise authorized by A.R.S. Title 49, Chapter 2, Article 3.1, and 18 A.A.C. 9, Articles 9.

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

a. Representative Samples/Measurements: Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the monitored activity.

b. Retention of Records: The operator shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date permit coverage ends. Operators shall submit any such records to the Director upon request. The operator shall retain the SWMP developed in accordance with Part 4 of this permit, for at least three (3) years after the last modification or amendment is made to the plan. The Director may

extend this retention period upon request by notifying the operator in writing at any time prior to the end of the standard three year retention period.

c. Records Contents: Records of monitoring information shall include:

i. The date, exact location, and time of sampling or measurements;
ii. The initials or name(s) of the individual(s) who performed the sampling or measurements;
iii. The date(s) analyses were performed;
iv. The time(s) analyses were initiated;
v. The initials or name(s) of the individual(s) who performed the analyses;
vi. References and written procedures, when available, for the analytical techniques or methods used;
vii. The analytical techniques or methods used; and
viii. The results of such analyses.

d. Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which includes the possibility of fines and/or imprisonment.

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

a. Planned changes: The operator shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (incorporated by reference at A.A.C. R18-9-A905(A)(1)(e)); or

ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1) (incorporated by reference at A.A.C. R18-9-A905(A)(3)(b)).

b. Monitoring reports: Monitoring results shall be reported at the intervals specified elsewhere in this permit.

i. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or forms (paper or electronic) provided or specified by ADEQ.

ii. If the operator monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

iii. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean and non-detected results shall be incorporated in calculations as the limit of quantitation for the analysis.

c. Anticipated noncompliance:

The operator shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

d. Twenty-four hour reporting:

For *emergency noncompliance* which may endanger the environment or human health and reach a protected surface water, the permittee shall orally report the information to the ADEQ Spill Line at 602-771-2330, within 24 hours from the time the permittee becomes aware of the event.

For *non-emergency noncompliance*, the permittee shall provide a written notification to ADEQ at stormwatercompliance@azdeq.gov within five (5) calendar days of the noncompliance event. The permittee shall include in the written notification a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the anticipated timeline it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

e. Other information: When the permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in a NOI or in any other report to ADEQ, the permittee shall promptly submit the facts or information to stormwatercompliance@azdeq.gov.

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

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

14. Other Environmental Laws:

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

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

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

16. Severability:

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

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

a. The Director may require a person authorized by this permit to apply for and/or obtain either an individual AZPDES permit or an alternative AZPDES general permit. Any interested person may petition the Department to take action under this section. The Department may require an operator authorized to discharge under this permit to apply for an individual permit in any of the following cases:

i. A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;

ii. Effluent limitation guidelines are promulgated for point sources covered by the general permit;

iii. An Arizona Water Quality Management Plan containing requirements applicable to the point sources is approved;

iv. Circumstances change after the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;

v. If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:

1. The location of the discharge with respect to protected surface waters;

2. The size of the discharge;

3. The quantity and nature of the pollutants discharged to protected surface waters; and

4. Any other relevant factors.

b. If an individual permit is required, the Director shall notify the discharger in writing of the decision. The notice shall include:

i. A brief statement of the reasons for the decision;

ii. An application form;

iii. A statement setting a deadline to file the application;

iv. A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate;

v. The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and

vi. The applicant's right to request an informal settlement conference under A.R.S. 41-1092.03(A) and 41-1092.06.

c. The discharger shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.

d. If the discharger fails to submit the individual permit application within the time period established in Part 9.17(c) the applicability of the general permit to the discharger is automatically terminated at the end of the day specified by the Director for application submittal.

e. Coverage under the general permit shall continue until an individual permit is issued or denied unless the general permit coverage is terminated under Part 9.17(d).

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

a. An operator may request an exclusion from coverage of a general permit by applying for an individual permit.

i. The operator shall submit an individual permit application under R18-9-B901(B) and include the reasons supporting the request no later than 90 days after publication of the general permit.

ii. The Director shall grant the request if the reasons cited by the operator are adequate to support the request.

b. If an individual permit is issued to a person otherwise subject to a general permit, the applicability of the general permit to the discharge is automatically terminated on the effective date of the individual permit.

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

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

a. Permitted owner or operator: The operator shall provide the Department with a NOT by certified mail within 30 days after the new owner or operator assumes responsibility for the facility.

i. The NOT shall include all requirements for termination specified in the general permit for which the NOT is submitted.

ii. An operator shall comply with the permit conditions specified in the general permit for which the NOT is submitted until the NOT is received by the Department.

b. New owner or operator:

i. The new owner or operator shall complete and file a NOI with the Department within the time period specified in the general permit before taking over operational control of, or initiation of activities at, the facility.

ii. If the previous operator was required to implement a stormwater pollution prevention plan, the new owner shall develop a new stormwater pollution prevention plan, or may modify, certify, and implement the old stormwater pollution prevention plan if the old stormwater pollution prevention plan complies with the requirements of the current general permit.

iii. The operator shall provide the Department with a NOT if a permitted facility ceases operation, ceases to discharge, or changes operator status. In the case of a construction activity, the operator shall submit a NOT to the Department when:

1. The facility ceases construction operations and the discharge is no longer associated with construction or construction-related activities,
2. The construction is complete and final site stabilization is achieved, or
3. The operator's status changes.

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

a. Definitions:

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

ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass not exceeding limitations: The operator may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions Part 9.20(c) and 20(d).

c. Notice:

i. Anticipated bypass. If the operator knows in advance of the need for a bypass, if possible prior notice shall be submitted at least ten days before the date of the bypass.

ii. Unanticipated bypass. The operator shall submit notice of an unanticipated bypass as required in Part 9.12(d).

d. Prohibition of bypass:

i. Bypass is prohibited, and ADEQ may take enforcement action against the operator for bypass, unless:

1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

3. The operator submitted notices as required under Part 9.20(c).

ii. ADEQ may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in this Part 9.20(d).

21. Upset: [A.R.S. §§ 49-255(8) and 255.01(E), A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(n)]

a. Definition: Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the operator. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset: An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part 9.21(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset: An operator who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

i. An upset occurred and that the operator can identify the cause(s) of the upset;

ii. The permitted facility was at the time being properly operated;

iii. The operator submitted notice of the upset as required in Part 9.12(d)(iii); and

iv. The operator complied with any remedial measures required under Part 9.4.

d. Burden of proof: in any enforcement proceeding, the operator, who is seeking to establish the occurrence of an upset, has the burden of proof.

22. Penalties for Violations of Permit Conditions

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

a. Civil Penalties: A.R.S. § 49-262 provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 2, 3 or 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed $25,000 per day per violation.

b. Criminal Penalties: Any person who violates a condition of this general permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 2, Article 9 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

10.0 DEFINITIONS

Analytical monitoring – monitoring conducted to provide quantitative results in accordance with A.A.C. R18-9-A905(B).

Best management practices (BMPs) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "surface waters." 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. Also called Controls or Control Measures.

Common plan of development – a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one plan. A 'plan' is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

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

Controls or **Control Measures** or **Measures -** See Best Management Practices.

CWA or **The Act** - 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.

Department – the Arizona Department of Environmental Quality.

Director – the Director of ADEQ

Discharge –means the "discharge of a pollutant."

Discharge of a pollutant – means:

a. Any addition of any "pollutant" or combination of pollutants to protected surface waters from any "point source," or

b. Any addition of any pollutant or combination of pollutants to the protected surface waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft, which is being used as a means of transportation.

This definition includes additions of pollutants into protected surface waters from:

a. Surface runoff which is collected or channeled by man;

b. Discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and

c. Discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

This term does not include an addition of pollutants by any “indirect discharger.”

Discharge point – the location where stormwater flows exit the MS4 or other regulated activities, such as construction sites and industrial sites.

Effluent limitations – any limitation or condition on quantities, discharge rates, or concentration of pollutants, which are discharged from a point source.

Effluent Limitations Guideline (ELG) – defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

Existing permittees - Small MS4 operators who had coverage under ADEQ’s 2016 Small MS4 General Permit.

Facility - any "point source" or any other facility (including land or appurtenances thereto) that is subject to regulation under the AZPDES/NPDES program.

Field Screening Point - location(s) where municipal stormwater leaves a Small MS4 operator’s permitted area and goes to a protected surface water by way of a discrete and channelized conveyance (such as another municipal storm sewer system).

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

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

Impaired water – waters that have been assessed by ADEQ, under the Clean Water Act, as not attaining a water quality standard for at least one (1) designated use, and are listed in Arizona’s current 303(d) List or on the 305(b) Category 4 list.

Maximum Extent Practicable (MEP) – the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges. A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34. CWA section 402(p)(3)(B)(iii) requires that a municipal permit “shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system design, and engineering methods, and other provisions such as the Administrator or the State determines appropriate for the control of such pollutants.

Measurable goal - a quantitative measure of progress in implementing a component of a storm water management program.

Minimize – to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal separate storm sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

a. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to protected surface waters;

b. Designed or used for collecting or conveying stormwater;

c. Which is not a combined sewer; and

d. Which is not part of a Publicly Owned Treatment Works.

Municipal separate storm sewer system (MS4) – all separate storm sewers defined as “large,” “medium,” or “small” municipal separate storm sewer systems or any municipal separate storm sewers on a system-wide or jurisdiction-wide basis as determined by the Director under A.A.C. R18-9-C902(A)(1)(g)(i) through (iv). [A.A.C. R18-9-A901(23)]. This also includes similar systems owned or operated by separate storm sewer municipal jurisdictions not required to obtain stormwater discharge authorization.

New permittees - Small MS4 operators who did not have permit coverage under ADEQ’s 2016 Small MS4 General Permit.

Not-Attaining Water - a protected surface water is assessed as impaired, but is not placed on the 303(d) List or equivalent for non-WOTUS protected state waters because:

a. A TMDL is prepared and implemented for the surface water;

b. An action, which meets the requirements of R18-11-604(D)(2)(h), is occurring and is expected to bring the surface water to attaining before the next 303(d) List submission; or

c. The impairment of the surface water is due to pollution but not a pollutant, for which a TMDL load allocation cannot be developed.

Non-traditional MS4 - systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings. 40 CFR 122.26(a)(16)(iii).

Notice of Intent (NOI) – the application to operate under this general permit.

Notice of Termination (NOT) – the application to terminate coverage under this general permit.

Outfall – a *point source* as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to protected surface waters. An outfall does not include open conveyances connecting two (2) municipal separate storm sewers, or pipes, tunnels or other conveyances, which connect segments of the same stream or other protected surface waters and are used to convey protected surface waters.

Outstanding Arizona Water (OAW) – a protected surface water that has been designated by ADEQ as an outstanding state resource under A.A.C. R18-11-112.

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

Permittee – refers to any person (defined below) authorized by this NPDES permit to discharge to protected surface waters.

Person – an individual, employee, officer, managing body, trust, firm, joint stock company, consortium, public or private corporation, including a government corporation, partnership, association or state, a political subdivision of this state, a commission, the U.S. government or any federal facility, interstate body, or other entity.

Point source – any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant – sediment, fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt (e.g., overburden material), and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances. [A.R.S. § 49-201(29)]

Protected Surface Water - waters of the State listed on the protected surface water list under Section 49-221, Subsection G and all WOTUS.

Receiving water - as used in this permit means a Protected Surface Water that receives discharges from the MS4.

Stormwater – stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13) as incorporated by AAC R18-9-A905.

Stormwater discharge associated with construction activity – a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or

maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Stormwater discharge associated with industrial activity - a discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant (See 40 CFR §122.26(b)(14) for specifics of this definition).

Stormwater Management Program (SWMP) - a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer system. For the purposes of this permit, the Stormwater Management Program is considered a single document, but may actually consist of separate programs (e.g. "chapters") for each permittee.

Stormwater Pollution Prevention Plan (SWPPP) – a site-specific, written document that, among other things: identifies potential sources of stormwater pollution at the location of the disturbance; describes control measures to reduce or eliminate pollutants in stormwater discharges from the facility/activity; and identifies procedures the operator will implement to comply with the terms and conditions of the general permit (typically CGP or MSGP).

Surface Water Quality Standards - means a standard adopted for a protected surface water pursuant to Section 49-221 and, in the case of WOTUS, pursuant to Section 49-222.

Total Maximum Daily Load (TMDL) – an estimation of the total amount of a pollutant from all sources that may be added to a water while still allowing the water to achieve and maintain applicable SWQS. Each total maximum daily load shall include allocations for sources that contribute the pollutant to the water. Total Maximum Daily Loads for Waters of the U.S. shall meet the requirements of section 303(d) of the Clean Water Act (33 USC 1313(d) and regulations implementing that statute to achieve applicable surface water quality standards."

Turbidity – a condition of water quality characterized by the presence of suspended solids and/or organic material; expressed as Nephelometric turbidity units (NTU).

Waste load allocation (WLA) – The maximum load of pollutants each discharger of waste is allowed to release into a particular waterway. Discharge limits are usually required for each specific water quality criterion being, or expected to be, violated. WLAs constitute a type of water quality-based effluent limitation. (See 40 C.F.R. § 130.2(h))

Waters of the U.S. means waters of the State that are also navigable waters as defined by Section 502(7) of the Clean Water Act.

Wetland – an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil

conditions. A wetland includes a swamp, marsh, bog, Cienega, tinaja, and similar areas. [A.A.C. R18-11-101(49)]

Appendix A: Annual Report Requirements

4.0 Stormwater Management Program:

1. Did the permittee assess and evaluate the SWMP as part of preparing the annual report, per Permit Section 4.0?

6.0 Minimum Control Measures:

2. Did the permittee have another entity implement control measures on behalf of the MS4 per Permit Section 6.0(2)? If yes, identify the entity and give a brief explanation of their involvement.

6.1 MCM1 Public Education and Outreach:

3. Did the permittee provide outreach and education to the public on the stormwater program issues and requirements, per Permit Section 6.1(1)?

    a. Identify the target group and topic used for outreach and education.

    b. Identify the message used for each target group and topic.

    c. Identify how the message was conveyed to each target group.

    d. Identify measures/methods used to assess the effectiveness of the message used for each target group.

4. Did the permittee provide outreach and education to the public on the stormwater program issues and requirements, per Permit Section 6.1(2)?

    a. Identify the target group and topic used for outreach and education.

    b. Identify the message used for each target group and topic.

    c. Identify how the message was conveyed to each target group.

    d. Identify measures/methods used to assess the effectiveness of the message used for each target group.

6.2 MCM2: Public Participation and Involvement:

5. Did the permittee post the SWMP and Annual Report on their website, per Permit Section 6.2(1)?

6. Did the permittee provide and publicize a reporting system to facilitate and track public reporting of spills, discharges and/or dumping to the MS4 on a continuous basis, per Permit Section 6.2(4)?

6.3 MCM3: IDDE:

7. Provide a narrative description of the status of the storm sewer mapping, per Permit Section 6.3(1). What is the date of the most recent storm sewer system map showing the location of all outfalls?

8. Did the permittee establish an ordinance or other regulatory mechanism for enforcement procedures of the IDDE Program per Permit Section 6.3(2)? What is the citation of the ordinance or other regulatory mechanism to prohibit non-stormwater discharges into the permittee's MS4?

9. Did the permittee establish or update the "Statement of IDDE Program Responsibilities," per Permit Section 6.3(3)?

10. The permittee shall submit one (1) copy of their 6.3(4) summary of IDDE activities in a tabular format.

11. Did the permittee visually monitor at least 20% of all outfalls this permit year, per Permit Section 6.3(7)?

12. Did the permittee identify indicators of IDDE Program progress or success per Permit Section 6.3(8)?

13. Did the permittee provide annual staff training, per Permit Section 6.3(9)?

    a. Approximately how many staff attended?

    b. What was the topic?

6.4 MCM4: Construction Activity Stormwater Runoff Control:

14. Did the permittee establish an ordinance or other regulatory mechanism for enforcement procedures of the Construction Activity Stormwater Runoff Control Program per Permit Section 6.4(2)(a)? What is the citation of the ordinance or other regulatory mechanism to require erosion and sediment controls, including sanctions to ensure compliance?

15. Did the permittee implement a construction site inventory, per Permit Section 6.4(2)(b)?

16. Did the permittee develop written procedures for site plan review, per Permit Section 6.4(2)(c)?

17. Did the permittee implement written procedures for site inspections and enforcement control measures, per Permit Section 6.4(2)(f)?

a. How many construction site inspections were done in the permit year?

b. How many follow-up actions were necessary (re-inspection, enforcement actions)?

18. Did the permittee develop and implement an educational program focused on erosion and sediment control for Construction Operators, per Permit Section 6.4(2)(h)?

19. Did the permittee develop and implement a program requiring construction operators to control wastes from their sites, per Permit Section 6.4(2)(i)?

20. Did the permittee implement procedures to receive and act on information submitted by the public (complaints), per Permit Section 6.4(4)?

6.5 MCM5: Post Construction:

21. Did the permittee implement a program that includes a combination of structural and non-structural BMPs, per Permit Section 6.5(1)?

22. Did the permittee establish an ordinance or other regulatory mechanism for enforcement procedures of the Post-Construction Stormwater Management per Permit Section 6.5(2)? What is the citation for the ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects?

23. Did the permittee implement a program to prevent or minimize impacts to water quality from stormwater runoff of new development and redevelopment sites, per Permit Section 6.5(2)?

24. Did the permittee implement procedures for site plan review, per Permit Section 6.5(3)?

25. Did the permittee implement an inventory of post construction site structural stormwater control measures installed within the MS4, per Permit Section 6.5(4)?

26. Did the permittee implement a program to ensure the long-term operation and maintenance of post construction BMPs, per Permit Section 6.5(5)?

6.6 MCM6: Pollution Prevention and Good Housekeeping:

27. Did the permittee implement a program to reduce or eliminate discharges of pollutants from municipal streets, facilities, yards, etc., per Permit Section 6.6(1)?

28. Did the permittee implement a program to ensure the long-term operation and maintenance of stormwater BMPs, per Permit Section 6.6(2)?

29. Did the permittee develop an inventory of facilities, prioritized based on their risk of discharging non-stormwater, per Permit Section 6.6(2)(a)?

30. Did the permittee implement an inspection schedule for prioritized facilities, per Permit Section 6.6(2)(c)?

31. Did the permittee implement an annual training program for staff that incorporates pollution prevention and good housekeeping techniques, per Permit Section 6.6(2)(f)?

    a. Approximately how many staff attended?

    b. What was the topic?

32. Did the permittee develop maintenance activities, schedules and long-term inspections to reduce floatables, trash and other pollutants from the MS4, per Permit Section 6.6(2)(g)?

33. Does the permittee discharge to a non-attaining or impaired water, or an Outstanding Arizona Water (OAW)?

Appendix B: Stormwater Characterization Monitoring Requirements

All permittees shall conduct stormwater characterization monitoring for the parameters listed in Table 7.0 below, as required by Parts 7.1, 7.2, and 7.3 of this permit.

Table B: Analytical Wet Weather Characterization Monitoring

Parameter	Units	Monitoring Frequency	Monitoring Type
Metals			
Antimony	µg/L	1x during first 42 months of permit term	Discrete
Barium	µg/L	1x during first 42 months of permit term	Discrete
Beryllium	µg/L	1x during first 42 months of permit term	Discrete
Cadmium	µg/L	1x during first 42 months of permit term	Discrete
Nickel	µg/L	1x during first 42 months of permit term	Discrete
Mercury	µg/L	1x during first 42 months of permit term	Discrete
Silver	µg/L	1x during first 42 months of permit term	Discrete
Thallium	µg/L	1x during first 42 months of permit term	Discrete
Inorganics			
Cyanide	µg/L	1x during first 42 months of permit term	Discrete
Volatile Organic Compounds (VOCs)			
Acrolein	µg/L	1x during first 42 months of permit term	Discrete
Acrylonitrile	µg/L	1x during first 42 months of permit term	Discrete
Benzene	µg/L	1x during first 42 months of permit term	Discrete
Carbon tetrachloride	µg/L	1x during first 42 months of permit term	Discrete
Chlorobenzene	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Dibromochloromethane	µg/L	1x during first 42 months of permit term	Discrete
Chloroethane	µg/L	1x during first 42 months of permit term	Discrete
2-chloroethylvinyl ether	µg/L	1x during first 42 months of permit term	Discrete
Chloroform	µg/L	1x during first 42 months of permit term	Discrete
Bromodichloromethane	µg/L	1x during first 42 months of permit term	Discrete
1,2-dichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
1,3-dichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
1,4-dichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
1,1-dichloroethane	µg/L	1x during first 42 months of permit term	Discrete
1,2-dichloroethane	µg/L	1x during first 42 months of permit term	Discrete
1,3-dichloropropylene	µg/L	1x during first 42 months of permit term	Discrete
Ethylbenzene	µg/L	1x during first 42 months of permit term	Discrete
Bromomethane	µg/L	1x during first 42 months of permit term	Discrete
Chloromethane	µg/L	1x during first 42 months of permit term	Discrete
Methylene chloride	µg/L	1x during first 42 months of permit term	Discrete
1,1,2,2-tetrachloroethane	µg/L	1x during first 42 months of permit term	Discrete
Tetrachloroethylene	µg/L	1x during first 42 months of permit term	Discrete
Toluene	µg/L	1x during first 42 months of permit term	Discrete
1,2-trans-dichloroethylene	µg/L	1x during first 42 months of permit term	Discrete
1,1,1-trichloroethane	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
1,1,2-trichloroethane	µg/L	1x during first 42 months of permit term	Discrete
Trichloroethylene	µg/L	1x during first 42 months of permit term	Discrete
Vinyl chloride	µg/L	1x during first 42 months of permit term	Discrete
Xylene	µg/L	1x during first 42 months of permit term	Discrete
Semi-VOCs - Acid Extractable			
2-chlorophenol	µg/L	1x during first 42 months of permit term	Discrete
2,4-dichlorophenol	µg/L	1x during first 42 months of permit term	Discrete
2,4-dimethylphenol	µg/L	1x during first 42 months of permit term	Discrete
4,6-dinitro-o-cresol	µg/L	1x during first 42 months of permit term	Discrete
2,4-dinitrophenol	µg/L	1x during first 42 months of permit term	Discrete
2-nitrophenol	µg/L	1x during first 42 months of permit term	Discrete
4-nitrophenol	µg/L	1x during first 42 months of permit term	Discrete
p-chloro-m-cresol	µg/L	1x during first 42 months of permit term	Discrete
Pentachlorophenol	µg/L	1x during first 42 months of permit term	Discrete
Phenol	µg/L	1x during first 42 months of permit term	Discrete
2,4,6-trichlorophenol	µg/L	1x during first 42 months of permit term	Discrete
Semi-VOCs – Base/Neutrals			
Acenaphthene	µg/L	1x during first 42 months of permit term	Discrete
Acenaphthylene	µg/L	1x during first 42 months of permit term	Discrete
Anthracene	µg/L	1x during first 42 months of permit term	Discrete
Benz(a)anthracene	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Benzo(a)pyrene	µg/L	1x during first 42 months of permit term	Discrete
Benzo(b)fluoranthene	µg/L	1x during first 42 months of permit term	Discrete
Benzo(g,h,i)perylene	µg/L	1x during first 42 months of permit term	Discrete
Benzo(k)fluoranthene	µg/L	1x during first 42 months of permit term	Discrete
Chrysene	µg/L	1x during first 42 months of permit term	Discrete
Dibenzo(a,h)anthracene	µg/L	1x during first 42 months of permit term	Discrete
3,3'-dichlorobenzidine	µg/L	1x during first 42 months of permit term	Discrete
Diethyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
Dimethyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
Di-n-butyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
2,4-dinitrotoluene	µg/L	1x during first 42 months of permit term	Discrete
2,6-dinitrotoluene	µg/L	1x during first 42 months of permit term	Discrete
Di-n-octyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
1,2-diphenylhydrazine (as azobenzene)	µg/L	1x during first 42 months of permit term	Discrete
Fluoranthene	µg/L	1x during first 42 months of permit term	Discrete
Fluorene	µg/L	1x during first 42 months of permit term	Discrete
Hexachlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
Hexachlorobutadiene	µg/L	1x during first 42 months of permit term	Discrete
Hexachlorocyclopentadiene	µg/L	1x during first 42 months of permit term	Discrete
Hexachloroethane	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Indeno(1,2,3-cd)pyrene	µg/L	1x during first 42 months of permit term	Discrete
Isophorone	µg/L	1x during first 42 months of permit term	Discrete
Naphthalene	µg/L	1x during first 42 months of permit term	Discrete
Nitrobenzene	µg/L	1x during first 42 months of permit term	Discrete
N-nitrosodimethylamine	µg/L	1x during first 42 months of permit term	Discrete
N-nitrosodi-n-propylamine	µg/L	1x during first 42 months of permit term	Discrete
N-nitrosodiphenylamine	µg/L	1x during first 42 months of permit term	Discrete
Phenanthrene	µg/L	1x during first 42 months of permit term	Discrete
Pyrene	µg/L	1x during first 42 months of permit term	Discrete
1,2,4-trichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
PCB / Pesticides			
Aldrin	µg/L	1x during first 42 months of permit term	Discrete
Alpha-BHC	µg/L	1x during first 42 months of permit term	Discrete
Beta-BHC	µg/L	1x during first 42 months of permit term	Discrete
Gamma-BHC	µg/L	1x during first 42 months of permit term	Discrete
Delta-BHC	µg/L	1x during first 42 months of permit term	Discrete
Chlordane	µg/L	1x during first 42 months of permit term	Discrete
4,4’-DDT	µg/L	1x during first 42 months of permit term	Discrete
4,4’-DDE	µg/L	1x during first 42 months of permit term	Discrete
4,4’-DDD	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Dieldrin	µg/L	1x during first 42 months of permit term	Discrete
Alpha-endosulfan	µg/L	1x during first 42 months of permit term	Discrete
Beta-endosulfan	µg/L	1x during first 42 months of permit term	Discrete
Endosulfan sulfate	µg/L	1x during first 42 months of permit term	Discrete
Endrin	µg/L	1x during first 42 months of permit term	Discrete
Endrin aldehyde	µg/L	1x during first 42 months of permit term	Discrete
Heptachlor	µg/L	1x during first 42 months of permit term	Discrete
Heptachlor epoxide	µg/L	1x during first 42 months of permit term	Discrete
PCB-1242	µg/L	1x during first 42 months of permit term	Discrete
PCB-1254	µg/L	1x during first 42 months of permit term	Discrete
PCB-1221	µg/L	1x during first 42 months of permit term	Discrete
PCB-1232	µg/L	1x during first 42 months of permit term	Discrete
PCB-1248	µg/L	1x during first 42 months of permit term	Discrete
PCB-1260	µg/L	1x during first 42 months of permit term	Discrete
PCB-1016	µg/L	1x during first 42 months of permit term	Discrete
Toxaphene	µg/L	1x during first 42 months of permit term	Discrete

Notes:

1. The permittee shall include any additional parameters in stormwater sampling as specified by Part 5.0 Water Quality Standards of this permit.
2. The permittee shall collect discrete samples and shall attempt to include the “first flush” (first 30 minutes of stormwater discharge) of a qualifying storm event whenever possible to do so. Auto Sampling equipment may be used, if available.
3. When analyzing for metals, the permittee shall assume a 1:1 total dissolved ratio

for purposes of reporting and comparison with SWQS. Alternatively, the permittee may test for dissolved metals, if appropriate field filtering is completed. Hardness data must also be collected and used to calculate the corresponding SWQS for certain metals as indicated by SWQS rules.

Appendix C: Total Maximum Daily Load (TMDL) Requirements

The following requirements are included in this permit based on applicable TMDL requirements in accordance with Part 1.3(5). See permit Parts 7.4 – 7.8 for specific analytical monitoring requirements.

Gila River

Name of TMDL	**Gila River – Centennial Wash to Gillespie Dam**
Document(s) for TMDL	**middlegila_centennial_tmdl_final.pdf** may be downloaded at https://www.azdeq.gov, search words "Middle Gila Watershed"
Location of Original 303(d) Listings	15070101-008
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to the Gila River
Parameter(s)	Total Boron and Total Selenium
EPA Approval Date	November 2015
MS4 Permittee(s)	Town of Buckeye, Maricopa County

Town of Buckeye and Maricopa County:

The Town of Buckeye and Maricopa County shall analytically monitor stormwater discharges from MS4 outfalls to the Gila River, from Centennial Wash to Gillespie Dam. Analytical monitoring shall be submitted per permit part 7.0. Concentration-based waste load allocations (WLAs) for this TMDL are 1,000 g/L Total Boron and 2.0 g/L Total Selenium.

If the WLA are exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

Granite Creek:

Name of TMDL	**Upper Granite Creek Watershed**
Document(s) for TMDL	**tmdl_granitecreek_final.pdf** may be downloaded at https://www.azdeq.gov, search words "Verde Watershed"
Location of Original 303(d) Listings	AZ15060202-059A
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to Granite Creek
Parameter(s)	E. coli
EPA Approval Date	November 2015
MS4 Permittee(s)	City of Prescott, Yavapai County

City of Prescott and Yavapai County

The City of Prescott and Yavapai County shall analytically monitor stormwater discharges from MS4 outfalls to Granite Creek. Analytical monitoring shall be submitted as per permit part 7.0. Concentration-based WLAs for this TMDL are 235 cfu/100 ml (single sample maximum).

If the WLA are exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

Oak Creek

Name of TMDL	**Oak Creek and Spring Creek**	
Document(s) for TMDL	**Verderiver_oakcreek_2010tmdl.pdf** may be downloaded at https://www.azdeq.gov, search words "Verde Watershed"	
Location of Original 303(d) Listings	Oak Creek-Headwaters to West Fork Oak Creek	15060202-019
	Oak Creek-West Fork to Slide Rock State Park	15060202-18A
	Oak Creek-At Slide Rock State Park	15060202-18B
	Oak Creek-Below Slide Rock S.P. to Dry Creek	15060202-18C
	Oak Creek-Dry Creek to Spring Creek	15060202-017
	Spring Creek-Coffee Creek to Oak Creek	15060202-022
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to any of the reaches of Oak Creek or Spring Creek listed above.	
Parameter(s)	E. coli	
EPA Approval Date	August 2010	
MS4 Permittee(s)	City of Sedona, Coconino County, Yavapai County	

City of Sedona

The City of Sedona shall analytically monitor stormwater discharges from MS4 outfalls to Oak Creek. Analytical monitoring shall be submitted as per permit part 7.0. The City shall implement the WLAs listed in the Oak Creek and Spring Creek E. coli TMDL, 6.1.3.

If the WLA is exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

Coconino County and Yavapai County

Coconino County and Yavapai County shall analytically monitor stormwater discharges from MS4 outfalls to Oak Creek. Analytical monitoring shall be submitted as per permit

part 7.0. Concentration-based WLAs for this TMDL are 235 cfu/100 ml (single sample maximum).

If the WLA is exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

San Pedro

Name of TMDL	San Pedro River (Aravaipa Creek to Gila River)	
Document(s) for TMDL	sanpedro_ecoli_tmdl.pdf may be downloaded at https://www.azdeq.gov, search words “San Pedro Watershed”	
Location of Original 303(d) Listings	San Pedro River, Aravaipa Creek to Gila River	15050203-001
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to any of the reaches of the San Pedro River	
Parameter(s)	E. coli	
EPA Approval Date	August 2013	
MS4 Permittee(s)	City of Sierra Vista, Cochise County	

City of Sierra Vista and Cochise County

The City of Nogales and Cochise County shall analytically monitor stormwater discharges from MS4 outfalls to the San Pedro River. Analytical monitoring shall be submitted as per permit part 7.0. Concentration-based WLAs for this TMDL are 235 cfu/100 ml (single sample maximum).

If the WLA is exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

Santa Cruz

Name of TMDL	Upper Santa Cruz River Subwatershed Clean Water Plan for E. coli	
Document(s) for TMDL	Uscr_cwp_final_021020.pdf may be downloaded at https://www.azdeq.gov, search words “Santa Cruz Watershed”	
Location of Original 303(d) Listings	Santa Cruz River, Nogales IOW Outfall to Josephine Canyon	15050301-009
	Santa Cruz River, Josephine Canyon to the Tubac Bridge	15050301-008A
	Santa Cruz River, Tubac Bridge to Sopori Wash	15050301-008B
	Nogales Wash, US/Mexico Border to Potrero Creek	15050301-011
	Potrero Creek, Below I-19 to the Santa Cruz River	15050301-500B
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to any of the reaches of Santa Cruz River, Nogales Wash and Potrero Creek as listed above.	
Parameter(s)	E. coli	
EPA Approval Date	February 2020	
MS4 Permittee(s)	City of Nogales	

City of Nogales

The City of Nogales shall analytically monitor stormwater discharges from MS4 outfalls to Nogales Wash and Potrero Creek. Analytical monitoring shall be submitted as per permit part 7.0. Concentration-based WLAs for this TMDL are 235 cfu/100 ml (single sample maximum).

If the WLA is exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

Watson Lake

Name of TMDL	**Watson Lake TMDL**
Document(s) for TMDL	**tmdl_watsonlake_final.pdf** may be downloaded at https://www.azdeq.gov, search words "Verde Watershed"
Location of Original 303(d) Listings	AZL15060202-1590
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to Watson Lake
Parameter(s)	Nutrients (Nitrogen, Phosphorus)
EPA Approval Date	February 2015
MS4 Permittee(s)	City of Prescott, Yavapai County

City of Prescott and Yavapai County

The City of Prescott and Yavapai County shall analytically monitor stormwater discharges from MS4 outfalls to Watson Lake. Analytical monitoring shall be submitted as per permit part 7.0. Concentration-based WLAs for this TMDL are equal to 1.0 mg/L total nitrogen and 0.10 mg/L TP.

If the WLA are exceeded the permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

ATTACHMENT 2 - NOTICE OF INTENT

AZPDES SMALL MS4 NOI

LTF ID #: 97329

Phoenix Office
1110 W.Washington Street . Phoenix, AZ 85007
(602)771-2300

Southern Regional Office
400 W.Congress Street . Suite 433 . Tucson, AZ 85701
(520)628-6733

www.azdeq.gov

AZPDES SMALL MS4 NOI - SUMMARY

Company:

Name: TOWN OF QUEEN CREEK - PUBLIC WORKS

Question: Who is the contact person?

Answer:

First Name: JANET
MI:
Last Name: KAWCZYNSKI
Title/Role:
Email Address: JANET.KAWCZYNSKI@QUEENCREEKAZ.GOV
Phone#: 4803583907

Question: Which of the following best describes your MS4 type?

Answer: Incorporated Town

What is the estimated population?: Population greater than 10,000, but less than or equal to 100,000

Question: Identify all protected surface waters in your MS4 that receive discharges from monitoring points.

Answer:

Water Body#: AZ15050100-013B
Receiving Water Name: Queen Creek
Total Outfalls: 20
HUC-Reach: EL CAMINO VIEJO ROAD - TERMINUS @ 33°10'32.43"/111°52'14.698"
OAW: No
Impaired: No
Not-Attaining: No

Outfall Details:

Outfall Name/Number	Latitude	Longitude	Active	Inactive
Ocotillo Rd	33.248462	-111.648551	01/10/2023	
Hawes Rd	33.249558	-111.651643	01/10/2023	
Ellsworth Rd	33.240769	-111.634354	01/10/2023	
Will Rogers-Appaloosa	33.247467	-111.646872	04/11/2024	
5	33.245536	-111.645000	08/22/2024	
6	33.246004	-111.646000	08/22/2024	
7	33.240958	-111.635000	08/22/2024	
8	33.240445	-111.635000	08/22/2024	
9	33.238069	-111.629000	08/22/2024	
10	33.257354	-111.659000	08/22/2024	
11	33.248813	-111.649000	08/22/2024	
12	33.248462	-111.649000	08/22/2024	
13	33.249619	-111.652000	08/22/2024	
14	33.249242	-111.652000	08/22/2024	
15	33.249342	-111.652000	08/22/2024	
16	33.247743	-111.648000	08/22/2024	

Outfall Name/Number	Latitude	Longitude	Active	Inactive
17	33.240699	-111.634000	08/22/2024	
18	33.219301	-111.635000	08/22/2024	
19	33.248559	-111.650000	08/22/2024	
20	33.248818	-111.650000	08/22/2024	

Question: Wet Season DMR/Monitoring Requirements for Discharges to Waters that are Impaired, Not-attaining, or OAWs.

Answer: Based on the information provided, there are no Wet Season DMR requirements.

Question: DMR/Monitoring Requirements for Stormwater Characterization Sampling.

Answer: MS4 permits are required to implement stormwater characterization monitoring within 3.5 years of obtaining permit coverage. For additional information, please contact the Stormwater Program at 602-771-1440 or azpdes@azdeq.gov.

CERTIFICATION OF SUBMISSION

JANET KAWCZYNSKI

You validated your identity by answering your personal security question and password on myDEQ at **05:07 PM** on **08/22/2024**. At this time, you certified the summary information above by checking that you agreed to the following statement:

Pursuant to A.R.S. § 41-1030:

An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition. This section may be enforced in a private civil action and relief may be awarded against the state. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section. A state employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the agency's adopted personnel policy. This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02.

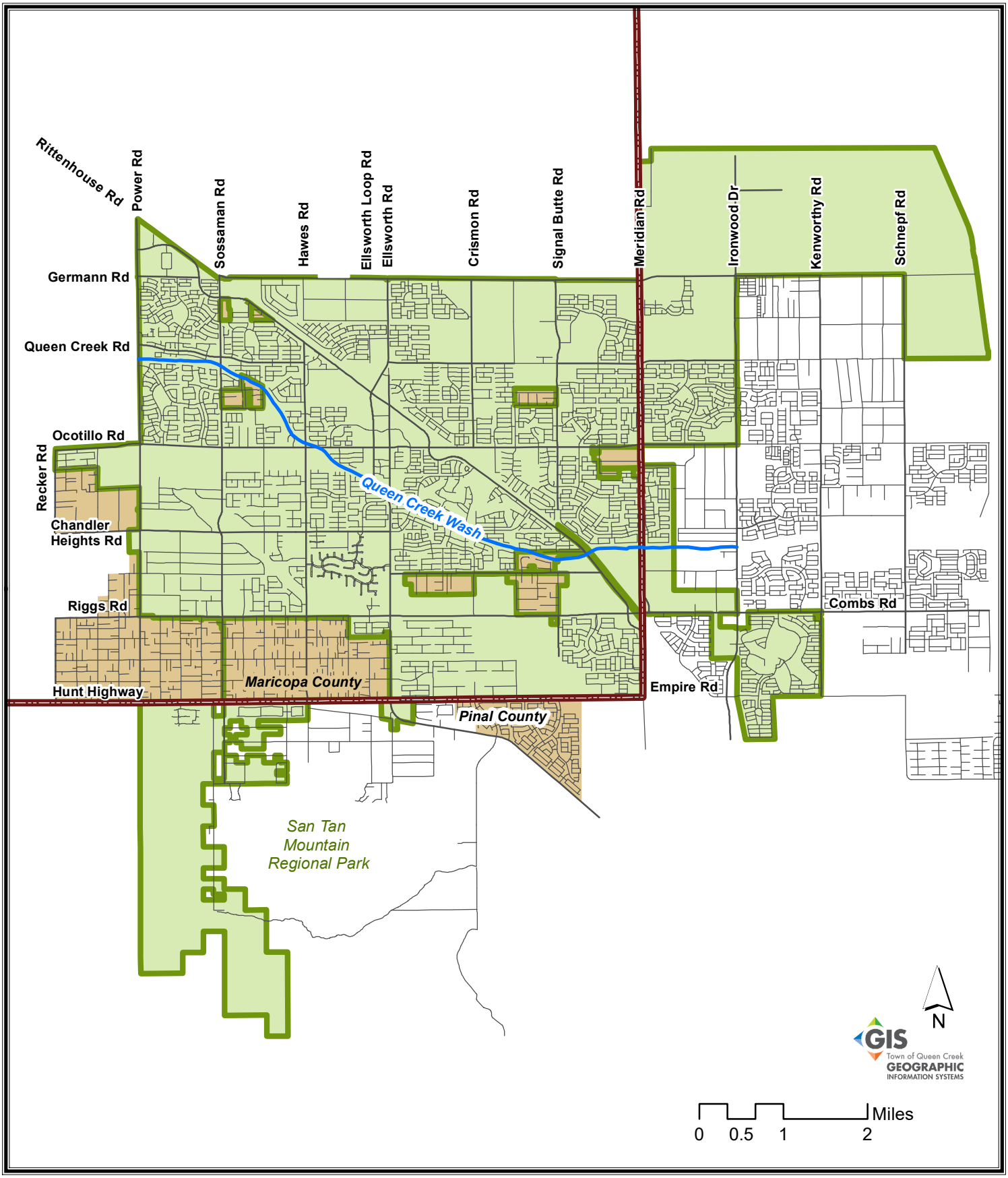
Certify your submission:

By checking this box I certify under penalty of law that this submittal was prepared by me, or under my direction or supervision of personnel appropriately qualified to properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that all information submitted to ADEQ is public record unless otherwise identified by law as confidential. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

ATTACHMENT 3 - TOWN MAP

TOWN OF
QUEEN CREEK
ARIZONA

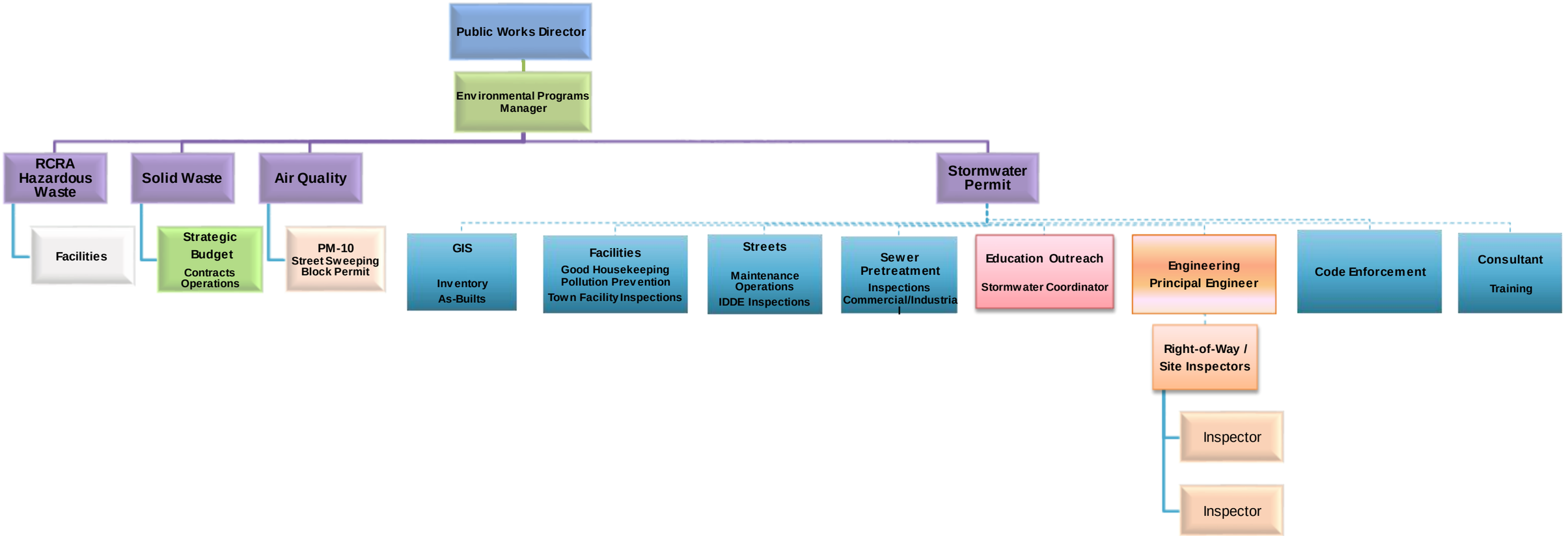
Town Limits County Islands



Map Date: 10/3/23 The Town of Queen Creek makes no warranties, written or implied, regarding the information on this map.

ATTACHMENT 4 - SWMP ORGANIZATIONAL CHART AND RESPONSIBILITIES

Environmental Programs



ATTACHMENT 5 - IDDE STANDARD OPERATING PROCEDURES

Illicit Discharge Detection and Elimination (IDDE) Program Standard Operating Procedures

Town of Queen Creek

Town of Queen Creek
Public Works Department
Environmental Services

To fulfill requirements in the
Small Municipal Separate Storm Sewer System (MS4)
General Permit (AZG2021-002)

Illicit Discharge Detection and Elimination (IDDE) Program Standard Operating Procedures

Town of Queen Creek

Public Works Department
Environmental Services

Queen Creek, Arizona

Updated 09/2024

1.0 IDDE STANDARD OPERATING PROCEDURES

The purpose of this Illicit Discharge Detection & Elimination (IDDE) Program Standard Operating Procedures for the Town of Queen Creek (Town) is to comply with the Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (AZG2021-002) (Permit), developed by the Arizona Department of Environmental Quality (ADEQ). The Permit became effective on September 30, 2021.

Part 6.3 of the Permit requires that an IDDE Program be developed by the Town and that the program be included in the SWMP. The purpose of the IDDE Program is to systematically find and eliminate sources of non-stormwater discharges to its municipal separate storm sewer system (MS4) and to implement procedures to prevent illicit connections and discharges. The permit requires that the IDDE Program include the following elements:

- Storm Sewer Mapping
- Enforcement Procedures
- Visual Dry Weather Outfall Monitoring
- Visual Stormwater Discharge Monitoring
- Follow-up Screening

This document identifies the Standard Operating Procedures (SOP) for conducting a dry/wet weather outfall inspection and illicit discharge investigation.

1.1 Visual Monitoring

The Stormwater Permit requires that the Town select at least 20% of all outfalls each year including both dry and wet weather screenings. The ratio of dry and wet weather screenings will be determined by the Town.

See Appendix B for the list of Town owned outfalls.

1.2 General Directions

The Inspection/IDDE Investigation form will be completed electronically in Cartegraph at the completion of each outfall inspection. The inspector will ensure that all data entered is correct and complete.

See Appendix A for Inspection/IDDE Investigation Form

1.2.1 Reporting Form

Section 1: Background Data

Outfall ID: Enter the outfall identification number from the stormwater outfall inventory.

Date: Enter date including day month and year.

Time: Use a.m. or p.m. designation (for example - 8:30 a.m., or 1:30 p.m.).

Inspector: Enter the name of the person or persons conducting the inspection/investigation.

Type of investigation: Check the appropriate box for the type of assessment being conducted: dry weather inspection, investigation of a reported illicit discharge, or 3-day follow-up inspection.

Photos: Document observations with photographs whenever possible. Cameras that automatically date and time stamp photographs are preferred. Photographs should be attached to to the entry in Cartegraph.

Precipitation within last 48 hours: Note weather there has been measurable rainfall in the investigation area within the last 48 hours.

Weather: A concise description of the weather conditions at the time of the assessment including approximate temperature.

Land Use: Check all known land uses that occur within the investigation area. If the industrial box is checked, any known industries should be listed to facilitate potential tracing efforts.

Section 2: Outfall Description

Outfall Description: Indicate whether outfall is closed pipe or open drainage and provide the appropriate details in the area provided.

Section 3: Physical Indicators

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

Complete the table, adding comments when there are positive findings under the descriptions of physical indicators.

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

Flow Present (Yes/No): A Yes or No is entered here to indicate the presence or absence of dry weather flow or illicit discharge. If the outfall is submerged or inaccessible, "See Notes" is entered and an explanation provided in the "Notes" section.

Flow Chart Procedure:

- If No is entered for flow and physical indicators, close the investigation and complete Section 7 of the form.
- If No is entered for flow but physical indicators are present, schedule a Follow-Up inspection and complete Section 7.
- If Yes is entered for flow (regardless of the presence of physical indicators), proceed to Section 4.

Section 4: Discharge Description (Flowing Outfalls Only)

Complete table describing outfall characteristics (odor, color, turbidity, floatables). This section is filled out for flowing outfalls only.

Odor: The presence of an odor is assessed by fanning the hand toward the nose over a widemouth container of the sample, keeping the sample about 6 to 8 inches from the face. Be careful not to be distracted by odors in the air. Provide a description of the odor, if present.

Color: The presence of color in the discharge is to be assessed by filling a clean glass sample container with a portion of the grab sample and assessing the color, if color is present. Use the check boxes in the form to describe the color as accurately as possible.

Turbidity: Turbidity is a measure of the clarity or cloudiness of water. Turbidity may be caused by many factors, including suspended matter such as clay, silt, or finely divided organic and inorganic matter.

Floatables: The presence of floating scum, foam, oil sheen, plant debris or other materials on the surface of the discharge are to be noted. Describe of any floatables present that are attributable to discharges from the outfall. Do not include trash originating from areas adjacent to the outfall in this observation.

After documenting the physical properties of the discharge, the field crew should attempt to trace the flow to its source. If the flow originates underground and access to manholes in roadways is required for tracking, the process may need to be delayed until proper safety procedures (traffic control, confined space entry, etc.) can be arranged.

Flow Chart Procedure:

- If the discharge can be tracked, implement tracking procedures and identify the source.
- If the discharge cannot be tracked and shows signed of significant contamination, conduct field screening according to Section 5.

Section 5: On-Site Sampling/Testing (Flowing Outfalls Only)

Discharge samples are collected from the middle, both vertically and horizontally, of discharge in a clean glass container. Samples can be collected by manually dipping a sample container into the flow or with a long-handled dipper, if needed.

Conduct field screening of the sample according to the manufacturer's instruction included in the field test kit. Document findings on the form.

Dispose of the sample as follows:

- If no chemical or reagents have been added to the sample, the water can be poured on the ground.
- If any chemical or reagent is added to the sample, pour the water into a container marked "Liquid Waste" for proper disposal to a sanitary sewer system at the end of the day.

Flow Chart Procedure:

- If tracking indicates that laboratory analysis is necessary to link the illicit discharge to a specific source or to document source for enforcement purposes, proceed to Section 6.
- If such documentation is not necessary, proceed to Section 7 and close the investigation.

Section 6: Data Collection for Lab Testing

Contact laboratory and procure appropriate sample bottles for the requested analyses. Follow proper water quality sampling analytes.

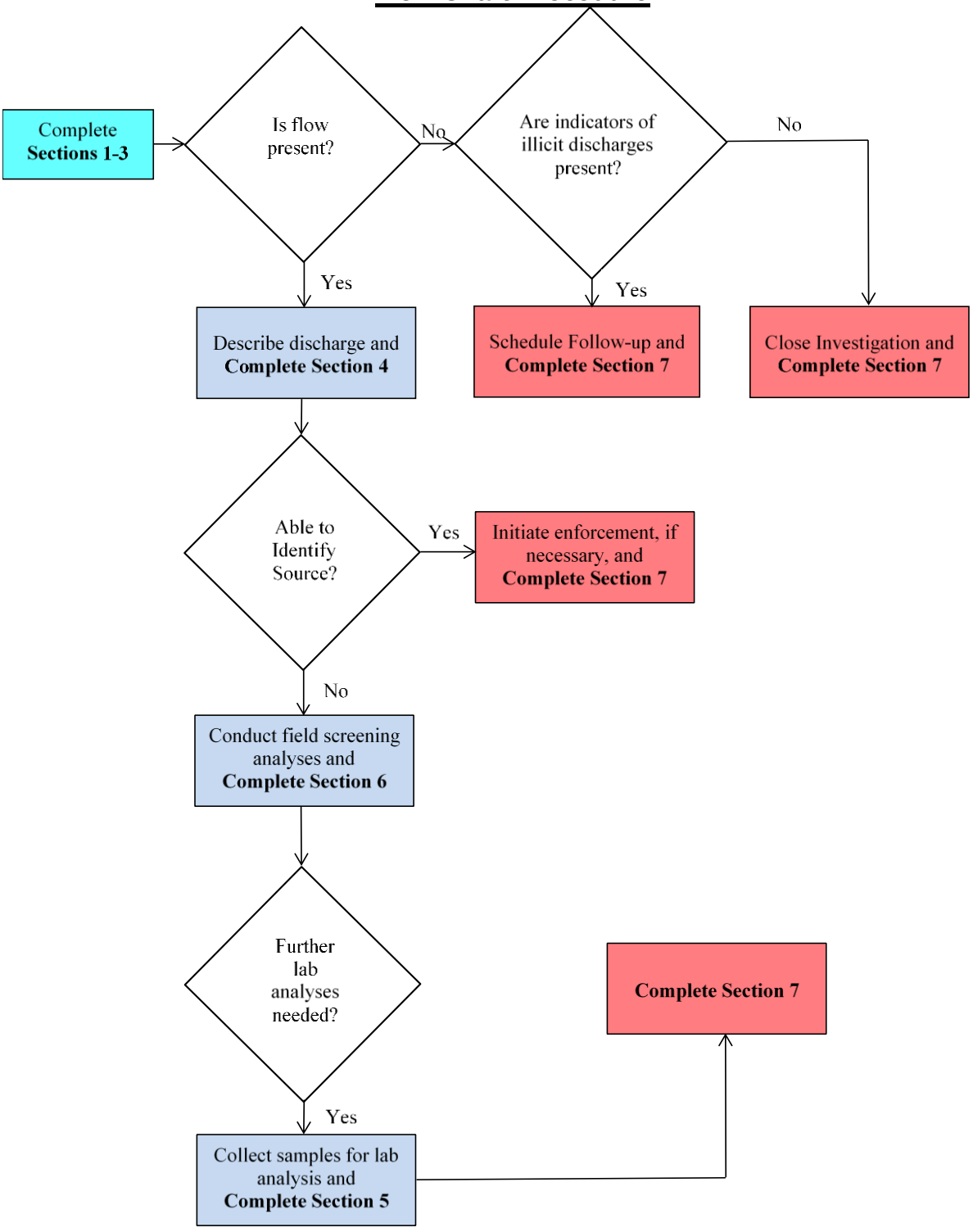
Section 7: Enforcement and Resolution

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

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

Source/Resolution: Describe the source if found and final resolution. For example: "Source was broken irrigation system. Owner repaired the system after receiving verbal notice."

Flow Chart Procedure



APPENDIX A

Dry and Wet Weather Inspection / IDDE Investigation Form

Section 1: Background Data

Outfall ID:	Date:	Time:
Inspector/Investigator:		
☐ Dry Weather Inspection ☐ Wet Weather Inspection ☐ IDDE Investigation ☐ Follow-up Inspection		
Photos? ☐ Yes ☐ No If yes, append photos to this report.		
Precipitation w/in last 48 hours? ☐ Yes ☐ No	Weather (approx. temp, etc.):	
Land Use in Drainage Area (check all that apply):		
☐ Residential ☐ Commercial Other:		
☐ Agricultural ☐ Open Space Known Industries:		

Section 2: Outfall Description

LOCATION	MATERIAL	SHAPE		DIMENSION (IN.)	SUBMERGED
Storm Sewer (closed pipe)	☐ RCP ☐ PVC ☐ Steel ☐ CMP ☐ HDPE ☐ Clay/drain tile ☐ Other	☐ Circular ☐ Elliptical ☐ Box ☐ Other: _____	☐ Single ☐ Double ☐ Triple ☐ Other: _____	Diameter / Dimensions _____ X _____	In Water: ☐ No ☐ Partially ☐ Full In Sediment: ☐ No ☐ Partially
Open Drainage (swale, ditch, spillway, etc.)	☐ Concrete ☐ Earthen ☐ Rip-Rap ☐ Other:	☐ Trapezoid ☐ Parabolic ☐ Other:		Depth:_____ Top Width:_____ Bottom Width:_____	

Section 3: Physical Indicators

INDIDCATOR	DESCRIPTION	COMMENTS
Outfall Damage	☐ None ☐ Other ☐ Spalling, Cracking or Chipping ☐ Peeling Paint ☐ Corrosion	
Deposits/Stains	☐ None ☐ Oily ☐ Other ☐ Flowline ☐ Paint	
Abnormal Vegetation	☐ None ☐ Excessive ☐ Inhibited ☐ Other	

Poor Water Quality	☐ None ☐ Odors ☐ Floatables ☐ Other ☐ Suds ☐ Colors ☐ Oil Sheen	
Pipe Algae Growth	☐ None ☐ Brown ☐ Orange ☐ Other ☐ Green	

Do physical indicators suggest an illicit discharge has occurred? ☐ Yes ☐ No		
Flow Present? (If water is ponded only, check NO)	☐ Yes	If yes, describe: ☐ Trickle ☐ Moderate ☐ Substantial And go to Section 4
	☐ No	If no flow and no physical indicators, skip to Section 7 and close investigation. If no flow, but physical indicators present, skip to Section 7 and schedule Follow-Up

Section 4: Discharge Description (flowing outfalls only)

INDICATOR	CHECK IF ABSENT	CHECK IF PRESENT	RELATIVE SEVERITY INDEX		
Odor	☐ No odor	☐ Sewage ☐ Rancid/Sour ☐ Sulfide ☐ Detergent ☐ Petroleum ☐ Other	☐ **1** Faint	☐ **2** Easily Detected	☐ **3** Noticeable from a distance
Color	☐ Colorless	☐ Gray ☐ Brown ☐ Yellow ☐ Green ☐ Red/ ☐ Multicolor ☐ Other Orange	☐ **1** Faint color visible in sample bottle	☐ **2** Color clearly visible in sample bottle	☐ **3** Color clearly visible in outfall flow
Turbidity	☐ Clear	See severity	☐ **1** Slightly cloudy	☐ **2** Cloudy	☐ **3** Opaque
Floatables	☐ Clean	☐ Sewage ☐ Oil Sheen ☐ Suds/Foam ☐ Plant Debris ☐ Other	☐ **1** **Few;** Origin not obvious	☐ **2** **Moderate;** Some indication of origin	☐ **3** **Some;** Origin obvious

Do physical indicators suggest an illicit discharge is present?		☐ Yes ☐ No (see allowable discharges in Sec. 8)
Able to trace flow to source?	☐ Yes If yes, proceed to Section 7	☐ No If no, proceed to Section 5.

Section 5: Field Screening Analyses (flowing outfalls only)

PARAMETER	POSSIBLE SOURCE	RESULT (units)	COMMENTS	EQUIPMENT USED
pH	Industrial discharge			
Total Residual Chlorine	Swimming pool			
Alkalinity/Hardness	Groundwater			
MBAS (Detergent)	Cleaning agent			
Ammonia	Sewage, agricultural			

Phosphate	Agricultural, cleaning agent			

Section 6: Sample Collected for Lab Testing (see flow chart) (flowing outfalls only)

Sample for the lab?	☐ Yes	☐ No	If no, explain (source identified, or other):		
Chain of Custody (COC) Complete?	☐ Yes	☐ No	COC Information (Date, Time, Lab Name):		
Analyses requested	☐ *E. coli*	☐ Metals	☐ Oil & Grease	☐ Total Petroleum Hydrocarbons	
	☐ VOCs	☐ SVOCs	☐ Pesticides	☐ PCBs	☐ Other

Section 7: Enforcement and Resolution

☐ Source identified (describe below)	☐ Follow-up inspection required (describe reason why below)
☐ No flow and no sign of illicit discharge (see allowable discharges in Section 8), INVESTIGATION CLOSED	
Enforcement action taken?	☐ Yes ☐ No
Source/Resolution:	

Section 8: Allowable Discharges

The following sources of non-stormwater discharges are NOT considered illicit discharges (unless they have been shown to be a significant contributor of pollutants to the MS4):

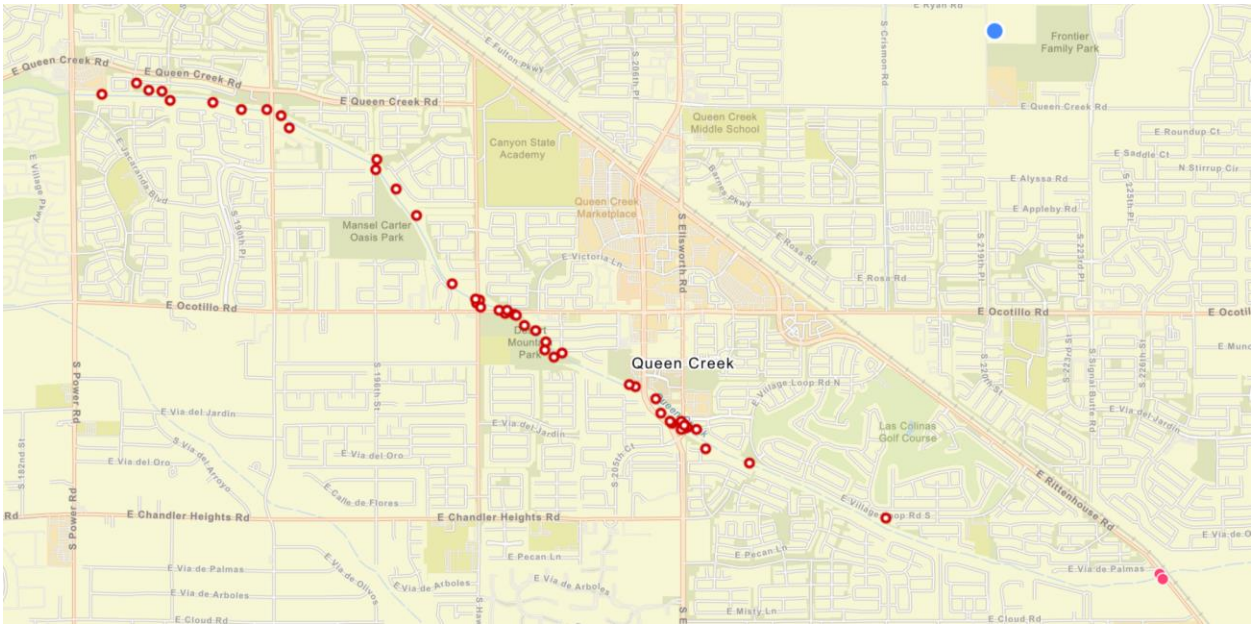
- Water Line flushing
- Landscape irrigation
- Diverted stream flows
- Rising groundwater
- Uncontaminated groundwater infiltration
- Uncontaminated pumped groundwater
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensate
- Irrigation water
- Irrigation return flow from agriculture
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual residential car washing
- Discharges from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Street wash water, and
- Discharges or flows from firefighting activities

OUTFALLS: QUEEN CREEK WASH

OUTFALL NAME/NUMBER	LATITUDE	LONGITUDE
Ocotillo Rd	33.248462	-111.648551
Hawes Rd	33.249558	-111.651643
Ellsworth Rd	33.240769	-111.634354
Will Rogers-Appaloosa	33.247467	-111.646872
5	33.245536	-111.645000
6	33.246004	-111.646000
7	33.240958	-111.635000
8	33.240445	-111.635000
9	33.238069	-111.629000
10	33.257354	-111.659000
11	33.248813	-111.649000
12	33.248462	-111.649000
13	33.249619	-111.652000
14	33.249242	-111.652000
15	33.249342	-111.652000
16	33.247743	-111.648000
17	33.240699	-111.634000
18	33.219301	-111.635000
19	33.248559	-111.650000
20	33.248818	-111.650000

ATTACHMENT 6 - MAP OF OUTFALLS TO THE MS4

Queen Creek Outfalls



ATTACHMENT 7 - STORMWATER QUALITY MANAGEMENT AND DISCHARGE CONTROL ORDINANCE

ARTICLE 10-10 Stormwater Quality Management and Discharge Control Ordinance

Section 10-10-1 Introduction

The Town of Queen Creek (Town) meets the minimum federal requirements for designation by the United States Environmental Protection Agency (EPA) as a small Municipal Separate Storm Sewer operator or MS4. As a small MS4, the Town is required by the Federal Water Pollution Control Act of 1972, 33 U.S.C. Sec. 1251 et seq. commonly known as the "Clean Water Act" (as amended), to implement and enforce a program to improve to the maximum extent practicable the quality of Stormwater in the Town's Stormwater conveyance system.

A. Statutory Authorization

The Town may enact a Stormwater ordinance pursuant to A.R.S. §§ 11-251.66 and 49-371. The Town, as an MS4 under Phase II of the National Pollutant Discharge Elimination System (NPDES) Stormwater program of the EPA, is empowered to regulate Stormwater by the authority of the Clean Water Act.

B. Title

This ordinance shall be known as the "Town of Queen Creek Stormwater Quality Management and Discharge Control Ordinance."

C. Required Permit for Town

This ordinance ensures that the Town is compliant with its Arizona Pollutant Discharge and Elimination System (AZPDES) General Permit for Stormwater Discharges from Small Separate Storm Sewer Systems (Stormwater Permit) requirements by establishing methods for controlling the introduction of pollutants into the Town's MS4.

The Town's Stormwater Permit and federal regulations (40 CFR 122.34) require the Town to implement and maintain six minimum control measures (MCMs). They are:

1. Public education and outreach on Stormwater impacts;

2. Public involvement and participation;

3. Illicit drainage detection and elimination;

4. Construction site Stormwater runoff control;

5. Post-construction Stormwater management in new development and redevelopment;

6. Pollution prevention/good housekeeping for municipal operations.

This ordinance addresses the Stormwater Permit requirements for MCMs three, four and five. MCMs one, two, and six are related to the Town's Stormwater Management Plan and addressed therein.

Section 10-10-2 Purpose

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of Town by prohibiting the introduction of non-Stormwater drainages to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance will also protect Waters of the U.S. (as defined herein) within the Town by improving the quality of the Stormwater runoff from urbanized areas to the Town-owned MS4 system by implementing best management practices (BMPs) by the Town and its citizens.

The objectives of this ordinance are:

A. To regulate the contribution of pollutants to the Town MS4 by Stormwater drainage in urbanized areas by any user.

B. To prohibit illicit connections and drainages to the Town MS4.

C. To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with the Stormwater Permit.

Section 10-10-3 Definitions

For the purposes of this ordinance, the following shall mean:

A. **"ADEQ"** – means the Arizona Department of Environmental Quality.

B. **"Administrator"** – means the Town Manager of the Town, or his designee or designees, who shall represent the Town in the administration of this Article.

C. **"AZPDES"** – means the Arizona Pollutant Discharge Elimination System program as adopted under section 402(b) of the Clean Water Act.

D. **"AZPDES Permit"** – means a permit issued by the Arizona Department of Environmental Quality pursuant to 33 U.S.C. § 1342(b) that authorizes the discharge of pollutants to Waters of the U.S.

E. **"Best Management Practices" or "BMPs"** – means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, other management practices to prevent or reduce the introduction of pollutants directly or indirectly to the Town MS4 or Storm Drainage Systems connected to the MS4 and the prohibition of specific activities, practices, and procedures and such other provisions as the Enforcement Officer determines appropriate for the control of pollutants. BMPs also include treatment practices, operating procedures, and practices to control the following; site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

F. **"Civil Hearing Officer"** – a Civil Hearing Officer shall be appointed by the Town Manager and may hear all civil code infractions and make such orders as may be proper and necessary to dispose of such cases. Such cases shall be heard without a jury. The Civil Hearing Officer shall adopt such local rules of procedure as may be necessary to implement the hearing of civil code infraction cases. The Civil Hearing Officer shall be the person with authority to hear complaints related to violations and to issue penalties for violations of Chapter 10, Health and Sanitation and for violations of the Zoning Ordinance."

G. **"Clean Water Act"** – means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

H. **"CFR"** – means Code of Federal Regulations.

I. **"Construction Activity"** – means activities subject to NPDES and/or AZPDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

J. **"Discharge"** – means any addition of any pollutant to navigable waters from any point source.

K. **"Disturbance"** – means the result of altering soil from its native or stabilized condition thereby rendering it subject to movement or erosion by water to potentially become, or becoming a pollutant in site Stormwater runoff; also means soil disturbance.

L. **"Drainage System"** – means all facilities and natural features used for the movement of Stormwater through and from a drainage area, including, but not limited to, any and all of the following: conduits; pipes and appurtenant features; channels; ditches; flumes; culverts; streets; swales; gutters as well as all watercourses, water bodies, and wetlands.

M. **"EPA"** – means the United States Environmental Protection Agency.

N. **"Erosion"** – means the wearing away of land surface by water or wind that occurs from weather or runoff, but is often intensified by human activity.

O. **"Enforcement Officer"** – means any person, who is either an employee, agent or independent contractor, authorized by the Town Manager to administer, implement and enforce the provisions of this ordinance and who has authority to enforce the Town of Queen Creek rules, regulations, resolutions and ordinances. The "Enforcement Officer" may include more than one person including a civil hearing officer acting in compliance with A.R.S. § 9-500.21.

P. **"Facility"** – means any land, building, installation, structure, equipment, device, conveyance, area, source, activity or practice from which there is, or with reasonable probability may be, the introduction of Stormwater to the Town MS4 or Storm Drainage Systems connected to the MS4.

Q. **"Hazardous Materials"** – means any material, including any substance, waste, or combination thereof, that because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

R. **"Illegal Drainage"** – means any direct or indirect non-Stormwater drainage to the County MS4 or a Storm Drainage System connected to the MS4, except as exempted in Section 10.9.6 this ordinance.

S. **"Illicit Connection"** – means either of the following:

1. Any drain or conveyance, whether on the surface or subsurface that allows illegal drainage to enter any Storm Drainage System including but not limited to any conveyances that allow any non-Stormwater drainage including sewage, process wastewater, and wash water to enter the Town MS4 or any Storm Drainage System and any connections to the Town MS4 or any Storm Drainage System from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency, or

2. Any drain or conveyance connected from a commercial or industrial land use to the Town MS4 or any Storm Drainage System that has not been documented in plans, maps, or equivalent records and approved by an authorized regulatory or enforcement agency.

T. **"Illicit Discharge"** – means any discharge to an MS4 that is not composed entirely of Stormwater, except discharges pursuant to an NPDES permit (other than the NPDES Stormwater Permit) and discharges resulting from fire fighting activities.

U. **"Impervious Surface"** – means a surface that has been compacted or covered with a layer of material so that it is resistant to infiltration by water. It includes semi-pervious surfaces such as compacted clayey soils, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces. "Net Increase of Impervious

Surface" refers to the difference between the existing impervious coverage and the total impervious surface proposed.

V. **"Industrial Activity"** – means activities subject to NPDES Industrial Stormwater Permits as defined in 40 CFR, Section 122.26 (b) (14).

W. **"Urbanized Area"** – means the area depicted by the most recent U.S. Census published "urbanized" area (UA) map and as may be identified by future Decennial Census.

X. **"Land Disturbance"** – means soil disturbance or any site disturbance.

Y. **"Land Surveyor"** – means a land surveyor licensed to practice land surveying in the State of Arizona.

Z. **"Maintenance"** – means the action taken to restore or preserve the as-built functional design of any facility or system.

AA. **"Municipal Separate Storm Sewer System" or "MS4"** – means the system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, natural conveyances or storm drains) owned or operated by the Town and designed or used for collecting or conveying Stormwater, and that is not used for collecting or conveying sewage. Also the Town MS4.

BB. **"National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit"** – means a permit issued by the EPA, or by a State under authority delegated pursuant to 33 U.S.C. § 1342(b), that authorizes the discharge of pollutants to Waters of the U.S., whether the permit is applicable on an individual, group, or general area-wide basis.

CC. **"Non-Stormwater Drainage"** – means any drainage to the County MS4 or a Storm Drainage System that is not composed entirely of Stormwater.

DD. **"Nuisance"** – means the unreasonable or unlawful use of real or personal property that may obstruct or injure the right of another or the public and producing such material annoyance, inconvenience, discomfort, or hurt, that the Enforcement Officer presumes such use will result in damage. This definition includes the conditions listed in A.R.S. 36-601 as public nuisances dangerous to public health.

EE. **"Operator"** – means an operator of a construction site, such as the developer, is one who maintains overall operational control over construction plans and specifications, including the ability to change these plans and specifications. An operator can also be one who maintains day-to-day operational control over activities that will ensure compliance with the Stormwater Pollution Prevention Plan (SWPPP), such as the general contractor or subcontractor.

FF. **"Outfall"** – means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two MS4s or pipes, tunnels or other conveyances that connect segments of the same stream of other waters of the United States and are used to convey waters of the United States.

GG. **"Owner"** – means the person, persons, or entity whose name appears on the title or deed to the subject property or properties.

HH. **"Permit"** – means a written permit to operate or discharge, issued by the Town of Queen Creek or other regulatory authority.

II. **"Permittee"** – means the person, agency or entity authorized to conduct the work specified in accordance with the conditions of the Stormwater permit(s) and as described in the application, approved drawings, plans, and other documents on file with the Town.

JJ. **"Person"** – means any individual, organization, public or private corporation or other entity recognized by law, company, partnership, firm, association or society of persons, the Federal Government and any of its departments or agencies, or the State and any of its departments or agencies, or political subdivisions.

KK. **"Pollutant"** – means any agent introduced to Stormwater or non-Stormwater through human activity that may cause, potentially cause, or contribute to the degradation of water quality. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; dredged spoil, rock, sand or silt; and noxious or offensive matter of any kind.

LL. **"Post-construction"** – means, for purposes of this ordinance, that regulated category of construction for new developments and redevelopments that results in the establishment of permanent Stormwater pollution prevention devices, or structural BMPs, built in compliance to the Town's design standards and also includes long-term operations and maintenance (O&M) programs, or non-structural BMPs, to be permanently associated with the Stormwater pollution devices or controls at the new development upon completion of the land disturbing activity.

MM. **"Premises"** – means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

NN. **"Redevelopment"** – Projects that alter the "footprint" of an existing site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land. Redevelopment projects do not include such activities as exterior remodeling, which would not be expected to cause adverse Stormwater quality impacts and offer no new opportunity for Stormwater controls.

OO. **"Sewage"** – means wastes from toilets, baths, sinks, lavatories, laundries, and other plumbing fixtures in residences, institutions, public and business buildings, mobile homes, watercraft, and other places of human habitation, employment, or recreation.

PP. **"Storm Drainage System"** – means public and private drainage facilities other than sanitary sewers within the urbanized area of the Town by which Stormwater is collected

and/or conveyed to the Town MS4, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

QQ. **"Stormwater"** – means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

RR. **"Stormwater Management Plan" or "SWMP"** – means a document that describes the BMPs and activities and measures to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions and measures to eliminate or reduce the introduction of pollutants to Stormwater, the Town MS4, or Storm Drainage Systems connected to the MS4 to the maximum extent practicable (MEP).

SS. **"Stormwater Pollution Prevention Plan" or "SWPPP"** – means the Stormwater Pollution Prevention Plan associated with the permit for a site.

TT. **"Town"** – means the Town of Queen Creek, Arizona.

UU. **"Urbanized Area"** – means a portion of the Town that has a population density of at least 1,000 people per square mile and/or meets other criteria set by the U.S. Bureau of Census in the latest Decennial Census.

VV. **"Wastewater"** – means liquid and water-carried industrial waste and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are conveyed to the Town collector system and publicly owned treatment works.

WW. **"Waters of the U.S."** – As defined in 33 CFR 328.3(a) and 40 CFR 230.3(s).

Section 10-10-4 Enforcement, Violations, Notices and Penalties

A. Responsibility for Administration

1. The Enforcement Officer, acting through and designated by the Town Manager, shall administer, implement and enforce the provisions of this ordinance involving Stormwater. The Enforcement Officer may enforce the provisions of this ordinance when reasonable cause exists to believe that any person has violated or is in violation of any provision of this ordinance.

2. The Administrator or his designee or designees represent the Town in the administration of this ordinance.

B. Violations, Notices and Penalties of General Applicability

1. Except as otherwise specifically provided, civil offenses shall be punished by imposition of a civil penalty in the amount of $250.00 for the first offense; $500.00 for a second offense within a 12-month period, and $2,000.00 for a third offense within said 12-month period. For purposes of calculating the 12-month period, such period shall begin on the date of the first offense.

2. Civil matters shall be tried before the civil hearing officer in accordance with the provisions of Chapter 5, Section 7 of the Town code. When appropriate, civil matters may also be tried before a justice of the peace or a county hearing officer.

C. This ordinance shall not apply during a period of public emergency as declared by the Town, state authorities or federal authorities, or if the operation is directed by a peace officer or other public authority.

Section 10-10-5 Applicability

This ordinance applies to all urbanized areas of the Town, as defined herein and depicted by the most recent U.S. Census published "urbanized" area (UA) map and as may be identified by future Decennial Census.

This ordinance applies to all water entering the Town MS4 or Storm Drainage System connected to the MS4 in the urbanized areas of the Town and generated on any developed and undeveloped lands unless explicitly exempted in this ordinance.

Section 10-10-6 Illicit Non-Stormwater Drainage and Connections

A. Prohibition of Non-Stormwater Drainage

1. No person shall throw, drain, or otherwise introduce, cause, or allow others under its or their control to throw, drain, or otherwise introduce into the Town MS4 or into the Storm Drainage System connected to the Town MS4 any pollutants or waters containing any pollutants, other than Stormwater.

2. The commencement, conduct or continuance of any illegal drainage to the Town MS4 or any Storm Drainage System is prohibited except as described as follows:

   a. The following types of drainage are exempt from prohibitions established by this ordinance:

      i. Water line flushing, irrigation water, landscape irrigation, lawn watering, return flow from irrigated agriculture, diverted stream flows, rising groundwater, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, drainages from potable water sources, foundation drains, air conditioning condensation, springs, water from crawl space pumps, footing drains, individual residential car washing, flows from riparian habitats and wetlands, de-chlorinated swimming pool drainages, and street wash water.

      ii. Drainage or flow from firefighting (including fire fighting training).

      iii. Drainage associated with dye testing (e.g., for leak detection).

      iv. Other drainages specified in writing by the Enforcement Officer as being necessary to protect public health and safety.

b. This drainage prohibition shall not apply to any non-Stormwater drainage permitted under an NPDES permit, waiver, or waste drainage order issued to the discharger and administered under the authority of the EPA, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any drainage to a Storm Drainage System.

c. The Administrator may evaluate and remove any of the above exemptions if it is determined that they are significant sources of pollutants pursuant to 40 CFR 122.34.b.3.ii.

B. Prohibition of Illicit Connections

1. The construction, use, maintenance or continued existence of illicit connections to the Town MS4 or any Storm Drainage System is prohibited.

2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

3. A person is in violation of this ordinance if the person connects a line conveying non-Stormwater to the Town MS4, or allows such a connection to continue.

4. Illicit connections must be disconnected and redirected to an appropriate approved waste disposal system.

5. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the Storm Sewer System, shall be located by the owner or occupant of that property upon receipt of written Notice of Violation from the Enforcement Officer requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other drainage point be identified. Results of these investigations are to be documented and provided to the Enforcement Officer.

Section 10-10-7 Construction Site Stormwater Runoff Pollution Control

A. Introduction

1. Runoff from construction sites may be a major source of pollution and is subject to federal, state and local requirements to improve Stormwater quality. With few exceptions, these requirements include the development and implementation of a SWPPP for every construction activity as defined herein within the urbanized areas of the Town. That SWPPP may be reviewed by the State. SWPPPs may be reviewed at the construction site by the Enforcement Officer. Stormwater treatment measures (BMPs) may be required along with inspections by the Town or State to

determine compliance with the SWPPP and the installation and management of the BMPs.

2. In accordance with its own Stormwater Permit requiring it to reduce construction site Stormwater pollution in its urbanized area, the Town has established a Subdivision Ordinance and a companion Design Standards and Procedures Manual, which document the procedures and review process for construction site stormwater runoff control.

B. Construction Site Regulation

1. An owner or operator who intends to disturb an area of land that is equal to or greater than one acre, or that is less than one acre but is part of a larger plan of development shall obtain permit coverage from the ADEQ. A copy of the Notice of Intent (NOI) to be bound by the State's general construction permit, including the number and date of application, or evidence of the State's construction permit obtained by the owner or operator, must be filed with the Enforcement Officer prior to the start of the land disturbance as required by ADEQ.

2. The SWPPP for the construction site is to remain at the site and is to be made available to the Enforcement Officer. At the start of and during construction the Enforcement Officer may inspect any site to determine that the SWPPP for the site is being followed and that the indicated BMPs have been properly installed and satisfactorily maintained. If the SWPPP has not been implemented and/or if the BMPs onsite have not been satisfactorily installed or maintained, the Department will notify the owner or operator of the deficiencies. If the owner or operator fails to satisfactorily address these issues within 7 days of notification of the deficiencies, a compliance order will be issued by the Enforcement Officer and a complaint shall be referred to the County Attorney as provided herein and in A.R.S.§ 49-261. The Enforcement Officer has the authority to issue a stop work order, seek an injunction to stop the work as provided herein, and pursue civil or criminal penalties.

C. Exemptions

Coverage under a Town Stormwater approval for construction is not required for sites over one acre for:

1. Regular maintenance activities performed within the original line, grade or capacity of a facility.

2. Construction projects where the operator can prove that there is no reasonable probability that Stormwater can leave the site.

3. A site that qualifies for an erosivity waiver for activities in low-risk soil conditions.

4. A site already covered by an individual NPDES permit with Stormwater provisions.

5. Emergency construction activities required to protect public health and safety.

D. Transfers of Approvals

An approval may be transferred by the submittal of a Town transfer of coverage form that includes assurances by the new owner that the approved SWPPP and BMP requirements will be met.

E. Termination of Coverage

Coverage under the construction approval will end when a Notice of Termination (NOT) is filed with the Town and an inspection by the Enforcement Officer has confirmed that the entire site has been stabilized and landscaping and paving complete (as described in the Design Standards and Procedures Manual).

F. Compliance Monitoring

1. Right of Entry for Inspections and Observations

a. Inspections shall be conducted in accordance with the rules and regulations provided in A.R.S. § 41-1009. An Enforcement Officer conducting an inspection shall, unless otherwise provided by law, present photo identification on entry of the premises, state the purpose of the inspection and the legal authority for conducting the inspection, disclose any applicable inspection fees, and allow the Owner, Operator, or an authorized representative to accompany the Enforcement Officer, except during confidential interviews.

b. If an Owner or Operator holding an approval has security measures in force that require proper identification and clearance before entry into its premises, the Owner or Operator shall make the necessary arrangements to allow the Enforcement Officer access to the premises.

c. Owners or Operators holding an approval or their designated representatives shall allow the Enforcement Officer ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES and/or AZPDES permit to discharge Stormwater, and to determine performance of any additional duties required by the approved plans or by applicable state and federal Stormwater regulations.

d. Any temporary or permanent obstruction to safe and easy access to the site or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Enforcement Officer and shall not be replaced. The costs of clearing such access shall be borne by the operator.

e. Unreasonable delay in allowing the Enforcement Officer access to an approved facility is a violation of this ordinance. A person who is the owner or operator of a facility with an NPDES or AZPDES permit to discharge Stormwater associated with industrial activity violates the permit terms if the person denies the Enforcement Officer reasonable access to the

permitted facility for conducting any activity authorized or required by this ordinance.

2. Search Warrants

a. If the Enforcement Officer has been refused access to the premises, then the Enforcement Officer may seek issuance of a search warrant from any court of competent jurisdiction in addition to issuing a compliance order, seeking an injunction, and assessing appropriate civil or criminal penalties under Title 49, Arizona Revised Statutes.

Section 10-10-8 Post-construction Stormwater Management

A. Introduction

The goal of this post-construction Stormwater management program is to protect public safety and public infrastructure, reduce erosion on private properties and stream channels, and protect the quality of Waters of the U.S. to the maximum extent practicable. The goals are achieved by maintaining and/or restoring natural drainage patterns, minimizing grading and disturbance, and minimizing the extent of impervious cover, as well as encouraging the use of a variety of BMPs for reducing the pollutant loadings from newly developed and redeveloped sites. These goals will be accomplished by requirements to, among other things, reduce the magnitude and extent of impervious cover and site disturbance, remove pollutants from runoff prior to the introduction of Stormwater to the Town MS4, and promote effective operation and maintenance of all Stormwater facilities.

1. Applicability

The Town will develop, implement, and enforce a program to address post-construction Stormwater runoff from new development and redevelopment projects that disturb one (1) or more acres of land (or less than one (1) acre if part of a common plan of development) that discharge into the Town's MS4. The post-construction requirements in this Section apply to permanent Stormwater management facilities, systems and/ or devices. Stormwater management during construction activities is regulated separately pursuant to Section 10-10-6 of this ordinance.

B. Objectives

In order to protect the health, safety and general welfare of the residents of the Town, as well as to protect, sustain and enhance the quality of the Waters of the U.S. in and adjacent to the Town, drainage and Stormwater management practices shall be utilized as directed herein to achieve the following objectives:

1. Accommodate site development and redevelopment in a manner that protects public safety and that is consistent with federal and state water quality requirements and the requirements of the Phase II Stormwater permit for the Town.

2. Protect water quality to the maximum extent practicable by removing and/or treating pollutants prior to the introduction of Stormwater to the Town MS4 or any Storm Drainage System connected to the MS4 throughout the Town.

3. Promote effective long-term operation and maintenance of all permanent Stormwater management facilities.

4. Treat and release Stormwater as close to the source of runoff as possible using a minimum of structures and maximizing reliance on natural processes.

5. Address certain requirements of the Phase II Stormwater Permit regulations.

6. Reduce the environmental impacts of Stormwater pollution from existing developed sites undergoing redevelopment while encouraging development and redevelopment in urban areas and areas designated for growth.

C. General Requirements

1. The management of Stormwater onsite, both during and upon completion of the land disturbances described above shall be accomplished in accordance with the standards and criteria of this ordinance and the requirements of the Town of Queen Creek Design Standards and Procedures Manual, the Queen Creek Subdivision Ordinance, and any applicable county floodplain regulations. The design of any temporary or permanent facilities and structures and the utilization of any natural drainage systems shall be in full compliance with this ordinance and any other applicable regulation.

D. Construction and Operation Responsibilities

1. "As Built" Plans. When construction is complete the applicant shall submit to the Department an actual "as built" plan for all Stormwater management facilities required per the approved Stormwater permit. The "as built" plan shall show all final design specifications for all permanent Stormwater facilities and if necessary shall be prepared and certified by a licensed professional engineer or land surveyor registered in the State of Arizona. The "as built" plan shall be based on an actual field survey. The "as built" plan shall be submitted to the Department for review and final inspection by the Department. Any performance and/or financial securities established for the project by the Department shall include requirements for submittal of "as built" plans.

E. Ownership and Maintenance

1. All Stormwater management facilities, systems and/or devices identified within an approved Stormwater permit shall be owned and maintained by one, or a combination of, the following entities:

   a. An individual for his or her own on-lot Stormwater management facilities not constructed as part of a subdivision and/or land development plan.

b. Where individual on-lot Stormwater management facilities, systems and/ or devices are proposed in a subdivision or other development greater than one acre, the subdivision and/or land development plan and plat shall contain a note in a form satisfactory to the Department designating the entity responsible for operation and maintenance of the on-lot facilities consistent with an approved operation and maintenance plan.

c. An entity that owns or has a perpetual right to access the land on which the Stormwater management facilities, system and/ or devices are located. The operation and maintenance obligation runs with the land and is binding upon the initial grantees of each lot and his, her, or their heirs, administrators, successors or assigns. Stormwater management facilities, systems and/ or devices or the ownership of the land on which they are located may not be deeded or dedicated to the County or the Flood Control District.

Section 10-10-9 Industrial Activity Discharges

A. Submission of NOI or Other Proof of Compliance to the Town

1. Any person subject to an industrial activity individual or general NPDES or AZPDES discharge permit, upon request, may be required to provide a copy in a form acceptable to the Administrator, prior to the allowing of discharges to the Town MS4.

2. The owner or operator of a facility required to have an individual NPDES or AZPDES permit to discharge Stormwater associated with industrial activity shall obtain proof of the permit, or if under a general permit, a copy of the NOI.

3. Any person found owning or operating a facility or owning a site that is not exempt, that does not have an NPDES or AZPDES permit, and is discharging Stormwater associated with industrial activity within the Town MS4 may be reported to the EPA and/or the ADEQ.

Section 10-10-10 Requirement to Prevent, Control, and Reduce Stormwater Pollutants by the Use of Best Management Practices

A. Any activity, operation, or facility that may cause or contribute to pollution or contamination of Stormwater that discharges to any Storm Drainage System connected to the Town MS4 must implement BMPs for managing Stormwater. The owner or operator of such activity, operation, site or facility shall provide, at their own expense, reasonable protection from accidental introduction of prohibited materials or other wastes into any Storm Drainage System using BMPs. These BMPs shall be part of SWPPP as necessary for compliance with requirements of the AZPDES permit.

B. Any person responsible for a property or premise that is, or may be, the source of illegal non-Stormwater drainage as described in Section 10-10-6(A), may be required to implement, at said person's expense, additional BMPs to prevent the further drainage of pollutants.

Section 10-10-11 Notification of Spills

A. Notwithstanding other requirements of law, as soon as any person responsible for a facility, site or operation, including construction sites, or responsible for emergency response for a facility, site or operation has information of any known or suspected release of materials that are resulting or may result in the illegal introduction of pollutants into a Storm Drainage System connected to the MS4 or the Town MS4 shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Administrator in person, by phone, or by e-mail no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Town within ten calendar days of the phone notice. If prohibited materials emanate from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the release and the actions taken to prevent its recurrence. Such records shall be retained for at least one year or as may otherwise be required by applicable state or federal law.

B. Failure to provide notification of a release as provided above is a violation of this ordinance.

Section 10-10-12 Compliance Monitoring

The Town shall be permitted to enter and inspect property subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance.

A. Inspections shall be conducted in accordance with the rules and regulations provided in A.R.S. 41-1009.

B. If the owner or operator of a facility has security measures in force, which require proper identification and clearance before entry into its premises, the property owner shall make the necessary arrangements to allow access to representatives of the Town, including the Enforcement Officer.

C. Any temporary or permanent obstruction to safe and easy access to the property to be inspected shall be promptly removed by the property owner at the written or oral request of the Town, including the Enforcement Officer, and shall not be replaced. The costs of such access shall be borne by the property owner.

Section 10-10-13 Violations Deemed A Public Nuisance

In addition to the enforcement process and penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Section 10-10-14 Remedies Not Exclusive

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Town to seek cumulative remedies.

The Town may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this ordinance, including monitoring expenses.

Section 10-10-15 Compatibility with Other Regulations

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards of human health or the environment shall control.

Section 10-10-16 Severability

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provision or application of this ordinance.

Section 10-10-17 Disclaimer

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized drainage of pollutants.

Neither submission of a plan or permit under the provisions herein, nor compliance with the provisions of this ordinance, shall relieve any person from responsibility for damage to any person or property otherwise imposed by law.

Section 10-10-18 Other Regulatory Requirements

Permits and approvals issued pursuant to this ordinance shall not relieve the applicant of the responsibility to comply with or to secure other required permits or approvals for activities regulated by any other applicable code, rule, regulation, act, statute or ordinance. This ordinance shall not preclude the inclusion in such other permit of more stringent requirements concerning regulation of Stormwater and erosion.

Section 10-10-19 Town Permits and Approvals

An application for any discretionary permits or approvals issued by the Town shall be accompanied by plans demonstrating how the development project will comply with the requirements of this ordinance. The permit or approval shall not be granted unless the decision maker determines that the development project complies with the applicable requirements of this ordinance. If a person applies for any one permit from the Town, that person is not relieved from the obligation to obtain any other applicable Town permit or permits.

ATTACHMENT 8 – SAMPLING AND ANALYSIS PLAN (SAP)

Sampling and Analysis Plan

Town of Queen Creek

Town of Queen Creek
Public Works Department
Environmental Services

To fulfill requirements in the
Arizona Pollutant Discharge Elimination System General Permit for
Stormwater Discharges from Small Municipal Separate Sewer Systems
to Protected Surface Waters

General Permit (AZG2016-002)
Modified on September 16, 2022

2/25/2024

Sampling and Analysis Plan

Town of Queen Creek

prepared for

Town of Queen Creek
Public Works Department
Environmental Services

Queen Creek, Arizona

2/25/2024

1.0 INTRODUCTION

The purpose of this Sampling and Analysis Plan for the Town of Queen Creek (Town) is to comply with the Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (AZG2016-002) (Permit), developed by the Arizona Department of Environmental Quality (ADEQ). The Permit became effective on September 30, 2016. The Permit was modified on September 16, 2022 and required some additional stormwater monitoring. The pertinent language from the Permit regarding stormwater monitoring procedures are presented in Table 1.

Table 1: Permit Requirements

Permit Section	Requirement
1. Stormwater Sampling	The permittee shall conduct stormwater characterization monitoring of discharges from the MS4 to protected surface waters at the outfalls identified by the permittee. The permittee shall sample stormwater discharges from the MS4, as required in Appendix B, one (1) time within the first three and one-half (3.5) years of the effective date of the permit.
2. Qualifying Storm Event	The permittee shall conduct the required stormwater characterization monitoring for qualifying storm events. A qualifying storm event is rainfall in the amount of 0.1 inches or more and a resulting discharge, within the first 24-hours of the event. The permittee shall design stormwater sampling procedures to include the "first flush" (first 30 minutes of storm event discharge) of a qualifying storm event, to the maximum extent practicable.
3. Storm Event Records	The sampled qualifying storm event is 0.1 inches or more of rainfall and resulting in a discharge at the outfall. The permittee shall include the sampled qualifying storm event data in the DMR.
4. Monitoring Locations	The permittee shall identify at least three (3) outfalls or locations within the MS4, representative of stormwater pollution from the MS4 for stormwater characterization monitoring. The identified outfalls for this one-time characterization monitoring must be reported in a discharge monitoring report (DMR), including the identification of the land use for the area served by the outfall from the following three uses: residential, commercial, industrial.
5. Adverse Climatic Conditions	Sampling of a qualifying storm event is not required during adverse climatic conditions. Adverse climatic conditions which prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, electrical storms, etc.).
6. Stormwater Characterization DMR	All parameters listed in Appendix B of the Permit shall be monitored.

This document serves as the Sampling and Analysis Plan (SAP) for conducting the stormwater characterization required in the Permit.

1.1 Monitoring Staff

Staff from the Town of Queen Creek will perform the monitoring required in the permit. The names and titles of staff that will be performing the monitoring are listed below.

Phil Garcia - Sr. Environmental Services Technician

Christian Lee - Sr. Environmental Services Technician

2.0 MONITORING LOCATIONS

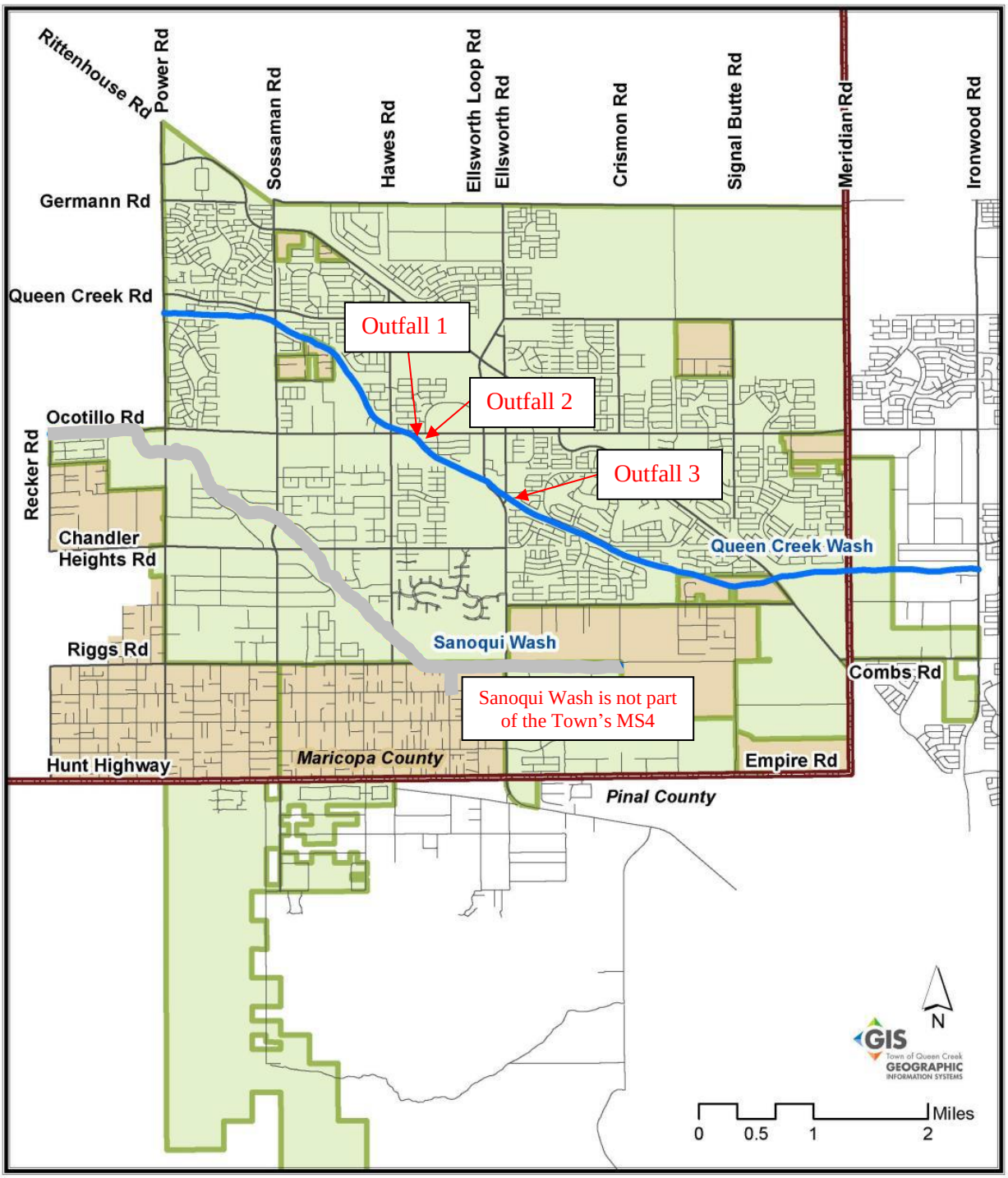
The three outfalls designated for sampling for the stormwater characterization are depicted in Table 2.

Table 2: Description of Three Outfalls for Stormwater Characterization

Outfall Number	Outfall Location	Photograph
1	Desert Mountain Park, East Ocotillo Road just east of South Hawes Road (Residential Land Use)	
2	East Appaloosa Drive at the end of the cul de sac (Residential Land Use)	
3	East Via Del Rancho Road at the end of the cul de sac (Commercial Land Use)	

A map of the three stormwater characterization sites is depicted on Figure 1.

Figure 1: Map of Stormwater Characterization Sites



Map Date: 7/20/17 The Town of Queen Creek makes no warranties, written or implied, regarding the information on this map.

3.0 ANALYTES TO BE SAMPLED

All the analytes in Appendix B of the Permit are required to be monitored. The analyte categories and corresponding method numbers are listed in Table 3. The full list of analytes from Appendix B of the Permit is presented in Attachment A.

Table 3: Analytes to Be Sampled and Corresponding Methods

Analyte	Method
Metals	EPA 200.7, EPA 200.8
Inorganics - Cyanide	SM 4500-CN E
Volatile Organic Compounds (VOCs)	EPA 524.2
Semi-VOCs – Base/Neutrals	EPA 525.3
PCBs/Pesticides	EPA 505, EPA 515.4
Hardness (for calculations of Surface Water Quality Standards)	SM 2340B

4.0 SAMPLING PROTOCOLS

A total of three samples will be collected for the stormwater characterization monitoring; one from each of the three sites identified in Table 2 and Figure 1. Samples will be collected following the Permit parameters identified in Table 1.

4.1 Sample Collection

Grab (discrete) samples of stormwater will be collected at each sampling location in a set of pre-cleaned containers provided by the analytical laboratory. Prior to collection, each set of sample containers will be labeled and identified with the project title, site name, the date and time of sample collection, and preservation method. At most sites, the sample will be collected directly from the water source (e.g., end of pipe, ditch, or gutter) with a sampling device (e.g., a plastic scoop flattened on one side), then poured into the set of pre-labelled containers. Each set of sample containers will be placed on ice in a cooler and will be kept in the dark from the time of sample collection until delivery to the analytical laboratory. All samples will be delivered to the laboratory in time to meet the required holding times for all analytes.

4.2 Sample Handling and Tracking

Samples will be kept properly chilled and transferred to the analytical laboratory within holding times to achieve the highest quality data possible. To ensure proper tracking and handling of the samples, documentation will accompany the samples from the initial pickup to the final extractions and analysis. This documentation will be in the form of Chain-of-Custody Forms (provided by the analytical laboratory). These forms, or equivalent, will be used to track and handle all samples collected. All samples collected will be labeled with the following information:

- Project name
- Date
- Time
- Site name
- Preservative
- Collector's initials
- Constituents to be analyzed

Completed Chain-of-Custody forms will be placed in a plastic envelope and kept inside the container containing the samples. Once delivered to the laboratory, the Chain-of-Custody form will be signed by the person receiving the samples. The condition of the samples will be noted and recorded by the receiver. Chain-of-Custody records will be included in the final reports prepared by the analytical laboratories.

Upon delivery to the laboratory, the laboratory manager will inspect the condition of the samples and reconcile the label information to the Chain-of-Custody form. The time of sample collection will be noted and the samples will be stored at the appropriate temperature until analysis is begun, always within the holding time limitation.

Upon completion of analyses, any remaining sample material will be stored until the holding time expires. At that point, samples will be disposed of.

4.3 Laboratory Analyses

Analysis of the constituents collected during the sampling events will be conducted by a local analytical laboratory certified by the National Environmental Laboratory Accredited Program (NELAP). The list of analytes and the corresponding methods are presented in Table 3. The full list of analytes is provided in Attachment A.

Attachment A

Analyte List from Appendix B of the Permit

Appendix B: Stormwater Characterization Monitoring Requirements

All permittees shall conduct stormwater characterization monitoring for the parameters listed in Table 7.0 below, as required by Parts 7.1, 7.2, and 7.3 of this permit.

Table B: Analytical Wet Weather Characterization Monitoring

Parameter	Units	Monitoring Frequency	Monitoring Type
Metals			
Antimony	µg/L	1x during first 42 months of permit term	Discrete
Barium	µg/L	1x during first 42 months of permit term	Discrete
Beryllium	µg/L	1x during first 42 months of permit term	Discrete
Cadmium	µg/L	1x during first 42 months of permit term	Discrete
Nickel	µg/L	1x during first 42 months of permit term	Discrete
Mercury	µg/L	1x during first 42 months of permit term	Discrete
Silver	µg/L	1x during first 42 months of permit term	Discrete
Thallium	µg/L	1x during first 42 months of permit term	Discrete
Inorganics			
Cyanide	µg/L	1x during first 42 months of permit term	Discrete
Volatile Organic Compounds (VOCs)			
Acrolein	µg/L	1x during first 42 months of permit term	Discrete
Acrylonitrile	µg/L	1x during first 42 months of permit term	Discrete
Benzene	µg/L	1x during first 42 months of permit term	Discrete
Carbon tetrachloride	µg/L	1x during first 42 months of permit term	Discrete
Chlorobenzene	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Dibromochloromethane	µg/L	1x during first 42 months of permit term	Discrete
Chloroethane	µg/L	1x during first 42 months of permit term	Discrete
2-chloroethylvinyl ether	µg/L	1x during first 42 months of permit term	Discrete
Chloroform	µg/L	1x during first 42 months of permit term	Discrete
Bromodichloromethane	µg/L	1x during first 42 months of permit term	Discrete
1,2-dichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
1,3-dichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
1,4-dichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
1,1-dichloroethane	µg/L	1x during first 42 months of permit term	Discrete
1,2-dichloroethane	µg/L	1x during first 42 months of permit term	Discrete
1,3-dichloropropylene	µg/L	1x during first 42 months of permit term	Discrete
Ethylbenzene	µg/L	1x during first 42 months of permit term	Discrete
Bromomethane	µg/L	1x during first 42 months of permit term	Discrete
Chloromethane	µg/L	1x during first 42 months of permit term	Discrete
Methylene chloride	µg/L	1x during first 42 months of permit term	Discrete
1,1,2,2-tetrachloroethane	µg/L	1x during first 42 months of permit term	Discrete
Tetrachloroethylene	µg/L	1x during first 42 months of permit term	Discrete
Toluene	µg/L	1x during first 42 months of permit term	Discrete
1,2-trans-dichloroethylene	µg/L	1x during first 42 months of permit term	Discrete
1,1,1-trichloroethane	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
1,1,2-trichloroethane	µg/L	1x during first 42 months of permit term	Discrete
Trichloroethylene	µg/L	1x during first 42 months of permit term	Discrete
Vinyl chloride	µg/L	1x during first 42 months of permit term	Discrete
Xylene	µg/L	1x during first 42 months of permit term	Discrete
Semi-VOCs - Acid Extractable			
2-chlorophenol	µg/L	1x during first 42 months of permit term	Discrete
2,4-dichlorophenol	µg/L	1x during first 42 months of permit term	Discrete
2,4-dimethylphenol	µg/L	1x during first 42 months of permit term	Discrete
4,6-dinitro-o-cresol	µg/L	1x during first 42 months of permit term	Discrete
2,4-dinitrophenol	µg/L	1x during first 42 months of permit term	Discrete
2-nitrophenol	µg/L	1x during first 42 months of permit term	Discrete
4-nitrophenol	µg/L	1x during first 42 months of permit term	Discrete
p-chloro-m-cresol	µg/L	1x during first 42 months of permit term	Discrete
Pentachlorophenol	µg/L	1x during first 42 months of permit term	Discrete
Phenol	µg/L	1x during first 42 months of permit term	Discrete
2,4,6-trichlorophenol	µg/L	1x during first 42 months of permit term	Discrete
Semi-VOCs – Base/Neutrals			
Acenaphthene	µg/L	1x during first 42 months of permit term	Discrete
Acenaphthylene	µg/L	1x during first 42 months of permit term	Discrete
Anthracene	µg/L	1x during first 42 months of permit term	Discrete
Benz(a)anthracene	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Benzo(a)pyrene	µg/L	1x during first 42 months of permit term	Discrete
Benzo(b)fluoranthene	µg/L	1x during first 42 months of permit term	Discrete
Benzo(g,h,i)perylene	µg/L	1x during first 42 months of permit term	Discrete
Benzo(k)fluoranthene	µg/L	1x during first 42 months of permit term	Discrete
Chrysene	µg/L	1x during first 42 months of permit term	Discrete
Dibenzo(a,h)anthracene	µg/L	1x during first 42 months of permit term	Discrete
3,3'-dichlorobenzidine	µg/L	1x during first 42 months of permit term	Discrete
Diethyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
Dimethyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
Di-n-butyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
2,4-dinitrotoluene	µg/L	1x during first 42 months of permit term	Discrete
2,6-dinitrotoluene	µg/L	1x during first 42 months of permit term	Discrete
Di-n-octyl phthalate	µg/L	1x during first 42 months of permit term	Discrete
1,2-diphenylhydrazine (as azobenzene)	µg/L	1x during first 42 months of permit term	Discrete
Fluoranthene	µg/L	1x during first 42 months of permit term	Discrete
Fluorene	µg/L	1x during first 42 months of permit term	Discrete
Hexachlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
Hexachlorobutadiene	µg/L	1x during first 42 months of permit term	Discrete
Hexachlorocyclopentadiene	µg/L	1x during first 42 months of permit term	Discrete
Hexachloroethane	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Indeno(1,2,3-cd)pyrene	µg/L	1x during first 42 months of permit term	Discrete
Isophorone	µg/L	1x during first 42 months of permit term	Discrete
Naphthalene	µg/L	1x during first 42 months of permit term	Discrete
Nitrobenzene	µg/L	1x during first 42 months of permit term	Discrete
N-nitrosodimethylamine	µg/L	1x during first 42 months of permit term	Discrete
N-nitrosodi-n-propylamine	µg/L	1x during first 42 months of permit term	Discrete
N-nitrosodiphenylamine	µg/L	1x during first 42 months of permit term	Discrete
Phenanthrene	µg/L	1x during first 42 months of permit term	Discrete
Pyrene	µg/L	1x during first 42 months of permit term	Discrete
1,2,4-trichlorobenzene	µg/L	1x during first 42 months of permit term	Discrete
PCB / Pesticides			
Aldrin	µg/L	1x during first 42 months of permit term	Discrete
Alpha-BHC	µg/L	1x during first 42 months of permit term	Discrete
Beta-BHC	µg/L	1x during first 42 months of permit term	Discrete
Gamma-BHC	µg/L	1x during first 42 months of permit term	Discrete
Delta-BHC	µg/L	1x during first 42 months of permit term	Discrete
Chlordane	µg/L	1x during first 42 months of permit term	Discrete
4,4’-DDT	µg/L	1x during first 42 months of permit term	Discrete
4,4’-DDE	µg/L	1x during first 42 months of permit term	Discrete
4,4’-DDD	µg/L	1x during first 42 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Dieldrin	µg/L	1x during first 42 months of permit term	Discrete
Alpha-endosulfan	µg/L	1x during first 42 months of permit term	Discrete
Beta-endosulfan	µg/L	1x during first 42 months of permit term	Discrete
Endosulfan sulfate	µg/L	1x during first 42 months of permit term	Discrete
Endrin	µg/L	1x during first 42 months of permit term	Discrete
Endrin aldehyde	µg/L	1x during first 42 months of permit term	Discrete
Heptachlor	µg/L	1x during first 42 months of permit term	Discrete
Heptachlor epoxide	µg/L	1x during first 42 months of permit term	Discrete
PCB-1242	µg/L	1x during first 42 months of permit term	Discrete
PCB-1254	µg/L	1x during first 42 months of permit term	Discrete
PCB-1221	µg/L	1x during first 42 months of permit term	Discrete
PCB-1232	µg/L	1x during first 42 months of permit term	Discrete
PCB-1248	µg/L	1x during first 42 months of permit term	Discrete
PCB-1260	µg/L	1x during first 42 months of permit term	Discrete
PCB-1016	µg/L	1x during first 42 months of permit term	Discrete
Toxaphene	µg/L	1x during first 42 months of permit term	Discrete

Notes:

1. The permittee shall include any additional parameters in stormwater sampling as specified by Part 5.0 Water Quality Standards of this permit.
2. The permittee shall collect discrete samples and shall attempt to include the “first flush” (first 30 minutes of stormwater discharge) of a qualifying storm event whenever possible to do so. Auto Sampling equipment may be used, if available.
3. When analyzing for metals, the permittee shall assume a 1:1 total dissolved ratio

for purposes of reporting and comparison with SWQS. Alternatively, the permittee may test for dissolved metals, if appropriate field filtering is completed. Hardness data must also be collected and used to calculate the corresponding SWQS for certain metals as indicated by SWQS rules.

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