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Western Washington Phase II Municipal Stormwater Permit

National Pollutant Discharge Elimination System and
State Waste Discharge General Permit
for discharges from Small Municipal Separate Storm Sewers
in Western Washington

State of Washington
Department of Ecology
Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified, or revoked, Permittees that have properly obtained coverage under this permit are authorized to discharge to waters of the state in accordance with the special and general conditions which follow.

Kelly Susewind, P.E., P.G.
Water Quality Program Manager
Department of Ecology

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SPECIAL CONDITIONS

S1. PERMIT COVERAGE AREA AND PERMITTEES

A. Geographic Area of Permit Coverage

This Permit is applicable to owners or operators of regulated small municipal separate storm sewer systems (MS4s) located west of the eastern boundaries of the following counties: Whatcom, Skagit, Snohomish, King, Pierce, Lewis and Skamania.

1. For all cities required to obtain coverage under this permit, the geographic area of coverage is the entire incorporated area of the city.

2. For all counties required to have coverage under this Permit, the geographic area of coverage is the urbanized areas and urban growth areas associated with permitted cities under the jurisdictional control of the county. ~~The geographic area of coverage also includes any urban growth area contiguous to permitted urbanized areas under the jurisdictional control of the county.~~

For Whatcom County, the geographic area of coverage also includes the unincorporated Birch Bay urban growth area.

2.3. For ~~s~~Secondary ~~p~~Permittees required to obtain coverage under this permit, the minimum geographic area of coverage is all areas identified under S1.A.1 and S1.A.2. ~~At the time of permit coverage, Ecology may establish a geographic area of coverage specific to an individual ~~s~~Secondary ~~p~~Permittee.~~

3.4. All regulated small MS4s owned or operated by the ~~p~~Permittees named in S1.D.2.a-(i) and (ii), ~~and -S1.D.2.b~~ and located in another city or county area requiring coverage under ~~this permit or either~~ the *Phase I Municipal Stormwater Permit* or the *Eastern Washington Phase II Municipal Stormwater Permit* are also covered under this permit.

B. Regulated Small Municipal Separate Storm Sewer Systems (MS4s)

All operators of regulated small ~~municipal separate storm sewer systems (MS4s)~~ are required to apply for and obtain coverage under this Permit or be permitted under a separate individual permit, unless waived or exempted in accordance with condition S1.C.

1. A regulated small MS4:

- a. Is a “Small MS4” as defined in the *Definitions and Acronyms* section at the end of this Permit; and
- b. Is located within, or partially located within, an urbanized area as defined by the latest decennial census conducted by the U.S. Bureau of Census, or

- designated by ~~the Department Ecology~~ pursuant to 40 CFR 123.35(b) or 40 CFR 122.26(f); and
- c. Discharges stormwater from the MS4 to a surface water of Washington State; and
 - d. Is not eligible for a waiver or exemption under S1.C. below.
2. All other operators of MS4s, including special purpose districts, which meet the criteria for a regulated small MS4 shall obtain coverage under this Permit. Other operators of ~~small MS4s~~~~municipal separate storm sewers~~ may include, but are not limited to: flood control, or diking and drainage districts, schools including universities, and correctional facilities that own or operate a small MS4 serving non-agricultural land uses.
 3. Any other operators of small MS4s may be required by ~~the Department Ecology~~ to obtain coverage under this permit or an alternative NPDES permit if ~~the Department Ecology~~ determines the small MS4 is a significant source of pollution to surface waters of the state. -Notification of ~~the Department Ecology~~'s determination that permit coverage is required will be through the issuance of an Administrative Order issued in accordance with RCW 90.48.
 4. The owner or operator of a regulated small MS4 may obtain coverage under this Permit as a ~~p~~Permittee, ~~e~~C~~o~~-permittee, or ~~s~~Secondary ~~p~~Permittee as defined in S1.D.1. below.
 5. Pursuant to 40 CFR 122.26(f), any person or organization may petition Ecology to require that additional ~~municipal separate storm sewers~~~~small MS4s~~ obtain coverage under this ~~p~~Permit. -The process for petitioning Ecology is:
 - a. The person or organization shall submit a complete petition in writing to Ecology. -A complete petition shall address each of the relevant factors for petitions outlined on Ecology's website.
 - b. In making its determination on the petition, Ecology may request additional information from either the petitioner or the ~~jurisdiction entity that is the subject of the petition~~.
 - c. Ecology will make a final determination on a complete petition within 180 days of receipt of the petition and inform both the petitioner and the ~~MS4~~~~municipal separate storm sewer~~ of the decision, in writing.
 - d. If Ecology's final determination is that the candidate ~~MS4~~~~municipal separate storm sewer~~ will be regulated, Ecology will issue an order to the ~~operator of the MS4~~~~municipal separate storm sewer~~ requiring them to obtain coverage under this Permit. -The order will specify:
 - i. The geographic area of permit coverage for the ~~MS4~~~~municipal separate storm sewer system~~;

- ii. Any modified dates or deadlines for developing and implementing ~~this Permit Stormwater Management Program in S5. or S6.~~, as appropriate to the ~~MS4municipal separate storm sewer system~~, and for submitting their first annual report; and
 - iii. A deadline for the operator of the ~~MS4municipal separate storm sewer system~~ to submit a complete Notice of Intent (see Appendix 5) to Ecology.
- C. Owners and operators of an otherwise regulated small MS4 are not required to obtain coverage under this Permit if:
 - 1. The small MS4 is operated by:
 - a. ~~The~~ federal entity, including any department, agency or instrumentality of the executive, legislative, and judicial branches of the Federal government of the United States. government on military bases or other federal lands; or by the United States Military, the Bureau of Land Management, the United States Park Service or other federal agencies;
 - b. Federally recognized Indian Tribes located within Indian Country ~~Lands,~~ including all trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians; or
 - c. The Washington State Department of Transportation.

or:
 - 2. The portions of the small MS4 located within the census defined urban area(s) serve a total population of less than 1000 people and a, b, and c, below all apply:
 - a. The small MS4 is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the NPDES stormwater program.
 - b. The discharge of pollutants from the small MS4 has ~~ve~~ not been identified as a cause of impairment of any water body to which the MS4 discharges.
 - c. In areas where an EPA approved TMDL has been completed, stormwater controls on the MS4 have not been identified as being necessary.

In determining the total population served, both resident and commuter populations shall be included. -For example:

 - For publicly operated school complexes including universities and colleges the total population served would include the sum of the average annual student enrollment plus staff.

- For flood control, diking, and drainage districts the total population served would include residential population and any non-residents regularly employed in the areas served by the small MS4.

D. Obtaining coverage under this Permit

All operators of regulated small MS4s are required to apply for and obtain coverage in accordance with this section, unless waived or exempted in accordance with section S1.C.

1. Permittees: ~~u~~Unless otherwise noted, the term “Permittee” shall include a city, town or county Permittee, New Permittee, Co-Permittee, ~~and~~ Secondary Permittee, and New Secondary Permittee as defined below:
 - a. “Permittee” is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.
 - b. “New Permittee” is a city, town or county that is subject to the Western Washington Phase II Municipal Stormwater General Permit and was not subject to the permit prior to August 1, 2013.
 - ~~b.c.~~ “Co-Permittee” is any owner or operator of a regulated small MS4 that is applying jointly in a cooperative agreement with at least one other applicant for coverage under this Permit. ~~Co-Permittees own or operate a regulated small MS4 located within or adjacent in proximity to another regulated small MS4.~~
 - d. A “Secondary Permittee” is an operator of a regulated small MS4 that is not a city, town or county. Secondary Permittees include special purpose districts and other MS4s that meet the criteria for a regulated small MS4 in S1.B. above.
 - ~~e.e.~~ “New Secondary Permittee” is a Secondary Permittee that is covered under a municipal stormwater general permit and was not covered by the permit prior to August 1, 2013.
2. Operators of regulated small MS4s have submitted or shall submit to Ecology either an individual application to the Department Notice of Intent (NOI) for Coverage under National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater General Permit provided in Appendix 5 or a Duty to Reapply - Notice of Intent (NOI). Applications submitted after January 17, 2007 must be made using the NOI provided in Appendix 5. The NOI is also available on Ecology’s website.
 - ~~a. All cities, towns and counties listed in i and ii below and operating regulated small MS4s shall apply as either a Permittee or Co-Permittee.~~

- i. ~~Cities of: Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumelaw, Everett, Federal Way, Ferndale, Fife, Firerest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Port Angeles, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point.~~
- ii. ~~Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whateom.~~
- b. ~~All other **regulated small MS4s** shall apply as a Secondary Permittee or as a Co-Permittee.~~
- e.a. ~~The following **Permittees and Secondary Permittees** ~~cities, towns and counties~~ submitted ~~either an application or a *Duty to Reapply - NOI* for coverage~~ to Ecology prior to ~~August 19, 2011~~ January 17, 2007:~~

 - i. ~~Cities and towns: Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale, Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Port Angeles, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, and Woodinville, ~~and Yarrow~~~~
 - i. ~~_____~~
 - ii. ~~Point~~
 - ii. ~~County~~ Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.
 - iii. Secondary Permittees: Bainbridge Island School District #303, Bellingham School District, Bellingham Technical College,

Cascadia College, Central Kitsap School District, Centralia College, Clark College, Consolidated Diking Improvement District #1 of Cowlitz County, Edmonds Community College, Evergreen College, Highline Community College, Kelso School District, Kent School District, Longview School District, Lower Columbia College, Port of Anacortes, Port of Bellingham, Port of Olympia, Port of Skagit County, Port of Vancouver, Skagit County Drainage District #19, Skagit Valley College, University of Washington Bothell, Washington State University Vancouver, Washington State General Administration (Capitol Campus), Washington Department of Corrections, Western Washington University, and Whatcom Community College.

~~d.b.~~ All operators of regulated small MS4s ~~located in jurisdictions listed in S1.D.2.a.~~ have submitted or shall submit to Ecology a Notice of Intent (NOI) for Coverage under National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater General Permit provided in Appendix 5 ~~NOI or individual permit application~~ before the effective date of this permit, with the following exceptions:

- i. Operators of regulated small MS4s located in the Cities of Lynden and Snoqualmie ~~Aberdeen, Anacortes, Centralia, Oak Harbor, and Port Angeles~~ shall submit a NOI or application to Ecology no later than 30 days after the effective date of this permit.
- ii. Operators of regulated small MS4s listed in S1.D.2.~~ea.~~ do not need to submit a new application to be covered under this permit.

~~e.~~ For operators of regulated small MS4s listed in S1.D.2.~~ea.~~, coverage under this permit is automatic and begins on the effective date of this permit, unless:

- ~~i.~~ ~~The operator chooses to reapply before the effective date of this permit; or~~
- ~~ii.~~ ~~The operator will be relying on another entity to satisfy one or more of their permit obligations in accordance with S1.D.2.g. and S1.D.3.d. below; or~~
- ~~iii.~~ ~~The operator chooses to be a Co-Permittee in accordance with S1.D.2.f. and S1.D.3.c. below; or~~

~~f.c.~~ The operator chooses to opt out of this General Permit. Any operator of a regulated small MS4 that is opting out of this permit shall submit an application for an individual MS4 permit in accordance with 40 CFR 122.33(b)(2)(ii) no later than the effective date of this permit.

~~g.d.~~ Operators of regulated small MS4s which want to be covered under this permit as Co-Permittees shall each submit a NOI to Ecology ~~a joint NOI~~.

~~h.e.~~ Operators of regulated small MS4s which are relying on another entity to satisfy ~~one or more~~ all of their permit obligations shall submit a NOI to Ecology.

i.f. Operators of small MS4s designated by Ecology pursuant to S1.B.3. of this permit shall submit a NOI to Ecology within 120 days of receiving notification from Ecology that permit coverage is required.

3. Application Requirements

a. ~~NOIs shall be submitted to:~~

~~Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696~~

b.a. For NOIs submitted after ~~January 17, 2007~~ the issuance date of this Permit, the ~~permit~~ applicant shall ~~provide public notice of the application in accordance with WAC 173-226-130(5). The applicant or co-applicant shall~~ include a certification that the public notification requirements of WAC 173-226-130(5) have been satisfied. ~~Unless Ecology responds will notify applicants in writing of their status concerning,~~ coverage under this Permit ~~will be effective 6~~ within 90 days ~~after of Ecology's~~ receipt of a complete NOI. ~~A complete NOI shall include the certification of public notice.~~

e.b. ~~Each~~ Permittees applying as ~~ea~~ Co-applicants-Permittee shall submit a ~~joint~~ NOI provided in Appendix 5. ~~The joint NOI shall clearly identify the areas of the MS4 for which each of the eCo-Permittee applicants are is~~ responsible.

d.c. Permittees relying on another entity or entities to satisfy one or more of their permit obligations shall notify Ecology in writing. The notification shall include a summary of the permit obligations that will be carried out by another entity. ~~The summary shall identify the other entity or entities and shall be signed by the other entity or entities. During the term of the permit, permittees may terminate or amend shared responsibility arrangements by notifying Ecology, provided this does not alter implementation deadlines.~~

e.d. Secondary ~~p~~Permittees required to have-obtain coverage under this Permit, and the Phase I Municipal Stormwater Permit or the Eastern Washington Phase II Municipal Stormwater Permit NPDES and State Waste Discharge Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington or the NPDES and State Waste Discharge Permit for Discharges from Large and Medium Municipal Separate Storm Sewers, may obtain coverage by submitting a single NOI.

S2. AUTHORIZED DISCHARGES

- A. This Permit authorizes the discharge of stormwater to surface waters and to ground waters of the state from ~~MS4s~~~~municipal separate storm sewer systems~~ owned or operated by each Permittee covered under this permit, in the geographic area covered pursuant to S1.A. ~~These discharges are subject to the following limitations:~~
1. Discharges to ground waters of the state through facilities regulated under the Underground Injection Control (UIC) program, ~~C~~chapter 173-218 WAC, are not ~~covered~~~~authorized~~ under this Permit.
 2. Discharges to ground waters not subject to regulation under the federal Clean Water Act are ~~covered~~~~authorized~~ in this permit only under state authorities, ~~C~~chapter 90.48 RCW, the Water Pollution Control Act.
- B. This Permit authorizes discharges of non-stormwater flows to surface waters and to ground waters of the state from ~~municipal separate storm sewer system~~~~MS4s~~ owned or operated by each Permittee covered under this permit, in the geographic area covered pursuant to S1.A, only under one or more of the following conditions:
1. The discharge is authorized by a separate ~~National Pollutant Discharge Elimination System~~ (NPDES) or State Waste Discharge permit.
 2. The discharge is from emergency fire fighting activities.
 3. The discharge is from another illicit or non-stormwater discharge that is managed by the Permittee as provided in Special Condition S5.C.3.~~b~~ or S6.C.3.~~b~~.
- These discharges are also subject to the limitations in S2.A.1~~7~~ and S.2.A.2~~7~~ above.
- C. This Permit does not relieve entities that cause illicit discharges, including spills, of oil or hazardous substances, from responsibilities and liabilities under state and federal laws and regulations pertaining to those discharges.
- D. Discharges from ~~municipal separate storm sewers~~~~MS4s~~ constructed after the effective date of this permit shall receive all applicable state and local permits and use authorizations, including compliance with ~~C~~chapter 43.21C RCW (the State Environmental Policy Act).
- E. This Permit does not authorize discharges of stormwater to waters within Indian ~~Reservations~~Country or to waters subject to water quality standards of Indian Tribes, including portions of the Puyallup River and other waters on trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians Reservation, except where authority has been specifically delegated to Ecology by the U.S. Environmental Protection Agency. ~~The exclusion of such discharges from this Permit does not waive any rights the State may have with respect to the regulation of the discharges.~~

S3. RESPONSIBILITIES OF PERMITTEES

- A. Each Permittee covered under this Permit is responsible for compliance with the terms of this Permit for the regulated small MS4s that they own or operate. Compliance with (1) or (2) below is required as applicable to each pPermittee, whether the pPermittee has applied for coverage as a pPermittee, eCo-pPermittee, or sSecondary pPermittee.
1. All city, town and county pPermittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Special Condition S6 Stormwater Management Program for Secondary Permittees.
 2. All sSecondary pPermittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for ~~Special Conditions S8.C. Monitoring and~~ section S5 Stormwater Management Program for Cities, Towns and Counties and S8.B, S8.C, and S8.D Monitoring.
- B. Permittees may rely on another entity to satisfy one or more of the requirements of this Permit. -Permittees that are relying on another entity to satisfy one or more of their permit obligations remain responsible for permit compliance if the other entity fails to implement permit conditions. -Permittees may rely on another entity provided all the requirements of 40 CFR 122.35(a) are satisfied, including but not limited to:
1. The other entity, in fact, implements the Permit requirements.
 2. The other entity agrees to take on responsibility for implementation of the Permit requirement(s) as indicated on the NOI.

S4. COMPLIANCE WITH STANDARDS

- A. In accordance with RCW 90.48.520, the discharge of toxicants to waters of the state of Washington which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited. The required response to such discharges is defined in section ~~S4.F.~~, below.
- B. This Permit does not authorize a discharge which would be a violation of Washington State Surface Water Quality Standards (chapter 173-201A WAC), Ground Water Quality Standards (chapter 173-200 WAC), Sediment Management Standards (chapter 173-204 WAC), or human health-based criteria in the national Toxics Rule (Federal Register, Vol. 57, NO. 246, Dec. 22, 1992, pages 60848-60923). The required response to such discharges is defined in section ~~S4.F.~~, below.
- C. The Permittee shall reduce the discharge of pollutants to the maximum extent practicable (MEP).
- D. The Permittee shall use all known, available, and reasonable methods of prevention, control and treatment (AKART) to prevent and control pollution of waters of the state of Washington.

- E. In order to meet the goals of the Clean Water Act, and comply with S4.A., S4.B., S4.C., and S4.D. each Permittee shall comply with all of the applicable requirements of this Permit as identified in S3 Responsibilities of Permittees.
- F. A Permittee remains in compliance with S4. despite any discharges prohibited by S4.A. or S4.B., when the Permittee undertakes the following response toward long-term water quality improvement:
1. A Permittee shall notify Ecology in writing within 30 days of becoming aware, based on credible site-specific information, that a discharge from the ~~MS4 municipal separate storm sewer~~ owned or operated by the Permittee is causing or contributing to a known or likely violation of Water Quality Standards in the receiving water. Written notification provided under this subsection shall, at a minimum, identify the source of the site-specific information, describe the nature and extent of the known or likely violation in the receiving water, and explain the reasons why the MS4 discharge is believed to be causing or contributing to the problem. For ongoing or continuing violations, a single written notification to Ecology will fulfill this requirement.
 2. In the event that Ecology determines, based on a notification provided under S4.F.1. or through any other means, that a discharge from an ~~an MS4 municipal separate storm sewer~~ owned or operated by the Permittee is causing or contributing to a violation of Water Quality Standards in a receiving water, Ecology will notify the Permittee in writing that an adaptive management response outlined in S4.F.3. below is required, unless: ~~Ecology also determines that~~
 - a. ~~(a) Ecology also determines that~~ the violation of Water Quality Standards is already being addressed by a Total Maximum Daily Load (TMDL) or other enforceable water quality cleanup plan; or
 - a.b. ~~(b)~~ Ecology concludes the MS4 contribution to the violation will be eliminated through implementation of other permit requirements.
 - 2.3. Adaptive Management Response
 - a. Within 60 days of receiving a notification under S4.F.2., or by an alternative date established by Ecology, the Permittee shall review its Stormwater Management Program (SWMP) and submit a report to Ecology. The report shall include:
 - i. A description of the operational and/or structural BMPs that are currently being implemented to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards, including a qualitative assessment of the effectiveness of each best management practice (BMP).
 - ii. A description of potential additional operational and/or structural BMPs that will or may be implemented in order to apply AKART on

a site-specific basis to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards.

- iii. A description of the potential monitoring or other assessment and evaluation efforts that will or may be implemented to monitor, assess, or evaluate the effectiveness of the additional BMPs.
- iv. A schedule for implementing the additional BMPs including, as appropriate: funding, training, purchasing, construction, monitoring, and other assessment and evaluation components of implementation.
- b. Ecology will, in writing, acknowledge receipt of the report within a reasonable time and notify the Permittee when it expects to complete its review of the report. - Ecology will either approve the additional BMPs and implementation schedule or require the Permittee to modify the report as needed to meet AKART on a site-specific basis. -If modifications are required, Ecology will specify a reasonable time frame in which the Permittee shall submit and Ecology will review the revised report.
- c. The Permittee shall implement the additional BMPs, pursuant to the schedule approved by Ecology, beginning immediately upon receipt of written notification of approval.
- d. The Permittee shall include with each subsequent annual report a summary of the status of implementation and the results of any monitoring, assessment or evaluation efforts conducted during the reporting period. If, based on the information provided under this subsection, Ecology determines that modification of the BMPs or implementation schedule is necessary to meet AKART on a site-specific basis, the Permittee shall make such modifications as Ecology directs. - In the event there are ongoing violations of water quality standards despite the implementation of the BMP approach of this section, the Permittee may be subject to compliance schedules to eliminate the violation under WAC 173-201A-510(4) and WAC 173-226-180 or other enforcement orders as Ecology deems appropriate during the term of this permit.
- e. A TMDL or other enforceable water quality cleanup plan that has been approved and is being implemented to address the MS4's contribution to the Water Quality Standards violation supersedes and terminates the S4.F.3 implementation plan.
- e.f. Provided the Permittee is implementing the approved adaptive management response under this section, the Permittee remains in compliance with Condition S4., despite any on-going violations of Water Quality Standards identified under S4.F.A or B above.
- f.g. The adaptive management process provided under Section S.4.F is not intended to create a shield for the Permittee from any liability it may face under 42 U.S.C. 9601 *et seq.* or [RCW chapter 70.105D](#) [RCW](#).

- G. Ecology may modify or revoke and reissue this General Permit in accordance with G14 General Permit Modification and Revocation, if Ecology becomes aware of additional control measures, management practices or other actions beyond what is required in this Permit that are necessary to:
1. Reduce the discharge of pollutants to the MEP,
 2. Comply with the state AKART requirements, or
 3. Control the discharge of toxicants to waters of the State of Washington.

S5. STORMWATER MANAGEMENT PROGRAM FOR CITIES, TOWNS AND COUNTIES

A. Each Permittee shall develop and implement a Stormwater Management Program (SWMP). A SWMP is a set of actions and activities comprising the components listed in ~~S5.B. and S5.C.1. through S5.C.5.~~, and any additional actions necessary, to meet the requirements of applicable TMDLs pursuant to S7 Compliance with TMDL Requirements, and S8 Monitoring and Assessment. ~~The SWMP shall be designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality.~~ This section applies to all cities, towns and counties covered under this Permit, including cities, towns and counties that are eCo-permittees. ~~Where the term "Permittee" is used in this section the requirements apply to all cities, towns and counties covered under this Permit.~~

New Permittees subject to this permit as described in S1.D.1.b shall fully meet the requirements in S5 as modified in footnotes below, or as specified in an alternate schedule as a condition of coverage by Ecology. Permittees obtaining coverage after the issuance date of this permit shall fully meet the requirements in S5 as specified in an alternate schedule as a condition of coverage by Ecology.

1. ~~The SWMP shall be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented no later than 180 days prior to the expiration date of this Permit.~~ At a minimum the Permittee's SWMP shall be implemented throughout the geographic area subject to this Permit as described in S1.A.¹
2. Each Permittee shall prepare written documentation of the SWMP, called the SWMP Plan. ~~The SWMP Plan documentation~~ shall be organized according to the program components in S5.C. or a format approved by Ecology, and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see S9 Reporting and Record Keeping). ~~The SWMP Plan documentation~~ shall be written to inform the public of the planned SWMP activities for the upcoming calendar year, and shall include a description of:

¹ New Permittees shall fully develop and implement the SWMP in accordance with the schedules contained in this section no later than February 2, 2018.

- a. ~~A description of p~~Planned activities for each of the program components included in S5.C., ~~and~~
 - ~~Any additional actions implemented by the Permittee pursuant to S5.C., and~~
 - b. Any additional planned actions ~~necessary~~ to meet the requirements of applicable TMDLs pursuant to S7 Compliance with Total Maximum Daily Load Requirements.
 - b.c. Any additional planned actions to meet the requirements of S8 Monitoring.
3. The SWMP shall include an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities.
- a. ~~Beginning no later than January 1, 2009, e~~Each Permittee shall track the cost or estimated cost of development and implementation of each component of the SWMP.² This information shall be provided to Ecology upon request.
 - b. Each Permittee shall track the number of inspections, official enforcement actions and types of public education activities as ~~stipulated~~required by the respective program component. This information shall be included in the annual report.
- ~~4. The SWMP described herein supersedes SWMP descriptions provided by permit applicants in individual applications submitted to the Department prior to the effective date of this permit.~~
- ~~4. Notwithstanding the schedules for implementation of SWMP components contained in this permit, Permittees that are already implementing some or all of the SWMP components in this section shall continue implementation of existing stormwater management programs until they begin implementation of the updated stormwater management program in accordance with the terms of this permit, including implementation schedules. those components of their SWMP~~
- ~~Permittees shall not repeal existing local requirements to control stormwater that go beyond the requirements of this permit for new development and redevelopment sites.~~
5. Coordination among ~~p~~Permittees
- a. Coordination among entities covered under municipal stormwater NPDES permits may be necessary to comply with certain conditions of the SWMP. The SWMP should include, when needed, coordination mechanisms

² New Permittees shall begin implementing the requirements of S5.A.3.a no later than August 1, 2015.

among entities covered under a municipal stormwater NPDES permit to encourage coordinated stormwater-related policies, programs and projects within adjoining or shared areas, including:-

- i. Coordination mechanisms ~~shall~~ clarifying roles and responsibilities for the control of pollutants between physically interconnected MS4s ~~permittees~~ covered by a municipal stormwater permit.
 - ii. ~~Coordinating mechanisms shall coordinate~~ stormwater management activities for shared water bodies among ~~p~~Permittees to avoid conflicting plans, policies and regulations.
- b. The SWMP ~~should~~shall include coordination mechanisms among departments within each jurisdiction to eliminate barriers to compliance with the terms of this permit. Permittees shall include a written description of internal coordination mechanisms in the Annual Report due no later than March 31, 2015.

~~A.B.~~ The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the ~~maximum extent practicable (MEP)~~, meet state AKART requirements, and protect water quality. ~~Notwithstanding the schedules for implementation of SWMP components contained in this Permit, permittees who are implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP.~~

~~B.C.~~ The SWMP shall include the components listed below. To the extent allowable under state or federal law, all components are mandatory for city, town or county ~~p~~Permittees covered under this ~~P~~permit. ~~In accordance with 40 CFR 122.35(a) and Special Condition S3, a city, town or county may rely on another entity to implement one or more of the components in this section.~~

1. Public Education and Outreach

The SWMP shall include an education and outreach program ~~designed aimed at residents, businesses, industries, elected officials, policy makers, planning staff and other employees of the Permittee. The goal of the education program is to~~ reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts and encourage the public to participate in stewardship activities. ~~An~~The education program may be developed and implemented locally or regionally.

The minimum performance measures are:

- a. ~~No later than two years after the effective date of this Permit, the~~Each Permittee shall provide an education and outreach program for the area served by the MS4. The ~~outreach~~ program shall be designed to educate target audiences about the stormwater problem and provide specific

actions they can follow to minimize the problem.³ ~~achieve measurable improvements in the target audience's understanding of the problem and what they can do to solve it.~~

i. ~~Education and outreach efforts shall be prioritized to target~~ To build general awareness, Permittees shall select from the following target audiences and subject areas:

(a) ~~General public, (including school age children), and businesses; (including home-based and mobile businesses)~~

- General impacts of stormwater ~~flows into~~ on surface waters.
- Impacts from impervious surfaces.
- Impacts of illicit discharges and how to report them.
- Low impact development (LID) principles and LID BMPs.
- Opportunities to become involved in stewardship activities.
- ~~Source control BMPs and environmental stewardship actions and opportunities in the areas of pet waste, vehicle maintenance, landscaping and buffers.~~

~~(2)~~ (b) Engineers, contractors, developers and land use planners

- Technical standards for stormwater site and erosion control plans.
- LID principles and LID BMPs.
- Stormwater treatment and flow control BMPs/facilities.

ii. To effect behavior change, Permittees shall select from the following target audiences and BMPs:

(a) General public (which may include school age children), businesses; (including home-based and mobile businesses)

- ~~BMPs for u~~ Use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials.

³ New Permittees shall begin implementing the requirements of S5.C.1 no later than August 1, 2015.

- ~~Impacts of illicit discharges and how to report them.~~Equipment maintenance.

- Prevention of illicit discharges.

(b) ~~Homeowners~~Residents, landscapers and property managers/owners

- Yard care techniques protective of water quality.

- ~~BMPs for u~~Use and storage of pesticides and fertilizers and other household chemicals.

- ~~BMPs for e~~Carpet cleaning and auto repair and maintenance.

- Vehicle, equipment and home/building maintenance.

- Pet waste management and disposal.

- ~~Low Impact Development principles and LID BMPs techniques, including site design, pervious paving, retention of forests and mature trees.~~

- Stormwater pond~~facility~~ maintenance.

- Dumpster and trash compactor maintenance.

• —

~~b. Engineers, contractors, developers, review staff and land use planners~~

- ~~Technical standards for stormwater site and erosion control plans.~~

- ~~Low Impact Development techniques, including site design, pervious paving, retention of forests and mature trees.~~

b. ~~Stormwater treatment and flow control BMPs.~~Each Permittee shall create stewardship opportunities and/or partner with existing organizations to encourage residents to participate in activities such as stream teams, storm drain marking, volunteer monitoring, riparian plantings and education activities.

c. Each Permittee shall measure the understanding and adoption of the targeted behaviors for at least one targeted audience in at least one subject area. No later than February 2, 2016, Permittees shall use ~~T~~the resulting measurements ~~shall be used~~ to direct education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted

behaviors.⁴ Permittees may meet this requirement individually or as a member of a regional group.

~~d. Each Permittee shall track and maintain records of public education and outreach activities.~~

2. Public Involvement and Participation

~~Permittees~~ The SWMP shall include provide ongoing opportunities for public involvement and participation through advisory councils, public hearings, watershed committees, participation in developing rate-structures, ~~stewardship programs, environmental activities~~ or other similar activities. Each Permittee shall comply with applicable State and local public notice requirements when developing elements of their SWMP.

The minimum performance measures are:

a. ~~No later than one year from the effective date of this Permit, all p~~Permittees shall create opportunities for the public to participate in the decision-making processes involving the development, implementation and update of the Permittee's entire SWMP.⁵ ~~Each Permittee shall develop and implement a process for consideration of public comments on their SWMP.~~

b. Each Permittee shall post on their website make their SWMP Plan, and the annual report required under S9.A, and all other submittals required by this Permit, available to the public no later than May 31 each year. All other submittals shall be available to the public upon request. The annual report, and SWMP that was submitted with the latest annual report, shall be posted on the permittee's website. To comply with the posting requirement, a ~~p~~Permittee that does not maintain a website may submit the updated SWMP in electronic format to ~~Ecology the Department~~ Ecology for posting on ~~the Department Ecology's~~ Ecology's website.

3. Illicit Discharge Detection and Elimination

The SWMP shall include an ongoing program designed to prevent, detect, characterize, trace and eliminate and remove illicit connections and illicit discharges into the MS4, as defined in 40 CFR 122.26(b)(2), including any spills not under the purview of another responding authority, into the municipal

⁴ By no later than August 1, 2017, New Permittees shall begin using the results of measuremenst to direct education and outreach resources more effectively, as well as to evaluate changes in adopted behaviors.

⁵ New Permittees shall develop and begin to implement requirements of S5.C.2.a no later than August 1, 2014.

~~separate storm sewers owned or operated by the Permittee. Permittees shall fully implement an ongoing illicit discharge detection and elimination program no later than 180 days prior to the expiration date of this Permit.~~

The minimum performance measures are:

a. ~~Mapping of the MS4 municipal storm sewer system map shall continue on an ongoing basis.~~⁶ ~~be developed no later than four years from the effective date of this permit. Municipal storm sewer system MS4 maps shall be periodically updated. At a minimum, maps and~~ shall include the following information:

~~i. The location of all known MS4 municipal separate storm sewer outfalls.~~

~~ii. and Receiving waters, other than ground water, and s~~

~~iii. structural stormwater treatment and flow control BMPs/facilities owned, or operated, or maintained by the Permittee. Each Permittee shall map the attributes listed below~~

~~iv. Tributary conveyances for all known storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems. The following attributes shall be mapped:~~

- ~~• Tributary conveyances (indicate type, material, and size where known).~~

- ~~• Associated drainage areas.~~

- ~~•~~

- ~~• Land use.~~

~~v. Each Permittee shall initiate a program to develop and maintain a map of a~~ All connections to the MS4 municipal separate storm sewer authorized or allowed by the Permittee after February 16, 2007.⁷ ~~the effective date of this Permit.~~

~~vi. Geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters.~~

~~vii. To the extent consistent with national security laws and directives,~~ ~~Each Permittee shall make available to Ecology;~~ upon request,

⁶ New Permittees shall meet the requirements to map the MS4 according to S5.C.3.a no later than August 1, 2017, except where otherwise noted in this section.

⁷ New Permittees shall meet the requirements of S5.C.3.a.v. after August 1, 2013 for all connections to the MS4 authorized after August 1, 2013.

~~municipal storm sewer system~~MS4 map(s) depicting the information required in S5.C.3.a.i- through ~~ii~~vi above. -The preferred format ~~for mapping of submission~~ will be an electronic format with fully described mapping standards. -An example description is ~~available provided~~ on Ecology ~~website~~WebPages under Core Services, GIS Data.

~~v~~.viii. Upon request, and to the extent appropriate, ~~p~~Permittees shall provide mapping information to ~~federally-recognized Indian Tribes, municipalities, and other~~ Permittees. ~~This permit does not preclude Permittees from recovering reasonable costs associated with fulfilling mapping information requests by -federally-recognized Indian Tribes, municipalities, and other Permittees.~~

b. Each Permittee shall ~~develop and~~ implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the Permittee's ~~MS4municipal separate storm sewer system~~ to the maximum extent allowable under ~~S~~state and ~~F~~federal law.⁸ ~~The ordinance or other regulatory mechanism shall be adopted no later than 30 months from the effective date of this Permit.~~

i. Allowable Discharges: The regulatory mechanism does not need to prohibit the following categories of non-stormwater discharges:

- Diverted stream flows-
- Rising ground waters-
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))-
- Uncontaminated pumped ground water-
- Foundation drains-
- Air conditioning condensation-
- Irrigation water from agricultural sources that is commingled with urban stormwater-
- Springs-
- Uncontaminated wWater from crawl space pumps-
- Footing drains-
- Flows from riparian habitats and wetlands-

⁸ New Permittees shall meet the requirements of S5.C.3.b no later than February 2, 2016.

- Non-stormwater discharges ~~covered~~authorized by another NPDES or state waste discharge permit.
 - Discharges from emergency fire fighting activities in accordance with S2 Authorized Discharges.
- ii. Conditionally Allowable Discharges: The regulatory mechanism ~~shall~~may allow ~~prohibit~~ the following categories of non-stormwater discharges ~~unless~~only if the stated conditions are met:
- Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be de-chlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.
 - Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities (see section S5.C.1) and water conservation efforts.
 - Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. -Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
 - Street and sidewalk wash water, water used to control dust, and routine external building wash-down that does not use detergents. -The Permittee shall reduce these discharges through, at a minimum, public education activities (see section S5.C.1-) and/or water conservation efforts. -To avoid washing pollutants into the MS4, Permittees ~~must~~shall minimize the amount of street wash and dust control water used. ~~-At active construction sites, street sweeping must be performed prior to washing the street.~~
 - Other non-stormwater discharges. -The discharges shall be in compliance with the requirements of a ~~stormwater~~ pollution prevention plan reviewed by the Permittee, which addresses control of such discharges.

~~iii.~~ The Permittee's SWMP shall, at a minimum, address each category in ii above in accordance with the conditions stated therein.

~~iv.~~iii. The Permittee SWMP shall further address any category of discharges in (i) or (-ii) above if the discharges are identified as significant sources of pollutants to waters of the State.

~~v.~~iv. The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.

v. The Permittee shall ~~develop~~implement a compliance an enforcement strategy that includes informal compliance actions such as public education and technical assistance as well as and implement the enforcement provisions of the ordinance or other regulatory mechanism. To implement an effective compliance strategy, the Permittee's ordinance or other regulatory mechanism may need to include the following tools:

- The application of operational and/or structural source control BMPs for pollutant generating sources associated with existing land uses and activities where necessary to prevent illicit discharges. The source control BMPs referenced in this subsection are in Volume IV of the 2012 Stormwater Management Manual for Western Washington, or an equivalent manual approved by Ecology under the 2013 Phase I Permit.
- The maintenance of stormwater facilities which discharge into the Permittee's MS4 in accordance with maintenance standards established under S5.C.4 and/or S5.C.5 where necessary to prevent illicit discharges.

vi. The Permittee's ordinance or other regulatory mechanism in effect as of the effective date of this permit shall be revised if necessary to meet the requirements of this section no later than February 2, 2018.

c. Each Permittee shall ~~develop and~~implement an ongoing program designed to detect and identify detect and address non-stormwater discharges, ~~including spills,~~ and illicit connections ~~into the Permittee's MS4.~~⁹ municipal separate storm sewer system. The program shall ~~be fully implemented no later than 180 days prior to the expiration date of this Permit and shall include~~ the following components:

i. Procedures for conducting investigations of the Permittee's MS4, including field screening and methods for ~~to~~ identifying potential sources. ~~locating priority areas likely to have illicit discharges,~~

⁹ New Permittees shall fully implement the requirements of S5.C.3.c no later than February 2, 2018, except where otherwise noted in this section.

~~including at a minimum: evaluating land uses and associated business/industrial activities present; areas where complaints have been registered in the past; and areas with storage of large quantities of materials that could result in spills.~~

- ~~ii. Field assessment activities, including visual inspection of priority outfalls identified in i, above, during dry weather and for the purposes of verifying outfall locations, identifying previously unknown outfalls, and detecting illicit discharges.~~
- ~~• Receiving waters shall be prioritized for visual inspection no later than three years from the effective date of this Permit, with field assessments of three high priority water bodies made no later than four years from the effective date of this Permit. Field assessments on at least one high priority water body shall be made each year thereafter.~~

~~The Permittee shall implement a field screening methodology appropriate to the characteristics of the MS4 and water quality concerns. Screening for illicit connections shall may be conducted using: *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments*, Center for Watershed Protection, October 2004, or another methodology of comparable or improved effectiveness. The Permittee shall document the field screening methodology in the relevant Annual Report.~~

~~All Permittees, except for the City of Aberdeen, shall complete field screening for at least 40% of the MS4 no later than December 31, 2017,¹⁰ and on average 12% each year thereafter. The City of Aberdeen shall complete field screening for at least 40% of the system no later than June 30, 2018 and on average 12% each year thereafter.~~

- ~~ii. A publicly listed and publicized hotline or other telephone number for public reporting of spills and other illicit discharges.¹¹~~
- ~~iii. An ongoing training program for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit connection to the MS4, on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection. Follow-up~~

¹⁰ ~~New Permittees shall complete S5.C.3.c.i requirements for field screening covering at least 12% of the MS4 within the Permittee's coverage area no later than December 31, 2017, and on average 12% each year thereafter.~~

¹¹ ~~New Permittees shall implement the requirements of S5.C.3.c.ii no later than August 1, 2015.~~

training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of the trainings provided and the staff trained.¹²

iv. ~~Material to~~Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.¹³

d. Each Permittee shall implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the Permittee's MS4.¹⁴ The program shall include:

~~i.~~ Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. ~~Procedures shall~~ address the evaluation of ~~include detailed instructions for evaluating~~ whether the discharge must be immediately contained and steps to be taken for containment of the discharge.

~~i.~~ ~~Compliance with this provision shall be achieved by investigating (or referring to the appropriate agency) within 7 days, on average, any complaints, reports or monitoring information that indicates a potential illicit discharge, including spills; and immediately investigating (or referring) problems and violations determined to be emergencies or otherwise judged to be urgent or severe.~~

~~ii.~~ Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.

~~ii.~~

iii. Procedures for ~~removing the source of~~eliminating the discharge; including notification of appropriate authorities; notification of the property owner; technical assistance ~~for eliminating the discharge~~; follow-up inspections; and use of the compliance strategy developed pursuant to S5.C.3.b.v, including escalating enforcement and legal actions if the discharge is not eliminated.

¹² New Permittees shall develop and begin implementing the ongoing training program described in S5.C.3.c.iii no later than February 2, 2016.

¹³ New Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges no later than February 2, 2017.

¹⁴ New Permittees shall fully develop and implement the requirements of S5.C.3.d no later than February 2, 2018.

iv. Compliance with the provisions in (i), (ii), and (iii), above, shall be achieved by meeting the following timelines:

- Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment, consistent with General Condition G3.
 - Investigate (or refer to the appropriate agency with the authority to act) within 7 days, on average, any complaints, reports or monitoring information that indicates a potential illicit discharge.
 - Initiating an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection.
 - Upon confirmation of thean illicit nature of a storm drain connection, Permittees shall use their the compliance strategy enforcement authority in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.
- ~~d. Permittees shall inform public employees, businesses, and the general public of hazards associated with illegal discharges:~~
- ~~i. No later than 180 days prior to the expiration date of this Permit, distribute appropriate information to target audiences identified pursuant to S5.C.1.~~
 - ~~ii. No later than two years from the effective date of this Permit, publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Keep a record of calls received and follow up actions taken in accordance with S5.C.3.c.ii. through v. above; include a summary in the annual report (see section S9 Reporting and Record Keeping Requirements).~~
- e. Permittees shall train staff who are responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills, and illicit connections, to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. Permittees shall document and maintain records of the training provided and the staff trained.¹⁵
- ~~e. Recordkeeping: Permittees shall track and maintain records of the activities conducted to meet the requirements of this section. Permittees~~

¹⁵ New Permittees shall meet the requirements of S5.C.3.e no later than February 2, 2016.

~~shall adopt and implement procedures for program evaluation and assessment, including tracking the number and type of illicit discharges, including spills, identified; inspections made; and any feedback received from public education efforts. A summary of this information shall be included in the Permittee's annual report (see section S9 Reporting and Recordkeeping Requirements).~~

- ~~f. Each Permittee will provide appropriate training for municipal field staff on the identification and reporting of illicit discharges into MS4s.~~
- ~~g. No later than thirty months after the effective date of this Permit, each Permittee shall ensure that all municipal field staff who are responsible for identification, investigation, termination, cleanup, and reporting illicit discharges, including spills, and illicit connections are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of the training provided and the staff trained.~~
- ~~f. No later than three years after the effective date of this Permit, an ongoing training program shall be developed and implemented for all municipal field staff, which, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system shall be trained on the identification of an illicit discharge/connection, and on the proper procedures for reporting and responding to the illicit discharge/connection. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of the training provided and the staff trained.~~

4. Controlling Runoff from New Development, Redevelopment and Construction Sites

Each Permittee shall ~~develop,~~ implement, and enforce a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities. ~~This program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale.~~ The program shall apply to private and public development, including roads.¹⁶ ~~The "Technical Thresholds" in Appendix 1 shall be applied to all sites 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale.~~

¹⁶ New permittees shall meet the requirements of S5.C.4 no later than December 31, 2017, except where otherwise specified in this section.

The minimum performance measures are:

a. ~~The program shall include~~Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects. ~~Pursuant to S5.A.4., in adopting this ordinance or other regulatory mechanism, existing local requirements to apply stormwater controls at smaller sites, or at lower thresholds than required pursuant to S5.C.4., shall be retained.~~Except for Permittees in Lewis and Cowlitz counties and the City of Aberdeen, the ordinance or other enforceable mechanism to implement (i) through (iii), below, shall be adopted and effective no later than February 16, 2010December 31, 2016.~~The local program adopted to meet the requirements of S5.C.5.a(i) through (iii), below shall apply to all applications¹⁷ submitted on or after January 1, 2017 and shall apply to projects approved prior to January 1, 20167, which have not started construction¹⁸ by January 1, 2022¹⁹.~~

For permittees in Lewis and Cowlitz counties the ordinance or other enforceable mechanism to implement (i) through (iii), below, shall be adopted and effective no later than June 30, 2017. The local program adopted to meet the requirements of S5.C.5.a(i) through (iii), below shall apply to all applications submitted on or after July 1, 2017 and shall apply to projects approved prior to July 1, 2017, which have not started construction by June 30, 2022.

For the City of Aberdeen the ordinance or other enforceable mechanism to implement (i) through (iii), below, shall be adopted and effective no later than June 30, 2018. The local program adopted to meet the requirements of S5.C.5.a(i) through (iii), below shall apply to all applications submitted on or after July 1, 2018 and shall apply to projects approved prior to July 1, 2018, which have not started construction by June 30, 2023.

The ordinance or other enforceable mechanism shall include, at a minimum:

- i. The Minimum Requirements, ~~technical~~ thresholds, and definitions in Appendix 1 or a ~~program~~equivalent approved by Ecology under

¹⁷ In this context, “application” means, at a minimum a complete project description, site plan, and, if applicable, SEPA checklist. Permittees may establish additional elements of a completed application.

¹⁸ In this context “started construction” means the site work associated with, and directly related to the approved project has begun. For example: grading the project site to final grade or utility installation. Simply clearing the project site does not constitute the start of construction. Permittees may establish additional requirements related to the start of construction.

¹⁹ New Permittees shall meet the requirements of S5.C.4.a no later than December 31, 2017. The local program shall apply to all applications submitted on or after January 1, 2018 and shall apply to projects approved prior to -January 1, 2018, which have not started construction by January 1, 2023.

the 2013 NPDES Phase I Municipal Stormwater Permit, for new development, redevelopment, and construction sites. -Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. -More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of Ecology-approved basin plans or other similar water quality and quantity planning efforts. -Such local requirements and thresholds shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.

ii. The local requirements shall include the following requirements, limitations, ~~A site planning process and BMP selection and design~~ criteria that, when used to implement the minimum requirements in Appendix 1 (or ~~equivalent program~~ approved by Ecology under the 2013 Phase I Permit) will protect water quality, reduce the discharge of pollutants to the MEP, maximum extent practicable and satisfy the State requirement under ~~Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment~~ (AKART) prior to discharge.:

(a) Site planning requirements

~~(a) BMP selection criteria~~

(b)

~~(b) BMP design criteria~~

(c)

~~(c) BMP infeasibility criteria~~

(d)

~~(d) LID competing needs criteria~~

(e)

(f) BMP limitations

Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the MEP maximum extent practicable, and satisfy State AKART requirements.

Permittees who choose to use the requirements, limitations, site planning process and BMP selection and design and criteria above in the ~~2005~~2012 *Stormwater Management Manual for Western Washington*, or a ~~program equivalent manual~~ approved by ~~the Department~~Ecology under the 2013 Phase I Permit, may cite this choice as their sole documentation to meet this requirement.

~~ii.iii.~~ The legal authority, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities approved under the provisions of this section that discharge to the Permittee's MS4.

~~iii.—~~ Provisions to allow non-structural preventive actions and source reduction approaches such as Low Impact Development Techniques (LID), measures to minimize the creation of impervious surfaces and measures to minimize the disturbance of native soils and vegetation. Provisions for LID should take into account site conditions, access and long-term maintenance.

~~iv.—~~ If the Permittee chooses to allow construction sites to apply the "Erosivity Waiver" in Appendix 1, Minimum Requirement #2, the ordinance or regulatory mechanism shall include appropriate, escalating enforcement sanctions for construction sites that provide notice to the Permittee of their intention to apply the waiver but do not meet the requirements (including timeframe restrictions, limits on activities that result in non-stormwater discharges, and implementation of appropriate BMPs to prevent violations of water quality standards) to qualify for the waiver.

a.b. The program shall include a permitting process with site plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that meet the minimum thresholds adopted pursuant to S5.C.4.a.i, above, disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The process shall be in place no later than February 16, 2010.

i. ~~Except as provided in S5.C.4.b.vii. below, r~~Review of all stormwater site plans for proposed development activities.

ii. ~~Except as provided in S5.C.4.b.vii. below, i~~Inspect, prior to clearing and construction, all ~~permitted~~~~known~~ development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Determining Construction Site Sediment Damage Potential. -As an alternative to evaluating each site according to Appendix 7, Permittees may choose to inspect all construction sites that meet the minimum thresholds adopted pursuant to S5.C.4.a.i, above.

iii. ~~Except as provided in S5.C.4.b.vii. below, i~~Inspect all ~~known~~ permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. ~~-Enforce as necessary based on the inspection.~~

- iv. Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent ~~stormwater controls such as~~ stormwater facilities ~~and structural BMPs. Verify that. Also, verify a~~ maintenance plan is completed and responsibility for maintenance is assigned for stormwater treatment and flow control BMPs/facilities. Enforce as necessary based on the inspection.
- v. Compliance with the inspection requirements in (ii), (iii) and (iv) ~~z~~ above, shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of scheduled inspections.
- ~~vi.~~ vi. An enforcement strategy shall be ~~developed and~~ implemented to respond to issues of non-compliance.
- ~~vi.~~ vi. ~~If the Permittee chooses to allow construction sites to apply the “Erosivity Waiver” in Appendix 1, Minimum Requirement #2, the Permittee is not required to review the construction stormwater pollution prevention plans as part of the site plan review in (i) above, and is not required to perform the construction phase inspections identified in (ii) and (iii) above related to construction sites which are eligible for the erosivity waiver.~~
- b.c. The program shall include provisions to verify adequate long-term operation and maintenance (O&M) of ~~post-construction~~ stormwater treatment and flow control BMPs/facilities and BMPs that are permitted and constructed pursuant to (b) above. Except for Permittees located in Lewis or Cowlitz Counties and the City of Aberdeen, these provisions shall be in place no later than December 31, 2016.²⁰ For Permittees in Lewis and Cowlitz counties, the provisions shall be in place no later than June 30, 2017. For the City of Aberdeen, the provisions shall be in place no later than June 30, 2018. The provisions February 16, 2010 and shall include:
 - i. ~~Adoption~~Implementation of an ordinance or other enforceable mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities in accordance with the requirements in (ii) through (iv) below, and establishes enforcement procedures.
 - ii. Each Permittee shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapter 4 of Volume V of the ~~2005~~2012 *Stormwater Management*

²⁰ New Permittees shall meet the requirements of S5.C.4.c no later than December 31, 2017.

Manual for Western Washington. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard.

The purpose of the maintenance standard is to determine if maintenance is required. -The maintenance standard is not a measure of the ~~facili~~facility' ties required condition at all times between inspections. -Exceeding the maintenance standard between the period of inspections is not a permit violation.

iii. Annual inspections of all stormwater treatment and flow control BMPs/facilities that discharge to the MS4 and were permitted by the Permittee according to S5.C.4.b, including those permitted in accordance with requirements adopted pursuant to the 2007-2012 Ecology municipal stormwater of the permits first issued by Ecology in 2007, unless there are maintenance records to justify a different frequency.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 Certification and Signature.

iv. Inspections of all permanent stormwater treatment and flow control BMPs/facilities and catch basins in new residential developments every six months until 90% of the lots are constructed (or when construction is stopped and the site is fully stabilized) to identify maintenance needs and enforce compliance with maintenance standards as needed.

v. Compliance with the inspection requirements in (iii) and (iv) above shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be determined by achieving at least 80% of scheduled inspections.

~~iii~~.vi. Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceed~~e~~ance of the maintenance standard, maintenance shall be performed:

- Within 1 year for typical maintenance of facilities, except catch basins.
- Within 6 months for catch basins.

- Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee mustshall document the circumstances and how they were beyond their control.

~~iv. Annual inspections of all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee according to S5.C.4.b. unless there are maintenance records to justify a different frequency.~~

~~Reducing the inspection frequency shall be based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 Certification and Signature.~~

~~v. Inspections of all new flow control and water quality treatment facilities, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed.~~

~~vi.vii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained. Permittees shall keep records of all projects disturbing more than one acre, and all projects of any size that are part of a common plan of development or sale that is greater than one acre that are approved after the effective date of this Permit.~~

e.d. The program shall make available as applicable copies of the "Notice of Intent for Construction Activity" and copies of the "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment. Permittees willshall continue to enforce local ordinances

controlling runoff from sites that are also covered by stormwater permits issued by Ecology.²¹

e. ~~No later than February 16, 2010, e~~Each Permittee shall ensure verify that all staff ~~responsible~~ whose primary job duties are for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.²²

f. Low impact development code-related requirements.

i. No later than December 31, 2016,²³ Permittees shall review, revise and make effective their local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs. For Permittees in Lewis and Cowlitz counties, the deadline for this requirement is no later than June 30, 2017; for the City of Aberdeen the deadline for this requirement is no later than June 30, 2018.

The intent of the revisions shall be to make LID the preferred and commonly-used approach to site development. The revisions shall be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations. Permittees shall conduct a similar review and revision process, and consider the range of issues, outlined in the following document: *Integrating LID into Local Codes: A Guidebook for Local Governments* (Puget Sound Partnership, 20142).

ii. Except for Permittees in Lewis and Cowlitz Counties and the City of Aberdeen, eEach Permittee shall submit a summary of the results of the review and revision process in (i) above with the ~~Annual R~~report due no later than March 31, 2017²⁴. Permittees in Lewis and Cowlitz counties shall submit the summary with the annual report due no later than March 31, 2018. The City of Aberdeen shall submit the summary with the Fifth Year annual report. This summary shall include, at a minimum, a list of the participants (job title, brief job description, and department represented), the codes, rules, standards, and other enforceable documents reviewed, and the revisions made to those documents which incorporate

²¹ New Permittees shall meet the requirements of S5.C.4.d beginning no later than August 1, 2013.

²² New Permittees shall meet the requirements of S5.C.4.e no later than December 31, 2017.

²³ New Permittees shall meet the requirements of S5.C.4.f.i no later than December 31, 2017.

²⁴ New Permittees shall meet the S5.C.4.f.ii reporting requirement in the annual report covering calendar year 2017 and due no later than March 31, 2018.

and require LID principles and LID BMPs. The summary shall include existing requirements for LID principles and LID BMPs in development-related codes. The ~~description of revisions~~summary shall be organized as follows:

- (a) Measures to minimize impervious surfaces;
- (b) Measures to minimize loss of native vegetation; and
- (c) Other measures to minimize stormwater runoff.

g. Watershed-scale stormwater planning

Each Permittee that has all or part of its coverage area under this Permit in a watershed selected by a Phase I county for watershed-scale stormwater planning under condition S5.C.4.c of the *Phase I Municipal Stormwater General Permit* shall participate with the watershed-scale stormwater planning process led by the Phase I county.²⁵ ~~As needed and as appropriate, the permittee shall~~This includes:

- i. Provide existing water quality and flow records.
- ii. Provide existing and future land use and zoning maps to facilitate land cover projections.
- iii. Participate in the development of strategies to prevent future and address existing impacts, including:
 - (a) Possible changes in development codes, rules, and standards.
 - (b) Possible changes in land use management plans.
 - (c) Providing land ownership information and drainage conveyance maps to facilitate watershed modeling and regional facility siting.
- iv. Provide monitoring locations.

5. ~~Pollution Prevention and Municipal Operations~~ and Maintenance ~~for Municipal Operations~~

~~Within three years of the effective date of this Permit, e~~Each Permittee shall develop and implement an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.²⁶

²⁵ For a description of the watershed-scale stormwater planning details, see Special Condition S5.C.5.c of the 2013 *Phase I Municipal Stormwater Permit*.

²⁶ New Permittees shall develop and implement the requirements of S5.C.5 no later than December 31, 2017 except where otherwise noted in this section.

The minimum performance measures are:

- a. Each Permittee shall ~~establish~~implement maintenance standards that are as protective, or more protective, of facility function than those specified in Chapter 4 of Volume V of the ~~2012~~2015 *Stormwater Management Manual for Western Washington*. ~~For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard. Except for Permittees located in Lewis and Cowlitz Counties and the City of Aberdeen, no later than December 31, 2016, Permittees shall update their maintenance standards as necessary to meet the requirements of this section.²⁷ For Permittees in Lewis and Cowlitz counties, this requirement shall apply no later than June 30, 2017; for the City of Aberdeen this requirement shall apply no later than June 30, 2018.~~
- i. The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.
- ii. Unless there are circumstances beyond the Permittee's control, when an inspection identifies an exceedance of the maintenance standard, maintenance shall be performed:
 - Within 1 year for typical maintenance of facilities, except catch basins.
 - Within 6 months for catch basins.
 - Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.
- b. Annual inspection of all municipally owned or operated permanent stormwater treatment and flow control BMPs/facilities, ~~other than catch basins~~, and taking appropriate maintenance actions in accordance with the

²⁷ New Permittees shall adopt the updated maintenance standards in Chapter 4 of Volume V of the 2012 *Stormwater Management Manual for Western Washington* or an Ecology-approved program under the 2013 Phase I Permit no later than December 31, 2017.

adopted maintenance standards.²⁸ ~~The annual inspection requirement may be reduced based on inspection records.~~

~~Permittees may r~~Reducing the inspection frequency ~~shall be~~ based on maintenance records of double the length of time of the proposed inspection frequency. -In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. -Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 Certification and Signature.

- c. Spot checks of potentially damaged permanent stormwater treatment and flow control BMPs/facilities ~~(other than catch basins)~~ after major storm events ~~(24 hour storm event with a 10 year or greater than 24 hour 10 year recurrence interval rainfall)~~ storm events. If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control BMPs/facilities that may be affected. -Conduct repairs or take appropriate maintenance action in accordance with maintenance standards established above, based on the results of the inspections.
- d. Except for the City of Aberdeen, inspection of all catch basins and inlets owned or operated by the Permittee at least once no later than August 1, 2017 and every two years thereafter~~before the end of the permit term.~~²⁹ For the City of Aberdeen, the deadline for this requirement shall be no later than June 30, 2018. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the 2012~~05~~ Stormwater Management Manual for Western Washington. Decant water shall be disposed of in accordance with Appendix 6 *Street Waste Disposal*.

~~As an a~~The following alternatives to the standard approach of inspecting all catch basins once no later than August 1, 2017 and every two years thereafter (except no later than June 30, 2018 and every two years thereafter for the City of Aberdeen) may be applied to all or portions of the system on a “circuit basis.”:

- i. The catch basin inspection schedule of every two years may be changed as appropriate to meet the maintenance standards based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records for catch basins, the Permittee may substitute written statements to document a

²⁸ New Permittees shall begin annual inspections of municipally owned and operated stormwater treatment and flow control facilities/BMPs no later than December 31, 2017.

²⁹ New Permittees shall inspect and, if needed, clean all catch basins and inlets owned or operated by the Permittee in accordance with the requirements of S5.C.5.c once during the permit term, to be completed no later than February 2, 2018.

specific, less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experiences and shall be certified in accordance with G19 Certification and Signature.

~~i.ii.~~ Inspections at least once by August 1, 2017 and every two years thereafter may be conducted on a “circuit basis” whereby a sampling 25% of catch basins and inlets within each circuit is are inspected to identify maintenance needs. ~~Include in the sampling~~ an inspection of the catch basin immediately upstream of any system outfall, if applicable. ~~Clean all catch basins within a given circuit for which the inspection indicates cleaning is needed to comply with maintenance standards established under S5.C.45.ea-, above.~~

iii. The Permittee may clean all pipes, ditches, catch basins, and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point. inspect all catch basins, and clean only catch basins where cleaning is needed to comply with maintenance standards.

e. Compliance with the inspection requirements in b, c, and d above shall be determined by the presence of an established inspection program designed to inspect all sites. ~~Compliance during this permit term shall be determined by and achieving an annual rate of~~ at least 95% of inspections, ~~no later than 180 days prior to the expiration date of this permit.~~

f. ~~Establishment and Implementation of~~ practices, policies and procedures to reduce stormwater impacts associated with runoff from all lands streets, parking lots, roads or highways owned or maintained by the Permittee, and road maintenance activities ~~conducted by~~ under the functional control of the Permittee. Lands owned or maintained by the Permittee include, but are not limited to, streets, parking lots, roads, highways, buildings, parks, open space, road right-of-ways, maintenance yards, and stormwater treatment and flow control BMPs/facilities. The following activities shall be addressed:

- Pipe cleaning
- Cleaning of culverts that convey stormwater in ditch systems
- Ditch maintenance
- Street cleaning
- Road repair and resurfacing, including pavement grinding
- Snow and ice control
- Utility installation

- Pavement striping maintenance
 - Maintaining roadside areas, including vegetation management
 - Dust control
 - Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts.
 - Sediment and erosion control.
 - Landscape maintenance and vegetation disposal.
 - Trash and pet waste management.
 - Building exterior cleaning and maintenance.
- ~~g. Establishment and implementation of policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee and subject to this Permit, including but not limited to: parks, open space, road right of way, maintenance yards, and stormwater treatment and flow control facilities. These policies and procedures shall address, but are not limited to:~~
- ~~• Application of fertilizer, pesticides, and herbicides including the development of nutrient management and integrated pest management plans.~~
 - ~~• Sediment and erosion control.~~
 - ~~• Landscape maintenance and vegetation disposal.~~
 - ~~• Trash management.~~
 - ~~• Building exterior cleaning and maintenance.~~
- ~~h.g. Develop and i~~Implement an ongoing training program for employees of the Permittee whose primary construction, operations or maintenance job functions may impact stormwater quality. -The training program shall address the importance of protecting water quality, ~~the requirements of this Permit,~~ operation and maintenance standards, inspection procedures, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns, ~~including potential illicit discharges.~~ -Follow-up training shall be provided as needed to address changes in procedures, techniques, ~~or~~ requirements, or staffing. -Permittees shall document and maintain records of training provided and the staff trained.

~~i.h.~~ ~~Development and i~~Implementation of a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *General NPDES Permit for Stormwater Discharges Associated with Industrial Activities* or another NPDES permit that ~~covers~~authorizes stormwater discharges associated with the activity. ~~Implementation of non-structural BMPs shall begin immediately after the pollution prevention plan is developed.~~ A schedule for implementation of structural BMPs shall be included in the SWPPP. ~~Generic SWPPPs that can be applied at multiple sites may be used to comply with this requirement. The SWPPP shall include periodic visual observation of discharges from the facility to evaluate the effectiveness of the BMP.~~

~~i.~~ ~~Maintain r~~Records of inspections and maintenance or repair activities conducted by the Permittee ~~shall be maintained in accordance with S9 Reporting Requirements.~~

S6. STORMWATER MANAGEMENT PROGRAM FOR SECONDARY PERMITTEES

A. This section applies to all ~~s~~Secondary ~~p~~Permittees and all New Secondary Permittees, whether coverage under this Permit is obtained individually or as a ~~e~~Co-~~p~~Permittee with a city, town, ~~or~~ county or another ~~s~~Secondary ~~p~~Permittee.

New Secondary Permittees subject to this Permit shall fully meet the requirements of this section as modified in footnotes in S6.D below, or as established as a condition of coverage by Ecology.

1. To the extent allowable under state, federal or local law, all components are mandatory for each Secondary Permittee covered under this Permit, whether covered as an individual ~~p~~Permittee or as a ~~e~~Co-~~p~~Permittee.
2. Each Secondary Permittee shall develop and implement a stormwater management program (SWMP). A SWMP is a set of actions and activities comprising the components listed in S6 and any additional actions necessary to meet the requirements of this permit applicable TMDLs pursuant to S7 Compliance with TMDL Requirements, and S8 Monitoring and Assessment. The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the ~~MEP~~maximum extent practicable and protect water quality.
3. Unless an alternate implementation schedule is established by Ecology as a condition of permit coverage, the SWMP shall be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented no later than four and one-half years from the initial permit coverage date~~180 days before the expiration date of this Permit.~~

~~Notwithstanding the schedules in this Permit, s~~Secondary ~~p~~Permittees that are already implementing some or all of the required SWMP components shall continue implementation of those components.

4. Secondary ~~p~~Permittees may implement parts of their SWMP in accordance with the schedule for cities, towns and counties in S5, provided they have signed a memorandum of understanding or other agreement to jointly implement the activity or activities with one or more jurisdictions listed in S1.D.2.a. ~~or~~ S1.D.2.b, and submitted a copy of the agreement to Ecology.

~~5. —~~ 5. — Each Secondary Permittee shall prepare written documentation of the SWMP, called the SWMP Plan. The SWMP ~~documentation~~Plan shall include a description of program activities for the upcoming calendar year. be organized according to the program components in S6.D below and shall be updated at least annually for submittal with the Permittee’s annual reports to Ecology (see S9 Reporting Requirements). ~~The SWMP documentation shall include:~~

~~6. — A description of each of the program components included in S6.D.1. through S6.D.6., and~~

~~7. — Any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 Compliance with Total Maximum Daily Load Requirements.~~

~~8.5.~~ 8.5. Coordination

B. Coordination

~~The SWMP~~Secondary Permittees shall ~~include mechanisms to encourage~~ coordinated stormwater-related policies, programs and projects within a watershed and interconnected MS4s. Where relevant and appropriate, the SWMP shall ~~also include~~ include coordination among departments of the Secondary Permittee to ensure compliance with the terms of this Permit.

A.C. Legal Authority

To the extent allowable under state law and federal law, each Secondary Permittee shall be able to demonstrate that they can operate pursuant to legal authority which authorizes or enables the Secondary Permittee to control discharges to and from ~~municipal separate storm sewer~~MS4s owned or operated by the Secondary Permittee.

This legal authority may be a combination of statutes, ordinances, permits, contracts, orders, interagency agreements, or similar instruments.

B.D. Stormwater Management Program for Secondary Permittees

~~The term “Secondary Permittees” means drainage, diking, flood control, or diking and drainage districts, ports (other than the ports of Seattle and Tacoma), public colleges and universities, and any other owners or operators of municipal separate storm sewers located within the municipalities that are listed as permittees in S1.B.~~

~~Permittees that are already implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP.~~

The SWMP for Secondary Permittees SWMP shall include the following components:

1. Public Education and Outreach

Each Secondary Permittee shall implement the following stormwater education strategies:

- a. Storm drain inlets owned ~~and/or~~ operated by the Secondary Permittee that are located in maintenance yards, in parking lots, along sidewalks, and at pedestrian access points shall be clearly ~~and permanently~~-labeled with ~~the~~ message similar to “Dump no waste – Drains to water body” ~~and indicating the point of discharge as a river, lake, bay, or groundwater.~~³⁰

~~i. — No later than three years from the date of permit coverage, at least 50 percent of these inlets shall be labeled.~~

~~ii. — No later than 180 days prior expiration date of this Permit, or as established as a condition of coverage by Ecology, all of these inlets shall be labeled.~~

As identified during visual inspection and regular maintenance of storm drain inlets per the requirements of S6.D.3.d- and S6.D.6.a.i- below, or as otherwise reported to the Secondary Permittee, any inlet having a label that is no longer clearly visible and/or easily readable shall be re-labeled within 90 days.

- b. Each year beginning no later than three years from the initial date of permit coverage, public ports, colleges, and universities shall distribute educational information to tenants and residents on the impact of stormwater discharges on receiving waters, and steps that can be taken to reduce pollutants in stormwater runoff. ~~Distribution may be by hard copy or electronic means. Different combinations of~~Appropriate topics ~~shall be addressed each year, and, before the expiration date of this Permit, where relevant, tenants and residents shall receive educational information about the following topics may include:~~

i. How stormwater runoff affects local water bodies.

ii. Proper use and application of pesticides and fertilizers.

iii. Benefits of using well-adapted vegetation.

³⁰ New Secondary Permittees shall label all inlets as described in S6.D.1.a no later than four years from the initial date of permit coverage.

- iv. Alternative equipment washing practices, including cars and trucks, that minimize pollutants in stormwater.
- v. Benefits of proper vehicle maintenance and alternative transportation choices; proper handling and disposal of vehicle wastes, including the location of hazardous waste collection facilities in the area.
- vi. Hazards associated with illicit connections and illicit discharges.
- vii. Benefits of litter control and ~~proper~~ disposal of pet waste.

~~Compliance with this requirement can be achieved through participation in the local jurisdiction's public education and outreach programs.~~

2. Public Involvement and Participation

~~Each year no later than May 31, No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology,~~ each Secondary Permittee shall:

- a. ~~Publish a public notice in the local newspaper or~~ Make the annual report available on the Permittee's website, ~~and solicit public review of their SWMP.~~
- b. Make available on the Permittee's website the latest updated version of the SWMP Plan.
- ~~b.c. To comply with the posting requirement, a~~ Secondary Permittee that does not maintain a website may submit the updated SWMP Plan and annual report in electronic format to Ecology for posting on Ecology's website. available to the public. If the Secondary Permittee maintains a website, the SWMP shall be posted on the Secondary Permittee's website.

3. Illicit Discharge Detection and Elimination

Each Secondary Permittee shall:

- a. From the initial date of permit coverage, comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern non-stormwater discharges.
- b. ~~No later than one year from the date of permit coverage, develop and adopt~~ Implement appropriate policies prohibiting illicit discharges,³¹ and ~~identify possible enforcement mechanisms for those policies. No later than eighteen months from the date of permit coverage, develop and~~

³¹ New Secondary Permittees shall develop and implement appropriate policies prohibiting illicit discharges, and identify possible enforcement mechanisms as described in S6.D.3.b no later than one year from the initial date of permit coverage.

~~implement~~ an enforcement plan ~~using these mechanisms~~ to ensure compliance with illicit discharge policies.³² These policies shall address, at a minimum: illicit connections, ~~and~~ non-stormwater discharges, including spills of hazardous materials, and improper disposal of pet waste and litter.

~~i. Non-stormwater discharges covered by another NPDES permit and discharges from emergency fire fighting activities are allowed in the MS4 in accordance with S2 Authorized Discharges.~~

~~ii.i. Allowable discharges:~~ The policies do not need to prohibit the following categories of non-stormwater discharges:

- ~~• Diverted stream flows;~~
- ~~• Rising ground waters;~~
- ~~• Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));~~
- ~~• Uncontaminated pumped ground water;~~
- ~~• Foundation drains;~~
- ~~• Air conditioning condensation;~~
- ~~• Irrigation water from agricultural sources that is commingled with urban stormwater;~~
- ~~• Springs;~~
- ~~• Uncontaminated Wwater from crawl space pumps;~~
- ~~• Footing drains;~~
- ~~• Flows from riparian habitats and wetlands;~~
- ~~• Discharges from emergency fire fighting activities in accordance with S2 Authorized Discharges;~~
- ~~• Non-stormwater discharges authorized by another NPDES or state waste discharge permit;~~

~~ii.ii. Conditionally allowable discharges:~~ The policies ~~shall prohibit~~ may allow the following categories of non-stormwater discharges ~~unless only if~~ the stated conditions are met and such discharges are allowed by local codes:

³² New Secondary Permittees shall develop and implement an enforcement plan as described in S6.D.3.b no later than 18 months from the initial date of permit coverage.

- Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. -Planned discharges shall be de-chlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.
- Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction.
- Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
- Street and sidewalk wash water, water used to control dust, and routine external building wash-down that does not use detergents. -The Secondary Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction. -To avoid washing pollutants into the MS4, the Secondary Permittee shall minimize the amount of street wash and dust control water used.
- ~~At active construction sites, street sweeping shall be performed prior to washing the street.~~
- Other non-stormwater discharges shall be in compliance with the requirements of a ~~stormwater~~ pollution prevention plan reviewed by the Permittee which addresses control of such discharges.

~~iv. The Secondary Permittee's SWMP shall, at a minimum, address each category in iii above in accordance with the conditions stated therein.~~

v.iii. The ~~SWMP~~ Secondary Permittee shall ~~further~~ address any category of discharges in ~~(ii)~~ or ~~(iii)~~ above if the discharge is identified as a significant source of pollutants to waters of the State.

- c. ~~No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by Ecology, develop~~ Maintain a storm sewer system map showing the locations of all known storm drain outfalls, labeled ing the receiving waters, ~~(other than ground water);~~ and delineated ing the areas contributing runoff to each outfall. -Make the map (or completed portions of the map) available on request to ~~the Ecology Department and/or to the extent appropriate, to other Permittees or Secondary Permittees.~~ -The preferred, ~~but not required,~~ format ~~of submission will be~~ for mapping is an electronic format with fully described mapping standards. -An example description is provided on Ecology's Website Pages.³³
- d. Conduct field inspections and visually inspect for illicit discharges at all known MS4 outfalls ~~that discharge to surface waters.~~ - Visually inspect at least one third (on average) of all known outfalls each year beginning no later than two years from the initial date of permit coverage. ~~Develop and i~~ Implement procedures to identify and remove any illicit discharges. Keep records of inspections and follow-up activities.³⁴
- e. ~~No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology, develop and i~~ Implement a spill response plan that includes coordination with a qualified spill responder.³⁵
- f. No later than two years from initial date of permit coverage ~~date,~~ provide staff training or coordinate with existing training efforts to educate ~~relevant~~ staff on proper best management practice BMPs for preventing illicit discharges, including spills. Train All Secondary relevant Permittee staff who, as part of their normal job responsibilities, have a role in preventing such illicit discharges. shall be trained.

4. Construction Site Stormwater Runoff Control

From the initial date of permit coverage, each Secondary Permittee shall:

³³ New Secondary Permittees shall meet the requirements of S6.D.3.c no later than four and one-half years from the initial date of permit coverage.

³⁴ New Secondary Permittees shall develop and implement procedures described in S6.D.3.d no later than two years from the initial date of permit coverage.

³⁵ New Secondary Permittees shall develop and implement a spill response plan as described in S6.D.3.e no later than four and one-half years from the initial date of permit coverage.

- a. Comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern construction phase stormwater pollution prevention measures.
- b. ~~For~~Ensure that all construction projects under the functional control of the Secondary Permittee which; require a construction stormwater permit; ~~Secondary Permittees shall~~ obtain coverage under the *NPDES General Permit for Stormwater Discharges Associated with Construction Activities* or an alternative individual NPDES permit prior to discharging construction related stormwater.
- c. Coordinate with the local jurisdiction regarding projects owned ~~and or~~ operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules, and regulations of the local jurisdiction(s).
- d. Provide training or coordinate with existing training efforts to educate relevant staff in erosion and sediment control BMPs and requirements, or hire trained contractors to perform the work.
- e. Coordinate as requested with ~~the Department~~Ecology or the local jurisdiction to provide access for inspection of construction sites or other land disturbances; which are under the functional control of the Secondary Permittee during ~~the active grading and disturbing activities~~ and/or construction period.

5. Post-Construction Stormwater Management for New Development and Redevelopment

From the initial date of permit coverage, each Secondary Permittee shall:

- a. Comply with all relevant ordinances, rules and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern post-construction stormwater pollution prevention measures.
- b. Coordinate with the local jurisdiction regarding projects owned ~~and or~~ operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules; and regulations of the local jurisdiction(s).

6. Pollution Prevention and Good Housekeeping for Municipal Operations

Each Secondary Permittee shall:

- a. ~~No later than three years from the date of permit coverage, develop and~~ Implement a municipal operation and maintenance (O&M) plan to minimize stormwater pollution from activities conducted by the Secondary Permittee. ~~The O&M Plan shall include appropriate pollution prevention and good housekeeping procedures for all of the following operations, activities, and/or types of facilities that are present within the Secondary~~

Permittee's boundaries and under the functional control of the Secondary Permittee.³⁶

- i. Stormwater collection and conveyance systems, including catch basins, stormwater ~~sewer~~ pipes, open channels, culverts, and structural stormwater controls, and structural runoff stormwater treatment and/or flow control BMPs/facilities. -The O&M Plan shall address, but is not limited to at a minimum: scheduled inspections and maintenance activities, including cleaning and proper disposal of waste removed from the system. -Secondary Permittees shall properly maintain stormwater collection and conveyance systems owned or operated by the Secondary Permittee and regularly inspect and maintain all ~~structural post construction~~ stormwater BMPs/facilities to ensure facility function.

~~For facilities located in Western Washington,~~ Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapter 4 Volume V of the 2005~~12~~ Stormwater Management Manual for Western Washington⁷.

Secondary Permittees shall review their maintenance standards to ensure they are consistent with the requirements of this section.

~~For facilities located in Eastern Washington, Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapters 5, 6 and 8 of the Stormwater Management Manual for Eastern Washington (2004);~~

Secondary Permittees shall conduct spot checks of potentially damaged permanent stormwater treatment and flow control BMPs/facilities following a 24-hour storm major storm events (24 hour storm event with a 10 year or greater recurrence interval) ~~with a 10-year or greater recurrence interval.~~

- ii. Roads, highways, and parking lots. - The O&M Plan shall address, but is not limited to: deicing, anti-icing, and snow removal practices; snow disposal areas; material (e.g. salt, sand, or other chemical) storage areas; all-season BMPs to reduce road and parking lot debris and other pollutants from entering the MS4.

- ~~iii.~~ Vehicle fleets. -The O&M Plan shall address, but is not limited to: storage, washing, and maintenance of Secondary Permittee vehicle

³⁶ New Secondary Permittees shall develop and implement the operation and maintenance plan described in S6.D.6.a no later than three years from initial date of permit coverage.

fleets; and fueling facilities. -Secondary Permittees shall conduct all vehicle and equipment washing and maintenance in a self-contained covered building or in designated wash and/or maintenance areas.

~~iii~~.iv. External building maintenance. The O&M Plan shall address, building exterior cleaning and maintenance including cleaning, washing, painting; ~~and other maintenance activities, including and~~ maintenance and management of dumpsters; and other maintenance activities.

~~iv~~.v. Parks and open space. The O&M Plan shall address, but is not limited to: proper application of fertilizer, pesticides, and herbicides; sediment and erosion control; BMPs for landscape maintenance and vegetation disposal; and trash and pet waste management.

~~v~~.vi. Material storage areas~~facilities, and heavy equipment maintenance or storage yards~~areas, and maintenance areas. -Secondary Permittees shall develop and implement a Stormwater Pollution Prevention Plan to protect water quality at each of these facilities owned or operated by the Secondary Permittee and not covered under the *General NPDES Permit for Stormwater Discharges Associated with Industrial Activities* or under another NPDES permit that ~~covers~~authorizes stormwater discharges associated with the activity.

~~vi~~.vii. Other facilities that would reasonably be expected to discharge contaminated runoff. -The O&M Plan shall address proper stormwater pollution prevention practices for each facility.

- b. From the initial date ~~of of permit~~ coverage ~~under this Permit~~, Secondary Permittees shall also have permit coverage for all facilities operated by the Secondary Permittee that are required to be covered under the *General NPDES Permit for Stormwater Discharges Associated with Industrial Activities* or another NPDES permit that authorizes surface water discharges associated with the activity.
- c. The O&M Plan shall include sufficient documentation and records as necessary to demonstrate compliance with the O&M Plan requirements in S6.D.6.a.(i) through (vii) above.
- d. No later than three years from the initial date of permit coverage, Secondary Permittees shall implement a program designed to t~~r~~rain all employees whose primary construction, operations, or maintenance job functions may impact stormwater quality. -The training shall address:
 - i. The importance of protecting water quality~~;~~
 - ii. The requirements of this Permit~~;~~
 - iii. Operation and maintenance requirements~~;~~

- iv. Inspection procedures~~;~~
- v. Ways to perform their job activities to prevent or minimize impacts to water quality~~;~~ ~~and~~
- vi. Procedures for reporting water quality concerns, including potential illicit discharges~~;~~ (including spills).

S7. COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD REQUIREMENTS

The following requirements apply if an applicable ~~Total Maximum Daily Load (TMDL)~~ is approved for stormwater discharges from MS4s owned or operated by the Permittee. Applicable TMDLs are TMDLs which have been approved by EPA on or before the issuance date of this pPermit or prior to the date that Ecology issues coverage under this permit, whichever is later. ~~coverage is granted.~~

- A. For applicable TMDLs listed in Appendix 2, affected ~~p~~Permittees shall comply with the specific requirements identified in Appendix 2. Each Permittee shall keep records of all actions required by this Permit that are relevant to applicable TMDLs within their jurisdiction. The status of the TMDL implementation shall be included as part of the annual report submitted to Ecology~~;~~. Each annual report shall include a summary of relevant SWMP and Appendix 2 activities conducted in the TMDL area to address the applicable TMDL parameter(s).

~~Where monitoring is required in Appendix 2, the Permittee shall conduct the monitoring according to a Quality Assurance Project Plan (QAPP) approved by Ecology.~~

- B. For applicable TMDLs not listed in Appendix 2, compliance with this Permit shall constitute compliance with those TMDLs.
- C. For TMDLs that are approved by EPA after this Permit is issued, Ecology may establish TMDL related permit requirements through future permit modification if Ecology determines implementation of actions, monitoring or reporting necessary to demonstrate reasonable further progress toward achieving TMDL waste load allocations, and other targets, are not occurring and shall be implemented during the term of this Permit or when this Permit is reissued. Permittees are encouraged to participate in development of TMDLs within their jurisdiction and to begin implementation.

S8. MONITORING AND ASSESSMENT

- A. All Permittees including Secondary Permittees shall provide, in each annual report, a description of any stormwater monitoring or stormwater-related studies conducted by the Permittee during the reporting period. If other stormwater monitoring or

stormwater-related studies were conducted on behalf of the Permittee during the reporting period, or if stormwater-related investigations conducted by other entities were reported to the Permittee during the reporting period, a brief description of the type of information gathered or received shall be included in the annual report.

Permittees are not required to provide descriptions of any monitoring, studies, or analyses conducted as part of the Regional Stormwater Management Program (RSMP) in annual reports. If a Permittee conducts independent monitoring in accordance with requirements in S8.B or S8.C below, annual reporting of such monitoring must follow the requirements specified in those sections.

B. Status and trends monitoring. By December 1, 2013, each city and county Permittee listed in S1.D.2.a(i) and S1.D.2.a(ii) located in Clallam, Island, King, Kitsap, Pierce, Skagit, Snohomish, Thurston, or Whatcom County shall notify Ecology in writing which of the following two options for status and trends monitoring the Permittee chooses to carry out during this permit cycle. Either option will fully satisfy the Permittee’s obligations under this section (S8.B). Each Permittee shall select a single option for the duration of this permit term.

1. Status and Trends Monitoring Option #1: Each Permittee that chooses this option shall pay into a collective fund to implement RSMP small streams and marine nearshore status and trends monitoring in Puget Sound. The payments into the collective fund are due to Ecology annually beginning August 15, 2014. The payment amounts are (Permittees are listed alphabetically, by county):

<u>Permittee</u>	<u>Annual payment amount</u>	<u>Permittee</u>	<u>Annual payment amount</u>
<u>Clallam Co.</u>	<u>N/A</u>	<u>Pierce Co.</u>	<u>N/A</u>
<u>Port Angeles</u>	<u>\$4,732</u>	<u>Bonney Lake</u>	<u>\$4,075</u>
<u>Island Co.</u>	<u>N/A</u>	<u>Buckley</u>	<u>\$1,129</u>
<u>Oak Harbor</u>	<u>\$5,719</u>	<u>DuPont</u>	<u>\$1,936</u>
<u>King Co.</u>	<u>N/A</u>	<u>Edgewood</u>	<u>\$2,350</u>
<u>Algona</u>	<u>\$678</u>	<u>Fife</u>	<u>\$2,005</u>
<u>Auburn</u>	<u>\$16,914</u>	<u>Fircrest</u>	<u>\$1,549</u>
<u>Bellevue</u>	<u>\$30,009</u>	<u>Gig Harbor</u>	<u>\$1,836</u>
<u>Black Diamond</u>	<u>\$1,023</u>	<u>Lakewood</u>	<u>\$14,367</u>
<u>Bothell</u>	<u>\$8,163</u>	<u>Milton</u>	<u>\$1,597</u>
<u>Burien</u>	<u>\$11,238</u>	<u>Orting</u>	<u>\$1,525</u>
<u>Clyde Hill</u>	<u>\$695</u>	<u>Puyallup</u>	<u>\$9,498</u>
<u>Covington</u>	<u>\$4,307</u>	<u>Steilacoom</u>	<u>\$1,538</u>

<u>Des Moines</u>	<u>\$7,152</u>	<u>Sumner</u>	<u>\$2,217</u>
<u>Duvall</u>	<u>\$1,463</u>	<u>University Place</u>	<u>\$7,704</u>
<u>Enumclaw</u>	<u>\$2,806</u>	<u>Skagit Co.</u>	<u>\$1,257</u>
<u>Federal Way</u>	<u>\$21,673</u>	<u>Burlington</u>	<u>\$2,194</u>
<u>Issaquah</u>	<u>\$6,632</u>	<u>Anacortes</u>	<u>\$4,102</u>
<u>Kenmore</u>	<u>\$5,042</u>	<u>Mount Vernon</u>	<u>\$7,574</u>
<u>Kent</u>	<u>\$27,441</u>	<u>Sedro- Woolley</u>	<u>\$2,452</u>
<u>Kirkland</u>	<u>\$12,116</u>	<u>Snohomish Co.</u>	<u>N/A</u>
<u>Lake Forest Park</u>	<u>\$3,135</u>	<u>Arlington</u>	<u>\$4,219</u>
<u>Maple Valley</u>	<u>\$5,648</u>	<u>Brier</u>	<u>\$1,585</u>
<u>Medina</u>	<u>\$728</u>	<u>Edmonds</u>	<u>\$9,987</u>
<u>Mercer Island</u>	<u>\$5,589</u>	<u>Everett</u>	<u>\$25,419</u>
<u>Newcastle</u>	<u>\$2,431</u>	<u>Granite Falls</u>	<u>\$824</u>
<u>Normandy Park</u>	<u>\$1,597</u>	<u>Lake Stevens</u>	<u>\$6,512</u>
<u>Pacific</u>	<u>\$1,540</u>	<u>Lynnwood</u>	<u>\$8,829</u>
<u>Redmond</u>	<u>\$13,143</u>	<u>Marysville</u>	<u>\$14,172</u>
<u>Renton</u>	<u>\$21,055</u>	<u>Mill Creek</u>	<u>\$4,566</u>
<u>Sammamish</u>	<u>\$10,028</u>	<u>Monroe</u>	<u>\$4,073</u>
<u>SeaTac</u>	<u>\$6,322</u>	<u>Mountlake Terrace</u>	<u>\$5,118</u>
<u>Shoreline</u>	<u>\$13,327</u>	<u>Mukilteo</u>	<u>\$4,920</u>
<u>Tukwila</u>	<u>\$4,444</u>	<u>Snohomish</u>	<u>\$2,276</u>
<u>Woodinville</u>	<u>\$2,771</u>	<u>Thurston Co.</u>	<u>\$12,841</u>
<u>Kitsap Co.</u>	<u>\$17,133</u>	<u>Lacey</u>	<u>\$9,799</u>
<u>Bainbridge Island</u>	<u>\$5,709</u>	<u>Olympia</u>	<u>\$11,110</u>
<u>Bremerton</u>	<u>\$8,837</u>	<u>Tumwater</u>	<u>\$4,095</u>
<u>Port Orchard</u>	<u>\$2,664</u>	<u>Whatcom Co.</u>	<u>\$3,714</u>
<u>Poulsbo</u>	<u>\$2,187</u>	<u>Bellingham</u>	<u>\$18,936</u>
		<u>Ferndale</u>	<u>\$2,737</u>

Or

2. Status and Trends Monitoring Option #2: Each Permittee that chooses this option shall conduct status and trends monitoring as follows:

a. Beginning no later than July 31, 2014, conduct wadeable stream water quality, benthos, habitat, and sediment chemistry monitoring according to

the Ecology-approved Quality Assurance Project Plan (QAPP) for RSMP Small Streams Status and Trends Monitoring.

- i. Permittees with population less than 10,000 in the permit coverage area shall conduct this monitoring at the first two qualified monitoring locations (as listed sequentially among the potential monitoring locations defined in the RSMP QAPP) that are located within the jurisdiction's boundaries. Counties shall monitor the first location inside UGA boundaries and the first location outside UGA boundaries.
- ii. Permittees with population equal to or greater than 10,000 and fewer than 50,000 in the permit coverage area shall conduct this monitoring at the first four qualified monitoring locations (as listed sequentially among the potential monitoring locations defined in the RSMP QAPP) that are located within the jurisdiction's boundaries. Counties shall monitor the first two locations inside UGA boundaries and the first two locations outside UGA boundaries.
- iii. Permittees with population equal to or greater than 50,000 in the permit coverage area shall conduct this monitoring at the first eight qualified monitoring locations (as listed sequentially among the potential monitoring locations defined in the RSMP QAPP) that are located within the jurisdiction's boundaries. Counties shall monitor the first four locations inside UGA boundaries and the first four locations outside UGA boundaries.

Permittees with population equal to or greater than 50,000 in the permit coverage area and located entirely inland (i.e., having no Puget Sound shoreline boundary) shall conduct this monitoring at an additional four monitoring locations (as listed sequentially among the potential monitoring locations defined in the RSMP QAPP), for a total of 12 monitoring locations.

And

- b. Beginning no later than October 1, 2015, Permittees with Puget Sound shoreline shall conduct sediment chemistry, mussel, and bacteria monitoring according to the Ecology-approved QAPPs for RSMP Marine Nearshore Status and Trends Monitoring.
 - i. Permittees with population less than 10,000 shall conduct this monitoring at the first two qualified monitoring locations each, for sediment and for mussels and bacteria (as listed sequentially among the potential monitoring locations defined in the RSMP QAPPs), that are located adjacent to the jurisdiction's Puget Sound shoreline boundary.

- ii. Permittees with population equal to or greater than 10,000 and fewer than 50,000 in the permit coverage area shall conduct this monitoring at the first four qualified monitoring locations each, for sediment and for mussels and bacteria (as listed sequentially among the potential monitoring locations defined in the RSMP QAPPs), that are located adjacent to the jurisdiction’s Puget Sound shoreline boundary.
- iii. Permittees with population equal to or greater than 50,000 in the permit coverage area shall conduct this monitoring at the first six qualified monitoring locations each, for sediment and for mussels and bacteria (as listed sequentially among the potential monitoring locations defined in the RSMP QAPPs), that are located adjacent to the jurisdiction’s Puget Sound shoreline boundary.

And

- c. Data and analyses shall be reported annually in accordance with the Ecology-approved QAPPs.

C. Stormwater management program effectiveness studies. By December 1, 2013, each city and county Permittee listed in S1.D.2.a(i) and S1.D.2.a(ii) shall notify Ecology in writing which of the following two options for effectiveness studies the Permittee chooses to carry out during this permit cycle. Either option will fully satisfy the Permittee’s obligations under this section (S8.C). Each Permittee shall select a single option for the duration of this permit term.

1. Effectiveness Studies Option #1: Each Permittee that chooses this option shall pay into a collective fund to implement RSMP effectiveness studies. The payments into the collective fund are due to Ecology annually beginning August 15, 2014. The payment amounts are (Permittees are listed alphabetically, by county):

<u>Permittee</u>	<u>Annual payment amount</u>	<u>Permittee</u>	<u>Annual payment amount</u>
<u>Clallam Co.</u>	<u>N/A</u>	<u>Lewis Co.</u>	<u>N/A</u>
<u>Port Angeles</u>	<u>\$7,885</u>	<u>Centralia</u>	<u>\$6,334</u>
<u>Clark Co.</u>	<u>N/A</u>	<u>Pierce Co.</u>	<u>N/A</u>
<u>Battle Ground</u>	<u>\$7,079</u>	<u>Bonney Lake</u>	<u>\$6,790</u>
<u>Camas</u>	<u>\$7,002</u>	<u>Buckley</u>	<u>\$1,882</u>
<u>Vancouver</u>	<u>\$67,335</u>	<u>DuPont</u>	<u>\$3,226</u>
<u>Washougal</u>	<u>\$5,716</u>	<u>Edgewood</u>	<u>\$3,916</u>
<u>Cowlitz Co.</u>	<u>\$1,384</u>	<u>Fife</u>	<u>\$3,340</u>
<u>Kelso</u>	<u>\$4,793</u>	<u>Fircrest</u>	<u>\$2,581</u>

<u>Longview</u>	<u>\$14,687</u>	<u>Gig Harbor</u>	<u>\$3,059</u>
<u>Grays Harbor Co.</u>	<u>N/A</u>	<u>Lakewood</u>	<u>\$23,938</u>
<u>Aberdeen</u>	<u>\$6,693</u>	<u>Milton</u>	<u>\$2,661</u>
<u>Island Co.</u>	<u>N/A</u>	<u>Orting</u>	<u>\$2,541</u>
<u>Oak Harbor</u>	<u>\$9,528</u>	<u>Puyallup</u>	<u>\$15,826</u>
<u>King Co.</u>	<u>N/A</u>	<u>Steilacoom</u>	<u>\$2,563</u>
<u>Algona</u>	<u>\$1,129</u>	<u>Sumner</u>	<u>\$3,694</u>
<u>Auburn</u>	<u>\$28,182</u>	<u>University Place</u>	<u>\$12,836</u>
<u>Bellevue</u>	<u>\$50,001</u>	<u>Skagit Co.</u>	<u>\$2,094</u>
<u>Black Diamond</u>	<u>\$1,705</u>	<u>Burlington</u>	<u>\$3,655</u>
<u>Bothell</u>	<u>\$13,601</u>	<u>Anacortes</u>	<u>\$6,835</u>
<u>Burien</u>	<u>\$18,724</u>	<u>Mount Vernon</u>	<u>\$12,620</u>
<u>Clyde Hill</u>	<u>\$1,157</u>	<u>Sedro- Woolley</u>	<u>\$4,085</u>
<u>Covington</u>	<u>\$7,177</u>	<u>Snohomish Co.</u>	<u>N/A</u>
<u>Des Moines</u>	<u>\$11,916</u>	<u>Arlington</u>	<u>\$7,030</u>
<u>Duvall</u>	<u>\$2,437</u>	<u>Brier</u>	<u>\$2,640</u>
<u>Enumclaw</u>	<u>\$4,675</u>	<u>Edmonds</u>	<u>\$16,640</u>
<u>Federal Way</u>	<u>\$36,111</u>	<u>Everett</u>	<u>\$42,352</u>
<u>Issaquah</u>	<u>\$11,050</u>	<u>Granite Falls</u>	<u>\$1,373</u>
<u>Kenmore</u>	<u>\$8,401</u>	<u>Lake Stevens</u>	<u>\$10,850</u>
<u>Kent</u>	<u>\$45,721</u>	<u>Lynnwood</u>	<u>\$14,711</u>
<u>Kirkland</u>	<u>\$20,187</u>	<u>Marysville</u>	<u>\$23,613</u>
<u>Lake Forest Park</u>	<u>\$5,224</u>	<u>Mill Creek</u>	<u>\$7,608</u>
<u>Maple Valley</u>	<u>\$9,410</u>	<u>Monroe</u>	<u>\$6,786</u>
<u>Medina</u>	<u>\$1,212</u>	<u>Mountlake Terrace</u>	<u>\$8,527</u>
<u>Mercer Island</u>	<u>\$9,313</u>	<u>Mukilteo</u>	<u>\$8,198</u>
<u>Newcastle</u>	<u>\$4,050</u>	<u>Snohomish</u>	<u>\$3,792</u>
<u>Normandy Park</u>	<u>\$2,661</u>	<u>Thurston Co.</u>	<u>\$21,395</u>
<u>Pacific</u>	<u>\$2,565</u>	<u>Lacey</u>	<u>\$16,326</u>
<u>Redmond</u>	<u>\$21,899</u>	<u>Olympia</u>	<u>\$18,511</u>
<u>Renton</u>	<u>\$35,082</u>	<u>Tumwater</u>	<u>\$6,823</u>
<u>Sammamish</u>	<u>\$16,709</u>	<u>Whatcom Co.</u>	<u>\$6,188</u>
<u>SeaTac</u>	<u>\$10,533</u>	<u>Bellingham</u>	<u>\$31,550</u>

<u>Shoreline</u>	<u>\$22,205</u>	<u>Ferndale</u>	<u>\$4,561</u>
<u>Tukwila</u>	<u>\$7,405</u>		
<u>Woodinville</u>	<u>\$4,618</u>		
<u>Kitsap Co.</u>	<u>\$28,547</u>		
<u>Bainbridge Island</u>	<u>\$9,512</u>		
<u>Bremerton</u>	<u>\$14,724</u>		
<u>Port Orchard</u>	<u>\$4,439</u>		
<u>Poulsbo</u>	<u>\$3,643</u>		

Or

2. Effectiveness Studies Option #2: Each Permittee that chooses this option shall conduct stormwater discharge monitoring in accordance with Appendix 9 and the following:

- a. By February 2, 2014, each Permittee shall submit to Ecology a draft stormwater discharge monitoring QAPP for review and approval. If Ecology does not request changes within 90 days, the draft QAPP is considered approved. Final QAPPs shall be submitted to Ecology as soon as possible following finalization.
 - i. Each Permittee with population fewer than 10,000 in the permit coverage area shall conduct stormwater discharge monitoring at one discharge monitoring location.
 - ii. Each Permittee with population equal to or greater than 10,000 but fewer than 50,000 in the permit coverage area shall conduct stormwater discharge monitoring at two discharge monitoring locations.
 - iii. Each Permittee with population equal to or greater than 50,000 but fewer than 100,000 in the permit coverage area shall conduct stormwater discharge monitoring at three discharge monitoring locations.
 - iv. Each Permittee with population 100,000 or more in the permit coverage area shall conduct stormwater discharge monitoring at four discharge monitoring locations.
- b. Permittees shall document in the QAPP why selected discharge monitoring locations are of interest for long term stormwater discharge monitoring and associated stormwater management program effectiveness evaluations. Permittees are encouraged to monitor at locations chosen and submitted in the annual reports that were due March 31, 2011.

c. Flow monitoring at discharge monitoring locations shall be implemented beginning no later than October 1, 2014. Stormwater discharge monitoring shall be fully implemented no later than October 1, 2015. All monitoring shall be conducted in accordance with an Ecology-approved QAPP.

D. Source identification and diagnostic monitoring. Each city and county Permittee listed in S1.D.2.a(i) and S1.D.2.a(ii) shall pay into a collective fund to implement the RSMP Source Identification Information Repository (SIDIR). The payments into the collective fund are due to Ecology annually beginning August 15, 2014. The payment amounts are (Permittees are listed alphabetically, by county):

<u>Permittee</u>	<u>Annual payment amount</u>	<u>Permittee</u>	<u>Annual payment amount</u>
<u>Clallam Co.</u>	<u>N/A</u>	<u>Lewis Co.</u>	<u>N/A</u>
<u>Port Angeles</u>	<u>\$731</u>	<u>Centralia</u>	<u>\$587</u>
<u>Clark Co.</u>	<u>N/A</u>	<u>Pierce Co.</u>	<u>N/A</u>
<u>Battle Ground</u>	<u>\$657</u>	<u>Bonney Lake</u>	<u>\$630</u>
<u>Camas</u>	<u>\$649</u>	<u>Buckley</u>	<u>\$175</u>
<u>Vancouver</u>	<u>\$6,245</u>	<u>DuPont</u>	<u>\$299</u>
<u>Washougal</u>	<u>\$530</u>	<u>Edgewood</u>	<u>\$363</u>
<u>Cowlitz Co.</u>	<u>\$128</u>	<u>Fife</u>	<u>\$310</u>
<u>Kelso</u>	<u>\$444</u>	<u>Fircrest</u>	<u>\$239</u>
<u>Longview</u>	<u>\$1,362</u>	<u>Gig Harbor</u>	<u>\$284</u>
<u>Grays Harbor Co.</u>	<u>N/A</u>	<u>Lakewood</u>	<u>\$2,220</u>
<u>Aberdeen</u>	<u>\$621</u>	<u>Milton</u>	<u>\$247</u>
<u>Island Co.</u>	<u>N/A</u>	<u>Orting</u>	<u>\$236</u>
<u>Oak Harbor</u>	<u>\$884</u>	<u>Puyallup</u>	<u>\$1,468</u>
<u>King Co.</u>	<u>N/A</u>	<u>Steilacoom</u>	<u>\$238</u>
<u>Algona</u>	<u>\$105</u>	<u>Sumner</u>	<u>\$343</u>
<u>Auburn</u>	<u>\$2,614</u>	<u>University Place</u>	<u>\$1,190</u>
<u>Bellevue</u>	<u>\$4,637</u>	<u>Skagit Co.</u>	<u>\$194</u>
<u>Black Diamond</u>	<u>\$158</u>	<u>Burlington</u>	<u>\$339</u>
<u>Bothell</u>	<u>\$1,261</u>	<u>Anacortes</u>	<u>\$634</u>
<u>Burien</u>	<u>\$1,736</u>	<u>Mount Vernon</u>	<u>\$1,170</u>
<u>Clyde Hill</u>	<u>\$107</u>	<u>Sedro- Woolley</u>	<u>\$379</u>
<u>Covington</u>	<u>\$666</u>	<u>Snohomish Co.</u>	<u>N/A</u>

<u>Des Moines</u>	<u>\$1,105</u>	<u>Arlington</u>	<u>\$652</u>
<u>Duvall</u>	<u>\$226</u>	<u>Brier</u>	<u>\$245</u>
<u>Enumclaw</u>	<u>\$434</u>	<u>Edmonds</u>	<u>\$1,543</u>
<u>Federal Way</u>	<u>\$3,349</u>	<u>Everett</u>	<u>\$3,928</u>
<u>Issaquah</u>	<u>\$1,025</u>	<u>Granite Falls</u>	<u>\$127</u>
<u>Kenmore</u>	<u>\$779</u>	<u>Lake Stevens</u>	<u>\$1,006</u>
<u>Kent</u>	<u>\$4,240</u>	<u>Lynnwood</u>	<u>\$1,364</u>
<u>Kirkland</u>	<u>\$1,872</u>	<u>Marysville</u>	<u>\$2,190</u>
<u>Lake Forest Park</u>	<u>\$484</u>	<u>Mill Creek</u>	<u>\$706</u>
<u>Maple Valley</u>	<u>\$873</u>	<u>Monroe</u>	<u>\$629</u>
<u>Medina</u>	<u>\$112</u>	<u>Mountlake Terrace</u>	<u>\$791</u>
<u>Mercer Island</u>	<u>\$864</u>	<u>Mukilteo</u>	<u>\$760</u>
<u>Newcastle</u>	<u>\$376</u>	<u>Snohomish</u>	<u>\$352</u>
<u>Normandy Park</u>	<u>\$247</u>	<u>Thurston Co.</u>	<u>\$1,984</u>
<u>Pacific</u>	<u>\$238</u>	<u>Lacey</u>	<u>\$1,514</u>
<u>Redmond</u>	<u>\$2,031</u>	<u>Olympia</u>	<u>\$1,717</u>
<u>Renton</u>	<u>\$3,253</u>	<u>Tumwater</u>	<u>\$633</u>
<u>Sammamish</u>	<u>\$1,550</u>	<u>Whatcom Co.</u>	<u>\$574</u>
<u>SeaTac</u>	<u>\$977</u>	<u>Bellingham</u>	<u>\$2,926</u>
<u>Shoreline</u>	<u>\$2,059</u>	<u>Ferndale</u>	<u>\$423</u>
<u>Tukwila</u>	<u>\$687</u>		
<u>Woodinville</u>	<u>\$428</u>		
<u>Kitsap Co.</u>	<u>\$2,647</u>		
<u>Bainbridge Island</u>	<u>\$882</u>		
<u>Bremerton</u>	<u>\$1,365</u>		
<u>Port Orchard</u>	<u>\$412</u>		
<u>Poulsbo</u>	<u>\$338</u>		

S9. REPORTING REQUIREMENTS

- A. No later than March 31 of each year beginning in 201508, each Permittee shall submit an annual report. -The reporting period for the first annual report will be from ~~the effective date of this permit-~~ January 1, 2014 through December 31, 201407. The

reporting period for all subsequent annual reports will be the previous calendar year unless otherwise specified.

Permittees shall submit annual reports electronically using Ecology's WQWebDMR available on Ecology's website at <http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html> unless otherwise directed by Ecology.

Permittees unable to submit electronically through Ecology's WQWebDMR must contact Ecology to request a waiver and obtain instructions on how to submit an annual report in an alternative format.

~~Two printed copies and an electronic (PDF) copy of each document shall be submitted to Ecology. All submittals shall be delivered to:~~

~~Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696~~

- B. Each Permittee is required to keep all records related to this permit and the SWMP for at least five years. ~~Except for the requirements of the annual reports described in this permit, records shall be submitted to Ecology only upon request,~~
- C. Each Permittee shall make all records related to this permit and the Permittee's SWMP available to the public at reasonable times during business hours. The Permittee will provide a copy of the most recent annual report to any individual or entity, upon request.
1. A reasonable charge may be assessed by the Permittee for making photocopies of records.
 2. The Permittee may require reasonable advance notice of intent to review records related to this Permit.
- D. The annual report for cities, towns, and counties

Each annual report shall include the following:

- ~~1.~~ 1. A copy of the Permittee's current ~~Stormwater Management Program-SWMP Plan~~ as required by S5.A.2.
- ~~2.~~ 2. Submittal of the annual report form as provided by Ecology pursuant to S9.A, describing the status of implementation of the requirements of this permit during the reporting period. Appendix 3—Annual Report Form for Cities, Towns, and Counties, which is intended to summarize the Permittees compliance with the conditions of this permit, including:
- ~~1-3.~~ 1-3. Attachments to the annual report form including summaries, descriptions, reports, and other information as required, or as applicable, to meet the

requirements of this permit during the reporting period. Refer to Appendix 3 for annual report questions.

- ~~2. Status of implementation of each component of the SWMP in section S5 Stormwater Management Program for Cities, Towns and Counties. An assessment of the Permittee's progress in meeting the minimum performance standards established for each of the minimum control measures of the SWMP.~~
- ~~3. A description of activities being implemented to comply with each component of the SWMP, including the number and type of inspections, enforcement actions, public education and involvement activities, and illicit discharges detected and eliminated.~~
- ~~4. The Permittee's SWMP implementation schedule and plans for meeting permit deadlines, and the status of SWMP implementation to date. If permit deadlines are not met, or may not be met in the future, include: reasons why, corrective steps taken and proposed, and expected dates that the deadlines will be met.~~
- ~~5. A summary of the Permittee's evaluation of their SWMP, according to sections S5.A.4. and S8.B.2.~~
4. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this permit.

- ~~6. Updated information from the prior annual report plus any new information received during the reporting period, pursuant to S8.B.2. above.~~
5. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.

- ~~7.6. Permittees shall include with the annual report, A notification of any annexations, incorporations or jurisdictional boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP.~~
- ~~8. Permittees shall include with the annual report submitted no later than March 31, 2011 information that at a minimum includes:~~
- ~~9. A summary of identified barriers to the use of low impact development (LID) within the area covered by the permit and measures to address the barriers. Each individual Permittee must complete this summary.~~
- ~~10. A report completed by an individual Permittee or in cooperation with multiple Permittees describing, at a minimum:~~
- ~~11. LID practices that are currently available and that can reasonably be implemented within this permit term.~~
- ~~12. Potential or planned non-structural actions and LID techniques to prevent stormwater impacts.~~
- ~~13. Goals and metrics to identify, promote, and measure LID use.~~

~~14. Potential or planned schedules for the Permittee(s) to require and implement the non-structural and LID techniques on a broader scale in the future.~~

E. Annual report for Secondary Permittees

~~All Secondary Permittees shall complete the Annual Report Form for Secondary Permittees (Appendix 4) and submit it along with any supporting documentation to Ecology. Each annual report shall include the following:~~

- ~~1. Submittal of the annual report form as provided by Ecology pursuant to S9.A, describing the status of implementation of the requirements of this permit during the reporting period.~~
- ~~2. Attachments to the annual report form including summaries, descriptions, reports, and other information as required, or as applicable, to meet the requirements of this permit during the reporting period. Refer to Appendix 4 for annual report questions.~~
- ~~1. The Annual Report Form for Secondary Permittees is intended to summarize the Permittees compliance with the conditions of this permit, including:~~
 - ~~2. Status of implementation of each component of the SWMP in section S6 Stormwater Management Program for Secondary Permittees of this permit.~~
 - ~~3. An assessment of the Permittee's progress in meeting the minimum performance standards established for each of the minimum control measures of the SWMP.~~
 - ~~4. A summary of the Permittee's evaluation of their SWMP, according to section S8.B.2.~~
- ~~5.3. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this permit.~~
- ~~6. Updated information from the prior annual report plus any new information received during the reporting period pursuant to S8.B.1 and S8.B.2.~~
- ~~7.4. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.~~
- ~~8.5. Secondary Permittees shall include with the annual report a A notification of any jurisdictional boundary changes resulting in an increase or decrease in the Secondary Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP.~~

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this Permit shall be consistent with the terms and conditions of this Permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control to achieve compliance with the terms and conditions of this Permit.

G3. NOTIFICATION OF DISCHARGE, INCLUDING SPILLS

If a Permittee has knowledge of a discharge, including spills, into or from a ~~MS4 municipal storm sewer~~ which could constitute a threat to human health, welfare, or the environment, the Permittee shall

- A. Take appropriate action to correct or minimize the threat to human health, welfare and/or the environment. ~~and;~~
- B. Notify the Ecology regional office and other appropriate spill response authorities immediately but in no case later than within 24 hours of obtaining that knowledge. The Ecology Northwest Regional Office 24-hour number is 425-649-7000 and for the Southwest Regional Office the number is 360-407-6300.
- C. Immediately report spills or other discharges, ~~including spills~~, which might cause bacterial contamination of shellfish marine waters, such as might discharges resulting from broken sewer lines and failing onsite septic systems, to the Ecology regional office and to the Department of Health, Shellfish Program. The Department of Health's shellfish ~~24-hour~~ number is 360-236-3330 (business hours) or 360-789-8962 (24-hours).
- D. Immediately report spills or discharges of oils or hazardous ~~materials~~ substances to the Ecology regional office and to the Washington Emergency Management Division at 1-800-258-5990.

G4. BYPASS PROHIBITED

The intentional bypass of stormwater from all or any portion of a stormwater treatment BMP whenever the design capacity of the treatment BMP is not exceeded, is prohibited unless the following conditions are met:

- A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act (CWA); and

- B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated stormwater, or maintenance during normal dry periods.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause 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.

G5. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law at reasonable times:

- A. To enter upon the Permittee's premises where a discharge is located or where any records must be kept under the terms and conditions of this Permit;
- B. To have access to, and copy at reasonable cost and at reasonable times, any records that must be kept under the terms of the Permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the Permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G6. DUTY TO MITIGATE

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

G7. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G8. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the Permit shall be construed as excusing the Permittee from compliance with any other applicable federal, state, or local statutes, ordinances, or regulations.

G9. MONITORING

- A. Representative Sampling:

Samples and measurements taken to meet the requirements of this Permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

B. Records Retention:

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, 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 five years. -This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the ~~p~~Permittee or when requested by the Ecology. On request, monitoring data and analysis shall be provided to Ecology.

C. Recording of Results:

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Test Procedures:

All sampling and analytical methods used to meet the monitoring requirements in this ~~p~~Permit shall conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136, unless otherwise specified in this permit or approved in writing by Ecology.

E. Flow Measurement:

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. -The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements ~~are~~is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations or at a minimum frequency of at least one calibration per year. -Calibration records should be maintained for a minimum of three years.

F. Lab Accreditation:

All monitoring data, except for flow, temperature, conductivity, pH, total residual chlorine, and other exceptions approved by Ecology, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, ~~C~~chapter 173-50 WAC. -Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by Ecology. Quick methods of field detection of pollutants including nutrients, surfactants, salinity, and other parameters are exempted from this requirement when the purpose of the sampling is identification and removal of a suspected illicit discharge.

G. Additional Monitoring:

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G10. REMOVED SUBSTANCES

With the exception of decant from street waste vehicles, the Permittee shall not allow collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater to be resuspended or reintroduced to the storm sewer system or to waters of the state. ~~Decant from street waste vehicles resulting from cleaning stormwater facilities may be reintroduced only when other practical means are not available and only in accordance with the Street Waste Disposal Guidelines in Appendix 46.~~ Solids generated from maintenance of the MS4 may be reclaimed, recycled, or reused when allowed by local codes and ordinances. Soils that are identified as contaminated pursuant to Chapter 173-350 WAC shall be disposed at a qualified solid waste disposal facility (see Appendix 6).

G11. SEVERABILITY

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

G12. REVOCATION OF COVERAGE

The director may terminate coverage under this General Permit in accordance with ~~Chapter~~ 43.21B RCW and ~~Chapter~~ 173-226 WAC. ~~Cases where coverage may be terminated include, but are not limited to the following:~~

- A. Violation of any term or condition of this general permit;
- B. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts;
- C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- D. A determination that the permitted activity endangers human health or the environment, or contributes significantly to water quality standards violations;
- E. Failure or refusal of the ~~p~~Permittee to allow entry as required in ~~Chapter~~ 90.48.090 RCW;
- F. Nonpayment of permit fees assessed pursuant to ~~Chapter~~ 90.48.465 RCW;

Revocation of coverage under this general permit may be initiated by Ecology or requested by any interested person.

G13. TRANSFER OF COVERAGE

The director may require any discharger authorized by this General Permit to apply for and obtain an individual permit in accordance with [Chapter 43.21B RCW](#) and [Chapter 173-226 WAC](#).

G14. GENERAL PERMIT MODIFICATION AND REVOCATION

This General Permit may be modified, revoked and reissued, or terminated in accordance with the provisions of WAC 173-226-230. -Grounds for modification, revocation and reissuance, or termination include, but are not limited to the following:

- A. A change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this General Permit;
- B. Effluent limitation guidelines or standards are promulgated pursuant to the CWA or [Chapter 90.48 RCW](#), for the category of dischargers covered under this General Permit;
- C. A water quality management plan containing requirements applicable to the category of dischargers covered under this General Permit is approved; or
- D. Information is obtained which indicates that cumulative effects on the environment from dischargers covered under this General Permit are unacceptable.
- E. Changes in state law that reference this permit.

G15. REPORTING A CAUSE FOR MODIFICATION OR REVOCATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under Condition G12, G14, or 40 CFR 122.62 must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify, or revoke and reissue this Permit will be required. Ecology may then require submission of a new or amended application. -Submission of such application does not relieve the Permittee of the duty to comply with this Permit until it is modified or reissued.

G16. APPEALS

- A. The terms and conditions of this General Permit, as they apply to the appropriate class of dischargers, are subject to appeal within thirty days of issuance of this General Permit, in accordance with [Chapter 43.21B RCW](#), and [Chapter 173-226 WAC](#).
- B. The terms and conditions of this General Permit, as they apply to an individual discharger, are appealable in accordance with [Chapter 43.21B RCW](#) within thirty days of the effective date of coverage of that discharger. -Consideration of an appeal of General Permit coverage of an individual discharger is limited to the General Permit's applicability or nonapplicability to that individual discharger.

- C. The appeal of General Permit coverage of an individual discharger does not affect any other dischargers covered under this General Permit. ~~If the terms and conditions of this General Permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.~~
- D. Modifications of this Permit are appealable in accordance with [Chapter 43.21B RCW](#) and [Chapter 173-226 WAC](#).

G17. PENALTIES

40 CFR 122.41(a)(2) and (3), 40 CFR 122.41(j)(5), and 40 CFR 122.41(k)(2) are hereby incorporated into this Permit by reference.

G18. DUTY TO REAPPLY

The Permittee ~~must~~**shall** apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G19. CERTIFICATION AND SIGNATURE

All ~~applications, reports, or information~~**formal submittals submitted to the DepartmentEcology** shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All ~~reports~~**formal submittals** required by this Permit ~~and other information requested by the Department~~ shall be signed by a person described above or by a duly authorized representative of that person. ~~A person is a duly authorized representative only if:~~
 - 1. The authorization is made in writing by a person described above and submitted to ~~the DepartmentEcology~~, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall development and implementation of the stormwater management program. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. ~~If an authorization under condition G19.B.2 is no longer accurate because a different individual or position has responsibility for the overall development and implementation of the stormwater management program, a new authorization satisfying the requirements of condition G19.B.2 must be submitted to~~ **the DepartmentEcology** prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a ~~document~~**formal submittal** under 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 willful violations.”

G20. NON-COMPLIANCE NOTIFICATION

In the event ~~the~~ **Permittee** is unable to comply with any of the terms and conditions of this ~~p~~**P**ermit, the Permittee must:

- A. Notify Ecology of the failure to comply with the permit terms and conditions in writing within 30 days of becoming aware that the non-compliance has occurred. The written notification must include all of the following:
 1. A description of the non-compliance, including dates.
 2. Beginning and end dates of the non-compliance, and if the compliance has not been corrected, the anticipated date of correction.
 3. Steps taken or planned to reduce, eliminate, or prevent reoccurrence of the non-compliance.
- B. Take appropriate action to stop or correct the condition of non-compliance.

G21. UPSETS

Permittees must meet the conditions of 40 CFR 122.41(n) regarding “Upsets.” The conditions are as follows:

- 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 Permittee. -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 paragraph (C) of this condition are met. -Any determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, will not constitute final administrative action subject to judicial review.
- C. Conditions necessary for demonstration of upset. -A ~~p~~**P**ermittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and that the Permittee can identify the cause(s) of the upset;
 2. The permitted facility was at the time being properly operated; and
 3. The Permittee submitted notice of the upset as required in 40 CFR 122.41(l)(6)(ii)(B) (24-hour notice of noncompliance).
 4. The Permittee complied with any remedial measures required under 40 CFR 122.41(d) (Duty to Mitigate).
- D. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

DEFINITIONS AND ACRONYMS

This section includes definitions for terms used in the body of the permit and in all the appendices except Appendix 1. -Terms defined in Appendix 1 are necessary to implement requirements related to Appendix 1.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

AKART means all known, available, and reasonable methods of prevention, control and treatment. See also State Water Pollution Control Act, [Chapter 90.48.010 RCW](#) and [chapter 90.48.520 RCW](#).

All known, available and reasonable methods of prevention, control and treatment refers to the State Water Pollution Control Act, [Chapter 90.48.010 RCW](#) and [chapter 90.48.520 RCW](#).

Applicable TMDL means a TMDL which has been approved by EPA on or before the issuance date of this Permit, or prior to the date that Ecology issues coverage under this permit, whichever is later. ~~the Permittee's application is received by Ecology, or prior to a modification of this Permit, whichever is later.~~

Beneficial Uses means uses of waters of the states which include but are not limited to use for domestic, stock watering, industrial, commercial, agricultural, irrigation, mining, fish and wildlife maintenance and enhancement, recreation, generation of electric power and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state.

Best Management Practices ("BMPs") are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by Ecology~~the Department~~ that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

BMP means Best Management Practice.

Bypass means the diversion of stormwater from any portion of a stormwater treatment facility.

Census defined urban area means ~~an~~ Urbanized Area.

Circuit means a portion of a ~~municipal separate storm sewer system (MS4)~~ discharging to a single point or serving a discrete area determined by traffic volumes, land use, topography or the configuration of the MS4.

~~**Common plan of development or sale** means a site where multiple separate and distinct construction activities may be taking place at different times on different schedules, but still under a single plan. Examples include: phased projects and projects with multiple filings or lots, even if the separate phases or filings/lots will be constructed under separate contract or by separate owners (e.g. a development where lots are sold to separate builders); a development plan that may be phased over multiple years, but is still under a consistent plan for long term development; and projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility. If the project is part of a common plan of development or sale, the disturbed area of the entire plan shall be used in determining permit requirements.~~

Component or Program Component means an element of the Stormwater Management Program listed in S5 Stormwater Management Program for Cities, Towns, and Counties or S6 Stormwater Management Program for Secondary Permittees, ~~or S7 Compliance with Total Maximum Daily Load Requirements, or S8 Monitoring~~ -of this permit.

Co-pPermittee means an owner or operator of an ~~regulated small~~ MS4 which is in a cooperative agreement with at least one applying jointly with an other applicant for coverage under this permit. -A ~~eCo-p~~Permittee is an owner or operator of a regulated ~~small~~ MS4 located within or adjacent in proximity to another regulated MS4. A ~~eCo-p~~Permittee is only responsible ~~for complying with the conditions of this~~ conditions relating to discharges from the MS4 the ~~eCo-p~~Permittee owns or operates. -See also 40 CFR 122.26(b)(1)

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq).

~~**Detailed Implementation Plan** means the formal implementation plan for a Total Maximum Daily Load (TMDL) or water quality clean-up plan.~~

~~**DIP** means Detailed Implementation Plan.~~

Director means the Director of the Washington State Department of Ecology, or an authorized representative.

~~**Discharge** for the purpose of this permit means, unless indicated otherwise, any discharge from a MS4 owned or operated by the permittee.~~

Entity means ~~another~~ governmental body, or a public or private organization, ~~such as another permittee, a conservation district, or volunteer organization.~~

~~**40 CFR** means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.~~

EPA means the U.S. Environmental Protection Agency.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Ground water means water in a saturated zone or stratum beneath the surface of the land or below a surface water body. ~~Refer to Chapter 173-200 WAC.~~

Hazardous substance means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or WAC 173-303-100.

Heavy equipment maintenance or storage yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored on a long-term basis.

Highway means a main public road connecting towns and cities.

Hydraulically Near means runoff from the site discharges to the sensitive feature without significant natural attenuation of flows that allows for suspended solids removal. -See Appendix 7 Determining Construction Site Sediment Damage Potential for a more detailed definition.

Hyperchlorinated means water that contains more than 10 mg/Liter chlorine.

~~Disinfection of water mains and appurtenances requires a chlorine residual of 10 mg/L at the end of the disinfection period. This level is well above the Maximum Residual Disinfectant Level of an annual average of 4 mg/Liter chlorine for potable water.~~

Illicit connection means any infrastructure connection to the MS4 that is not intended, permitted or used for collecting and conveying stormwater or non-stormwater discharges allowed as specified in this permit (S5.C.3 and S6.D.3). ~~man-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections.~~ Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the MS4 municipal separate storm sewer system.

Illicit discharge means any discharge to a ~~municipal separate storm sewer~~ MS4 that is not composed entirely of storm-water or of non-stormwater discharges allowed as specified in this except discharges pursuant to a NPDES permit (S5.C.3 and S6.D.3). ~~(other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.~~

~~**Large Municipal Separate Storm Sewer System** means all municipal separate storm sewer systems located in an incorporated place with a population of 250,000 or more, a county with unincorporated urbanized areas with a population of 250,000 or more according to the 1990 decennial census by the Bureau of Census.~~

Impervious surface means a non-vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an

increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or stormwater areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Land disturbing activity means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

LID means Low Impact Development.

Low Density Residential Land Use means, for the purpose of permit section S8 Monitoring, one unit per 1-5 acres.

LID BMP means low impact development best management practices.

LID Principles means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

~~**LID BMP** means low impact development best management practices.~~

Low Impact Development (LID) means a stormwater and land use management and land development strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design, applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions.

Low impact development best management practices means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention/rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, vegetated roofs, minimum excavation foundations, and water re-use.

Major Municipal Separate Storm Sewer Outfall means a municipal separate storm sewer outfall from a single pipe with an inside diameter of 36 inches or more, or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12

~~inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 12 acres or more).~~

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable (MEP) refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers 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 such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

~~**Medium Municipal Separate Storm Sewer System** means municipal separate storm sewer systems located in an incorporated place with a population of more than 100,000 but less than 250,000, or a county with unincorporated urbanized areas of more than 100,000 but less than 250,000 according to the 1990 decennial census by the Bureau of Census.~~

MEP means Maximum Extent Practicable.

~~**MS4** means municipal separate storm sewer system.~~

~~**MTRs** means Minimum Technical Requirements.~~

Municipal Separate Storm Sewer System (MS4) means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (i) ~~e~~**O**wned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to ~~S~~**s**tate ~~L~~**l**aw) having jurisdiction over disposal of wastes, storm-water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of ~~Washington State~~**the United States**.
- (ii) ~~d~~**D**esigned or used for collecting or conveying stormwater.
- (iii) ~~w~~**W**hich is not a combined sewer; ~~and~~
- (iv) ~~w~~**W**hich is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.; ~~and~~
- (v) Which is defined as “large” or “medium” or “small” or otherwise designated by Ecology pursuant to 40 CFR 122.26.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

Native vegetation means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Examples include trees such as Douglas Fir, western hemlock, western red cedar, alder, big-leaf maple; shrubs such as willow, elderberry, salmonberry, and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

New development means land disturbing activities, including Class IV ~~g~~General ~~f~~Forest ~~p~~Practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of hard surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in ~~C~~chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development. Refer to Appendix 1 for a definition of hard surfaces.

New Permittee means a city, town, or county that is subject to the *Western Washington Municipal Stormwater General Permit* and was not subject to the permit prior to August 1, 2013.

New Secondary Permittee means a Secondary Permittee that is covered under a municipal stormwater general permit and was not covered by the permit prior to August 1, 2013.

NOI means Notice of Intent.

Notice of Intent (NOI) means the application for, or a request for coverage under ~~this~~ a General Permit pursuant to WAC 173-226-200.

Notice of Intent for Construction Activity ~~and~~ means the application form for coverage under the *Construction Stormwater General Permit.*

Notice of Intent for Industrial Activity means the application forms for coverage under the ~~Baseline~~ *General Permit for Stormwater Discharges Associated with Industrial Activities.*

NPDES means National Pollutant Discharge Elimination System.

Outfall means point source as defined by 40 CFR 122.2 at the point where a ~~municipal-separate storm-sewer discharge leaves the MS4 and~~ discharges to waters of the State. ~~Outfall and~~ does not include ~~open conveyances connecting two municipal-separate storm-sewer systems, or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the States~~ surface waters and are used to convey primarily surface waters (i.e. culverts) ~~of the State.~~

Permittee unless otherwise noted, the term “Permittee” includes city, town, or county Permittee, Co-Permittee, New Permittee, and Secondary Permittee, and New Secondary Permittee. as defined below:

(i) ~~A “Permittee” is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.~~

(ii) ~~A “Co-Permittee” is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.~~

~~(iii) A “Secondary Permittee” is an operator of regulated small MS4 that is not a city, town or county.~~

Physically Interconnected means that one MS4 is connected to ~~another second MS4 storm sewer system~~ in such a way that it allows for direct discharges to the second system. For example, the roads with drainage systems and municipal streets of one entity are physically connected directly to a ~~MS4 storm sewer system~~ belonging to another entity.

~~**Pollutant Generating Impervious Surfaces (PGIS)** are surfaces considered to be significant sources of pollutants in stormwater runoff. Such surfaces include those that are subject to vehicular use, industrial activities, or storage of erodible or leachable materials that receive direct rainfall or run-on or blow-in of rainfall. Metal roofs are considered to be PGIS unless coated with an inert, non-leachable material. Roofs that are subject to venting of indoor pollutants from manufacturing, commercial or other operations or processes are also considered PGIS. A surface, whether paved or not, shall be considered PGIS if it is regularly used by motor vehicles. The following are considered regularly used surfaces: roads, unvegetated road shoulders, bike lanes within the traveled lane of a roadway, driveways, parking lots, unfenced fire lanes, vehicular equipment storage yards, and airport runways.~~

~~**Process Wastewater** means any water which, during manufacture or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by product, or waste product.~~

~~**Project site** means that portion of a property, properties, or right-of-ways subject to land disturbing activities, new hard surfaces, or replaced hard surfaces. Refer to Appendix 1 for a definition of hard surfaces.~~

~~**QAPP** means Quality Assurance Project Plan.~~

~~**Qualified Personnel or Consultant** means someone who has had professional training in the aspects of stormwater management for which they are responsible and are under the functional control of the Permittee. Qualified Personnel may be staff members, contractors, or volunteers.~~

~~**Quality Assurance Project Plan** means a document that describes the objectives of an environmental study and the procedures to be followed to achieve those objectives.~~

~~**RCW** means the Revised Code of Washington State.~~

~~**Receiving waters** means bodies of water or surface water systems to which surface runoff is discharged via a point source of stormwater or via sheet flow. Receiving waters may also be ground water to which surface runoff is directed by infiltration.~~

~~**Redevelopment** means, on a site that is already substantially developed (i.e., has 35% or more of existing hard surface coverage), the creation or addition of hard surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of hard surface that is not part of a routine maintenance activity; and land disturbing activities. Refer to Appendix 1 for a definition of hard surfaces.~~

Receiving waters mean bodies of water or surface water systems to which surface runoff is discharged via a point source of stormwater or via sheet flow. Ground water to which surface runoff is directed by infiltration.

Regional Stormwater Monitoring Program means, for all of western Washington, a stormwater-focused monitoring and assessment program consisting of these components: status and trends monitoring in small streams and marine nearshore areas, stormwater management program effectiveness studies, and a source identification information repository (SIDIR). The priorities and scope for the RSMP are set by a formal stakeholder group. For this permit term, RSMP status and trends monitoring will be conducted in the Puget Sound basin only.

Regulated Small Municipal Separate Storm Sewer System (MS4) means a Municipal Separate Storm Sewer System which is automatically designated for inclusion in the Phase II stormwater permitting program by its location within an Urbanized Area, or by designation by ~~Ecology~~the NPDES permitting authority and is not eligible for a waiver or exemption under S1.C.

~~Replaced impervious surfaces means, for structures, the removal and replacement of any exterior impervious surfaces or foundation; or, for other impervious surfaces, the removal down to bare soil, or base course, and replacement. Exemptions and partial exemptions are defined in Appendix 1 of this Permit.~~

RSMP means Regional Stormwater Monitoring Program.

Runoff is water that travels across the land surface and discharges to water bodies either directly or through a collection and conveyance system. -See also “Stormwater.”

Secondary Permittee is an operator of a regulated small municipal separate storm sewer system~~a MS4~~ which is not a city, town or county. Secondary Permittees include special purpose districts and other MS4 public entities that meet the criteria ~~for a regulated small MS4~~ in S1.B.

Sediment/Erosion-Sensitive Feature means an area subject to significant degradation due to the effect of construction runoff, or areas requiring special protection to prevent erosion. See Appendix 7 Determining Construction Site Sediment Transport Potential for a more detailed definition.

Shared ~~W~~water bodies means water bodies, including downstream segments, lakes and estuaries that receive discharges from more than one ~~p~~Permittee.

SIDIR means Source Identification Information Repository.

Significant contributor means a discharge that contributes a loading of pollutants considered to be sufficient to cause or exacerbate the deterioration of receiving water quality or instream habitat conditions.

~~**Small Municipal Separate Storm Sewer System or Small MS4** means an MS4 that is is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:~~

~~a. Owned or operated by a city, town, county, district, association or other public body created 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 districts, flood control districts or drainage districts, or similar entity.~~

~~b. Designed or used for collecting or conveying stormwater.~~

~~c. Not a combined sewer system,~~

~~d. Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.~~

~~Not defined as “large” or “medium” pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).~~

Source control BMP means a structure or operation that is intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. -The SWMMWW (2012) separates source control BMPs into two types. -Structural Source Control BMPs are physical, structural, or mechanical devices, or facilities that are intended to prevent pollutants from entering stormwater. -Operational BMPs are non-structural practices that prevent or reduce pollutants from entering stormwater. See Volume IV of the SWMMWW (2012) for details.

~~Small MS4s include systems similar to separate storm sewer systems in municipalities such as: universities, large publicly owned hospitals, prison complexes, highways and other thoroughfares. Storm sewer systems in very discrete areas such as individual buildings do not require coverage under this Permit.~~

~~Small MS4s do not include storm drain systems operated by non-governmental entities such as: individual buildings, private schools, private colleges, private universities, and industrial and commercial entities.~~

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff, ~~and~~ drainage or interflow.

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing, grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

~~**Stormwater Management Manual for Western Washington** means the 5-volume technical manual (Publication Nos. 99-11 through 15 for the 2001 version and Publication Nos. 05-10-029-033 for the 2005 version (The 2005 version replaces the 2001 version) prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in storm water.~~

Stormwater Management Program (SWMP) means a set of actions and activities designed to reduce the discharge of pollutants from the ~~regulated small~~-MS4 to the MEP maximum extent practicable and to protect water quality, and comprising the components listed in S5 (for cities, towns and counties) or S6 (for Secondary Permittees) of this Permit and any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 Compliance with TMDL Requirements, and S8 Monitoring and Assessment.

Stormwater Treatment and Flow Control BMPs/Facilities means detention facilities, treatment BMPs/facilities, bioretention, vegetated roofs, and permeable pavements that help meet Appendix 1 Minimum Requirements #6 (treatment), #7 (flow control), or both.

SWMMWW means *Stormwater Management Manual for Western Washington (2005)*.

SWMP means Stormwater Management Program.

TMDL means Total Maximum Daily Load.

Total Maximum Daily Load (TMDL) means a water cleanup plan. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. -A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the water body can be used for the purposes the state has designated. -The calculation must also account for seasonable variation in water quality. -Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. -The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

Tributary conveyance means pipes, ditches, catch basins, and inlets owned or operated by the Permittee and designed or used for collecting and conveying stormwater.

UGA means Urban Growth Area.

Urban Growth Area means those areas designated by a county pursuant to RCW 36.70A.110.

Urbanized Area (UA) is a federally-designated land area comprising one or more places and the adjacent densely settled surrounding area that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile.

Urbanized Areas are designated by the U.S. Census Bureau based on the most recent decennial census.

~~For the year 2000 Census, the U.S. Census Bureau classified "urban" as all territory, population, and housing units located within an Urbanized Area (UA) or an Urban Cluster (UC). It delineated UA and UC boundaries to encompass densely settled territory, which consists of: core census block groups or blocks that have a population density of at least 1,000 people per square mile and surrounding census blocks that have an overall density of at least 500 people per square mile. In addition, under certain conditions, less densely settled territory may be part of each UA or UC. The U.S. Census Bureau announced the "Census 2000 Urbanized Areas" on May 1, 2002. More information can be found at the U.S. Census Bureau website.~~

~~**Urban/higher density rural subbasins** means any subbasin or portion thereof that is within or proposed to be within the urban growth area (UGA), or any rural area subbasin or portion thereof fifty percent or more of which is comprised of lots smaller than 5 acres in size.~~

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

Water Quality Standards means Surface Water Quality Standards, chapter 173-201A WAC, Ground Water Quality Standards, chapter 173-200 WAC, and Sediment Management Standards, chapter 173-204 WAC.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Waters of the United States refers to the definition in 40 CFR 122.2.

~~**Water Quality Standards** means Surface Water Quality Standards, Chapter 173-201A WAC, Ground Water Quality Standards, Chapter 173-200 WAC, and Sediment Management Standards, Chapter 173-204 WAC.~~