

Ohio EPA Permit: 2PI00003*CD
Application No.: OH0111635
Issue Date: June 25, 2010
Effective Date: August 1, 2010
Expiration Date: July 31, 2015

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq. hereafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Chapter 6111)

The City of Toledo

Thereinafter referred to as "the City" or as "Permittee", is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA", to discharge from all portions of the City of Toledo municipal separate storm sewer system (MS4), to surface waters of the State in accordance with the approved storm water management program (SWMP), monitoring requirements, and other conditions specified in Parts I, II, III, IV, and V of this permit. This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the City shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Chris Korleski, Director

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PART I. COVERAGE UNDER THIS PERMIT

A. Authorized Discharges. The following are types of authorized discharges:

1. Storm water discharges. This permit authorizes new and existing storm water discharges to surface waters of the State from the City's MS4, as defined in Part V of this permit, except for those discharges excluded in Part I.B.
2. Non-storm water discharges. The City is authorized to discharge the following non-storm water sources unless the Ohio EPA has determined and notified Permittee in writing, that these sources are substantial contributors of pollutants to the City's MS4:
 - a. waterline flushing;
 - b. landscape irrigation
 - c. diverted stream flows
 - d. rising ground waters
 - e. uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)
 - f. uncontaminated pumped ground water
 - g. discharges from potable water sources
 - h. foundation drains
 - i. air conditioning condensate
 - j. irrigation water
 - k. springs; water from crawl space pumps
 - l. footing drains; lawn watering
 - m. individual residential car washing
 - n. flows from riparian habitats and wetlands
 - o. dechlorinated swimming pool discharges
 - p. street wash water; and discharges or flows from fire fighting activities.

B. Unauthorized Discharges. This permit does not authorize:

1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:
 - a. In compliance with a separate National Pollutant Discharge Elimination System (NPDES) permit, or
 - b. Determined by Ohio EPA not to be a substantial contributor of pollutants to surface waters of the State.

2. Storm water discharges associated with industrial activity as defined in 40 CFR “122.26(b) (14) (i)-(ix) and (xi) that are not in compliance with a separate in force NPDES permit.
3. Storm water discharges associated with construction activity as defined in 40 CFR “122.26(b) (14) (x) or 40 CFR “122.26(b) (15) that are not in compliance with a separate in force NPDES permit.
4. Storm water discharges currently covered under another NPDES permit.
5. Discharges that would cause or contribute to in-stream exceedence of water quality standards.
6. Discharges of any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been approved by U.S. EPA (this information can be obtained from Ohio EPA) unless the City’s discharge is consistent with that TMDL. This condition applies at the time the City NPDES permit is issued final.
7. Discharges that do not comply with Ohio EPA’s anti-degradation policy for water quality standards.

PART II. STORM WATER MANAGEMENT PROGRAM (SWMP)

A. Requirements

1. **Legal Authority.** The City shall establish legal authority to control discharges to and from those portions of the MS4 that the City owns or operates. Establishment and exercise of this legal authority may be implemented singly or through a combination of statute, ordinance, permit, contract, or an order to: prohibit illicit discharges to the MS4; prohibit spills and the dumping or disposal of materials other than storm water into the MS4; require compliance with conditions in ordinances, permits, contracts or orders; and carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.
2. The City shall develop, implement, and enforce an SWMP designed to reduce the discharge of pollutants from the City's MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of Ohio Revised Code (ORC) 6111 and the Clean Water Act.
3. To achieve the objectives in Part II.A. 2., the SWMP shall include Best Management Practices (BMPs) for each of the minimum control measures described in Part II.B. of this permit, including: control techniques; system, design, and engineering methods. The SWMP may be modified in accordance with Part III.C., D., or E. of this permit. The City's SWMP shall include the following information for each of the minimum control measures described in Part II.B. of this permit:
 - a. A list of BMPs that are or will be implemented for each of the minimum control measures identified in Parts II.B.1. through 8. The BMPs should work toward one or more common purposes related to storm water quality improvement. The objectives must be based on what is known about causes and sources of water quality impairment, existing pollutant sources, and what is required by the minimum control measure;
 - b. The measurable goal(s) for each listed BMP, including, as appropriate, the months and years in which the City will undertake required actions, including the interim milestones and the frequency of the action. Every BMP shall have a final measurable goal, and may have one or more interim milestones for tracking progress toward the final measurable goal.
 - i. **Final Measurable Goals.** Final measurable goals shall demonstrate results that relate to an environmental benefit. They are BMP design

objectives or goals that quantify the progress of program implementation and the performance of BMPs. Examples of results that relate to an environmental benefit include the number and types of illicit connections identified and corrected; survey results showing a percent change in public awareness of storm water issues; the volume or weight of materials collected at recycling facilities; the mass or volume of solids removed during street sweeping and catch basin cleaning operations, or measured improvements in water quality.

ii. Interim Milestones. Interim milestones may be reported as interim results or may be descriptions of actions taken. Interim results means results received prior to meeting the final measurable goal. For examples, see Part II.A.3.b.i. "Final Measurable Goals" "Descriptions of actions taken" means a quantifiable, if possible, description of the BMP implementation.

Example descriptions of actions include: number of outfalls or buildings inspected for illicit discharges; number of fliers mailed or informational programs conducted for public education; number of volunteers for in-stream biological surveys or extent of stream surveyed; and number of streets swept or catch basins cleaned as a pollution prevention activity. At a minimum, measurable goals shall be implemented to satisfy the performance standards listed under each minimum control measure; and

- c. The person, including position title, responsible for overall management and implementation of each minimum control measure listed under Part II.B., and, if different, the person responsible for each of the BMPs identified for the Minimum Controls Measures. The individual(s) names only need to be provided to the Ohio EPA once per year in the Annual Report.
- d. In addition to the requirements listed above, the City shall provide a rationale for how and why the City selected each of the BMPs and measurable goals.

B. Minimum Control Measures

The minimum control measures that shall be included in the City's SWMP are:

1. Public Education and Outreach on Storm Water Impacts

- a. The City shall continue to implement its public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges to surface waters and the steps that the public can take to reduce storm water pollution. The City shall inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. The City shall publicize a hotline to be used for reporting illicit connections, improper disposals, and water quality impacts due to MS4 discharges.
- b. Decision process. The City shall document its outreach strategy. This rationale statement shall include the following information, at a minimum:
 - i. The City's plan to inform individuals and households about the steps they can take to reduce storm water pollution. The City shall identify the target pollutants and storm water causes of impairment the public education program is designed to address. For each pollutant/cause, the City will describe its outreach strategy, listing:
 - ii. The source and the sector of the public that will be the target audience, including a description of the types of ethnic and economic groups engaged. The City shall describe why the target audience was selected;
 - iii. The Key/Specific messages that will be delivered;
 - iv. Mechanisms/Method of message delivery (e.g., printed brochures, newspapers, media, workshops, etc.). List the specific activities that will be implemented over the course of the permit term;
 - v. Frequency of delivery (how the message will be repeated or sustained);
 - vi. The number of people the City expects the mechanism to reach over the permit term;
 - vii. How the City will assess the effectiveness of the outreach strategy (measurable goals). This may be evaluated by: facility/services/materials usage, participation levels, surveys to measure changes in awareness/attitudes/behavior, or water quality data;

- viii. The City's plan to inform individuals and groups on how they may become involved in the storm water program;
 - ix. The measurable goals for each BMP, why they were selected, and how the City will use this information to evaluate the success of this minimum control measure.
- c. Performance Standards. The City storm water public education and outreach program shall include more than one mechanism and target and least five different themes or messages over the permit term. At a minimum, at least one theme or message shall be targeted to the development community. The City's storm water public education and outreach program shall reach at least 50 percent of the City population over the permit term.
- d. Annual Reporting. The City's annual report shall identify each mechanism used, including each storm water theme, audience targeted, frequency of delivery, and estimate of how many people were reached by each mechanism.
2. Public Involvement/Participation
- a. The City shall comply with State and local public notice requirements when implementing a public involvement/participation program.
 - b. Decision process. The City shall document its decision process for the development of a storm water public involvement/participation program. This rational statement shall include the following information, at a minimum:
 - i. A description of the public's involvement in developing the SWMP.
 - ii. The City's plan to actively involve the public in the development and implementation of the SWMP.
 - iii. The City shall identify its target audiences for its public involvement program, including a description of the types of ethnic and economic groups engaged. The Permittee shall actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and educational organizations, among others.

- iv. The City shall identify the types of public involvement activities included in the City program. Where appropriate, consider the following types of public involvement activities: citizen representatives on a storm water management panel, public hearings, working with citizen volunteers willing to educate others about the program, volunteer monitoring or stream/beach clean-up activities.
 - v. The measurable goals for each BMP, why they were selected, and how the City will use this information to evaluate the success of this minimum control measure.
 - c. Performance Standards. The City's storm water public involvement/participation program shall include, at a minimum, five public involvement activities over the permit term.
 - d. Annual Reporting. The City's annual report shall identify each public involvement/participation activity conducted, including a brief description of activity and include an estimate of how many people participated.
3. Illicit Discharge Detection and Elimination
- a. The City shall develop, implement and enforce a program to detect and eliminate illicit discharges, as defined in Part V of this permit, into the City's MS4. For illicit discharges to the City's MS4 from an interconnected MS4 (outside of the City's jurisdiction), the City is required to promptly inform the neighboring MS4 of the illicit discharge and to inform Ohio EPA in the City's annual report;
 - b. The City shall maintain a separate storm sewer system map, showing the location of all outfalls and the names and the location of all surface waters of the State that receive discharges from those outfalls. Within five years of the effective date of this permit, the City's comprehensive storm sewer system map shall also include the City's MS4 system (owned and/or operated by the City), including catch basins, pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post-construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or the City local post-construction water quality BMP requirements. The SWMP shall describe the sources of information used to fully develop the map, how outfall locations are verified, and the method and frequency for updating the map

- c. The City shall maintain:
 - i. A list of all on-site sewage disposal systems connected to discharge to the City's MS4 (a.k.a. home sewage treatment systems (HSTSs) including the addresses; and
 - ii. A storm sewer map showing the location of all HSTSs connected to the City MS4. This map shall include details on the type and size of conduit ditches in the City MS4 that receive discharges from HSTSs, as well as the water bodies receiving the discharges from the City MS4.
- d. The City shall, to the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, illicit discharges into the City's MS4. The City shall implement appropriate enforcement procedures and actions;
- e. The City shall develop and implement a plan to detect and eliminate non-storm water discharges, including illegal dumping, to the City's MS4. At a minimum, for household sewage treatment systems (HSTSs), the City plan shall address or include provisions for:
 - i. Working with the Lucas County Commissioners, other public officials, local wastewater authorities, any other appropriate entity and the Toledo-Lucas County Health Department to proactively identify residences with existing Individual discharging HSTSs that can be legally, feasibly and economically connected to central sewers. At a minimum, the plan shall evaluate applying provisions identified by ORC 6117.51 and other applicable State and local laws and/or regulations. This activity should require connection to central sewers for any discharging HSTS that is not operating as designed and intended if feasible, but it does not preclude connection to central sewers of any HSTS if local planning and coordination recommends such;
 - ii. Actively investigating the source(s) of contamination in outfalls identified during dry weather screening process. When the contamination source has been identified as discharging HSTS that is not operating as designed and intended, work with the Toledo-Lucas County Health Department to determine proper course of action in resolving the non-functioning HSTS with connection to central sewers being preferred alternative, followed by replacing system with a soil absorption system that does not discharge and only allowing a replacement discharging

HSTS when no other option is available. For HSTS discharges that cannot be eliminated through connection to central sewers or installation of soil absorption systems, the property owner must be notified of the requirement to pursue coverage under an appropriate Ohio EPA general NPDES permit; and

- iii. Working with local waste water authorities, planning agencies or other appropriate agencies involved to evaluate the planned or possible future installation of sewers for areas which contain high densities of discharging HSTSs.
- f. The City shall address the following categories of non-storm water discharges or flows (i.e., illicit discharges) only if the City identify them as significant contributors of pollutants to the City MS4: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR “35.2005(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, street wash water, and discharges or flows from emergency fire fighting activities.
- g. The City may also develop a list of other similar occasional incidental non-storm water discharges (e.g., non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-storm water discharges must not be reasonably expected (based on information available to the Permittee) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions the City have established for allowing these discharges to the City MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive water bodies, BMPs on the wash water, etc.). The City must document in the SWMP any local controls or conditions placed on the discharges.
- h. Decision process. The City shall document the City decision process for the development of a storm water illicit discharge detection and elimination program. This rational statement shall include the following information, at a minimum:
 - i. The mechanism (ordinance or other regulatory mechanism) the City will use to effectively prohibit illicit discharges into the MS4 and why the City chose that mechanism. The City must include a provision prohibiting any individual non-storm water discharges that is determined to be

contributing significant amounts of pollutants to the City MS4. A copy of the relevant sections of the ordinance or the regulatory mechanism must be included in the SWMP.

- ii. The City's enforcement procedure for addressing, violations of the Cities' illicit discharge ordinance or other regulatory mechanism.
- iii. The City's plan to detect and address illicit discharges to the MS4, including discharges from illegal dumping and spills. It shall also address on-site sewage disposal systems (including failing on-lot HSTs and off-lot discharging HSTs) that flow into the City storm drainage system. The plan shall include:
 - a. The Plan shall provide procedures for locating priority areas which include areas with higher likelihood of illicit connections (e.g., areas with older sanitary sewer lines, for example) or ambient sampling to locate impacted reaches.
 - b. The City shall describe the mechanisms and strategies the City will implement to ensure outfalls which have been previously screened will not have future illicit connections.
 - c. The City's plan shall include dry weather field screening for non-storm water flows. Field screening will consist of the dry weather and chemical parameters listed in Part II.C. Table 1, Note (1). If the industrial activities conducted in the outfall's drainage area are known, then the City shall analyze for chemical parameters specific to the industries, in order to identify the source of dry weather flow. This sampling may be waived if the source of the dry weather flow can be documented.
 - d. Procedures for tracing the source of an illicit discharge, including the specific techniques the City will use to detect the location of the source.
 - e. Procedures for removing the source of the illicit discharge.
- iv. The measurable goals for each BMP, why they were selected, and how the City will use this information to evaluate the success of this minimum control measure.
 - i. Performance Standards. The City's storm water illicit discharge detection and elimination program shall include or have included an

initial dry-weather screening of all the City storm water outfalls over the permit term. Outfalls screened during the previous permit cycle may be counted towards this initial screening effort. The City program shall establish priorities and specific goals for long-term system-wide surveillance of the City MS4, as well as for specific investigations of outfalls and their tributary area where previous surveillance demonstrates a likelihood of illicit discharges. Data collected each year shall be evaluated and priorities and goals shall be revised annually based on this evaluation. The City comprehensive storm sewer system map shall be updated annually as needed.

- j. Annual Reporting. The City's annual report shall document the following:(1) number of outfalls dry-weather screened, (2) the dry weather field screening evaluation sheet, (3) number of dry-weather flows identified, (4) number of illicit discharges identified, include the source and pollutants, (5) date of initial complaint regarding illicit discharges, (6) date of notice of violation, (7) number of illicit discharges eliminated, (8) provide schedules for elimination of illicit connections that have been identified, but have yet to be eliminated, and (9) summary of any storm sewer system mapping updates, (10) a copy of relevant ordinances or regulatory mechanisms whenever these documents are revised/modified.

4. Construction Site Storm Water Runoff Control

- a. The City shall develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the City MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants in storm water discharges from construction activity disturbing less than one acre shall be included in the City program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The City program shall include the development and implementation of, at a minimum:
 - i. An ordinance or other regulatory mechanism to require construction site operators to implement appropriate erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law. The ordinance or regulatory mechanism shall include erosion and sediment control implementation criteria and design standards. The City shall revise the City ordinance or other regulatory mechanism within 2 years of the effective date of the permit to be, at a minimum, equivalent with the technical requirements set forth in the most current, Ohio EPA NPDES General Storm Water Permits for Construction Activities;

- ii. Requirements for construction site operators to control waste such as, but not limited to, discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
 - iii. Procedures for storm water pollution prevention plan review which incorporate potential water quality impacts;
 - iv. Procedures for receipt of information submitted by the public; and
 - v. Procedures for site inspection and enforcement of control measures.
- b. Decision process. The City shall document the City's decision process for the development of a construction site storm water control program. This rationale statement shall include the following information, at a minimum:
- i. The mechanism (ordinance or other regulatory mechanism) the City will use to require erosion and sediment controls at construction sites and why the City chose that mechanism;
 - ii. The City plan to ensure compliance with the City erosion and sediment control regulatory mechanism, including the sanctions and enforcement mechanisms the City will use to ensure compliance. The City shall describe the procedures for when it will use certain sanctions. Possible sanctions include non-monetary penalties (such as a stop work orders), fines, bonding requirements, and/or permit denials for non-compliance;
 - iii. The City requirements for construction site operators to implement appropriate erosion and sediment control BMPs and control waste at construction sites that may cause adverse impacts to water quality. Such waste includes, but is not limited to, discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste;
 - iv. The City procedures for pre-construction storm water pollution prevention plan review which incorporate potential water quality impacts;
 - v. The City procedures for receipt and consideration of information submitted by the public. Consider coordinating this requirement with the City public education program;

- vi. The City procedures for site inspection and enforcement of control measures, including how the City will prioritize sites for inspection;
 - vii. The measurable goals for each BMP, why they were selected, and how the City will use this information to evaluate the success of this minimum control measure.
- c. Performance Standards. The City construction site storm water control program shall include pre-construction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre. To ensure compliance, these applicable sites shall be initially inspected. The frequency of follow-up inspections shall be on a monthly basis unless the City documents its procedures for prioritizing inspections such as location to a waterway, amount of disturbed area, compliance of site, etc.
- d. Annual Reporting. The City annual report shall document the following: (1) for each watershed (Maumee, Swan, Ottawa, Duck/Otter), the number of applicable sites and disturbed acreage, (2) number of pre-construction storm water pollution prevention plan reviews performed, (3) number and frequency of site inspections, (4) number of violation letters issued, (5) number of enforcement actions taken and (6) number of complaints received and number followed up on, (7) copy of inspection database, (8) a copy of relevant ordinances or regulatory mechanisms whenever these documents are revised/modified.
5. Post-Construction Storm Water Management in New Development and Redevelopment
- a. The City shall develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the City MS4. The City program shall ensure that controls are in place that will prevent or minimize water quality impacts;
 - b. The City shall develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the City. Nonstructural BMPs can include, but are not limited to the policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetland and riparian areas, maintain and or increase open space, provide buffers along sensitive water bodies, and minimize impervious surfaces. The City will develop information addressing increases of impervious cover and the

impact these increases have on water quantity, and more specifically water quality.

- c. The City shall use an ordinance or other regulatory mechanism to address post construction runoff from new development and redevelopment projects. The City will develop ordinances which address increases in impervious cover. Within two years of the effective date of this permit, the City shall revise the City ordinance or other regulatory mechanism to, at a minimum, be equivalent with the technical requirements set forth in the current Ohio EPA NPDES General Storm Water Permit for Construction Activities: OHC000003; and
- d. The City shall ensure adequate long-term operation and maintenance of BMPs. The City will develop a BMP Operations and Maintenance Guide document which includes inspection frequencies, reporting recommendations to ensure maintenance has been performed. The City will develop standard BMP inspection sheets. The City will develop an internal City of Toledo process which develops maintenance work orders from BMP inspection sheets.

The City shall clearly identify the mechanism it will use to ensure adequate long term operation and maintenance of BMPs. The City shall include a copy of relevant ordinances or regulatory mechanism in the Annual Report whenever these documents are revised or modified.

- e. Decision process. The City shall document its decision process for the development of a post-construction program. This rationale statement shall include the following information, at a minimum:
 - i. The City's program to address storm water runoff from new development and redevelopment projects. The City shall describe any specific priority areas for this program.
 - ii. How the City's program will be specifically tailored for the local community, to minimize water quality impacts, and to attempt to maintain pre-development runoff conditions.
 - iii. Any non-structural BMPs in the City's program, including, policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize

disturbance of soils and vegetation; policies or ordinances that encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure; education programs for developers and the public about project designs that minimize water quality impacts; and other measures such as minimization of the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, and source control measures often thought of as good housekeeping, preventive maintenance and spill prevention.

- iv. Any structural BMPs in the City's program, including, storage practices such as wet ponds and extended detention outlet structures; filtration practices such as grassed swales, bioretention cells, sand filters and filter strips; and infiltration practices such as infiltration basins and infiltration trenches.
 - v. The mechanisms (ordinance or other regulatory mechanisms) the City will use to address post-construction runoff from new developments and redevelopments and why the City chose the mechanism(s). The City shall include a copy of relevant ordinances or regulatory mechanism in the SWMP.
 - vi. How the City will ensure the long-term operation and maintenance (O&M) of the City selected BMPs. Options to help ensure that future O&M responsibilities are clearly identified include an agreement between the City and another party such as the post-development landowners or regional authorities.
 - vii. The measurable goals for each BMP, why they were selected, and how the City will use this information to evaluate the success of this minimum control measure. The City will include a section in the BMP Operations and Maintenance Guide document which addresses the procedures and protocols necessary to be implemented for the purpose of evaluating BMP performance, pollutant removal effectiveness and anticipated functionality based on the design.
- f. Performance Standards. The City post-construction SWMP shall include pre-construction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre to ensure that required controls are designed per requirements. These sites shall be inspected to ensure that controls are installed properly. The City's program shall also ensure that long-term operation and maintenance (O&M) plans are developed and agreements in place for all applicable sites. The City shall revise its program to satisfy

these performance standards, if needed, within two years of the effective date of this permit.

- g. Annual Reporting. The City's annual reports shall document the following: (1) number of applicable sites in the City jurisdiction requiring post-construction controls, (2) the number, drainage area, percent land use served by each type of post construction BMP for each watershed (Maumee River, Swan Creek, Ottawa River, Silver/Shantee Creeks, Duck Creek) (3) number of pre-construction storm water pollution prevention plan reviews performed, (4) number of inspections performed to ensure as built per requirements, and (5) number of long-term operation and maintenance (O&M) plans developed and agreements in place (6) a copy of relevant ordinances or regulatory mechanisms whenever these documents are revised/modified.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

- a. The City shall develop and implement an operation and maintenance program that has the ultimate goal of preventing or reducing pollutants in runoff from municipal operations; and
- b. The City program shall include employee training to prevent and reduce storm water pollution from, at a minimum: park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance; and
- c. The City shall include a list of industrial facilities it owns or operates which are subject to 40 CFR 122.26 (Ohio EPA's Industrial Storm Water General Permit or individual NPDES permits for discharges of storm water associated with industrial activity). The list must include the Ohio EPA permit number and Facility ID number. For the City's facilities that conduct activities described in 40 CFR 122.26(b)(14) but are not required to obtain Industrial Storm Water Permit coverage (vehicle maintenance facilities, bus terminals, composting facilities, impoundment lots and waste transfer stations), a Storm Water Pollution Prevention Plan (SWP3) shall be developed and implemented in accordance with the SWP3 requirements of Ohio EPA's Industrial Storm Water General Permit (OHR000004) within two years of the effective date of this permit.
- d. Decision process. The City shall document its decision process for the development of a pollution prevention/good housekeeping program for municipal operations. This rationale statement shall include the following information, at a minimum:

- i. The City's operation and maintenance program to prevent or reduce pollutant runoff from its municipal operations. The City program shall specifically list the municipal operations that are impacted by this operation and maintenance program.
 - ii. The City shall develop and implement an employee training program to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance. The City shall develop a matrix of employee classifications needing training, training type, and frequency. The City shall describe any existing, available training materials it plans to use. The City shall describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum measure.
- e. The City's program description shall specifically identify the following:
- i. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants.
 - ii. Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand storage locations and snow disposal areas the City operates or owns.
 - iii. The City shall perform effective street sweeping practices, leaf collection and anti-litter programs to reduce the discharge of pollutants to the maximum extent practicable. For street sweeping, the number of times each route is swept each year and the land use need to be factored into the program.
 - iv. The City shall describe the materials used for roadway and municipal parking lot winterization (use of salt, sand, bottom ash, etc. or combination thereof). The associated application rates and the rationale for the selected application rates shall be included. For winterization, track the number of events and snowfall amount to evaluate changes in usage.
 - v. The City shall educate all personnel performing winterization for the City on the proper maintenance of spreading equipment, proper spreading

practices and optimum applications rates to minimize impacts to water quality.

- vi. The City shall evaluate snow disposal areas and practices to minimize water quality impacts and train staff accordingly.
 - vii. The Permittee shall store winterization materials (salt, sand, cinders etc.) under cover in all of its storage facilities.
 - viii. The City shall describe procedures for the proper disposal of wastes from the City's MS4 and from municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.
 - ix. Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are evaluated for incorporation of additional water quality protection devices or practices.
 - x. The measurable goals for each BMP, why they were selected, and how the City will use this information to evaluate the success of this minimum control measure.
- f. Performance Standards. The City pollution prevention/good housekeeping program shall include, at a minimum, an annual employee training. The City operation and maintenance program shall include appropriate procedures, controls, maintenance schedules and recordkeeping to address Part II.B.6.d.iii. of this permit.
- g. Annual Reporting. The City's annual reports shall document the following: (1) summary of employee training program(s) implemented with number of employees that attended and (2) a summary of activities and procedures implemented for the City operation and maintenance program. Pollutant removal shall be listed for each watershed (Maumee River, Swan Creek, Ottawa River, Silver Creek, Shantee Creek, and Duck Creek).
7. Industrial/Commercial Facilities Program
- a. The City shall develop, implement, and enforce a program to address storm water runoff from industrial activities and those commercial activities that have the potential to discharge pollutants in storm water. The City shall prepare an electronic inventory of industries subject to 40 CFR 122.26(b) and any other facilities the Permittee determines are potentially contributing a substantial pollutant loading to the City's MS4 and updates this list annually.

- b. The City shall establish inspection priorities and frequencies for the permit term based on potential for water quality impacts. Consideration shall be given to water quality issues, illicit discharge reports, dry weather screening, facility type, past inspection or enforcement results, and potential on-site pollutant sources. Inspections should be coordinated with the IDDE (illicit discharge detection and elimination) program and may be coordinated with the pretreatment inspection program.
- c. For Industrial facility inspections, the Permittee shall confirm, if the facility has coverage under a NPDES permit for storm water discharges, a storm water pollution prevention plan (SWP3), if required by the NPDES permit, and that the major best management practices are identified in the SWP3 have been installed and maintained. This also applies to commercial facilities where Ohio EPA has notified Toledo that the facility is required to implement an industrial SWP3.
- d. If the City determines that an industry's pollution prevention activities to reduce the storm water pollution discharge to the MS4 is inadequate and violates the condition of Ohio EPA's NPDES storm water permits, the City will notify Ohio EPA. If the inspection reveals violation of any City code or regulation pertaining to storm water quality management and pollution prevention activities, the City will initiate formal enforcement activities. Non-emergency violations shall be listed in the Annual Report.
- e. The City shall also develop an inspection form. The City shall provide training for all inspection personnel on storm water regulations, pollution prevention plans and site evaluation procedures.
- f. The City shall review and catalog the following: Application information data obtained from Ohio EPA for industrial storm water Permittees; monitoring data obtained from Permittees and Ohio EPA for industrial storm water permits; data from the City's field screening and illicit discharge program, data from the City's wet weather monitoring program, City's storm water industrial inspection program and complaints involving water quality.
- g. Based on the reviews performed in (f) above the City shall monitor suspect industrial commercial sites within a particular watershed. If evidence of storm water pollution is present, the City shall conduct sampling of the suspect industry or require them to perform such sampling.
- h. When sampling is done, the following parameters will be considered at a minimum:

- i. Any pollutant listed in the effluent limitations guidelines for the subcategory of the industry.
 - ii. Any pollutant that is controlled in a NPDES permit for the process discharge from the industrial site.
 - iii. Oil and grease, COD, pH, BOD5, TSS, total phosphorous,
 - iv. Any pollutant known or suspected to be in the discharge from the industrial site.
- i. Performance Standards. Annually, the City shall conduct storm water inspections of all Significant Industrial Dischargers listed under their approved Pretreatment Program as of their latest Annual Report. The City shall perform an additional 50 Industrial/Commercial storm water inspections a year.
 - j. Annual Reporting. The City annual reports shall document the following: (1) number of industries meeting the definition of 40 CFR 122.26b (14) and (15) inspected, (2) the names of those industries that cannot provide proof of NPDES permit coverage or a No Exposure Certification response letter from the Ohio EPA, (3) the number of SWP3s reviewed, (4) number of inspections of facilities not meeting the definition of 40 CFR 122.26b (14) and (15).

8. Monitoring Requirements

- a. The City shall implement an MS4 wet-weather monitoring program which shall be consistent with the following objectives:
 - i. Characterize the discharges from the MS4.
 - ii. Estimate seasonal pollutant load.
 - iii. Identify sources of pollutants.
 - iv. Assess effectiveness of best management practices.
 - v. Identify, investigate, and address areas that may be contributing excessive levels of pollutants.
 - vi. Identify water quality improvements or degradation related to the MS4.

- b. **Representative Seasonal Monitoring:** The City shall monitor representative outfalls for various land uses (See Table 2) seasonally to characterize the quality of storm water discharges from the MS4. The City shall estimate annual and seasonal pollutant loads for each watershed (Maumee River, Swan Creek, Ottawa River, Silver/Shantee Creeks, and Duck Creek). Estimates shall be accompanied by a description of the procedures for estimating constituent loads and concentrations, including any modeling, data analysis, and calculation methods;
- c. **Control Assessment:** Monitoring required under this permit section is designed to assess the effectiveness of stormwater BMPs and watershed restoration projects developed by the City. Assessment of the controls is critical for determining the effectiveness of the NPDES stormwater management program and progress toward improving water quality.

Therefore, the City shall use chemical monitoring to document work toward meeting the measurable goals and MEP. The City shall select at least one BMP project on which to conduct performance/effectiveness monitoring during the permit cycle. Consideration should be given towards biological and physical monitoring as well.

Ample time shall be provided so that pre-construction monitoring or characterization monitoring can take place. Priority will be given to new practices where little monitoring data exist or where the cumulative effects of watershed restoration activities can be assessed. BMP influent and effluent, or other locations based on an approved study design shall be monitored. The minimum criteria for chemical monitoring are as follows:

- i. Twelve storm events shall be monitored per year at each monitoring location with at least three occurring per quarter. Quarters shall be based on the calendar year;
- ii. Discrete samples of storm water flow shall be collected at the monitoring stations using automated or manual sampling methods. Measurements of pH and water temperature shall be taken;
- iii. At least three (3) samples per location, determined to be representative of each storm event, shall be submitted to a laboratory for analysis. Annual and seasonal pollutant loadings, event mean concentrations (EMC), and percent removal shall be calculated for: Biochemical Oxygen demand (BOD5), Total Suspended Solids (TSS), Ammonia, Nitrate plus Nitrite, Total Phosphorus, Dissolved Reactive Phosphorus, Total Copper, Total Lead, Total Zinc, Total Petroleum Hydrocarbons

(TPH) Oil and Grease, E. coli., and any other pollutant relevant to the land use or watershed;

- iv. Flow measurements shall be recorded at the inlet and outlet, or other practical locations based on an approved study design. Data collected shall be used to estimate peak flows and annual and seasonal pollutant loads.
- d. The Maywood Avenue Storm Water Volume Reduction study design as accepted in Ohio EPA's May 27, 2010, e-mail meets this permit requirement. The City may select and submit for approval an alternative BMP project for performance/effectiveness monitoring. In the event that the City receives funding for other BMP performance evaluations, the results are to be included in the Annual Reports.
- e. Storm Event Data. The City shall maintain records of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable storm event; and an estimate of the total volume (in gallons) of the discharge sampled.
- f. If the Permittee develops BMP project(s) for performance monitoring the project plan must be reviewed and approved by the Ohio EPA prior to its implementation. The City shall annually submit to Ohio EPA-DSW copies of documentation required by other Ohio EPA divisions that contain information relating to the performance and effectiveness of the BMPS project(s).

In the case of Maywood Avenue Volume reduction project in addition to the parameters required by Ohio EPA –DEFA, dissolved reactive phosphorous and temperature shall be monitored and reported.

- g. Storm Event Data. The City shall maintain records of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable storm event; and an estimate of the total volume (in gallons) of the discharge sampled.
- h. Sample Type, Collection, and Analysis: The following requirements apply to samples collected for Part II.
 - i. All samples and measurements taken for purpose of monitoring shall

be representative of the monitored activity.

- ii. For representative seasonal monitoring, discharges from holding ponds or other impoundments with a retention period greater than 24 hours may have a minimum of one grab sample taken.
 - iii. For representative seasonal monitoring, multiple grab samples taken at 20 minute intervals during the first two hours of discharge if sampling for pH, temperature, oil & grease, E.coli, residual chlorine and (at the Permittees option) volatile organics. For all other parameters, analytical data shall be reported for flow weighted composite samples of the entire event or, at a minimum, the first three hours of discharge.
 - iv. All samples shall be collected to reflect the discharge resulting from a wide range of storm events producing adequate sampling volume for analysis. The time lag between the storm event and the last previously measurable storm event shall be reported and the appropriateness of the time lag shall be justified. Flow weighted composite samples may be taken with a continuous sampler or as a combination of a minimum of three sample aliquots taken in each hour of discharge for the entire discharge or for the first three hours of the discharge, with each aliquot being separated by a minimum period of fifteen minutes.
 - v. Analysis and collection of samples shall be done in accordance with the methods specified at 40 CFR Part 136 unless approved otherwise by this permit. Where an approved Part 136 method does not exist, any suitable method may be used, but the City shall describe the analysis methods and document the reference.
- i. Sample Reporting. An Ohio EPA 4500 Form (DMR Form) for the Representative Seasonal Monitoring sampling locations must be submitted. The monitoring data shall be reported on the March, June, September, and December Discharge Monitoring Report (DMR).

Monitoring data may be submitted in hardcopy on the Ohio EPA 4500 report form pre-printed by Ohio EPA. Ohio EPA 4500 report forms for each individual sampling station are to be received no later than the 15th day of the month following the quarter of interest. The original report form must be signed and mailed to:

Ohio Environmental Protection Agency
Division of Surface Water-PCU
P.O. Box 1049
Columbus, Ohio 43216-104

Monitoring data may also be submitted electronically using Ohio EPA e-DMR internet application. For details about e-DMR go to

<http://www.epa.state.oh.us/dsw/swims/eDMR/eDMR.html>

Ohio EPA may direct the Permittee to use the Alternative reporting procedures. Data must be transmitted to Ohio EPA via electronically the 20th day of the month following the quarter of interest.

- j. Sampling Waiver. If the City is unable to collect samples due to adverse climatic conditions, it shall submit, in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (local drought, extended frozen conditions, etc.).
- k. Alternate Monitoring Locations: Monitoring locations may be substituted for just cause during the term of the permit upon written approval from the Director. Requests for approval of alternate monitoring locations shall be made to the Director in writing and include the rationale for the requested monitoring station relocation and related plan of study. The Ohio EPA may request alternate monitoring locations at any time during the term of the permit.
- l. Annual Reporting. Wet weather data discharge data and any in stream data shall be compared against U.S. EPA's National Storm Water Quality Database (NSQD) data and Ohio's Water Quality Criteria values (see OAC 3745-1). Annual and seasonal trends shall be reported. The City shall establish annual and seasonal action levels for each pollutant analyzed. Where data exceeds these values (i.e. NSQD, WQS, or City action level), the City shall either: 1) explain causes/contributing factors and the City's plans to address contributing factors, or 2) describe additional actions the City will take to determine the cause.

C. Specific Monitoring Requirements and Schedules

Table 1
Summary of Monitoring Requirements

Year	Monitoring Plan	Description	Types	No./Year
1 thru 5	Outfall or M.H. 001, 002, 003 Various Industries Various Industries Control Assessment	Annual dry-weather field screening of outfalls Annual wet-weather monitoring program. Inspect all Pretreatment Program Significant Industrial Dischargers (SIU) and, where indicated, sample for suspect pollutants. Inspect Non-SIU Industrial/Commercial Dischargers and, where indicated, sample for suspect pollutants. BMP performance monitoring	Dry-weather (1) Wet-weather (3) Dry or wet, as required (2) Wet-weather	20% 4 per site All (number varies annually) 50 12 events per location

Notes

- (1) Dry-weather parameters: Visual - odor, color, turbidity, floatables and estimated flow, oil sheen, temperature, deposits and stains, vegetation damage, excessive vegetation, damage to sewer and outfall structures, estimated flow, discharge characteristics, and receiving stream characteristics. Chemical parameters (grab samples) - pH, surfactants, fluoride, hardness, ammonia, phosphorous and total residual chlorine.
- (2) All suspect industrial/commercial sites shall be monitored or be required to self monitor for storm discharges as indicated in Part II B.7.g.
- (3) All metals samples collected with the exception of hexavalent chromium (dissolved) will be in the total recoverable form. Monitoring data shall be submitted for each month sampling occurs. Each location is sampled for the following parameters:

Temperature pH Hardness Turbidity Chlorine (residual) Dissolved Oxygen	BOD5 Total Solids Soluble Total Solids Visible Solids Total Suspended Solids	Hex. Chromium Chromium Nickel Cadmium T. Phosphorous Dissolved Phosphorous Reactive Phosphorous	Mercury Zinc Lead Iron Copper Nitrate Nitrite	Ammonia Oil & Grease E. coli. COD
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Table 2
Representative Seasonal Monitoring

Description and location of the required sampling stations are as follows:

Sampling Station	Location	Drainage Area (Acres)	Predominant Land Use	Receiving Stream
001	Cherrylawn (Formerly L35)	132	Residential	Heilman Ditch/ Swan Creek
002	Southwyck (Formerly F35, prior to basin)	180	Commercial	Heilman Ditch/Swan Creek
003	Enterprise (Formerly KK3)	191	Industrial	Silver Creek

Site ID-F35 (Southwyck) has a retention pond.

Part III. EVALUATING, RECORD KEEPING AND REPORTING

A. Sharing Responsibility

Implementation of one or more of the minimum measures may be shared with another entity, or the entity may fully take over the measure. The City may rely on another entity only if:

1. The other entity, in fact, implements all or part of the control measure;
2. The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; and
3. The other entity agrees to implement the control measure on the City behalf. There shall be written acceptance of this obligation. This obligation shall be maintained as part of the City SWMP. If the other entity agrees to report on the minimum measure, the City shall supply the other entity with the reporting requirements contained in Parts II through V of this permit. If the other entity fails to implement the control measure on the City's behalf, then the City remains responsible for any discharges due to that failure.

B. Annual Reports

The City shall submit annual reports to the director by the first day of April for each year that this permit is in effect. Each report shall cover the period from January through December of the previous year. The City may use the Annual Report Form provided by the Director or the City may request approval to use its own reporting format. The report shall include:

1. The most recent Table of Organization for program development and implementation, including a primary point of contact and the person responsible for the overall management and implementation of each control measure.
2. The status of the City's compliance with permit conditions and performance standards, an assessment of the appropriateness and effectiveness of the identified BMPs, progress toward achieving the statutory goal of reducing the discharge of pollutants to the MEP, and the measurable goals for each of the minimum control measures. The report shall also include a summary of the specific annual reporting requirements identified for each minimum control measure in Part II.B.
3. Results and analysis of information collected during the reporting period, including monitoring data used to assess the success of reducing the discharge of pollutants to the MEP. A review of the monitoring data and any trends in the estimated annual and seasonal pollutant loads. The City shall

report trends via watershed (Maumee River, Swan Creek, Ottawa River, Silver/Shantee Creeks, and Duck Creek).

4. A summary of the storm water activities the City plans to undertake during the next reporting cycle (including an implementation schedule).
 5. Proposed changes to the City's SWMP, including changes to any BMPs or to any identified measurable goals that apply to the program elements. If a TMDL has been approved by U.S. EPA for one of the City's receiving waters, the City should describe in their next annual report submittal what BMPs it will employ, including implementation schedules, to address the TMDLs objectives.
 6. Identify and summarize any variances granted under the City storm water program regulations and requirements.
 7. A fiscal analysis of the capital, operation, and staffing expenditures necessary to comply with all conditions of this permit shall be submitted. Expenditures shall be categorized by BMP or MCM.
- C. SWMP Modifications: The City may change the SWMP during the life of the permit in accordance with the following procedures:
1. Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to Ohio EPA. All modifications must be noted in the Annual Report.
 2. Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternate BMP may be requested at any time. Unless denied by Ohio EPA, changes proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, Ohio EPA will send the City a written response giving a reason for the decision. The modification shall not be implemented until the Permittee receives written approval from the Director. The City modification requests shall include the following:
 - a. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive),
 - b. Expectations on the effectiveness of the replacement BMP, including pollutant removal in lbs/yr. and
 - c. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

3. SWMP change requests or notifications shall be made in writing signed in accordance with Part IV.G. of this permit. They shall be submitted to the Central Office of Ohio EPA (Division of Surface Water, P.O. Box 1049, Columbus, Ohio, 43215-1049) with a copy to the Northwest District Office (347 N. Dunbridge Road, Bowling Green, Ohio, 43402).
- D. SWMP Modifications Required by Ohio EPA: Ohio EPA may require changes to the SWMP as needed to:
1. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
 2. Include more stringent requirements necessary to comply with new Federal statutory or regulatory requirements; or
 3. Include such other conditions deemed necessary by Ohio EPA to comply with the goals and requirements of ORC 6111 and the Clean Water Act.
 4. Changes requested by Ohio EPA will be made in writing, set forth the time schedule for the City to develop the changes, and offer the City the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by Ohio EPA will be made in accordance with Ohio Administrative Code (OAC) 3745-47.
- E. Transfer of Ownership,
1. Operational Authority, or Responsibility for SWMP Implementation: The City shall implement the SWMP on all new areas added to the City portion of the MS4 (or for which the City become responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.
 2. Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the City shall have a plan for implementing the City SWMP on all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP shall be included in the annual report.
- F. Record keeping

1. The City shall retain copies of: all reports required by this permit; the SWMP; a copy of the NPDES permit; the records of all data used to complete the application for this permit; all system operation and maintenance records; all instrumentation, calibration and maintenance records, all original recordings for any continuous monitoring instrumentation, and all sampling and analytical records (including internal sampling data not reported), for a period of at least three years after coverage under this permit expires. This period may be extended by request of Ohio EPA at any time.
2. Records of monitoring information shall include: (a) The date, exact place, and time of sampling or measurements; (b) The initials or name(s) of the individual(s) who performed the sampling or measurements; (c) The date(s) analyses were performed; (d) The time(s) analyses were initiated; (e) The initials or name(s) of the individual(s) who performed the analyses; (f) References and written procedures, when available, for the analytical techniques or methods used; and (g). The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.
3. The City shall submit the records to Ohio EPA only when specifically asked. The City shall retain the SWMP required by this permit (including a copy of the permit language) at a location accessible to Ohio EPA. The City shall make its records, including the SWMP, available to the public if requested in writing.

PART IV. STANDARD PERMIT CONDITIONS

- A. RECORDS RETENTION. The Permittee shall retain all of the following records for the municipal separate storm sewer system for a minimum of three years, including:
1. All sampling and analytical records (including internal sampling data not reported);
 2. All original recordings for any continuous monitoring instrumentation;
 3. All instrumentation, calibration and maintenance records;
 4. All system operation and maintenance records;
 5. All reports required by this permit; and
 6. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report, or application.

7. These periods will be extended during the course of any unresolved litigation, or when requested by the U.S. EPA Administrator or the Ohio EPA. The three year period for retention of records shall start from the date of sample, measurement, report, or application.

B. NONCOMPLIANCE NOTIFICATION

1. Exceedence of a Daily Maximum Discharge Limit

- a. The Permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.
- b. The Permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office:	sedo24hournpdes@epa.state.oh.us
Southwest District Office:	swdo24hournpdes@epa.state.oh.us
Northwest District Office:	nwdo24hournpdes@epa.state.oh.us
Northeast District Office:	nedo24hournpdes@epa.state.oh.us
Central District Office:	cdo24hournpdes@epa.state.oh.us
Central Office:	co24hournpdes@epa.state.oh.us

2. The Permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.state.oh.us/dsw/permits/permits.html>

Or, the Permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office:	(800) 686-7330
Southwest District Office:	(800) 686-8930
Northwest District Office:	(800) 686-6930
Northeast District Office:	(800) 686-6330
Central District Office:	(800) 686-2330
Central Office:	(614) 644-2001

The Permittee shall include the following information in the telephone noncompliance report:

- a. The name of the Permittee, and a contact name and telephone number;

- b. The limit(s) that has been exceeded;
- c. The extent of the exceedence(s);
- d. The cause of the exceedence(s);
- e. The period of the exceedence(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedence(s) is expected to continue; and,
- g. Steps taken to reduce eliminate or prevent occurrence of the exceedence(s).

3. Other Permit Violations

- a. The Permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedence of any effluent limit in the permit or any upset resulting in an exceedence of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The Permittee may report to the appropriate Ohio EPA district office by the e-mail accounts listed above, Or.

- b. The Permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

4. The Permittee shall include the following information in the telephone noncompliance report:

- a. The name of the Permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;

- d. The stream(s) affected by the discharge;
 - e. The circumstances which created the discharge;
 - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
 - g. What remedial steps are being taken; and,
 - h. The name and telephone number of the person(s) responsible for such remedial steps.
5. The Permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The Permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
6. When the telephone option is used for the noncompliance reports required by A and B, the Permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
7. If the Permittee is unable to meet any date for achieving an event, a specified in a schedule of compliance in their permit, the Permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
- a. The compliance event which has been or will be violated;
 - b. The cause of the violation;
 - c. The remedial action being taken;
 - d. The probable date by which compliance will occur; and,
 - e. The probability of complying with subsequent and final events as scheduled.

8. The Permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
9. If the Permittee becomes aware that it failed to submit an application or submitted incorrect information in an application or in any report to the director; it shall promptly submit such facts or information.

NOTIFICATION REQUIREMENTS

1. The Permittee shall call the Ohio EPA emergency spill number (toll free) 1-800-282-9378 within 24 hours on knowing or having reason to believe that the discharges from the Permittee MS4 will threaten the receiving stream or public health.
 - a. Any noncompliance which may endanger health or the environment;
 - b. Any unanticipated bypass which exceeds any effluent limitation in the permit; or
 - c. Any discharge which exceeds any effluent limitation in the permit.
 - d. Any violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit.
2. For the telephone reports required by Part VI.B.1, the following information shall be included:
 - a. The times at which the discharge occurred, and was discovered;
 - b. The approximate volume and the characteristics of the discharge;
 - c. The stream(s) affected by the discharge;
 - d. The circumstances which created the discharge;
 - e. The names and telephone numbers of the persons who have knowledge of these circumstances;
 - f. What remedial steps are being taken; and
 - g. The name(s) and telephone number(s) of the persons responsible for such remedial steps;

3. These telephone reports shall be confirmed in writing within five days of the discharge and submitted to the appropriate Ohio EPA district office. The report shall include the following:
 - a. The limitation(s) which has been exceeded;
 - b. The extent of the exceedence(s);
 - c. The cause of the exceedence(s);
 - d. The period of the exceedence(s) including exact dates and times;
 - e. If uncorrected, the anticipated time the exceedence(s) is expected to continue, and
 - f. Steps being taken to reduce, eliminate, and/or prevent recurrence of the exceedence(s).
4. Compliance Schedule Events:

If the Permittee is unable to meet any condition of this permit, as specified in the schedule of compliance, the Permittee shall submit a written report to the Central Office of Ohio EPA in Columbus with a copy to the appropriate district office of the Ohio EPA within 14 days of becoming aware of such situation. The report shall include the following:

 - a. The compliance event which will be violated;
 - b. The cause of the violation;
 - c. The remedial action being taken;
 - d. The probable date by which compliance will occur; and
5. The Permittee shall include all significant but non-emergency instances not reported under paragraphs 1, 2, or 3 of part VI.B. with the annual report required under Part II.C. The reports shall contain the information listed in paragraph 2 and 3 of Part VI.B.
6. Where the Permittee becomes aware that it failed to submit any relevant application or submitted incorrect information in a permit application or in any report to the director, it shall promptly submit such facts or information.

- C. **TRANSFER OF OWNERSHIP OR CONTROL.** This permit cannot be transferred or assigned nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:
1. The Permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the Permittee notice to the Director of the proposed transfer. The copy of that letter shall be received by the Ohio EPA Northwest District Office sixty days prior to the proposed date of transfer;
 2. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new Permittee (including acknowledgment that the existing Permittee is liable for violations up to that date, and that the new Permittee is liable for violations from that date on) shall be submitted to the Ohio EPA Northwest District Office within sixty days after receipt by the district office of the copy of the letter from the Permittee to the succeeding owner;
 3. The Director does not exercise his right within thirty days after receipt of the written agreement to notify the current Permittee and the new Permittee of his or her intent to modify or revoke the permit and to require that a new application be filed; and
 4. The new owner or successor receives written confirmation and approval of the transfer from the Director of the Ohio EPA.

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit.

- D. **DUTY TO COMPLY.** The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

E. **PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS**

1. ORC Section 6111.07 prohibits any person from knowingly submitting false information or records or failing to submit information or records pertaining to discharges required as a condition of a permit.

2. ORC Section 6111.99 establishes that whoever violates the provisions of ORC Section 6111.07 division C, shall be fined not more than \$ 25,000 per violation.
 3. ORC 6111.99 provides that any person who violates Sections 6111.042., 6111.04., 6111.05., or division (A) of Section 6111.07 of the Revised Code shall be fined not more that twenty-five thousand dollars or imprisoned not more that on year, or both.
- F. **DUTY TO REAPPLY.** If the Permittee wishes to continue an activity regulated by this permit after the permit expiration date, the Permittee shall apply for and obtain a new permit. The application shall be submitted at least 180 days prior to expiration of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR 122.6 and any subsequent amendments.
- G. **NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE.** 40CFR 122.41(c) states that it shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- H. **DUTY TO MITIGATE.** The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit.
- I. **AUTHORIZED DISCHARGES.** All discharges authorized herein shall be consistent with the terms and conditions of this permit. Any violation may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.
- J. **DUTY TO PROVIDE INFORMATION.** The Permittee shall furnish to the Director, within a time specified by the Director, any information which the Director may request to determine compliance with this permit. The Permittee shall also furnish to the Director upon request copies of records required to be kept by this permit
- K. **OTHER INFORMATION.** When the Permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in any report to the Director, he or she shall promptly submit such facts or information.
- L. **SIGNATORY REQUIREMENTS.** All Discharge Monitoring Reports, storm water management programs, reports, certifications or information either submitted to the Director or that this permit requires be maintained by the Permittee, shall be signed and certified by:

1. for a municipality, State, or other public agency: by either a principal executive officer or ranking elected official; or
 2. A duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Director.
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).
 - c. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new written authorization satisfying the requirements of this paragraph shall be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
- M. **CERTIFICATION.** Any person signing documents under this section shall make the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- N. **OIL AND HAZARDOUS SUBSTANCE LIABILITY.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under section 311 of the CWA or section 106 of CERCLA.
- O. **SOLID DISPOSAL.** Collected screening, slurries, sludge, and other solids shall be disposed of in such a manner as to prevent entry of those wastes into surface waters of the state.

- P. CONSTRUCTION AFFECTING NAVIGABLE WATERS. This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.
- Q. PROPERTY RIGHTS. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- R. 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.
- S. STATE/ENVIRONMENTAL LAWS.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the CWA. No condition of this permit shall release the Permittee from any responsibility or requirements under other environmental statutes or regulations.

- T. PROPER OPERATION AND MAINTENANCE.

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit and with the requirements of the SWMP.

- U. MONITORING AND RECORDS.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The Permittee shall retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, all the reports required by this permit, and records of all data used to complete the application for this permit; latest version of storm water management program developed in accordance with Part II of this permit, for a period of at least 3 years after coverage under this permit terminates. This period may be extended by request of the Director at any time.

3. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The initials or name(s) of the individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses were performed;
 - d. The time(s) analyses were initiated;
 - e. The initials or name(s) of the individual(s) who performed the analyses;
 - f. References and written procedures, when available, for the analytical techniques or methods used; and
 - g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

V. MONITORING METHODS

Monitoring shall be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

W. PERMIT MODIFICATION OR REVOCATION

1. After notice and opportunity for hearing, the permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term, for cause including, but not limited to the following:
 - a. Changes in State or Federal statutes or regulations or standards;
 - b. Other modifications deemed necessary by the Director to meet the requirements of the CWA.
 - c. All modification to the permit will be made in accordance with 40 CFR 122.62, 122.63, and 124.5.
 - d. Changes in any modifications that require either a temporary or permanent reduction or elimination of the permitted discharge.
 - e. Obtaining this permit by misrepresentation or failure to disclose all relevant facts.

- f. Address impacts or receiving water quality caused, or contributed to, by discharges from municipal separate sewer system.
 - g. Violation of any terms or conditions of the permit.
2. Pursuant to rule 3745-33-06, Ohio Administrative Code, the Permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The failure of a request by the Permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the Ohio EPA at least thirty days before the date on which it is desired that the modification becomes effective.

X. INSPECTION AND ENTRY.

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

- 1. Enter upon the Permittee premises where a regulated facility or activity is located or conducted or where records shall be kept under the conditions of this permit;
- 2. Have access to and copy at reasonable times, any records that shall be kept under the conditions of this permit; and
- 3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- 4. Sample or monitor at reasonable times for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

Y. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at Ohio EPA. Both CWA and Section 6111.05 Ohio revised Code state that effluent data and receiving water quality data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Ohio Revised Code Section 6111.99.

Z. NONCOMPLIANCE NOTIFICATION

- 1. Exceedence of a Daily Maximum Discharge Limit

- a. The Permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.
- b. The Permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwd024hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

2. The Permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.state.oh.us/dsw/permits/permits.html>

Or, the Permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The Permittee shall include the following information in the telephone noncompliance report:

- a. The name of the Permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedence(s);
- d. The cause of the exceedence(s);
- e. The period of the exceedence(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedence(s) is expected to

continue; and,

- g. Steps taken to reduce eliminate or prevent occurrence of the exceedence(s).

1. Other Permit Violations

- a. The Permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedence of any effluent limit in the permit or any upset resulting in an exceedence of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The Permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.state.oh.us/dsw/permits/permits.html> or

2. The Permittee shall include the following information in the telephone noncompliance report:

- a. The name of the Permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;
- d. The stream(s) affected by the discharge;
- e. The circumstances which created the discharge;
- f. The name and telephone number of the person(s) who have knowledge of these circumstances;
- g. What remedial steps are being taken; and,
- h. The name and telephone number of the person(s) responsible for such remedial steps.

3. The Permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The Permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

4. When the telephone option is used for the noncompliance reports required by A and B, the Permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
5. If the Permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
 - a. The compliance event which has been or will be violated;
 - b. The cause of the violation;
 - c. The remedial action being taken;
 - d. The probable date by which compliance will occur; and,
 - e. The probability of complying with subsequent and final events as scheduled.
6. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
7. If the Permittee becomes aware that it failed to submit an application or submitted incorrect information in an application or in any report to the director; it shall promptly submit such facts or information.

APPLICABLE FEDERAL RULES. All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

PART V. Definitions

All definitions contained in Section 502 of the Act and 40 CFR 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence.

Please see the following web site for Federal and State laws related to Ohio EPA's Division of Surface Water:

<http://www.epa.state.oh.us/dsw/rules/laws.html>

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

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

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Director means the director of the Ohio Environmental Protection Agency or an authorized representative.

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

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

Illicit Discharge is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from emergency fire fighting activities.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

Land Application Unit means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Larger Common Plan of Development or Sale means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

MEP is an acronym for ““Maximum Extent Practicable,”” the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA “402(p).

MS4 means municipal separate storm sewer system. An MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

- Owned or operated by the federal government, state, municipality, township, county, district, or other public body (created by or pursuant to state or federal law) including special district under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under section 208 of the act that discharges into surface waters of the state; and
- Designed or used for collecting or conveying solely storm water,
- Which is not a combined sewer, and
- Which is not a part of a publicly owned treatment works?

Off-Lot Home Sewage Treatment System (HSTS) means a system designed to treat home sewage on-site and discharges treated wastewater off-lot.

Ohio EPA means the Ohio Environmental Protection Agency.

On-Lot Home Sewage Treatment System (HSTS) means a system designed to treat home sewage on-lot with no discharges leaving the lot.

Outfall from an MS4 means a point source at the point where a municipal separate storm sewer discharges to surface waters of the State and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances that connect segments of the same stream or other surface waters of the state and are used to convey waters of

the state.

Permittee refers to any “person,” as defined at 40 CFR 122.2, authorized by this NPDES permit to discharge to Waters of the State.

Section 313 Water Priority Chemical is a chemical or chemical category which: 1) listed in 40 CFR 372.65 pursuant to Section 313 of Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, also titled the Emergency Planning and Community Right-to-Know Act of 1986; 2) Is present at or above threshold levels at a facility subject to SARA title III, Section 313 reporting requirements.

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

Storm Water Associated with Industrial Activity is defined in 40CFR 122.26 b (14) & (15).

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

Surface Waters of the State means all streams, lakes, reservoirs, ponds, marshes, wetlands, or other waterways which are situated wholly or partly within the boundaries of the State, except those private waters which do not combine or affect a junction with a surface water. Waters defined as sewerage systems, treatment works, or disposal systems in Section 6111.01 of the ORC are not included.

The City” as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s responsibilities.