



ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY



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

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

This general permit is effective on September 30, 2021.

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

This general permit was modified on _____

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Trevor Baggio, Director
Water Quality Division

Contents

1.0	COVERAGE UNDER THIS GENERAL PERMIT.....	4
1.1	Permit Area (40 CFR 122.28(a)(1)).....	4
1.2	Eligibility (40 CFR 122.32).....	4
1.3	Limitations of Coverage	5
1.4	Permit Compliance (40 CFR 122.36).....	5
2.0	AUTHORIZATION UNDER THIS PERMIT	6
2.1	Notice of Intent (NOI)	6
2.2	Permit Fees.....	7
2.3	Terminating Coverage (NOT).....	7
2.4	Coverage under an Individual Permit.....	7
2.5	Continuation of this General Permit	7
3.0	STORMWATER PROGRAM ENFORCEMENT	8
3.1	Establish Enforcement Procedures (40 CFR 122.34(b)(3)(B)).....	8
3.2	Enforcement Requirements.....	8
3.3	Enforcement Response Plan(s)	9
4.0	STORMWATER MANAGEMENT PROGRAM	10
4.1	Contents of the Stormwater Management Program	10
4.2	Stormwater Management Plan Availability	11
5.0	WATER QUALITY STANDARDS	12
5.1	Water Quality Based Effluent Limitations	12
5.2	Surface Water Quality Standards (SWQS)	12
6.0	MINIMUM CONTROL MEASURES.....	13
6.1	Public Education and Outreach (40 CFR 122.34(b)(1))	13
6.2	Public Participation and Involvement (40 CFR 122.34(b)(2))	15
6.3	Illicit Discharge Detection and Elimination (IDDE) Program.....	16
6.4	Construction Activity Stormwater Runoff Control (40 CFR 122.34(b)(4)).....	20
6.5	Post-Construction Stormwater Management in New Development and Redevelopment (40 CFR 122.34(b)(5))	23
6.6	Pollution Prevention and Good Housekeeping for Municipal Operations (40 CFR 122.34(b)(6))	25

7.0	MONITORING REQUIREMENTS	27
7.1	Monitoring and Assessment Program	27
7.2	Stormwater Characterization Monitoring Requirements	28
7.3	Sampling and Analysis Plan (SAP)	29
7.4	Discharges to Impaired or Not-Attaining Waters or Outstanding Arizona Waters 30	
7.5	Monitoring Frequency and Deadlines.....	31
7.6	Analytical Monitoring DMR	32
8.0	PROGRAM ASSESSMENT, RECORDKEEPING, AND REPORTING	33
8.1	Program Evaluation.....	33
8.2	Recordkeeping	34
8.3	Annual Report	34
9.0	STANDARD PERMIT CONDITIONS	35
10.0	DEFINITIONS.....	46
	Appendix A: Annual Report Requirements.....	52
	Appendix B: Stormwater Characterization Monitoring Requirements.....	56
	Table B:.....	56
	Appendix C: Total Maximum Daily Load (TMDL) Requirements	63
	Gila River.....	63
	Granite Creek:	64
	Oak Creek	65
	San Pedro.....	67
	Santa Cruz.....	68
	Watson Lake.....	69

1.0 COVERAGE UNDER THIS GENERAL PERMIT

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

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

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

1.2 Eligibility (40 CFR 122.32)

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

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

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

1.3 Limitations of Coverage

This general permit does not authorize:

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

1.4 Permit Compliance (40 CFR 122.36)

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

2.0 AUTHORIZATION UNDER THIS PERMIT

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

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

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

2.1 Notice of Intent (NOI)

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

2.2 Permit Fees

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

2.3 Terminating Coverage (NOT)

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

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

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

2.4 Coverage under an Individual Permit

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

2.5 Continuation of this General Permit

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

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

3.0 STORMWATER PROGRAM ENFORCEMENT

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

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

3.2 Enforcement Requirements

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

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

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

3.3 Enforcement Response Plan(s)

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

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

4.0 STORMWATER MANAGEMENT PROGRAM

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

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

4.1 Contents of the Stormwater Management Program

At a minimum, the SWMP shall contain the following:

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

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

4.2 Stormwater Management Plan Availability

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

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

5.0 WATER QUALITY STANDARDS

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

5.1 Water Quality Based Effluent Limitations

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

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

5.2 Surface Water Quality Standards (SWQS)

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

6.0 MINIMUM CONTROL MEASURES

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

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

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

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

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

General Public, Residential Community, Homeowners, , Schools

b. Topics:

- i. Post-construction ordinances and long-term maintenance requirements for permanent stormwater controls;
- ii. Stormwater runoff issues and residential stormwater management practices;
- iii. Potential water quality impacts of application of pesticides, herbicides and fertilizer and control measures to minimize runoff of pollutants in stormwater;
- iv. Potential impacts of animal waste on water quality and the need to clean up and properly dispose of pet waste to minimize runoff of pollutants in stormwater;
- v. Illicit discharges and illegal dumping, proper management of non-stormwater discharges, and to provide information on reporting spills, dumping, and illicit discharges;
- vi. Spill prevention, proper handling and disposal of toxic and hazardous materials, and measures to contain and minimize discharges to the storm sewer system;
- vii. Installation of catch basin markers or stenciling of storm sewer inlets to minimize illicit discharges and illegal dumping to storm sewer system;
- viii. Proper management and disposal of used oil; or
- ix. Community activities (monitoring programs, environmental protection organization activities, etc.).

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

1. Target Groups:

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

2. Topics:

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

- ii. Post-construction ordinances and long-term maintenance requirements for permanent stormwater controls;
 - iii. Municipal stormwater requirements and stormwater management practices for construction sites;
 - iv. Illicit discharges and proper management of non-stormwater discharges;
 - v. Spill prevention, proper handling of toxic and hazardous materials, and measures to contain and minimize discharges to the storm sewer system;
 - vi. Proper management and disposal of used oil and other hazardous or toxic materials, including practices to minimize exposure of materials/wastes to rainfall and minimize contamination of stormwater runoff;
 - vii. Stormwater management practices, pollution prevention plans, and facility maintenance procedures; or
 - viii. Water quality impacts associated with land development (including new construction and redevelopment).
3. The program shall focus on messages for specific audiences as well as show progress toward the defined educational goals of the program. The permittee shall identify methods that it will use to evaluate the effectiveness of the educational messages and the overall education program. ~~Any methods used to evaluate the effectiveness of the program shall be tied to the defined goals of the program and the overall objective of changes in behavior and knowledge.~~
4. The permittee shall modify any ineffective messages or distribution techniques on an annual basis. See Part 8.1(3) for record keeping requirements.

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

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

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

- a. Stream clean-ups;
 - b. Storm drain stenciling;
 - c. Volunteer monitoring;
 - d. Disposal of household hazardous waste;
 - e. Educational activities; and
 - f. Facilitation of Adopt-A-Wash, Adopt-A-Park, and Adopt-A-Street litter control activities.
4. The permittee shall provide and publicize a reporting system to facilitate and track public reporting of spills, discharges and/or dumping to the MS4 on a continuous basis.
 5. The permittee shall document the details of the public involvement and participation program in the SWMP.

6.3 Illicit Discharge Detection and Elimination (IDDE) Program

(40 CFR 122.34(b)(3))

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

1. Storm Sewer Mapping

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

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

- a. Storm sewer system including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man—made channels, or storm drains that are owned or operated by the permittee and convey stormwater to protected surface waters.
- b. The location of all outfalls; and
- c. The name and location of all protected surface waters that receive discharges from outfalls.

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

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

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

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

2. Enforcement Procedures

- a. The permittee shall prohibit non-stormwater discharges into the storm sewer system by implementing appropriate enforcement procedures and actions authorized by current ordinances, by-laws or other regulatory mechanisms. See Part 3.2 Enforcement Requirements for additional requirements on ordinances.
- b. The written IDDE program shall include a reference or citation of the authority (ordinance or other regulatory mechanism) the permittee will use to implement all aspects of the IDDE program.

3. Statement of IDDE Program Responsibilities

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

4. Illicit Discharge Detection and Elimination Reporting

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

- a. MS4 Name;
- b. Date incident reported or discovered;
- c. Date of the beginning of your response;
- d. Date of the end of your response;
- e. Did the discharge reach a protected surface water (yes, no, or unknown);

- f. Incident location (address or latitude and longitude);
 - g. Pollutants;
 - h. Source; and
 - i. Correction method(s).
5. Eliminating Illicit Discharges
- Illicit discharges to the MS4 are prohibited and constitute a violation of this permit, when the permittee is not fully implementing applicable permit requirements and the SWMP.
- Upon detection of an illicit discharge, or receipt of a complaint regarding a discharge, the permittee shall eliminate the discharge as expeditiously as possible. The permittee shall identify and notify all responsible parties for any such discharge and require immediate cessation in accordance with its legal authorities. Where elimination of an illicit discharge is not immediately possible, the permittee shall establish an expeditious schedule for its elimination and report the dates of identification and schedules for removal in the permittee's annual reports. The permittee shall immediately commence actions necessary for elimination. In the interim, the permittee shall take all reasonable and prudent measures to minimize the discharge of pollutants to its MS4.
6. Non-Stormwater Discharges
- The following categories of non-stormwater discharges or flows shall be addressed when such discharges are identified by the permittee as sources of pollutants to a protected surface water:
- a. Water line flushing;
 - b. Landscape irrigation, including flood irrigation;
 - c. Diverted stream flows;
 - d. Rising ground waters;
 - e. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20)) to separate storm sewers;
 - f. Uncontaminated pumped groundwater;
 - g. Discharges from potable water sources;
 - h. Foundation drains;
 - i. Air conditioning condensation;
 - j. Irrigation water;
 - k. Springs;

- l. Water from crawl space pumps;
 - m. Footing drains;
 - n. Lawn watering;
 - o. Individual residential car washing;
 - p. Flows from riparian habitats and wetlands;
 - q. Dechlorinated swimming pool discharges;
 - r. Street wash water;
 - s. Discharges or flows from emergency firefighting activities;
 - t. Discharges authorized by another NPDES or AZPDES permit.
7. Visual Monitoring
- The permittee shall develop, implement, and maintain a visual monitoring program that includes both dry weather and wet weather stormwater discharges to identify, monitor, and eliminate illicit discharges; and to ensure compliance with effluent limitations in this permit. [The ratio of dry weather and wet weather screenings conducted each year will be determined by the permittee.](#)
- a. The monitoring programs shall include written procedures for conducting visual monitoring of outfalls from the MS4. Monitoring procedures shall include, at a minimum, the following information/observations: outfall identification, personnel, time, date, weather conditions at time of inspection, estimated flowrate, apparent odor, color, clarity, debris, floatables, and other necessary information to characterize the screening;
 - b. The permittee shall visually monitor at least 20% of all outfalls each year [including both dry and wet weather screenings. The ratio of dry weather and wet weather screenings conducted each year will be determined by the permittee.](#) Re-inspection of outfalls may be included in the annual monitoring percentage. In the event an illicit discharge is discovered, the permittee shall implement measures to eliminate the illicit discharge (parts 6.3(1) - 6.3(6)); and
 - c. Follow-up Screening: The permittee shall establish a follow-up screening schedule for identified or suspected illicit discharges to ensure they do not recur.
 - d. In the event a Small MS4 has fewer than five (5) outfalls, a minimum of five (5) screening points, or combination of outfalls and screening points, shall be utilized for the visual monitoring requirement. Screening points shall be at locations where stormwater leaves the Small MS4's permitted area

including locations where stormwater may discharge to another MS4 or other conveyance.

8. Indicators of IDDE Program Progress

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

9. Staff Training

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

10. AZPDES Non-Filers

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

~~A description of the permittee's non-filer program shall be included in the SWMP.~~

~~The permittee shall report suspected non-filers to ADEQ at AZPDES@azdeq.gov on a monthly basis, if there are non-filers to report. This report shall include, at a minimum, the facility name and location of the suspected non-filer. The email subject line must include "Non-filer — MS4 Permittee Name."~~

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

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

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

1. Construction Activity Stormwater Runoff Implementation

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

2. Construction Activity Stormwater Runoff Program Components

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

- a. An ordinance or other regulatory mechanism that requires the use of sediment and erosion control practices and allows the permittee, to the extent authorized by law, to impose sanctions ensuring compliance with the local program. See Part 3.2 Enforcement Requirements for additional requirements on ordinances.
- b. An inventory of all construction activities that disturb or will disturb one (1) or more acres within the permitted area, including those that are less than one (1) acre but are part of a larger common plan of development or sale if the larger common plan will ultimately disturb greater than one (1) acre.
- c. Written procedures for site plan review shall include:
 1. A review of the site design;
 2. The planned operations at the location of the construction activity;
 3. Planned stormwater controls during each construction phase; and
 4. The planned controls to be used to manage runoff created after development. (see 6.5)
- d. Written procedures for site inspections and enforcement of sediment and erosion control measures. The procedures shall clearly define who is responsible for site inspections as well as who has authority to implement enforcement procedures. The program shall allow the MS4, to the extent authorized by law, to impose sanctions ensuring compliance with the local program. These procedures and regulatory authorities shall be documented in the SWMP.
- e. In developing procedures for site inspections and enforcement control measures, the permittee shall consider, at a minimum, the following:
 1. The phase of construction;
 2. Proximity to an impaired, not-attaining or OAW;
 3. Size of the construction activity (acreage disturbed); and
 4. History of non-compliance (site or operator).
- f. Implement procedures for site inspections of public and private construction projects in accordance with the frequency specified below:

1. Sites (1) one acre or larger that are within 1/4 mile of an impaired or not-attaining protected surface water, that is impaired for turbidity or Suspended Sediment Concentration (SSC), shall be inspected a minimum of once per week, and within 24 hours of the occurrence of each storm event of 0.5 inches or greater in a 24 hour period;
- ~~4.2.~~ Site inspection frequency for sites not subject to Part a.1. may follow section a. or b. below, or any combination thereof.
 - a. Sites shall be inspected within one month of the start of construction. This inspection may count towards quarterly inspections:
 - i. Sites shall be inspected quarterly; and
 - ii. Sites shall be inspected upon completion of construction and prior to final approval or occupancy. This inspection may count towards quarterly inspections.
 - b. Sites meeting the below i-v requirements may reduce inspection frequency to every six months. The permittee must document which sites are inspected under this reduced frequency section.
 - i. The nearest downstream receiving water is ephemeral;
 - ii. The construction activity occurs on a site designed so that all stormwater generated by disturbed areas of the site exclusive of public rights-of-way is directed to one or more retention basins that are designed to retain the runoff from an extreme event. For the purposes of this subsection, "extreme event" means a rainfall event that meets or exceeds the local one hundred-year, two-hour storm event as calculated by an Arizona registered professional engineer using industry practices;
 - iii. The owner or operator complies with erosion and sediment control measures;
 - iv. The owner or operator maintains the capacity of the retention basins; and
 - v. Construction conforms to the standards prescribed by this section.

~~2. Sites with 50 acres or more shall be inspected a minimum of every two weeks;~~

~~3. Sites with 50 acres or less shall be inspected a minimum of once per month; and~~

~~4. Sites with 5 acres or less shall be inspected a minimum of once per quarter.~~

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

- g. Based on construction activity inspection findings, the permittee shall take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure

compliance in accordance with the permittee's enforcement response plan required under Part 3.3.

- h. The permittee shall require construction operators to implement sediment and erosion control BMPs appropriate for the conditions at the construction site. Examples of appropriate sediment and erosion control measures for construction activities include local requirements to:
 - 1. Minimize the amount of disturbed area and protect natural resources;
 - 2. Stabilize sites when projects are complete or operations have temporarily ceased;
 - 3. Protect slopes on the site of the construction activity;
 - 4. Protect storm drain inlets and armor all newly-constructed outlets;
 - 5. Use perimeter controls at the site;
 - 6. Stabilize entrance(s) and exit(s) at the location of the construction activity to prevent off-site tracking; and
 - 7. Inspect stormwater controls at consistent intervals.
- i. The permittee shall require construction operators to control wastes, including but not limited to: discarded building materials, paints, fertilizers, concrete washout, chemicals, litter, equipment leaks, and sanitary wastes.

3. Personnel Qualifications

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

4. Construction Activity Operator Education and Public Involvement

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

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

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

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

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

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

3. Site Plan Review

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

4. Post-Construction Stormwater Control Inventory

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

5. Operation and Maintenance of Post-Construction BMPs

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

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

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

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

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

- a. Development of an inventory of municipally-owned and operated facilities and activities that discharge;
- b. Prioritize municipal facilities based on their risk to discharge pollutants and develop and implement a site inspection schedule (example, more frequent inspections for higher risk facilities, less frequent inspections for lower risk facilities);
- c. Develop and implement an inspection schedule for municipally-owned or operated facilities and activities, based on priority, to ensure stormwater controls are effective and being properly maintained. Inspections shall be implemented with the following frequencies:
 - i. High risk facilities shall be inspected at least once every quarter;

- ii. Medium risk facilities shall be inspected at least twice per year; and
- iii. Low risk facilities shall be inspected at least once per year.
- d. Based on inspection findings, update municipally-owned or operated facilities priority status and modify inspection frequency, as appropriate;
- e. Develop and implement stormwater controls at municipally-owned or operated facilities and discharge activities to reduce or eliminate the discharge of pollutants;
- f. Develop and implement an annual employee training program to incorporate pollution prevention and good housekeeping techniques into everyday operations and maintenance activities; and
- g. Develop maintenance activities, maintenance schedules, and long-term inspections procedures for structural and non-structural stormwater controls to reduce floatables, trash, and other pollutants discharged from the MS4.

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

7.0 MONITORING REQUIREMENTS

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

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

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

7.1 Monitoring and Assessment Program

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

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

- a. Assess the impacts to impaired, not-attaining, or Outstanding Arizona Waters (OAWs) resulting from stormwater discharges from Small MS4 outfalls;
 - b. Characterize stormwater discharges;
 - c. Identify sources of elevated pollutant loads and specific pollutants; and
 - d. Assess the overall health and evaluate long-term trends in water quality of impaired, not attaining, or OAWs.
2. The permittee shall identify outfall locations in the SWMP that:
 - a. Discharge to impaired waters (Category 5);
 - b. Discharge to not-attaining waters (Category 4);
 - c. Discharges to OAWs listed in A.A.C. R18-11-112; and
 - d. **Are subject to a**Additional monitoring required by ADEQ.

7.2 Stormwater Characterization Monitoring Requirements

1. Stormwater Sampling

The permittee shall ~~sample~~ conduct stormwater characterization monitoring of discharges from the MS4 to protected surface waters at the outfalls identified by the permittee in Part 7.2(4). The permittee shall sample stormwater discharges from the MS4, as required in Appendix B, one (1) time within the first ~~two (2)~~ three and one-half (3.5) years of the effective date of the permit; new permittees shall sample stormwater discharges from the MS4 within the first two (2) years after obtaining permit coverage. This monitoring requirement shall provide discharge characterization data of stormwater discharges from the MS4.

2. Qualifying Storm Event

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

3. Storm Event Records

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

- a. Date of the qualifying storm event;
- b. Amount of rainfall (in inches) in the drainage area for each stormwater monitoring location identified in 7.2(4); and
- ~~c. Indication of whether or not a stormwater sample was collected, and if not, indicate applicable NODI (No Discharge) code in myDEQ for explanation that prevented sampling.~~

4. Monitoring Locations

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

5. Adverse Climatic Conditions

Sampling of a qualifying storm event is not required during adverse climatic conditions. Adverse climatic conditions which prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, electrical storms, etc.). Information on the conditions that prevented sampling shall be reported to ADEQ with the DMRs. **Where additional stormwater sampling is required,** the permittee shall continue to monitor subsequent storm events during the monitoring season and perform storm water sampling of a qualifying storm event if another occurs during the same wet season.

6. Stormwater Characterization DMR

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

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

- a. This DMR shall be submitted within 30 days after receiving laboratory results from characterization monitoring.
- b. For existing permittees, this DMR will be available from October 1, 2021 through September 30, 2023, allowing the entry of data and/or no discharge codes throughout the first two (2) years of permit coverage.
- c. For new permittees, a DMR will be made available for the first two (2) years after obtaining permit coverage.

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

7.3 Sampling and Analysis Plan (SAP)

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

1. The name(s) and title of the person(s) who will perform the monitoring;
2. Locations of monitoring sites;
3. A map showing the segments or portions of the protected surface water that are most likely to be impacted by the discharge of pollutant(s);
4. Water quality parameters and pollutants to be sampled;
5. The citation and description of the sampling protocols to be used; and
6. Identification of the analytical methods and related method detection limits (if applicable) for each parameter required. The permittee shall use

analytical methods with a Limit of Quantitation (LOQ) that is lower than the effluent limitations, Assessments Levels, Action Levels, or other water quality criteria, if any, specified in this permit. If all methods have LOQs higher than the applicable water quality criteria, the permittee shall use the approved analytical method with the lowest LOQ.

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

1. Discharges to impaired or not-attaining waters:

- a. If an outfall discharges to an impaired or not-attaining water, the permittee shall develop and implement a monitoring program for all pollutants for which the waterbody is listed.
- b. If the waterbody is listed for suspended solids, turbidity or sediment/sedimentation and the discharge occurs for more than 72 hours after the storm event, the permittee shall monitor for suspended sediment concentration (SSC). If the pollutant causing the impairment is expressed in the form of an indicator or surrogate pollutant, the permittee shall monitor for that indicator or surrogate pollutant.
- c. The permittee shall comply with all applicable waste load allocations established in approved TMDLs. In the event monitoring requirements (frequency, analytical parameters, etc.) are established in an approved TMDL, the permittee shall comply with the specifications in the approved TMDL.

2. Discharges to OAWs:

- a. The permittee shall perform analytical monitoring for the following parameters, if the MS4 has discharges to an OAW:
 1. Biochemical oxygen demand (BOD)
 2. Total suspended solids (nonfilterable) (TSS)
 3. pH
 4. Fecal coliform
 5. Oil and grease
- b. The permittee shall also sample for any pollutants for which the OAW is impaired or not-attaining.

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

3. Discharges to a Lake:

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

7.5 Monitoring Frequency and Deadlines

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

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

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

Summer wet season: June 1 – October 31

Winter wet season: November 1 – May 31

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

Number of Outfalls	Number of Samples
1 to 4	All
5 to 20	5
over 20	10

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

(ADHS) Office of Laboratory Licensure and Certification. This requirement does not apply to parameters that require analysis at the time of sample collection as long as the testing methods used are approved by ADHS or ADEQ. These parameters may include flow, dissolved oxygen, pH, temperature, and total residual chlorine.

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

7.6 Analytical Monitoring DMR

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

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

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

8.0 PROGRAM ASSESSMENT, RECORDKEEPING, AND REPORTING

8.1 Program Evaluation

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

8.2 Recordkeeping

1. The permittee shall keep all records required by this permit for a period of three (3) years from the date ~~permit coverage ends~~ the record is created. Records include information used in the development of any written program required by this permit, any monitoring results, copies of reports, records of screening, follow-up and elimination of illicit discharges; maintenance records; inspection records; enforcement actions; and data used in the development of the NOI, SWMP, plans, and annual reports. This list provides examples of records that should be maintained, but is not all inclusive.
2. Records other than those required to be included in the discharge monitoring report (Part 8.3) and annual report (Part 8.4) shall be submitted upon request by ADEQ or U.S. EPA. Requirements for discharges to non-WOTUS protected surface waters are state-only and records need only be submitted to ADEQ.
3. The permittee shall make the records relating to this permit, including the written stormwater management program, available to the public. The public may view the records during normal business hours. The permittee may charge a reasonable fee for copying requests. The permittee is encouraged to satisfy this requirement by posting records online.

8.3 Annual Report

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

9.0 STANDARD PERMIT CONDITIONS

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

- 1. Duty to Comply:** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR122.41(a)(1) and A.R.S. §§ 49-261, 262, 263.01, and 263.02.]
 - a. The operator shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act, A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Article 9, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.
 - b. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person discharging under this permit is required to comply.
 - c. The operator shall comply with any effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- i. The authorization is made in writing by a person described in Subsection 9(a) above;
- ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of manager, operator, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a named individual or any individual occupying a named position); and
- iii. The signed and dated written authorization is included in the SWMP. A copy shall be submitted to ADEQ, upon request.

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

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

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

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

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

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

- a. Representative Samples/Measurements: Samples and measurements taken for the purpose of monitoring shall be representative of the volume and nature of the monitored activity.
- b. Retention of Records: The operator shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date permit coverage ends. Operators shall submit any such records to the Director upon request. The operator shall retain the SWMP developed in accordance with Part 4 of this permit, for at least three (3) years after the last modification or amendment is made to the plan. The Director may extend this retention period upon request by notifying the operator in writing at any time prior to the end of the standard three year retention period.

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

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

- a. **Planned changes:** The operator shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (incorporated by reference at A.A.C. R18-9-A905(A)(1)(e)); or
 - ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1) (incorporated by reference at A.A.C. R18-9-A905(A)(3)(b)).
- b. **Monitoring reports:** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - i. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or forms (paper or electronic) provided or specified by ADEQ.
 - ii. If the operator monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

- iii. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean and non-detected results shall be incorporated in calculations as the limit of quantitation for the analysis.
- c. Anticipated noncompliance: The operator shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
- d. Twenty-four hour reporting:
 - i. ~~The operator shall report to ADEQ any noncompliance with this permit that may endanger human health or the environment. The operator shall orally notify the office listed below within 24 hours:~~
 - ~~—Arizona Department of Environmental Quality—Water Quality Division~~
 - ~~—1110 W. Washington Street, Phoenix, AZ 85007~~
1. The permittee shall orally report to the Emergency Response Unit hotline at (602) 771-2330 any noncompliance that poses imminent threat to the environment or human health within 24 hours from the time the permittee becomes aware of the circumstances. The permittee shall also submit an electronic notification within 5 days of the noncompliance event using the myDEQ electronic portal provided by ADEQ. The permittee shall include in the written notification: a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The following instances of noncompliance are subject to the 24-hour and 5-day reporting requirements and must be reported orally to the Emergency Response Unit hotline:

 - a. Any unanticipated bypass which exceeds any effluent limitations in the permit,
 - b. Any upset which exceeds any effluent limitation in the permit, or
 - c. Any spill or discharge that poses an imminent threat to human health or the environment.
2. All other instances of noncompliance remain subject to the 24-hour and 5-day reporting requirements, and must call the ADEQ AZPDES hotline at (602) 771-1440. For example, an exceedance of any maximum daily limit for the parameters listed in Part 1.A Table 1 that does not poses an imminent threat to human health or the environment.

~~ii. The following shall be included as information that shall be reported within 24 hours under this paragraph.~~

~~—1. Any upset which exceeds any effluent limitation in the permit.~~

~~2. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.44(g) which is incorporated by reference at A.A.C. R18-9-A905(A)(3)(d)).~~

~~iii. A written submission shall also be provided to the office identified above within five (5) days of the time the operator becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.~~

~~iv. ADEQ may waive the 5 day written report on a case by case basis for reports under this subsection if the oral report has been received within 24 hours.~~

~~e. Other noncompliance: The operator shall report all instances of noncompliance not otherwise required to be reported under this subsection, at the time monitoring reports are submitted. The reports shall contain the information listed in subsection 12(d).~~

f. Other information: When the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Department, the operator shall promptly submit the facts or information to ADEQ at the address listed in Part 8.2.

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

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

14. Other Environmental Laws:

No condition of this general permit releases the operator from any responsibility or requirements under other environmental statutes or regulations. For example, this permit does not authorize the “taking” of endangered or threatened species as prohibited by Section 9 of the Endangered Species Act, 16 U.S.C. 1538. Information regarding the location of endangered and threatened species and guidance on what activities constitute a “taking” are available from the U.S. Fish and Wildlife Service. The operator shall also

comply with applicable State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC), where applicable.

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

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

16. Severability:

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

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

- a. The Director may require a person authorized by this permit to apply for and/or obtain either an individual AZPDES permit or an alternative AZPDES general permit. Any interested person may petition the Department to take action under this section. The Department may require an operator authorized to discharge under this permit to apply for an individual permit in any of the following cases:
 - i. A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
 - ii. Effluent limitation guidelines are promulgated for point sources covered by the general permit;
 - iii. An Arizona Water Quality Management Plan containing requirements applicable to the point sources is approved;
 - iv. Circumstances change after the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;
 - v. If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:
 1. The location of the discharge with respect to protected surface waters,
 2. The size of the discharge,
 3. The quantity and nature of the pollutants discharged to protected surface waters, and
 4. Any other relevant factor.

- b. If an individual permit is required, the Director shall notify the discharger in writing of the decision. The notice shall include:
 - i. A brief statement of the reasons for the decision;
 - ii. An application form;
 - iii. A statement setting a deadline to file the application;
 - iv. A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate;
 - v. The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and
 - vi. The applicant's right to request an informal settlement conference under A.R.S. 41-1092.03(A) and 41-1092.06.
- c. The discharger shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.
- d. If the discharger fails to submit the individual permit application within the time period established in Part 9.17(c) the applicability of the general permit to the discharger is automatically terminated at the end of the day specified by the Director for application submittal.
- e. Coverage under the general permit shall continue until an individual permit is issued or denied unless the general permit coverage is terminated under Part 9.17(d).

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

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

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

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

- a. Permitted owner or operator: The operator shall provide the Department with a NOT by certified mail within 30 days after the new owner or operator assumes responsibility for the facility.
 - i. The NOT shall include all requirements for termination specified in the general permit for which the NOT is submitted.
 - ii. An operator shall comply with the permit conditions specified in the general permit for which the NOT is submitted until the NOT is received by the Department.
- b. New owner or operator:
 - i. The new owner or operator shall complete and file a NOI with the Department within the time period specified in the general permit before taking over operational control of, or initiation of activities at, the facility.
 - ii. If the previous operator was required to implement a stormwater pollution prevention plan, the new owner shall develop a new stormwater pollution prevention plan, or may modify, certify, and implement the old stormwater pollution prevention plan if the old stormwater pollution prevention plan complies with the requirements of the current general permit.
 - iii. The operator shall provide the Department with a NOT if a permitted facility ceases operation, ceases to discharge, or changes operator status. In the case of a construction activity, the operator shall submit a NOT to the Department when:
 1. The facility ceases construction operations and the discharge is no longer associated with construction or construction-related activities,
 2. The construction is complete and final site stabilization is achieved,
or
 3. The operator's status changes.

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

- a. Definitions:
 - i. Bypass means the intentional diversion of waste streams from any portion of a treatment facility;
 - ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

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

- c. Conditions necessary for a demonstration of upset: An operator who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - i. An upset occurred and that the operator can identify the cause(s) of the upset;
 - ii. The permitted facility was at the time being properly operated;
 - iii. The operator submitted notice of the upset as required in Part 9.12(d)(iii); and
 - iv. The operator complied with any remedial measures required under Part 9.4.
- d. Burden of proof: in any enforcement proceeding, the operator, who is seeking to establish the occurrence of an upset, has the burden of proof.

22. Penalties for Violations of Permit Conditions

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

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

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

10.0 DEFINITIONS

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

Best management practices (BMPs) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of “surface waters.” BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. Also called Controls or Control Measures.

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

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

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

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

Department – the Arizona Department of Environmental Quality.

Director – the Director of ADEQ

Discharge – means the “discharge of a pollutant.”

Discharge of a pollutant – means:

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

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

- a. Surface runoff which is collected or channeled by man;
- b. Discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and
- c. Discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

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

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

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

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

Existing Permittees - Small MS4 operators who had coverage under ADEQ's 2016 Small MS4 General Permit.

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

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

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

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

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

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

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

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

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

- a. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood

- control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to protected surface waters;
- b. Designed or used for collecting or conveying stormwater;
 - c. Which is not a combined sewer; and
 - d. Which is not part of a Publicly Owned Treatment Works.

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

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

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

- a. A TMDL is prepared and implemented for the surface water;
- b. An action, which meets the requirements of R18-11-604(D)(2)(h), is occurring and is expected to bring the surface water to attaining before the next 303(d) List submission; or
- c. The impairment of the surface water is due to pollution but not a pollutant, for which a TMDL load allocation cannot be developed.

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

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

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

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

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

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

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

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

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

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

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

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

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

Stormwater Discharge Associated with Construction Activity – a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

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

Stormwater Management Program (SWMP) - a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm

sewer system. For the purposes of this permit, the Stormwater Management Program is considered a single document, but may actually consist of separate programs (e.g. "chapters") for each permittee.

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

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

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

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

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

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

Wetland – an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. A wetland includes a swamp, marsh, bog, Cienega, tinaja, and similar areas. [A.A.C. R18-11-101(49)]

Appendix A: Annual Report Requirements

4.0 Stormwater Management Program:

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

6.0 Minimum Control Measures:

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

6.1 MCM1 Public Education and Outreach:

3. Did the permittee provide outreach and education to the public on the stormwater program issues and requirements, per Permit Section 6.1(1)?
 - a. Identify the target group and topic used for outreach and education.
 - b. Identify the message used for each target group and topic.
 - c. Identify how the message was conveyed to each target group.
 - d. Identify measures/methods used to assess the effectiveness of the message used for each target group.
4. Did the permittee provide outreach and education to the public on the stormwater program issues and requirements, per Permit Section 6.1(2)?
 - a. Identify the target group and topic used for outreach and education.
 - b. Identify the message used for each target group and topic.
 - c. Identify how the message was conveyed to each target group.
 - d. Identify measures/methods used to assess the effectiveness of the message used for each target group.

6.2 MCM2: Public Participation and Involvement:

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

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

6.3 MCM3: IDDE:

7. Provide a narrative description of the status of the storm sewer mapping, per Permit Section 6.3(1). What is the date of the most recent storm sewer system map showing the location of all outfalls?
8. Did the permittee establish an ordinance or other regulatory mechanism for enforcement procedures of the IDDE Program per Permit Section 6.3(2)? What is the citation of the ordinance or other regulatory mechanism to prohibit non-stormwater discharges into the permittee's MS4?
9. Did the permittee establish or update the "Statement of IDDE Program Responsibilities," per Permit Section 6.3(3)?
10. The permittee shall submit one (1) copy of their 6.3(4) summary of IDDE activities in a tabular format.
11. Did the permittee visually monitor at least 20% of all outfalls this permit year, per Permit Section 6.3(87)?
12. Did the permittee identify indicators of IDDE Program progress or success per Permit Section 6.3(98)?
13. Did the permittee provide annual staff training, per Permit Section 6.3(109)?
 - a. Approximately how many staff attended?
 - b. What was the topic?

6.4 MCM4: Construction Activity Stormwater Runoff Control:

14. Did the permittee establish an ordinance or other regulatory mechanism for enforcement procedures of the Construction Activity Stormwater Runoff Control Program per Permit Section 6.4(2)(a)? What is the citation of the ordinance or other regulatory mechanism to require erosion and sediment controls, including sanctions to ensure compliance?
15. Did the permittee implement a construction site inventory, per Permit Section 6.4(2)(b)?
16. Did the permittee develop written procedures for site plan review, per Permit Section 6.4(2)(c)?
17. Did the permittee implement written procedures for site inspections and enforcement control measures, per Permit Section 6.4(2)(d)?

- a. How many construction site inspections were done in the permit year?
- b. How many follow-up actions were necessary (re-inspection, enforcement actions)?

18. Did the permittee develop and implement an educational program focused on erosion and sediment control for Construction Operators, per Permit Section 6.34(2)(gh)?

19. Did the permittee develop and implement a program requiring construction operators to control wastes from their sites, per Permit Section 6.34(2)(hi)?

~~20. Did the permittee implement a program requiring construction operators to submit their construction SWPPPs for review, per Permit Section 6.3(2)(i)?~~

21-20. Did the permittee implement procedures to receive and act on information submitted by the public (complaints), per Permit Section 6.34(4)?

6.5 MCM5: Post Construction:

22-21. Did the permittee implement a program that includes a combination of structural and non-structural BMPs, per Permit Section 6.5(1)?

23-22. Did the permittee establish an ordinance or other regulatory mechanism for enforcement procedures of the Post-Construction Stormwater Management per Permit Section 6.5(2)? What is the citation for the ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects?

24-23. Did the permittee implement a program to prevent or minimize impacts to water quality from stormwater runoff of new development and redevelopment sites, per Permit Section 6.5(2)?

25-24. Did the permittee implement procedures for site plan review, per Permit Section 6.5(3)?

26-25. Did the permittee implement an inventory of post construction site structural stormwater control measures installed within the MS4, per Permit Section 6.5(4)?

27-26. Did the permittee implement a program to ensure the long-term operation and maintenance of post construction BMPs, per Permit Section 6.5(5)?

6.6 MCM6: Pollution Prevention and Good Housekeeping:

28-27. Did the permittee implement a program to reduce or eliminate discharges of pollutants from municipal streets, facilities, yards, etc., per Permit Section 6.6(1)?

- ~~29-28.~~ Did the permittee implement a program to ensure the long-term operation and maintenance of stormwater BMPs, per Permit Section 6.6(2)?
- ~~30-29.~~ Did the permittee develop an inventory of facilities, prioritized based on their risk of discharging non-stormwater, per Permit Section 6.6(2)(a)?
- ~~31-30.~~ Did the permittee implement an inspection schedule for prioritized facilities, per Permit Section 6.6(2)(c)?
- ~~32-31.~~ Did the permittee implement an annual training program for staff that incorporates pollution prevention and good housekeeping techniques, per Permit Section 6.6(2)(f)?
- a. Approximately how many staff attended?
 - b. What was the topic?
- ~~33-32.~~ Did the permittee develop maintenance activities, schedules and long-term inspections to reduce floatables, trash and other pollutants from the MS4, per Permit Section 6.6(2)(g)?
- ~~34-33.~~ Does the permittee discharge to a non-attaining or impaired water, or an Outstanding Arizona Water (OAW)?

Appendix B: Stormwater Characterization Monitoring Requirements

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

Table B: Analytical Wet Weather Characterization Monitoring

Parameter	Units	Monitoring Frequency	Monitoring Type
Metals			
Antimony	µg/L	1x during first 24 months of permit term	Discrete
Barium	µg/L	1x during first 24 months of permit term	Discrete
Beryllium	µg/L	1x during first 24 months of permit term	Discrete
Cadmium	µg/L	1x during first 24 months of permit term	Discrete
Nickel	µg/L	1x during first 24 months of permit term	Discrete
Mercury	µg/L	1x during first 24 months of permit term	Discrete
Silver	µg/L	1x during first 24 months of permit term	Discrete
Thallium	µg/L	1x during first 24 months of permit term	Discrete
Inorganics			
Cyanide	µg/L	1x during first 24 months of permit term	Discrete
Volatile Organic Compounds (VOCs)			
Acrolein	µg/L	1x during first 24 months of permit term	Discrete
Acrylonitrile	µg/L	1x during first 24 months of permit term	Discrete
Benzene	µg/L	1x during first 24 months of permit term	Discrete
Carbon tetrachloride	µg/L	1x during first 24 months of permit term	Discrete
Chlorobenzene	µg/L	1x during first 24 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Dibromochloromethane	µg/L	1x during first 24 months of permit term	Discrete
Chloroethane	µg/L	1x during first 24 months of permit term	Discrete
2-chloroethylvinyl ether	µg/L	1x during first 24 months of permit term	Discrete
Chloroform	µg/L	1x during first 24 months of permit term	Discrete
Bromodichloromethane	µg/L	1x during first 24 months of permit term	Discrete
1,2-dichlorobenzene	µg/L	1x during first 24 months of permit term	Discrete
1,3-dichlorobenzene	µg/L	1x during first 24 months of permit term	Discrete
1,4-dichlorobenzene	µg/L	1x during first 24 months of permit term	Discrete
1,1-dichloroethane	µg/L	1x during first 24 months of permit term	Discrete
1,2-dichloroethane	µg/L	1x during first 24 months of permit term	Discrete
1,3-dichloropropylene	µg/L	1x during first 24 months of permit term	Discrete
Ethylbenzene	µg/L	1x during first 24 months of permit term	Discrete
Bromomethane	µg/L	1x during first 24 months of permit term	Discrete
Chloromethane	µg/L	1x during first 24 months of permit term	Discrete
Methylene chloride	µg/L	1x during first 24 months of permit term	Discrete
1,1,2,2-tetrachloroethane	µg/L	1x during first 24 months of permit term	Discrete
Tetrachloroethylene	µg/L	1x during first 24 months of permit term	Discrete
Toluene	µg/L	1x during first 24 months of permit term	Discrete
1,2-trans-dichloroethylene	µg/L	1x during first 24 months of permit term	Discrete
1,1,1-trichloroethane	µg/L	1x during first 24 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
1,1,2-trichloroethane	µg/L	1x during first 24 months of permit term	Discrete
Trichloroethylene	µg/L	1x during first 24 months of permit term	Discrete
Vinyl chloride	µg/L	1x during first 24 months of permit term	Discrete
Xylene	µg/L	1x during first 24 months of permit term	Discrete
Semi-VOCs - Acid Extractable			
2-chlorophenol	µg/L	1x during first 24 months of permit term	Discrete
2,4-dichlorophenol	µg/L	1x during first 24 months of permit term	Discrete
2,4-dimethylphenol	µg/L	1x during first 24 months of permit term	Discrete
4,6-dinitro-o-cresol	µg/L	1x during first 24 months of permit term	Discrete
2,4-dinitrophenol	µg/L	1x during first 24 months of permit term	Discrete
2-nitrophenol	µg/L	1x during first 24 months of permit term	Discrete
4-nitrophenol	µg/L	1x during first 24 months of permit term	Discrete
p-chloro-m-cresol	µg/L	1x during first 24 months of permit term	Discrete
Pentachlorophenol	µg/L	1x during first 24 months of permit term	Discrete
Phenol	µg/L	1x during first 24 months of permit term	Discrete
2,4,6-trichlorophenol	µg/L	1x during first 24 months of permit term	Discrete
Semi-VOCs – Base/Neutrals			
Acenaphthene	µg/L	1x during first 24 months of permit term	Discrete
Acenaphthylene	µg/L	1x during first 24 months of permit term	Discrete
Anthracene	µg/L	1x during first 24 months of permit term	Discrete
Benz(a)anthracene	µg/L	1x during first 24 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Benzo(a)pyrene	µg/L	1x during first 24 months of permit term	Discrete
Benzo(b)fluoranthene	µg/L	1x during first 24 months of permit term	Discrete
Benzo(g,h,i)perylene	µg/L	1x during first 24 months of permit term	Discrete
Benzo(k)fluoranthene	µg/L	1x during first 24 months of permit term	Discrete
Chrysene	µg/L	1x during first 24 months of permit term	Discrete
Dibenzo(a,h)anthracene	µg/L	1x during first 24 months of permit term	Discrete
3,3'-dichlorobenzidine	µg/L	1x during first 24 months of permit term	Discrete
Diethyl phthalate	µg/L	1x during first 24 months of permit term	Discrete
Dimethyl phthalate	µg/L	1x during first 24 months of permit term	Discrete
Di-n-butyl phthalate	µg/L	1x during first 24 months of permit term	Discrete
2,4-dinitrotoluene	µg/L	1x during first 24 months of permit term	Discrete
2,6-dinitrotoluene	µg/L	1x during first 24 months of permit term	Discrete
Di-n-octyl phthalate	µg/L	1x during first 24 months of permit term	Discrete
1,2-diphenylhydrazine (as azobenzene)	µg/L	1x during first 24 months of permit term	Discrete
Fluoranthene	µg/L	1x during first 24 months of permit term	Discrete
Fluorene	µg/L	1x during first 24 months of permit term	Discrete
Hexachlorobenzene	µg/L	1x during first 24 months of permit term	Discrete
Hexachlorobutadiene	µg/L	1x during first 24 months of permit term	Discrete
Hexachlorocyclopentadiene	µg/L	1x during first 24 months of permit term	Discrete
Hexachloroethane	µg/L	1x during first 24 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Indeno(1,2,3-cd)pyrene	µg/L	1x during first 24 months of permit term	Discrete
Isophorone	µg/L	1x during first 24 months of permit term	Discrete
Naphthalene	µg/L	1x during first 24 months of permit term	Discrete
Nitrobenzene	µg/L	1x during first 24 months of permit term	Discrete
N-nitrosodimethylamine	µg/L	1x during first 24 months of permit term	Discrete
N-nitrosodi-n-propylamine	µg/L	1x during first 24 months of permit term	Discrete
N-nitrosodiphenylamine	µg/L	1x during first 24 months of permit term	Discrete
Phenanthrene	µg/L	1x during first 24 months of permit term	Discrete
Pyrene	µg/L	1x during first 24 months of permit term	Discrete
1,2,4-trichlorobenzene	µg/L	1x during first 24 months of permit term	Discrete
PCB / Pesticides			
Aldrin	µg/L	1x during first 24 months of permit term	Discrete
Alpha-BHC	µg/L	1x during first 24 months of permit term	Discrete
Beta-BHC	µg/L	1x during first 24 months of permit term	Discrete
Gamma-BHC	µg/L	1x during first 24 months of permit term	Discrete
Delta-BHC	µg/L	1x during first 24 months of permit term	Discrete
Chlordane	µg/L	1x during first 24 months of permit term	Discrete
4,4'-DDT	µg/L	1x during first 24 months of permit term	Discrete
4,4'-DDE	µg/L	1x during first 24 months of permit term	Discrete
4,4'-DDD	µg/L	1x during first 24 months of permit term	Discrete

Parameter	Units	Monitoring Frequency	Monitoring Type
Dieldrin	µg/L	1x during first 24 months of permit term	Discrete
Alpha-endosulfan	µg/L	1x during first 24 months of permit term	Discrete
Beta-endosulfan	µg/L	1x during first 24 months of permit term	Discrete
Endosulfan sulfate	µg/L	1x during first 24 months of permit term	Discrete
Endrin	µg/L	1x during first 24 months of permit term	Discrete
Endrin aldehyde	µg/L	1x during first 24 months of permit term	Discrete
Heptachlor	µg/L	1x during first 24 months of permit term	Discrete
Heptachlor epoxide	µg/L	1x during first 24 months of permit term	Discrete
PCB-1242	µg/L	1x during first 24 months of permit term	Discrete
PCB-1254	µg/L	1x during first 24 months of permit term	Discrete
PCB-1221	µg/L	1x during first 24 months of permit term	Discrete
PCB-1232	µg/L	1x during first 24 months of permit term	Discrete
PCB-1248	µg/L	1x during first 24 months of permit term	Discrete
PCB-1260	µg/L	1x during first 24 months of permit term	Discrete
PCB-1016	µg/L	1x during first 24 months of permit term	Discrete
Toxaphene	µg/L	1x during first 24 months of permit term	Discrete

Notes:

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

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

DRAFT

Appendix C: Total Maximum Daily Load (TMDL) Requirements

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

Gila River

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

Town of Buckeye and Maricopa County:

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

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

Granite Creek:

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

City of Prescott and Yavapai County

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

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

Oak Creek

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

City of Sedona

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

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

Coconino County and Yavapai County

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

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

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

DRAFT

San Pedro

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

City of Sierra Vista and Cochise County

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

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

Santa Cruz

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

City of Nogales

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

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

Watson Lake

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

City of Prescott and Yavapai County

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

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