



# Storm Water Pollution Prevention Program (SWPPP)



Prepared November 2006  
Effective Date: February 15, 2007  
Expiration Date: May 31, 2011

As Required By:  
GENERAL PERMIT NO. MNR040000  
AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED WITH  
MUNICIPAL SEPARATE STORM SEWER SYSTEMS UNDER THE NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM / STATE DISPOSAL SYSTEM  
PERMIT PROGRAM

City of Albert Lea  
SWPPP  
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## Introduction

Pollution of our local waters has become an ever-increasing concern. There are numerous efforts being made at all government levels to determine where the pollution comes from and how it can be eliminated. Some of this pollution is being transported through municipal separate storm sewer systems (MS4) and deposited directly into nearby lakes, rivers, and streams. Common pollutants conveyed in an MS4 are oil and grease, pesticides, fertilizers, sediment, salt, and carelessly discarded trash. When discharged into local water bodies, these pollutants can cause impairments that impact recreational use, drinking water supplies, and fish and other wildlife habitat.

To reduce the pollution from MS4s, the Minnesota Pollution Control Agency (MPCA), acting under authority delegated from the EPA, issued Phase I of the National Pollutant Discharge Elimination System (NPDES) in 1990. This phase addressed storm water discharges from medium and large MS4s (population of 100,000 or greater). In 1999, Phase II of the NPDES was issued. Phase II expanded storm water regulations to small MS4s (population less than 100,000 and in an urbanized area). The original MS4 General Permit was issued by the MPCA in June 2002, and due to an appeal filed on the permit, was delayed and subsequently modified. The revised permit was approved on February 28, 2006 and became effective on June 1, 2006.

In 2005, the MPCA added an additional 44 discretionary cities to the list of regulated MS4s. The City of Albert Lea was included on this list and was given until February 2007 to apply for permit coverage.

The City of Albert Lea is required to develop, implement, and enforce a Storm Water Pollution Prevention Program (SWPPP) designed to reduce the discharge of pollutants from the City of Albert Lea to the “maximum extent practicable” to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act. The “maximum extent practicable” is a congressionally mandated standard for treating storm water. The EPA has decided to let maximum extent practicable be undefined in the permit process to provide more flexibility in the program implementation. Compliance of maximum extent practicable requires successful implementation of approved best management practices (BMPs)

To obtain permit coverage, the City of Albert Lea must complete and submit an application and SWPPP to the MPCA. The SWPPP must be a program consisting of six elements that, when implemented, are expected to result in significant reductions of pollutants discharged into receiving waters.

The six minimum control measures (MCMs) are:

1. Public education and outreach
2. Public participation
3. Illicit discharge detection and elimination
4. Construction site storm water runoff control
5. Post-construction storm water management in new development and redevelopment
6. Pollution prevention / good housekeeping for municipal operations

The BMPs relating to the six minimum control measures are listed and discussed in the following SWPPP.

The goal of the City of Albert Lea's SWPPP is the same as the goal of the General Permit:

*The primary goal of this permit is to restore and maintain the chemical, physical, and biological integrity of waters of the state through management and treatment of urban storm water runoff. This is accomplished by management of MS4s through a SWPPP. The purpose is to maintain water quality standards where there is compliance, and help bring waters that do not meet water quality standards into compliance.*

## Minimum Control Measure No. 1 Public Education and Outreach

Public education and outreach is necessary because an informed and knowledgeable community is crucial to the success of a storm water management program. It helps to ensure:

- Greater support for the program as the public gains a greater understanding of the reasons why it is necessary and important. Public support is particularly beneficial when operators of MS4s attempt to institute new funding initiatives for the program and seek volunteers to help implement the program; and
- Greater compliance with the program as the public becomes aware of the personal responsibilities expected of them and others in the community, including individual actions they can take to protect or improve the quality of area waters.

Each MS4 is required to:

- Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.
- Specifically implement an education program that individually addresses each minimum control measure
- For each control measure, the education program must identify the audience, educational goals, activities to be used, activity implementation plans, and performance measures
- Describe how the education program is coordinated with and makes effective use of other storm water education programs being conducted in your area by other entities as appropriate for your MS4
- Hold at least one public meeting per year addressing the SWPPP

**Minimum Control Measure 1: PUBLIC EDUCATION AND OUTREACH**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
1a-1	Distribute Educational Materials	<b>V.G.1.a</b>
1b-1	Implement an Education Program	<b>V.G.1.b</b>
1c-1	Education Program: Public Education and Outreach	<b>V.G.1.c</b>
1c-2	Education Program: Public Participation	<b>V.G.1.c</b>
1c-3	Education Program: Illicit Discharge Detection and Elimination	<b>V.G.1.c</b>
1c-4	Education Program: Construction Site Run-off Control	<b>V.G.1.c</b>
1c-5	Education Program: Post-Construction Storm water Management in New Development and Redevelopment	<b>V.G.1.c</b>
1c-6	Education Program: Pollution Prevention/Good Housekeeping for Municipal Operations	<b>V.G.1.c</b>
1d-1	Coordination of Education Program	<b>V.G.1.d</b>
1e-1	Annual Public Meeting	<b>V.G.1.e</b>

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 1-PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1a-1

**\*BMP Title:** Distribute Educational Materials

**\*BMP Description:**

The City will utilize the Albert Lea TV channel (ALTV), the City of Albert Lea Newsletter, and the City of Albert Lea website to reach residents with pertinent storm water related information. The information will include updates on the City's efforts to minimize storm water pollution and ways that residents can help.

**\*Measurable Goals:**

Informational items distributed with storm water related articles  
Storm water related slides shown on ALTV

**\*Timeline/Implementation Schedule:**

2007 - 2008 – Storm water related articles will be compiled  
2009 - Storm water related articles will be published annually in the City Newsletter  
2010 - Storm water related information will be conveyed over ALTV

Evaluation of this BMP will occur annually during preparation of the NPDES Annual Report.

**Specific Components and Notes:**

- Reminders to keep yard waste out of the street
- Reminders to clear inlet grates
- Updates on joint efforts with the County and Watershed District

**\*Responsible Party for this BMP:**

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*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1b-1

**\*BMP Title:** Implement an Education Program

**\*BMP Description:**

The City will establish an education program which utilizes annual meetings, ALTV, the City of Albert Lea Newsletter and the City's website to educate the public of various storm water related topics. The City will also continue to work with the Shell Rock River Watershed District to further their education program already in place.

**\*Measurable Goals:**

Educational program in place  
Meetings held with public  
Public attendance at meetings

**\*Timeline/Implementation Schedule:**

2007 - 2008 – The City will collaborate with the Shell Rock River Watershed District to identify educational opportunities  
2009 – The City will begin utilizing the City's bi-monthly newsletter to address storm water issues  
2010 – The City will incorporate ALTV to convey storm water information to residents  
The first meeting with the public will be held prior to June 30, 2008 and will be scheduled annually thereafter.

**Specific Components and Notes:**

The MS4 annual meeting will have a segment dedicated to public education.  
The City of Albert Lea's website will contain educational materials.  
(Storm water facts run on ALTV with the annual meeting notice)

**\*Responsible Party for this BMP:**

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1c-1

<p><b>*BMP Title:</b> Education Program: Public Education and Outreach</p>
<p><b>*Audience(s) Involved:</b> Residents of Albert Lea, City staff, students, building contractors, businesses in Albert Lea</p>
<p><b>*Educational Goals for Each Audience:</b>            Residents – Increase awareness of the effects storm water has on local water bodies            City Staff – Increase awareness of the effects storm water has on local water bodies; increase understanding of the MS4 NPDES regulations            Students – Increase awareness of storm water related issues; reduce pollution causing activities in younger generations            Building Contractors – Increase understanding of and compliance with storm water regulations            Businesses – Increase awareness of the effects storm water has on local water bodies; Reduce storm water pollution from commercial sources</p>
<p><b>*Activities Used to Reach Educational Goals:</b>            Residents – City of Albert Lea Newsletter, ALTV, media news releases            City Staff – City of Albert Lea Newsletter, Internal correspondence (Friday Letter)            Students – Shell Rock River Watershed District presentations, ALTV            Building Contractors – Annual Contractors Seminar            Businesses – City of Albert Lea Newsletter, ALTV, Chamber newsletter</p>
<p><b>*Activity Implementation Plan:</b>            City of Albert Lea Newsletter – Engineering Dept – Annual article beginning in 2009            ALTV – Public Info Coordinator, Engineering Dept – Notices and information when pertinent, 2010            Internal Correspondence – Engineering Dept – Use of weekly newsletter to convey update information, 2007            SRRWD presentations – Watershed District Outreach Coordinator – presentations to local schools ongoing            Annual Contractors Seminar – Inspection Dept, Engineering Dept – Information to be distributed at seminar, 2010            Media News Releases – Engineering Dept. – Notices and information when pertinent, 2010            Chamber Newsletter – Pubic Info. Coordinator, Engineering Dept. – Information directed toward businesses, 2010</p>
<p><b>*Performance Measures:</b>            Number of newsletters distributed            Amount of information shown on ALTV            Number of updated in internal correspondence            Number of presentations at schools            Amount of literature distributed at Contractors Seminar</p>
<p><b>*Responsible Party for this BMP:</b>            Name: Steve Wirtz            Department: Engineering            Phone: 507-377-4325            E-mail: swirtz@city.albertlea.org</p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1c-2

<b>*BMP Title:</b> Education Program: Public Participation
<b>*Audience(s) Involved:</b> Residents of Albert Lea
<b>*Educational Goals for Each Audience:</b> Residents – Increase awareness of what can be done on an individual basis to help reduce storm water pollution
<b>*Activities Used to Reach Educational Goals:</b> City of Albert Lea Newsletter Direct Mailings
<b>*Activity Implementation Plan:</b> City Newsletter – Engineering Dept – Annual article beginning in 2009 Direct Mailings – Engineering Dept – Reminders sent homeowners annually regarding sump pump bypass valves
<b>*Performance Measures:</b> Number of newsletters distributed Number of reminders sent to residents
<b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1c-3

<p><b>*BMP Title:</b> Education Program: Illicit Discharge Detection and Elimination</p>
<p><b>*Audience(s) Involved:</b> Residents of Albert Lea, City Staff, Businesses</p>
<p><b>*Educational Goals for Each Audience:</b> Residents – Increase awareness of what constitutes an illicit discharge; increase use of Household Hazardous Waste Collections City Staff – Increase understanding of illicit discharges and ways to prevent them; increase awareness of laws Businesses – Increase awareness of what constitutes an illicit discharge; increase awareness of ways to eliminate illicit discharges</p>
<p><b>*Activities Used to Reach Educational Goals:</b> Annual MS4 Meeting City of Albert Lea Newsletter ALTV City of Albert Lea Website</p>
<p><b>*Activity Implementation Plan:</b> Annual MS4 Meeting – Engineering Dept – Portion of meeting will address illicit discharges, first meeting prior to June 30, 2008 City Newsletter – Annual article beginning in 2009 ALTV – Public Info Coordinator, Engineering Dept – Notices and information when pertinent City of Albert Lea Website – Public Info Coordinator, Engineering Dept. – Updates and documents for review when pertinent</p>
<p><b>*Performance Measures:</b> Number of residents attending meeting Number of newsletters distributed Amount of information shown on ALTV</p>
<p><b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1c-4

<b>*BMP Title:</b> Education Program: Construction Site Run-off Control
<b>*Audience(s) Involved:</b> City Staff, Contractors
<b>*Educational Goals for Each Audience:</b> City Staff – Increase understanding of construction site erosion and sediment control standards Contractors – Increase understanding of construction site erosion and sediment control standards; Increase understanding of applicable Federal, State, and Local regulations regarding erosion and sediment control
<b>*Activities Used to Reach Educational Goals:</b> City Staff – Internal Correspondence Contractors – Annual Contractors Seminar
<b>*Activity Implementation Plan:</b> City Staff – Engineering Dept – Utilize weekly newsletter to convey information when applicable Contractors – Engineering Dept, Inspection Dept – Distribute information annually regarding regulations
<b>*Performance Measures:</b> Amount of information distributed Number of Contractors attending seminar
<b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1c-5

<p><b>*BMP Title:</b> Education Program: Post-Construction Storm water Management in New Development and Redevelopment</p>
<p><b>*Audience(s) Involved:</b> Developers, homeowners in Albert Lea</p>
<p><b>*Educational Goals for Each Audience:</b> Developers – Increase understanding of NPDES regulations and other local ordinances Homeowners – Increase understanding of homeowners’ requirements regarding erosion and sediment control practices; Improve stewardship</p>
<p><b>*Activities Used to Reach Educational Goals:</b> City of Albert Lea Newsletter Developers’ Meetings Shell Rock River Watershed District Workshops</p>
<p><b>*Activity Implementation Plan:</b> City of Albert Lea Newsletter – Engineering Dept – Annual Article beginning in 2009 Developers’ Meetings – Engineering Dept – Hold at least one meeting for developers after new ordinance takes effect , 2010 SRRWD Workshops – Watershed District Outreach Coordinator – Annual workshops for public regarding storm water</p>
<p><b>*Performance Measures:</b> Number of newsletters distributed Number of developers at meeting or contacted</p>
<p><b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1c-6

<b>*BMP Title:</b> Education Program: Pollution Prevention/Good Housekeeping for Municipal Operations
<b>*Audience(s) Involved:</b> City Staff
<b>*Educational Goals for Each Audience:</b> City Staff – Increase understanding of storm water regulations; increase awareness of BMP’s required for various operations
<b>*Activities Used to Reach Educational Goals:</b> Internal Correspondence In House Training
<b>*Activity Implementation Plan:</b> Internal Correspondence – Engineering Dept – Will keep superintendents up-to-date on BMP’s and regulations In House Training – Engineering Dept, Public Works – Develop a training program for Utilities, Streets, and Parks Departments, implement program
<b>*Performance Measures:</b> Information distributed to superintendents Attendance at training sessions
<b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1d-1

**\*BMP Title:** Coordination of Education Program

**\*BMP Description:**

With the inclusion of multiple agencies in the Education Program, a sophisticated coordination effort will be necessary to run the program efficiently. This will take place by maintaining contact with members of other agencies and meeting regularly to discuss future plans.

**\*Measurable Goals:**

Multi-agency meetings held to discuss public education

**\*Timeline/Implementation Schedule:**

The City, County, and Watershed District have already been holding annual meetings to discuss the community's needs regarding water quality. These meetings will continue with the addition of a portion of the meeting being dedicated to education.

2009 – Begin annual agency meetings to discuss the education program

**Specific Components and Notes:**

Plan upcoming presentations  
Discuss enforcement actions  
Review past presentations

**\*Responsible Party for this BMP:**

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**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** PUBLIC EDUCATION AND OUTREACH

**Unique BMP Identification Number:** 1e-1

**\*BMP Title:** Annual Public Meeting

**\*BMP Description:**

The City of Albert Lea Annual Storm water Meeting will be an important venue for residents to comment on the City's SWPPP and also to bring to light situations that could be improved. As well as a forum for residents, this meeting will also serve as a way for the City to educate residents on what they can do and what is already being done to improve storm water quality. This meeting will be open to the public and will meet all public noticing requirements. This meeting will also be broadcast on ALTV.

**\*Measurable Goals:**

Public attendance at the meeting  
Input from public

**\*Timeline/Implementation Schedule:**

Spring 2008 – First annual meeting will be held prior to Annual Report due date of June 30

**Specific Components and Notes:**

Educational content on MS4 regulations  
Explanation of BMP's  
Public questions/comments

**\*Responsible Party for this BMP:**

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## Minimum Control Measure No. 2

# Public Participation and Involvement

The City of Albert Lea believes that the public can provide valuable input and assistance to a regulated small MS4's municipal storm water management program and, therefore, suggests that the public be given opportunities to play an active role in both the development and implementation of the program.

An active and involved community is crucial to the success of a storm water management program because it allows for:

- Broader public support since citizens who participate in the development and decision-making process are partially responsible for the program. Therefore, they are less likely to raise legal challenges to the program and more likely to take an active role in its implementation.
- Shorter implementation schedules due to fewer obstacles in the form of public and legal challenges and increased sources in the form of citizen volunteers.
- A broader base of expertise and economic benefits since the community can be a valuable and free intellectual resource.
- A conduit to other programs as citizens involved in the storm water program development process provide important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when implementing a storm water program on a watershed basis.

Each MS4 is required to:

- Comply with applicable public notice requirements when implementing provisions of the SWPPP
- Solicit public input and opinion on the adequacy of the SWPPP, including input from the annual public meeting
- Consider the public input, oral and written, to the SWPPP and make adjustments deemed appropriate

**Minimum Control Measure 2: PUBLIC PARTICIPATION/INVOLVEMENT**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
2a-1	Comply with Public Notice Requirements	<b>V.G.2.a</b>
2b-1	Solicit Public Input and opinion on the Adequacy of the SWPPP	<b>V.G.2.b</b>
2c-1	Consider Public Input	<b>V.G.2.c</b>

## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 2-PUBLIC PARTICIPATION/INVOLVEMENT

**Unique BMP Identification Number:** 2a-1

<p><b>*BMP Title:</b> Comply with Public Notice Requirements</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea will provide public notice prior to the annual storm water meeting and any other meetings that are part of the SWPPP.</p>
<p><b>*Measurable Goals:</b></p> <p>Public Notices published in the Albert Lea Tribune and broadcast on KATE Radio</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2008 – 30 days before annual meeting – first public notice will be published Public notices will be published annually.</p>
<p><b>Specific Components and Notes:</b></p> <p>30-day public notice Date, time, and place for meeting</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 2-PUBLIC PARTICIPATION/INVOLVEMENT

**Unique BMP Identification Number:** 2b-1

<p><b>*BMP Title:</b> Solicit Public Input and opinion on the Adequacy of the SWPPP</p>
<p><b>*BMP Description:</b> Prior to and during the annual public meeting, comments and opinions will be solicited from the public.</p>
<p><b>*Measurable Goals:</b> Input received from public Public attendance at annual public meeting</p>
<p><b>*Timeline/Implementation Schedule:</b> 2008 – Comments will be solicited from the public prior to the first public meeting</p>
<p><b>Specific Components and Notes:</b> Public notice will invite written and oral comments Annual meeting will allow time for public input</p>
<p><b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 2-PUBLIC PARTICIPATION/INVOLVEMENT

**Unique BMP Identification Number:** 2c-1

<p><b>*BMP Title:</b> Consider Public Input</p>
<p><b>*BMP Description:</b></p> <p>The City will analyze the comments, written and oral, and adjust the SWPPP if/where appropriate. Comments received each year will be filed and reviewed prior to submitting the annual report.</p>
<p><b>*Measurable Goals:</b></p> <p>Changes made to the SWPPP due to public comment Responses made to public input</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2008 – Comments received prior to submission of the first annual report will be reviewed Comments will be reviewed annually prior to June 30.</p>
<p><b>Specific Components and Notes:</b></p> <p>Comment and response database Log of SWPPP changes</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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## Minimum Control Measure No. 3

# Illicit Discharge Detection and Elimination

Federal regulations define an illicit discharge as “...any discharge to an MS4 that is not composed entirely of storm water...” with some exceptions. Illicit discharges enter the system through either direct connections (e.g. wastewater piping connected to storm drains) or indirect connections (e.g. infiltration into the MS4 from cracked sanitary systems, spills collected by drain outlets, or paint or used oil dumped directly into a drain). The result is untreated discharges that contribute high levels of pollutants, including heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria to receiving water bodies.

Each MS4 is required to:

- Develop a storm sewer system map by June 30, 2008 showing ponds, streams, lakes, and wetlands that are part of the system, structural pollution control devices, pipes and other conveyances in the system, and outfalls.
- Prohibit, through ordinance or other regulatory mechanism, non-storm water discharges to the storm sewer system.
- Develop and implement a program to detect and address non-storm water discharges to the system.
- Inform employees, businesses, and the general public in the MS4 area of the hazards associated with illegal discharges and improper disposal of waste.
- Address certain categories of non-storm water discharges or flows, if they are identified as significant contributors of pollutants to the MS4.

**Minimum Control Measure 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
3a-1	Storm Sewer System Map	<b>V.G.3.a</b>
3b-1	Regulatory Control Program	<b>V.G.3.b</b>
3c-1	Illicit Discharge Detection and Elimination Plan	<b>V.G.3.c</b>
3d-1	Public and Employee Illicit Discharge Information Program	<b>V.G.3.d</b>
3e-1	Identification of Non Storm water Discharges and Flows	<b>V.G.3.e</b>

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 3-ILLICIT DISCHARGE DETECTION AND ELIMINATION

**Unique BMP Identification Number:** 3a-1

<p><b>*BMP Title:</b> Storm Sewer System Map</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea has completed a storm sewer map in AutoCAD format. This map is continually updated and added to as information becomes available.</p>
<p><b>*Measurable Goals:</b></p> <p>Continually updated storm sewer map</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>As storm sewers are added, modified, or abandoned, the AutoCAD map is changed accordingly</p>
<p><b>Specific Components and Notes:</b></p> <p>Plan layout of storm sewer Pipe size indicators Numerical system identifying outfalls</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Scott Woitas Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swoitas@city.albertlea.org">swoitas@city.albertlea.org</a></p>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 3-ILLICIT DISCHARGE DETECTION AND  
ELIMINATION

**Unique BMP Identification Number:** 3b-1

<p><b>*BMP Title:</b> Regulatory Control Program</p>
<p><b>*BMP Description:</b></p> <p>The City Code regarding sewer utilities will be updated to make it unlawful to discharge any non-storm water into the storm sewer. Violation enforcement and penalties are already established in the Code.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment A</p>
<p><b>*Measurable Goals:</b></p> <p>Updated ordinance prohibiting illicit discharges</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Existing ordinance will be modified Ordinance will be reviewed annually and modified if deemed necessary</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 3-ILLICIT DISCHARGE DETECTION AND ELIMINATION

**Unique BMP Identification Number:** 3c-1

<p><b>*BMP Title:</b> Illicit Discharge Detection and Elimination Plan</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea will begin inspecting all storm sewer outfalls, sediment basins, and ponds to detect illicit discharges. 20% will be inspected each year on a rotating basis. A log will be kept tracking all illicit discharges found and eliminated. The City of Albert Lea will use the Illicit Discharge Detection and Elimination manual to identify and locate potential illicit discharges.</p> <p>Location(s) in SWPPP of information relating to this BMP Attachment B</p>
<p><b>*Measurable Goals:</b></p> <p>Illicit Discharge Detection and Elimination Plan in place Illicit Discharges detected and eliminated</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Begin outfall inspections Inspections will continue annually</p>
<p><b>Specific Components and Notes:</b></p> <p>20% of all outfalls, sediment basins, and ponds will be inspected annually on a rotating basis Follow ups will be conducted accordingly</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 3-ILLICIT DISCHARGE DETECTION AND  
ELIMINATION

**Unique BMP Identification Number:** 3d-1

<p><b>*BMP Title:</b> Public and Employee Illicit Discharge Information Program</p>
<p><b>*BMP Description:</b></p> <p>The City will utilize various methods to inform employees and the public of the hazards associated with illegal discharges and improper disposal of waste. Information will be conveyed through the City of Albert Lea Newsletter and ALTV. The City will promote the use of Freeborn County's Household Hazardous Waste Collections and publicize the illicit discharge reporting email address. Information distributing efforts will be jointly performed between the City, County, and Watershed District.</p> <p>Internally, employees will be kept informed of the illicit discharge regulations and ordinance modifications.</p>
<p><b>*Measurable Goals:</b></p> <p>Educational information distributed</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2008 – Provide education at first Annual Meeting 2009 – Begin publishing annual article in Newsletter 2010 – Begin running information on ALTV</p>
<p><b>Specific Components and Notes:</b></p> <p>City of Albert Lea Newsletter – Annual Article ALTV – Information to be conveyed in preparation for annual meetings Internal correspondence will be used to reach all City employees when necessary</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 3-ILLCIT DISCHARGE DETECTION AND ELIMINATION

**Unique BMP Identification Number:** 3e-1

<p><b>*BMP Title:</b> Identification of Non Storm water Discharges and Flows</p>
<p><b>*BMP Description:</b></p> <p>The City will annually review the list of non-storm water discharges that are not expressly prohibited. If any of these discharges is believed or proven to be a significant source of storm water pollution, the City will address the discharge through ordinance or other regulatory means.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment C</p>
<p><b>*Measurable Goals:</b></p> <p>List reviewed annually Ordinance modifications to address new found sources of significant storm water pollution</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2008 – List will be reviewed in preparation of the first annual report The aforementioned list will be reviewed annually in preparation of each annual report</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

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## Minimum Control Measure No. 4

# Construction Site Storm Water Runoff Control

Polluted storm water runoff from construction sites often flows to MS4s and ultimately is discharged into local rivers and streams. Sediment is usually the main pollutant of concern. According to EPA, sediment runoff rates from construction sites are typically 1-10 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forest lands. During a short period, construction sites can contribute more sediment to streams than can be deposited naturally over several decades. The resulting siltation and the contribution of other pollutants from construction sites can cause physical, chemical, and biological harm to our nation's waters. For example, excess sediment can quickly fill rivers and lakes, requiring dredging and destroying aquatic habitats.

The Phase II regulations require each regulated MS4 to develop, implement, and enforce a program to reduce pollutants in storm water runoff to the storm sewer system from construction activities that result in a land disturbance of greater than or equal to one acre.

Each MS4 is required to:

- Develop an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under law.
- Set requirements for construction site operators to implement appropriate erosion and sediment control BMPs.
- Set requirements for construction site operators to control waste at the construction site that may cause adverse impacts to water quality.
- Set procedures for site plan review which incorporate consideration of potential water quality impacts.
- Set procedures for receipt and consideration of reports of noncompliance or other information on construction related issues submitted by the public.
- Set procedures for site inspection and enforcement of control measures.

**Minimum Control Measure 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
4a-1	Ordinance or other Regulatory Mechanism	<b>V.G.4.a</b>
4b-1	Construction Site Implementation of Erosion and Sediment Control BMPs	<b>V.G.4.b</b>
4c-1	Waste Controls for Construction Site Operators	<b>V.G.4.c</b>
4d-1	Procedure for Site Plan Review	<b>V.G.4.d</b>
4e-1	Establishment of Procedures for the Receipt and Consideration of Reports of Storm water Noncompliance	<b>V.G.4.e</b>
4f-1	Establishment of Procedures for Site Inspections and Enforcement	<b>V.G.4.f</b>

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 4-CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

**Unique BMP Identification Number:** 4a-1

<p><b>*BMP Title:</b> Ordinance or other Regulatory Mechanism</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea originally had construction site storm water control standards for shoreland areas only. Through the creation of a new ordinance, there are now storm water control standards for all construction sites with land disturbance greater than one acre within the Albert Lea City Limits. Minimum site erosion and sediment control standards were also created through this ordinance for sites disturbing less than one acre of land.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment D</p>
<p><b>*Measurable Goals:</b></p> <p>Implemented ordinance</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Begin informing contractors of the new ordinance requirements, begin site inspection and enforcement Ordinance to be reviewed annually prior to June 30 annual report deadline</p>
<p><b>Specific Components and Notes:</b></p> <p>Procedural standards for construction site erosion and sediment control plans Erosion and sediment control design standards Reference to MPCA requirements Penalties for violations</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 4-CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

**Unique BMP Identification Number:** 4b-1

<p><b>*BMP Title:</b> Construction Site Implementation of Erosion and Sediment Control BMPs</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea refers to the Minnesota Storm water Manual for guidelines for implementation of BMPs. This manual will serve as a reference to contractors to implement BMPs and will also be the basis for evaluating BMPs during site inspections.</p>
<p><b>*Measurable Goals:</b></p> <p>Adequately implemented BMPs used on construction sites Storm water manual referrals given</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>This manual will be used to evaluate all construction site erosion and sediment control plans. This will begin in 2007 when enforcement procedures commence.</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 4-CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

**Unique BMP Identification Number:** 4c-1

<p><b>*BMP Title:</b> Waste Controls for Construction Site Operators</p>
<p><b>*BMP Description:</b></p> <p>The City's Construction Activity Storm water Ordinance addresses waste control for construction site operators. In any City project requiring a SWPPP, waste control is included in the SWPPP document</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment D</p>
<p><b>*Measurable Goals:</b></p> <p>Reduction in waste leaving construction sites Site plans submitted which include waste controls</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Waste control regulation enforcement will begin with Construction Site Erosion and Sediment Control Ordinance enforcement Waste control regulations will be evaluated annually prior to June 30 and updated if deemed necessary</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 4-CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

**Unique BMP Identification Number:** 4d-1

<p><b>*BMP Title:</b> Procedure for Site Plan Review</p>
<p><b>*BMP Description:</b></p> <p>Provisions for site plan review are included in the City of Albert Lea’s Construction Activity Storm water Ordinance. All construction activities disturbing greater than one acre of land are required to submit a site plan to the City Inspection Department. These site plans will be kept on file and referenced during inspections.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment D</p>
<p><b>*Measurable Goals:</b></p> <p>All site plans reviewed Site plans properly modified after review</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Site plan review and record keeping will begin along with enforcement of the Construction Site Erosion and Sediment Control Ordinance. The site plan review procedure will be reviewed annually prior to June 30. The procedure will be modified as necessary to ensure adequate review is taking place.</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Paul Stielor Department: Inspection Phone: 507-377-4340 E-mail: pstielor@city.albertlea.org</p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 4-CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

**Unique BMP Identification Number:** 4e-1

<b>*BMP Title:</b> Establishment of Procedures for the Receipt and Consideration of Reports of Storm water Noncompliance
<b>*BMP Description:</b> Residents will be encouraged to call the City Inspection Department to report illicit discharges and other storm water related violations. All reports will be logged and investigated if necessary. The City Inspection Department will continue to logging and following up on complaints as they have in the past.
<b>*Measurable Goals:</b> Orderly system in place to receive and consider non-compliance reports Follow-ups conducted as necessary
<b>*Timeline/Implementation Schedule:</b> 2007 – Procedures will be set up for handling storm water non-compliance reports 2008 – Residents will be notified of the phone number to call at Annual Meeting Annually additional methods to receive storm water noncompliance reports will be considered. Any changes will be noted in the annual report.
<b>Specific Components and Notes:</b> Email address to receive non-compliance reports Follow up log showing reports, findings, and outcomes
<b>*Responsible Party for this BMP:</b> Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 4-CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

**Unique BMP Identification Number:** 4f-1

<p><b>*BMP Title:</b> Establishment of Procedures for Site Inspections and Enforcement</p>
<p><b>*BMP Description:</b></p> <p>The City Engineering Department performs inspections on construction sites for which the City is responsible and/or performing constructions oversight. All other sites are inspected privately, typically by the designing engineer. The City's Construction Site Storm water Ordinance allows the City to enter any construction site to perform inspections if inspection requirements are failing to be met. City Staff may also enter a site if a storm water violation is reported.</p> <p>Staff conducting inspections will be certified as Erosion and Sediment Control Inspectors by MN/DOT.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment D</p>
<p><b>*Measurable Goals:</b></p> <p>Project sites adequately inspected Site inspectors certified by MN/DOT's Erosion and Sediment Control Program</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Maintain proper inspection for City projects; promote staff inspector certification; establish procedure for visiting non-City sites on a complaint basis</p>
<p><b>Specific Components and Notes:</b></p> <p>Erosion and Sediment Control Inspector certification through MN/DOT Adhering to NPDES requirements for construction site storm water inspections Establishing a standard procedure for performing site inspections on non-City projects within City Limits</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

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## Minimum Control Measure No. 5

# Post-Construction Storm Water Management in New Development and Redevelopment

Post-construction storm water management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving water bodies. According to EPA, many studies indicate that prior planning and design for the minimization of pollutants in post-construction storm water discharges is the most cost-effective approach to storm water quality management.

There are generally two forms of substantial impacts of post-construction runoff. The first is caused by an increase in the type and quantity of pollutants in storm water runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients (i.e. nitrogen and phosphorus). These pollutants often become suspended in runoff and are carried to receiving waters such as lakes, ponds and streams. Once deposited, these pollutants can enter the food chain through small aquatic life, eventually entering the tissues of fish and humans.

The second kind of post-construction runoff impact occurs by increasing the quantity of water delivered to the water body during storms. Increased impervious surfaces interrupt the natural cycle of gradual percolation of water through vegetation and soil. Instead, water is collected from surfaces such as asphalt and concrete, and routed to drainage systems where large volumes of runoff quickly flow to the nearest receiving water. The effects of this process include stream bank scouring and downstream flooding. This often leads to a loss of aquatic life and damage to property.

The Phase II Rule requires each regulated MS4 to develop, implement, and enforce a program to reduce pollutants in post-construction runoff to the storm sewer system from new and redevelopment projects that result in the land disturbance of greater than or equal to one acre.

Each MS4 is required to:

- Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community
- Develop an ordinance or other regulatory mechanism to address post-construction runoff from new and redevelopment projects to the extent allowable under law.
- Ensure adequate long term operation and maintenance of BMPs installed as a result of these requirements.

**Minimum Control Measure 5: POST-CONSTRUCTION STORM WATER MANAGEMENT  
IN NEW DEVELOPMENT AND REDEVELOPMENT**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
5a-1	Development and Implementation of Structural and/or Non-structural BMPs	<b>V.G.5.a</b>
5b-1	Regulatory Mechanism to Address Post Construction Runoff from New Development and Redevelopment	<b>V.G.5.b</b>
5c-1	Long-term Operation and Maintenance of BMPs	<b>V.G.5.c</b>

## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 5-POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

**Unique BMP Identification Number:** 5a-1

<p><b>*BMP Title:</b> Development and Implementation of Structural and/or Non-structural BMPs</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea requires that any new or redevelopment meet the requirements set forth by the Shell Rock River Watershed District and the general NPDES Construction Activity Storm water Permit. In addition, the City requires that post-construction storm water management BMPs be included in all site plans submitted to the City for review.</p>
<p><b>*Measurable Goals:</b></p> <p>BMP's installed when necessary Site plans submitted with post-construction BMPs included</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Site plan review will begin; post-construction storm water management will be required with review</p>
<p><b>Specific Components and Notes:</b></p> <p>Shell Rock River Watershed District detention pond requirements City Construction Site Storm water Ordinance NPDES General Permit for Construction Activity</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 5-POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

**Unique BMP Identification Number:** 5b-1

<p><b>*BMP Title:</b> Regulatory Mechanism to Address Post Construction Runoff from New Development and Redevelopment</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea has established a Construction Site Erosion and Sediment Control Ordinance which requires any development to submit an Erosion and Sediment Control Plan to the City for review. The Plan submitted must indicate who is responsible for the long term storm water management of the development and who is responsible for maintaining the permanent storm water management systems on site.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment D</p>
<p><b>*Measurable Goals:</b></p> <p>Completed ordinance in place</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Begin education on the new ordinance requirements, Inspect sites in violation of ordinance; educate persons in violation 2008 – Begin full enforcement of new ordinance’s post-construction storm water requirements Ordinance to be reviewed annually prior to June 30 annual report deadline</p>
<p><b>Specific Components and Notes:</b></p> <p>Mandatory site plan review Responsible party for each site</p>
<p><b>*Responsible Party for this BMP:</b></p> <p style="margin-left: 20px;">Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

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## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 5-POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

**Unique BMP Identification Number:** 5c-1

<p><b>*BMP Title:</b> Long-term Operation and Maintenance of BMPs</p>
<p><b>*BMP Description:</b></p> <p>Each new development will either dedicate the storm water BMPs to the City or own, operate and maintain them privately. If the City is not responsible for the BMP, the responsible party must be listed on the site plan submitted for review or in the Development Agreement. The City will establish a list of BMPs for which it is responsible. These will be added to the maintenance schedule for the City Utilities Department.</p>
<p><b>*Measurable Goals:</b></p> <p>All BMPs maintained properly privately or by the City</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Begin establishing list of City-owned BMPs which require maintenance; Create a comprehensive inspection and maintenance schedule for each City-owned BMP</p> <p>2008 - Begin inspection and maintenance of City-owned BMPs according to the schedule created</p>
<p><b>Specific Components and Notes:</b></p> <p>Clear listing of responsible party in Development Agreement and Site Plan</p> <p>City-owned BMP inspection and maintenance plan</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Don Eckart</p> <p>Department: City Utilities</p> <p>Phone: 507-377-4378</p> <p>E-mail: <a href="mailto:deckart@city.albertlea.org">deckart@city.albertlea.org</a></p>

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## Minimum Control Measure No. 6

# Pollution Prevention / Good Housekeeping for Municipal Operations

Pollution prevention and good housekeeping for municipal operations is a key element of a storm water management program for a municipality. This measure requires the municipality to examine and subsequently alter their actions to help ensure a reduction in the amount and type of pollution that 1) collects on streets, parking lots, open spaces, and storage and vehicle maintenance areas and is discharged to local waterways; and 2) results from actions such as environmentally damaging land development and flood management practices or poor maintenance of storm sewer systems.

While the goal of this measure is improve and/or protect the quality of receiving waters by altering the performance of MS4 operations, it can also result in cost savings for the MS4 since proper and timely maintenance of storm sewer systems can help avoid repair costs from damage caused by age and neglect.

Each MS4 is required to :

- Develop an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.
- Operate and maintain the storm water system in a manner so as to reduce the discharge of pollutants to the maximum extent practicable.
- Inspect annually all structural pollution control devices installed within the MS4.
- Inspect at least 20% of the MS4 outfalls, sediment basins, and ponds each year.
- Inspect all exposed stockpiles, storage and material handling areas at least annually.
- Based upon inspection, determine if repair, replacement, or maintenance measures are necessary for proper operation and to prevent environmental impacts.
- Summarize the results of all inspections in the annual report
- Keep records of inspection results and adjust inspection results if deemed necessary after two years of inspection.

**Minimum Control Measure 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
6a-1	Municipal Operations and Maintenance Program	V.G.6.a
6a-2	Street Sweeping**	
6b-2	Annual Inspection of All Structural Pollution Control Devices	V.G.6.b.2
6b-3	Inspection of a Minimum of 20 percent of the MS4 Outfalls, Sediment Basins and Ponds Each Year on a Rotating Basis	V.G.6.b.3
6b-4	Annual Inspection of All Exposed Stockpile, Storage and Material Handling Areas	V.G.6.b.4
6b-5	Inspection Follow-up Including the Determination of Whether Repair, Replacement, or Maintenance Measures are Necessary and the Implementation of the Corrective Measures	V.G.6.b.5
6b-6	Record Reporting and Retention of all Inspections and Responses to the Inspections	V.G.6.b.6
6b-7	Evaluation of Inspection Frequency	V.G.6.b.7

## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6a-1

<p><b>*BMP Title:</b> Municipal Operations and Maintenance Program</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea will establish an operation and maintenance program which includes a training program for City employees. The training component will address park and open space maintenance, fleet and building maintenance, new construction and land disturbance, and storm water system maintenance</p>
<p><b>*Measurable Goals:</b></p> <p>Establishment of O&amp;M program Establishment of Training Program Training sessions held</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 - 2009 : Compile existing O &amp; M Documents; Review existing training program for City employees 2010 : Develop Municipal O&amp;M Training Program &amp; begin program implementation</p> <p>Training program will be reviewed annually for effectiveness. Changes will be made as necessary.</p>
<p><b>Specific Components and Notes:</b></p> <p>Fertilizer application guidelines; Mowing guidelines; Vehicle washing guidelines; Materials storage requirements; Maintenance chemical handing procedures;</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

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# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6a-2

<p><b>*BMP Title:</b> Street Sweeping</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea Street Department will sweep all roads within City Limits at least twice annually. Sweeping will occur between April and November and will focus on picking up sand from the winter and leaves in the fall. A leaf vacuum may operate in lieu of a street sweeper in the fall months. Operation times and material collection quantities will be recorded daily.</p>
<p><b>*Measurable Goals:</b></p> <p>All roads swept twice annually Miles swept and amount of material collected is recorded</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>Street sweeping program is already in place. Sweeping frequency will be evaluated annually.</p>
<p><b>Specific Components and Notes:</b></p> <p>Increased sweeper operating hours Record keeping of hours and material collected</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Scott Overland Department: Street Department Phone: 507-377-4378 E-mail: <a href="mailto:soverland@city.albertlea.org">soverland@city.albertlea.org</a></p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6b-2

<p><b>*BMP Title:</b> Annual Inspection of All Structural Pollution Control Devices</p>
<p><b>*BMP Description:</b></p> <p>The City Utilities Department currently inspects all structural pollution control devices on an annual basis. Sump manholes and catch basins are cleaned out by the City's vacuum truck during inspections.</p>
<p><b>*Measurable Goals:</b></p> <p>All devices inspected annually Maintenance performed in a timely manner</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – 2011 Continue annual inspection program</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Don Eckart Department: Utilities Department Phone: 507-377-4378 E-mail: <a href="mailto:deckart@city.albertlea.org">deckart@city.albertlea.org</a></p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6b-3

<p><b>*BMP Title:</b> Inspection of a Minimum of 20 percent of the MS4 Outfalls, Sediment Basins and Ponds Each Year on a Rotating Basis</p>
<p><b>*BMP Description:</b></p> <p>The City of Albert Lea will compile a list of all outfalls, sediment basins and ponds not maintained privately. Each year 20% of these will be inspected on a rotating basis and the findings will be recorded.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP:</p> <p>Attachment F</p>
<p><b>*Measurable Goals:</b></p> <p>Outfall and pond list constructed 20% of outfalls inspected 20% of sediment basins / ponds inspected All inspection reports filed</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007 – Establish list of all outfalls and sediment basins / ponds; Begin inspecting first 20% of outfalls / ponds</p> <p>Inspections will continue annually and be documented in the annual report.</p>
<p><b>Specific Components and Notes:</b></p> <p>Outfall and pond comprehensive list Schedule of inspections Documentation for each inspection</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Don Eckart Department: Utilities Phone: 507-377-4378 E-mail: deckart@city.albertlea.org</p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6b-4

<p><b>*BMP Title:</b> Annual Inspection of All Exposed Stockpile, Storage and Material Handling Areas</p>
<p><b>*BMP Description:</b></p> <p>All stockpiled material is kept at the City Garage. Salt and sand are covered with a roof. Other stockpiles at the City Garage are already inspected bi-monthly as part of the NPDES Permit for the site. All inspections and findings will be recorded.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP: Attachment E</p>
<p><b>*Measurable Goals:</b></p> <p>Stockpile inspections performed annually Stockpiles maintained to reduce erosion and sedimentation</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>Stockpile inspection will continue to take place at least annually</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6b-5

<p><b>*BMP Title:</b> Inspection Follow-up Including the Determination of Whether Repair, Replacement, or Maintenance Measures are Necessary and the Implementation of the Corrective Measures</p>
<p><b>*BMP Description:</b></p> <p>All inspections that take place will be documented with any following-up necessary being duly noted. After follow-up procedures (repair, replacement, or maintenance) take place, the action will be noted on the following inspection record. Any measures not completed in the inspection year will be documented in the annual report.</p> <p>Location(s) in SWPPP of detailed information relating to this BMP:</p> <p>Appendix E</p>
<p><b>*Measurable Goals:</b></p> <p>Follow-up action taken in a timely manner Follow-up actions recorded</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>Follow-up actions will be taken in the year of the inspection. Any follow-up actions delayed for the next year will be scheduled and documented</p>
<p><b>Specific Components and Notes:</b></p> <p>Inspection form space for follow-up actions required</p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6b-6

<p><b>*BMP Title:</b> Record Reporting and Retention of All Inspections and Responses to the Inspections</p>
<p><b>*BMP Description:</b></p> <p>The City will record all inspection findings, maintenance activities, and follow-up actions. These documents will remain on file and will also be submitted with each annual report</p>
<p><b>*Measurable Goals:</b></p> <p>Inspection records kept and included in annual report</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>Records will be completed and filed according to each reporting year</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

# BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Minimum Control Measure:** 6-POLLUTION PREVENTION/GOOD HOUSEKEEPING

**Unique BMP Identification Number:** 6b-7

<p><b>*BMP Title:</b> Evaluation of Inspection Frequency</p>
<p><b>*BMP Description:</b></p> <p>After the first two reporting years are complete, the City of Albert Lea will evaluate the inspection frequency for all storm water mechanisms. Inspection frequency will be changed as necessary with all changes being documented</p>
<p><b>*Measurable Goals:</b></p> <p>Inspection frequencies to be analyzed and modified if necessary</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>2007, 2008 – Perform and record all inspections 2009 – Evaluate inspection frequency from 2007 &amp; 2008 data</p>
<p><b>Specific Components and Notes:</b></p>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: swirtz@city.albertlea.org</p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

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## Permit Requirement IV. D

### Section 303(d) Listings and Total Maximum Daily Load

The MS4 General Permit requires that each regulated entity have a process for reviewing and possibly modifying their SWPPP in response to discharges to impaired waters and USEPA approved Total Maximum Daily Load requirements.

Each MS4 is required to:

- Review whether changes may be warranted in the SWPPP to reduce the impact of discharge
- Review the adequacy of the SWPPP to meet TMDL Waste Load Allocation set for stormwater sources
- Modify SWPPP as appropriate within 18 months after TMDL Waste Load Allocation is approved

---

**Permit Requirement IV.D : Section 303(d) Listings and Total Maximum Daily Load**

<b>Key to Unique BMP ID Numbers</b>	<b>Required BMP Title</b>	<b>Permit Reference</b>
IV.D-1	Impaired Waters Review Process	IV.D
IV.D-2	TMDL Review and Response	IV.D

## BMP Summary Sheet

MS4 Name: City of Albert Lea

Permit Condition: IV.D Section 303(d) listings

Unique BMP Identification Number: IV.D – 1

**\*BMP Title:** Impaired Waters Review Process

**\*BMP Description:**

The City of Albert Lea will annually review the USEPA 303(d) list of impaired waters to determine if any discharges are made to newly listed impaired waters. If any discharges to impaired waters are identified, a review of that discharge will be commenced.

In this review, the City of Albert Lea will:

- Identify the impaired waters and the pollution parameter(s) that led to the impairment.
- Use a combination of storm sewer maps and field surveys to identify all potential stormwater discharges to impaired waters
- Delineate the watershed area(s) that contribute to the above discharge(s)
- Evaluate the hydrology, land use and other characteristics of the watershed area(s) that may impact the impaired water as a result of a stormwater discharge from our MS4
- Determine if the MS4's stormwater discharge is likely to impact the impaired water.

Based on the review above, we will determine if any changes to the existing stormwater system or BMPs are needed to minimize the impact of discharges from our MS4 to the impaired water(s). If such modifications are deemed necessary, the City of Albert Lea will modify our SWPPP and submit those modifications to the MPCA with the current year's annual report. All information used to reach a conclusion on whether or not SWPPP revisions are necessary will be documented in the decision making process and records of this determination kept along with all records associated with the MS4 permit.

**\*Measurable Goals:**

Annual documentation of 303(d) list review

Written documentation of impaired waters discharge review including specific BMP review and addition of pertinent BMPs to the SWPPP

Inclusion of impaired waters review in the Annual Report

**\*Timeline/Implementation Schedule:**

2008 – Review USEPA approved 303(d) list of impaired waters

Review of USEPA approved 303(d) list to occur annually prior to annual reporting

If impaired waters discharges are identified, a determination of potential for impact will be made within one year.

**Specific Components and Notes:**

- Annual 303(d) list review
- Evaluation of potential to impact impaired waters
- Modifications to SWPPP if necessary
- Impaired waters review included in Annual Report

**\*Responsible Party for this BMP:**

Name: Steve Wirtz  
Department: Engineering  
Phone: 507-377-4325  
E-mail: [swirtz@city.albertlea.org](mailto:swirtz@city.albertlea.org)

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

## BMP Summary Sheet

**MS4 Name:** City of Albert Lea

**Permit Condition:** IV.D Total Maximum Daily Loads

**Unique BMP Identification Number:** IV.D – 2

<p><b>*BMP Title:</b> TMDL Review and Response</p>
<p><b>*BMP Description:</b></p> <p>If a USEPA approved TMDL is developed and the MPCA determines that the City is within the drainage area of the impaired water and covered by the TMDL Waste Load Allocation, the City will review the adequacy of the SWPPP to determine whether it meets the TMDL's Waste Load Allocation for the permitted MS4. If the City determines that the SWPPP does not meet the applicable requirements, schedules and objectives of the TMDL, the City will make appropriate modifications to the SWPPP. Should the SWPPP be deemed adequate, the reasons for this determination will be documented.</p>
<p><b>*Measurable Goals:</b></p> <p>Documented review of applicable TMDL Determination of SWPPP adequacy regarding TMDL Waste Load Allocation Modifications (if necessary) to the SWPPP to meet TMDL requirements</p>
<p><b>*Timeline/Implementation Schedule:</b></p> <p>Review of the SWPPP and response to MPCA shall occur within 18 months after the TMDL Waste Load Allocation is approved by the USEPA and the MPCA determines that the City is within the drainage area of the impaired water and covered by the TMDL Waste Load Allocation.</p>
<p><b>Specific Components and Notes:</b></p> <ul style="list-style-type: none"><li>The City of Albert Lea will rely on guidance and information made available by the MPCA regarding applicable TMDLs</li></ul>
<p><b>*Responsible Party for this BMP:</b></p> <p>Name: Steve Wirtz Department: Engineering Phone: 507-377-4325 E-mail: <a href="mailto:swirtz@city.albertlea.org">swirtz@city.albertlea.org</a></p>

*\*Indicates a REQUIRED field. Failure to complete any required field will result in rejection of the application due to incompleteness.*

Attachment A

Illicit Discharge Ordinance

City of Albert Lea  
**Illicit Discharge Ordinance**

Modify Section 66-95 of City Code

Add (n)

(n) It is unlawful to discharge into the storm sewer any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water. The following activities are exempt from this prohibition and are not to be considered a source of pollution to the storm sewer system: water line flushing; landscape irrigation; diverted stream flows, rising groundwater, uncontaminated ground water infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, discharges or flows from fire fighting activities, street wash water; any non-storm water discharge permitted under an NPDES permit issued to the discharger and administered by the State of Minnesota; and any non-storm water discharge for which approval has been granted by the City of Albert Lea.

**Attachment B**  
**Illicit Discharge Detection and Elimination**  
A Guidance Manual for Program Development and Technical Assessments  
(Cover Only)



# Illicit Discharge Detection and Elimination

*A Guidance Manual for  
Program Development and Technical Assessments*

by the  
Center for  
Watershed Protection

and  
Robert Pitt  
University of Alabama

October 2004

# Attachment C

## Non – Storm water Discharges Permitted

## **Non-Storm Water Discharges Allowed**

- water line flushing
- landscape irrigation
- diverted stream flows
- rising groundwater
- uncontaminated ground water infiltration
- uncontaminated pumped groundwater
- discharges from potable water sources
- foundation drains
- air conditioning condensation
- irrigation water
- springs
- water from crawl space pumps
- footing drains
- lawn watering
- individual residential car washing
- flows from riparian habitats and wetlands
- dechlorinated swimming pool discharges
- street wash water,
- discharges or flows from fire fighting activities
- any non-storm water discharge permitted under an NPDES permit issued to the discharger and administered by the State of Minnesota
- any non-storm water discharge for which approval has been granted by the City of Albert Lea.

# Attachment D

## Construction Site Erosion and Sediment Control Ordinance

ORDINANCE 110, 3d

Introduced by Councilor Brooks

Seconded by Councilor Severtson

AN ORDINANCE AMENDING CHAPTER 74 AUTHORIZING  
CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL

WHEREAS, the pollution of our local waters have become an ever-increasing concern, and

WHEREAS, The Minnesota Pollution Control Agency (MCPA) is requiring the City of Albert Lea to develop, implement, and enforce a Storm Water Pollution Prevention Program (SWPPP); now, therefore

THE CITY OF ALBERT LEA ORDAINS:

Sec. 1. That a new ordinance shall be known as the "Construction Site Erosion and Sediment Control Ordinance" of the City of Albert Lea and may be so cited

Sec. 2. Introduction/Purpose

During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

As a result, the purpose of this local regulation is to safeguard persons, protect property, and prevent damage to the environment in the City of Albert Lea. This ordinance will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land in the City of Albert Lea.

This ordinance is not to serve as a replacement for the regulations set forth by the Minnesota Pollution Control Agency (MPCA) or US Environmental Protection Agency (EPA) regarding construction activity storm water permitting. In the event that any regulation contained in this ordinance conflicts with a corresponding MPCA and/or EPA regulation, the more stringent or restrictive regulation will be upheld.

Sec. 3. Definitions

Clearing - Any activity that removes the vegetative surface cover.

Drainage Way - Any channel that conveys surface runoff throughout the site.

Erosion Control - A measure that prevents erosion.

Grading - Excavation or fill of material, including the resulting conditions thereof.

Perimeter Control - A barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

Phasing - Clearing a parcel of land in distinct phases, with the stabilization of each phase completed before the clearing of the next.

Sediment Control - Measures that prevent eroded sediment from leaving the site.

Site - A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.

Site Development Permit - A permit issued by the municipality for the construction or alteration of ground improvements and structures for the control of erosion, runoff, and grading.

Small Construction Site – A construction site disturbing less than one acre of land.

Stabilization - The use of practices that prevent exposed soil from eroding.

Start of Construction - The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Storm Water Pollution Prevention Plan (SWPPP) - A set of plans prepared by or under the direction of a licensed professional engineer indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction.

Waste – Any construction and demolition debris, concrete truck washout, chemicals, litter, mixed municipal solid waste, scrap metal, sanitary waste or any other non-useable debris generated at a construction site that may cause adverse impacts to water quality.

Watercourse - Any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water delineated by the City of Albert Lea.

Waterway - A channel that directs surface runoff to a watercourse or to the public storm drain.

#### Sec. 4. Permits

No person shall be granted a site development permit for land-disturbing activity that would require the uncovering of 43560 or more square feet without the approval of an Storm Water Pollution Prevention Plan (SWPPP) by the City of Albert Lea Inspection Department.

No site development permit is required for the following activities:

Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.

Existing nursery and agricultural operations conducted as a permitted main or accessory use.

Subdivision, road, or utility construction that will be inspected by the City of Albert Lea Engineering Department

Each application shall bear the name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a filing fee.

Each application shall include all MPCA Construction Activity Storm water Permit Application documents, including a completed Storm Water Pollution Prevention Plan.

Each application shall include a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the SWPPP and that a certified contractor shall be on site on all days when construction or grading activity takes place.

#### Sec. 5. Review and Approval

The City of Albert Lea Inspection Department will review each application for a site development permit to determine its conformance with the provisions of this regulation. Within 15 days after receiving an application, City of Albert Lea Inspection Department shall respond to the applicant if:

The application is not approved;

The application is approved, pending conditions;

No response by the City of Albert Lea on an original or revised application within 15 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the City of Albert Lea. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the City of Albert Lea.

#### Sec. 6. Storm Water Pollution Prevention Plan (SWPPP)

The Storm Water Pollution Prevention Plan shall include the following:

A natural resources map identifying soils, forest cover, and water resources located on or near the site.

A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

All erosion and sediment control measures necessary to meet the objectives of this local regulation throughout all phases of construction and after completion of development of the site. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.

Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

Waste controls for any type of waste which may be generated on the site. Waste controls must provide for appropriate waste storage on site and proper disposal.

Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.

A statement indicating the party responsible for the long term storm water management for the development and the party responsible for any permanent storm water management systems on site.

Modifications to the plan shall be processed and approved or disapproved in the same manner as Section 5 of this regulation, may be authorized by the City of Albert Lea Inspection Department by written authorization to the permittee, and shall include;

Major amendments of the SWPPP submitted to City of Albert Lea Inspection Department;

Field modifications of a minor nature.

#### Sec. 7. Design Requirements

Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the Minnesota Storm water Manual and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the City of Albert Lea Inspection Department. Cut and fill slopes shall be no greater than 2:1, except as approved by the City of Albert Lea Inspection Department to meet other community or environmental objectives.

Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other sections of this Article and all applicable State and Federal laws. Clearing techniques that retain natural vegetation and drainage patterns, as described in the Minnesota Storm water Manual, shall be used to the satisfaction of the City of Albert Lea Inspection Department.

Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.

Erosion control requirements shall include the following:

Soil stabilization shall be completed within five days of clearing or inactivity in construction.

If seeding or another vegetative erosion control method is used, it shall become established within two weeks or the City of Albert Lea may require the site to be reseeded or a non-vegetative option employed.

Special techniques that meet the design criteria outlined in The Minnesota Storm water Manual on steep slopes or in drainage ways shall be used to ensure stabilization.

Soil stockpiles must be stabilized or covered at the end of each workday.

The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.

Techniques shall be employed to prevent the blowing of dust or sediment from the site.

Techniques that divert upland runoff past disturbed slopes shall be employed.

Sediment controls requirements shall include:

Settling basins, sediment traps, or tanks and perimeter controls;

Settling basins that are designed in a manner that allows adaptation to provide long term storm water management, if required by the City of Albert Lea;

Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls.

Waterway and watercourse protection requirements shall include:

Stabilization of the watercourse channel before, during, and after any in-channel work;

All on-site storm water conveyance channels designed according to the criteria outlined in The Minnesota Storm water Manual;

Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.

Construction site access requirements shall include:

A temporary rock construction entrance provided at all sites. Rock shall be crushed 1 ½ -inch diameter, minimum. The dimensions shall be 20'X50', with a depth of at least 9";

Other measures required by the City of Albert Lea in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

#### Sec. 8. Inspection

The City of Albert Lea Inspection Department or designated agent shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the SWPPP as approved. Plans for grading, stripping, excavating, and filling work shall be maintained at the site during the progress of the work. The permittee shall notify the City of Albert Lea Inspection Department at least two working days before the following:

- Start of construction;
- Completion of site clearing;
- Completion of final grading;
- Completion of final landscaping.

The permittee shall make regular inspections per the requirements of the MPCA Construction Activity Storm water Permit.

The City of Albert Lea Inspection Department or its designated agent shall enter the property of the applicant as deemed necessary to make regular.

#### Sec. 9. Small Construction Sites

All construction activities which disturb less than one acre of land are considered 'Small Construction Sites' and are required to have the following erosion and sediment control BMPs in place:

Perimeter control – Down gradient silt fence or other approved method as listed in the Minnesota Storm water Manual.

Vehicle tracking control – Rock or wood mulch construction entrance measuring at least 8' wide and 20' long. All construction access and egress shall be through this entrance.

Stockpile control – All soil stockpiles not being actively used shall be either covered with an impermeable sheet or protected by silt fence, no further than 3' from the base of the stockpile.

Turf establishment – Upon completion of final topsoil grading and seeding, the soil shall be covered with straw mulch (disked in), liquid tackifier, or erosion control blanket. Perimeter controls shall remain in place until this is completed.

Good housekeeping – Any sediment that is transported off site shall be cleaned up and replaced on the site within 24 hours of discovery. This includes any sediment in the roadway or gutter.

A plan shall be submitted to the City of Albert Lea Inspection Department which addresses the details and locations of the items listed in Section 9, 1a.-e.

Erosion and sediment control on small construction sites is the responsibility of the general contractor for the site. In the event that there is no general contractor for the site, the landowner becomes responsible.

Exemptions: Activities disturbing less than 2,500 square feet of soil are exempt from the requirements set forth in this Section.

#### Sec. 10. Enforcement

Stop-Work Order; Revocation of Permit. In the event that any person holding a site development permit pursuant to this ordinance violates the terms of the permit or implements site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the City of Albert Lea may suspend or revoke the site development permit. In addition the City of Albert Lea may, following the revocation of the site development permit, enter the premises to perform correction work. The cost of said correction work shall be an assessment on the underlying property.

Violation and Penalties. No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than \$ 1,000 for each offense. In addition to any other penalty authorized by this section, any person, partnership, or corporation convicted of violating any of the provisions of this ordinance shall be required to bear the expense of such restoration.

#### Sec. 11. Severability

The provisions and sections of this ordinance shall be deemed to be severable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

Sec. 12. That reading of this ordinance is waived by Council consent.

Introduced and read the first time January 8, 2007.

Read the second time and passed January 22, 2007.

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Mayor

Filed and Attested January 23, 2007.

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Secretary of the Council

# Attachment E

## MPCA Site Inspection Form For Industrial Activity under Permit MNG611000



**Minnesota Pollution Control Agency**

**Site Inspection Form**

**NPDES/SDS General Storm Water Permit MNG611000 for Industrial Activity**

Name of the facility: \_\_\_\_\_

Date/time: \_\_\_\_\_ Name of inspector: \_\_\_\_\_

**1. After inspecting the exterior facility areas, have you observed any of the following materials or activities exposed to storm water:**

a)  Raw, intermediate, or final products (*e.g.: log, coal, salt, sand, gravel, lumber, scrap, metal products, vehicle parts, etc.*), list products:

\_\_\_\_\_  
\_\_\_\_\_

b)  Industrial waste/byproducts (*e.g.: sludge, waste lubricants, mine waste, saw dust, scrap equipment, uncovered dumpsters, etc.*), list material:

\_\_\_\_\_  
\_\_\_\_\_

c)  Loading, unloading, or other handling of industrial waste, byproduct, raw, intermediate, or final product; list activity:

\_\_\_\_\_  
\_\_\_\_\_

d)  Vehicle or process equipment maintenance (*e.g.: fueling, washing, repair, painting, etc.*), list type of maintenance:

\_\_\_\_\_  
\_\_\_\_\_

e)  Other significant materials:

\_\_\_\_\_  
\_\_\_\_\_

**2. Does the facility have a loading dock?      Yes      No (skip to question 5.)**

**3. What materials are loaded/unloaded at the dock?**

**Solids:** (identify material, quantity and type of container) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Liquids:** (identify material, quantity and type of container) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**4. If significant materials are loaded/unloaded, :**

- a) is the loading dock fully enclosed? Yes No
- b) is there containment at the loading dock to prevent material from spilling off the dock and/or is there containment below the dock to contain spills from the dock? Yes No
- c) is there spill containment/clean-up material at the dock? Yes No
- d) is there a storm sewer drain within the loading dock (inside)? Yes No
- e) is there a storm sewer drain/drainage ditch near the loading dock (outside)? Yes No

**5. Have any illicit discharges been noted (e.g., floor drains discharging to storm sewer or ditch, and/or process waste water generated and disposed of at the facility without an appropriate NPDES/SDS permit)?**

Describe: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**6. If this inspection was conducted while storm water runoff was leaving the site, indicate if any pollutants were visible in the runoff (oil sheens, sediment, or other discoloration). Check all areas where spills have occurred and note the condition of runoff:** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**7. Describe any new significant materials that are exposed to storm water on the site that were not indicated in the plan:** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**8. Describe any changes to the plan that will be necessary as a result of the inspection findings:**

\_\_\_\_\_  
 \_\_\_\_\_

**9. Determine if the nonstructural and structural BMPs as indicated in your plan are installed and functioning properly. Please describe corrective actions needed to repair nonfunctioning BMPs:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Printed Name: _____	Title: _____
Signature: _____	Date Signed: _____

**Note: This form is not required to be submitted to the Minnesota Pollution Control Agency.**

# Attachment F

## Outfall, Sediment Basin, and Pond Inspection Form & MS4 Maintenance Form

# MS4 Inspection Record

## Outfalls, Sediment Basins, and Ponds

### OUTFALL

Number: \_\_\_\_\_

Condition: Excellent      Average      Poor

Erosion: \_\_\_\_\_

Sedimentation: \_\_\_\_\_

Flow: None      Clear      Cloudy      Opaque

Other Problems: \_\_\_\_\_

Maintenance Necessary:      Yes      No

Description: \_\_\_\_\_  
\_\_\_\_\_

(Fill out MS4 Maintenance Form if maintenance is required)

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

### BASIN OR POND

Number: \_\_\_\_\_

Condition: Excellent      Average      Poor

Scour: \_\_\_\_\_

Erosion: \_\_\_\_\_

Sedimentation: \_\_\_\_\_

Eff. Flow: None      Clear      Cloudy      Opaque

Maintenance Necessary:      Yes      No

Description: \_\_\_\_\_  
\_\_\_\_\_

(Fill out MS4 Maintenance Form if maintenance is required)

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

# MS4 Maintenance Form

Maintenance requested for :    Outfall            Basin or Pond

Number : \_\_\_\_\_

Maintenance necessary: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Submitted By: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

\_\_\_\_\_

Work completed: \_\_\_\_\_

Completed By: \_\_\_\_\_

Date completed: \_\_\_\_\_

(Please return completed form to the Engineering Department for record-keeping)

# Attachment G

## MPCA General Permit MNR040000



## Minnesota Pollution Control Agency

**GENERAL PERMIT  
AUTHORIZATION TO DISCHARGE STORM WATER  
ASSOCIATED WITH MUNICIPAL SEPARATE STORM SEWER SYSTEMS  
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION  
SYSTEM/STATE DISPOSAL SYSTEM PERMIT PROGRAM**

**EFFECTIVE DATE: June 1, 2006      EXPIRATION DATE: May 31, 2011**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et seq.; hereinafter, the "Act"), 40 CFR 122, 123, and 124, as amended, et seq.; Minnesota Statutes Chapters 115 and 116, as amended, and Minnesota Rules Chapter 7001.

This permit establishes conditions for discharging **Storm Water** and specific other related discharges to **Waters of the State**. This permit is required for discharges that are from **Small Municipal Separate Storm Sewer Systems**, as defined in this permit.

Upon approval by the **Commissioner** applicants who submit a completed application in accordance with the requirements of this permit, are authorized to discharge **Storm Water** from **Small Municipal Separate Storm Sewer Systems**, under the terms and conditions of this permit.

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Sheryl A. Corrigan", written over a horizontal line.

Sheryl A. Corrigan  
Commissioner  
Minnesota Pollution Control Agency

Issuance Date: 3/3/06

If **You** have questions on this permit, including the specific permit requirements, permit reporting or permit compliance status, please contact the appropriate Minnesota Pollution Control Agency offices.

Storm Water Management Unit  
Storm Water Section  
Municipal Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194

Phone (651) 296-6300, or  
Toll free in MN 800-657-3864  
Fax (651) 297-2343

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## **PART I. PERMIT GOALS**

The primary goal of this permit is to restore and maintain the chemical, physical, and biological integrity of **Waters of the State** through management and treatment of urban **Storm Water** runoff. This is accomplished by management of **Municipal Separate Storm Sewer Systems** through a **Storm Water Pollution Prevention Program**. The purpose is to maintain water quality standards where there is compliance, and help bring waters that do not meet water quality standards into compliance. It should be noted that when there is a discharge to waters where there are limitations on coverage (Part II.B), there may be more stringent requirements that must be addressed. **You** may also voluntarily adopt more stringent measures to meet local goals.

## **PART II. COVERAGE UNDER THIS PERMIT**

### **A. Eligibility**

This permit, including appendices, authorizes discharges of **Storm Water** from **Small Municipal Separate Storm Sewer Systems** as defined in 40 CFR § 122.26(b)(16).

### **B. Limitations on Coverage**

1. This permit does not authorize discharges other than **Storm Water**. **Non-Storm Water** discharges may include: combined sewer overflow, noncontact cooling water, sewage, wash water, scrubber water, spills, oil, hazardous substances, fill, commercial equipment/vehicle cleaning and maintenance wastewaters. A separate National Pollutant Discharge Elimination System (NPDES) permit may be required for these discharges.
2. This permit does not authorize the discharge of **Storm Water** when a separate NPDES permit is required for these activities. For example, while **Storm Water** from industrial activity or construction activity may be discharged from a **MS4** with authorized **Storm Water** discharges, this permit does not replace or satisfy any other permits required for those discharges.
3. This permit does not authorize the discharge of **Storm Water** from any other entity located in the drainage area or outside the drainage area. Only your system and the portions of the storm sewer system that are under your operational control are authorized by your permit.
4. This permit does not authorize the following **discharges** as described in Appendix C unless the requirements of Part IX (Appendix C) are met:
  - a. Discharges to waters with Prohibited Discharges as defined in Minn. R. 7050.0180, subp. 3, 4, and 5.

- b. Discharges to waters with Restricted Discharge as defined in Minn. R. 7050.0180, subp. 6, 6a, and 6b.
  - c. Discharges to Trout Waters as defined in Minn. R. 6264.0050, subp. 2 and 4.
  - d. Discharges to **Wetlands** as defined in Minn. R. 7050.0130, subp. F (see also Minn. R. 7050.0186).
  - e. Discharges requiring Environmental Review required by Minn. Stat. ch. 116D and 42 U.S.C. §§ 4321 – 4370 f.
  - f. Discharges Affecting Threatened or Endangered Species or Their Habitat.
  - g. Discharges Affecting Historic or Archeological Sites.
  - h. Discharges Affecting Source Water Protection Areas.
5. This permit does not allow **discharges** if the requirements of Part X (Appendix D) and schedule of Part XI (Appendix E) are applicable, unless the **MS4** is in compliance with those appendices.

### C. **Obtaining Authorization**

In order for **Storm Water** discharges from **Small Municipal Separate Storm Sewer Systems** to be authorized to discharge under this **General Permit**:

1. Submit an application with the **Storm Water Pollution Prevention Program** **You** intend to implement under this permit, in accordance with the requirements of Part III, using a form provided by the **Commissioner** (or a facsimile thereof).
2. Where the ownership or significant operational control of the **MS4** changes, after the submittal of an application under Part III, a new application must be submitted in accordance with Part III.
3. The **Commissioner** will review the application and **Storm Water Pollution Prevention Program** for completeness and compliance with this permit. The **Commissioner** shall determine whether to approve coverage or to deny coverage to dischargers who submit a complete application. In accordance with the procedures of this permit and requirements of Minn. R. ch. 7001, the **Commissioner** shall provide public notice with the opportunity for hearing on the determination. Upon approval by the **Commissioner**, dischargers are authorized to discharge **Storm Water** from **Small Municipal Separate Storm Sewer Systems** under the terms and conditions of this permit.

4. The **Commissioner** may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the application or other information, in accordance with Minn. R. ch. 7000 and 7001.

### **PART III. APPLICATION REQUIREMENTS (Notice of Intent)**

#### **A. Deadlines for Application**

If **You** are an **Owner** or **Operator** of a **Small Municipal Separate Storm Sewer System** regulated under 40 CFR § 122.32(a)(1), **You** must apply to obtain coverage under this permit within 90 days after the permit issuance date on page 1 of this permit. If **You** fail to make the application deadline, **You** are out of compliance and must submit an application. The **Owner** or **Operator** of an **MS4** that is not designated for coverage by federal rules, but has been designated under Minn. R. ch. 7090, must apply by the date specified in the **Commissioner's** designation documents.

#### **B. Signature**

The Application shall be signed in accordance with application forms provided by the **Commissioner** and shall include the following information:

1. The street address, county, and the **Owner** or **Person** with operational control of the **MS4** for which the notification is submitted; and
2. The name, address, and telephone number of the individual responsible for overall permit compliance.

#### **C. Application Attachment: Storm Water Pollution Prevention Program**

The proposed **Storm Water Pollution Prevention Program** for implementing the permit shall be attached to the application on forms provided by the **Commissioner** (or reasonable facsimiles), including:

1. The **Best Management Practices** or **BMPs** that **You** will implement for each of the **Storm Water** minimum control measures at Part V.G of this permit;
2. The measurable goals for each of the **BMPs**, including, as appropriate, the months and years in which **You** will undertake required actions, including interim milestones and the frequency of the action, in narrative or numeric form, as appropriate;
3. Estimated timeline(s) (months, years) in which **You** will implement each **BMP**; and

4. Individual(s) responsible for implementing and/or coordinating each component of the **Storm Water Pollution Prevention Program**. This should be the individual **You** want the **Agency** to contact for the particular component; it may be the overall coordinator or other individual.

#### **D. Where to Submit**

Applications signed in accordance with Part III.B of this permit, **Storm Water Pollution Prevention Programs** submitted under Part III.C, annual reports under Part VI.D, and submittals under Appendices C, D, and E, are to be submitted to the **Commissioner** at the following address:

Storm Water Management Unit  
Storm Water Section  
Municipal Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194

Phone (651) 296-6300, or  
Toll free in MN 800-657-3864  
Fax (651) 297-2343

#### **E. Record Retention**

The applicant shall retain copies of the permit application, the **Storm Water Pollution Prevention Program**, all data and information used by the applicant to complete the application, and any information developed as a requirement of this permit or as requested by the **Commissioner**, for a period of at least three (3) years beyond the date of permit expiration. This period is automatically extended during the course of an unresolved enforcement action regarding the **MS4** or as requested by the **Commissioner**.

### **PART IV. RIGHTS AND RESPONSIBILITIES**

- A.** The **Commissioner** may modify this permit or issue other permits, in accordance with Minn. R. ch. 7001, to include more stringent effluent limitations or permit requirements that modify or are in addition to the minimum control measures in Part V.G of this permit, or both. These modifications may be based on the **Commissioner's** determination that such modifications are needed to protect water quality.
- B.** Additional **MS4s** may be designated for coverage under this permit in accordance with Minn. R. ch. 7090. The **Owner** or **Operator** of an **MS4** that is designated for coverage must comply with the permit requirements by the dates specified in the **Commissioner's** designation documents.

- C. **You** may request individual permits based on Minn. R. ch. 7000, 7001, and other applicable rules.
- D. Section 303(d) listings and **Total Maximum Daily Load (TMDL)**

If your **MS4** discharges to a **Water of the State** that appears on the current **USEPA** approved list of impaired waters under Section 303(d) of the Clean Water Act (33 U.S.C. § 303 (d)), **You** must review whether changes may be warranted in your **Storm Water Pollution Prevention Program** to **Reduce** the impact of your discharge. If a **USEPA**-approved **TMDL(s)** has been developed, **You** must review the adequacy of your **Storm Water Pollution Prevention Program** to meet the **TMDL's** Waste Load Allocation set for **Storm Water** sources. If the **Storm Water Pollution Prevention Program** is not meeting the applicable requirements, schedules and objectives of the **TMDL**, **You** must modify your **Storm Water Pollution Prevention Program**, as appropriate, within 18 months after the **TMDL** Waste Load Allocation is approved.

#### **PART V. STORM WATER POLLUTION PREVENTION PROGRAM**

- A. **You** must develop, implement, and enforce a **Storm Water Pollution Prevention Program** designed to **Reduce** the discharge of pollutants from your **Small MS4**, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. Upon approval by the **Commissioner**, the **Storm Water Pollution Prevention Program** shall be implemented as specified in the permit or in the **Commissioner's** approval letter.
- B. Your **Storm Water Pollution Prevention Program** must be designed and managed to **Reduce** the discharge of pollutants from your storm sewer system to the **Maximum Extent Practicable (MEP)**. **You** must manage your municipal storm sewer system in compliance with the Clean Water Act and with the terms and conditions of this permit. **You** must manage, operate, and maintain the storm sewer system and areas **You** control that discharge to the storm sewer system in a manner to **Reduce** the discharge of pollutants to the **MEP**. The **Storm Water Pollution Prevention Program** will consist of a combination of **Best Management Practices**, including education, maintenance, control techniques, system design and engineering methods, and such other provisions as **You** determined to be appropriate, as long as the **BMPs** meet the requirements of this permit.
- C. **You** shall submit an annual report on the implementation of the **Storm Water Pollution Prevention Program** by June 30 of each year, or on another later date if established for your **MS4** by the **Commissioner**. The report shall cover the entire previous calendar year, in accordance with the reporting requirements of Part VI.D.
- D. Your **Storm Water Pollution Prevention Program** must include **BMPs** that control or **Reduce** pollutants, as appropriate for your community. In the development of **BMPs** for your **Storm Water Pollution Prevention Program**,

**You** must consider the sources of pollutants, the potentially polluting activities being conducted in the watershed, and the sensitivity of the receiving waters. For **MS4s** that have discharges to waters listed in Part II.B.4, see Part IX (Appendix C) for additional requirements. For **MS4s** listed in Part XI (Appendix E), see Part X (Appendix D) for additional requirements.

- E.** For each minimum control measure, there shall be a description of the **BMPs** for this measure, responsible department in charge, an implementation schedule, including any request by **You** for consideration by the Commissioner of an extension or exemption from any deadlines and timelines set forth in this permit, and measurable goals that will be used to determine the success or benefits of the **BMPs**.
- F.** The **Storm Water Pollution Prevention Program** shall become an enforceable part of this permit upon approval by the **Commissioner**. Modifications to the **Storm Water Pollution Prevention Program** that are required or allowed by this permit (see Part V.H) shall also become enforceable provisions.
- G.** The six minimum control measures to be included in your **Storm Water Pollution Prevention Program** are listed below. **You** must define appropriate **BMPs** for these minimum control measures and measurable goals for each **BMP**. The **Storm Water Pollution Prevention Program** must include all **BMPs** required below, must include annual schedules or procedures for implementation, and, where appropriate, must be implemented or established in ordinance, plan or policy by June 30, 2010, unless other timelines have been specifically established in this permit Part V.G.1-6, or by the **Commissioner** under Part IV.B, or under other rules and authorities.
  - 1. Public education and outreach on **Storm Water** impacts. **You** must select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
    - a. **You** must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of **Storm Water** discharges on water bodies and the steps that the public can take to **Reduce** pollutants in **Storm Water** runoff.
    - b. **You** must specifically implement an education program that individually addresses each minimum control measure (Part V.G.1-6):
      - 1) Public education and outreach;
      - 2) Public participation;
      - 3) Illicit discharge detection and elimination;
      - 4) Construction site **Storm Water** runoff control;

- 5) Post-construction **Storm Water** management in **New Development and Redevelopment**; and
  - 6) Pollution prevention/good housekeeping for municipal operations.
- c. For each control measure, your education program must identify:
- 1) The audience or audiences involved;
  - 2) Educational goals for each audience in terms of increased awareness, increased understanding, acquired skills, and/or desired changes in behavior;
  - 3) Activities used to reach educational goals for each audience;
  - 4) Activity implementation plans, including responsible department in charge, entities responsible for given activities, and schedules; and
  - 5) Available performance measures that can be used to determine success in reaching educational goals.
- d. **You** must describe how your education program is coordinated with and makes effective use of other **Storm Water** education programs being conducted in your area by other entities as appropriate for your **MS4**, including, but not limited to: community groups, nonprofit organizations, lake conservation districts, soil and water conservation districts, watershed districts, watershed management organizations, school districts, University of Minnesota Extension, and county, regional, state, and federal government.
- e. **You** must hold at least one public meeting per year addressing the **Storm Water Pollution Prevention Program**. **You** must hold the public meeting prior to submittal to the **Commissioner** of the annual report required in Part VI.D.
- 1) Location. The public informational meeting must be held in the general vicinity of the **MS4** that is the subject of the permit. Otherwise, the public informational meeting must be held in a place that is generally convenient to **Persons** expected to attend the meeting.
  - 2) Notice. **You** must issue a notice of the public informational meeting at least 30 days prior to the meeting. The notice must contain a reference to the **Storm Water Pollution Prevention Program**, the date, time, and location of the public informational meeting; a concise description of the manner in which the public informational meeting will be conducted; and shall indicate the location where a copy of the **Storm Water Pollution Prevention Program** is available for public review.
  - 3) Distribution of notice. **You** must publish the notice in a **Newspaper** of general circulation in the general vicinity of the

**MS4**, and shall make available a copy of the notice to the **Agency**, the appropriate city and county officials, and all other **Persons** who have requested that they be informed of public meetings for the **Storm Water Pollution Prevention Program**.

- 4) Joint meetings. **You** may consolidate two or more matters, issues, or related groups of issues, or hold joint **MS4** public meetings with other permittees to meet the requirements of this part. These public meetings may be part of a larger public meeting, such as a city council meeting, provided that adequate public notice and opportunity to participate is provided.
2. Public participation/involvement. **You** must select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
    - a. **You** must comply with applicable public notice requirements of Part V.G.1.e.2 when implementing the provisions of the **Storm Water Pollution Prevention Program**.
    - b. **You** must solicit public input and opinion on the adequacy of the **Storm Water Pollution Prevention Program**, including input from the public meeting, described in Part V.G.1.e, each year prior to submittal of the annual report to the **Commissioner**, which is described in Part VI.D.
      - 1) **You** must afford interested **Persons** a reasonable opportunity to make oral statements concerning the **Storm Water Pollution Prevention Program**.
      - 2) **You** must consider timely, relevant written materials that interested **Persons** submit concerning the **Storm Water Pollution Prevention Program**.
      - 3) **You** may establish procedures and processes for each speaker's presentation, require speakers with similar views to select a spokesperson, specify the timing and format of written materials, or make similar rules to help ensure an opportunity for full and fair consideration of all views.
    - c. **You** must consider the public input, oral and written, to the **Storm Water Pollution Prevention Program** and shall make adjustments **You** find appropriate.
  3. Illicit discharge detection and elimination. **You** must develop, implement, and enforce a program to detect and eliminate illicit discharges as defined at 40 CFR § 122.26(b)(2) into your **Small MS4**. **You** must also select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:

- a. **You** must develop, if not already completed, a storm sewer system map by June 30, 2008, or on another date established by the **Commissioner**, showing the location of:
    - 1) Ponds, streams, lakes and **Wetlands** that are part of your system;
    - 2) Structural pollution control devices (grit chambers, separators, etc.) that are part of your system;
    - 3) All pipes and conveyances in your system as a goal, but at minimum, those pipes that are 24 inches in diameter and over; and
    - 4) **Outfalls**, including discharges from your system to other **MS4s**, or waters and **Wetlands** that are not part of your system (where **You** do not have operational control); structures that discharge storm water directly into groundwater; overland discharge points and all other points of discharge from your system that are outlets, but not diffuse flow areas.
  - b. **You** must, to the extent allowable under law, effectively prohibit, through ordinance or **Other Regulatory Mechanism**, non-**Storm Water** discharges into your storm sewer system and implement appropriate enforcement procedures and actions.
  - c. **You** must develop and implement a program to detect and address non-**Storm Water** discharges, including illegal dumping, to your system.
  - d. **You** must inform employees, businesses, and the general public in your **MS4** area of hazards associated with illegal discharges and improper disposal of waste.
  - e. **You** must address the following categories of non-**Storm Water** discharges or flows (i.e., illicit discharges), only if **You** identify them as significant contributors of pollutants to your **Small MS4**:

water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR § 35.2005(b)(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and **Wetlands**, dechlorinated swimming pool discharges, and street wash water, discharges or flows from fire fighting activities.
4. Construction site **Storm Water** runoff control. Within six months after extension of coverage under this permit, **You** must have developed and must have commenced to implement and enforce a program to **Reduce** pollutants in any **Storm Water** runoff to your **Small MS4** from construction activities

within your jurisdiction that result in a land disturbance of greater than or equal to one acre. Controls on **Storm Water** discharges from construction activity disturbing less than one acre must be included in your program, if that construction activity is part of a larger **Common Plan of Development or Sale** that would disturb one acre or more. **You** must also select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:

- a. An ordinance or **Other Regulatory Mechanism** to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under law;
  - b. Requirements for construction site operators to implement appropriate erosion and sediment control **Best Management Practices**;
  - c. Requirements for construction site operators to control waste, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
  - d. Procedures for site plan review which incorporate consideration of potential water quality impacts;
  - e. Procedures for receipt and consideration of reports of noncompliance or other information on construction related issues submitted by the public; and
  - f. Procedures for site inspection and enforcement of control measures.
5. Post-construction **Storm Water** management in **New Development** and **Redevelopment**. **You** must develop, implement, and enforce a program to address **Storm Water** runoff from **New Development** and **Redevelopment** projects within your jurisdiction that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger **Common Plan of Development or Sale** that discharge into your **Small MS4** by June 30, 2008, or on another date established by the **Commissioner**. Your program must ensure that controls are in place that would prevent or **Reduce** water quality impacts. **You** must also select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
- a. Develop and implement strategies which include a combination of structural and/or non-structural **BMPs** appropriate for your community;

- b. Use an ordinance or **Other Regulatory Mechanism** to address post-construction runoff from **New Development and Redevelopment** projects to the extent allowable under law; and
  - c. Ensure adequate long-term operation and maintenance of **BMPs** installed as a result of these requirements.
6. Pollution prevention/good housekeeping for municipal operations. **You** must select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
- a. An operation and maintenance program that includes a training component and has the ultimate goal of preventing or **Reducing** pollutant runoff from **MS4** operations. Training materials that are available from the **USEPA**, state and regional agencies, or other organizations may be used as appropriate or modified for your community. Your program must include employee training to prevent and **Reduce Storm Water** pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and **Storm Water** system maintenance.
  - b. **You** must also:
    - 1) Operate and maintain your **Storm Water** system in a manner so as to **Reduce** the discharge of pollutants to the **Maximum Extent Practicable**.
    - 2) Inspect annually all structural pollution control devices, such as trap manholes, grit chambers, sumps, floatable skimmers and traps, separators, and other small settling or filtering devices.
    - 3) Inspect, at minimum, 20% of the **MS4 Outfalls**, sediment basins and ponds each year on a rotating basis, during the effective period of this permit.
    - 4) Inspect all exposed stockpile, storage and material handling areas at least annually.
    - 5) Based on your inspection, determine if repair, replacement, or maintenance measures are necessary for proper operation and to prevent environmental impacts such as erosion. The necessary measures shall be completed as soon as possible, usually during the same year as the inspection. When this is not practicable, the reasons and a schedule for completion shall be submitted in the annual report.
    - 6) Summarize the results of all inspections in the annual report. Keep records on the dates of inspection and responses to the inspections, including the date of completion of repairs and major additional protection measures.

- 7) Keep records of inspection results, including as appropriate, the date, antecedent weather conditions, sediment storage and capacity remaining, and any maintenance performed or recommended. After two years of inspections, if patterns of maintenance become apparent, the frequency of inspections may be adjusted. If maintenance or sediment removal is required as a result of each of the first two annual inspections, the frequency of inspection shall be increased to at least two (2) times annually, or more frequently as needed to prevent carry-over or washout of pollutants from the structures and maximize pollutant removal. If maintenance or sediment removal is not required as a result of both of the first two (2) annual inspections, the frequency may be reduced to once every two (2) years.

#### **H. Modifications to the Storm Water Pollution Prevention Program**

1. The **Commissioner** may require **You** to modify the **Storm Water Pollution Prevention Program** as needed, in accordance with the procedures of Minn. R. ch. 7001, and may consider the following factors:
  - a. Discharges from the storm sewer system are impacting the quality of receiving waters;
  - b. More stringent requirements are necessary to comply with state or federal regulations;
  - c. Measures are necessary to meet the applicable requirements of Appendices C and D, or
  - d. Additional conditions are deemed necessary to comply with the goals and requirements of the Clean Water Act or water quality standards.
2. Modifications that **You** wish to make in your **Storm Water Pollution Prevention Program**, other than modifications allowed in Part H.3 below, must be approved by the **Commissioner** in accordance with the procedures of Minn. R. ch. 7001. All requests must be in writing, setting forth schedules for compliance. The request should discuss alternative program modifications, assure compliance with requirements of the permit, and meet other requirements of the permit and applicable laws.
3. The **Storm Water Pollution Prevention Program** may only be modified by **You** without prior approval of the **Commissioner**, provided it is in accordance with the following:
  - a. A **BMP** is added, and none subtracted, from the **Storm Water Pollution Prevention Program**; or

- b. A less effective **BMP** identified in the **Storm Water Pollution Prevention Program** is replaced with a more effective **BMP**. The alternate **BMP** shall address the same, or similar, concerns as the ineffective or failed **BMP**; and
- c. The **Commissioner** is notified of the modification in the annual report for the year the modification is made.

## **PART VI. EVALUATING, RECORDKEEPING AND REPORTING**

### **A. Evaluation and Assessment**

For each annual report, **You** must evaluate program compliance, the appropriateness of your identified **Best Management Practices**, and progress towards achieving your identified measurable goals.

### **B. Recordkeeping**

**You** must keep records required by the NPDES permit for at least three (3) years beyond the term of the permit. **You** must submit your records to the **Commissioner** only if specifically asked to do so.

### **C. Public Availability**

**You** must make your records, including your **Storm Water Pollution Prevention Program**, available to the public at reasonable times during regular business hours (see 40 CFR § 122.7 for confidentiality provision). **You** may assess a reasonable charge for copying. **You** may require a member of the public to provide advance notice.

### **D. Annual Reporting**

**You** must submit annual reports to the **MPCA** by June 30 of each year. The report must cover the entire previous calendar year. Your annual report must summarize:

1. The status of compliance with permit conditions, including an assessment of the appropriateness of your identified **Best Management Practices** and progress towards achieving your identified measurable goals for each of the minimum control measures. Your assessment must be based on results of information collected and analyzed, including monitoring (if any), inspection findings, and public input received during the reporting period;
2. The **Storm Water** activities **You** plan to undertake during the next reporting cycle;
3. A change in any identified **Best Management Practices** or measurable goals for any of the minimum control measures; and

4. A statement that **You** are relying on another entity to satisfy some of your permit obligations (if applicable), and what agreements **You** have entered into in support of this effort.

**E. Reporting Submittals**

The applications, annual reports, **Storm Water Pollution Prevention Program**, and other submittals required by this permit shall be submitted to:

Storm Water Management Unit  
Storm Water Section  
Municipal Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194

## **PART VII. APPENDIX A: STANDARD CONDITIONS**

- A.** The **Agency's** issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit.
- B.** The **Agency's** issuance of a permit does not prevent the future adoption by the **Agency** of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee.
- C.** The permit does not convey a property right or an exclusive privilege.
- D.** The **Agency's** issuance of a permit does not obligate the **Agency** to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes.
- E.** The permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the **Agency** and in compliance with the conditions of the permit.
- F.** The permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.
- G.** The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the **Agency** or to the **Commissioner** by the permit. The permittee shall immediately upon discovery report to the **Commissioner** an error or omission in these records, reports, plans, or other documents.
- H.** The permittee shall, when requested by the **Commissioner**, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.
- I.** When authorized by Minn. Stat. §§ 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the **Agency**, or an authorized employee or agent of the **Agency**, shall be allowed by the permittee to enter at reasonable times

upon the property of the permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.

- J.** If the permittee discovers, through any means, including notification by the **Agency**, that noncompliance with a condition of the permit has occurred, the permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.
- K.** If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the **Commissioner**. Within five days of the discovery of the noncompliance, the permittee shall submit to the **Commissioner** a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; 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 reoccurrence of the noncompliance.
- L.** The permittee shall report noncompliance with the permit not reported under item K as a part of the next report, which the permittee is required to submit under this permit. If no reports are required within 30 days of the discovery of the noncompliance, the permittee shall submit the information listed in item K within 30 days of the discovery of the noncompliance.
- M.** The permittee shall give advance notice to the **Commissioner** as soon as possible of planned physical alterations or additions to the permitted facility (**MS4**) or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or a condition of the permit.
- N.** The permit is not transferable to any **Person** without the express written approval of the **Agency** after compliance with the requirements of Minn. R. 7001.0190. A **Person** to whom the permit has been transferred shall comply with the conditions of the permit.
- O.** The permit authorizes the permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and **Agency** assume no responsibility for damage to **Persons**, property, or the environment caused by the activities of the permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and **Agency** may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. § 3.736.

- P.** This permit incorporates by reference the applicable portions of 40 CFR §§ 122.41 and 122.42 parts (c) and (d) and Minn. R. 7001.1090, which are enforceable parts of this permit.

## **PART VIII. APPENDIX B: DEFINITIONS**

The definitions in this Part are for purposes of this permit only.

**“Agency”** or **“Agency members”** means the **Commissioner** and the eight persons appointed to the Minnesota Pollution Control Agency, pursuant to Minn. Stat. § 116.02, subd. 1.

**“Best Management Practices”** or **“BMPs”** means practices to prevent or **Reduce** the pollution of the **Waters of the State**, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage.

**“Commissioner”** means the **Commissioner** of the Minnesota Pollution Control Agency or the **Commissioner's** designee.

**“Common Plan Of Development Or Sale”** means a contiguous area where multiple separate and distinct construction activities are planned to occur at different times on different schedules under one plan, for example, a housing development of five one-quarter-acre lots (40 CFR § 122.26(b)(15)(i)).

**“Designated MS4”** means an MS4 designated in accordance with Minn. R. ch. 7090.

**“EPA”** means the U.S. Environmental Protection Agency.

**“Expanded Discharge”** means a discharge that changes in volume, quality, location, or any other manner after January 1, 1988 or the effective date an outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470, such that an increased loading of one or more pollutants results. In determining whether an increased loading of one or more pollutants would result from the proposed change in the discharge, the **Agency** shall compare the loading that would result from the proposed discharge with the loading allowed by the **Agency** as of January 1, 1988 or the effective date of outstanding resource value water designation. This definition does not apply to the discharge of bioaccumulative chemicals of concern, as defined in Minn. R. 7052.0010, subp. 4, to outstanding resource value waters in the Lake Superior Basin. For purposes of Minn. R. 7050.0180, an expanded discharge of a bioaccumulative chemical of concern to an outstanding resource value water in the Lake Superior Basin is defined in Minn. R. 7052.0010, subp. 18.

**“General Permit”** means a permit issued under Minn. R. 7001.0210 to a category of permittees whose operations, emissions, activities, discharges, or facilities are the same or substantially similar.

**“Maximum Extent Practicable”** **“MEP”** is the statutory standard (33 U.S.C. § 1342(p)(3)(B)(iii)) that establishes the level of pollutant reductions that an **Owner** or

**Operator of Regulated MS4s** must achieve. The **USEPA** has intentionally not provided a precise definition of **MEP** to allow maximum flexibility in **MS4** permitting. The pollutant reductions that represent **MEP** may be different for each **Small MS4**, given the unique local hydrologic and geologic concerns that may exist and the differing possible pollutant control strategies. Therefore, each permittee will determine appropriate **BMPs** to satisfy each of the six minimum control measures through an evaluative process. The **USEPA** envisions application of the **MEP** standard as an iterative process.

**“MPCA”** means the Minnesota Pollution Control Agency.

**“MS4”** means a **Municipal Separate Storm Sewer System**.

**“Municipal Separate Storm Sewer System”** means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

1. Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, **Storm Water**, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management Agency under section 208 of the CWA (33 U.S.C. § 1288) that discharges to waters of the United States;
2. Designed or used for collecting or conveying **Storm Water**;
3. Which is not a combined sewer; and
4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 122.2.

**“New Development”** means construction activities that create new impervious surface.

**“New Discharge”** For all waters that are not outstanding resource value waters **New Discharge** means a discharge that was not in existence before January 1, 1988. For outstanding resource value waters **New Discharge** means a discharge that was not in existence on the effective date the outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470.

**“Newspaper”** means a publication containing news of general interest in the vicinity of the **MS4**. It can include other publications if the distribution includes the general population of potentially interested parties.

**“Notice of Intent”** as referenced in the **USEPA** documents is synonymous with the term “permit application” for the purposes of this permit.

**“Other Regulatory Mechanism”** means any legally enforceable document, such as a contract or other agreement that has penalties such as withholding payments, fines or other measures to prevent non compliance.

**“Operator”** means the **Person** with primary operational control and legal responsibility for the **Municipal Separate Storm Sewer System**.

**“Outfall”** means the point source where a **Municipal Separate Storm Sewer System** discharges from a pipe, ditch, or other discrete conveyance to receiving waters, or to other **Municipal Separate Storm Sewer Systems**. It does not include diffuse runoff or conveyances which connect segments of the same stream or water systems.

**“Owner”** means the **Person** that owns the **Municipal Separate Storm Sewer System**.

**“Person”** means the state or any agency or institution thereof, any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity, including, but not limited to, association, commission or any interstate body, and includes any officer or governing or managing body of any municipality, governmental subdivision, or public or private corporation, or other entity.

**“Physical Alteration”** except as used in Part VII.M, means the dredging, filling, draining, or permanent inundating of a **Wetland**. Restoring a degraded **Wetland** by reestablishing its hydrology is not a **Physical Alteration**.

**“Rebuttable Presumption”** is a presumption that may be rebutted by the evidence.

**“Record of Decision”** means a record of the comments and the permittee’s response to comments where such record is required in this permit.

**“Redevelopment”** refers to alterations of a property that change the “footprint” of a site or building in such a way that results in the disturbance of equal to or greater than one (1) acre of land. The term is not intended to include such activities as exterior remodeling, which would not be expected to cause adverse **Storm Water** quality impacts and offer no new opportunity for **Storm Water** controls.

**“Reduce”** means **Reduce** to the **“Maximum Extent Practicable”** unless otherwise defined in the context in which it is used.

**“Regulated MS4”** means an **MS4** that is regulated pursuant to 40 CFR § 122.32(a)(1), or an **MS4s** that is designated for coverage by the **Commissioner**.

**“Selected MS4”** means **MS4s** listed in Part XI (Appendix E).

**“Small Municipal Separate Storm Sewer System”** means all separate storm sewers that are:

1. Owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, **Storm Water**, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.
2. Not defined as “large” or “medium” **Municipal Separate Storm Sewer Systems** pursuant to 40 CFR §122.26 paragraphs (b)(4) and (b)(7) or designated under paragraph (a)(1)(v).
3. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

“**Small MS4**” means a **Small Municipal Separate Storm Sewer System**.

“**Storm Water**” means **Storm Water** runoff, snowmelt runoff, surface runoff and drainage.

“**Storm Water Pollution Prevention Program**” or “**SWPPP**” is a compilation of **BMPs** to address the six minimum control measures and other provisions of the **MS4** permit, that is designed and managed to **Reduce** the discharge of pollutants from your **MS4** to the **Maximum Extent Practicable** as appropriate to your community.

“**Total Maximum Daily Load**” or “**TMDL**” is the process established by the **USEPA** for the allocation of pollutant loads, including **Storm Water**, to a particular water body or reach of a water body.

“**USEPA**” or “**EPA**” means the U.S. Environmental Protection Agency.

“**Waters of the State**” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

“**Wetlands**” are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. **Wetlands** generally include swamps, marshes, bogs, and similar areas. Constructed **Wetlands** designed for wastewater treatment are not **Waters of the State**. **Wetlands** must have the following attributes:

1. A predominance of hydric soils;
2. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and
3. Under normal circumstances support a prevalence of such vegetation.

**“You”** means the **Owner, Operator** or permittee as appropriate.

## PART IX. APPENDIX C: LIMITATIONS ON COVERAGE

### Contents of Appendix C:

- A. *Discharges to Waters With Prohibited Discharges (pages 25-26)*
- B. *Discharges to Waters With Restricted Discharges (pages 26-28)*
- C. *Discharges to Trout Waters (page 28)*
- D. *Discharges to Wetlands (page 28)*
- E. *Discharges Requiring Environmental Review (page 28)*
- F. *Discharges Affecting Threatened or Endangered Species or Their Habitat (page 29)*
- G. *Discharges Affecting Historic or Archeological Sites (page 29)*
- H. *Discharges Affecting Source Water Protection Areas (page 29)*

This part describes more stringent requirements for discharges that meet the following specified criteria, A through H. Whenever two or more requirements, restrictions, or prohibitions apply, both or all must be met. Whenever two or more requirements, restrictions or prohibitions conflict, the more restrictive conditions must be met.

- A. **Discharges to Waters with Prohibited Discharges** (*Minn. R. 7050.0180, subp. 3, 4 and 5*). This permit does not authorize **New or Expanded Discharges** to waters, or discharges adversely impacting waters, where the applicable water quality standards prohibit **New or Expanded Discharges** as described in Minn. R. 7050.0180, subp. 3, 4, and 5 unless the following requirements are met:
  - 1. **List.** You must identify as part of your application for permit the Waters with Prohibited Discharges to which your **MS4** discharges. The list must be included with your application, to be submitted within 90 days after the permit effective date on page 1 of this permit or for **Designated MS4s** in accordance with Part IV.B.
  - 2. **Map.** You must mark on U.S.G.S. watershed or topographic maps of 1:24,000 scale or better at minimum the DNR minor subwatersheds in your jurisdiction that discharge in whole or in part to Waters with Prohibited Discharges. You must provide a narrative estimate of the percent impervious surface based on current land use, the percent expected future impervious surface based on zoning or comprehensive plans, and other information that may significantly affect your runoff to the listed waters. The map must be included with your application, to be submitted within 90 days after the permit

effective date on page 1 of this permit or for **Designated MS4s** in accordance with Part IV.B.

3. **Assessment.** You must then assess how your **Storm Water Pollution Prevention Program** can be reasonably modified to eliminate **New or Expanded Discharges** to Waters with Prohibited Discharges. This assessment must be developed for **New or Expanded Discharges** created from 1988 until the year 2020. You must present this assessment, together with your proposed changes to your **Storm Water Pollution Prevention Program**, for public comment during the annual public comment period required in the permit, prior to your first annual report (see Part VI.D) or prior to the schedule in Appendix E for **Selected MS4s**.
  4. **Assessment Submittal.** You must submit the assessment from Part IX.A.3 above, including your response to any public comments and proposed changes to your **Storm Water Pollution Prevention Program**, (a) with your first annual report, (b) on another later date if established for your **MS4** by the **Commissioner**, or (c) in accordance with the schedule in Appendix E for **Selected MS4s**. The assessment will be reviewed by the **Commissioner**, who will provide opportunity for public input and hearing prior to denial or approval of your proposed **Storm Water Pollution Prevention Program**. The **MPCA** reserves the right to incorporate as much available information as possible in the decision making process, including the right to independently develop and evaluate potential alternatives to the discharge.
  5. **Implementation.** You must implement your approved plan, including all approved **BMPs**, in accordance with the schedule in the approved **Storm Water Pollution Prevention Program**.
- B. Discharges to Waters with Restricted Discharges** (*Minn. R. 7050.0180, subp.6, 6a, and 6b*). This permit does not authorize **New or Expanded Discharges** to waters where the applicable water quality standards restrict **New or Expanded Discharges**, unless such discharges are in accordance with Minn. R. 7050.0180, subpart 6, 6a, and 6b, and other applicable rules, and the following requirements. For **MS4s** that have discharges to outstanding resource value waters listed in Minn. R. 7050.0180, subp. 6, 6a or 6b (listed waters, or Waters with Restricted Discharges), the **MPCA** makes a **Rebuttable Presumption** that those **MS4s** have or will create a **New or Expanded Discharge** to a listed water. The following requirements create a schedule to bring discharges to listed waters into compliance:
1. In order to allow a **New or Expanded Discharge** to Waters with Restricted Discharges, the **MPCA** must determine that there are no prudent and feasible alternatives to the **New or Expanded Discharge**. The determination will be based on your demonstration. This demonstration should include, but is not limited to developing a plan to address prudent and feasible alternatives to the discharge. If **You** intend to argue that there are no prudent and feasible

alternatives to the discharge to these waters, **You** must develop a plan to restrict the discharge to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the listed water an outstanding resource value water.

2. Here are the specific actions **You** must take:
  - a. **List.** **You** must identify as part of your application for permit the waters with restricted discharges to which your **MS4** discharges. The list must be included with your application, to be submitted within 90 days after the permit effective date on page 1 of this permit or for **Designated MS4s** in accordance with Part IV.B.
  - b. **Map.** **You** must mark on U.S.G.S. watershed or topographic maps of 1:24,000 scale or better at minimum the DNR minor subwatersheds in your jurisdiction that discharge in whole or in part to waters with restricted discharges. **You** must provide a narrative estimate of the percent impervious surface based on current land use, the percent of future expected impervious surface based on zoning or comprehensive plans, and other information that may significantly affect your runoff to the listed waters. **You** must submit this map with your application within 90 days after the permit effective date on page 1 of this permit or other later date if established by the **Commissioner**.
  - c. **Assessment.** **You** must then assess how your **Storm Water Pollution Prevention Program** can be reasonably altered to eliminate **New or Expanded Discharges** to waters with restricted discharges. This assessment must be developed for **New or Expanded Discharges** produced from 1988 until the year 2020. Where **You** intend to argue that there are no prudent and feasible alternatives to **New or Expanded Discharges** to these waters, **You** must propose measures **You** will implement to restrict the discharge to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the listed waters outstanding resource value waters. Measures that can be proposed include ordinances and zoning changes or other **BMPs**. **You** must present this assessment, together with your proposed changes to your **Storm Water Pollution Prevention Program**, for public comment during the annual public comment period required in the permit, prior to your first annual report (see Part VI.D) or prior to the schedule in Appendix E for **Selected MS4s**.
  - d. **Assessment Submittal.** **You** must submit the assessment from Part IX.B.2.c above, and your response to any public comments, with your plan and proposed changes to your **Storm Water Pollution Prevention Program** and submit it with your first annual report, or on another later date if established for your **MS4** by the **Commissioner**, or according to the schedule in Appendix E for **Selected MS4s**. The plan and proposed changes to the **Storm Water Pollution Prevention Program** will be reviewed by the **Commissioner**, who will provide opportunity for public input and hearing pursuant to Minn. R. ch. 7001 prior to denial or approval of your proposed **Storm Water Pollution Prevention**

**Program** modifications. The **MPCA** reserves the right to incorporate as much available information as possible in the decision making process, including the right to independently develop and evaluate potential prudent and feasible alternatives to the discharge.

- e. **Implementation.** You must implement your approved **Storm Water Pollution Prevention Program**, including all **BMPs** in accordance with the schedule described in the approved **Storm Water Pollution Prevention Program**.

**C. Discharges Adversely Impacting Trout Waters** (*Minn. R. 6264.0050 subp. 2 and 4*).

The following requirements apply to Trout Waters listed in Minn. R. 6264.0050, subp. 2 and 4:

1. This permit does not authorize **New or Expanded Discharges** adversely impacting Trout Waters unless, at minimum, **You** establish administrative procedures or other measures to assure that **You** make the following determinations and document the basis for your decision:
  - a. That there is no feasible and prudent alternative to the proposed discharge; and
  - b. All prudent and feasible measures needed to avoid or **Reduce** impacts to Trout Waters, and to preserve the existing high quality of the water will be implemented (see Part IX.C.2 below).
2. If the discharge cannot be avoided, **You** must consider measures to protect water quality and prevent temperature increases. Acceptable measures include reduce the impervious surfaces, diversion away from the stream and use of filter strips, infiltration, biofiltration, or enhanced grass swales to treat runoff before discharge to the Trout Water. Innovative alternatives to ponds are specifically encouraged for Trout Water discharges if they provide equivalent treatment.

**D. Discharges to Wetlands** (*Minn. R. 7050.0130, subp. F; also 7050.0186*). This permit does not authorize **Physical Alterations** to **Wetlands**, or other discharge adversely affecting **Wetlands**, if the alteration will have a significant adverse impact to the designated uses of a **Wetland**. Any **Physical Alterations** to **Wetlands** that will cause a potential for a significant adverse impact to a designated use must be implemented in accordance with the avoidance, minimization and mitigation requirements of Minn. R. 7050.0186 and other applicable rules.

**E. Discharges Requiring Environmental Review** (*Minn. Stat. ch. 116D, and 42 U.S.C. §§ 4321 – 4370 f*). This permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (Minn. Stat. ch. 116D), the National Environmental Policy Act (42 U.S.C. §§ 4321 – 4370 f), and rules implementing those laws. Any environmental review required of **You** by law, including preparation of environmental review documents such as environmental assessment worksheets, environmental impact statements, or environmental assessments, must be completed in accordance with those requirements.

- F. Discharges Affecting Threatened or Endangered Species.** This permit does not replace or satisfy any review requirements for Threatened or Endangered Species, from discharges whose direct, indirect, interrelated, interconnected, or independent impacts would jeopardize a listed Threatened or Endangered Species or adversely modify a designated critical habitat. For any project resulting in a discharge having the potential to adversely impact Threatened or Endangered species, or their critical habitat, **You** must conduct your required review and coordination with appropriate agencies in accordance with those requirements.
- G. Discharges Affecting Historic or Archeological Sites.** This permit does not replace or satisfy any review requirements for Historic or Archeological Sites from discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or adversely affecting known or discovered archeological sites. For any project resulting in a discharge having the potential to adversely impact Historic or Archeological Sites, including significant anthropological sites and any burial sites, **You** must conduct your required review and coordination with the Minnesota State Historic Preservation Officer or other appropriate agencies in accordance with those requirements.
- H. Discharges Affecting Source Water Protection Areas** (*Minn. R. 4720.5100 – 4720.5590*). **You** shall incorporate **BMPs** into your **Storm Water Pollution Prevention Program** to protect any of the following drinking water sources that your **MS4** discharge may affect, and **You** shall include the map of these sources with the **Storm Water Pollution Prevention Program** if they have been mapped:
1. Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330, and
  2. Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13.

## **PART X. APPENDIX D: NONDEGRADATION FOR SELECTED MS4s**

The requirements of this section apply only to **MS4s** called **Selected MS4s** as described in Part XI (Appendix E). Certain **MS4s** have been selected to perform the requirements of this part because their size and growth may be closely correlated with increased **Storm Water** flows and pollutant loading. Nondegradation review applies to all significant **New or Expanded Discharges** to all waters but does not negate the applicable requirements for outstanding resource value waters, requirements for special classes of waters, other requirements in Appendix C or the general requirements of the permit.

### **A. Selected MS4s**

The basic requirement for all **MS4s** regulated under this permit is to develop a **Storm Water Pollution Prevention Program** that meets the requirements of the permit. An additional process is required of a limited number of permittees (30) that are listed in Appendix E. These **Selected MS4s** must submit to the **Commissioner** information described below to determine whether additional control measures beyond those of the permit Parts I through IX can be reasonably taken to minimize the impacts of the discharges. Selection, for purposes of this permit, is described in Appendix E.

### **B. Loading Assessment**

Each **Selected MS4** must assess the change in **Storm Water** discharge loading for its permitted area using a pollutant loading water quality model that, at minimum, addresses changes in Average Annual Flow Volume, Total Suspended Solids, and Phosphorus. This modeling will be based on two time periods: from 1988 (1988-1990) to the present (2000-2005), and from the present to 2020. The **Selected MS4s** must use a simple model, or another more complex model that they find to be more appropriate, that addresses the parameters of concern. This may include a model that the **Selected MS4** has already used. Other assessment methods may be used if they can be shown to be as effective at quantifying the increase in loading as the modeling methods. The models and/or other methods will be used as part of the assessment to develop the Nondegradation Report, to help in selecting appropriate **BMPs** that address nondegradation, to determine whether additional control measures can reasonably be taken to **Reduce** pollutant loading, and for a few **Selected MS4s** that elect to do so, to evaluate the significance of the **New or Expanded Discharge**.

### **C. Nondegradation Report**

**Selected MS4s** that have significant **New or Expanded Discharges** are required to complete a Nondegradation Report and, upon approval, to incorporate its findings on **BMPs** that address nondegradation into their **Storm Water Pollution Prevention Program**. The **BMPs** shall address changes in pollutant loadings as far as is reasonable and practical through future development. Additionally, the **BMPs** shall address, as far as is reasonable and practical, the negative impacts of increased **Storm Water** discharge volumes that cause increased depth and duration of inundation of **Wetlands** having the potential for a significant adverse impact to a designated use of the **Wetland**, or changes in stream morphology that have the potential for a significant adverse impact to a designated use of the streams.

The Nondegradation Report must include consideration of the Loading Assessment, which must include analysis of flow and may include removal of pollutants by **BMPs** already initiated. For purposes of this **General Permit**, 1988 levels consistently attained means runoff that would have been produced under approximately average conditions of rainfall. Local **Storm Water** management plans and other pertinent factors may also be considered. **BMPs** implemented by other parties may be considered when those **BMPs** affect the **Storm Water** from the area of the **Selected MS4**. If the pollutant loadings cannot be **Reduced** to levels consistently attained in 1988, the Report must describe reasonable and practical **BMPs** that the **Selected MS4** plans to incorporate into a modified **Storm Water Pollution Prevention Program**. The **Selected MS4** must consider alternatives, explain which alternatives have been studied but rejected and why, and propose alternatives that are reasonable and practical. The Report must give high priority to **BMPs** that address impacts of future growth, such as ordinances for **New Development**. Where increases in pollutant loading have already occurred due to past development, the Report must consider retrofit and mitigation options (**BMPs**) that the **Selected MS4** determines to be reasonable, practical and appropriate for the community. The **Selected MS4** is responsible for developing any site specific cost/benefit, social, and environmental information that the **Selected MS4** wishes to bring to the **Agency's** attention. The **Selected MS4** must incorporate the **BMPs** into a modified **Storm Water Pollution Prevention Program** and include an implementation schedule that addresses **New Development** and retrofit **BMPs** it proposes to implement.

#### **D. Public Participation**

Prior to submittal to the **MPCA**, the proposed **Storm Water Pollution Prevention Program** modifications to address nondegradation will be public noticed at the local level as required in the permit (Part V.G.1.e). Each **Selected MS4** shall also submit its **Storm Water Pollution Prevention Program** modifications to address nondegradation to the appropriate local water authority (e.g. watershed organizations or county water planning authority) in time to allow for their review and comment. The Nondegradation Report explaining the proposed **BMPs** and the entire **Storm Water Pollution Prevention Program** must be made available to the public and local water authority upon request.

#### **E. Submittals for Selected MS4s**

**Selected MS4s** must submit their proposed changes to the **Storm Water Pollution Prevention Program**, reports addressing nondegradation for all waters (and restricted waters or prohibited waters if applicable), together with other supporting documents, to the **MPCA** in accordance with the schedule in Appendix E. This submittal must include:

1. The Loading Assessment;
2. The Nondegradation Report;
3. The proposed **Storm Water Pollution Prevention Program** modifications to address nondegradation;
4. The public and local water authority comments on the proposed **Storm Water Pollution Prevention Program** modifications to address nondegradation, with a **Record of Decision** on the comments; and

5. An application to modify the permit.

#### **F. MPCA Review**

The **MPCA** will review the above submittals in accordance with Minn. R. ch. 7001. After consideration of the Loading Assessment, the Nondegradation Report, public and local water authority comments, the **Record of Decision** by the **Selected MS4**, and other pertinent information, the **MPCA** will make a determination on the preliminary approval of the proposed **Storm Water Pollution Prevention Program**. The role of the **MPCA** during the review process will generally be limited to reviewing the information presented by the **Selected MS4** and comments made by others during the review process. However, the **MPCA** reserves the right to incorporate as much available information as possible in the decision making process, including the right to independently develop and evaluate potential reasonable and practical alternatives.

#### **G. Notice and Preliminary Determination**

The **MPCA** will provide statewide public notice and opportunity for hearing on any **MPCA** determination of intent to deny or approve the **Storm Water Pollution Prevention Program** modifications to be implemented under this permit. The **MPCA** will provide public and **MPCA** comments to the **Selected MS4**. The **Selected MS4** will have the opportunity to respond to the comments prior to the **MPCA** making a final determination.

#### **H. Final Determination**

The **Commissioner** will make a final determination on the modifications to the **Storm Water Pollution Prevention Program** in accordance with Minn. R. ch. 7001.

#### **I. Implementation of the Approved Storm Water Pollution Prevention Program**

Following approval by the **MPCA** (as described in Part X.H above), the approved **Storm Water Pollution Prevention Program** modifications, including any changes required by the **MPCA**, must be implemented by the **Selected MS4** in accordance with the schedule in the approved **Storm Water Pollution Prevention Program** and modifications.

**PART XI. APPENDIX E: SELECTED MS4s**

This part describes the schedule of submittals of the items listed in Part X (Appendix D), item E to the **MPCA** for review and approval. The **Commissioner** has selected the **MS4s** listed below for further nondegradation review. The selection was based on the population growth experienced by the community during three time periods: from 1990 to 2000, based on census data; from 2000 to 2003, based on projections by the State Demographer and Metropolitan Council; and from 2000 to 2020, also based on the State Demographer and Metropolitan Council projections. The **Commissioner** also considered the size of the community as represented by the 2000 census. The **Commissioner** may also determine that additional **MS4s** be selected based on the same factors, or other factors in accordance with Minn. R. ch. 7001 and other applicable rules.

The following **Selected MS4s** shall submit the items listed in Part X (Appendix D), item E, to the **MPCA** for review and approval, postmarked on or before the listed dates.

	<b>Selected MS4</b>	<b>Submittal date</b>
1	Rochester	15 months after the effective date of the Permit
2	Woodbury	15 months after the effective date of the Permit
3	Maple Grove	15 months after the effective date of the Permit
4	Lakeville	15 months after the effective date of the Permit
5	Eden Prairie	15 months after the effective date of the Permit
6	Eagan	16 months after the effective date of the Permit
7	Plymouth	16 months after the effective date of the Permit
8	Blaine	16 months after the effective date of the Permit
9	Bloomington	16 months after the effective date of the Permit
10	Duluth	16 months after the effective date of the Permit
11	Brooklyn Park	17 months after the effective date of the Permit
12	Shakopee	17 months after the effective date of the Permit
13	Apple Valley	17 months after the effective date of the Permit
14	St. Cloud	17 months after the effective date of the Permit
15	Burnsville	17 months after the effective date of the Permit
16	Prior Lake	18 months after the effective date of the Permit
17	Maplewood	18 months after the effective date of the Permit
18	Coon Rapids	18 months after the effective date of the Permit
19	Andover	18 months after the effective date of the Permit
20	Elk River	18 months after the effective date of the Permit
21	Savage	19 months after the effective date of the Permit
22	Farmington	19 months after the effective date of the Permit
23	St. Louis Park	19 months after the effective date of the Permit
24	Edina	19 months after the effective date of the Permit
25	Minnnetonka	19 months after the effective date of the Permit
26	Chanhassen	20 months after the effective date of the Permit
27	Chaska	20 months after the effective date of the Permit
28	Inver Grove Heights	20 months after the effective date of the Permit
29	Rosemount	20 months after the effective date of the Permit
30	Cottage Grove	20 months after the effective date of the Permit