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NPDES Permit No.: OHQ000003

Issuance Date: September 11, 2014
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OHIO ENVIRONMENTAL PROTECTION AGENCY

AUTHORIZATION FOR SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS TO DISCHARGE STORM WATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq. hereafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Chapter 6111), dischargers of storm water from Small Municipal Separate Storm Sewer Systems, as defined in Part VI of this permit, are authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA," to discharge from the outfalls and to the receiving surface waters of the state identified in their Notices of Intent (NOI) Application form on file with Ohio EPA in accordance with the conditions specified in this permit.

It has been determined that a lowering of water quality of various waters of the state associated with granting coverage under this permit is necessary to accommodate important social and economic development in the state of Ohio. In accordance with OAC 3745-1-05, this decision was reached only after examining a series of technical alternatives, reviewing social and economic issues related to the degradation, and considering all public and intergovernmental comments received concerning the proposal.

Granting of general permit coverage is conditioned upon submittal of a complete NOI Application in accordance with Part I.D of this permit and written approval of coverage from the director of Ohio EPA.

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Donna Vassler Date: 9-12-14

Craig W. Butler
Director

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PART VI. DEFINITIONS

PART I. COVERAGE UNDER THIS PERMIT

A. Permit Area

This permit covers the state of Ohio.

B. Eligibility

1. All small municipal separate storm sewer systems (MS4s) unless the director of Ohio EPA has given written notification to an MS4 that coverage under this general permit is inappropriate.

2. This permit authorizes discharges of storm water from small MS4s, as defined in Part VI of this permit. You are authorized to discharge under the terms and conditions of this general permit if you:

   a. Operate a small MS4 within the permit area described in Part I.A of this permit,

   b. Are not a "large" or "medium" MS4 as defined in Part VI of this permit, and

   c. Submit a Notice of Intent (NOI) in accordance with Part II of this permit, and

   d. Are located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census, or

   e. Are designated for permit authorization by Ohio EPA.

3. The following are types of authorized discharges:

   a. *Storm water discharges*. This permit authorizes storm water discharges to surface waters of the State from the small MS4s identified in Part I.B.2, except as excluded in Part I.C.

   b. *Non-storm water discharges*. You are authorized to discharge the following non-storm water sources provided that Ohio EPA has not determined, and notified you in writing, these sources are substantial contributors of pollutants to your MS4: waterline flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.); uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; and discharges or flows from fire-fighting activities.

C. Limitations on Coverage

This permit does not authorize:

1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:

   a. In compliance with a separate National Pollutant Discharge Elimination System (NPDES) permit, or

   b. Determined by Ohio EPA not to be a substantial contributor of pollutants to surface waters of the state.

2. Storm water discharges associated with industrial activity as defined in 40 CFR §122.26(b)(14)(i)-(ix) and (xi) that are not in compliance with a separate in force NPDES permit.

3. Storm water discharges associated with construction activity as defined in 40 CFR §122.26(b)(14)(x) or 40 CFR §122.26(b)(15) that are not in compliance with a separate in force NPDES permit.

4. Storm water discharges currently covered under another NPDES permit.

5. Discharges that would cause or contribute to in-stream exceedances of water quality standards. Ohio EPA may require additional actions or an application for an individual permit or alternative general permit if an MS4 is determined to cause an in-stream exceedance of water quality standards.

6. Discharges of any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been approved by U.S. EPA (this information can be obtained from Ohio EPA) unless your discharge is consistent with that TMDL. This eligibility condition applies at the time you submit an NOI for coverage. For discharges that cannot comply with TMDL requirements under this permit, you will be instructed by Ohio EPA to apply for an individual or other applicable general NPDES permit.

7. Discharges that do not comply with Ohio EPA's anti-degradation policy for water quality standards.

D. Obtaining Authorization

1. To be authorized to discharge storm water from small MS4s, you shall submit a completed NOI form, application fee and your Storm Water Management Program (SWMP) in accordance with the deadlines presented in Part II.A of this permit. To renew coverage you shall only submit a completed NOI form and application fee.

2. Your NOI, to be completed on a form furnished by Ohio EPA, shall be signed and dated in accordance with Part V.G of this permit.

3. Until notified in writing by Ohio EPA, dischargers who submit an NOI in accordance with the requirements of this permit are not covered by this permit. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit or alternative general permit based on a review of the NOI or other information (see Part V.Q).

4. Where an operator is added or removed after submittal of an NOI under Part II of this permit, a new NOI shall be submitted in accordance with Part II prior to the change.

PART II. NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification

1. If you were automatically designated by the 2000 Census under 40 CFR §122.32(a)(1) to obtain coverage, then you were required to submit an NOI and your SWMP or apply for an individual permit by March 10, 2003. If you were automatically designated by the 2010 Census under 40 CFR §122.32(a)(1) to obtain coverage under this permit, then you are required to submit an NOI and your SWMP to Ohio EPA within 180 days of notice.

2. *Additional designations.* If you are designated by Ohio EPA, then you are required to submit an NOI and your SWMP to Ohio EPA within 180 days of notice.

3. Submitting *a Late NOI.* You are not prohibited from submitting an NOI after the dates provided in Part II.A of this permit. If a late NOI is submitted, your authorization is only for discharges that occur

after permit coverage is granted. Ohio EPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

4. *Renewal.* If you have coverage under the previous version of this permit you will receive notification with instructions for renewing coverage under this permit. Within 90 days of receiving Ohio EPA's notification, you shall submit a completed NOI form and application fee. When Ohio EPA renews this permit, if you have coverage under this permit you will receive notification of the renewal along with instructions for getting coverage under the renewal permit.

B. Where to Submit

You are to submit your NOI, signed in accordance with the signatory requirements of Part V.G of this permit, to Ohio EPA at the following address:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

C. Co-Permittees Under a Single NOI

You may partner with other MS4s to develop and implement your SWMP. You may also jointly submit an NOI with one or more MS4s. Your SWMP shall clearly describe which permittees are responsible for implementing each of the control measures.

PART III. STORM WATER MANAGEMENT PROGRAMS (SWMP)

A. Requirements

1. You shall develop, implement, and enforce an SWMP designed to reduce the discharge of pollutants from your small MS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of Ohio Revised Code (ORC) 6111 and the Clean Water Act. The SWMP should include management practices; control techniques and system, design, and engineering methods; and shall be modified to include provisions as Ohio EPA determines appropriate after its review of the program for the control of such pollutants. Your SWMP shall include the following information for each of the six minimum control measures described in Part III.B of this permit:

   a. The best management practices (BMPs) that you or another entity will or already does implement for each of the storm water minimum control measures. Where applicable, BMPs shall be selected to address U.S. EPA approved TMDL recommendations for identified water quality problems associated with MS4 discharges within your MS4's watershed(s).

   b. For each BMP identified, statements indicating whether you believe you have the legal authority to implement said BMP.

   c. The measurable goals for each of the BMPs, the ones you believe you have the authority to implement, including, as appropriate, the months and years in which you will undertake required actions, including interim milestones and the frequency of the action. At a minimum, measurable goals shall be implemented to satisfy this general permit's performance standards; and

   d. The person or persons, including position title or titles, responsible for implementing or coordinating the BMPs for your SWMP. The SWMP shall include a Table of Organization, including a primary point of contact, which identifies how implementation across multiple positions, agencies and departments will occur.

e. In addition to the requirements listed above, you shall provide a rationale for how and why you elected each of the BMPs and measurable goals for your SWMP, including how selected BMPs address applicable TMDL recommendations.

2. If you are obtaining your initial Small MS4 general permit coverage under this permit, you shall develop and implement your program within five years of being granted coverage under this permit. If you are renewing coverage under this permit, you shall update your SWMP to be consistent with requirements of this permit and submit to your appropriate Ohio EPA District Office within 2 years of when your coverage under this general permit was granted.

B. Minimum Control Measures

The six minimum control measures that shall be included in your SWMP are:

1. Public Education and Outreach on Storm Water Impacts

a. You shall 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. In the case of non-traditional MS4s (e.g., OTIC, ODOT, universities, hospitals, prisons, military bases, and other government complexes), you are only required to provide educational materials and outreach to your employees, on-site contractors, and individuals using your facilities.

b. *Decision process*. You shall document your decision process for the development of a storm water public education and outreach program. Your rationale statement shall address both your overall public education program and the individual BMPs, measurable goals and responsible persons for your program. The rationale statement shall include the following information, at a minimum:

i. How you plan to inform individuals and households about the steps they can take to reduce storm water pollution.

ii. How you plan to inform individuals and groups on how to become involved in the storm water program (with activities such as local stream and beach restoration activities).

iii. Who are the target audiences for your education program who are likely to have significant storm water impacts (including commercial, industrial and institutional entities) and why those target audiences were selected.

iv. What are the target pollutant sources your public education program is designed to address.

v. What is your outreach strategy, including the mechanisms (e.g., printed brochures, newspapers, media, workshops, etc.) you will use to reach your target audiences, and how many people do you expect to reach by your outreach strategy over the permit term.

vi. Who (person or department) is responsible for overall management and implementation of your storm water public education and outreach program and, if different, who is responsible for each of the BMPs identified for this program.

vii. How will you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

c. *Performance Standards.* Your storm water public education and outreach program shall include more than one mechanism and target at least five different storm water themes or messages over the permit term. At a minimum, at least one theme or message shall be targeted to the development community. Your storm water public education and outreach program shall reach at least 50 percent of your population over the permit term.

d. *Annual Reporting.* Your annual report shall identify each mechanism used, including each storm water theme, audience targeted and estimate of how many people were reached by each mechanism.

2. Public Involvement/Participation

a. You shall comply with State and local public notice requirements and satisfy this minimum control measure's minimum performance standards when implementing a public involvement/participation program. In the case of non-traditional MS4s (e.g., OTIC, ODOT, universities, hospitals, prisons, military bases, and other government complexes), you are required to involve employees, on-site contractors, and individuals using your facilities.

b. *Decision process.* You shall document your decision process for the development of a storm water public involvement/participation program. Your rationale statement shall address both your overall public involvement/participation program and the individual BMPs, measurable goals, and responsible persons for your program. The rational statement shall include the following information, at a minimum:

i. Have you involved the public in the development and submittal of your NOI and SWMP description.

ii. What is your plan to actively involve the public in the development and implementation of your program.

iii. Who are the target audiences for your public involvement program, including a description of the types of ethnic and economic groups engaged. You are encouraged to actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and educational organizations, among others.

iv. What are the types of public involvement activities included in your program. Where appropriate, consider the following types of public involvement activities: citizen representatives on a storm water management panel, public hearings, working with citizen volunteers willing to educate others about the program, volunteer monitoring or stream/beach clean-up activities.

v. Who (person or department) is responsible for the overall management and implementation of your storm water public involvement/participation program and, if different, who is responsible for each of the BMPs identified for this program.

vi. How you will evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

c. *Performance Standards.* Your storm water public involvement/participation program shall include, at a minimum, five public involvement activities over the permit term.

d. *Annual Reporting.* Your annual report shall identify each public involvement/participation activity conducted, including a brief description of activity and include an estimate of how many people participated.

3. Illicit Discharge Detection and Elimination

a. You shall develop, implement and enforce a program to detect and eliminate illicit discharges, as defined in Part VI of this permit, into your small MS4 (for illicit discharges to your MS4 via an adjacent, outside of your jurisdiction, interconnected MS4, you are only required to inform the neighboring MS4 and Ohio EPA in your annual report submission, of their existence);

b. You shall develop, if not already completed, a comprehensive storm sewer system map, showing the location of all outfalls and the names and location of all surface waters of the state that receive discharges from those outfalls. Your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins, pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post-construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

c. Within five years of when your initial Small MS4 general permit coverage was granted, you shall submit the following to Ohio EPA:

   i. A list of all on-site sewage disposal systems connected to discharge to your MS4 (a.k.a., home sewage treatment systems (HSTSs)) including the addresses; and

   ii. A storm sewer map showing the location of all HSTSs connected to your MS4. This map shall include details on the type and size of conduits/ditches in your MS4 that receive discharges from HSTSs, as well as the water bodies receiving the discharges from your MS4.

d. You shall to the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, illicit discharges into your storm sewer system and implement appropriate enforcement procedures and actions;

e. You shall develop and implement a plan to detect and eliminate non-storm water discharges, including illegal dumping, to your system. At a minimum, for household sewage treatment systems (HSTSs), your plan shall address or include provisions for:

   i. Working with the appropriate Board(s) of County Commissioners, other public officials, local waste water authorities, any other appropriate entity and local board(s) of health to proactively identify residences with existing individual discharging HSTSs that can be legally, feasibly and economically connected to central sewers. At a minimum, the plan shall evaluate applying provisions identified by ORC 6117.51 and other applicable State and local laws and/or regulations. At a minimum, this activity should require connection to central sewers for any discharging HSTS that is not operating as designed and intended if feasible, but it does not preclude connection to central sewers of any HSTS if local planning and coordination recommends such;

   ii. Working with local board(s) of health to develop a proactive operation and maintenance program or implement/enhance an existing operation and maintenance program which determines if existing discharging HSTSs are operating as designed and intended and, for those not meeting this criteria, requires elimination, upgrade or replacement of the systems as appropriate. For HSTS discharges that cannot be eliminated through connection to central sewers or installation of soil absorption systems, the property owner must be notified of the requirement to pursue coverage under an appropriate Ohio EPA general NPDES permit;

   iii. Actively investigating the source(s) of contamination in outfalls identified during dry weather screening process. When the contamination source has been identified as discharging HSTS that is not operating as designed and intended, work with the local

board(s) of health to determine proper course of action in resolving the non-functioning HSTS with connection to central sewers being preferred alternative, followed by replacing system with a soil absorption system that does not discharge and only allowing a replacement discharging HSTS when no other option is available. For HSTS discharges that cannot be eliminated through connection to central sewers or installation of soil absorption systems, the property owner must be notified of the requirement to pursue coverage under an appropriate Ohio EPA general NPDES permit; and

iv. Working with local waste water authorities, planning agencies or other appropriate agencies involved to evaluate the planned or possible future installation of sewers for areas which contain high densities of discharging HSTSs.

f. You shall inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste; and

g. You shall address the following categories of non-storm water discharges or flows (i.e., illicit discharges) only if you or Ohio EPA has identified 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(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, street wash water, and discharges or flows from fire-fighting activities (by definition, not an illicit discharge).

h. You may also develop a list of other similar occasional incidental non-storm water discharges (e.g., non-commercial or charity car washes, etc.) that will not be addressed as illicit discharges. These non-storm water discharges must not be reasonably expected (based on information available to the permittees) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions you have established for allowing these discharges to your MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive water bodies, BMPs on the wash water, etc.). You must document in your SWMP any local controls or conditions placed on the discharges. You must include a provision prohibiting any individual non-storm water discharge that is determined to be contributing significant amounts of pollutants to your MS4.

i. Decision process. You shall document your decision process for the development of a storm water illicit discharge detection and elimination program. Your rationale statement shall address both your overall illicit discharge detection and elimination program and the individual BMPs, measurable goals, and responsible persons for your program. The rational statement shall include the following information, at a minimum:

i. How you will develop a comprehensive storm sewer map showing the location of all outfalls and the names and location of all receiving waters. Describe the sources of information you used for the maps, and how you plan to verify the outfall locations with field surveys. If already completed, describe how you developed this map. Also, describe how your map will be regularly updated.

ii. The mechanism (ordinance or other regulatory mechanism) you will use to effectively prohibit illicit discharges into the MS4 and why you chose that mechanism. If you need to develop this mechanism, describe your plan and a schedule to do so. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your program.

iii. Your plan to ensure through appropriate enforcement procedures and actions that your illicit discharge ordinance (or other regulatory mechanism) is implemented.

iv. Your plan to detect and address illicit discharges to your system, including discharges from illegal dumping and spills. Your plan shall include dry weather field screening for non-storm water flows and Ohio EPA recommends field tests of selected chemical parameters as indicators of discharge sources. You shall describe the mechanisms and strategies you will implement to ensure outfalls which have previously been dry-weather screened will not have future illicit connections. Your plan shall also address on-site sewage disposal systems (including failing on-lot HSTSs and off-lot discharging HSTSs) that flow into your storm drainage system. Your description shall address the following, at a minimum:

1. Procedures for locating priority areas which include areas with higher likelihood of illicit connections (e.g., areas with older sanitary sewer lines, for example) or ambient sampling to locate impacted reaches;

2. Procedures for tracing the source of an illicit discharge, including the specific techniques you will use to detect the location of the source;

3. Procedures for removing the source of the illicit discharge; and

4. Procedures for program evaluation and assessment.

v. How you plan to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. Include in your description how this plan will coordinate with your public education minimum measure and your pollution prevention/good housekeeping minimum measure programs.

vi. Who is responsible for overall management and implementation of your storm water illicit discharge detection and elimination program and, if different, who is responsible for each of the BMPs identified for this program.

vii. How you will evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

j. *Performance Standards.* Your storm water illicit discharge detection and elimination program shall include or have included an initial dry-weather screening of all your storm water outfalls over the permit term. Your program shall establish priorities and specific goals for long-term system- wide surveillance of your MS4, as well as for specific investigations of outfalls and their tributary area where previous surveillance demonstrates a high likelihood of illicit discharges. Data collected each year shall be evaluated and priorities and goals shall be revised annually based on this evaluation. Your comprehensive storm sewer system map shall be updated annually as needed.

k. Annual Reporting. Your annual report shall document the following: (1) number of outfalls dry-weather screened, (2) number of dry-weather flows identified, (3) number of illicit discharges identified, (4) number of illicit discharges eliminated, (5) a list of all illicit connections that have been identified but have yet to be eliminated, including estimated schedules for elimination and (6) summary of any storm sewer system mapping updates.

4. Construction Site Storm Water Runoff Control

a. You shall develop, implement, and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutants in storm water discharges from construction activity disturbing less than one acre shall be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If Ohio EPA waives requirements for storm water discharges associated with small construction from a specific site(s), you are not required to enforce your program to reduce pollutant discharges from such site(s). Your program shall include the development and implementation of, at a minimum:

i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law. Your ordinance or other regulatory mechanism shall, at a minimum, be equivalent with the technical requirements set forth in the Ohio EPA NPDES General Storm Water Permit(s) for Construction Activities applicable for your permit area which have been issued at the time of issuance of this permit. This would include the following Ohio EPA NPDES General Storm Water Permits for Construction Activities: OHC000004, OHCD00002 and OHCO00002. If you had coverage under the previous version of this permit, you shall revise your ordinance or other regulatory mechanism, if needed, within two years of when your coverage under this general permit was granted;

ii. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;

iii. Requirements for construction site operators to control waste such as, but not limited to, discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;

iv. Procedures for storm water pollution prevention plan review which incorporate consideration of potential water quality impacts;

v. Procedures for receipt and consideration of information submitted by the public; and

vi. Procedures for site inspection and enforcement of control measures.

b. *Decision process.* You shall document your decision process for the development of a construction site storm water control program. Your rationale statement shall address both your overall construction site storm water control program and the individual BMPs, measurable goals, and responsible persons for your program. The rationale statement shall include the following information, at a minimum:

i. The mechanism (ordinance or other regulatory mechanism) you will use to require erosion and sediment controls at construction sites and why you chose that mechanism. If you need to develop this mechanism, describe your plan and a schedule to do so. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your SWMP description;

ii. Your plan to ensure compliance with your erosion and sediment control regulatory mechanism, including the sanctions and enforcement mechanisms you will use to ensure compliance. Describe your procedures for when you will use certain sanctions. Possible sanctions include non-monetary penalties (such as a stop work orders), fines, bonding requirements, and/or permit denials for non-compliance;

iii. Your requirements for construction site operators to implement appropriate erosion and sediment control BMPs and control waste at construction sites that may cause adverse

impacts to water quality. Such waste includes, but is not limited to, discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste;

iv. Your procedures for pre-construction storm water pollution prevention plan review which incorporate consideration of potential water quality impacts. Describe the estimated number of sites that will have pre-construction site plans reviewed;

v. Your procedures for receipt and consideration of information submitted by the public. Consider coordinating this requirement with your public education program;

vi. Your procedures for site inspection and enforcement of control measures, including how you will prioritize sites for inspection;

vii. Who is responsible for overall management and implementation of your construction site storm water control program and, if different, who is responsible for each of the BMPs identified for this program; and

viii. Describe how you will evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

c. *Performance Standards.* Your construction site storm water control program shall include a pre-construction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre. To ensure compliance, these applicable sites shall be initially inspected. The frequency of follow-up inspections shall be on a monthly basis unless you document your procedures for prioritizing inspections such as location to a waterway, amount of disturbed area, compliance of site, etc.

d. *Annual Reporting.* Your annual report shall document the following: (1) number of applicable sites in your jurisdiction, (2) number of pre-construction storm water pollution prevention plan reviews performed, (3) number and frequency of site inspections, (4) number of violation letters issued, (5) number of enforcement actions taken and (6) number of complaints received and number followed up on.

5. Post-Construction Storm Water Management in New Development and Redevelopment

a. You shall develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program shall ensure that controls are in place that will prevent or minimize water quality impacts;

b. You shall develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for your community;

c. You shall use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law. Your ordinance or other regulatory mechanism shall, at a minimum, be equivalent with the technical requirements set forth in the Ohio EPA NPDES General Storm Water Permit(s) for Construction Activities applicable for your permit area which have been issued at the time of issuance of this permit. This would include the following Ohio EPA NPDES General Storm Water Permits for Construction Activities: OHC000004, OHCD00002 and OHCO00002. If you had coverage under the previous version of this permit, you shall revise your ordinance or other regulatory mechanism, if needed, within two years of when your coverage under this general permit was granted; and

d. You shall ensure adequate long-term operation and maintenance of BMPs.

e. *Decision process*. You shall document your decision process for the development of a post-construction SWMP. Your rationale statement shall address both your overall post-construction SWMP and the individual BMPs, measurable goals, and responsible persons for your program. The rationale statement shall include the following information, at a minimum:

i. Your program to address storm water runoff from new development and redevelopment projects. Include in this description any specific priority areas for this program.

ii. How your program will be specifically tailored for your local community, minimize water quality impacts, and attempt to maintain pre-development runoff conditions.

iii. Any non-structural BMPs in your program, including, as appropriate: green infrastructure storm water management techniques, policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation; policies or ordinances that encourage infill development in higher density urban areas, and areas with existing storm sewer infrastructure; education programs for developers and the public about project designs that minimize water quality impacts; and other measures such as minimization of the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, and source control measures often thought of as good housekeeping, preventive maintenance and spill prevention.

iv. Any structural BMPs in your program, including, as appropriate: green infrastructure storm water management techniques, storage practices such as wet ponds and extended-detention outlet structures; filtration practices such as grassed swales, bioretention cells, sand filters and filter strips; and infiltration practices such as infiltration basins and infiltration trenches.

v. The mechanisms (ordinance or other regulatory mechanisms) you will use to address post-construction runoff from new developments and redevelopments and why you chose the mechanism(s). If you need to develop a mechanism, describe your plan and a schedule to do so. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your program.

vi. How you will ensure the long-term operation and maintenance (O&M) of your selected BMPs. Options to help ensure that future O&M responsibilities are clearly identified include an agreement between you and another party such as the post-development landowners or regional authorities.

vii. Who is responsible for overall management and implementation of your post-construction SWMP and, if different, who is responsible for each of the BMPs identified for this program.

viii. How you will evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

f. *Performance Standards.* Your post-construction SWMP shall include a pre-construction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre to ensure that required controls are designed per requirements. These applicable sites shall be inspected to ensure that controls are installed per requirements. Your program shall also ensure that long-term operation and maintenance (O&M) plans are developed and agreements in place for all applicable sites.

g. Annual Reporting. Your annual reports shall document the following: (1) number of applicable sites in your jurisdiction requiring post-construction controls, (2) number of pre-construction storm water pollution prevention plan reviews performed, (3) number of inspections performed to ensure as built per requirements, and (4) number of long-term operation and maintenance (O&M) plans developed and agreements in place.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

a. You shall develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; and

b. Using training materials that are available from Ohio EPA or other organizations, your program shall 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; and

c. You shall include a list of industrial facilities you own or operate that are subject to Ohio EPA' Industrial Storm Water General Permit or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge to your MS4. Include the Ohio permit number or a copy of the Industrial NOI form for each facility. For your municipal facilities that conduct activities described in 40 CFR 122.26(b)(14) that are not required to obtain Industrial Storm Water General Permit coverage, including vehicle maintenance facilities, bus terminals, composting facilities, impoundment lots and waste transfer stations, a Storm Water Pollution Prevention Plan (SWP3) shall be developed and implemented in accordance with the SWP3 requirements of Ohio EPA's Industrial Storm Water General Permit (OHR000005).

d. Decision process. You shall document your decision process for the development of a pollution prevention/good housekeeping program for municipal operations. Your rationale statement shall address both your overall pollution prevention/good housekeeping program and the individual BMPs, measurable goals, and responsible persons for your program. The rationale statement shall include the following information, at a minimum:

i. Your operation and maintenance program to prevent or reduce pollutant runoff from your municipal operations. Your program shall specifically list the municipal operations that are impacted by this operation and maintenance program.

ii. Any government employee training program you will use 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. Describe any existing, available materials you plan to use. Describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum measure.

iii. Your program description shall specifically address the following areas:

1. Maintenance activities, maintenance schedules, and long-term inspection procedures for controls to reduce floatables and other pollutants to your MS4.

2. Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand storage locations and snow disposal areas you operate. A description of the materials used for roadway and municipal parking lot winterization (use of salt, sand, bottom ash, etc. or combination thereof), associated application rates, and

the rationale for the selected application rates shall be included. Also identify controls or practices to be used for reducing or eliminating discharges of pollutants resulting from roadway and municipal parking lot winterization activities.

3. Procedures for the proper disposal of waste removed from your MS4 and your municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.

4. Procedures to ensure that new flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.

iv. Who is responsible for overall management and implementation of your pollution prevention/good housekeeping program and, if different, who is responsible for each of the BMPs identified for this program.

v. How you will evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

e. *Performance Standards.* Your pollution prevention/good housekeeping program shall include, at a minimum, an annual employee training. Your operation and maintenance program shall include appropriate documented procedures, controls, maintenance schedules and recordkeeping to address Part III.B.6.d.iii of this permit.

f. Annual Reporting. Your annual reports shall document the following: (1) summary of employee training program(s) implemented with number of employees that attended and (2) summary of activities and procedures implemented for your operation and maintenance program.

C. Sharing Responsibility

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

1. The other entity, in fact, implements all or part of the control measure;

2. The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; and

3. The other entity agrees to implement the control measure on your behalf. There shall be written acceptance of this obligation. This obligation shall be maintained as part of your SWMP. If the other entity agrees to report on the minimum measure, you shall supply the other entity with the reporting requirements contained in Part IV.C of this permit. If the other entity fails to implement the control measure on your behalf, then you remain liable for any discharges due to that failure to implement.

D. Reviewing and Updating Storm Water Management Programs

1. SWMP Review: You shall do an annual review of your SWMP in conjunction with preparation of the annual report required under Part IV.C of this permit.

2. SWMP Update: You may change your SWMP during the life of the permit in accordance with the following procedures:

   a. Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to Ohio EPA.

b. Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternate BMP may be requested at any time. Unless denied by Ohio EPA, changes proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, Ohio EPA will send you a written response giving a reason for the decision. Your modification requests shall include the following:

i. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive),

ii. Expectations on the effectiveness of the replacement BMP, and

iii. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

c. Change requests or notifications shall be made in writing and signed in accordance with Part V.G of this permit.

3. SWMP Updates Required by Ohio EPA: Ohio EPA may require changes to the SWMP as needed to:

a. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

b. Include more stringent requirements necessary to comply with new Federal statutory or regulatory requirements; or

c. Include such other conditions deemed necessary by Ohio EPA to comply with the goals and requirements of ORC 6111 and the Clean Water Act.

d. Changes requested by Ohio EPA will be made in writing, set forth the time schedule for you to develop the changes, and offer you the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by Ohio EPA will be made in accordance with Ohio Administrative Code (OAC) 3745-47.

4. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation: You shall implement the SWMP on all new areas added to your portion of the MS4 (or for which you become responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than one year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately. An exception to this one year timeframe exists for requirements associated with the comprehensive storm sewer system map and dry-weather screening of storm water outfalls. If you will be unable to complete these requirements within one year from the addition of the new areas, you shall provide an alternative schedule to complete with the following annual report.

a. Within 90 days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, you shall have a plan for implementing your SWMP on all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP shall be included in the annual report.

b. Only those portions of the SWMPs specifically required as permit conditions shall be subject to modification. Addition of components, controls, or requirements by the permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.

PART IV. EVALUATING, RECORD KEEPING AND REPORTING

A. Evaluating

1. You shall evaluate program compliance, the appropriateness of identified BMPs, and progress toward achieving identified measurable goals and satisfying performance standards.

B. Record Keeping

1. You shall retain copies of all reports required by this permit, a copy of the NPDES permit, and records of all data used to complete the NOI application for this permit, for a period of at least three years from the date of the report or application, or for the term of this permit, whichever is longer. This period may be extended by request of Ohio EPA at any time.

2. You shall submit your records to Ohio EPA only when specifically asked to do so. You shall retain the SWMP required by this permit (including a copy of the permit language) at a location accessible to Ohio EPA. You shall make your records, including the NOI, annual reports and the SWMP, available to the public if requested to do so in writing.

C. Reporting

You shall submit annual reports to the director by the first day of April for each year that this permit is in effect. If you had coverage under the previous version of this permit you shall submit your 2014 annual report by April 1, 2015. Each report shall cover the period from January through December of the previous year. You shall use the Annual Report Form provided by the Director or you may request approval to use your own reporting format. The report shall include:

1. A most recent Table of Organization for program development and implementation, including a primary point of contact with contact information;

2. The status of your compliance with permit conditions and performance standards, an assessment of the appropriateness of the identified BMPs, progress toward achieving the statutory goal of reducing the discharge of pollutants to the MEP, and the measurable goals for each of the minimum control measures. The report shall also include a summary of the specific annual reporting requirements identified for each minimum control measure in Part III.B.1.d, Part III.B.2.d, Part III.B.3.k, Part III.B.4.d, Part III.B.5.g and Part III.B.6.f;

3. Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;

4. A summary of the storm water activities you plan to undertake during the next reporting cycle (including an implementation schedule);

5. Proposed changes to your SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;

6. Identify and summarize any variances granted under your storm water program regulations and requirements.

PART V. STANDARD PERMIT CONDITIONS

A. Duty to Comply

You shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of ORC 6111 and is grounds for enforcement action.

Ohio law imposes penalties and fines for persons who knowingly make false statements or knowingly swear or affirm the truth of a false statement previously made.

B. Continuation of the Expired General Permit

An expired general permit continues in force and effect until a new general permit is issued.

C. Need to Halt or Reduce Activity Not a Defense

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

D. Duty to Mitigate

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

E. Duty to Provide Information

You shall furnish to the director, within seven days or as indicated in the written request, any information which the director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. You shall also furnish to the director upon request copies of records required to be kept by this permit.

F. Other Information

If you become aware that you failed to submit any relevant facts or submitted incorrect information in the NOI, SWMP, or in any other report to the director, you shall promptly submit such facts or information.

G. Signatory Requirements

All NOIs, SWMPs, reports, certifications or information submitted to the director shall be signed.

1. These items shall be signed as follows:

   a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

      i. A president, secretary, treasurer or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

      ii. The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can assure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

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

   c. For a municipality, State, Federal or other public agency; by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (1) the chief executive officer of the agency, or (2) a senior

executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA).

2. All reports required by the permits and other information requested by the director shall be signed by a person described in Part V.G.1 of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described in Part V.G.1 of this permit and submitted to the director;

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

   c. The written authorization is submitted to the director.

3. *Changes to authorization.* If an authorization under Part V.G.2 of this permit is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.G.2 of this permit must be submitted to director prior to or together with any reports, information or applications to be signed by an authorized representative.

4. *Certification.* Any person signing documents under Parts V.G.1 or V.G.2 of this permit shall make the following certification:

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

5. *Falsification.* Ohio law imposes penalties and fines for persons who knowingly make false statements or knowingly swear or affirm the truth of a false statement previously made.

H. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privilege, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

I. Proper Operation and Maintenance

You shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by you to achieve compliance with the conditions of this permit and with the conditions of your SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by you only when the operation is necessary to achieve compliance with the conditions of this permit.

J. Inspection and Entry

You shall allow Ohio EPA or an authorized representative upon the presentation of credentials and other documents as may be required by law, to do any of the following:

1. Enter your premises at reasonable times where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

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

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

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

K. Permit Actions

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

L. Permit Transfers

Permit transfers shall be in accordance with OAC 3745-38-02(K).

M. Anticipated Noncompliance

You shall give advance notice to Ohio EPA of any planned changes in the permitted small MS4 or activity which may result in noncompliance with this permit.

N. State Environmental Laws

No condition of this permit shall release you from any responsibility or requirements under other environmental statutes or regulations.

O. Severability

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

P. Procedures for Modification or Revocation

Permit modification or revocation will be conducted in accordance with OAC Chapter 3745-38.

Q. Requiring an Individual Permit or an Alternative General Permit

1. *Request by permitting authority.* Ohio EPA may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or coverage under an alternative NPDES general permit. Any interested person may petition Ohio EPA to take action under this paragraph. Where Ohio EPA requires you to apply for an individual NPDES permit or coverage under an alternative NPDES general permit, Ohio EPA will notify you in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for you to file the application, and a statement that

on the effective date of issuance or denial of the individual NPDES permit or the alternative NPDES general permit coverage as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Ohio EPA may grant additional time to submit the application upon request of the applicant. If you fail to submit in a timely manner an individual NPDES permit application or an NOI for coverage under an alternative NPDES general permit as required by Ohio EPA under this paragraph, then the applicability of this permit to you is automatically terminated at the end of the day specified by Ohio EPA for application submittal.

2. *Request by permittee.* Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, you must submit an individual application in accordance with the requirements of OAC Chapter 3745-33, with reasons supporting the request, to Ohio EPA. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by you are adequate to support the request.

3. *General permit termination.* When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or you are authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the MS4 is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to an operator otherwise subject to this permit, or the operator is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the MS4 is automatically terminated on the date of such denial, unless otherwise specified by Ohio EPA.

R. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under section 311 of the CWA or 40 CFR Part 112. 40 CFR Part 112 establishes procedures, methods and equipment and other requirements for equipment to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable surface waters of the state or adjoining shorelines.

S. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

T. Bypass

The provisions of 40 CFR Section 122.41(m), relating to "Bypass," are specifically incorporated herein by reference in their entirety. For definition of "Bypass," see Part VI.

U. Upset

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "Upset," see Part VI.

V. Monitoring and Records

The provisions of 40 CFR Section 122.41(j), relating to "Monitoring and Records," are specifically incorporated herein by reference in their entirety.

W. Reporting Requirements

The provisions of 40 CFR Section 122.41(l), relating to "Reporting Requirements," are specifically incorporated herein by reference in their entirety.

PART VI. DEFINITIONS

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

Please see the following web site for Federal and State laws related to Ohio EPA's Division of Surface Water: http://epa.ohio.gov/dsw/dswrules.aspx.

Please see the following web site for Storm Water Program forms and other guidance documents associated with this general permit: http://epa.ohio.gov/dsw/storm/index.aspx.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. For guidance, please see U.S. EPA's National Menu of BMPs at http://water.epa.gov/polwaste/npdes/swbmp/index.cfm.

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

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

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

Director means the director of the Ohio Environmental Protection Agency.

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

Green Infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. For guidance, please see http://water.epa.gov/infrastructure/greeninfrastructure/.

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

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

Large MS4 means all municipal separate storm sewer systems that are located in an incorporated place with a population of two hundred fifty thousand or more as determined by the 1990 census by the United States bureau of census.
Larger Common Plan of Development or Sale means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

Medium MS4 means all municipal separate storm sewer systems that are located in an incorporated place with a population of one hundred thousand or more, but less than two hundred fifty thousand as determined by the 1990 census by the United States bureau of census.

MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was

established by CWA §402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 means municipal separate storm sewer system which 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) that are:

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

NOI is an acronym for "Notice of Intent" which means the mechanism used to "register" for coverage under a general permit.

Non-traditional MS4 means systems similar to separate storm sewer systems in municipalities, such as systems at military bases, hospitals, public universities or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewer systems in very discrete areas such as individual buildings.

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

Ohio EPA means the Ohio Environmental Protection Agency.

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

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

Small MS4 means all municipal separate storm sewer systems that are neither a large MS4 nor a medium MS4.

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

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

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

SWMP is an acronym for "Storm Water Management Program."

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly

designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"You" and "Your" as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the village, the county, the township, the flood control district, the university, etc.