

MS4 PERMIT: PROGRAM LEVEL COMPLIANCE REQUIREMENTS
For Small Non-traditional MS4 Operators

From the Main Permit Document

A.1.b – Create permit boundary map.

A.1.b – Create Guidance document to cover permit compliance planning.

F.5.a.1. – **Legal Authority.** Review, revise or adopt new relevant policies, contractual provisions, base orders, resolutions, or other regulatory mechanisms to ensure it has minimum legal authority [to require and enforce compliance with the permit].

F.5.a.1. – **Legal Authority.** Submit a statement signed by both the Permittee's legal counsel and an authorized signatory certifying the Permittee has adequate legal authority to comply with all Order requirements.

F.5.b.1. – **Education and Outreach, Participation Options.** Report which compliance option will be used, and submit relevant agreements.

F.5.b.2. – **Public Education and Outreach.** Develop and implement a comprehensive storm water public outreach and education program. The strategy must establish education tasks based on water quality problems, target audiences, and anticipated task effectiveness. The strategy must include identification of who is responsible for implementing specific tasks, and a schedule for task implementation. The strategy must demonstrate how specific high priority storm water quality issues in their jurisdiction or local pollutants of concern are addressed. [There is a whole list of subtasks that must be developed and distributed or conveyed.] Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.b.3. – **Staff and Site Operator Training and Education.** Develop and implement, and track an Illicit Discharge Detection and Elimination training program for all staff. Annually, assess staff's knowledge and provide refresher training as needed. Develop a procedure for reporting to be included in each fleet vehicle.

F.5.b.4 – **Staff Pollution Prevention and Good Housekeeping.** [Implied - Develop and] Train employees on how to incorporate pollution prevention and good housekeeping techniques into their operations. Provide a biennial training program. Determine the need for interim training in off years by evaluating employee knowledge. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.c. – **Public Involvement and Participation Program.** Involve the public in the development and implementation of activities related to the Public Involvement Program. Ensure high priority storm drain inlets include a label or other method of communicating storm water awareness about where it drains. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.d. – **Illicit Discharge Detection and Elimination Program.** Develop an Illicit Discharge Detection and Elimination program to detect, investigate, and eliminate non-storm water discharges, including illegal dumping.

F.5.d - **Illicit Discharge Detection – Outfall Mapping.** Develop and maintain an up-to-date outfall map. Include a visual inventory by conducting a site visit to each outfall. Take photographs or use a database to provide baseline information and track operation and maintenance needs over time. Identify location of all water bodies receiving direct discharges from those outfall pipes. Summarize, certify compliance,

and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.d.1 . **Illicit Discharge Detection – Field Sampling.** Sample any outfalls that are flowing or ponding more than 72 hours after the last rain event. [This implies inspection after every rain event.] Conduct monitoring and sampling according to a table with multiple parameters and testing requirements. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.d.2. - **Illicit Discharge Detection – Source Investigations.** Develop and implement written procedures to investigate all non-storm water discharges suspected of being illicit discharges. Include elimination and corrective action procedures as a part of the Illicit Discharge Detection and Elimination program. Requirement includes reporting actions to others. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.e. – **Construction Site Runoff Control Program.** Develop, implement, and enforce a program to prevent construction site discharges. Include contract language requiring in-house operator or contractor compliance. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f. – **Pollution Prevention/Housekeeping.** Develop and implement a program to reduce the amount of pollutant runoff from operations. Train employees on how to incorporate pollution prevention/good housekeeping techniques into operations.

F.5.f.1 – **Inventory of Facilities.** Develop and maintain an inventory of owned and operated facilities that are a threat to water quality that are not covered by another permit. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.2 – **Map of Facilities.** Prepare and submit a map of owned and operated facilities which identifies the storm water drainage system corresponding to each of the facilities as well as the receiving waters to which each of these facilities discharge. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.3. – **Facility Assessment.** Conduct inspections and assessments of pollutant discharge potential and pollutant hotspots annually. Identify as pollutant hotspots those facilities that have a high potential to generate storm water and non-storm water pollutants. Among the factors to be considered are the type and volume of pollutants stored at the site, the presence of improperly stored materials, activities that should not be performed outside (e.g., changing automotive fluids, vehicle washing), proximity to water bodies, poor housekeeping practices, and the discharge of pollutant(s) of concern to receiving water(s). Pollutant hotspots shall include, at a minimum, maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in storm water. [Develop and] Document the assessment procedures and results, along with a copy of any site evaluation checklists used to conduct the assessments. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.4. – **Storm Water Pollution Prevention Plans.** Develop Storm Water Pollution Prevention Plans (SWPPP) for hotspots at high priority sites. An existing hazmat business plan or spill prevention plan may substitute if it includes the same information as a SWPPP. A list of SWPPP elements is included. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.5. – **Hotspot Facility Inspections.** Conduct regularly scheduled facility inspections for hotspots. Inspect, investigate, and assess facilities that are not hotspots at least once per permit term. All observations shall be documented and records kept with the SWPPP. Develop standard operating procedures. Inspection reports shall include and identified deficiencies and corrective actions. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.6. – **Storm Drain System Assessment.** Develop and implement procedures to assess and prioritize the storm drain system, including all system features. Assign cleanout priorities for all system facilities. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.7. – **Maintenance of Storm Drain System.** Begin maintenance of all high priority storm drain systems at least annually prior to the rainy season. The maintenance program [which must be developed] must include inspection, cleaning, maintenance, and a plan for dewatering and disposing of materials extracted from catch basins. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.8 – **Operations and Maintenance Activities.** Develop and implement an Operations and Maintenance (O&M) assessment and BMP inspection plan. Identify all materials that could be discharge from each of the O&M activities. Develop and implement a set of BMPs that when applied during each O&M activity will reduce pollutant discharge. Evaluate all BMPs implemented during O&M activities annually. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.f.9. - **Pesticide, Herbicide, and Fertilizer Management.** Develop and implement a program which focuses on pollution prevention, source control BMPs, and landscape design and maintenance to reduce the amount of pesticides, herbicides, and fertilizers used. Implement the landscape design and maintenance on new or decorative landscapes. Evaluate pesticides, herbicides, and fertilizers used and source control opportunities. Implement practices that reduce discharge of pesticides, herbicides, and fertilizers. Educate applicators and distributors of storm water issues. Implement integrated pest management measures. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.g. – **Post Construction Management Program.** Regulate development to comply with several requirements.

F.5.g.1. – **Site Design.** Develop and implement site design measures related to impervious surfaces. Use the State Water Board SMARTS Post-Construction Calculator or equivalent to quantify runoff reduction resulting from implementation. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.g.2. – **Low Impact Design.** Develop and implement low impact development standards related to impervious surfaces. Require projects to implement measures for site design, source control, runoff reductions, storm water treatment, and baseline hydromodification management. [This is an extensive section related to new development and redevelopment, and to roads, streets, sidewalks, bike lanes, and trails.] F.5.g.2.a-d are significant, but not noted here. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.g.3. – **Operations and Maintenance of Post Construction Management Measures.** [Develop and] Implement and Operations and Maintenance Verification Program for Post Construction Storm Water Management Measures. Condition sale or lease, coordinate with mosquito and vector control agencies,

and on an annual basis, list newly installed treatment systems and hydromodification management controls, and submit to regulatory agencies. Maintain a database for equivalent for all projects that have installed treatment systems. Ensure all systems and controls are maintained for the life of the projects. Summarize, certify compliance, and address the relationship between the program element activities and the Program Effectiveness Assessment and Improvement Plan.

F.5.g.4. – Central Coast Region only.

F.5.h.1. - **Program Effectiveness Assessment and Improvement Plan.** Develop and implement a Program Effectiveness Assessment and Improvement Plan that tracks short and long term progress of the storm water program. The Program Effectiveness Assessment and Improvement Plan shall identify the strategy used to gauge the effectiveness of each prioritized BMPs and program implementation as a whole. The Plan will assist the permittee and allow it to make any necessary modifications to the storm water program to improve program effectiveness, reduce pollutants of concern, achieve the MEP standard, protect water quality, and to document compliance with permit conditions.

F.5.h.2. – **Storm Water Program Modifications.** Based on the information gained from the effectiveness assessment, identify modifications to control measures/significant activities, including new BMPs or modification to existing BMPs. Consult with the Regional Water Board in setting expectations for the scope, timing, and frequency of BMP modifications for the next permit cycle.

From Attachment E

Community-Based Social Marketing (CBSM) Education and Outreach Requirements

A.1. – **Public Education and Outreach, Participation Options.** Select and report a compliance participation option

A.2.a. – **Public Education and Outreach Program.** Develop and implement a comprehensive storm water public education and outreach program. The public education and outreach program shall be designed to reduce pollutant discharges in storm water runoff and non-storm water discharges to the MS4 through behavior changes in target communities. The Public Education and Outreach Program shall (1) measurably increase the knowledge of targeted communities regarding the municipal storm drain system, impacts of urban runoff and non-storm water discharges on receiving waters, and potential BMP solutions for the target audiences and (2) measurably change the behavior of target audiences, thereby reducing pollutant releases to the MS4 and the environment. Implement surveys at least twice during the five year permit term to gauge the level of awareness and behavior change in target audiences and effectiveness of education tasks.

A.2.a. – **Public Education and Outreach.** The comprehensive storm water public education and outreach strategy must include identification of who is responsible for implementing specific tasks, a schedule for task implementation, and a budget for implementing the tasks. The strategy must demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed. Use CBSM strategies or equivalent. This includes at a minimum: Research on barriers to desired behaviors; eliciting commitment to implement desired behaviors; prompts to remind target audiences of desired behaviors; use of the concept of social norms/modeling of desired behaviors; use of specific and easy to remember educational messages; creating incentives for desired behavior; and removing barriers desired behaviors. It also includes development and dissemination of educational materials, and translations into multiple languages if appropriate. It includes utilization of public input in the program development, distribution of educational materials, coordination of outreach programs, development and conveyance of specific messages on illicit discharges, development and conveyance of specific messages on application of pesticides, herbicides, and fertilizers; and reducing discharges from operations.

A.2.a. – **Public Education and Outreach.** Report on the public education strategy and general program development and progress. Summarize changes in public awareness and behavior resulting from the implementation of the program and any modifications to the public outreach and education program. Report on the public education and CBSM strategies such as pilot programs, survey results, research on barriers to desired behaviors and benefits of desired behaviors, commitments from target audience to implement desired behavior, prompts, implementation of the social norms/modeling, education messages, incentives for desired behaviors, methods for removing barriers to behavior change, development of education materials, methods for educational material distribution, public input, Water Efficient Landscape Ordinance, technical and financial assistance for storm water friendly landscaping, reporting of illicit discharges, proper application of pesticides, herbicides, and fertilizers, reduction of discharges from charity car washes, mobile cleaning and pressure washing operations, and landscape irrigation efforts. Annually report number of trainings, describe the technical and financial program and implementation, and the study and results to date. For each whole five years of the permit life, submit the online Annual Report summarizing the changes in public awareness and behavior.

A.2.b. – **Construction Education and Outreach Program.** Create and implement a construction outreach and education program for sites smaller than one acre. The multi-media program shall (1) measurably increase the knowledge of the construction community regarding the municipal storm drain system, impacts of urban runoff and non-storm water discharges on receiving waters, and potential BMP solutions for the target audiences and (2) measurably change the behavior of the construction community, thereby reducing pollutant releases to the MS4 and the environment.

A.2.b. – **Construction Education and Outreach Inventory.** Develop a watershed-based inventory of the high priority construction sites in the jurisdiction.

A.2.b. – **Construction Education and Outreach Goals.** The construction outreach and education strategy must establish measurable goals and prioritize education tasks based on water quality problems, target audiences, and anticipated task effectiveness. The strategy must include identification of who is responsible for implementing specific tasks and attaining measurable goals, a schedule for task implementation, and a budget for implementing the tasks and meeting the measurable goals. The strategy must include measurable goals designed to demonstrate how specific high priority storm water quality issues in the community or local pollutants of concern are addressed. Establish who is responsible for specific tasks and goals and a budget for meeting the tasks and goals.

A.2.b. - **Construction Education and Outreach.** For each high priority water quality problem, implementation of CBSM shall first be conducted on a pilot project level. CBSM techniques found to be effective at the pilot project level shall be implemented jurisdiction-wide by permit year four. Pilot project and jurisdiction level CBSM shall include the following actions: Research on barriers to desired behaviors; eliciting commitment to implement desired behaviors; prompts to remind target audiences of desired behaviors; use of the concept of social norms/modeling of desired behaviors; use of specific and easy to remember educational messages; creating incentives for desired behavior; and removing barriers desired behaviors.

A.2.b. – **Construction Education and Outreach.** Report program progress and mechanisms used for outreach and education including measureable increases in the knowledge of the construction community and measureable changes in the construction community's behavior. This includes a watershed-based inventory of high priority residential and commercial construction sites, outreach and education strategy and implementation, implementation of CBSM, pilot project, research on barriers to desired behaviors and benefits of desired behaviors, commitments from target audience to implement desired behavior, prompts, implementation of the social norms/modeling, education messages, incentives for desired behaviors, methods for removing barriers to behavior change.

A.3.a. – **Illicit Discharge Detection and Elimination Training.** Develop and implement a training program for all staff that may be notified of, come into contact with, or otherwise observe and illicit discharge or connection to the storm drain system. Document and maintain records of the staff trained, and report annually.

A.3.b. – **Construction Outreach Education and Training.** Ensure that all staff implementing the construction storm water program are adequately trained. Report training topics covered, dates of training, number and percentage of staff attending each training, and results of surveys conducted to demonstrate awareness and potential behavioral changes in the attendees.

A.3.b. – **Construction Outreach Education and Training.** Develop and distribute educational materials to construction site operators. Provide information on training opportunities, utilize outreach tools, distribute outreach materials to construction operators disturbing land with the MS4 boundary, and update the existing [?] website with BMP information. Report training topics covered, dates of training, number and percentage of staff attending each training, and results of surveys conducted to demonstrate awareness and potential behavioral changes in the attendees.

A.3.c. - **Pollution Prevention/Good Housekeeping Training.** Develop a bi-annual [biennial?] employee training program for appropriate employees involved in implementing pollution prevention and good housekeeping practices in the Pollution Prevention/Good Housekeeping for Operations sections of the General Permit. Determine the need for interim training during alternate years when training is not conducted, through an evaluation of employee Pollution Prevention/Good Housekeeping knowledge. All new hires whose jobs include implementation of pollution prevention and good housekeeping practices must receive this training within the first year of their hire date.

A.3.c. – **Pollution Prevention/Good Housekeeping Training.** The training program shall include: (a) Bi-annual [biennial?] training for all employees implementing this program element. This bi-annual training shall include a general storm water education component, any new technologies, operations, or responsibilities that arise during the year, and the permit requirements that apply to the staff being trained. Employees shall receive clear guidance on appropriate storm water BMPs to use at municipal facilities and during typical O&M activities. (b) A bi-annual assessment, occurring on alternate years between training, of trained staff's knowledge of pollution prevention and good housekeeping and shall revise the training as needed. (c) A requirement that any contractors hired to perform O&M activities shall be contractually required to comply with all of the storm water BMPs, good housekeeping practices, and standard operating procedures described above. (d) Provide oversight of contractor activities to ensure that contractors are using appropriate BMPs, good housekeeping practices and following standard operating procedures. Report and summarize oversight procedures and identify and track all personnel requiring training and assessment and records.