

Permit NV0023329

National Pollutant Discharge Elimination System

Permit for Discharges from Nevada Department of Transportation

Municipal Separate Storm Sewer Systems

Authorization to Discharge under the National Pollutant Discharge Elimination System in compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part I.C of this permit, and Chapter 445A of the Nevada Revised Statutes, the Nevada Department of Transportation is authorized to discharge municipal stormwater runoff to waters of the United States in accordance with the conditions and requirements set forth herein:

**Nevada Department of Transportation
1263 South Stewart Street
Carson City, NV 89712**

This permit shall become effective on July 7, 2010, and the authorization to discharge shall expire at midnight July 6, 2015.

Signed this 7th day of July, 2010.



Steve McGoff, P.E.
Staff Engineer III
Bureau of Water Pollution Control



Part I. Permit Coverage and Authorized Discharges under this Permit

I.A. Permit Area

I.A.1. This permit covers state and interstate highways and their right-of-ways within the jurisdictional boundary of the Nevada Department of Transportation (“NDOT” or “Permittee”) served by, or otherwise contributing to discharges into receiving waters of the United States from municipal separate storm sewer systems (“MS4s”) owned or operated by NDOT.

I.B. Authorized Discharges

I.B.1. This permit authorizes new or existing discharges composed entirely of stormwater (and allowable non-stormwater discharges) into NDOT’s MS4 (excluding Indian Lands), as defined in 40 Code of Federal Regulations (“CFR”) §122.26. NDOT is authorized to discharge in accordance with its approved Stormwater Management Program (“SWMP”), and other terms and conditions of this permit.

I.B.2. The following are authorized discharges:

I.B.2.a **Stormwater discharges.** This permit authorizes stormwater discharges to waters of the United States from NDOT’s MS4 identified in Part I.B.2.b, except discharges excluded in Part I.C.

I.B.2.b **Non-stormwater discharges.** NDOT is authorized to discharge the following non-stormwater sources provided that the Nevada Division of Environmental Protection (“NDEP”) has not determined these sources to be substantial contributors of pollutants to NDOT’s MS4:

- I.B.2.b.i Potable water line flushing during testing or fire hydrant testing;
- I.B.2.b.ii Diverted stream flows not requiring a separate permit;
- I.B.2.b.iii Springs or rising ground waters;
- I.B.2.b.iv Uncontaminated groundwater infiltration (infiltration is defined as water other than wastewater that enters a storm 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.);
- I.B.2.b.v Discharges from potable water sources not requiring a separate permit;
- I.B.2.b.vi Residential foundation and/or footing drains;
- I.B.2.b.vii Air conditioning condensate;
- I.B.2.b.viii Irrigation water from lawns and landscaping;
- I.B.2.b.ix Water from residential crawl space pumps;
- I.B.2.b.x Flows from natural riparian habitats and wetlands not requiring a separate permit;

- I.B.2.b.xi De-chlorinated swimming pool discharges;
- I.B.2.b.xii Individual residential car washing;
- I.B.2.b.xiii Water incidental to street sweeping (including associated side walks and medians) and that is not associated with construction activities;
- I.B.2.b.xiv Discharges or flows from fire fighting activities; and
- I.B.2.b.xv Dewatering activities not requiring a separate permit.

I.C. Non-Authorized Discharges

- I.C.1. This permit does not authorize the following:
 - I.C.1.a Discharges of non-stormwater, whether or not mixed with stormwater, unless such non-stormwater discharges are:
 - I.C.1.a.i Currently covered under a separate National Pollution Discharge Elimination System (“NPDES”) permit, or
 - I.C.1.a.ii Included in Part I.B. 2 of this permit, or
 - I.C.1.a.iii Determined not to be a substantial contributor of pollutants to waters of the U.S. by NDEP.
 - I.C.1.b Stormwater discharges currently covered under a separate NPDES permit.
 - I.C.1.c Discharges that do not comply with the Nevada’s anti-degradation policy for water quality standards.
- I.C.2. Stormwater discharges associated with industrial activity as defined in 40 CFR§122.26(b)(14)(i)-(ix) and (xi) are identified and permitted through a separate NPDES General Industrial Activity permit. These discharges are authorized under NDEP’s General Permit NVR050000.
- I.C.3. Stormwater discharges associated with construction activity as defined in 40 CFR§122.26(b)(14)(x) or 40 CFR§122.26(b)(15) are identified and permitted through a separate NPDES General Construction Activity permit. These discharges are authorized under NDEP’s General Permit NVR100000.
- I.C.4. If it is determined that NDOT’s discharges cause or contribute to an instream exceedance of water quality standards, NDEP may require corrective action or an application for a separate individual permit or alternative.
- I.C.5. NDOT shall comply with all applicable Federal, State, or local laws, regulations, or ordinances.

Part II. Discharges to Water Quality Impaired Waters

II.A. Impaired Waters Listing on 303(d) List

- II.A.1. NDOT must evaluate whether stormwater discharges from any part of the MS4 contributes directly or indirectly to the listing of a waterbody on the most current 303(d) list (i.e. impaired waterbody). Information concerning the most current 303(d) list can be found on NDEP's website. If NDOT has discharges meeting this criterion, or if there is a Total Maximum Daily Load ("TMDL") on receiving waters, NDOT must comply with Part II.B. Part II does not apply if NDOT does not have discharges meeting this criterion.

II.B. Total Maximum Daily Load

- II.B.1. NDOT must determine whether the MS4 discharges to a waterbody for which a TMDL has been developed and approved by NDEP. If there is a TMDL, NDOT must comply with Part II.B.2. If there is no TMDL, NDOT must comply with Part II.B.3.
- II.B.2. If a TMDL is approved for any waterbody into which NDOT discharges, NDOT shall:
- II.B.2.a Determine and report whether the approved TMDL is for a pollutant likely to be found in stormwater discharges from NDOT's MS4;
 - II.B.2.b Determine and report whether the TMDL includes a pollutant wasteload allocation ("WLA") or other performance requirements specifically for stormwater discharge from NDOT's MS4;
 - II.B.2.c Determine and report whether the TMDL addresses a flow regime likely to occur during periods of stormwater discharge;
 - II.B.2.d Assess whether the WLAs are being met through implementation of existing stormwater control measures or if additional control measures are necessary;
 - II.B.2.e Document all control measures that are currently being implemented or planned to be implemented and are consistent with the WLA. These measures shall be reported in the Annual Report. A schedule of implementation for all planned controls shall be included in the revised SWMP as described in Part III of this permit.
 - II.B.2.f Estimate reductions of pollutants through established and accepted BMP performance studies (such as referenced in the Truckee Meadows Structural Controls Design Manual, Appendix A), calculations, models or other evidence that shows that the WLA will be addressed through the implementation of the approved SWMP, and shall be reported in the Annual Report;

- II.B.2.g The monitoring program required by Section IV.A of this permit shall be customized to determine whether the stormwater controls are adequate to meet the WLA to the Maximum Extent Practicable (“MEP”); and,
- II.B.2.h If no WLA currently exists, but is developed during the term of this permit, then NDOT’s BMPs outlined in the approved, updated SWMP are expected to be sufficient for the duration of the existing permit period; and
- II.B.2.i The need for an iterative approach to control pollutants in stormwater discharges is recognized. If NDOT determines that additional or modified controls are necessary, the SWMP will be updated pursuant to Part III.U.2 of this permit and will describe the type and schedule for the control additions and/or revisions, and an analysis that demonstrates the overall effectiveness.
- II.B.3. NDOT must determine whether the MS4 discharges to a water on the current State of Nevada 303(d) List of Impaired Waters. If a waterbody is listed, NDOT shall include a section in the Annual Report describing the conditions(s) for which the water(s) was listed, evaluating possible BMPs that might practicably be implemented, examining whether these BMPs would make a substantial improvement on water quality, and identifying any BMPs that are selected for implementation.

II.C. Discharges to Lake Tahoe and Tributaries to Lake Tahoe

- II.C.1. The Lake Tahoe TMDL, scheduled to be adopted by EPA in 2011, identifies urban stormwater as the primary source of fine sediment particles and phosphorous that impairs the clarity of Lake Tahoe. The TMDL Implementation Plan identifies NDOT as a responsible party that will be required to implement controls to reduce fine sediment particle and nutrient loads consistent with specified TMDL WLAs for stormwater.
- II.C.2. Within one year of NDEP’s approval of the Lake Tahoe TMDL, NDOT shall enter into a Memorandum of Agreement (“MOA”) with NDEP for the implementation of the Lake Tahoe TMDL. The MOA shall establish programmatic activities and responsibilities to which NDOT shall commit for implementation of the TMDL. Anticipated elements for inclusion in the MOA include, but are not limited to: a method for calculating and establishing baseline WLAs for stormwater; pollutant load reduction milestone schedule based on TMDL allocations; a Stormwater Load Reduction Plan that describes the strategies and actions that will be implemented to achieve TMDL pollutant reduction milestones; and participation in the Lake Clarity Crediting Program and Regional Stormwater Monitoring Program.
- II.C.3. Part II.C of this permit may be reopened for modification by NDEP in order to

incorporate WLAs for stormwater or to amend provisions requiring consistency with changes to the Lake Tahoe TMDL or the MOA.

Part III. Stormwater Management Program

III.A. SWMP Revision

- III.A.1. NDOT shall review its existing SWMP to determine whether its current programs need revising to meet the requirements of this permit. NDOT shall implement and enforce its revised SWMP to reduce the discharge of pollutants from NDOT's MS4 to the maximum extent practicable ("MEP") to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act ("CWA").
- III.A.2. NDOT shall review, revise as necessary and submit an updated SWMP to NDEP for its review and approval within eighteen (18) months of the effective date of this permit and shall implement the revised SWMP no later than two (2) years after receiving NDEP's approval;
 - III.A.2.a Before the updated SWMP is submitted to NDEP for its review, it shall be made available for public comment at a meeting noticed in accordance with the Nevada open meeting law;
 - III.A.2.b The Permittees shall compile any comments received as part of the process in III.A.2, describe the actions taken concerning the public comments and include this information in the revised SWMP;
- III.A.3. Within thirty (30) days after the revised SWMP has been approved by NDEP, NDOT shall make the revised SWMP available to the public on its Web page or at another public location (i.e. NDOT office(s)).
- III.A.4. The revised SWMP shall include, at a minimum, information about the following programs:
 - III.A.4.a NDOT's Legal Authority;
 - III.A.4.b NDOT's Stormwater Education Program;
 - III.A.4.c NDOT's MS4 Maps and Outfalls;
 - III.A.4.d Discharges to Water Quality Impaired Waters and Sanitary Sewers;
 - III.A.4.e Construction Site Best Management Practices ("BMPs") Program;
 - III.A.4.f New Development and Redevelopment Planning Program;

- III.A.4.g NDOT’s Illicit Discharge Detection and Elimination (“IDDE”) Program;
- III.A.4.h Industrial Facility Monitoring and Control;
- III.A.4.i Stormwater Discharges from NDOT Maintenance Facilities;
- III.A.4.j Public Street Maintenance Program; and
- III.A.4.k Herbicide, Pesticide and Fertilizer Application Program.
- III.A.5. NDOT shall fully implement all program elements outlined in the revised SWMP before the expiration date of this permit, unless other dates are specified;
- III.A.6. NDOT shall provide a list of narrative and/or numerical measurable goals for each program listed in Part III.A.4. At a minimum, the revised SWMP shall include any measurable goals indentified in this permit. NDOT may also identify additional measurable goals, as appropriate, priorities, frequencies, amounts, time-frames, or steps toward development of a program;
- III.A.7. NDOT shall provide the dates, including the month and year in which NDOT will achieve each measurable goal;
- III.A.8. NDOT shall provide the rationale for how and why NDOT selected each of the program elements and any measurable goals associated with the program;
- III.A.9. NDOT shall provide the title(s) of the person(s) responsible for implementing and coordinating each program element;
- III.A.10. NDOT shall describe any proposed programs, if applicable, that it may implement during the life of this permit to require additional controls on a system wide basis, a watershed basis, a jurisdictional basis, or on individual outfalls;
- III.A.11. NDOT may partner with other permitted MS4s to develop and implement all or part of NDOT’s SWMP.
- III.A.12. NDOT’s SWMP shall clearly describe which Permittee is responsible for implementing each of the control measures; and
- III.A.13. Pending submittal of the SWMP, NDOT shall continue to implement and maintain current BMPs detailed in NDOT’s current SWMP.

III.B. Legal Authority

- III.B.1. The revised SWMP shall describe NDOT's' legal authority that has been established by statute, regulation, or contract documents which authorizes or enables NDOT to:
 - III.B.1.a Prohibit illicit discharges to the MS4;
 - III.B.1.b Control discharges to NDOT's MS4 from spills, dumping or disposal of materials other than stormwater;
 - III.B.1.c Require compliance with conditions in regulation, ordinances, permits, contracts or orders; and
 - III.B.1.d Carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with the prohibition of illicit discharges to the MS4s.
- III.B.2. NDOT shall provide written notice to NDEP of any formal proposal to modify the regulation or ordinances regulating stormwater discharges into the MS4. Before any regulation or ordinance is modified, NDEP shall at least thirty (30) days to review and comment on the proposed modification.

III.C. MS4 Maps and Outfalls

- III.C.1. The revised SWMP shall include, at a minimum, maps of NDOT's MS4 for different sections of Nevada, including the location of any major outfall that discharges to waters of the United States. An outfall is defined in Part VI of this permit.

III.D. Discharges to the Clear Creek Watershed

- III.D.1. NDOT shall include a separate Clear Creek Master Stormwater Management Program ("CCSWMP") in its revised SWMP. The CCSWMP shall be implemented and enforced to reduce the discharge of pollutants to the Clear Creek watershed to the MEP, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA. The revised CCSWMP shall include the following information:
 - III.D.1.a A detailed description of BMPs that have been, or will be, implemented on NDOT construction projects located in the Clear Creek watershed;
 - III.D.1.b A detailed description of sediment controls for all down-slope boundaries (and for those side-slope boundaries deemed appropriate as dictated by individual site conditions) that have been, or will be, used by NDOT on NDOT construction areas located in the Clear Creek watershed;
 - III.D.1.c A detailed description of control techniques that have been or will be used

by NDOT to the MEP to ensure no illicit discharge of pollutants into Clear Creek;

- III.D.1.d A detailed description of system design and engineering methods NDOT has used, or plans to use, to protect Clear Creek from illicit discharges of pollutants;
 - III.D.1.e A schedule of implementation for all future short-term and long-term activities describing program development, implementation and maintenance;
 - III.D.1.f An annual monitoring program to ensure the overall quality and health of Clear Creek;
 - III.D.1.g An inventory and tracking program for all industrial facilities or maintenance yards that have the potential to discharge pollutants into Clear Creek;
 - III.D.1.h NDOT's inspection program on its MS4 or construction sites to ensure that no illicit discharges of pollutants enter Clear Creek; and
 - III.D.1.i Other provisions as NDEP determines appropriate for the control of such pollutants.
- III.D.2. NDOT may partner with other MS4s to develop and implement the CCSWMP.

III.E. Discharges into Sanitary Sewer Systems

- III.E.1. For discharges into facilities treating domestic sewage, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, that are not owned or operated by NDOT, the following shall be provided by NDOT:
 - III.E.1.a Written and signed confirmation from each facility authorizing the discharge of pollutants into the facility's sanitary sewer system; and,
 - III.E.1.b All authorizations obtained by NDOT shall be included with the revised SWMP.

III.F. Stormwater Education Program

- III.F.1. NDOT shall implement a stormwater education program that includes training, public education and outreach, public participation and involvement, and intra- and inter-governmental coordination. The goal of this program is to reduce or eliminate behaviors and practices that cause or contribute to adverse

stormwater quality impacts.

- III.F.2. NDOT shall implement an Employee Stormwater Training Program and shall outline the program in the SWMP. The program shall provide for NDOT's employees identified in this permit to receive initial training within twelve (12) months of the effective date of this permit and refresher training at least once every three (3) years thereafter. NDOT shall also provide training to new staff within the first year of hire, and to existing staff when job responsibilities change to newly incorporate stormwater duties.
- III.F.3. NDOT shall keep records of all employees who receive stormwater training.
- III.F.4. NDOT shall provide stormwater awareness training to educate personnel at all levels of responsibility who are involved in activities that may impact stormwater quality and those staff who may come into contact with, or otherwise observe, an illicit discharge or illicit connection to the storm sewer system.
- III.F.5. NDOT shall provide specific stormwater training to educate personnel who are directly involved in activities that may impact stormwater quality or that may generate or manage non-stormwater discharges. For each topic, the number of trainings offered, the number of employees trained, and other appropriate measurable goals shall be presented in the Annual Report. The employee training program shall address:
 - III.F.5.a NDOT shall train all staff whose responsibilities may include responding to illicit discharges or illicit connections to the storm sewer system. Training shall include:
 - III.F.5.a.i The procedures for detection, investigation, (i.e. field screening procedures, sampling methods, field measurements) identification, clean-up, and reporting of illicit discharges and connections, and improper disposal/dumping; and
 - III.F.5.a.ii The procedures for outfall screening and investigation;
 - III.F.5.b NDOT shall train all staff directly involved in managing non-stormwater discharges. The training shall include:
 - III.F.5.b.i The types of discharges allowed under this permit and those that are prohibited;
 - III.F.5.b.ii The distinction between non-stormwater discharges and potential pollutant sources;
 - III.F.5.b.iii The pollutants of concern that may be in non-stormwater discharges;

and

- III.F.5.b.iv The BMPs that shall be employed to minimize the discharge of pollutants;
- III.F.5.c NDOT shall train all staff directly involved in performing construction site inspections. Training shall include:
 - III.F.5.c.i The requirements of this permit and the NDEP’s General Permit NVR100000 for Construction Activities for structural and non-structural BMPs on construction sites, such as erosion and sediment control, waste control and Stormwater Pollution Prevention Plans (“SWPPPs”);
 - III.F.5.c.ii The NDOT Contractors’ requirements to obtain coverage under and comply with the NDEP’s General Permit NVR100000 for Construction Activities and the requirements of that permit; and
 - III.F.5.c.iii NDOT’s compliance, enforcement, and contractual processes to minimize stormwater discharges.
- III.F.5.d NDOT shall train all staff directly involved in controlling stormwater runoff from new development or redevelopment, including those with responsibilities for preliminary design, design, and design review. Training shall include:
 - III.F.5.d.i Post-construction stormwater BMPs to prevent or minimize water quality impacts; and
 - III.F.5.d.ii Design standards, maintenance requirements and planning as related to stormwater;
- III.F.5.e NDOT shall train all staff directly involved in storm sewer system maintenance, street repair, and road improvement. Training shall include:
 - III.F.5.e.i Potential sources of contaminants related to repair and maintenance activities; and
 - III.F.5.e.ii Proper maintenance, housekeeping, and repair BMPs to prevent discharges to the storm sewer system and waters of the U.S.
- III.F.5.f NDOT shall train all staff who may be involved in waste disposal, spill prevention and response. Training shall include:
 - III.F.5.f.i Procedures to prevent, contain, and respond to spills; and

- III.F.5.f.ii Proper handling, storage, transportation, and disposal of toxic and hazardous materials, including used oil and batteries, to prevent or minimize spills or discharges to the storm sewer system.
- III.F.5.g NDOT shall train all staff directly involved in the application of pesticides, herbicides, and fertilizers. Training shall include:
 - III.F.5.g.i The potential for stormwater contamination resulting from misapplication or over-application of chemicals; and
 - III.F.5.g.ii Proper application procedures and BMPs;
- III.F.5.h NDOT shall train all staff working at industrial sites (excluding material source sites). Training shall include:
 - III.F.5.h.i The requirements of BMPs, SWPPPs, and the conditions of this permit that relate to on-site activities; and
 - III.F.5.h.ii As applicable, used oil and spent solvent management; fueling procedures; general good housekeeping practices; proper painting procedures; and used battery management.
- III.F.5.i NDOT shall provide information in the revised SWMP that discusses how NDOT will ensure that NDOT construction contractors have been adequately trained in BMP installation and maintenance, the ability to recognize activities that may impact stormwater quality, and the procedures in place to prevent or report an illicit discharge or illicit connection to the MS4.
- III.F.5.j NDOT shall continue to implement a Public Education/Outreach Program to provide information to the general public about actions individuals can take to reduce transportation related pollutants and improve water quality. NDOT shall implement or participate in a stormwater education program that uses different types of media and targets a wide range of audiences. The program shall include a description of:
 - III.F.5.j.i The methods for disseminating information;
 - III.F.5.j.ii The target audiences and how they were selected; and
 - III.F.5.j.iii The target pollutants and sources and how they were selected.
- III.F.5.k NDOT shall continue to implement educational and public information activities to distribute education materials on stormwater quality;
- III.F.5.l NDOT shall implement a Public Involvement/Participation Program to

encourage public involvement and participation and to promote, publicize, and facilitate public reporting of illicit discharges and illegal dumping to or from NDOT's storm sewer system.

- III.F.5.m NDOT shall implement a reporting system to facilitate and track public reports of spills, discharges, and dumping to its storm sewer system or receiving waters. NDOT shall develop procedures for receiving and investigating public complaints. NDOT shall post or advertise telephone numbers or other information to direct the public in reporting illicit discharges and illegal dumping. NDOT shall evaluate and where appropriate, NDOT shall post these numbers in places where illicit discharges and illegal dumping are found to be a recurring problem;
- III.F.5.n NDOT shall record and report the number of reports received from the public and investigated in the Annual Report;
- III.F.5.o NDOT shall continue to implement the Adopt-a-Highway program;
- III.F.5.p NDOT shall report the number of volunteer groups participating in the Adopt-a-Highway program, number of miles cleaned, and the amount of trash collected in the Annual Report; and
- III.F.5.q NDOT shall implement a program that includes coordination mechanisms and program enforcement procedures among divisions, groups, sections, and districts within NDOT to ensure compliance with the terms of this permit. NDOT shall also have mechanisms to coordinate with other government agencies and MS4 communities when necessary to address issues of common concern related to implementation of this permit. The revised SWMP shall include the following BMPs:
 - III.F.5.q.i NDOT shall continue implementation of intra-governmental (internal) coordination procedures to ensure compliance with the terms of this permit and to ensure implementation of SWMP activities. NDOT shall describe these procedures in the SWMP; and
 - III.F.5.q.ii NDOT shall develop partnerships and cooperative outreach programs, where feasible, with other regulated MS4s and jurisdictions and shall describe these partnerships and programs in the SWMP.

III.G. Construction Site BMP Program

- III.G.1. The revised SWMP shall include a description of NDOT's program to implement and maintain structural and non-structural BMPs to reduce pollutants to the MEP in stormwater runoff from construction sites to the MS4. The program shall include:

- III.G.1.a A plan to control all construction in the rights-of-way. This includes both construction by NDOT, construction done under contract for NDOT, and construction done by local government agencies or other third parties on NDOT or non-NDOT projects. The plan shall include:
 - III.G.1.a.i Review of construction site plans;
 - III.G.1.a.ii Implementation and maintenance of structural and non-structural BMPs;
 - III.G.1.a.iii Site inspections and enforcement;
 - III.G.1.a.iv A description of non-structural and structural BMPs for construction sites;
 - III.G.1.a.v A description of procedures for identifying priorities for inspecting sites and enforcing control measures which consider the nature of the construction activity, topography, and the characteristics of soils and receiving water quality; and
 - III.G.1.a.vi A description of the BMPs that NDOT or its contractors selected, implemented, maintained and updated on NDOT's construction projects to minimize the discharge of pollutants to the MEP;
- III.G.1.b The program shall be implemented year-round on all construction projects in all parts of Nevada that discharge to waters of the U.S. The SWMP shall be revised to address these requirements and have a program and a schedule for inspections; and
- III.G.1.c The program shall be in compliance with requirements of the NDEP's General Permit NVR100000 for Construction Activities.

III.H. NDOT Contractors Performing Construction Activities

- III.H.1. NDOT shall, at a minimum, require its contractors to comply with NDEP's General Permit NVR100000 for Construction Activities for regulated construction projects, including the contractor's requirement to file a Notice of Intent ("NOI") and obtain authorization under NDEP's General Permit NVR100000 for Construction Activities for each construction project or site that disturbs more than one (1) acre, or less than one (1) if it is part of a larger project. The contractor shall also file a Notice of Termination ("NOT") for each construction project or site, either terminating their responsibility if final stabilization has been achieved, or transferring it to NDOT for completion.
- III.H.2. NDOT shall ensure that the contractor's NOI references the construction site

as an NDOT project and shall keep a copy of the NDEP authorization certificate in the SWPPP.

- III.H.3. NDOT shall ensure that all applicable provisions of NDEP's General Permit NVR100000 for Construction Activities and this permit are implemented for NDOT projects and shall implement a system to enforce these provisions. NDOT is responsible for inspection oversight.
- III.H.4. When contractors complete their work at a site and interim stabilization is in place, they may file an NOT to terminate their responsibility for site activities. In this instance, NDOT shall assume responsibility for the site until final stabilization has been achieved for the entire project. NDOT is responsible for removing all temporary sediment control BMPs that may impede stormwater flow as soon as practicable after final stabilization.
- III.H.5. NDOT shall include a list of all construction projects in the Annual Report, including the name of the project and its associated NDEP construction stormwater permit number(s) (e.g. CSW-xxxx), that have achieved final stabilization and that NDOT considers to be complete.
- III.H.6. NDOT shall provide in the Annual Report, a list and description of all violations and their resolution, including any enforcement actions taken against its contractors.

III.I. Discharges from New Development and Redevelopment

- III.I.1. NDOT shall develop and implement comprehensive planning procedures and BMPs to prevent or minimize water quality impacts from areas of new highway development and redevelopment within the MS4 permitted areas. This applies to projects that result in land disturbance of greater than or equal to one (1) acre including projects less than one (1) acre that are part of a larger common plan of development or sale. The revised SWMP shall include a post-construction stormwater pollution control program including maintenance of post-construction stormwater pollution control BMPs. For the purposes of this permit, post-construction stormwater pollution control BMPs include, but are not limited to: stormwater retention/detention basins; constructed wetlands for water quality purposes; media filtration systems; oil/water separators; check dams, grassy swales or other similar BMPs. NDOT shall describe the program in the revised SWMP;
- III.I.2. NDOT shall promote source reduction approaches such as Low Impact Development ("LID") techniques, where applicable, in its discussion of the program;
- III.I.3. NDOT shall describe the BMPs that will protect water quality and reduce the discharge of pollutants to the MEP;

- III.I.4. NDOT shall install controls for all newly developed or redeveloped roadways that discharge stormwater runoff to impaired or unique waters. For other areas within the MS4 Compliance Areas, NDOT shall evaluate the need for permanent post-construction stormwater pollution control BMPs;
- III.I.5. NDOT shall also install post-construction controls for all newly developed or redeveloped roadways within the MS4 compliance areas where appropriate. Runoff from these roadways and the storm sewer system shall be treated by a post-construction stormwater pollution control BMP(s) prior to the runoff leaving NDOT's MS4 and/or entering waters of the U.S.;
- III.I.6. All stormwater shall be discharged in a manner that does not cause nuisance conditions, erosion in receiving channels or on down-slope properties; and
- III.I.7. NDOT shall inventory, inspect, and maintain all post-construction stormwater pollution control BMPs. A program summary shall be included in the Annual Report.

III.J. Illicit Discharge Detection and Elimination Program

- III.J.1. The revised SWMP shall include a description of NDOT's Illicit Discharge Detection and Elimination ("IDDE") Program, including a schedule, to detect and remove illicit discharges and improper disposal into the MS4. The proposed program shall include:
 - III.J.1.a A description of a program, including inspections, to implement and enforce statutes, regulations, ordinances, orders or similar means to prevent illicit discharges to the MS4. This program description shall address all types of illicit discharges; however, non-stormwater discharges or flows listed in Part I.B.2 of this permit shall only be addressed where such discharges are identified by NDOT as sources of pollutants to waters of the United States;
 - III.J.1.b A description of procedures to conduct on-going field screening activities during the life of the permit, including areas or locations that will be evaluated by such field screens;
 - III.J.1.c A description of procedures to be followed to investigate portions of the MS4 that, based on the results of the field screen, or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-stormwater;
 - III.J.1.d A description of procedures to prevent, contain, and respond to spills that may discharge into the MS4;

- III.J.1.e A description of a program to facilitate public reporting of the presence of illicit discharges or water quality impacts associated with discharges from MS4s;
- III.J.1.f A description of educational activities, public information activities, and other appropriate activities to facilitate the proper management and disposal of used oil and toxic materials; and
- III.J.1.g An assessment of whether the procedures otherwise implemented in response to this paragraph are sufficient to identify instances of exfiltration from the sanitary sewer to the storm sewers, and if not a description of additional activities to be undertaken to control exfiltration.

III.K. Industrial Facility Monitoring and Control

- III.K.1. The revised SWMP shall describe NDOT’s program to monitor and control pollutants in stormwater discharges to municipal systems from municipal landfills, hazardous waste treatment, disposal and recovery facilities, industrial facilities that are subject to Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986, and industrial facilities that NDOT determines are contributing a substantial pollutant loading to the MS4. The program shall:
 - III.K.1.a Identify priorities and procedures for inspections and establishing and implementing control measures for such discharges; and,
 - III.K.1.b Describe a monitoring program for stormwater discharges associated with the industrial facilities identified in this section, to be implemented during the term of the permit in accordance with the monitoring programs defined in Part IV.A of this permit.

III.L. Stormwater Discharges from NDOT Maintenance Facilities

- III.L.1. The revised SWMP shall describe the measures NDOT uses to control discharges from NDOT Maintenance Facilities. The following measures shall apply to NDOT maintenance facilities statewide:
 - III.L.1.a NDOT shall continue to implement its maintenance facility program to reduce pollutants in discharges to the MEP;
 - III.L.1.b NDOT shall describe its statewide maintenance facility program in the revised SWMP. The program shall include policies and procedures to prevent or reduce stormwater impacts from any maintenance facility that may discharge to waters of the U.S. or to the storm sewer system;
 - III.L.1.c NDOT shall properly select, install, and maintain all BMPs in accordance with any relevant manufacturer specifications and good engineering

practices; and

- III.L.1.d NDOT shall implement BMPs to reduce or eliminate the discharge of pollutants from maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas.
- III.L.2. NDOT shall implement the following BMPs at its maintenance facilities:
 - III.L.2.a NDOT shall prevent litter, debris, and chemicals that could be exposed to stormwater from becoming a pollutant source in stormwater discharges; and
 - III.L.2.b NDOT shall implement good housekeeping and material management BMPs for operating and maintaining all NDOT maintenance facilities and each of the following maintenance facility areas:
 - III.L.2.c NDOT shall describe and implement BMPs that prevent or minimize contamination of stormwater runoff from all areas used for vehicle or equipment storage. NDOT shall implement the following BMPs, or alternatives that will provide equivalent protection:
 - III.L.2.c.i Confine the storage of leaky or leak-prone vehicles and equipment awaiting maintenance to designated areas;
 - III.L.2.c.ii Use drip pans under vehicles and equipment;
 - III.L.2.c.iii Store vehicles and equipment indoors whenever practicable;
 - III.L.2.c.iv Install berms or dikes around the areas;
 - III.L.2.c.v Use absorbents to clean spilled materials;
 - III.L.2.c.vi Roof or cover storage areas whenever practicable; and
 - III.L.2.c.vii Clean pavement surfaces to remove oil and grease. Use dry cleanup methods, or, if water is used, capture and properly dispose of the cleaning water.
 - III.L.2.d NDOT shall describe and implement BMPs that prevent or minimize contamination of stormwater runoff from all areas used for vehicle or equipment maintenance. NDOT shall implement the following BMPs, or alternatives that will provide equivalent protection:
 - III.L.2.d.i Perform maintenance activities indoors whenever practicable;

- III.L.2.d.ii Use drip pans under vehicles and equipment;
- III.L.2.d.iii Keep an organized inventory of materials used in the shop;
- III.L.2.d.iv Drain all parts of fluid prior to disposal;
- III.L.2.d.v Use dry cleanup methods. Prohibit wet clean up practices if these practices would result in the discharge of pollutants to stormwater drainage systems; and
- III.L.2.d.vi Treat, recycle, or properly dispose of collected stormwater runoff and minimize run-on/runoff of stormwater to and from maintenance areas.

- III.L.2.e NDOT shall describe and implement BMPs that prevent or minimize contamination of stormwater runoff from all areas used for material storage. NDOT shall implement the following BMPs, or alternatives that will provide equivalent protection:
 - III.L.2.e.i Maintain all material storage vessels that are kept outdoors (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents,” etc.);
 - III.L.2.e.ii Move storage indoors whenever practical;
 - III.L.2.e.iii Install berms/dikes around the areas;
 - III.L.2.e.iv Minimize run-on of stormwater to the areas;
 - III.L.2.e.v Use dry cleanup methods; and
 - III.L.2.e.vi Treat, recycle, or properly dispose of collected stormwater runoff.
Note: The discharge of vehicle and equipment washwater, including tank washing operations, is not authorized by this permit and shall be covered under a separate NPDES permit; discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements; or otherwise appropriately managed or recycled on-site. NDOT shall not discharge any washwater from washing vehicles, tanks, containers, and/or equipment under this permit.

- III.L.2.f NDOT shall implement practices and procedures to prevent, contain, and respond to spills from maintenance facilities using the following practices:
 - III.L.2.f.i NDOT shall implement management practices and procedures for handling toxic and hazardous materials by NDOT staff at NDOT maintenance facilities to prevent spills;

- III.L.2.f.ii NDOT shall implement practices and procedures for handling spills of toxic materials by NDOT staff at NDOT maintenance facilities to prevent or minimize discharges to the storm sewer system or receiving waters;
- III.L.2.f.iii NDOT shall immediately respond to spills by NDOT staff at NDOT maintenance facilities to prevent toxic materials or pollutants from entering the storm sewer system and receiving waters;
- III.L.2.f.iv NDOT shall continue to track and record spills and other releases by NDOT staff at NDOT maintenance facilities, including information on the number, type, and amount of materials released, the location and extent of the spill, the circumstances of the release (e.g. spilled to storm sewer), and the name of the parties involved; and
- III.L.2.f.v NDOT shall maintain records of spills to the storm sewer system or receiving waters and include the records in the Annual Report.

III.M. Comprehensive Maintenance Facility Inspection

- III.M.1. NDOT shall conduct a Comprehensive Maintenance Facility Inspection at least once each year. NDOT shall also conduct routine visual inspections to ensure that the SWPPP addresses any significant changes to the facility’s operations or BMP implementation procedures.
- III.M.2. NDOT shall complete an inspection report for all maintenance facility inspections. At a minimum the report shall include:
 - III.M.2.a The inspection date;
 - III.M.2.b The name(s), title(s) and qualifications of the person(s) making the inspection. The list of qualified personnel shall either be on or attached to the report or alternatively, if the SWPPP documents the qualifications of the inspectors by name, that portion of the SWPPP may be referenced;
 - III.M.2.c Weather information and a description of any discharges occurring at the time of the inspection;
 - III.M.2.d The location(s) of discharges of sediment or other pollutants from the site, if any;
 - III.M.2.e The location(s) of BMPs that need to be maintained, that failed to operate as designed, or proved inadequate for a particular location;
 - III.M.2.f The location(s) where additional BMPs are needed that did not exist at the time of inspection;

- III.M.2.g The corrective action(s) required, including any changes to the SWPPP and implementation dates;
- III.M.2.h The identification of all sources of non-stormwater discharges, if any, and the associated BMPs;
- III.M.2.i Where applicable, the identification of material storage areas, and evidence of or potential for pollutant discharges from these areas;
- III.M.3. Inspection reports shall identify any incidents of non-compliance with the permit conditions. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the activities are in compliance with the SWPPP and this permit; and
- III.M.4. The report shall be signed and certified in accordance with Part V.G of this permit and copies included in the SWPPP and the Annual Report.

III.N. Scope of Inspections

- III.N.1. NDOT shall inspect all areas of the site exposed to precipitation, as well as areas where spills and leaks have occurred. Inspectors shall look for evidence of, or the potential for, pollutants entering the drainage system;
- III.N.2. Inspections of the maintenance yard shall include all the following areas/activities:
 - III.N.2.a Storage areas for vehicles and equipment awaiting maintenance;
 - III.N.2.b Fueling areas (including mobile fueling);
 - III.N.2.c Indoor and outdoor vehicle/equipment maintenance areas;
 - III.N.2.d Material storage areas;
 - III.N.2.e Material source stockpile(s) to determine if piles are protected from run-on, run-off, if materials are contributing to off-site discharges;
 - III.N.2.f Vehicle/equipment cleaning areas and loading/unloading areas; and
 - III.N.2.g Onsite waste storage or disposal;
- III.N.3. NDOT shall inspect and document all BMPs identified in the SWPPP along with areas inspected and the conditions found;
- III.N.4. NDOT shall inspect discharge locations to determine whether BMPs are

effective in preventing significant impacts to waters of the U.S., where accessible;

- III.N.5. Where discharge locations are inaccessible, NDOT shall inspect nearby downstream locations to the extent that the inspections are practicable; and
- III.N.6. NDOT shall inspect locations where vehicles enter or exit the site for evidence of off-site sediment tracking.
- III.N.7. Based on the results of the inspection, NDOT shall modify the SWPPP as necessary to include additional or modified BMPs designed to correct problems identified. NDOT shall complete revisions to the SWPPP and modify or add BMPs as necessary within thirty (30) calendar days following the inspection. NDOT shall implement tracking and follow-up procedures to ensure that appropriate action is taken in response to issues noted during inspections.
- III.N.8. If sediment or other materials escape the site, NDOT shall remove the off-site accumulations of sediment or other materials at a frequency sufficient to minimize off-site impacts. The removal shall take place within seven (7) days of discovery unless precluded by legal, regulatory, or physical access constraints. NDOT shall use all reasonable efforts to obtain access, and in such instances, removal and stabilization shall take place within seven (7) days of obtaining access.
- III.N.9. Inspections shall be performed by qualified personnel as defined in Part VI of this permit; and
- III.N.10. NDOT shall retain a record of each inspection and of any actions taken as part of the SWPPP for at least five (5) years from the expiration date of this permit;
- III.N.11. For existing BMPs that need to be modified or, if additional BMPs are necessary for any reason, implementation shall be completed within thirty (30) days, and before the next storm event;
- III.N.12. All BMPs including erosion and sediment control BMPs identified in the SWPPP shall be maintained in effective operating condition. If site inspections identify BMPs that are not operating effectively, maintenance shall be performed within seven (7) days of discovery and before the next anticipated storm event to maintain the continued effectiveness of stormwater BMPs. If implementation before the next storm event is impracticable, the reason(s) for delay must be documented in the SWPPP and alternative BMPs must be implemented as soon as possible;
- III.N.13. Facilities as requiring monitoring shall follow the requirements therein; and

- III.N.14. NDOT shall develop or update its list of industrial facilities and maintenance yards subject to stormwater permitting requirements within their control. The list shall be included in the Annual Report.

III.O. Public Street Maintenance Program in Urbanized Areas

- III.O.1. The revised SWMP shall discuss how NDOT intends to operate and maintain public streets and roads in urbanized areas that are under NDOT's jurisdiction in a manner so as to reduce the discharge of pollutants to the MEP (including those related to road repair, street sweeping, snow removal, sanding activities and herbicide application), in accordance with their present program. The program shall include the following information and measurable goals:

- III.O.1.a Snow and ice management practices on streets, roads, and highways in urbanized areas shall be implemented in a manner consistent with NDOT's policies and guidelines. These guidelines shall include prescriptions for sand application rate, maximum salt concentrations, calibration of sand spreaders, and sweeping of sanded streets;
- III.O.1.b Salt and sand storage practices shall be implemented as necessary to minimize, to the extent practicable, run-on, run-off and salt migration off-site;
- III.O.1.c Leaf litter and debris on all streets in urbanized areas shall be swept a minimum of two times per year, once in the spring and once in the fall;
- III.O.1.d Sweeping of sanded streets in urbanized areas shall be performed as soon as weather, logistics and site conditions permit after snow storms, but no later than four (4) days after the last snowfall;
- III.O.1.e Sweeper wastes shall be disposed of properly. Recycling of sweeper wastes shall be considered. The amount of sweeper waste accumulated, recycled and/or disposed of shall be documented and included in the Annual Report.
- III.O.1.f If magnesium chloride is used for snow management, application practices shall be used to minimize any negative effects to waters of the U.S. to the MEP. Results of any studies on magnesium chloride shall be considered when relevant.
- III.O.1.g A narrative summary of the program will be included in the Annual Report.

III.P. Measures to Control Discharges from Roadways

III.P.1. NDOT shall continue to implement its programs of roadway and storm sewer system repair, maintenance and cleaning, vegetation management, and winter storm policies to reduce the release of pollutants to, and discharges of pollutants from, the storm sewer system. The revised SWMP shall include policies and procedures to prevent or reduce stormwater impacts to waters of the U.S. or the MS4 system while conducting operation and maintenance activities. The revised SWMP shall address the following programs:

III.P.1.a **Highway Maintenance Activities**

III.P.1.a.i Develop and implement runoff management programs and systems for existing roads, highways, and bridges to reduce runoff pollutant concentrations and volumes entering surface waters;

III.P.1.a.ii Identify priority and watershed pollutant reduction opportunities (e.g., improvements to existing urban runoff control structures);

III.P.1.a.iii Establish schedules for implementing appropriate controls; and

III.P.1.a.iv NDOT shall develop a system to identify, track, and prioritize timely stabilization and repairs to road segments where slopes are 3:1 or greater and actively eroding and sediment is leaving NDOT's right-of-way or discharging to a water of the U.S. This system shall be described in the revised SWMP, and each Annual Report thereafter shall summarize erosion abatement projects conducted during the year. NDOT shall identify road segments with slopes that are prone to erosion and discharge of sediment and stabilize these slopes to the MEP.

III.P.1.b **Snow and Ice Control**

III.P.1.b.i Where abrasives and/or de-icing agents are used on highways, the following shall be recorded:

III.P.1.b.i.1 Location of the source of abrasives materials;

III.P.1.b.i.2 Types and chemistry of de-icing agents;

III.P.1.b.i.3 Deicing salt shall be analyzed for: total phosphorus, total nitrogen, iron, and percent sodium chloride (NaCl);

III.P.1.b.i.4 Alternative deicers shall be analyzed for total nitrogen and total phosphorus;

III.P.1.b.i.5 Type and chemistry of abrasives with the gradation and percent organic matter. Gradation and percent organic matter shall be

determined from composite samples. The composite samples shall be taken from one stockpile that represents all deliveries from the originating source. Composite samples shall be taken from every new delivery from a new originating source;

III.P.1.b.i.6 Abrasives shall be analyzed for volatile solids, iron, total nitrogen, total phosphorus, and total reactive phosphorus; and

III.P.1.b.i.7 Volume of abrasives and deicing agents used on individual highway segments shall be documented in the Annual Report.

III.P.1.c **Storm Water Drainage System Facilities Maintenance**

III.P.1.c.i NDOT shall remove all debris and sediment from those inlets that pose a significant threat to water quality on an annual basis prior to the winter season each year. All debris and sediment removed from drain inlets shall be managed in accordance with all applicable laws and regulations. The amount of material removed shall be documented and included in the Annual Report; and

III.P.1.c.ii Drain inlets which contain significant materials must be considered for an IDDE investigation and considered for an enhanced BMP program focused on reducing the sources of the material found in the inlet.

III.Q. Storm Sewer System and Highway Maintenance

III.Q.1. NDOT shall implement the following BMPs for operating and maintaining roadways and drainage ways to minimize discharges to and from the storm sewer system in all the MS4 Permitted areas:

III.Q.1.a **Inventory Post-Construction Stormwater Pollution Control BMPs**

III.Q.1.a.i NDOT shall develop and maintain an inventory of its post-construction stormwater pollution control BMPs;

III.Q.1.a.ii The inventory shall categorize the post-construction stormwater pollution control BMPs by type and location; and

III.Q.1.a.iii NDOT shall include the inventory of stormwater retention/detention basins, constructed wetlands for water quality purposes, media filtration systems, oil/water separators, and other major post-construction stormwater pollution control BMPs statewide as part of the revised SWMP.

III.Q.1.b **Inspect Storm Sewer System**

- III.Q.1.b.i The revised SWMP shall outline a program, including measurable goals, to inspect and record conditions of its storm sewer system including roadways used for stormwater conveyance, catch basins, storm drain inlets, open channels, washes, culverts, and retention/detention basins to identify potential sources of pollutants and determine maintenance needs; and
- III.Q.1.b.ii NDOT shall maintain records of inspections and conditions found and shall present the number of inspections in each Annual Report.
- III.Q.1.c **Develop Maintenance Schedules and Priorities**
- III.Q.1.c.i NDOT shall identify routine maintenance schedules and maintenance priorities for its storm sewer system, including roadways to minimize pollutant discharges from the storm sewer system; and
- III.Q.1.c.ii NDOT shall evaluate priorities and update the maintenance schedule annually.
- III.Q.1.d **Perform Repair, Maintenance, and Cleaning**
- III.Q.1.d.i NDOT shall continue to repair, maintain, and clean its roadways used for stormwater conveyance and its storm sewer system to minimize the discharge of pollutants to the MEP (including floatable debris) from the storm sewer system; and
- III.Q.1.d.ii During repair, maintenance or cleaning activities, NDOT shall ensure that all storm drain inlets are assessed for evidence of illicit discharges or illegal dumping, such as significant loads of a specific pollutant(s) or material(s). Upon discovery, NDOT shall initiate an investigation to target likely sources and implement a BMP program to reduce the sources of the pollutant or material to the MEP.
- III.Q.1.e **Implement BMPs for Repair, Maintenance, and Cleaning**
- III.Q.1.e.i NDOT shall implement appropriate BMPs to reduce the potential for releases of pollutants to the storm sewer system or to waters of the U.S. when performing repair, maintenance, or cleaning of its storm sewer system, including roadways;
- III.Q.1.e.ii NDOT shall implement BMPs to minimize the discharge of pollutants from unpaved roads, shoulders, and parking lots, such as permanent stabilization / erosion control BMPs and paving unpaved roads, and parking lots;
- III.Q.1.e.iii NDOT shall properly dispose of waste removed from its storm sewer system and NDOT facilities, including dredge spoil, accumulated

sediments, and floatable or other debris. The amount removed and disposed of shall be documented and included in the Annual Report.

III.Q.1.f **Roadside Management Program**

III.Q.1.f.i NDOT shall continue to implement the BMPs described in its *Construction Site BMP Field Manual*.

III.R. Herbicide, Pesticide and Fertilizer Program

III.R.1. NDOT shall develop a program to reduce the discharge of pollutants related to the application of herbicides, pesticides and fertilizers to the MEP. This program shall include:

III.R.1.a **Implement Pesticide and Fertilizer Application Procedures**

III.R.1.a.i NDOT shall continue to implement practices and procedures for NDOT staff and commercial applicators to only use Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”)-approved pesticides/herbicides and fertilizers at NDOT facilities and roadside right-of-ways. NDOT shall design these practices to avoid chemical application when feasible and to minimize the amount of chemicals applied;

III.R.1.a.ii As part of the revised SWMP, NDOT shall develop BMPs to address the timing of applications in relation to expected precipitation events, proximity to water bodies, and other practices to minimize the runoff of pollutants. Applications of herbicides shall be performed during dry-weather periods to the extent possible, using methods to limit overspray;

III.R.1.a.iii If NDOT must apply pesticides in any area that is within, or directly adjacent to a water of the U.S., only pesticides approved for aquatic use shall be used;

III.R.1.a.iv NDOT shall review application practices annually and update procedures as needed to minimize runoff of pollutants;

III.R.1.a.v NDOT shall continue to require certification/licensing of staff and commercial applicators that apply pesticides at NDOT facilities, public areas, and right-of ways; and

III.R.1.a.vi A narrative summary of the program will be included in the Annual Report.

III.R.1.b **Vegetation Control**

- III.R.1.b.i NDOT shall develop a Vegetative Control Program to reflect the following elements:
 - III.R.1.b.i.1 Enhancement of the use of appropriate native and adapted vegetation throughout all NDOT's rights-of way for the purpose of preventing erosion and removing pollutants in stormwater and non-stormwater runoff;
 - III.R.1.b.i.2 Application of herbicides in a manner that minimizes or eliminates the discharge of herbicides to receiving waters. Factors to be considered include timing in relation to expected precipitation events, proximity to water bodies, and the effects of using combinations of chemicals;
 - III.R.1.b.i.3 If application of nutrients is required, the application shall be at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface water; and
 - III.R.1.b.i.4 In places where NDOT has already developed vegetation control management plans, NDOT shall continue to implement these plans and integrate them into their overall statewide plan. In instances where elements of these plans are to be changed or dropped, NDOT shall discuss any changes in the Annual Report.

III.S. NDOT Maintenance Yards Management Program

- III.S.1. NDOT shall prepare SWPPPs for all its maintenance facilities. Because these facilities are considered municipal activities rather than industrial activities, these SWPPPs shall have BMP programs that reduce pollutants to the MEP;
- III.S.2. Generic SWPPP elements can be used for activities that are performed at more than one maintenance facility; however, each site must be evaluated separately and provided with appropriate site specific BMPs.
- III.S.3. NDEP staff has the authority to require the submittal of a SWPPP at any time, to require changes to a SWPPP, and to require the implementation of the provisions of a SWPPP. SWPPPs shall include the following elements:
 - III.S.3.a NDOT shall develop and implement runoff control plans for the following NDOT-owned and/or operated facilities that do not have independent NPDES Stormwater permits:
 - III.S.3.a.i Vehicle maintenance facilities (maintenance includes equipment rehabilitation, mechanical repairs, painting, fueling and lubrication);
 - III.S.3.a.ii Asphalt and concrete batch plants which are not already individually permitted;

- III.S.3.a.iii Solid-waste transfer stations;
- III.S.3.a.iv Exposed stockpiles of materials, including stockpiles of road deicing salt, salt and sand, sand, roto-mill material; and
- III.S.3.a.v Sites used for snow dumps, and/or for temporary storage of sweeper tailings or other waste piles.
- III.S.3.b NDOT shall provide a complete list of these facilities (including the address of the facility, type of operation, size of the facility, and receiving water drainage basin) as part of the revised SWMP. This list shall indicate which sites are considered "major" and which are considered "minor", and set out the reasons for the designations.
- III.S.3.c Runoff control plans for "major" facilities shall contain the following:
 - III.S.3.c.i Activity description;
 - III.S.3.c.ii Facility site map; and
 - III.S.3.c.iii A description of potential pollutant sources, including an evaluation of that potential.
- III.S.3.d Stormwater Management Controls
 - III.S.3.d.i The description of stormwater management controls shall address the following minimum components, including a schedule for implementing such controls:
 - III.S.3.d.i.1 Runoff control plan administrator;
 - III.S.3.d.i.2 Preventive maintenance;
 - III.S.3.d.i.3 Good housekeeping;
 - III.S.3.d.i.4 Spill prevention and response procedures;
 - III.S.3.d.i.5 BMPs for pollutant sources;
 - III.S.3.d.i.6 Evaluation for non-stormwater discharges;
 - III.S.3.d.i.7 Employee training;
 - III.S.3.d.i.8 Inspection procedures; and

- III.S.3.d.i.9 A summary of compliance with the SWPPPs shall be submitted by each plan administrator to the NDOT's Carson City Office by September 1 of each year. Summaries of the separate SWPPPs shall be included in the Annual Report.
- III.S.3.d.ii "Minor" facilities shall be grouped together by type, and one runoff control plan shall be developed for each group. Grouped runoff control plans shall contain:
 - III.S.3.d.iii A map showing the location of each facility in the group on a map of the city or state;
 - III.S.3.d.iv For each facility in the group include the address, type of operation, size of the facility, and receiving water drainage basin;
 - III.S.3.d.v A description of potential pollutant sources, including an evaluation of that potential;
 - III.S.3.d.vi A description of the standard operating procedures or stormwater management controls shall address the following components if appropriate:
 - III.S.3.d.vi.1 Preventive maintenance measures;
 - III.S.3.d.vi.2 Good housekeeping;
 - III.S.3.d.vi.3 Spill prevention and response procedures;
 - III.S.3.d.vi.4 BMPs;
 - III.S.3.d.vi.5 Evaluation for non-stormwater discharges; and
 - III.S.3.d.vi.6 Inspection Procedures.
- III.S.3.e Copies of the "major" facility runoff control plans shall be kept on the facility site and on file with NDOT's main office. They shall be submitted to NDEP upon request.
- III.S.3.f Copies of the "minor" facility group runoff control plans shall be kept on file with the Regional District Office. They shall be submitted to NDEP upon request;
- III.S.3.g Both major and minor facilities shall be inspected by the Permittee at least one (1) time each year, after the SWPPP has been completed;
- III.S.3.h NDOT shall implement the provisions of the runoff control plans required under this part as a condition of this MS4 permit. NDEP reserves the right

to review those plans, and to require additional measures to prevent and control pollution as needed;

III.S.3.i SWPPPs may be amended at any time and any amendments shall be described in the Annual Report; and

III.S.3.j The SWPPPs shall be completed and implemented according to the following schedule: 10 percent of the facilities within twelve (12) months of the effective date of this permit, another 40 percent within twenty-four (24) months of the effective date of this permit, and the remaining 50 percent within thirty-six (36) months of the effective date of this permit. A list of these facilities shall be submitted to NDEP at these times.

III.T. Sharing Responsibility

III.T.1. NDOT may either share responsibility or assign responsibility with one or more regulated MS4s, and may implement BMPs individually, as a group, or through consultants. The SWMP shall include a description of the BMP and how responsibility is being shared or assigned.

III.U. Annual Review and Updating the SWMP

III.U.1. NDOT must complete an annual review of the SWMP in conjunction with preparation of the Annual Report required under Part IV.C of this permit.

III.U.2. NDOT may change the SWMP during the life of the permit in accordance with the following procedures:

III.U.2.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 NDEP.

III.U.2.b Requests for changes replacing an ineffective, unfeasible, or inappropriate BMP specifically identified in the SWMP with an alternate BMP may be submitted to NDEP for approval at any time. If request is denied, NDEP will send NDOT a written response giving a reason for the decision. NDOT's modification requests must include the following:

III.U.2.b.i An analysis of why the BMP is ineffective, infeasible (including cost prohibitive), or otherwise should be revised or replaced, and

III.U.2.b.ii An analysis of why the replacement BMP is expected to be more effective, feasible, or appropriate than the BMP to be replaced.

III.V. Updating NDOT's Manuals

- III.V.1. NDOT shall annually review its *2006 Planning and Design Guide Manual* and its *2006 Construction Site BMP Manual* and update as needed. Erosion and sediment control BMP detail drawings shall also be updated as needed. NDOT shall describe all updates to these manuals in the Annual Report.

III.W. Characterization Data

- III.W.1. The revised SWMP shall evaluate whether existing data collection programs should be modified to improve characterization of stormwater discharges, effects of different BMPs on water quality, or ambient water quality. This information shall be submitted for approval as part of the annual monitoring plan required in Part IV.A of this permit.

Part IV. Monitoring, Recordkeeping, and Reporting

IV.A. Stormwater Monitoring

- IV.A.1. NDOT shall submit a stormwater monitoring plan to NDEP for the following year on or before October 1 each year. In developing the plan, NDOT shall evaluate and update as necessary how monitoring may assist in making decisions about program compliance, the appropriateness of identified best management practices, and progress toward achieving identified measurable goals. Pending submittal of the annual monitoring plan, NDOT shall continue to implement the existing monitoring plan.
- IV.A.2. When NDOT conducts monitoring at NDOT's permitted MS4, NDOT is required to comply with the following:
- IV.A.2.a Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. This requirement does not prevent NDOT from analyzing or reporting samples that are representative of a limited situation (e.g. concentration at peak flow);
- IV.A.2.b Test procedures for the analysis of pollutants shall conform to regulations (40 CFR, Part 136) published pursuant to Section 304(h) of the CWA, unless other procedures are approved by NDEP.
- IV.A.3. Records of monitoring information shall include:
- IV.A.3.a The date, exact place, and time of sampling or measurements;
- IV.A.3.b The names(s) of the individual(s) who performed the sampling or measurements;
- IV.A.3.c The date(s) analyses were performed;

- IV.A.3.d The names of the individuals who performed the analyses;
- IV.A.3.e The analytical techniques or methods used; and,
- IV.A.3.f The results of such analyses.
- IV.A.4. Analyses shall be performed by a State of Nevada-certified laboratory. Laboratory reports shall be provided if requested by NDEP.
- IV.A.5. If NDOT performs stormwater monitoring more frequently than required by the stormwater monitoring plan the results of such monitoring shall be reported. The monitoring results and analyses shall be submitted as part of the Annual Report.

IV.B. Record Keeping

- IV.B.1. NDOT shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the termination date of this permit. This period may be extended at the direction of NDEP at any time.
- IV.B.2. NDOT shall submit the records to NDEP upon request. NDOT shall retain a copy of the SWMP required by this permit (including a copy of the permit language) at a location accessible to NDEP. NDOT shall make the records, including a copy of the SWMP, available to the public if requested to do so in writing.
- IV.B.3. For public requests of records, NDOT may impose a reasonable fee for personnel time and copying expenses.

IV.C. Annual Reports

- IV.C.1. NDOT shall continue to submit Annual Reports to NDEP by October 1 of each year of the permit term. Each Annual Report shall cover the period beginning July 1st of the previous year through June 30th of the current year.
- IV.C.2. Each year, NDOT shall review its SWMP and report to NDEP on the status of the program, whether NDOT has identified any modifications, and the plans for implementing those modifications.
- IV.C.3. At a minimum the Annual Report shall include:

- IV.C.3.a Status of NDOT's compliance with permit conditions;
- IV.C.3.b An assessment of the appropriateness of the identified BMPs, and revisions to previous assessments, if appropriate;
- IV.C.3.c Progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP;
- IV.C.3.d Status of the achievement of measurable goals;
- IV.C.3.e 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, a description of any identified improvements to or degradation in water quality attributable to the program, and a description of any identified effects on attainment of water quality standards attributable to the program;
- IV.C.3.f A summary of the stormwater activities NDOT plans to undertake during the next reporting cycle (including an implementation schedule and a fiscal analysis);
- IV.C.3.g Changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;
- IV.C.3.h Notice that NDOT is relying on another government entity to satisfy some of the permit obligations, as applicable; and
- IV.C.3.i Estimated reductions in loadings of pollutants from discharges of municipal storm sewer constituents from municipal storm sewer systems expected as the result of the municipal stormwater quality management program. The assessment shall also identify known impacts of stormwater controls on ground water.
- IV.C.3.j A summary of inspections performed and enforcement activity taken during the report cycle.
- IV.C.3.k A summary of public education and outreach activity performed during the report cycle.
- IV.C.3.l Annual expenditures for the reporting period, with a breakdown for the major elements of the SWMP, and the budget for the year following each annual report.
- IV.C.3.m An original signed copy of all reports and plans required herein shall be submitted to the NDEP at the following address:

Stormwater Coordinator
Bureau of Water Pollution Control
Nevada Division of Environmental Protection
901 S. Stewart St., Suite 4001
Carson City, NV 89701

IV.D. Annual Fee

IV.D.1. NDOT shall remit an annual review and services fee by July 1 of every year in accordance with Nevada Administrative Code (“NAC”) 445A.232 until this permit is terminated.

IV.E. Continued Permit Coverage

IV.E.1. NDOT shall submit written correspondence to NDEP requesting continued permit coverage under the new NDOT MS4 Permit and signed in accordance with the signatory requirements of Part V.G of this permit, no later than 180 days before this permit expires.

IV.F. Changes by NDEP

IV.F.1. Formal changes requested by NDEP must be made in writing, set forth the time schedule for NDOT to develop the changes, and offer NDOT the opportunity to propose alternative program changes to meet the objective of the requested modification. If NDOT does not agree to the requested changes, changes required by NDEP will be made in accordance with 40CFR§124.5, 40CFR§122.62, or as appropriate 40CFR§122.63.

IV.F.2. NDEP may request formal changes to the SWMP as needed to:

IV.F.2.a Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

IV.F.2.b Include more stringent requirements necessary to comply with new Federal statutory or regulatory requirements; and,

IV.F.2.c Include such other conditions deemed necessary by NDEP to comply with the requirements of the CWA.

IV.G. Responsibility for Stormwater Management Program Implementation

IV.G.1. NDOT must implement the SWMP on all new areas added to NDOT’s portion of the MS4 (or for which NDOT become responsible for implementation of stormwater quality controls) no later than one (1) year from addition of the new areas; and

IV.G.2. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the Annual Report.

Part V. Standard Permit Conditions

V.A. Duty to Comply

V.A.1. NDOT must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of CWA and is grounds for an enforcement action; permit termination; revocation and re-issuance; modification; or for denial of a permit renewal application.

V.B. Continuation of the Expired Permit

V.B.1. If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. NDOT will automatically remain covered by the continued permit until the earlier of:

V.B.1.a Re-issuance or replacement of this permit; or

V.B.1.b Issuance of another individual permit for NDOT discharges.

V.C. Need to Halt or Reduce Activity Not a Defense

V.C.1. It shall not be a defense for NDOT in an enforcement action that it would have been necessary to halt or reduce the permitted activity under NDOT's control in order to maintain compliance with the conditions of this permit.

V.D. Duty to Mitigate

V.D.1. NDOT must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

V.E. Duty to Provide Information

V.E.1. NDOT must furnish to NDEP any information that is requested by NDEP and needed to determine compliance with this permit or other information.

V.F. Other Information

V.F.1. If NDOT becomes aware that it has failed to submit any relevant facts in its revised SWMP, Annual Report or in any other report to NDEP, NDOT must promptly submit such facts or information to NDEP.

V.G. Signatory Requirements

- V.G.1. All applications, reports, certifications, or information submitted to NDEP, or that this permit requires be maintained by NDOT shall be signed and certified as follows:
- V.G.1.a ***Applications.*** All applications shall be signed by a duly authorized representative of NDOT.
- V.G.1.b ***Reports and Other Information.*** All reports required by the permit and other information requested by NDEP or the authorized representative of NDEP shall be signed by a person described above from NDOT or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- V.G.1.b.i ***Signed Authorization.*** The person described above submits the authorization in writing to NDEP.
- V.G.1.b.ii ***Authorization with Specified Responsibility.*** The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility for environmental matter for the regulated entity.
- V.G.1.c ***Changes to Authorization.*** If an authorization is no longer accurate because a different person has the responsibility for the overall operation of the MS4, a new authorization satisfying the requirement above must be submitted to NDEP prior to or together with any reports, information, or applications to be signed by an authorized representative.

V.H. Property Rights

- V.H.1. The issuance of this permit does not convey any property rights of any sort, or 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.

V.I. Proper Operation and Maintenance

- V.I.1. NDOT 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 NDOT to achieve compliance with the conditions of this permit.

V.J. Inspection and Entry

- V.J.1. NDOT shall allow NDEP or an authorized representative (including an authorized contractor acting as a representative of the Administrator) upon the presentation of credentials and other documents as may be required by law, to do any of the following:
- V.J.1.a Enter NDOT's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
 - V.J.1.b Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
 - V.J.1.c Inspect at reasonable times any facilities or equipment (including monitoring and control equipment) practices, or operations regulated or required under this permit; and
 - V.J.1.d Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

V.K. Permit Actions

- V.K.1. This permit may be modified, revoked and reissued, or terminated for cause. NDOT's filing of a request for a permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

V.L. Permit Transfers

- V.L.1. This permit is not transferable to any person. NDEP may require modification or revocation and re-issuance of the permit to incorporate such other requirements as may be necessary under the CWA.

V.M. Anticipated Noncompliance

- V.M.1. NDOT shall give advance notice to NDEP of any planned changes in the permitted MS4 or activity which may result in noncompliance with this permit.

V.N. State Environmental Laws

- V.N.1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve NDOT from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the CWA.

V.N.2. No condition of this permit releases NDOT from any responsibility or requirements under other environmental statutes or regulations.

V.O. Severability

V.O.1. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit under any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

V.P. Procedures for Modification or Revocation

V.P.1. Permit modification or revocation will be conducted according to 40CFR§122.62, 122.63, 122.64 and 124.5.

V.Q. Availability of Reports

V.Q.1. Except for data determined to be confidential under Nevada Revised Statutes (“NRS”) 445A.665, all reports and plans submitted in accordance with the terms of this permit shall be available for public inspection at NDEP’s office. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NRS 445A.710.

V.R. Furnishing False Information and Tampering with Monitoring Devices

V.R.1. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document submitted or required to be maintained by the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained under the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$10,000 or by imprisonment. This penalty is in addition to any other penalties, civil or criminal, pursuant to NRS 445A.300 to 445A.730, inclusive.

V.S. Penalty for Violation of Permit Conditions

V.S.1. NRS 445A.675 provides that any person who violates a permit condition is subject to administrative and judicial sanctions as outlined in NRS 445A.690 through 445A.710.

V.T. Permit Modification, Suspension or Revocation

- V.T.1. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
 - V.T.1.a Violation of any terms or conditions of this permit;
 - V.T.1.b Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
 - V.T.1.c A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
 - V.T.1.d To impose specific requirements for BMPs or annual reporting requirements in accordance with 40CFR§122.62 or §122.63.
- V.T.2. NDOT may request that NDEP reopen and modify this permit.

Part VI. Definitions

- VI.A.** All definitions contained in Section 502 of the CWA and 40CFR§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 even of a conflict, the definition found in the Statute or Regulation takes precedence.
- VI.B. *Best Management Practices (BMPs)*** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. 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.
- VI.C. *Control Measure*** as used in this Permit, refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the United States.
- VI.D. *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.
- VI.E. *Discharge***, when used without a qualifier, refers to “discharge of a pollutant” as defined at 40CFR§122.2.
- VI.F. *Illicit Connection*** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.
- VI.G. *Illicit Discharge*** is defined at 40CFR§122.26(b)(2) and refers to any discharge to

a municipal separate storm sewer that is not entirely composed of stormwater, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

- VI.H.** *MEP* is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in stormwater discharges that was established by CWA§402(p).
- VI.I.** *MS4* is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to either a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g. "the Las Vegas Valley MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Las Vegas Valley MS4 includes MS4s operated by the City of Las Vegas, the City of North Las Vegas, the City of Henderson, the Clark County Regional Flood Control District, and Clark County).
- VI.J.** *Municipal Separate Storm Sewer* is defined at 40CFR§122.26(b)(8) and 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): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying stormwater; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40CFR§122.2.
- VI.K.** *Outfall* is defined at 40CFR§122.26 as: Major municipal separate storm sewer outfall (or "major outfall") means a municipal separate storm sewer ("MS4") outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more). Outfalls do not include cross-drain structures or culverts installed under a road that function only to maintain the natural flow of surface waters and drainage. However, a structure that collects or diverts drainage that has contacted the road surfaces for discharge into a water body is considered an outfall under this permit.

- VI.L. *Permitting Authority*** means the Nevada Division of Environmental Protection.
- VI.M. *Qualified Person*** means a person knowledgeable in the principles and practice of erosion and sediment controls and who possesses the skills to assess conditions at the site that could impact stormwater quality and the effectiveness of the BMPs selected to control the quality of the stormwater discharges.
- VI.N. *Small Municipal Separate Storm Sewer System*** is defined at 40CFR§122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States, but is not defined as “large” or “medium” MS4. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.
- VI.O. *Stormwater*** is defined at 40CFR§122.26(b)(13) and means stormwater runoff, snowmelt runoff, and surface runoff and drainage.
- VI.P. *Stormwater Management Program (SWMP)*** refers to a comprehensive program to manage the quality of stormwater discharged from the MS4.

ACRONYMS

BMP	Best Management Practice
CFR	Code of Federal Regulations
CWA	Clean Water Act
LA	Load Allocation
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NDOT	Nevada Department of Transportation
NPDES	National Pollutant Discharge Elimination System
NRS	Nevada Revised Statute
Permittee	Nevada Department of Transportation
SARA	Superfund Amendments and Reauthorization Act
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USC	United States Code
WLA	Wasteload Allocation