# NVS040000

**STATE OF NEVADA**
**DIVISION OF ENVIRONMENTAL PROTECTION**

**PERMIT FOR**
**STORMWATER DISCHARGES ASSOCIATED WITH SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

**AUTHORIZATION TO DISCHARGE**

In compliance with the provisions of the federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq: the "Act") and Chapter 445A of the Nevada Revised Statutes (NRS), eligible dischargers have submitted: a Notice of Intent and filing fee in accordance with Nevada Administrative Code (NAC) 445A.268.

In accordance with the terms and conditions set forth hereof;

**Site Number: SMS4- XXXXX** **NOI Approval Date: mm/dd/yyyy**

| **Facility Information** | |
|---|---|
| Site Name | XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| Site Address | XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| Owner Name | XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX |
| Operator Name | XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX |

This permit shall become effective on: **August 3, 2026**

This permit and the authorization to discharge shall expire at midnight **August 2, 2031.**

Signed this 3rd day of August 2026.

Kathryn Foxworthy
Staff II Associate Engineer
Bureau of Water Pollution Control

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## 1.0 Coverage under this General Permit

This General Permit (hereinafter "permit") for discharges from Small Municipal Separate Storm Sewer Systems (MS4s) is a comprehensive general permit pursuant to 40 CFR Section 122.28(d)(1).

### 1.1 Eligibility

1.1.1 The objective of this permit is to control and reduce pollution to waters of the United States from stormwater discharges associated with Small MS4s through the implementation of permit required Minimum Control Measures (MCMs) as described in this permit.

1.1.2 This permit authorizes the discharge of stormwater from Small MS4s, as defined in 40 CFR Section 122.26(b)(16). The Permittee is authorized to discharge stormwater under the terms and conditions of this permit if the Permittee:

1.1.2.1 Is not a large or medium MS4 as defined in 40 CFR Section 122.26(b)(4) or (7);

1.1.2.2 Is located within the boundaries of a Bureau of the Census-defined urban area (UA) with a population of 50,000 or more people based on the latest decennial Census. Once a Small MS4 is designated based on the UA with a population of 50,000 or more people, it cannot be removed from the Small MS4s program on the basis that a subsequent decennial urban area calculation shows that the Small MS4 is no longer within the urban area with a population of 50,000 or more people boundary.

1.1.2.3 Is located outside of a UA with a population of 50,000 or more people, but is serving a jurisdiction with a population of at least 10,000 and has population density of at least 1,000 people per square mile as determined by the latest decennial census by the Bureau of the Census; or

1.1.2.4 Is designated for permit authorization by the Nevada Division of Environmental Protection (the Division) pursuant to 40 CFR Section 122.32.

1.1.3 This permit is not authorized for use by permittee(s) with stormwater discharges associated with Small MS4s on any Tribal Lands in Nevada. The U.S. Environmental Protection Agency (EPA) Region 9 is the permitting authority for Tribal Lands in Nevada.

1.1.4 Any discharges that do not comply with the eligibility conditions of this permit are not authorized by the permit. A person shall either apply for a separate National Pollutant Discharge Elimination System (NPDES) permit to cover the ineligible discharge(s), cease the discharge(s), or take necessary steps to make the discharge(s) eligible for coverage under this permit.

1.1.5 This permit does not apply to stormwater discharges that are covered under the Las Vegas Valley's Large MS4 permit, Nevada Department of Transportation's Large MS4 permit, or the Truckee Meadows' Large MS4 permit.

### 1.2 Authorized Discharges

1.2.1 This permit authorizes new or existing discharges composed entirely of stormwater and authorized non-stormwater listed in Section 1.2.2.2. The Permittees are authorized to

discharge in accordance with the terms and conditions of this permit.

1.2.2 The following are authorized discharges under this General Permit:

1.2.2.1 **Stormwater Discharges.** This permit authorizes stormwater discharges to waters of the United States from the Permittee's Small MS4.

1.2.2.2 **Non-stormwater Discharges.** The Permittees are authorized to accept, pass through, and discharge the following non-stormwater sources provided that the Division has determined these sources not to be substantial contributors of pollutants to the Permittee's MS4:

1.2.2.2.1 Potable water line flushing during testing or fire hydrant testing;

1.2.2.2.2 Diverted stream flows not requiring a separate permit;

1.2.2.2.3 Springs or rising groundwaters;

1.2.2.2.4 Uncontaminated groundwater infiltration;

1.2.2.2.5 Discharges from potable water sources not requiring a separate permit;

1.2.2.2.6 Residential foundation and footing drains;

1.2.2.2.7 Air conditioning condensate;

1.2.2.2.8 Irrigation water from lawns and landscaping;

1.2.2.2.9 Water from residential crawl space pumps;

1.2.2.2.10 Individual residential car washing;

1.2.2.2.11 Flows from natural riparian habitats and wetlands not requiring a separate permit;

1.2.2.2.12 De-chlorinated swimming pool discharges;

1.2.2.2.13 Water incidental to street sweeping (including associated sidewalks and medians) and that is not associated with construction activities;

1.2.2.2.14 Discharges or flows from firefighting activities;

1.2.2.2.15 Dewatering discharges not requiring a separate permit;

1.2.2.2.16 Discharges from sources required to be covered under a separate National Pollution Discharge Elimination System (NPDES) permit that pass through the Permittees' MS4 that are permitted; and

1.2.2.2.17 Other discharges determined not to be a substantial contributor of pollutants to waters of the U.S. by the Division.

## 1.3 Limitations of Coverage

1.3.1 **Non-authorized Discharges.** This permit does not authorize the following discharges:

1.3.1.1 Discharges of non-stormwater, whether or not mixed with stormwater, unless such non-stormwater discharges are listed in Section 1.2.2.2 of this permit;

1.3.1.2 Discharge(s) causing or contributing to an instream exceedance of water quality standards;

1.3.1.3 Stormwater discharges associated with industrial activity as defined in 40 CFR Section 122.26(b)(14)(i)-(ix) and (xi). These discharges are authorized under the Division's General Permit NVR050000;

1.3.1.4 Stormwater discharges associated with construction activity as defined in 40 CFR Section 122.26(b)(14)(x) or 40 CFR Section 122.26(b)(15). These discharges are authorized under the Division's General Permits NVR100000 and NVR300000;

1.3.1.5 Discharges that do not comply with all applicable federal, state, or local laws, regulations, or ordinances; and

1.3.1.6 Discharges that do not comply with the Division's anti-degradation policy for water quality standards.

## 1.4 Requirement for an Individual Permit

1.4.1 The Division may require the holder of a general stormwater permit to apply for and obtain an individual permit in accordance with NAC 445A.269.

## 2.0 Authorization Under this General Permit

### 2.1 Owner Responsibility

2.1.1 All Small MS4s meeting the requirements of Section 1.1 are required to obtain coverage for Stormwater Discharges Associated with Small Municipal Separate Storm Sewer Systems under this permit.

### 2.2 Application for Coverage

2.2.1 Prior to submission of a notice of intent (NOI), a Small MS4 seeking authorization to discharge under this permit shall:

2.2.1.1 Ensure that the Small MS4 is not located on Tribal Land.

2.2.1.2 Ensure that the Small MS4 meets the eligibility requirements in Section 1.1.

### 2.3 NOI Electronic Application Requirements

2.3.1 NOIs must be submitted using the Division's electronic NOI system. Submission of the NOI demonstrates the Permittee's intent to be covered by this permit; it is not a determination by the Division that the Permittee has met the eligibility requirements for the permit.

2.3.2 New Permittees seeking authorization for stormwater discharges under this permit shall submit a NOI and filing fee to the Division. The NOI application may be accessed via the Division website at: https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/small-municipal-separate-storm-sewer-systems.

2.3.3 Existing Permittees seeking authorization for stormwater discharges under this permit shall submit a RENEWAL NOI within 60 days (**by October 2, 2026**) of the effective date of this permit. NO FEE IS REQUIRED FOR A RENEWAL NOI. The Renewal NOI application may be accessed via the Division's website at: https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/small-municipal-separate-storm-sewer-systems.

2.3.4 A Permittee seeking authorization to discharge under this permit shall submit to the Division a complete and accurate NOI that includes, at a minimum, the following information:

2.3.4.1 Legal name of Small MS4, Mailing Address, City, State, Zip Code, Phone Number(s), and Email(s);

2.3.4.2 Operator name, Mailing Address, City, State, Zip Code, Phone Number(s), and Email(s);

2.3.4.3 Stormwater Management Program (SWMP) Coordinator/ Contact: Name, Title, Mailing Address, City, State, Zip Code, Phone Number(s), and Email(s);

2.3.4.4 The latitude and longitude of the approximate center of the MS4;

2.3.4.5 The area of land served by the applicant's MS4 (in square miles);

2.3.4.6 The name(s) of the waters of the United States that receive discharges from the system;

2.3.4.7 Whether any part of the Small MS4 is located on Tribal lands; and

2.3.4.8 NOI Certification page(s) signed and dated by the appropriate authority (see Section 6.25) and submitted with the application fee to the Division at the address indicated on the form.

2.3.4.8.1 When an electronic NOI certification version becomes available during the term of this permit, the NOI must be submitted electronically. A link for this electronic reporting requirement will be provided on the Division's Stormwater page at https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/small-municipal-separate-storm-sewer-systems.

2.3.4.8.2 The application fee and subsequent annual fees (see Section 6.1) may also be submitted through the Division ePayments online portal at https://epayments.ndep.nv.gov/.

2.3.5 If the Division notifies the applicant of deficiencies or inadequacies in any portion of the NOI, or requests additional information, the applicant shall correct the deficient or inadequate portions and submit a revised NOI that addresses the deficiencies within 15 days of receiving notification.

2.3.6 If there is a change of information (e.g., contact information or addresses) on the NOI, the Permittee shall, within 15 days of the change, submit a letter on official letterhead indicating the updated information or submit an electronic Information Change form once available.

## 2.4 Effective Date of Permit Coverage

2.4.1 **New Discharger.** Following receipt of the NOI Certification Page and applicable Application Fee, the Division will determine if the NOI is complete and confirm coverage by providing an approval letter with a site authorization number. The Permittee does not have coverage under the permit until an approval letter from the Division is received. The Division will issue an approval letter no later than 60 days after the date on which the Division receives the completed NOI and the required fees in accordance with NRS 445A.465 and NAC 445A.266.

2.4.1.1 If the Division determines the NOI is incomplete, coverage may not be "approved" until a completed NOI is submitted. The Division will notify an applicant of an incomplete application received by the Bureau of Water Pollution Control.

2.4.2 **Existing Discharger.** For Permittees who received authorization to discharge under the expired 2010 Small MS4 General Permit (NVS040000), the Permittees shall submit a Renewal NOI within 60 days of the effective date of this permit (**by October 2, 2026**). The Division will determine if the NOI is complete and confirm coverage by providing a renewal approval letter. Following receipt of the renewal approval letter, the Permittee shall comply with the following terms:

2.4.2.1 The Permittee shall continue to comply with the terms and conditions of the expired 2010 Small MS4 General Permit (NVS040000) until the end of the first year of the permit term.

## 2.5 Continuation of this Permit

2.5.1 If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued and remain in force and effect. If the Permittee(s) are authorized to discharge under this permit prior to the expiration date, any discharges authorized under this permit will automatically remain covered by this permit until:

2.5.1.1 The Permittee(s) submit an NOI requesting authorization to discharge under a renewal or revision of the permit and the Division issues an approval letter; or

2.5.1.2 A formal permit decision is made by the Division not to re-issue this permit, at which time the Division will identify a reasonable period for covered Permittees to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this period.

## 3.0 Minimum Control Measures and Water Quality Standards

The Permittee shall reduce the discharge of pollutants to protect water quality and to satisfy the appropriate requirements of 40 CFR Section 122.34 (b)(1) through (b)(6) by implementing the six (6) MCMs in Sections 3.1 through 3.6 below.

### 3.1 Public Education and Outreach

3.1.1 The Permittee shall develop (or revise, as necessary) and implement a public education and outreach program to develop or adapt, distribute, and evaluate educational materials and outreach activities to key target audiences in the MS4. The materials shall raise awareness about the impacts of stormwater discharges on water bodies and the steps the public can take to reduce pollutants in stormwater runoff. The Permittee's program must include the development and implementation of, at a minimum:

3.1.1.1 A list of three priority stormwater pollutant sources determined by the Permittee to be contributing to pollutants in stormwater runoff. Within the first year of the permit term, for each issue or pollutant source, the Permittee shall identify:

3.1.1.1.1 The key audiences including residents, institutions, industrial and commercial businesses, land developers, or construction contractors, to target for appropriate behavior change; and

3.1.1.1.2 The specific pollutant(s) of concern associated with that source.

3.1.1.1.3 The Permittee shall submit the list, including the key audiences and pollutant(s) of concern, with the first annual report.

3.1.1.2 For each of the three pollutant sources identified under Section 3.1.1.1, the Permittee shall develop and distribute two types of outreach materials annually. The distribution method (e.g., social media, newsletter, website, outreach event) should be tailored to the target audience(s). These materials must describe the potential impacts of the pollutants in the stormwater discharges and the actions individuals can take to improve water quality. The Permittee may use existing outreach tools and templates, such as those available on EPA's Stormwater Smart website, to develop outreach materials for distribution to the key target audience(s).

3.1.1.2.1 The Permittee may use existing distribution channels (e.g., community newsletters or events) and partnerships (e.g., partnerships with environmental stewardship programs within the community) to distribute the outreach materials.

3.1.1.2.2 The Permittee shall document the outreach materials and distribution channels used during the previous year, including the rationale for selecting each format and distribution channel, within each annual report, beginning with the second annual report required under this permit.

3.1.1.3 Methods the Permittee will use to annually assess whether the priority stormwater pollutant sources and key audiences identified in Section 3.1.1.1 are the most appropriate for effectively reducing pollutants in stormwater runoff.

3.1.1.3.1 The Permittee's methods shall make use of field observations, monitoring data, or

other evidence collected by the Permittee over the previous year.

3.1.1.3.2 The Permittee shall describe the methods used and results of the annual evaluation in each annual report, beginning with the second annual report required under this permit.

3.1.1.3.3 Based on the results of the Permittee's annual evaluation, the Permittee shall submit an updated list of priority stormwater pollutant sources with each annual report, beginning with the second annual report required under this permit.

3.1.1.4 A stormwater website that is publicly available on the internet and can be accessed by the public and other interested stakeholders. The Permittee shall complete the required website updates by the end of the second year of permit issuance. The stormwater website shall contain the following elements:

3.1.1.4.1 A copy of this permit;

3.1.1.4.2 Outreach materials developed under Section 3.1.1.2;

3.1.1.4.3 Outreach event information (most recent and current);

3.1.1.4.4 Documentation comprising the SWMP, as required under Section 4.0 this permit;

3.1.1.4.5 Annual reports (or an equivalent summary or document providing an annual overview, and the availability for the public to request the annual report);

3.1.1.4.6 An effective mechanism for providing continued public input on the SWMP elements (as described in Section 3.2 of this permit);

3.1.1.4.7 Information on how to identify sources of illicit discharges;

3.1.1.4.8 Procedures for how to report an illicit discharge;

3.1.1.4.9 A summary of the Permittee's requirements for covered construction activities; and

3.1.1.4.10 Procedures for submitting construction project complaints.

3.1.1.5 A list of the person(s) or partner organization responsible for overall management and implementation of the Permittee's stormwater public education and outreach program and, if different, the person(s) responsible for each of the best management practices (BMPs) identified in this program.

3.1.1.5.1 The Permittee shall submit the list of the person(s) responsible for overall management and implementation of the stormwater public education and outreach program with each annual report, beginning with the second annual report required under this permit.

## 3.2 Public Participation

3.2.1 The Permittee shall develop (or revise, as necessary) and implement a program to involve key stakeholders in the development and implementation of the stormwater program elements described in Section 3.0 of this permit. The Permittee's program must

comply with applicable state and local public notice requirements and include the development and implementation of, at a minimum:

3.2.1.1 A list of public involvement and participation approaches for involving the key stakeholders (these can include the target audiences identified in Section 3.1.1.1; however, will likely include other groups such as business coalitions, watershed groups, community organizations, etc.) in the development and implementation of the stormwater program elements described in Section 3.0. At a minimum, the Permittee shall identify three key stakeholders with which to initiate public involvement and participation opportunities.

3.2.1.1.1 At a minimum, the Permittee shall initiate one (1) public involvement and participation opportunity for each key stakeholder identified in Section 3.2.1.1 for the term of the permit. Examples of applicable public involvement and participation opportunities include but are not limited to:

3.2.1.1.1.1 Advisory panels;

3.2.1.1.1.2 Public hearings;

3.2.1.1.1.3 Watershed committees;

3.2.1.1.1.4 Stewardship programs;

3.2.1.1.1.5 Environmental activities, including stream cleanups; or

3.2.1.1.1.6 Volunteer opportunities, such as volunteer monitoring programs.

3.2.1.1.2 For each public involvement and participation opportunity initiated under Section 3.2.1.1.1, the Permittee shall describe the approach, document collaboration with existing organizations, and describe any feedback received from the stakeholder groups on the approach. The Permittee shall submit this description of the involvement and participation opportunities initiated over the previous year with each annual report, beginning with the second annual report required under this permit.

3.2.1.2 A publicly available stormwater website for soliciting input on the stormwater program elements described in Section 3.1.1.4 of this permit.

### 3.3 Illicit Discharge Detection and Elimination

3.3.1 The Permittee shall develop (or revise, as necessary), implement, and enforce a program to detect and eliminate illicit discharges (as defined in 40 CFR Section 122.26(b)(2)) into the Permittee's MS4. The Permittee's program must include the development and implementation of, at a minimum:

3.3.1.1 A list of non-stormwater discharges or flows listed in Section 1.2.2.2 that the Permittee has identified as significant contributors of pollutants to the MS4. The list shall document the pollutants associated with each non-stormwater discharge or flow as well as any local controls or conditions placed on these discharges. The Permittee shall submit the updated list of non-stormwater discharges or flows identified as significant contributors of pollutants to the MS4 with each annual report.

3.3.1.2 A list of other occasional, allowable incidental non-stormwater discharges (e.g. non-commercial or charity car washes) that will not be addressed as illicit discharges. These non-stormwater discharges must not be reasonably expected to be significant sources of pollutants to the MS4 either because of the nature of the discharges or conditions the Permittee has established for allowing these discharges to the Permittee's MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, BMPs on the wash water). The list shall document the pollutants associated with each non-stormwater discharge or flow as well as any local controls or conditions placed on these discharges. The Permittee shall submit an updated list of occasional, allowable incidental non-stormwater discharges with each annual report.

3.3.1.2.1 The Permittee shall include a provision prohibiting any occasional incidental non-stormwater discharge that is determined to be contributing significant amounts of pollutants to the MS4 in the ordinance or regulatory mechanism required in Section 3.3.1.4 by the end of the second year of the permit term.

3.3.1.3 A storm sewer system map showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls. The Permittee shall develop or update an existing storm sewer map to meet the requirements of this permit by the end of the first year of the permit term. The Permittee shall update the storm sewer map as necessary to ensure the map is accurate and complete and make it available to the Division upon request. Upon the Division's request, the Permittee shall submit the storm sewer map electronically via GIS shapefiles, hard copy PDFs, or reference to available online maps.

3.3.1.3.1 If the Permittee updates the storm sewer map, the Permittee shall submit a summary of the changes to the storm sewer map with the first annual report following the date on which the changes were made.

3.3.1.4 An ordinance or other regulatory mechanism (e.g., policies) to effectively prohibit non-stormwater discharges (except those listed under Section 1.2.2.2) into the MS4. Permittees without legal authority to enact an ordinance or other regulatory mechanism shall ensure that written policies and procedures are in place to exert authority (to the extent allowable) over MS4 users, including employees, the traveling public, contractors, etc. The Permittee shall submit the ordinance or regulatory mechanism prohibiting illicit discharges to the Division with the second annual report following issuance of this permit.

3.3.1.4.1 The Permittee shall solicit assistance from neighboring MS4s, as necessary, to detect and eliminate illicit discharges that may originate within the neighboring MS4 and provide a copy of all MOAs/cooperative agreements (i.e., memoranda or understanding). Agreements should specify investigation and enforcement responsibilities for each MS4, and the agreements should be described in each MS4's Enforcement Response Plan (ERP; see Section 3.3.1.5) and Illicit Discharge Investigation and Corrective Action Plan (see Section 3.3.1.7).

3.3.1.5 An ERP that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary.

3.3.1.5.1 The ERP must describe how the Permittee will eliminate and abate illicit discharges;

identify staff with enforcement authority; describe enforcement actions available and the enforcement escalation process, including a schedule for quickly and consistently eliminating the source of the discharge; and abate any damages and prevent recurrence.

3.3.1.5.2 The ERP must include informal, formal, and judicial responses. Informal responses may include telephone notification, verbal notice, notice of violation, and meetings. Formal responses may include administrative order, compliance schedule, order to show cause, monetary penalty (administrative), and stop work order. Judicial response may include injunctive relief, consent decree, civil penalties, and criminal penalties.

3.3.1.5.3 The Permittee shall submit documentation of progress towards creation of an ERP with the first annual report and submit the approved ERP with the third annual report.

3.3.1.6 Procedures for screening, during dry weather, all Permittee-owned outfalls to detect illicit discharges and connections into the MS4.

3.3.1.6.1 The procedures for conducting dry weather screenings of Permittee-owned outfalls shall include collection of the following information:

3.3.1.6.1.1 Outfall identification;

3.3.1.6.1.2 Personnel;

3.3.1.6.1.3 Date of screening;

3.3.1.6.1.4 Time of screening;

3.3.1.6.1.5 Weather conditions at time of screening;

3.3.1.6.1.6 Estimated flowrate;

3.3.1.6.1.7 Apparent odor;

3.3.1.6.1.8 Color;

3.3.1.6.1.9 Clarity;

3.3.1.6.1.10 Debris;

3.3.1.6.1.11 Floatables;

3.3.1.6.1.12 Foam;

3.3.1.6.1.13 Oil sheen; and

3.3.1.6.1.14 Other necessary information to characterize the screening.

3.3.1.6.2 The Permittee shall conduct dry weather screening of at least 20 percent of all outfalls each year and 100 percent of Permittee-owned outfalls every five years. The

Permittee shall provide a summary of the outfalls screened, including screening dates, with each annual report, beginning with the second annual report under this permit.

3.3.1.6.3 In the event the MS4 has fewer than five (5) outfalls, a minimum of five (5) screening points, or a combination of outfalls and screening points, shall be used to satisfy the screening requirements in Section 3.3.1.6.2. Screening points shall be at locations where stormwater leaves the MS4's permitted area, including locations where stormwater may discharge to another MS4 or other conveyance.

3.3.1.6.4 Using the screening results, storm sewer maps, and other appropriate data, the Permittee shall identify outfalls with a high potential for water quality impacts as "high priority outfalls." The Permittee shall label or highlight high priority outfalls within the storm sewer system map required under Section 3.3.1.3 and submit an updated list of high priority outfalls with each annual report, beginning with the second annual report under this permit. When determining high priority outfalls, the Permittee shall consider, at a minimum, outfalls:

3.3.1.6.4.1 Which drain industrial areas (as identified by the Permittee's zoning regulations or growth policy);

3.3.1.6.4.2 Where illicit discharges have been detected in the past;

3.3.1.6.4.3 Which drain areas prone to incidents of illegal dumping;

3.3.1.6.4.4 Which drain the oldest portions of the MS4's storm sewer infrastructure;

3.3.1.6.4.5 Which serve areas primarily served by onsite sewage disposal systems; and

3.3.1.6.4.6 Which discharge into an impaired waterbody.

3.3.1.6.5 The Permittee shall screen high priority outfalls during dry weather a minimum of once per year. A summary of the screening results for high priority outfalls shall be submitted to the Division with each annual report, beginning with the second annual report under this permit.

3.3.1.7 An Illicit Discharge Investigation and Corrective Action Plan that describes the process the Permittee will use to locate the source of an illicit discharge. The Permittee shall submit the plan with the first annual report.

3.3.1.7.1 At a minimum, the Illicit Discharge Investigation and Corrective Action Plan shall include processes to:

3.3.1.7.1.1 Investigate all illicit discharges within seven (7) calendar days and document circumstances that prevented this timeframe from being met;

3.3.1.7.1.2 Prioritize investigation of non-stormwater discharges suspected of being sanitary sewage and/or significantly contaminated;

3.3.1.7.1.3 Eliminate confirmed illicit connections within a timeframe of six (6) months and document circumstances that prevented this timeframe from being met;

3.3.1.7.1.4 Notify the Division of dry weather flows believed to be an immediate threat to human health or the environment via the Division's Spill Report Hotline at (775) 687-9485 or (888) 331-6337 or online at https://ndep.nv.gov/environmental-cleanup/spill-hotline/ and an email to Division staff immediately following the incident. The Permittee shall also submit a follow-up communication (via email or in writing) to the Division within 48 hours of the incident;

3.3.1.7.1.5 Document each phase of the investigation in a case file to ensure a good faith effort was made to find the source of the dry weather discharge; and

3.3.1.7.1.6 Resolve and document the conclusion of all investigations.

3.3.1.7.2 The Permittee shall consider any outfall where an illicit discharge is detected as a high priority outfall and investigate high priority outfalls consistent with the requirements in Section 3.3.1.6.5.

3.3.1.7.3 The Illicit Discharge Investigation and Corrective Action Plan shall refer to the Permittee's ERP, as required in Section 3.3.1.5, for execution of appropriate enforcement actions.

3.3.1.7.4 The Permittee shall maintain documentation that describes the investigations conducted and corrective actions taken per the Illicit Discharge Investigation and Corrective Action Plan during dry weather screening or through other detection methods (e.g., public complaints). The Permittee shall submit a summary of the investigations conducted and corrective actions taken with each annual report.

3.3.1.8 Materials to inform public employees, businesses, and the public about the hazards associated with illegal discharges and improper disposal of waste. The Permittee may use materials developed as part of the public education and outreach program under Section 3.1 of this permit to satisfy this requirement.

3.3.1.9 Protocols to ensure that all staff whose primary duties are related to investigating and eliminating illicit discharges to the MS4 are adequately trained to conduct these activities. The training can be conducted by the Permittee or outside training can be attended. Such training shall also be extended to third-party inspectors, as needed. The Permittee shall ensure that all new hires are trained within 60 days of the hire date and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in procedures, methods, or staffing. Training records must be maintained by the Permittee and contain, at a minimum, dates, activities or course descriptions, and names and positions of staff in attendance.

### 3.4 Management of Construction Site Runoff

3.4.1 The Permittee shall develop (or revise, as necessary), implement, and enforce a program to reduce pollutants from any stormwater runoff to the Permittee's MS4 from both private and public active construction projects (i.e., contract, in-house, maintenance, and encroachment) that result in a land disturbance of greater than or equal to one (1) acre or those that disturb less than one (1) acre but are part of a larger common plan of development or sale. The Permittee's program must include the development and implementation of, at a minimum:

3.4.1.1 An ordinance or other regulatory mechanism (e.g., policies, standard procedures, environmental specifications) to require construction site operators to select, design, install, implement, and maintain erosion and sediment controls as well as BMPs to control pollutants that may cause adverse impacts to water quality. The regulatory mechanism shall include a provision for access by qualified personnel to inspect construction stormwater BMPs on private properties that discharge to the MS4. The ordinance or regulatory mechanism must require that all regulated public and private projects develop erosion and sediment control plans that include all BMPs necessary to minimize the discharge of pollutants (see Section 3.4.1.1.1). The ordinance must require that appropriate BMPs be implemented prior to the start of construction activity, must minimize or control potential pollutants during each phase of construction, and must be continued through final stabilization and require that all BMPs are maintained in operational condition. The ordinance or regulatory mechanism must authorize non-monetary construction project-specific penalties such as stop work orders, bonding requirements, and/or permit denials for noncompliance as well as monetary administrative, criminal and civil penalties. The Permittee shall submit the construction stormwater ordinance or regulatory mechanism to the Division with the second annual report following issuance of this permit.

3.4.1.1.1 At a minimum, construction site operators must address the following pollutant sources associated with the following activities (if part of the applicable construction activity) in submitted plans:

3.4.1.1.1.1 Land disturbance and storage of soils;

3.4.1.1.1.2 Vehicle and equipment tracking;

3.4.1.1.1.3 Loading and unloading operations;

3.4.1.1.1.4 Outdoor storage of construction site materials, building materials, and chemicals;

3.4.1.1.1.5 Bulk storage of materials;

3.4.1.1.1.6 Vehicle and equipment maintenance, washing, and fueling;

3.4.1.1.1.7 Significant dust or particulate generating processes;

3.4.1.1.1.8 Routine maintenance activities involving fertilizers, pesticides, detergents, fuels, solvents, and oils;

3.4.1.1.1.9 Concrete truck/equipment washing, including the concrete truck chute and associated fixtures and equipment;

3.4.1.1.1.10 Dedicated asphalt and concrete batch plants;

3.4.1.1.1.11 Washing of applicators and containers used for paint, stucco, form release oils, curing compounds, and other construction materials;

3.4.1.1.1.12 Hazardous waste, construction and domestic waste, and sanitary waste;

3.4.1.1.1.13 Other areas or operations where spills can occur; and

3.4.1.1.1.14 Other non-stormwater discharges including construction dewatering not covered under the Construction Stormwater General Permit (CGP, NVR100000) and wash water that may contribute pollutants to the MS4.

3.4.1.2 An ERP that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary.

3.4.1.2.1 The ERP must describe how the Permittee will eliminate and abate illegal construction discharges; identify staff with enforcement authority; describe enforcement actions available and the enforcement escalation process, including a schedule for quickly and consistently eliminating the source of the discharge; and abate any damages and prevent recurrence.

3.4.1.2.2 The ERP must include informal, formal, and judicial responses. Informal responses may include telephone notification, verbal notice, notice of violation, and meetings. Formal responses may include administrative order, compliance schedule, order to show cause, monetary penalty (administrative), and stop work order. Judicial response may include injunctive relief, consent decree, civil penalties, and criminal penalties.

3.4.1.2.3 The ERP must include non-monetary construction project-specific penalties such as stop work orders, bonding requirements, and/or permit denials for non-compliance.

3.4.1.2.4 The Permittee shall submit documentation of progress towards creation of an ERP with the first annual report and submit the approved ERP with the third annual report.

3.4.1.3 An inventory of all private and public construction projects (i.e., contract, in-house, maintenance, and encroachment) that disturb or will disturb one (1) or more acres within the permitted area, including activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more. The Permittee shall develop the inventory within the first year of the effective date of this permit and shall continuously update the inventory as new projects are permitted and projects are completed. This inventory shall track information on each construction project (including permit or file number, if available); the status of plan review and approval, inspection dates, and if applicable, enforcement actions; and whether the project has applied for coverage under the Division's CGP.

3.4.1.3.1 The Permittee shall develop and implement an inventory of all private and public construction projects by the end of the first permit year and submit the inventory to the Division with the first annual report.

3.4.1.4 Procedures for plan review that incorporate consideration of potential water quality impacts. The procedures shall include a review of the site design, the planned operations at the location of the construction activity, planned erosion and sediment controls during each construction phase, and planned controls to be used to manage runoff created after development. For construction projects subject to the requirements of the Division's CGP, the plan review process shall incorporate confirmation of coverage under that permit (e.g., copy of NOI). The Permittee must complete the plan review and approval process for all applicable projects prior to the start of construction activities. The Permittee's procedures for site plan review shall

include:

3.4.1.4.1 A plan review checklist to ensure consistent review of submitted plans and to determine and document compliance with state and local requirements. The Permittee shall develop and begin using a site plan review checklist by the end of the first permit year and submit the checklist to the Division with the first annual report.

3.4.1.5 Procedures for receipt and consideration of information submitted by the public about proposed or active construction projects.

3.4.1.6 Procedures for site inspection to ensure that all construction stormwater management controls are installed, operated, and maintained to function as designed. The Permittee's site inspection procedures shall incorporate the following elements:

3.4.1.6.1 An inspection form or checklist to ensure consistent project inspections. The Permittee shall develop and implement an inspection form or checklist by the end of the first permit year and submit the checklist to the Division with the first annual report. The inspection form or checklist shall identify the following information, at a minimum:

3.4.1.6.1.1 Inspection date;

3.4.1.6.1.2 Name of the inspector;

3.4.1.6.1.3 Site identification;

3.4.1.6.1.4 Inspection results, including the location of any illicit discharges, failure to implement control measures, and inadequate control measures;

3.4.1.6.1.5 Any control measures requiring routine maintenance; and

3.4.1.6.1.6 Identification of any inadequate control measures that may not have been resolved from the previous inspection.

3.4.1.6.2 An inspection frequency determination protocol that considers, at a minimum, the phase of construction, the proximity to an impaired waterbody, the size of the construction activity (i.e., acreage disturbed) and any history of non-compliance. The Permittee shall develop and implement an inspection frequency determination protocol by the end of the first permit year. The protocol shall establish the following minimum inspection frequencies:

3.4.1.6.2.1 The Permittee shall inspect sites one (1) acre or larger that are within ¼ mile of a water of the United States that is impaired for turbidity or total suspended solids (TSS) a minimum of once per week and by the first business day after the occurrence of each storm event of 0.5 inches or greater in a 24-hour period.

3.4.1.6.2.2 The Permittee shall inspect sites that are not subject to Section 3.4.1.6.2.1 within one (1) month of the start of construction and quarterly thereafter. The Permittee shall also conduct an inspection upon completion of construction and prior to final approval of occupancy. This inspection may count towards the quarterly

inspection requirement.

3.4.1.6.2.3 Inspections are not required at sites where construction activities have stopped, snow cover exists over the entire site, and melting conditions posing a risk of surface erosion do not exist. The following information must be documented for this exclusion: dates when snow cover occurred, date when construction activities ceased, and date melting conditions began.

3.4.1.7 Protocols to ensure that all staff whose primary duties are related to implementing the construction stormwater program, including permitting, plan review, construction site inspections, and enforcement, are adequately trained to conduct these activities. The training can be conducted by the Permittee or outside training can be attended. Such training shall also be extended to third-party inspectors and plan reviewers. The Permittee shall ensure that all new hires are trained within 60 days of the hire date and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in procedures, methods, or staffing. Training records must be maintained by the Permittee and contain, at a minimum, dates, activities or course descriptions, and names and positions of staff in attendance.

## 3.5 Management of Post Construction Site Runoff

3.5.1 The Permittees shall develop a post-construction stormwater management program for public and private new development and significant redevelopment ("NDSR") projects that is suited for the unique hydrologic, hydrogeologic, and regional conditions of the Permittee's locality. The program shall include plan review and inspection procedures focused on preventing post-construction stormwater discharges from causing or contributing to downstream water quality impacts. The Permittee's program must include the development and implementation of, at a minimum, the following:

3.5.1.1 An ordinance or other regulatory mechanism to require post-construction stormwater runoff controls on regulated public and private NDSR projects. The ordinance or regulatory mechanism shall specify that owners or operators of public and private NDSR sites discharging to the MS4 design, install, and maintain post-construction stormwater controls that reduce or eliminate the discharge of pollutants from the site after construction activities are completed. The Permittee shall submit the post-construction stormwater ordinance or regulatory mechanism to the Division with the second annual report following issuance of this permit. To the extent allowable under state or local law, the ordinance or regulatory mechanism shall:

3.5.1.1.1 Require control measures for all public and private projects that disturb one (1) or more acres, including activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more; and all automotive repair shops with Standard Industrial Classification ("SIC") codes 5013, 7532, 7533, 7534, 7537, 7538, and 7539. These controls shall manage, on-site, the 90$^{th}$ percentile storm event rainfall volume (i.e., the water quality volume) associated with new development sites and 80$^{th}$ percentile storm event rainfall volume associated with redevelopment sites through infiltration and/or evapotranspiration.[1] This performance standard can be met through green

[1] Redevelopment projects are those that alter the footprint of an existing site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land.

infrastructure or other Division-approved controls. “Green infrastructure” generally refers to control measures that use vegetation, soils, and natural processes or mimic natural processes to manage stormwater. If retention (i.e., infiltration or evapotranspiration) is not allowed on a development site due to groundwater limitations and/or water rights, the Permittee may instead treat the water quality volume to remove 80 percent of the total suspended solids average annual load associated with either new or redevelopment projects using another Division approved control measure. Alternative performance criteria can be developed and included only if the Permittee submits sufficient technical data to establish the appropriateness of the criteria and it is approved by the Division.

For estimation of the 90$^{th}$ or 80$^{th}$ percentile storm event discharge volume, refer to the Division’s Guidance for Calculation of 90th Percentile Storm Event (Appendix D).

3.5.1.1.2 Require source control measures for all public and private projects that disturb one (1) or more acres, including activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more and all automotive repair shops (with SIC codes 5013, 7532, 7533, 7534, 7537, 7538, and 7539). These source controls should address, at a minimum, outdoor material storage and trash storage areas to minimize the risk of stormwater runoff contacting and carrying pollutants to the MS4.

3.5.1.1.3 Implement sanctions against entities responsible for applicable development sites for the long-term operation and maintenance of the control measures; and

3.5.1.1.4 Include an appeals process.

3.5.1.2 An ERP to ensure compliance with installation, operation, and maintenance requirements for post-construction stormwater management controls on regulated projects including private property.

3.5.1.2.1 The ERP must describe the legal authority to require inspection and maintenance of controls, identify staff with enforcement authority, identify the enforcement actions available, describe the enforcement escalation process, and identify the schedule for quickly and consistently ensuring compliance with post-construction requirements.

3.5.1.2.2 The ERP must include an escalation process that includes informal, formal, and judicial enforcement responses. Informal responses may include telephone notification, verbal notice, notice of violation, and meetings. Formal responses may include administrative order, compliance schedule, order to show cause, monetary penalty (administrative), and stop work order. Judicial responses may include injunctive relief, consent decree, civil penalties, and criminal penalties.

3.5.1.2.3 The Permittee shall submit documentation of progress towards creation of an ERP with the first annual report and submit the approved ERP with the third annual report.

3.5.1.3 An inventory of post-construction structural stormwater controls, including both public and private sites that discharge into the MS4. The inventory shall include, at a

minimum, the project or property owner's name, project location, project acreage, and BMP type and description.

3.5.1.3.1 The Permittee shall use the inventory to track inspections and corrective actions taken and update the inventory when changes to property ownership or other on-site conditions occur.

3.5.1.3.2 The Permittee shall develop and implement an inventory of all post-construction structural stormwater controls by the end of the second permit year and submit the inventory to the Division with the second annual report.

3.5.1.4 Procedures for site plan review shall ensure that the plans include required stormwater controls as well as long-term operation and maintenance for those controls. The Permittee's procedures for site plan review shall include a plan review checklist to ensure consistent review of submitted plans and to determine and document compliance with post-construction performance standards. The Permittee shall develop and implement a site plan review checklist by the end of the first permit year and submit the checklist to the Division with the first annual report.

3.5.1.5 Protocols for how the Permittee will inspect and enforce the proper installation and long-term operation and maintenance of public and private post-construction structural stormwater controls. The inspection protocols shall incorporate the following:

3.5.1.5.1 An inspection form or checklist to ensure consistent and thorough inspections of public and private post-construction stormwater management controls. The Permittee shall develop and implement an inspection form or checklist by the end of the first permit year and submit the checklist to the Division with the first annual report. The inspection form or checklist shall describe the following elements, at a minimum:

3.5.1.5.1.1 Inspection date;

3.5.1.5.1.2 Name and signature of inspector;

3.5.1.5.1.3 Project location;

3.5.1.5.1.4 Current ownership information;

3.5.1.5.1.5 A description of the condition of the stormwater control measure including the quality of: vegetation and soils; inlet and outlet channels and structures; catch basins; spillways; weirs, and other control structures; and sediment and debris accumulation in storage as well as in and around inlet and outlet structures; and

3.5.1.5.1.6 Specific maintenance issues or violations found that need to be corrected by the property owner or operator along with deadlines and re-inspection dates.

3.5.1.5.2 An inspection frequency determination protocol that considers, at a minimum, operation and maintenance needs, proximity to waterbodies, drainage area treated, land use type, and location within an impaired waterbody watershed. The Permittee shall develop and implement an inspection frequency determination protocol by the end of the first permit year. The protocol shall establish the following minimum

inspection frequencies:

3.5.1.5.2.1 The Permittee shall inspect post-construction stormwater management controls at least once during installation. Upon completion, the Permittee shall verify that the post-construction stormwater management controls were constructed as designed prior to final approval of occupancy.

3.5.1.5.2.2 The Permittee shall inspect post-construction stormwater management controls located within ¼ mile of a water of the United States that is impaired for turbidity or TSS a minimum of once per year. The Permittee may choose to require self-inspection and reporting on private sites to satisfy this requirement. On private sites where the property owner/operator is conducting self-inspections and reporting, the Permittee shall inspect those post-construction stormwater management controls at least once every three years, or more frequently as determined by the Permittee, to verify and ensure that adequate maintenance is being performed.

3.5.1.5.2.3 The Permittee shall inspect post-construction stormwater management controls that are not subject to Section 3.5.1.5.2.2 a minimum of once every two years. The Permittee may choose to require self-inspection and reporting on private sites to satisfy this requirement. On private sites where the property owner/operator is conducting self-inspections and reporting, the Permittee shall inspect those post-construction stormwater management controls at least once every five years, or more frequently as determined by the Permittee, to verify and ensure that adequate maintenance is being performed.

3.5.1.6 Protocols to ensure staff involved in post-construction stormwater management, including those that conduct plan review, annual maintenance inspections, and enforcement, receive adequate training. Training records must be kept and include, at a minimum, dates, activities or course descriptions, and names and positions of staff in attendance. The Permittee shall ensure that all new hires are trained within 60 days of hire and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in best practices, procedures, methods, or staffing.

### 3.5.2 **Effect of the Post-Construction Stormwater Management Program on Water Quality Standards and Drinking Water Supply**

3.5.2.1 The Permittee shall provide a written evaluation of whether the criteria developed as part of the post-construction stormwater management program will tend to cause or contribute to elevated levels of selenium in surface waters within the Las Vegas Valley, including exceedance of the water quality standards for selenium in identified washes and shall submit the evaluation to the Division by the end of the first permit year; and

3.5.2.2 If any criteria developed under the post-construction stormwater management program in accordance with the provisions of this permit would have a reasonable potential of causing or contributing to any water quality or water quantity impairment, or violates Nevada law, they shall be rescinded, and the Permittee shall determine whether alternate criteria can be implemented without causing water quality or water quantity impairments or violating Nevada law.

### 3.6 Pollution Prevention/Good Housekeeping in Municipal Operations

3.6.1 The Permittee shall develop (or revise, as necessary) and implement an operations and maintenance plan, including a training component, with the goal of preventing and reducing pollutant runoff from municipal operations. The Permittee's program must include the development and implementation of, at a minimum:

3.6.1.1 An inventory of Permittee-owned/operated facilities and activities that have the potential to release contaminants to the MS4.

3.6.1.1.1 The inventory shall include, at a minimum, the following facilities.

3.6.1.1.1.1 Maintenance and storage yards;

3.6.1.1.1.2 Waste handling and disposal areas;

3.6.1.1.1.3 Vehicle fleet or maintenance shops with outdoor storage areas;

3.6.1.1.1.4 Salt/sand storage locations; and

3.6.1.1.1.5 Snow or dredge material disposal areas operated by the Permittee.

3.6.1.1.2 The inventory shall include, at a minimum, the following activities:

3.6.1.1.2.1 Park and open space maintenance;

3.6.1.1.2.2 Parking lot maintenance;

3.6.1.1.2.3 Building maintenance;

3.6.1.1.2.4 New construction and land disturbances;

3.6.1.1.2.5 Road maintenance and deicing; and

3.6.1.1.2.6 Stormwater system maintenance including catch basin cleaning.

3.6.1.1.3 The inventory shall list the possible contaminants associated with each facility/activity as well as the local department(s) and position(s) responsible for pollution prevention with each facility/activity.

3.6.1.1.4 From this inventory, the Permittee shall develop a list of "high priority facilities" that have a high potential for water quality impacts. The Permittee shall identify high priority facilities that have:

3.6.1.1.4.1 Types and quantity of materials and waste stored at the site;

3.6.1.1.4.2 Improperly stored or uncovered materials;

3.6.1.1.4.3 Potential pollutant-generating activities performed outside (e.g., changing automotive fluids);

3.6.1.1.4.4 Located within ¼ mile of a water of the United States; or

3.6.1.1.4.5 Potential to discharge pollutant(s) of concern to an impaired waterbody.

3.6.1.1.5 The Permittee shall update the inventory at least annually and make the inventory available to the Division upon request.

3.6.1.2 A map that identifies the locations of high priority facilities identified in Section 3.6.1.1.4. The Permittee shall develop or update an existing high priority facilities map to meet the requirements of this permit by the end of the first year of the permit term. The Permittee shall update the map at least annually and make the map available to the Division upon request. Upon the Division's request, the Permittee shall submit the storm sewer map electronically via GIS shapefiles, hard copy PDFs, or reference to available online maps.

3.6.1.3 Facility Pollution Prevention Plans (FPPPs) for each high priority facility identified in Section 3.6.1.1.4. If a high priority facility is covered under the Division's Multi-Sector General Permit or an individual NPDES permit for discharges of stormwater associated with industrial activities and has a stormwater pollution prevention plan (SWPPP), then the FPPP requirement does not apply. Each high priority facility shall implement an FPPP outlining measures to prevent pollutants from entering the storm drain system from each of these facilities and contain an inspection schedule of the facility. FPPPs shall be developed or updated for all high priority facilities within 120 days from the effective date of this permit.

3.6.1.3.1 FPPPs shall contain the following elements:

3.6.1.3.1.1 Identification of the staff on the pollution prevention team, by name and title. If the position is unstaffed, the title of the position should be included and the FPPP updated when the position is filled. The role of the team is to develop, implement, maintain, and revise, as necessary, the FPPP for the municipal facility.

3.6.1.3.1.2 A description of the municipal facility, including the activities that occur and the potential pollutants associated with each activity. These activities may also be included as part of the inventory required under Section 3.6.1.1.

3.6.1.3.1.3 A map of the municipal facility showing the location of the stormwater outfalls, receiving waters, and any structural controls.

3.6.1.3.1.4 Identification of stormwater controls implemented at the municipal facility to prevent or reduce the discharge of pollutants to the MS4. Selection, design, installation, and implementation of on-site stormwater controls shall be in accordance with good engineering practices and manufacturer's specifications. The Permittee shall also take reasonable steps to control or address the quality of discharges from the municipal site that do not originate at the municipal facility. If the discharge from the municipal facility is to an impaired water and the municipal facility has the potential to discharge the pollutant identified as causing the impairment, the Permittee shall identify the control measures that will be used to address this pollutant at the facility so that the discharge does not cause or contribute to a violation of a water quality-based standard.

3.6.1.3.2 The Permittee shall conduct site inspections at high priority facilities with an FPPP at least once each calendar quarter to ensure stormwater controls are effectively

reducing the discharge of pollutants to the MS4. The inspection protocols shall incorporate the following:

3.6.1.3.2.1 An inspection form or checklist to ensure consistent and thorough inspections of high priority facilities with an FPPP. The Permittee shall develop and implement an inspection form or checklist by the end of the first permit year and submit the checklist to the Division with the first annual report. The inspection form or checklist shall describe the following elements, at a minimum:

3.6.1.3.2.1.1 The inspection date and time;

3.6.1.3.2.1.2 The name of the inspector;

3.6.1.3.2.1.3 Weather information and a description of any discharge occurring at the time of the inspection;

3.6.1.3.2.1.4 Identification of any previously unidentified discharges from the site;

3.6.1.3.2.1.5 Any control measures needing maintenance or repair;

3.6.1.3.2.1.6 Any failed control measures that need replacement; and

3.6.1.3.2.1.7 Any FPPP changes required as a result of the inspection.

3.6.1.3.2.2 More frequent inspections shall be conducted if significant activities are exposed to stormwater.

3.6.1.3.2.3 Inspections shall be performed when the facility is in operation and at least one of the quarterly inspections each year shall occur during a period when a stormwater discharge is occurring. If no storm event results in a discharge from the facility, the Permittee shall document and retain in the FPPP why an inspection during a period of stormwater discharge could not be conducted.

3.6.1.3.2.4 If during the inspections, or at any other time, the Permittee identifies control measures that need repair or are not operating effectively, the Permittee shall repair or replace the control measure before the next anticipated storm event, if possible, or as soon as practicable following that storm event. In the interim, the Permittee shall have back-up measures in place.

3.6.1.3.2.5 A written record of all inspections completed under the term of this permit. The Permittee shall make the record and associated inspection checklists available to the Division upon request.

3.6.1.4 Standard operating procedures (SOPs) for mitigating the discharge of pollutants from Permittee activities identified in Section 3.6.1.1. Each SOP shall identify the person(s) responsible for overall management and implementation of the pollution prevention/good housekeeping program and, if different, the person(s) responsible for each of the BMPs identified for this program.

3.6.1.4.1 The SOPs shall include the following control measures:

3.6.1.4.1.1 A description of salt and salt/sand storage practices. Salt and salt/sand piles shall be enclosed or covered by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Any temporary practices used to prevent exposure of salt and salt/sand piles to rain, snow, snowmelt, and/or runoff should be identified. Sand may be stored outside and uncovered if BMPs such as setback from the storm sewer inlet, drop inlet protection, perimeter controls, or sedimentation basis are maintained to prevent discharge of sand to the MS4.

3.6.1.4.1.2 SOPs for vehicle fueling and receiving bulk fuel deliveries at maintenance yards.

3.6.1.4.1.3 SOPs for vehicle maintenance and repair activities, including the use of drip pans and absorbents under or around leaky vehicles and equipment.

3.6.1.4.1.4 Controls for eliminating the unpermitted discharge of equipment and vehicle wash wastewater to waters of the United States from municipal maintenance yard operations. These controls may include installation of a vehicle wash reclaim system, capturing and hauling the wastewater for proper disposal, connecting to the sanitary sewer (where applicable and approved by local authorities), ceasing the activity, or applying for and obtaining a separate NPDES permit.

3.6.1.4.1.5 SOPs for the proper disposal of waste removed from the Permittee's MS4 and the Permittee's municipal operations, including street-sweeping spoils, storm drain accumulated sediments, floatables, and other debris.

3.6.1.4.2 The Permittee shall maintain an updated list of SOPs and make the SOPs available to the Division upon request.

3.6.1.5 Protocols to ensure staff involved in stormwater pollution prevention and the direct implementation of the FPPPs or SOPs required under this section receive adequate training on pollution prevention and good housekeeping techniques. Training records must be kept and include, at a minimum, dates, activities or course descriptions, and names and positions of staff in attendance. The Permittee shall ensure that all new hires are trained within 60 days of hire and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in best practices, procedures, methods, or staffing.

## 3.7 Discharges to Water Quality Impaired Waters

3.7.1 The Permittee shall annually evaluate whether the MS4 discharges to a water quality-impaired water contained in the current 303(d) Impaired Water Body listing issued by the Division's Bureau of Water Quality Planning. Information for 303(d) listed waters, including the current Water Quality Integrated Report, can be found on the Division's website: https://ndep.nv.gov/water/rivers-streams-lakes/water-quality-standards/303d-305b-water-quality-integrated-report.

3.7.1.1 If the MS4 discharges to a 303(d) Impaired Water, the Permittee shall include a section in the annual report describing the following:

3.7.1.1.1 Parameter(s) for which the receiving water(s) was listed;

3.7.1.1.2 Outfalls that discharge to the impaired receiving water(s);

3.7.1.1.3 BMPs implemented by the Permittee to reduce stormwater discharges of the parameter(s) for which the receiving water(s) are listed; and

3.7.1.1.4 Methods the Permittee is using to evaluate improvements in water quality associated with the BMPs described under Section 3.7.1.1.3.

3.7.2 The Permittee shall determine whether the MS4 discharges to a waterbody for which a Total Maximum Daily Load (TMDL) has been developed and approved by the Division and the EPA. Information on waterbodies for which TMDLs have been approved in Nevada can be found on the Division's website: https://ndep.nv.gov/water/rivers-streams-lakes/total-maximum-daily-loads and in the current Water Quality Integrated Report: https://ndep.nv.gov/water/rivers-streams-lakes/water-quality-standards/303d-305b-water-quality-integrated-report.

3.7.2.1 If the MS4 discharges to a water quality-impaired water for which the Division and the EPA have approved a TMDL, the Permittee shall comply with the requirements in Section 3.7.1.1 and describe the following in the annual report:

3.7.2.1.1 Whether the approved TMDL is for a pollutant likely to be found in stormwater discharges from the Permittee's MS4.

3.7.2.2 If the MS4 discharges to a water quality-impaired water for which the Division and the EPA have approved a TMDL, the Permittee shall conduct annual monitoring for the pollutant(s) for which a TMDL has been established in compliance with Section 5.1 of this permit.

3.7.2.3 If the Division and the EPA approve a WLA or other performance requirements specifically for stormwater discharges from an MS4 covered under this permit, the Division may reopen the permit to add requirements for BMP implementation and evaluation to ensure the applicable WLAs are being met.

### 3.8 Sharing Responsibilities for MCMs

3.8.1 Implementation of one or more of the six minimum control measures may be shared with another entity, or the entity may fully take over the measure to satisfy the requirements of this permit. A Permittee may rely on another entity only if:

3.8.1.1 The other entity, in fact, implements the control measure.

3.8.1.2 The control measure, or component of that measure, is at least as stringent as the corresponding permit requirement.

3.8.1.3 The MS4 Permittee enters into a legally binding agreement with the other entity to minimize uncertainty about compliance with the permit. The other entity must have a written acceptance of this agreement to implement the control measure(s) on behalf of the owners and operators of the regulated Small MS4. This obligation must be maintained as part of the description given in the Permittees' SWMP document. In annual reports, the Permittee must specify that they are relying on another entity to satisfy some of their permit obligations, unless the other entity is responsible for filing

the reports. If the other entity agrees to report on the MCM, the Permittee must supply the other entity with the reporting requirements contained in Section 5.2 of this permit. If the other entity fails to implement the control measure, then the Permittee remains liable for any discharges resulting from failure to implement the control measure.

3.8.1.4 The Permittee trains the responsible entity on the permit requirements and applicable SOPs, including submitting the annual report by November 1 following each FY reporting period.

## 4.0 Stormwater Management Plan (SWMP)

### 4.1 SWMP Information and Contents

4.1.1 The Permittee shall develop and maintain a written SWMP document or documents that, at a minimum, describes in detail how the Permittee intends to comply with the permit requirements for each MCM. The SWMP shall be comprised of documentation listed in Appendix B and described in Section 3.0.

4.1.2 The Permittee shall submit a revised draft of the Stormwater Management Plan to the Division for its review and approval within twelve (12) months of the effective date of this permit.

### 4.2 Documentation Requirements including Permit Related Records

4.2.1 The Permittee shall have an ongoing documentation process for gathering, maintaining, and using information to conduct planning, set priorities, track the implementation of the comprehensive SWMP, evaluate compliance/non-compliance with this permit, and evaluate the effectiveness of SWMP implementation.

4.2.2 The Permittee shall make a copy of the most up-to-date SWMP available to the public during normal business hours, post the SWMP on the Permittee's website, and make the SWMP available upon request by the Division or U.S. EPA, or their authorized representatives.

### 4.3 Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation

4.3.1 The Permittee shall implement the SWMP on all new areas added to the Permittee's portion of the MS4 (or for which the Permittee becomes responsible for implementation of stormwater quality controls) as expeditiously as practicable, but not later than one (1) year from the addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

4.3.2 Within ninety (90) days of a transfer of ownership, operational authority, or responsibility for SWMP implementation, the Permittee shall have a plan for implementing the SWMP on all affected areas, including newly added areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting SWMP requirements must be included in the annual report.

4.3.3 Only those portions of the SWMP that are specifically required as permit conditions shall be subject to the modification requirements of 40 CFR Section 124.5. Addition of components, controls, or requirements by the Permittee(s) and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternate BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.

## 5.0 Monitoring, Reporting, and Recordkeeping

### 5.1 Monitoring

5.1.1 The Permittee shall implement, and revise as necessary, a comprehensive monitoring plan to be included in the SWMP. The monitoring plan shall be designed to characterize stormwater discharges from the Permittee's MS4.

5.1.2 **Wet Weather Sampling**

5.1.2.1 The Permittee shall identify at least two sampling locations to conduct wet weather sampling. More than two sample locations can be identified for the purpose of wet weather sampling. These locations shall include:

5.1.2.1.1 A location that represents land uses that are predominantly commercial and/or industrial; and

5.1.2.1.2 A location that represents a residential area.

5.1.2.2 The Permittee shall submit documentation and supporting rationale regarding why the locations were selected for monitoring with each annual report. The Division retains the authority to request sample location changes if the documentation and supporting rationale does not properly justify the selected sample locations for monitoring. This request shall be submitted to the Permittees in writing.

5.1.2.3 The Permittee shall collect and analyze samples and document monitoring activities for wet weather discharges consistent with the procedures described in Section 5.1.4.

5.1.2.4 The Permittee shall sample wet weather discharges for TSS, TDS, Total Oils and Grease, Coliforms, pH, total kjeldahl nitrogen, nitrate plus nitrite, total phosphorus, all pollutants that have been identified as an impairment on the most recent version of the 303(d) list for the waterbodies that receive the Permittee's discharge, and all pollutants for which the Division and the EPA have approved a TMDL. Table 1 identifies the required monitoring frequencies and monitoring limits for these parameters. Information for 303(d) listed waters and approved TMDLs can be found on the following Division website: https://ndep.nv.gov/water/rivers-streams-lakes/water-quality-standards/303d-305bwater-quality-integrated-report.

5.1.2.4.1 If the Division and the EPA approve an updated Water Quality Integrated Report during the term of this permit that includes a revised 303(d) list for the waterbodies that receive the Permittee's discharge, the Permittee shall update the list of parameters for which annual monitoring is conducted to reflect the latest version of the 303(d) list.

5.1.2.4.2 If, during the term of this permit, the Division and the EPA approve a new TMDL for a waterbody to which the Permittee discharges stormwater, the Permittee shall update the list of parameters for which annual monitoring is conducted to include all parameters covered under the new TMDL.

5.1.2.5 All required wet weather sampling shall be conducted during a measurable storm event that results in an actual discharge that follows the preceding measurable storm

event by at least 72 hours (3 days). The 72-hour (3-day) storm interval does not apply if the Permittee is able to document that less than a 72-hour interval is representative of local storm events during the sampling period. In the case of snowmelt, the Permittee shall conduct wet weather sampling at a time when a measurable discharge occurs.

5.1.2.6 The Permittee shall take a minimum of one grab sample of stormwater discharges from selected sampling locations resulting from a measurable storm event as described in Section 5.1.2.5 per calendar year. Samples shall be collected within the first 30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample shall be collected as soon as practicable after the first 30 minutes and the Permittee shall document why it was not possible to take samples within the first 30 minutes. In the case of snowmelt, samples shall be taken during a period of measurable discharge. If no measurable events occur during a calendar year preventing sampling, the Permittee shall submit documentation of this lack of precipitation to the Division to prevent an incident of noncompliance with this provision.

5.1.2.7 Sampling is not required during adverse conditions. Adverse conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling unsafe. When adverse conditions prevent sample collection, the Permittee shall sample during the next measurable storm event. The Permittee shall document any failure to monitor, indicating the basis for not sampling during the reporting period.

### 5.1.3 **Dry Weather Sampling**

5.1.3.1 If the Permittee's MS4 system contains dry weather flows authorized under Section 1.2.2 of this permit, the Permittee shall identify two sampling locations to conduct dry weather sampling consistent with the procedures described in Sections 5.1.4. The sampling locations for dry weather monitoring may be the same as the sampling locations for wet weather monitoring if both wet weather and dry weather flows are present at these locations.

5.1.3.1.1 The Permittee shall submit documentation and supporting rationale regarding why the locations were selected for monitoring with each annual report. The Division retains the authority to request sample location changes if the documentation and supporting rationale does not properly justify the selected sample locations for monitoring. This request shall be submitted to the Permittees in writing.

5.1.3.1.2 If the Permittee's MS4 system does not contain dry weather flows authorized under Section 1.2.2 of this permit, the Permittee shall document this finding in the annual report and indicate that dry weather sampling as required in Section 5.1.3 of this permit is not applicable.

5.1.3.2 The Permittee shall conduct dry weather sampling at the selected locations only when flow is present and when there has been a dry period of at least 72 hours (3 days). If a 72-hour dry period has not occurred during the annual reporting cycle for dry weather discharges, the Permittee shall document rationale in the annual report of that fiscal year explaining why no dry weather discharge monitoring has occurred.

5.1.3.3 The Permittee shall sample dry weather discharges for the parameters in Table 1 and comply with the sampling frequencies and sampling types prescribed in Table 1. Information for 303(d) listed waters and approved TMDLs can be found on the following Division website: https://ndep.nv.gov/water/rivers-streams-lakes/water-quality-standards/303d-305bwater-quality-integrated-report.

5.1.3.4 In addition to the dry weather sampling requirements prescribed in Section 5.1.3.1 through 5.1.3.3, the Permittee shall comply with the dry weather screening requirements as part of the IDDE program prescribed in Section 3.3.1.6 of this permit to identify and eliminate unauthorized dry weather flows.

**Table 1: Wet and Dry Weather Monitoring Requirements**

| Parameter[1] | Frequency | Type | Limit |
|---|---|---|---|
| Total Suspended Solids (TSS), mg/L | Annual | Grab | M&R |
| Total Dissolved Solids (TDS), mg/L | Annual | Grab | M&R |
| Oils and Grease, mg/L[2] | Annual | Grab | M&R |
| Coliform, fecal colony forming units | Annual | Grab | M&R |
| pH, standard units | Annual | Instant | M&R |
| Total Kjeldahl Nitrogen, mg/L | Annual | Grab | M&R |
| Nitrate plus Nitrite, mg/L | Annual | Grab | M&R |
| Total Phosphorus, mg/L | Annual | Grab | M&R |
| Additional 303(d) list impairments | Annual | Varies | M&R |

[1] Detection limits are pursuant to levels defined in Section 5.1.4.1.3.
[2] Hexanes extraction (EPA Method 1664A).

5.1.4 **Sampling Procedures**

5.1.4.1 The Permittee shall comply with the following when conducting analytical monitoring:

5.1.4.1.1 Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. This requirement does not prevent the Permittee from analyzing or reporting samples that are representative of a limited situation (e.g., concentration at peak flow);

5.1.4.1.2 Test procedures and selected analytical methods shall conform to regulations (40 CFR, Part 136) published pursuant to Section 304(h) of the CWA;

5.1.4.1.3 All laboratory analyses conducted in accordance with this permit shall have detection limits at or below the method detection limits defined in the analytical method; and

5.1.4.1.4 Analyses shall be performed by a State of Nevada-certified laboratory. Laboratory reports shall be provided, if requested by the Division.

5.1.4.2 Records of monitoring information shall include:

5.1.4.2.1 The date, exact place, and time of sampling or measurements;

5.1.4.2.2 The names(s) of the individual(s) who performed the sampling or measurements;

5.1.4.2.3 The date(s) analyses were performed;

5.1.4.2.4 The names of the individuals who performed the analyses;

5.1.4.2.5 The analytical techniques or methods used;

5.1.4.2.6 The results of such analyses; and

5.1.4.2.7 Whether there are visible or olfactory indicators of contaminants (e.g., a visible sheen or unusual odor).

5.1.4.3 If the Permittee performs stormwater monitoring more frequently than required by the permit, the results of such monitoring shall be submitted with the annual report.

5.1.4.4 The Permittee shall complete an annual review of the stormwater monitoring plan in conjunction with preparation of the annual report required under Section 5.2 of this permit. The Permittee shall evaluate:

5.1.4.4.1 Program compliance;

5.1.4.4.2 Whether existing data collection programs should be modified to improve characterization of stormwater discharges; and

5.1.4.4.3 The appropriateness of the wet and dry weather sampling locations.

5.1.4.5 The Permittee shall submit any requests for changes to the monitoring plan to the Division for approval. The Division will respond to requests in writing. If the changes are approved, the Permittee shall update the SWMP to reflect the approved changes.

**5.2 Reporting**

5.2.1 The Permittee shall submit an annual report to the Division by December 1 of each year using the electronic annual report form found on the Division's website.

5.2.2 New Permittees covered under this permit shall submit an annual report by December 1 of the year following the Division's approval of the NOI.

5.2.3 The Permittee shall submit an annual permit renewal fee in accordance with NAC 445A.232 on or before July 1 of each year until the permit is terminated.

5.2.4 New Permittees covered under this permit shall submit a service fee in accordance with NAC 445A.232 on or before July 1 of the year following approval of the NOI and each year thereafter until the permit is terminated.

5.2.5 Permittees sharing responsibility for the implementation of MCMs in accordance with Section 3.8 of this permit may complete a shared annual report. The shared annual report is one report outlining and explaining group activities with the tasks performed by individual Permittees (e.g., implementation of BMPs, measurable goals, schedules of planned activities) included. Individual Permittee activities may be incorporated into the annual report in one of two ways, either:

5.2.5.1 Providing the details specific to their MS4 to a person(s) who incorporates that information into the shared annual report; or

5.2.5.2 Providing the details specific to their MS4 on a separate sheet that will be attached to the shared annual report.

5.2.6 All reports required herein shall be submitted electronically to the Division's website.

### 5.3 Recordkeeping

5.3.1 The Permittee must 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 the Division at any time. The Division will notify the Permittee in writing of any extension of recordkeeping procedures.

5.3.2 The Permittee shall submit the records to the Division only when specifically asked to do so. The Permittee shall retain a copy of the SWMP required by this permit (including a copy of the permit language) at a location accessible to the Division. The Permittee must make the records, including a copy of the SWMP, available to the public if requested to do so in writing.

5.3.3 For public requests of records, the Permittee may impose a reasonable fee for personnel time and copying expenses.

## 6.0 General Permit Conditions

### 6.1 Annual Fee

6.1.1 In accordance with NAC 445A.268, a discharger who is covered under a general permit shall pay to the Director the applicable nonrefundable annual fee not later than July 1 of each year that the discharger is covered under that permit.

6.1.2 If the application/fee for the permit occurs prior to July 1, the Permittee(s) shall also submit the annual renewal fee due on or before July 1 of the same year.

6.1.3 Application and annual renewal fees may be submitted through the Division's epayments online portal at https://epayments.ndep.nv.gov/.

### 6.2 General Permit Re-Issuance for Ongoing Projects

6.2.1 The Permittee will be included in the reissued general permit after this general permit expires or will be informed of other permitting requirements. The Permittee will receive public notice if the Division determines to reissue the general permit.

### 6.3 Need to Halt or Reduce Activity Not a Defense

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

### 6.4 Non-Compliance, Unauthorized Discharge, Bypass, and Upset

6.4.1 Any diversion, bypass, spill, overflow, upset, or discharge of treated or untreated polluted stormwater runoff with the potential to degrade and impact Waters of the United States from a permitted facility under the control of the Permittee is prohibited except as authorized by this permit. The Division may take enforcement action for a diversion, bypass, spill, overflow, upset or discharge of treated or untreated polluted stormwater runoff except as authorized by this permit. In the event the Permittee has knowledge that a diversion, bypass, spill, overflow, upset or discharge not authorized by this permit is probable or has occurred, the Permittee shall notify the Division.

6.4.1.1 The Permittee is responsible for immediately carrying out notification in the event of a diversion, bypass, spill, overflow, or discharge of polluted stormwater runoff not authorized by this permit.

6.4.1.2 The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section 6.4.

6.4.1.3 If the Permittee knows in advance of the need for a bypass, it shall submit prior notice to the Division, if possible, at least ten (10) calendar days before the date of bypass.

6.4.1.4 Bypass is prohibited, and the Division may take enforcement action against the Permittee for bypass, unless:

6.4.1.4.1 Bypass was unavoidable to prevent loss of life, personal injury, or severe property

damage;

6.4.1.4.2 There were no feasible alternatives to the bypass. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

6.4.1.4.3 The Permittee submitted prior notice at least ten calendar days before the date of the bypass.

6.4.1.5 The Division may approve an anticipated bypass, after considering its adverse effects, if the Division determines that it will meet the three conditions listed in Section 6.4.1.4, above.

6.4.1.6 An upset constitutes an affirmative defense to an action brought for non-compliance with such technology-based permit effluent limitations if the requirements of Section 6.4.1.7. below are met.

6.4.1.7 A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:

6.4.1.7.1 An upset occurred and that the Permittee can identify the cause(s) of the upset;

6.4.1.7.2 The permitted site was at the time being properly operated;

6.4.1.7.3 The Permittee submitted notice of the upset as required under this section; and

6.4.1.7.4 The Permittee complied with any remedial measures.

6.4.1.8 In selecting the appropriate enforcement option, the Division shall consider whether or not the noncompliance was the result of an upset. The burden of proof is on the Permittee to establish that an upset occurred.

6.4.1.9 There shall be no discharge of substances to Waters of the State that would cause a violation of water quality standards of the State of Nevada.

## 6.5 Monitoring and Reporting

### 6.5.1 Sampling and Measurements

6.5.1.1 Samples or measurements taken when required shall be representative of the volume and nature of the discharge. Laboratory analyses shall be performed by a Nevada Certified Laboratory. Results from this lab shall be provided to the Division.

### 6.5.2 Additional Monitoring by the Permittee

6.5.2.1 If the Permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods, the results of such monitoring shall be included in the annual report.

### 6.5.3 Test Procedures

6.5.3.1 Test procedures for the analysis of pollutants shall conform to regulations (40 CFR Part 136) published pursuant to Section 304(h) of the Clean Water Act (CWA), under which such procedures may be required unless other procedures are approved by the Division. Other procedures used may be:

6.5.3.1.1 Selected from SW-846 test method series 1000 through 3500. This test method series shall only be used for determining solid waste characteristics, organic and inorganic preparation, and extraction;

6.5.3.1.2 Selected from 40 CFR Part 503, which establishes the general requirements, pollutant limits, management practices, and operational standards for the use or removal of sewage sludge to be applied on a land surface disposal site, or fired in a sewage sludge incinerator; or

6.5.3.1.3 An alternate test procedure approved by the Division, Bureau of Safe Drinking Water, Laboratory Certification Program.

6.5.3.2 All laboratory analyses conducted in accordance with this permit must have detection levels at or below the permit limits.

6.5.3.3 All analytical results must be generated by analytical laboratories certified by the Nevada Laboratory Certification Program.

6.5.4 **Recording Results**

6.5.4.1 For each measurement or sample taken pursuant to the requirements of this permit, the Permittee shall record the following information:

6.5.4.1.1 The exact place, date, time of sampling and the person who performed the sampling;

6.5.4.1.2 The dates the analyses were performed;

6.5.4.1.3 The person(s) who performed the analyses;

6.5.4.1.4 The analytical techniques or methods used; and

6.5.4.1.5 The results of all required analyses.

6.5.5 **Reporting Limits**

6.5.5.1 Unless otherwise approved by the Division, the approved method of testing selected for analysis must have reporting limits which are:

6.5.5.1.1 Half or less of the discharge limit; or, if there is no limit,

6.5.5.1.2 Half or less of the applicable water quality criteria; or, if there is no limit or criteria,

6.5.5.1.3 The lowest reasonably attainable reporting limit using an approved test method.

6.5.5.2 This requirement does not apply if a water quality standard is lowered after the issuance of this permit; however, the Permittee shall review methods used and by

letter notify the Division if the reporting limit will exceed the new criterion, and if so, the Division may reopen the permit to impose new monitoring requirements.

### 6.6 Adverse Impact – Duty to Mitigate

6.6.1 The Permittee shall take all reasonable steps to minimize the impact of releases to the environment resulting from non-compliance with any permit limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge. The Permittee shall carry out such measures, as reasonable, to prevent significant adverse impacts on human health or the environment.

### 6.7 Right of Entry and Inspection

6.7.1 The Permittee shall allow the Administrator and/or his authorized representatives, upon the presentation of credentials, to:

6.7.1.1 Enter at reasonable times upon the Permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit;

6.7.1.2 Have access to and copy any records required to be kept under the terms and conditions of this permit at reasonable times;

6.7.1.3 Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required in this permit; and

6.7.1.4 Perform any necessary sampling or monitoring to determine compliance with this permit at any location for any parameter.

### 6.8 Transfer of Ownership or Control

6.8.1 In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the Permittee shall notify the succeeding owner or controller of the existence of this permit, by letter, a copy of which shall be forwarded to the Division. This permit is not transferable to any person or entity except after notice to the Division and approval from the Division. The Division may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Clean Water Act (see §122.61; in some cases, modification or revocation and reissuance is mandatory).

### 6.9 Availability of Reports

6.9.1 Except for data determined to be confidential under NRS 445A.665, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of the Division. 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.

### 6.10 Furnishing False Information and Tampering with Monitoring Devices

6.10.1 Any person who intentionally or with criminal negligence makes any false statement,

representation, or certification in any application, record, report, plan or other document filed 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, upon conviction, shall be punished by a fine of not more than $10,000, or by imprisonment, or both. (In accordance with 40 CFR Section 122.41 (j)(5): If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.) This penalty is in addition to any other penalties, civil or criminal, provided pursuant to NRS 445A.300 to 445A.730, inclusive.

### 6.11 Penalty for Violation of General Permit Conditions

6.11.1 The Permittee shall comply with all conditions of this permit. Any permit non-compliance constitutes a violation of the CWA and is grounds for enforcement action, permit termination, revocation and re-issuance, modification, or denial of a permit renewal application. 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.705, inclusive.

### 6.12 General Permit Modification, Suspension or Revocation

6.12.1 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:

6.12.1.1 Violation of any terms or conditions of this permit;

6.12.1.2 Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

6.12.1.3 A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;

6.12.1.4 A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

6.12.1.5 Material and substantial alterations or additions to the permitted facility or activity;

6.12.1.6 The Division has received new information;

6.12.1.7 The standards or regulations have changed; or

6.12.1.8 The Division has received notification that the permit will be transferred.

6.12.2 The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

## 6.13 Minor Modifications

6.13.1 With the consent of the Permittee and without public notice, the Division may make minor modifications in a permit to:

6.13.1.1 Correct typographical errors;

6.13.1.2 Clarify permit language;

6.13.1.3 Require more frequent monitoring or reporting;

6.13.1.4 Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the permit and does not interfere with attainment of the final compliance date;

6.13.1.5 Allow for change in ownership;

6.13.1.6 Change the construction schedule for a new discharger provided that all equipment is installed and operational prior to discharge;

6.13.1.7 Delete an outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits; or

6.13.1.8 Reallocate an IWLA (Individual Waste Load Allocation) as long as the $\Sigma$IWLA does not change in accordance with the TMDL as pertaining to the affected water body.

## 6.14 Toxic Pollutants

6.14.1 Notwithstanding Section 6.12 (General Permit Modification, Suspension or Revocation), if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the CWA for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the Permittee so notified.

## 6.15 Liability

6.15.1 Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State, Tribal, or local laws, regulations, or ordinances. However, except for any toxic effluent standards and prohibitions imposed under Section 307 of the CWA or toxic water quality standards set forth in NAC 445A.144, compliance with this permit constitutes compliance with CWA Sections 301, 302, 306, 307, 318, 403, 405(a) and (b), and with NRS 445A.300 through 445A.730, inclusive.

## 6.16 Property Rights

6.16.1 The issuance of this permit does not convey any property rights, in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or

local laws or regulations.

### 6.17 Severability

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

### 6.18 Anticipated Non-Compliance

6.18.1 The Permittee shall give advance notice to the Division of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

### 6.19 Emergency Reporting

6.19.1 For emergency noncompliance which may endanger the environment or human health and reach a protected surface water including a storm drain, the permittee shall orally report the information to the Division's Spill Hotline at 888-331-6337 (in-state) or 775-687-9485 (out-of-state), after the dispatch of emergency respondents and mitigating actions and as soon as practicable in accordance with NAC 445A.3473, from the time the permittee becomes aware of the event.

### 6.20 Non-Emergency Reporting

6.20.1 The Permittee shall provide a written notification to the Division at ndepstormwater@ndep.nv.gov within five (5) calendar days of the noncompliance event. The Permittee shall include in the written notification:

6.20.1.1 A description of the noncompliance and its cause;

6.20.1.2 The period of noncompliance, including dates and times, and

6.20.1.3 If the noncompliance has not been corrected, the anticipated timeline it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

### 6.21 Supplemental Information for Non-Compliance Reports

6.21.1 When the Permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in a NOI or in any other report to the Division, the permittee shall promptly submit the facts or information to ndepstormwater@ndep.nv.gov.

### 6.22 Duty to Comply

6.22.1 The Permittee shall comply with all conditions of this permit. Any permit non-compliance constitutes a violation of the CWA and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

6.22.2 The Permittee shall comply with effluent standards or prohibitions established under

Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

**6.23 Duty to Provide Information**

6.23.1 The Permittee shall furnish to the Division, within a reasonable time, any relevant information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or determining compliance with this permit. The Permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

**6.24 Other Information**

6.24.1 Where the Permittee becomes aware of failure to submit any relevant facts in a permit application or the submittal of incorrect information in a permit application or in any report to the Division, the Permittee shall promptly submit such facts or information.

**6.25 Signatures, Certification Required on Application and Reporting Forms**

6.25.1 All applications, reports, or information submitted to the Division shall be signed and certified by making the following certification. “I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful and deliberate violations.”

6.25.2 All applications, reports or other information submitted to the Division shall be signed by one of the following:

6.25.2.1 A principal executive officer of the corporation (of at least the level of vice president) or his authorized representative who is responsible for the overall operation of the facility from which the discharge described in the application or reporting form originates;

6.25.2.2 A general partner of the partnership;

6.25.2.3 The proprietor of the sole proprietorship;

6.25.2.4 A principal executive officer, ranking elected official or other authorized employee of the municipal, state or other public facility; or

6.25.2.5 A duly authorized representative only if:

6.25.2.5.1 The authorization is made in writing, by a person described above in Section 6.25.2;

6.25.2.5.2 The authorization specifies either an individual or a position within the organization; and

6.25.2.5.3 The written authorization is submitted to the Director.

## 6.26 Changes to Authorization

6.26.1 If an authorization under Section 6.25 (Signatures, Certification Required on Application and Reporting Forms) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section 6.25 (Signatures, Certification Required on Application and Reporting Forms) must be submitted to the Division prior to or together with any reports, information, or applications to be signed by an authorized representative.

## Appendix A: Definitions, Abbreviations, and Acronyms

All applicable definitions contained in Section 502 of the CWA and 40 CFR Part 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided.

A.1 **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, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

A.2 **Clean Water Act ("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.

A.3 **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.

A.4 **Discharge**, when used without a qualifier, refers to "discharge of a pollutant" as defined at 40 CFR Section 122.2.

A.5 **Illicit Connection** means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

A.6 **Illicit Discharge** is defined at 40 CFR Section 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. For the purposes of this permit, illicit discharges do not include discharges into the MS4 authorized in Section 1.2.2.

A.7 **Infiltration** is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.

A.8 **Municipal Separate Storm Sewer System** ("MS4") means a Large, Medium, or Small MS4 (e.g., "the Truckee Meadows 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 Truckee Meadows MS4 includes MS4s operated by the City of Reno, the City of Sparks and Washoe County). MS4 is defined at 40 CFR Section 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 40 CFR Section 122.2.

A.9 **Notice of Intent** ("NOI") the application to operate under this general permit.

A.10 **"The Permittee" and "The Permittees"** as used in this permit is intended to refer to the Permittee and that party's responsibilities to meet the requirements of this permit.

A.11 **Permitting Authority** means the Nevada Division of Environmental Protection, or the Division.

A.12 **Pollutant** means dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. It does not mean water, gas or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production and disposed of in a well, if the well is used either for facilitating production or for disposal purposes and if the Department determines that such injection or disposal will not result in the degradation of ground or surface water resources. It does not mean water, gas or other material injected into a well or used to stimulate a reservoir of geothermal resources if the Department determines that the injection or stimulation will not result in the degradation of ground or surface water resources.

A.13 **Post-Construction Stormwater** is a term used to distinguish stormwater practices used during site construction (otherwise known as "construction stormwater" or "erosion and sediment control") from those that are used on a permanent basis to control runoff once construction is complete and a Notice of Termination has been approved by the Division.

A.14 **Sites that are tributary** are defined as sites that discharge directly into a CWA section 303(d)-listed waterbody segment.

A.15 **Small Municipal Separate Storm Sewer System** is defined at 40 CFR Section 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" municipal separate storm sewer system. 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.

A.16 **Stormwater BMP** is a generic term that has been used interchangeably with stormwater practice or stormwater treatment practice. Stormwater BMPs can be either "structural" or "non-structural."

A.17 **Stormwater** is defined at 40 CFR Section 122.26(b)(13) and means stormwater runoff, snowmelt runoff, and surface runoff and drainage.

A.18 **Stormwater Management Program ("SWMP")** refers to a comprehensive program to manage the quality of stormwater discharged from the MS4.

## Appendix B: Annual Report Checklist

| Permit Section | Page(s) | Annual Report Item | Frequency |
|---|---|---|---|
| 3.1.1.1 | 10 | A list of three priority stormwater pollutant sources determined by the Permittee to be contributing to pollutants in stormwater runoff, including the key audiences and pollutant(s) of concern associated with each source. | First annual report |
| 3.1.1.2.2 | 10 | Documentation of the outreach materials associated with each priority stormwater pollutant source and the distribution channels used during the previous year. | Each annual report, beginning with the second annual report |
| 3.1.1.3.2 | 11 | A description of the methods used to annually evaluate whether the priority stormwater pollutant sources and key audiences identified in Section 3.1.1.1 are the most appropriate for effectively reducing pollutants in stormwater runoff, and the results of the annual evaluation. | Each annual report, beginning with the second annual report |
| 3.1.1.3.3 | 11 | Based on the results of the annual evaluation, an updated list of priority stormwater pollutant sources. | Each annual report, beginning with the second annual report |
| 3.1.1.5.1 | 11 | A list of the person(s) responsible for overall management and implementation of the stormwater public education and outreach program. | Each annual report, beginning with the second annual report |
| 3.2.1.1.2 | 12 | A description of the public involvement and participation opportunities initiated over the previous year. | Each annual report, beginning with the second annual report |
| 3.3.1.1 | 12 | An updated list of non-stormwater discharges or flows identified as significant contributors of pollutants to the MS4. | Each annual report |
| 3.3.1.2 | 13 | A list of occasional, allowable incidental non-stormwater discharges (e.g. non-commercial or charity car washes) that will not be addressed as illicit discharges. | Each annual report |
| 3.3.1.3.1 | 13 | If the Permittee updates the storm sewer map, a summary of the changes to the storm sewer map. | First annual report following the date on changes were made |
| 3.3.1.4 | 13 | An ordinance or other regulatory mechanism (e.g., policies) to effectively prohibit non-stormwater discharges (except those listed under Section 1.2.2.2) into the MS4. | Second annual report |
| 3.3.1.5.3 | 14 | Progress towards creation of an ERP for illicit discharge detection and elimination that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | First annual report |
| 3.3.1.5.3 | 14 | The approved ERP for illicit discharge detection and elimination that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | Third annual report |
| 3.3.1.6.2 | 14 | A summary of the outfalls screened during dry weather conditions, including screening dates. | Each annual report, beginning with the second annual report |

| Permit Section | Page(s) | Annual Report Item | Frequency |
|---|---|---|---|
| 3.3.1.6.4 | 15 | An updated list of high priority outfalls. | Each annual report, beginning with the second annual report |
| 3.3.1.6.5 | 15 | A summary of the screening results for high priority outfalls. | Each annual report, beginning with the second annual report |
| 3.3.1.7 | 15 | An Illicit Discharge Investigation and Corrective Action Plan | First annual report |
| 3.3.1.7.4 | 16 | A summary of the investigations conducted, and corrective actions taken per the Illicit Discharge Investigation and Corrective Action Plan during dry weather screening or through other detection methods (e.g., public complaints). | Each annual report |
| 3.4.1.1 | 16 | An ordinance or other regulatory mechanism (e.g., policies, standard procedures, environmental specifications) requiring construction site operators to select, design, install, implement, and maintain erosion and sediment controls as well as BMPs to control pollutants that may cause adverse impacts to water quality. | Second annual report |
| 3.4.1.2.4 | 18 | Progress towards creation of an ERP for construction site stormwater management that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | First annual report |
| 3.4.1.2.4 | 18 | The approved ERP for construction site stormwater management that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | Third annual report |
| 3.4.1.3.1 | 18 | An inventory of all private and public construction projects (i.e., contract, in-house, maintenance, and encroachment) that disturb or will disturb one (1) or more acres within the permitted area, including activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more. | First annual report |
| 3.4.1.4.1 | 19 | A plan review checklist to ensure consistent review of submitted construction plans and to determine and document compliance with state and local requirements. | First annual report |
| 3.4.1.6.1 | 19 | An inspection form or checklist to ensure consistent inspections of construction stormwater management controls. | First annual report |
| 3.5.1.1 | 20 | An ordinance or other regulatory mechanism to require post-construction stormwater runoff controls on regulated public and private NDSR projects. | Second annual report |
| 3.5.1.2.3 | 21 | Progress towards creation of an ERP for post-construction stormwater management that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | First annual report |
| 3.5.1.2.3 | 21 | The approved ERP for post-construction stormwater management that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | Third annual report |

| Permit Section | Page(s) | Annual Report Item | Frequency |
|---|---|---|---|
| 3.5.1.3.2 | 22 | An inventory of post-construction structural stormwater controls, including both public and private sites that discharge into the MS4. | Second annual report |
| 3.5.1.4 | 22 | A site plan review checklist to ensure consistent review of submitted plans and to determine and document compliance with post-construction performance standards. | First annual report |
| 3.5.1.5.1 | 22 | An inspection form or checklist to ensure consistent and thorough inspections of public and private post-construction stormwater management controls. | First annual report |
| 3.6.1.3.2.1 | 25 | An inspection form or checklist to ensure consistent and thorough inspections of high priority facilities with an FPPP. | First annual report |
| 3.7.1.1 | 27 | If the MS4 discharges to a 303(d) Impaired Water, a description of the parameter(s) for which the receiving water(s) was listed, outfalls that discharge to the impaired receiving water(s),BMPs implemented by the Permittee to reduce stormwater discharges of the parameter(s) for which the receiving water(s) are listed, and methods the Permittee is using to evaluate improvements in water quality associated with the BMPs. | Each annual report |
| 3.7.2.1 | 28 | If the MS4 discharges to a water quality-impaired water for which the Division and the EPA have approved a TMDL, a description of whether the approved TMDL is for a pollutant likely to be found in stormwater discharges from the Permittee's MS4. | Each annual report |
| 3.8 | 28 | Whether the Permittee is relying on another entity to satisfy some of their permit obligations, unless the other entity is responsible for filing the reports. | Each annual report |
| 4.3.2 | 30 | If applicable, information on all new annexed areas and any resulting updates required to the SWMP. | Each annual report |
| 5.1.2.2 | 31 | Documentation and supporting rationale regarding why the wet weather sampling locations were selected. | Each annual report |
| 5.1.3.1.1 | 32 | Documentation and supporting rationale regarding why the dry weather sampling locations were selected. | Each annual report |
| 5.1.3.1.2 | 32 | If applicable, indication that the Permittee's MS4 system does not contain dry weather flows authorized under Section 1.2.2 of this permit. | Each annual report |
| 5.1.3.2 | 32 | If applicable, rationale explaining why no dry weather discharge monitoring has occurred. | Each annual report |
| 5.1.4.3 | 34 | Additional monitoring results beyond those required under Section 5.1 of the permit. | Each annual report |
| 5.1.4.4 | 34 | Annual review of the stormwater monitoring plan. | Each annual report |

## Appendix C: Schedule of Compliance

SOC – Schedule of Compliance Table

| Item # | Description | Due Date |
|---|---|---|
| 1 | Develop a list of three priority stormwater pollutant sources determined by the Permittee to be contributing to pollutants in stormwater runoff, including the key audiences and pollutant(s) of concern associated with each source. | 08/03/2027 |
| 2 | Develop a list of public involvement and participation approaches for involving key stakeholders in the development and implementation of the stormwater program elements described in Section 3.0 of the permit | 08/03/2027 |
| 3 | Develop and implement a stormwater website that is publicly available on the internet and can be accessed by the public and other interested stakeholders. | 08/03/2028 |
| 4 | Develop a storm sewer system map showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls. | 08/03/2027 |
| 5 | Develop an ordinance or other regulatory mechanism (e.g., policies) to effectively prohibit non-stormwater discharges (except those listed under Section 1.2.2.2 of the permit) into the MS4. | 08/03/2028 |
| 6 | Develop an ERP for illicit discharge detection and elimination that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | 08/03/2029 |
| 7 | Develop an Illicit Discharge Investigation and Corrective Action Plan that describes the process the Permittee will use to locate the source of an illicit discharge. | 08/03/2027 |
| 8 | Develop an ordinance or other regulatory mechanism (e.g., policies, standard procedures, environmental specifications) requiring construction site operators to select, design, install, implement, and maintain erosion and sediment controls as well as BMPs to control pollutants that may cause adverse impacts to water quality. | 08/03/2028 |
| 9 | Develop an ERP for construction site stormwater management that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | 08/03/2029 |
| 10 | Develop an inventory of all private and public construction projects (i.e., contract, in-house, maintenance, and encroachment) that disturb or will disturb one (1) or more acres within the permitted area, including activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more. | 08/03/2027 |
| 11 | Develop a plan review checklist to ensure consistent review of submitted construction plans and to determine and document compliance with state and local requirements. | 08/03/2027 |
| 12 | Develop an inspection form or checklist to ensure consistent inspections of construction stormwater management controls. | 08/03/2027 |

| Item # | Description | Due Date |
|---|---|---|
| 13 | Develop a construction stormwater inspection frequency determination protocol that considers, at a minimum, the phase of construction, the proximity to an impaired waterbody, the size of the construction activity (i.e., acreage disturbed) and any history of non-compliance. | 08/03/2027 |
| 14 | Develop an ordinance or other regulatory mechanism to require post-construction stormwater runoff controls on regulated public and private NDSR projects. | 08/03/2028 |
| 15 | Develop an ERP for post-construction stormwater management that describes the procedures the Permittee will use when imposing certain sanctions and escalating enforcement, as necessary. | 08/03/2029 |
| 16 | Develop an inventory of post-construction structural stormwater controls, including both public and private sites that discharge into the MS4. | 08/03/2028 |
| 17 | Develop a site plan review checklist to ensure consistent review of submitted plans and to determine and document compliance with post-construction performance standards. | 08/03/2027 |
| 18 | Develop an inspection form or checklist to ensure consistent and thorough inspections of public and private post-construction stormwater management controls. | 08/03/2027 |
| 19 | Develop an inspection frequency determination protocol that considers, at a minimum, operation and maintenance needs, proximity to waterbodies, drainage area treated, land use type, and location within an impaired waterbody watershed. | 08/03/2027 |
| 20 | Develop a written evaluation of whether the criteria developed as part of the post-construction stormwater management program will tend to cause or contribute to elevated levels of selenium in surface waters within the Las Vegas Valley, including exceedance of the water quality standards for selenium in identified washes. If any criteria developed under the post-construction stormwater management program in accordance with the provisions of this permit would have a reasonable potential of causing or contributing to any water quality or water quantity impairment, or violates Nevada law, they shall be rescinded, and the Permittee shall determine whether alternate criteria can be implemented without causing water quality or water quantity impairments or violating Nevada law. | 08/03/2027 |
| 21 | Develop a map that identifies the locations of high priority facilities identified in Section 3.6.1.1.4 of the permit. | 08/03/2027 |
| 22 | Develop FPPPs for all high priority facilities identified in Section 3.6.1.1.4 of the permit. | 12/01/2026 |
| 23 | Develop an inspection form or checklist to ensure consistent and thorough inspections of high priority facilities with an FPPP. | 08/03/2027 |
| 24 | Submit a revised draft of the Stormwater Management Plan per Section 4.0 of the permit for Division review. | 08/03/2027 |

## Appendix D: Managing Percentile Storm Rainfall Depths in Nevada Fact Sheet

# MANAGING PERCENTILE STORM RAINFALL DEPTHS IN NEVADA

## What is required in Nevada?

In Nevada, all public and private projects that disturb one (1) or more acres, including activities that disturb less than one (1) acre but are part of a larger common plan of development or sale that would disturb one (1) acre or more; all 100,000 square foot or more commercial and industrial developments; and all automotive repair shops must include post-construction stormwater controls. New development projects must manage, on-site, the 90th percentile storm event rainfall volume and redevelopment[2] projects must manage the 80th percentile storm event rainfall volume through infiltration and/or evapotranspiration. This performance standard can be met through green infrastructure or other Nevada Division of Environmental Protection (Division) approved controls. "Green infrastructure" generally refers to control measures that use vegetation, soils, and natural processes or mimic natural processes to manage stormwater.

## What is a percentile rainfall depth and why should it be managed?

Requiring the retention of rainfall volume from a high percentile precipitation event (e.g., 90th or 80th) ensures that small, frequently occurring storms are managed on site. For example, if 90 percent of all storms that occur in Small Town, Nevada have a rainfall volume of 1.2 inches or less, then designing controls that manage up to 1.2 inches of rainfall volume on a new development project will ensure that rainfall volumes from only 10 percent of all storms could result in offsite discharge.

## Steps for Calculation

Calculate the 90th or 80th percentile storm event rainfall depth by conducting the following steps:

1. Obtain long-term daily rainfall data for the project site. At least 30 years is optimal as a long-term record. These data can be obtained from a variety of sources, such as the NOAA National Centers for Environmental Information.
2. Truncate the data. First, as necessary, convert the data to inches. Then sort the precipitation data from low to high and eliminate events less than 0.1 inch, because they do not generally result in any measurable runoff due to absorption, interception and evaporation. Then, eliminate days with recorded snowfall as snowfall does not immediately produce runoff.
3. Use the Microsoft Excel PERCENTILE function to calculate the 90th and 80th percentile rainfall depths as appropriate (k= 0.9 and k=0.8).

*Curb cut and retention practice in parking lot. (Carson City, NV; Source: Carson City Public Works)*

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

For more information contact the NDEP Bureau of Water Pollution Control Stormwater Branch at (775) 687-9442.

[2] Redevelopment projects are those that alter the footprint of an existing site or building in such a way that there is a disturbance of equal to or greater than one (1) acre of land.