



KANSAS WATER POLLUTION CONTROL

**Municipal Separate Storm Sewer System (MS4) Permit
and Authorization to Discharge Under
The National Pollutant Discharge Elimination System**

Pursuant to the provisions of Kansas Statutes Annotated 65-164 and 65-165, the Federal Water Pollution Control Act as amended, 33 U.S.C. 1251 et seq., the "Act",

Permittee: Fairway, City of
Permittee Address: 5240 Belinder Rd
Fairway, Kansas 66205
Drainage Basin: Missouri River
County: Johnson

is hereby authorized to discharge stormwater from the municipal separate storm sewer system (MS4) as described herein in accordance with the limitations, conditions and requirements set forth in this permit.

This permit is effective January 1, 2026, supersedes the previously issued MS4 permit M-MO34-SU01 and expires December 31, 2030.

PERMIT AREA AND AUTHORIZED DISCHARGES

This permit covers all areas within the permittee's MS4 jurisdiction which are also located in the Urban Area as defined by the most recent U.S. Census (the Permit Area). The Permit Area may change based upon areas incorporated into or removed from the permittee's jurisdictional area during the term of this permit.

This permit authorizes the discharge of all existing or new stormwater point source discharges from the Municipal Separate Storm Sewer System (MS4) located within the Permit Area. New stormwater discharges are those which are created and/or incorporated into the permittee's MS4 during the term of this permit.

A handwritten signature in black ink that reads "Janet Stanek".

Secretary, Kansas Department of Health and Environment

December 16, 2025
Date

PART I: Stormwater Management Program (SMP) Document Requirements

A. Current Stormwater Management Program

The permittee shall continue to implement and enforce their current Stormwater Management Program (SMP), as documented in the SMP document, until an updated SMP is implemented.

Any updated SMP shall be designed to:

1. Reduce the discharge of pollutants from the municipal separate storm sewer system (MS4) to the Maximum Extent Practicable (MEP),
2. Continue to implement the six minimum control measures as listed in PART I Section C,
3. Satisfy the requirements of this permit, the Clean Water Act and Kansas surface water quality statutes and regulations.

Implementation of Best Management Practices (BMPs) consistent with the provisions of the SMP document and this permit constitutes compliance with the standard of reducing pollutants to the Maximum Extent Practicable.

B. Updated Stormwater Management Program document

Modification of the SMP is permitted as the need arises. Modifications can be accomplished with any of the following methods:

1. Typically, the SMP document is updated near the end of the calendar year and submitted to KDHE for review along with the annual report which is due after the first of the calendar year but before the 28th of February. The permittee is required to implement the SMP, which was most recently submitted to KDHE along with the annual report, throughout the entire year and may continue to implement the updated SMP until subsequently modified. The updated SMP as submitted must be accepted by KDHE. If KDHE finds the SMP is not acceptable, requirements for modification and resubmittal will be addressed to the permittee.
2. If it becomes necessary to modify the SMP at some time other than when the annual report is submitted to KDHE, the permittee may make the modifications to the SMP document and submit the SMP document to KDHE for acceptance. The permittee shall not begin implementation of the modified SMP until after KDHE has provided acceptance.
3. KDHE may require the permittee to modify the SMP at any time, requirements for modification and resubmittal will be addressed to the permittee.

C. Six Minimum Control Measures

The Permittee is responsible for implementing a stormwater management program to comply with the requirements of 40 CFR 122.34, including implementation of the six minimum control measures, as described in the body of this permit. In addition to the program requirements, the Permittee is responsible for implementing adequate BMPs, listed in Appendices A through G, to claim at least the required number of points in each calendar year.

Claiming points alone does not satisfy the requirements of this permit if the program does not comply with the requirements of 40 CFR 122.34.

For all six minimum control measures, documentation of compliance with each measure's goal and implementation time schedule must be maintained on file. Permittee is responsible for implementing an adequate program to comply with the requirements of this permit **and** be able to claim the associated required BMP points. Extent of point compliance, i.e., equaling or exceeding the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.

C. Six Minimum Control Measures (continued)

For any of the six minimum control measures, the permittee is not limited to implementation of the BMPs listed in the tables. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the tables may be documented and counted toward the required annual point total. Additional points may be requested by the permittee for BMPs that are not included in the tables. The request must be submitted to KDHE prior to the annual report submission period in order for points to be included towards the current year. Points cannot be claimed on the annual report if not approved by KDHE.

Guidance useful in implementing the six minimum control measures can be obtained from the Online Water Library (OWL) of the Center for Watershed Protection. A list of links to helpful guidance documents, including OWL, can be found on the KDHE Municipal Stormwater Program website.

Additional helpful guidance and/or resources in implementing the six minimum control measures can be found at the following link: <https://www.kdhe.ks.gov/DocumentCenter/View/28893/MS4-NPDES-Permit-Helpful-Guidance-and-or-Resources-PDF> , Document titled “MS4 NPDES Permit Helpful Guidance and/or Resources.

The six minimum control measures and requirements are as follows:

1. Public Education and Outreach

The permittee shall continue to implement a public education program which includes distribution of educational materials to the community or conducting equivalent outreach activities which address the impacts of stormwater discharges on water bodies and the steps the public can take to reduce pollutants in stormwater runoff.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **7 points** for each calendar year. **Appendix A** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed under this permit.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or forum can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

2. Public Involvement/Participation

The permittee shall continue to implement a public involvement and participation program to solicit public comments and recommendations regarding the BMPs and measurable goals utilized by the permittee to comply with the permit. The permittee shall comply with State and local public notice requirements when implementing a public involvement and participation program.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **6 points** for each calendar year. **Appendix B** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or public forums can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

3. Illicit Discharge Detection and Elimination

The permittee shall:

- a. Continue to implement and enforce a program to detect and eliminate illicit discharges into the MS4.
- b. Maintain a storm sewer system map of the permittee's MS4, showing the location of all outfalls, either pipes or open channel drainage, showing the names and location of all streams or lakes receiving discharges from those outfalls. A copy of the map shall be submitted to KDHE with the annual report if requested by KDHE.
- c. Implement and enforce an ordinance or resolution to prohibit non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions. A copy of the ordinance or resolution shall be submitted to KDHE with the annual report if requested by KDHE.
- d. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
- e. Develop and implement a plan to detect/inspect for and address prohibited non-stormwater discharges, including illegal dumping, to the storm sewer system. The plan must include efforts to identify and evaluate dry weather MS4 discharges to detect and eliminate any associated illicit discharge. Unless identified by either the permittee or KDHE as a significant source of pollutants to waters of the state, several types of non-stormwater flow are not normally prohibited from entering the Municipal Separate Storm Sewer System:

Discharges which are not necessarily prohibited include:

Water line flushing	Footing drains
Diverted stream flows	Lawn watering
Rising ground waters	Individual residential car washing
Uncontaminated groundwater infiltration as defined under 40 CFR 35.2005(20) to separate storm sewers	Occasional not-for-profit car wash activities
Uncontaminated pumped groundwater	Flows from riparian habitats and wetlands
Contaminated groundwater if authorized by KDHE and approved by the department	Dechlorinated swimming pool discharges excluding filter backwash
Discharges from potable water sources	Street wash water (excluding street sweepings which have been removed from the street)
Foundation drains	Discharges or flows from firefighting activities
Air condition condensation	Heat pump discharge waters (residential only)
Springs	Treated wastewater meeting requirements of an NPDES permit
Irrigation waters	Sump pump drains
Water from crawl space pumps	Other discharges determined not to be a significant source of pollutants to waters of the state, a public health hazard or nuisance

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **7 points** for each calendar year. **Appendix C** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years. Multiple BMPs involve holding public hearings or public forums; a single public hearing or public forums can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

4. Construction Site Stormwater Runoff Control

The permittee shall continue to maintain a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutant discharge associated with stormwater from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include, at a minimum, all the following:

- a. Maintain and enforce an ordinance or resolution, if the permittee has the authority to do so, to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State and local law. A copy of the ordinance or resolution shall be submitted to KDHE with the annual report if requested by KDHE.
- b. Maintain requirements for construction site owners or operators to implement appropriate erosion and sediment control best management practices.
- c. Maintain requirements for construction site owners or operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that are likely to cause adverse impacts to water quality.
- d. Maintain procedures for site plan review which incorporate consideration of potential water quality impacts.
- e. Maintain procedures for receipt and consideration of information submitted by the public.
- f. Maintain procedures for site inspection and enforcement of control measures.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **6 points** for each calendar year. **Appendix D** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

5. Post-Construction Stormwater Management in New Development and Redevelopment

The permittee shall continue to maintain a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must include, at a minimum, all the following:

- a. Maintain a requirement for BMPs to prevent or minimize adverse water quality impacts.
- b. Maintain strategies which include a combination of structural and/or non-structural BMPs appropriate for the municipality.
- c. Maintain and enforce an ordinance or resolution, if the permittee has the authority to do so, to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law.
- d. Ensure adequate long-term operation and maintenance of structural BMPs.

5. Post-Construction Stormwater Management in New Development and Redevelopment
(continued)

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **7 points** for each calendar year. **Appendix E** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

The permittee shall continue to implement an operation and maintenance program that includes employee training to prevent and reduce stormwater pollution from municipal operations. The program must include, at a minimum, the following:

- a. Training shall be implemented for all necessary municipal staff, such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.
- b. Maintain a program to ensure proper use and storage of materials at permittee owned facilities that use pesticides, herbicides, and fertilizers.
- c. Develop, implement, and maintain site-specific Stormwater Pollution Prevention (SWP2) plan in accordance with Attachment A for permittee owned facilities with significant storage of potential stormwater pollutants. This shall include municipal garages, fleet maintenance areas, salt and sand storage areas, park maintenance shops, fueling stations, sites with material storage that meet the definition of industrial activity, and other permittee owned facilities.
 - a. If a SWP2 plan is already required or a facility has qualified for No Exposure Certification (NOEC) under the KDHE Industrial Stormwater General Permit, the applicability of this provision is redundant, and the Industrial Stormwater permit provisions shall be followed in lieu of this requirement.
 - ii. If a facility can ensure that a condition of "no exposure" to stormwater exists, a site-specific SWP2 plan is not required. To determine no exposure, see Attachment B. The facility and no exposure determination shall be documented in the annual report and reevaluated yearly by the permittee.

The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **6 points** for each calendar year. **Appendix F** lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year. The permittee may request that KDHE accept additional BMPs of the permittee's creation that meets the intent of this minimum control measure for a reasonable number of points, as described under Part C.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years. Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

D. Total Maximum Daily Load (TMDL) Regulated Pollutants

This PART I – Section D requirement is not applicable to this permit. No action is required at this time for Total Maximum Daily Load (TMDL) Regulated Pollutants as there are no identified TMDL impacted streams within or adjacent to the municipality which justify implementing actions under this section.

E. Responsible Parties

The Stormwater Management Program (SMP) Document should list the municipal parties (employees and/or staff and/or departments) responsible for compliance with the SMP document. There is no requirement to name individual employees, rather, organizational units such as positions, divisions or departments may be named as the responsible parties.

F. Monitoring Requirements

The SMP document should address the monitoring requirements for surface water and/or storm water within the MS4 collection system. Surface water monitoring requirements addressed in this permit may be found in PART II.

G. Reporting Requirements

See PART IV.

PART II: Total Maximum Daily Load (TMDL) Best Management Practices and Surface Water Monitoring

This Part II requirement is not applicable to this permit. No action is required at this time for Total Maximum Daily Load (TMDL) Best Management Practices and Surface Water Monitoring as there are no identified TMDLs impacting streams within or adjacent to the municipality.

PART III: Industrial Stormwater Discharges

This PART III requirement is not applicable to Phase II permittees. No action is required at this time for Monitoring Industrial Stormwater Discharge

PART IV: Reporting

- A. The permittee shall submit a calendar year annual report to KDHE by February 28 of each year. The annual report shall be submitted to KDHE in the form specified by KDHE. The completed annual report along with attachments or other documents which need to be submitted in association with the annual report shall all be submitted in PDF file formats to KDHE. All documents submitted are required to be uploaded through the KEIMS program. The annual report shall cover the activities during the previous calendar year and must include:
1. Provide the status of compliance with permit conditions, an assessment of the appropriateness of the implemented Best Management Practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable, and the measurable goals (with an indication of the progress toward meeting the goals) for each of the six minimum control measures.
 2. Provide results of information collected and analyzed, (for example test results, surveys, or public comments/input) during the annual reporting period. This may include monitoring data used to assess the success of best management practices with respect to reduction in pollutant discharge. Include an interpretation of the information which addresses success or failure of the portion of the program for which the information applies.
 3. For Best Management Practices (BMPs), which are directed at reducing the discharge of TMDL regulated pollutants, provide the measurable goals of each BMP with an indication of the progress toward meeting the goals.
 4. Provide a summary of the stormwater activities which are scheduled to be undertaken during the next calendar year (including an implementation schedule).
 5. Provide a summary of the stormwater activities that were scheduled to be undertaken during the previous calendar year and the status of these activities.
 6. Provide a map showing changes in the permittee's Permit Area if the Permit Area has changed within the year.
 7. Provide a description of significant changes in any of the BMPs.
 8. Provide copies of any ordinances or resolutions which were updated in the last year and are associated with the SMP.
 9. Provide a list of other parties (such as other municipalities or consultants), which are responsible for implementing any of the program areas of the Stormwater Management Program.
- B. Information and monitoring results gathered in compliance with PART II must be reported in compliance with the reporting requirement as addressed in B. Monitoring Requirements.
- C. EPA's National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule ("NPDES eRule") requires regulated entities to report data electronically. KDHE has developed electronic reporting tools to assist permittees in complying with the EPA electronic reporting rule. Unless a waiver has been approved by KDHE, permittees are required to submit information electronically. The electronic reporting system is called the **Kansas Environmental Information Management System (KEIMS)** and can be accessed at <https://keims.kdhe.ks.gov>.

STANDARD CONDITIONS FOR
KANSAS WATER POLLUTION CONTROL AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MS4 PERMITS

1. Representative Sampling and Monitoring Report Submittals:

- A. Samples and measurements taken as required herein shall be representative of the quality and quantity of the monitored discharge. Test results shall be recorded for the day the samples were taken. If sampling for a parameter was conducted across more than one calendar day, the test results may be recorded for the day sampling was started or ended. All samples shall be taken at the locations designated in this permit, and unless specified, at the outfall/monitoring location(s) before the wastewater joins or is diluted by any other water or substance.
- B. EPA's [National Pollutant Discharge Elimination System \(NPDES\) Electronic Reporting Rule](#) ("NPDES eRule") requires regulated entities to report data electronically. KDHE has developed electronic reporting tools to assist permittees in complying with the EPA electronic reporting rule. Unless a waiver has been approved by KDHE, permittees are required to submit information electronically. The electronic reporting system is called the **Kansas Environmental Information Management System (KEIMS)** and can be accessed at <https://keims.kdhe.ks.gov>. Monitoring results shall be submitted no later than the 28th day of the month following the completed reporting period. If granted a waiver, signed and certified copies of data, information and reports, required herein, prepared in accordance with KAR 28-16-59, may be e-mailed as scanned attachments to kdhe.bowkeims@ks.gov, faxed to 785.559.4257, or sent by U.S. mail to:

Kansas Department of Health & Environment
Bureau of Water-Technical Services Unit
1000 SW Jackson Street, Suite 420
Topeka, KS 66612-1367

2. Definitions:

- A. A "grab sample" is an individual sample collected in less than 15 minutes. A "composite sample" is a combination of individual samples in which the volume of each individual sample is proportional to the flow, or the sample frequency is proportioned to the flow rate over the sample period, or the sample frequency is proportional to time.
- B. The terms "Director", "Division", and "Department" refer to the Director, Division of Environment, Kansas Department of Health and Environment, respectively.
- C. "Severe property damage" means substantial physical damage to property, damage to the treatment/control facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a diversion.

3. Duty to Mitigate: The permittee shall take all reasonable steps to minimize or prevent any damage to the environment or hazard to human health from any discharge in violation of this permit.

4. Test Procedures: All analyses required by this permit shall conform to the requirements of 40 CFR Part 136, unless otherwise specified, and shall be conducted in a laboratory accredited by the Department. For each measurement or sample, the permittee shall record the exact place, date, and time of measuring/sampling; the date and time of the analyses, the analytical techniques or methods used, minimum detection or reportable level, and the individual(s) who performed the measuring/sampling and analysis and, the results. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved procedures, the results shall be included in the Monitoring Report form required in 1.B. above. Such increased frequencies shall also be indicated.

5. Change in Discharge: All stormwater discharges shall be in compliance with the conditions of the permit. Modification or expansion of the storm sewer system is allowed. All new storm sewer segments and outfalls constructed after the effective date of the permit, which are located within the permit area, are authorized under the permit and must comply with the permit conditions.

6. Proper Operations and Maintenance: The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the requirements of this permit and Kansas and Federal law.

7. Incident Reporting: The permittee shall report any unanticipated significant incidents which would be expected to result in non-compliance with the permit requirements within 24 hours from the time the permittee became aware of the incident. A written submission shall be provided within 5 days of the time the permittee became aware of the incident. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

For an anticipated incident or any planned changes or activities in the permitted control/treatment facility that may result in noncompliance with the permit requirements, the permittee shall submit written notice, if possible, at least ten days before the date of the event.

8. Removed Substances: Solids, sludges, debris, or other pollutants removed in the course of control/treatment of stormwater shall be utilized or disposed of in a manner acceptable to the Division.
9. Right of Entry: The permittee shall allow authorized representatives of the Division of Environment or the Environmental Protection Agency upon the presentation of credentials, to enter upon the permittee's premises where a stormwater discharge or source is located, or in which are located any records required by this permit, and at reasonable times, to have access to and copy any records required by this permit, to inspect any facilities, monitoring equipment or monitoring method required in this permit, and to sample any stormwater discharges from or influents into the stormwater control/treatment facilities.
10. Transfer of Ownership: The permittee shall notify the succeeding owner or controlling person of the existence of this permit by certified letter, a copy of which shall be forwarded to the Division. The succeeding owner shall secure a new permit. This permit is not transferable to any person except after notice and approval by the Director. The Director 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.
11. Records Retention: Unless otherwise specified, all records and information resulting from the monitoring activities required by this permit, including all records of analyses and calibration and maintenance of instruments and recordings from continuous monitoring instruments, shall be retained for a minimum of 3 years, or longer if requested by the Division.
12. Availability of Records: Except for data determined to be confidential under 33 USC Section 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Treated and raw stormwater data shall not be considered confidential. Knowingly making any false statement on any such report or tampering with equipment to falsify data may result in the imposition of criminal penalties as provided for in 33 USC Section 1319 and KSA 65-170c.
13. Permit Modifications and Terminations: As provided by KAR 28-16-62, after notice and opportunity for a hearing, this permit may be modified, suspended or revoked or terminated in whole or in part during its term for cause as provided, but not limited to those set forth in KAR 28-16-62 and KAR 28-16-28b through g. The permittee shall furnish to the Director, within a reasonable amount of time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request, copies of all records required to be kept by this permit. 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.
14. Administrative, Civil and Criminal Liability: The permittee shall comply with all requirements of this permit. Nothing in this permit shall be construed to relieve the permittee from administrative, civil or criminal penalties for noncompliance as provided for in KSA 65-161 et seq., and 33 USC Section 1319.
15. Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under 33 USC Section 1321 or KSA 65-164 et seq. A permittee shall promptly notify the Division by telephone upon discovering crude oil or any petroleum derivative in its storm sewer system or stormwater control/treatment facilities.

16. **Property Rights:** 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 infringements of or violation of federal, state or local laws or regulations.
17. **Severability:** The provisions of this permit are severable. If any provision of this permit or any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected thereby.
18. **Removal from Service:** The permittee shall inform the Division at least three months before any control/treatment unit, or any other part of the control/treatment facility permitted by this permit is to be removed from service and shall make arrangements acceptable to the Division to decommission the facility or part of the facility being removed from service such that the public health and waters of the state are protected.
19. **Duty to Reapply:** A permit holder wishing to continue any activity regulated by this permit after the expiration date, must apply for a new permit at least 180 days prior to expiration of the permit.

**APPENDIX A:
Public Education and Outreach (PE&O) BMP Table**

APPENDIX A: Public Education and Outreach (PE&O) BMP Table

BMP ID	Summary	Measurable Goal	Points
PE&O - 1	Maintain a stormwater webpage for the permittee.	Maintain the webpage with up-to-date information with all links effective and valid information. Check all links and update website as necessary on a minimum monthly basis. The webpage must be available throughout the year once it is posted. In the initial year posted it must be available for a minimum of 3 months to qualify for the points. In subsequent calendar years the points may be claimed if the webpage has been maintained throughout the twelve months.	3 points may be claimed in the first year implemented, and 2 points may be claimed for each successive year the webpage is maintained available.
PE&O - 2	Distribute educational materials (either flyers, brochures, catalog mailings, handouts, or e-mails) addressing various pertinent stormwater public education topics.	Number of all flyers, brochures, catalog mailings, handouts, or e-mails distributed in a year shall be recorded and reported in each Annual Report. . Copies of the flyers, brochures, or e-mails shall be retained on file. Flyers, brochures, catalog mailings, handouts, and/or e-mails are to be distributed in at least two separate batches, ideally in separate seasons (either winter, spring, summer or fall)	2 points may be claimed in a year in which flyers, brochures, catalog mailings, handouts, or e-mails are distributed.
PE&O - 3	Provide either training or educational materials to permittee identified businesses at high risk of contributing to stormwater pollution. Such businesses can include, but are not limited to, food service, auto service, disaster response and janitorial services. The training or educational materials shall address best management practices they can employ to minimize or avoid adverse stormwater impacts due to their operations.	<p>Training or educational materials must be provided, within the year, to at least five separate businesses if the population of the municipality is greater than 10,000, or three businesses if the population of the municipality is between 3,000 and 9,999, or two separate businesses if the population of the municipality is less than 3,000.</p> <p>There is no requirement to provide training to business in separate business categories, although it is allowed.</p>	2 points may be claimed in any year in which the required amount of training or distribution of educational material occurs.
PE&O - 4	Apply notification, placard, covers/hatches with message, or stencil, on stormwater inlets to provide a message similar to "No Dumping – Drains to River"	Apply this notification on at least 10% of all known stormwater inlets in the MS4.	2 points may be claimed in years when at least 10% of all known inlets receive placards, covers/hatches with message, or stencils or in subsequent years when an additional 5% of all known stormwater inlets in the MS4 bear the message.

APPENDIX A: Public Education and Outreach (PE&O) BMP Table

<p>PE&O - 5</p>	<p>Post the municipality's MS4 permit and SMP document on either the stormwater web page or the municipal webpage.</p>	<p>The two documents must be posted for at least six months of the year to claim one point.</p>	<p>1 point may be claimed for posting both documents each year.</p>
<p>PE&O - 6</p>	<p>Provide either a stormwater telephone hotline or web based or text message method for public reporting of illicit discharges.</p>	<p>Respond to all reported complaints within 10 days and, if found valid, resolve, or establish a schedule for resolution within 20 days. Actual resolution may take more than 20 days, but the schedule for resolution must be finalized and the efforts to implement resolution must begin within 20 days following receipt of complaint. Document complaints and response/resolution process for all complaints received in the year.</p> <p>Resolution of an illicit discharge can include, but is not limited to; elimination of the discharge; on-site treatment to allow discharge to the MS4 (normally requires an NPDES permit); redirecting the discharge to a location that the discharge is not considered illicit, i.e., sanitary sewer or to holding tanks to allow the waste to be hauled off for appropriate treatment, reuse/recycle or disposal.</p>	<p>2 points may be claimed for each full year the hotline / reporting system is maintained and available. An additional point may be claimed for each illicit discharge resolved in the year up to a limit of 2 additional points per year. One point allowed per illicit discharge resolved.</p>
<p>PE&O - 7</p>	<p>Provide educational material annually to at least four groups, including each of the following types: Residents, Businesses/Institutions, Commercial entities/Developers, and Industrial facilities. The educational material may be provided as any of the following:</p> <ul style="list-style-type: none"> ➤ Brochures ➤ Flyers ➤ E-mails ➤ Press release 	<p>Identify and educate at least 4 groups/entities from the listed types annually developing topics that are group specific and address activities and or pollutants of concern.</p>	<p>3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.</p>
<p>PE&O - 8</p>	<p>Provide stormwater education for students at a school campus within K-12 (those grades present at the campus) within Johnson County. The training may be limited to the individual campus (local school buildings associated with a single address). This training does not need to be provided to the entire school system, e.g., USD. Alternately, funding stormwater BMP installations and/or field trips at the school campus will qualify.</p>	<p>In a single year, Provide or fund an educator or speaker that will reach at least 5% of the K-12 students as normally attend school in the selected school campus.</p> <p>Alternately, the funding of BMPs at the school campus may provide for any of the following:</p> <ul style="list-style-type: none"> ➤ Installation of BMPs at the school ➤ stormwater related field trips ➤ water quality stream sampling activities ➤ construction of rain gardens on school property ➤ rain barrel workshops ➤ rain garden workshops 	<p>3 points may be claimed each year this BMP is implemented in compliance with the specified requirements (provide education and/or fund stormwater BMP installations at the school campus).</p>

APPENDIX A: Public Education and Outreach (PE&O) BMP Table

<p>PE&O - 9</p>	<ol style="list-style-type: none"> 1. Operate an information booth at a large public event, (such as a sports event, fair, or music festival) where at least an estimated 1,000 or more individuals attend. 2. Alternately, operate an information booth at multiple public events, (such as a sports event, fair, or music festival) where a cumulative estimated total of 3,000 or more individuals attend. 3. And finally, a single point can be claimed for operating an information booth at a public event where at least an estimated 200 or more individuals attend. 	<p>Provide information about stormwater topics of current interest. All events shall have the booth staffed by the permittee for at least 50% of the days the event occurs.</p>	<p>2 points may be claimed each year this BMP is implemented in compliance with the specified requirements for alternative 1. (1,000 or more attendees) or alternative 2. (3,000 attendees).</p> <p>1 point may be claimed each year this BMP is implemented in compliance with the specified requirements for alternative 3(200 attendees).</p>
<p>PE&O- 10</p>	<p>Provide either training or educational materials to Lawn/Turf care service entities addressing best management practices they can employ to minimize or avoid adverse stormwater impacts due to their operations.</p>	<p>Training or educational materials must be provided, within the year, to at least five lawn/turf care service entities or at least 20% of the lawn care service entities located in the municipality whichever is least.</p>	<p>2 points may be claimed in any year in which the required amount of training or distribution of educational material occurs.</p>
<p>PE&O-11</p>	<p>Adopt a public education program to reduce littering.</p>	<p>Install and/or maintain signs to discourage littering. Signs are to be located in areas where littering has been a problem.</p>	<p>1 point may be claimed for the year when signs are posted for six months or more, or 1 point may be claimed in subsequent years where the signs remain posted throughout the year.</p>
<p>PE&O -12</p>	<p>Create a stormwater information brochure to provide to the public at public meetings and/or hearings</p>	<p>Have multiple copies of the brochure available during at least 10 meetings or hearings open to the public during the year. Provide the brochures to the public at no-charge.</p>	<p>1 point may be claimed in any year the brochures are made available at meetings and/or hearings as required.</p>

APPENDIX A: Public Education and Outreach (PE&O) BMP Table

PE&O-13	Operate an adopt a highway program to utilize public volunteers to clean road right-of-way.	The volunteers shall clean at least a two-mile segment of road either within the permit area or adjacent to the permit area. Alternately multiple spots (roadways, parks, and waterways) which are cleaned and equate to a two-mile road clean-up can qualify for a point.	1 point may be claimed in any year a two-mile road segment is cleaned or alternately multiple spots are cleaned which equate to or exceed a two-mile road clean-up.
PE&O-14	Conduct a media campaign addressing various pertinent stormwater public education topics.	The media campaign shall occur during prime-time broadcasting. The date, time, estimated media exposure, and population value for each spot broadcast shall be documented.	2 points may be claimed in a year in which the media campaign meets the requirements.
PE&O-15	Develop or participate in an ongoing social media program to share pertinent stormwater public education topics.	Publish or share social media content on the permittee's social media accounts at least six times per year. Record post topic, the number of impressions and engagement for each post. Include link to permittee's stormwater education website.	2 points can be claimed in a year which the required number of content is shared.
PE&O-16	Operate an information booth at a public event or hold a public event which is intended to improve public understanding of issues related to water quality. The event may be associated with any environmental related issue including but not limited to an environmental expo, earth day, world wetlands day, International Day of Action for rivers, world fish migration day, world biodiversity day, world oceans day, world cleanup day, world water monitoring day, world rivers day, and America recycles day.	At least an estimated 800 or more individuals must attend the event. The booth must be staffed at least 50% of the time the event is open to the public.	2 points may be claimed each year this BMP is implemented in compliance with the specified requirements. Municipal staff from multiple permittees may staff the booth and claim points, for their municipality, for this BMP if their staff meet the 50% of the time staffing requirement.
PE&O- 17	Operate an adopt a street program to utilize public volunteers to clean street right-of-way.	The volunteers shall clean at least a two-mile segment of street, either a single street or multiple streets, either within the permit area or adjacent to the permit area.	1 point may be claimed in any year at least two miles of street right-of-way is cleaned by volunteers.

**APPENDIX B:
Public Involvement/Participation (P I/P) BMP Table**

APPENDIX B: Public Involvement/Participation (P I/P) BMP Table

BMP ID	Summary	Measurable Goal	Points
P I/P - 1	Hold a public hearing or public forum to notify the public about stormwater program activities and to solicit public comments regarding stormwater issues.	<p>Provide public notice of the hearing/forum, invite local news media, either newspaper, radio, or TV, and document the hearing with attendance sign-in sheet and minutes of the hearing which include public comments and responses.</p> <p>Retain copies of the notices to public, invitations to attend, attendance sign-in sheets, and minutes.</p>	2 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
P I/P - 2	Establish a citizens advisory committee.	Host the citizens advisory committee meetings twice yearly and receive comments and guidance from the committee regarding the SMP. Retain on file copies of the attendance list and minutes of the meetings.	3 points may be claimed each year the citizens advisory committee holds at least two meetings within one year.
P I/P - 3	Hold a park or stream bank clean-up events for public volunteers to aid municipal staff in removing trash, debris, or pollutant sources from the selected clean-up area.	<p>Clean an area which must be equal to or greater than one acre or alternately at least 200 yards of streambank.</p> <p>Alternately, for municipalities with less than 500 population clean an area which must be equal to or greater than a quarter of an acre or alternately at least 100 feet of streambank.</p>	3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
P I/P - 4	Train either citizen watch groups, homeowner associations (HOAs), or public service groups to recognize illicit discharge activities and communicate observations to appropriate municipal staff.	Provide training or distribute training materials to the citizen group participants at least once annually.	2 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
P I/P - 5	Provide at least two events for residents to engage in cleanup activities and improve water quality within Johnson County.	Provide at least two events in streams, streamside parks, areas adjacent to public waterways, and/or other green infrastructure/water resources. These events must be one of the following: Environmental restoration events, stream cleanups, tree plantings, or stream monitoring.	3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.

APPENDIX B: Public Involvement/Participation (P I/P) BMP Table

<p>P I/P - 6</p>	<p>Establish a program to encourage residents to install stormwater treatment best management practices on their property.</p>	<p>Encouragement can include funding, grants, and other financial incentives, trainings and or giveaways. Stormwater treatment BMPs can include rain barrels, rain gardens, native plantings, native trees, cisterns and vegetated swales. Record participation numbers annually.</p>	<p>2 points may be claimed each year this BMP is implemented in compliance with the specified requirements, with the addition of 1 additional point (for a total of 3 points in the year) each year that participation increases from the previous year.</p>
<p>P I/P - 7</p>	<p>Enact either an ordinance, a resolution, or other enforceable requirement that requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited at parks or rest areas owned by the permittee.</p>	<p>The ordinance or resolution or other enforceable measure shall be enacted, and signs posted informing the public of their obligation at the park. The installation of a pet waste bag dispenser in the public area qualifies as adequate signage.</p>	<p>1 point may be claimed for the initial and subsequent year the Measurable Goal requirements remain in effect.</p>
<p>P I/P - 8</p>	<p>Provide a monetary donation to a scholarship fund for students pursuing a degree in an environmental program which would qualify them to work in a field which can result in water pollution control.</p>	<p>A \$500 contribution in a year is the minimum acceptable amount to achieve this goal. The donation must be made in the year the points are claimed.</p>	<p>2 points may be claimed each year this BMP goal is achieved.</p>
<p>P I/P - 9</p>	<p>Distribute stormwater educational materials to the public within this permit area. Alternately, the permittee may provide stormwater educational materials, e.g. brochures, flyers, or pamphlets addressing various stormwater topics. For this alternative, these materials may be provided to other nearby municipalities in Johnson County for distribution to the public</p>	<p>The educational materials, for each topic, which are distributed or supplied must have a value of at least \$50. Topics may be anything related to stormwater including but not limited to guidance on clean-up following flooding, discouraging littering, explaining and discouraging illicit discharges to the storm sewers, constructed BMPs for homeowners, area household hazardous waste receiving centers, and area recycling programs.</p>	<p>1 point may be claimed per topic addressed in compliance with the requirements, up to a total of 5 points/topics.</p>
<p>P I/P - 10</p>	<p>Establish a program to employ a high school or college age environmental interns in an environmental related program including but not limited to either the wastewater utility, stormwater utility, potable water utility or solid waste utility.</p>	<p>The intern must receive the same environmental related training a new full-time employee would receive, within the first six months of the full-time employee's employment, during their internship. The internship must last at least 8 weeks in the year when points are claimed.</p>	<p>2 points may be claimed each year this BMP goal is achieved per intern.</p>

**APPENDIX C:
Illicit Discharge Detection and Elimination (IDD&E) BMP Table**

APPENDIX C: Illicit Discharge Detection and Elimination (IDD&E) BMP Table

BMP ID	Summary	Measurable Goal	Points
IDD&E - 1	Hold a public hearing or public forum to educate the public about illicit discharges and alternate acceptable methods of disposal or reuse of substances and/or materials.	Provide public notice of the hearing/forum, invite local news media (either newspaper, radio or TV), and document the hearing with attendance sign-in sheet and minutes of the hearing which include questions/comments from the attendees and answers/comments from the permittee staff. Retain copies of the notices to public, invitations to attend, attendance sign-in sheets, and minutes	2 points may be claimed for any year a hearing/forum is held.
IDD&E - 2	<p>Implement a program to abandon failed or failing residential or commercial on-site wastewater treatment facilities. These on-site wastewater treatment systems such as septic tank – lateral systems or lagoon systems are then connected to the municipal wastewater collection system for treatment of wastewater at the municipal wastewater treatment plant.</p> <p>Alternately, upgrade or replace the failed system to restore performance.</p>	<p>Redirect the wastewater generated by the facility to the municipal wastewater treatment collection system for proper treatment and disposal.</p> <p>Alternately, upgrade or replace the failed system with improvements which meet or exceed the present code or local requirements.</p>	3 points may be claimed for each abandoned system in the year it is abandoned, alternately for systems which are upgraded or replaced as per the requirements. And a total of 2 points may be claimed in the year upgrade or replacement is completed.
IDD&E - 3	Develop a spill response plan and, if appropriate, coordinate emergency response with other agencies or organizations.	The plan shall include, at a minimum, explanation of appropriate spill response activities for spills associated with vehicle accidents, at grade or above ground storage tanks, and vehicle fluids from mechanical equipment such as construction equipment, cars, or trucks. The written plan shall be maintained on file.	<p>3 points may be claimed in the year initially implemented.</p> <p>2 points may be claimed for each successive year the plan remains effective.</p>
IDD&E - 4	Implement a program to evaluate MS4 outfalls to identify illicit discharges. Inspect at least 5% of the known MS4 outfalls during a calendar year and evaluate the ones which have dry weather discharges. Evaluate the water quality of the dry weather discharges to recognize non-stormwater contributions and trace the source of any illicit discharge.	When at least 5% of the known MS4 outfalls are inspected and for which at least one outfall was identified as discharging (entirely or partially) flow from an illicit discharge, the allotted points may be claimed in the year when the illicit discharge is eliminated. Document the MS4 outfalls inspected, the outfalls with dry weather discharges and the MS4 outfalls associated with illicit discharges.	1 point may be claimed in the year when a 5% of the known MS4 outfalls are finally inspected, and 2 additional points may be claimed in which illicit discharge(s), associated with this group of evaluated outfalls are detected and eliminated.

APPENDIX C: Illicit Discharge Detection and Elimination (IDD&E) BMP Table

<p>IDD&E - 5</p>	<p>Distribute a letter (or flier) and/or e-mail along with a press release from a municipal official with the intent of reaching every resident and business in the MS4 permit area. The distributed documents shall provide information on how to avoid illicit discharges to the MS4, i.e., proper disposal methods for common substances or materials often discharged illicitly.</p> <p>Provide a link to the municipal website where applicable ordinances and disposal guidance are posted.</p>	<p>The letter (or flier) and/or e-mail along with the press release shall highlight the requirements for proper disposal of wastes and disposal methods. Copies of these documents shall be retained on file along with the distribution/ mailing lists to document distribution to the target area (minimum MS4 permit area) to avoid illicit discharges to the MS4.</p> <p>Provide a link to the municipal website where applicable ordinances and disposal guidance are posted.</p>	<p>2 points may be claimed within the year these documents are distributed.</p>
<p>IDD&E - 6</p>	<p>Inspect, by televising pipelines or direct visualization of open channel drainage, 2% of the MS4 system within the permit area all conducted within a 12-month period to aid in identifying illicit discharges as well as evaluate the condition of the storm sewer lines/drainage channels-ditches. If in a 12-month period 10% of the MS4 system is inspected a higher point value may be claimed.</p>	<p>Generate a summary report of the inspection including the number of linear feet televised, number of linear feet visually inspected, condition comments, illicit discharges identified and the results of efforts to eliminate illicit discharges, e.g., discharge line disconnected and redirected to the sanitary sewer or discharge practice terminated.</p>	<p>3 points may be claimed for inspection of 2% of the MS4 system, alternately if 10% of the MS4 system is inspected 5 points may be claimed.</p>
<p>IDD&E - 7</p>	<p>Implement a Household Hazardous Waste Collection Program (HHWCP) or document others have implemented such a program to provide such service to all property owners or residents located within the permit area.</p>	<p>Document the residents and property owners within the MS4 permit area were able to dispose of such wastes at the HHWCP during a calendar year. Retain this documentation on file.</p>	<p>3 points may be claimed for any year in which this BMP was implemented in compliance with the requirements.</p>

APPENDIX C: Illicit Discharge Detection and Elimination (IDD&E) BMP Table

<p>IDD&E - 8</p>	<p>Implement a program to increase the reliability of sanitary sewer pump stations above the minimum standard design requirements.</p>	<p>An upgraded pump station shall include the following:</p> <ul style="list-style-type: none"> ➤ A dedicated on-site standby generator shall be installed (with automatic transfer switch) for use when main line power fails. ➤ A dialer system, or telemetry system, or connection to a SCADA system shall be installed to provide real time or nearly real time notification of failures at the pump station which can potentially lead to sanitary sewer overflow. ➤ The permittee shall purchase and maintain for immediate operation a trailer mounted motor driven sewage pump for use when the pump station fails to operate. The motor driven pump shall be sized to pump at a rate at least equal to the firm pumping capacity of any sanitary sewer pump station the permittee claims points for under this BMP. ➤ The pump station shall be modified to facilitate the connection of the trailer mounted pump discharge to the force main and convenient installation of the suction line from the trailer mounted pump into the wet well. 	<p>5 points may be claimed (for each pump station upgraded in compliance with this BMP) in the first year the improvements, as listed under measurable goals, are installed and ready for operation,</p> <p>4 points may be claimed for (for each pump station upgraded in compliance with this BMP) each successive year the improvements, as listed under measurable goals, remain operational.</p>
<p>IDD&E - 9</p>	<p>Provide a contribution to area recycle programs or programs (such as household hazardous waste disposal facilities, e-cycle facilities, paper shred facilities, pharmaceutical disposal facilities etc.) designed to properly dispose of types of waste or materials which have previously been discarded to or adjacent to either the MS4, streams, or lakes within or adjacent to the permittee's permit area. The area program must be within 30 miles from this permit area.</p>	<p>The contributions may be made to programs which take tires, automotive fluids, batteries, or other wastes documented that are mentioned in this BMP summary. The contributions must total a minimum of \$500 in the year (\$100 for alternative lower population municipalities) which points are claimed. The contributions can be monetary or can be in the form of goods and/or services with an agreed specified value. Contributions may be made to area household hazardous waste programs, private recycle/reuse facilities or civic/volunteer organizations assisting in recycle.</p>	<p>2 points may be claimed each year this BMP goal is achieved.</p>
<p>IDD&E-10</p>	<p>Inspect, 5% of the MS4 system Stormwater inlets and/or outfalls within the permit area all conducted within a 12-month period to aid in identifying illicit discharges. If in a 12-month period 15% of the MS4 system inlets and/or outfalls are inspected a higher point value may be claimed.</p>	<p>Generate a summary report of the inspection including the number of inlets and/or outfalls visually inspected, condition comments, illicit discharges identified and the results of efforts to eliminate illicit discharges, e.g., discharge line disconnected and redirected to the sanitary sewer or discharge practice terminated.</p>	<p>3 points may be claimed for inspection of 2% of the MS4 system in the year the required percentage of inlets and/or outfalls are inspected. If 15% of the MS4 system is inspected 5 points may be claimed.</p>

**APPENDIX D:
Construction Site Stormwater Runoff Controls (CSSRC) BMP Table**

APPENDIX D: Construction Site Stormwater Runoff Controls (CSSRC) BMP Table

BMP ID	BMP Summary	Measurable Goal	Points
CSSRC - 1	Implement a requirement for a Soil Erosion and Sediment Control (SESC) Plan for any land Disturbance sites which are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	Enact a regulatory ordinance, or other enforceable measure that requires an SESC Plan for all developments disturbing sites equal to or greater than 1 acre or for construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	3 points may be claimed in the year the ordinance initially becomes effective. 2 points may be claimed for each successive year thereafter for which the ordinance remains effective.
CSSRC - 2	Develop and adopt a design manual for erosion and sediment control BMPs which are required to be used on sites disturbing sites equal to or greater than 1 acre or for construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	Require implementation of BMPs in compliance with the design manual on all sites which meet the disturbed area standard as specified in the BMP Summary.	3 points may be claimed in the year the manual is initially implemented. 2 points may be claimed for each successive year the manual remains effective.
CSSRC - 3	Provide access to at least one training class for contractors, developers or others involved with land disturbance projects which provides training on requirements for a Stormwater Pollution Prevention Plan (SWPPP) and implementation of appropriate BMPs.	This training class must address all local requirements for a SWPPP, requirements for implementation of BMPs and address the requirements for permits.	3 points may be claimed for the year in which the training class is held.
CSSRC - 4	Develop a site plan review process which considers potential water quality impacts which may occur during construction as well as post construction impacts.	Review process must have written guidance for the reviewer. Issuance of a building permit or approval to start construction may not be provided until the site plan has successfully passed the review process either based on the initial site plan submittal or has been modified to comply with requirements identified during the review process. Measures must be included to enforce the installation of water quality BMPs included in the site plan.	3 points may be claimed in the year the review process is initially developed and implemented. 2 points may be claimed for each successive year the review process continues to be implemented.

APPENDIX D: Construction Site Stormwater Runoff Controls (CSSRC) BMP Table

<p>CSSRC - 5</p>	<p>Establish effective requirements for construction sites to control wastes. Develop through ordinance or other enforceable means requirements for construction site Operators or owners. At a minimum control shall be imposed to prevent entry into the MS4 for the following wastes:</p> <ul style="list-style-type: none"> ➤ discarded building materials ➤ concrete ➤ Truck washout chemicals ➤ litter, and ➤ sanitary waste 	<p>Enact ordinance or other effective means to achieve control of wastes at construction sites.</p>	<p>3 points may be claimed in the year of enactment.</p> <p>2 points may be claimed for each successive year the method of effective control of construction site waste remains in effect.</p>
<p>CSSRC - 6</p>	<p>Develop written procedures for inspection of construction sites. Develop a Stormwater Construction Site Inspection Guide for use by municipal inspectors.</p>	<p>The procedures document must address the administrative aspects associated with required inspections of construction sites, the issuance of inspection reports, notices of violations, and enforcement actions. The Inspection Guide must provide inspectors guidance on how to conduct a construction site stormwater inspection, the required procedures, and guidance on acceptable conditions of various BMPs employed on such sites, enforcement actions and/or reference of cases for enforcement by other municipal staff, guidance on photo log of the inspection and inspection checklists for use by the inspector.</p>	<p>3 points may be claimed in the year of initial development.</p> <p>2 points may be claimed for each successive year the written procedures and inspection guide continue to be utilized.</p>
<p>CSSRC - 7</p>	<p>Acquire or develop a software tracking system to track inspections and related tasks.</p>	<p>The tracking system must allow for scheduling and follow-up activities such as re-inspections, mailing notices or reports, etc.</p>	<p>1 point may be claimed for each year the software is utilized.</p>

**APPENDIX E:
Post-Construction Stormwater Management in New Development
and Redevelopment Projects (PCSM) BMP Table**

APPENDIX E: Post-Construction Stormwater Management in New Development and Redevelopment Projects (PCSM) BMP Table

BMP ID	BMP Summary	Measurable Goal	Points
<p>PCSM - 1</p>	<p>Develop and adopt a custom design manual for Post-Construction Stormwater Management which specifies various structural BMPs which are required for new development and re-development construction sites which are greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.</p> <p>Alternately, adopt and implement the APWA 5600 Stormwater Design Criteria and the MARC/APWA BMP Manual.</p>	<p>The custom design manual shall impose requirements to achieve at least one of the following standards:</p> <ul style="list-style-type: none"> ➤ Capture, at least, the first 0.5 inches of precipitation on the development/re-development site and utilize methods to prevent discharge off-site, including but not limited to: <ul style="list-style-type: none"> • retain on-site • infiltrate • evaporate • transpire or • beneficially reuse ➤ Through implementation of appropriate BMP(s) reduce the peak stormwater flow rate to a value equal to or less than the rate which would be experienced on the site prior to the development/re-development project based upon modeling a standard storm event, e.g. 1.0 inch – 6-hour event assuming saturated soil conditions. ➤ Other sizing or detention standards generally accepted by design engineers as adequate for the permittee's local. <p>As an alternative to a custom design manual the APWA 5600 Stormwater Design Criteria and the MARC/APWA BMP Manual may be adopted and implemented. Measures must be included to enforce the installation of the various structural BMPs required.</p>	<p>4 points may be claimed in the year of initial implementation of a custom design manual.</p> <p>6 points may be claimed in the year of initial implementation of the APWA 5600 stormwater design criteria and the MARC/APWA BMP Manual,</p> <p>3 points may be claimed for each successive year compliance with the custom design manual is implemented.</p> <p>5 points may be claimed in each successive year the implementation of the APWA 5600 stormwater design criteria and the MARC/APWA BMP Manual is implemented.</p>
<p>PCSM - 2</p>	<p>Develop a list of post-construction structural or non-structural BMPs which are required to be incorporated in any development/re-development project. The list must include guidance regarding the BMPs which must be incorporated in various projects as determined appropriate by the permittee. The list is to be provided to entities involved with the design of projects prior to site plan review by the permittee.</p>	<p>Development and implementation of the list and guidance is necessary to claim points in the first year. The list of required BMPs must be enforceable through ordinance or other means.</p>	<p>3 points may be claimed in the year of initial implementation.</p> <p>2 points may be claimed for each successive year the list is maintained and implemented.</p>

APPENDIX E: Post-Construction Stormwater Management in New Development and Redevelopment Projects (PCSM) BMP Table

<p>PCSM - 3</p>	<p>Develop and implement a program to ensure adequate long-term cleaning, operation and maintenance of all municipally owned or operated post-construction structural stormwater BMP facilities. The program shall address several different types of these BMP systems. The systems, which are addressed, shall include any type of post-construction structural BMP system, contained in the MS4. These shall include, if so present, at a minimum the following:</p> <ul style="list-style-type: none"> • detention ponds • retention ponds • grass swales • pervious paving systems • wetlands • vegetative filter strips • manufactured stormwater treatment devices (swirl separators, screens, etc.) • drop inlet-catch basin 	<p>The program shall be detailed in a written document and made available to all pertinent maintenance staff.</p>	<p>3 points may be claimed in the year of initial implementation.</p> <p>2 points may be claimed for each successive year the program is maintained and utilized.</p>
<p>PCSM - 4</p>	<p>Develop a master plan or comprehensive development plan which establishes zoning and development standards with establishment of both structural and non-structural BMPs intended to avoid or minimize adverse water quality impacts post-construction.</p>	<p>Runoff problems can be addressed efficiently with sound planning procedures. This master or comprehensive development plan must include, a zoning ordinance, a stream buffer ordinance, site plan development requirements which include minimizing the increase of impervious surfaces and maximization/preservation of open space. The plan must also impose requirements for new development or redevelopment projects to utilize stormwater retention or detention BMPs and vegetative BMPs (such as grassy swales, filter strips, artificial wetlands, and rain gardens).</p>	<p>5 points may be claimed in the year all aspects are initially implemented.</p> <p>2 points may be claimed for each successive year all aspects continue to be implemented.</p>
<p>PCSM - 5</p>	<p>Develop and implement a program for inspection of permittee owned structural BMPs which includes implementation of needed maintenance to ensure long-term operation of the BMPs</p>	<p>The program shall require inspection of at least 10% of the structural BMPs on an annual basis.</p> <p>Identified maintenance activities shall be completed:</p> <ol style="list-style-type: none"> 1. in the same year of inspection or 2. completed as dictated by the permittee's maintenance/O&M plan 3. or a written plan for completion of the necessary maintenance shall be completed in the same year of inspection with the objective for completion of the maintenance activity within 18 months. 	<p>3 points may be claimed in the year the program is initially developed and implemented.</p> <p>2 points may be claimed for each successive year the program continues to be implemented.</p>

APPENDIX E: Post-Construction Stormwater Management in New Development and Redevelopment Projects (PCSM) BMP Table

<p>PCSM - 6</p>	<p>Develop and implement a program for inspection of known privately owned structural BMPs which includes an inspection report which specifies needed maintenance to ensure long-term operation of the BMPs.</p>	<p>The program shall require inspection of at least 10% of the known privately owned structural BMPs on an annual basis.</p> <p>Identified maintenance activities shall be completed in the same year of inspection or a written plan for completion of the necessary maintenance shall be completed in the same year of inspection with the objective for completion of the maintenance activity within 18 months.</p>	<p>3 points may be claimed in the year the program is initially developed and implemented.</p> <p>2 points may be claimed for each successive year the program continues to be implemented.</p>
<p>PCSM - 7</p>	<p>Enact either an ordinance, a resolution, or other enforceable requirement which requires the installation of pervious surfaces on property.</p>	<p>The ordinance or resolution or other enforceable requirement must specify when installation of impervious surfaces is not acceptable and what allowable pervious surfaces can be installed in lieu of impervious surfaces.</p>	<p>3 points may be claimed in the year of initial implementation.</p> <p>2 points may be claimed for each successive year the ordinance, resolution, or other enforceable requirement is implemented.</p>
<p>PCSM - 8</p>	<p>Implement a program to encourage residential owners to install stormwater BMPs, including but not limited to, native trees, native flower gardens, rain gardens, rain barrels, pervious surfaces, and vegetated swales.</p>	<p>A program which results in installation of such BMPs on 1% of the residential parcels in a year will allow two points to be claimed for that year. In a year when installation of such BMPs on 5% of the residential parcels occurs, a larger number of points may be claimed.</p>	<p>2 points may be claimed in a single year BMPs are installed on 1% of residential parcels.</p> <p>4 points may be claimed in a single year BMPs are installed on 5% of residential parcels.</p>

**APPENDIX F:
Pollution Prevention/Good Housekeeping for Municipal Operations (PP/GH)
BMP Table**

**APPENDIX F: Pollution Prevention/Good Housekeeping for Municipal Operations
(PP/GH) BMP Table**

BMP ID	BMP Summary	Measurable Goal	Points
PP/GH - 1	Install a screening device or method at a single municipal storm sewer outfall or on the storm sewer line immediately upstream of the outfall to reduce the discharge of floatables or other objects to receiving waters.	<p>The screening device or method is required to remove objects that exceed at least 1½ inches in size. The device or method must be capable of continuous operation during stormwater discharges.</p> <p>An emergency bypass or overflow line can be included to avoid surcharging/flooding in the event the screening device or method fails to operate properly at any time.</p> <p>A log of the material captured and prevented from discharge to the receiving water shall be maintained.</p>	<p>3 points may be claimed in the year the screening device or method is initially implemented.</p> <p>2 points may be claimed for each successive year the screening device or method continues to be implemented.</p>
PP/GH - 2	Implement a recycle and proper waste disposal program for municipal staff to reduce potential for litter, to recycle waste oil, batteries, glass containers, plastic containers, and paper products.	A log of the materials directed to recycle shall be maintained. Entries in the log shall record either weight or volume of recycle materials removed from the containers and transported to the recycle facility as well as the date of transport.	<p>3 points may be claimed in the initial year the recycle program is implemented.</p> <p>2 points may be claimed for each year the recycle program continues to be implemented.</p> <p>Recycle containers shall be available for staff use all days of the year in which points are claimed.</p>
PP/GH - 3	Develop a guidance document for municipal staff or third-party contractors which apply pesticides. The guidance shall require municipal staff who apply restricted use pesticides to have a commercial applicator certification from the Kansas Department of Agriculture if required by that Department.	Require staff which apply pesticides to use such pesticides in compliance with the guidance document. The guidance document must require use of pesticides in compliance with the label instructions.	<p>2 points may be claimed in the year the guidance document is initially implemented.</p> <p>1 point may be claimed for each successive year the guidance document continues to be implemented.</p>

**APPENDIX F: Pollution Prevention/Good Housekeeping for Municipal Operations
(PP/GH) BMP Table**

<p>PP/GH - 4</p>	<p>Implement a program, with guidance to municipal staff or third-party contractors, to ensure any municipal vehicle or other mechanical equipment washing is conducted in a manner which ensures the wash water is disposed of in the sanitary sewer or otherwise receives proper treatment prior to discharge to the environment.</p>	<p>Maintain proper wash facilities for municipal staff to wash vehicles and/or equipment or implement a program which includes guidance to municipal staff to take vehicles and/or equipment to commercial wash facilities, either of which ensures the wash water is conveyed to the sanitary sewer, or otherwise receives proper treatment prior to discharge to the environment, and not discharged untreated to the MS4 or directly to the environment.</p>	<p>2 points may be claimed in the year the guidance document is finalized and implemented.</p> <p>1 point may be claimed for each successive year the guidance document continues to be implemented.</p>
<p>PP/GH - 5</p>	<p>Implement a program for street sweeping in which the street sweepings are collected and disposed of properly or recycled/reused if possible.</p>	<p>All paved streets which can be swept shall be listed in the schedule for street sweeping. A log shall be maintained listing the street segments which are swept and, dates of sweeping and where the street sweepings are disposed or where the material was sent to be recycled and/or reused.</p> <p>Alternatively, for municipalities with less than 500 population street sweeping can be limited to sweeping the gutters. The log which must be maintained need only indicate the street segments which were swept in the year and confirm the sweepings were properly disposed or recycled and/or reused</p>	<p>3 points may be claimed in the year at least 10% of the listed streets are swept and street sweeping equipment is purchased.</p> <p>2 points may be claimed for each year at least 10% of the listed streets are swept or alternately for municipalities with less than 500 population if at least 5% of the street gutters are swept.</p> <p>1 point may be claimed in years when street sweeping equipment is purchased for use by the permittee.</p>
<p>PP/GH - 6</p>	<p>Develop an employee training program to ensure permittee's staff understand what actions they can take in the workplace to minimize stormwater pollution.</p>	<p>Provide guidance documents in the form of either fact sheets, flyers or e-mails to staff to coach them in appropriate actions they can take while working to minimize stormwater pollution.</p> <p>Alternately, provide in-person training or videos with sign-in-sheets for signature documentation of personal or video training. Retain copies of the guidance documents and/or sign-in-sheets. A log of when the guidance was distributed, or training was provided to staff should be maintained. Provide appropriate guidance and/or training to staff a minimum of twice per year.</p>	<p>In years when guidance documents or training (in-person or video) are provided on at least two separate dates 1 point may be claimed.</p>

**APPENDIX F: Pollution Prevention/Good Housekeeping for Municipal Operations
(PP/GH) BMP Table**

<p>PP/GH - 7</p>	<p>Implement a program to inspect stormwater inlets to identify illicit discharges and clean drop inlets of accumulated debris.</p>	<p>Inspect at least 5% of all inlets annually.</p> <p>Additionally, if 10% of all inlets are inspected in a year an additional point may be claimed.</p> <p>For any inlets which have evidence of dumped paint, oil or other substances which are considered illicit discharges follow up with efforts to educate individuals near the impacted inlet about illicit discharges.</p> <p>For inlets which have any accumulation of debris, remove the debris for proper disposal.</p>	<p>1 point may be claimed in years when staff inspect at least 5% of all stormwater inlets and remove accumulated debris.</p> <p>2 points may be claimed in years when staff inspect at least 10% of all stormwater inlets and remove accumulated debris.</p>
<p>PP/GH - 8</p>	<p>Make updated online storm sewer map accessible to the public.</p>	<p>Map shall cover the entire MS4 within the permit area and include all the MS4 lines both pipe and open drainage (i.e. ditches) and shall also illustrate all impaired waterways (i.e. 303(d) listed and TMDL listed streams/rivers) with an indication of the listed impairment.</p>	<p>3 points may be claimed in the first year if the map was posted for at least 6 months.</p> <p>2 points may be claimed for each year thereafter for which the map remains posted.</p>
<p>PP/GH - 9</p>	<p>Identify permittee owned facilities, open space and buildings that can be retrofitted for stormwater BMPs.</p>	<p>Retrofit projects can include green infrastructure, catchment improvements, Pollutant of Concern targeted BMPs, and native plant restoration projects.</p>	<p>1 point may be claimed in the first year for each site retrofitted (up to two sites/points maximum).</p> <p>2 points may be claimed for each year at least two sites continue to operate all of the retrofitted BMPs which were installed.</p>
<p>PP/GH-10</p>	<p>Install and operate a constructed wetland at a municipal facility such as at a parking lot, shop, maintenance facility, rest area or any other industrial/commercial type facility, e.g. recycling facility, transfer station, kennel, or airport.</p>	<p>The wetland shall include a water surface area of at least 1/4 acre or equivalent submerged surface area for submerged wetlands.</p>	<p>2 points may be claimed for the year in which the wetland is constructed.</p> <p>1 point may be claimed for each subsequent year the wetland remains in operation.</p>

**APPENDIX F: Pollution Prevention/Good Housekeeping for Municipal Operations
(PP/GH) BMP Table**

<p>PP/GH-11</p>	<p>Install a canopy or other covered area for load-out of salt or other de-icing chemicals where such de-icing materials are stored either within the permit area or a storage facility located within 30 miles of this permit area. The canopy or other covered area for load-out of salt or other de-icing materials may be installed at a facility owned by the permittee or at a facility owned by an entity the permittee contracts with as long as the facility is located within 30 miles of this permit area.</p>	<p>The canopy or covered area shall be large enough to allow normal load-out and cleanup of spilled de-icing materials, without mixing with precipitation and resulting in contaminated runoff from the site, during and immediately following load out operations</p>	<p>3 points may be claimed for the year in which the canopy/covered area is constructed. 2 points may be claimed for each subsequent year the canopy/covered area remains in operation.</p>
<p>PP/GH-12</p>	<p>Install a stormwater treatment system for capture of either trash, sediment, or debris. Systems may include any proprietary stormwater treatment system including CDS, Hancor, Enviro 21, etc. or similar custom designed systems. A system can be installed at a single municipal storm sewer outfall or on the storm sewer line immediately upstream of the outfall to reduce the discharge of floatables or other objects to receiving waters. Alternately, a system may be installed on a stormwater line to provide treatment at problem locations.</p>	<p>The treatment system or method must be capable of continuous operation during stormwater discharges. An emergency bypass or overflow line can be included to avoid surcharging/flooding in the event the system is overloaded or fails to operate properly at any time. A log of the material (noting either volume or weight) captured and prevented from discharge to the receiving water shall be maintained.</p>	<p>3 points may be claimed in the year the treatment system is initially implemented. 2 points may be claimed for each successive year the treatment system continues to be implemented.</p>

**APPENDIX G:
Total Maximum Daily Load (TMDL) BMP Table**

APPENDIX G: Total Maximum Daily Load (TMDL) BMP Table

BMP ID	BMP Summary	Measurable Goal	Points
TMDL - 1	Install pet waste stations which include a glove/bag dispenser with signage and waste can to encourage pet waste disposal at either parks, trails, rest areas or other public lands owned by the permittee.	At least one pet waste station shall be installed at the selected park, trail, rest area or other public land. The station(s) shall include signage which encourages proper pet waste disposal/cleanup and a waste can.	<p>1 point may be claimed for the year in which the Measurable Goal requirements are enacted.</p> <p>1 point may be claimed for each subsequent year the Measurable Goal requirements remain in effect.</p>
TMDL - 2	Establish a program to encourage installation of residential rain gardens.	Provide public education on rain gardens and design guidance for the installation of residential rain gardens. The rain gardens must have a minimum area of 20 square feet. The installation of rain gardens on five various residential parcels shall qualify the permittee to claim points for this BMP.	<p>3 points may be claimed for the year in which five or more residential parcels install rain gardens and initiate operation.</p> <p>2 points may be claimed for each subsequent year at least five or more residential parcels have rain gardens remain in operation.</p>
TMDL - 3	Install and operate a constructed wetland.	The wetland shall include a water surface area of at least one acre or equivalent submerged surface area for submerged wetlands.	<p>3 points may be claimed for the year the wetland is constructed.</p> <p>2 points may be claimed for each subsequent year the wetland remains in operation.</p>
TMDL - 4	Enact a stream buffer ordinance, resolution, or other enforceable requirement to impose stream buffer standards.	The enactment of stream buffer standards must include enforcement capability. Consider use of the EPA stream buffer model ordinance or similar such requirement.	<p>3 points may be claimed for the year in which the ordinance, resolution or other enforceable requirement is enacted.</p> <p>2 points may be claimed for each subsequent year it remains in effect.</p>

APPENDIX G: Total Maximum Daily Load (TMDL) BMP Table

<p>TMDL - 5</p>	<p>Develop a pet waste brochure or flyer document to educate the public about animal waste contamination of stormwater. The document encourages pet owners to pick up their pet's waste.</p> <p>Alternately, post the document on social media or the municipal website.</p>	<p>The brochures or flyers are to be posted in various public buildings and distributed to the public throughout the year. In the year the number of documents shall equal or exceed the most recent U.S. Census Bureau decennial housing units value for the permit area. The applicable U.S. Census housing units value shall be documented, and the number of documents distributed shall also be documented. This information and copies of the documents shall be retained on file.</p> <p>Documents posted to social media or the website shall have the page copied and printed to retain on file.</p>	<p>1 point may be claimed in a year in which the required number of brochures and/or flyers are distributed, documents posted on website(s) shall be posted for at least six months in the year. Documents posted on social media shall be posted six times within the year points are claimed.</p>
<p>TMDL - 6</p>	<p>Distribute "Only Rain Down the Drain" door hangers or similar document.</p>	<p>Provide in portions of the permit area with suspected illicit discharges. Recipients of the documents and copies of the documents shall be retained on file.</p>	<p>2 points may be claimed in a year in which the required number of hangers or similar documents are distributed or Alternately, the document may be posted to social media (at least three times in the year) or posted on the municipal website for a minimum of three months in the year to qualify for points.</p>
<p>TMDL - 7</p>	<p>Inspect 10% of all known MS4 outfalls for dry weather discharges either annually or twice per year to identify potential illicit discharges.</p>	<p>Complete inspection of all known MS4 outfalls either annually or twice per year during dry weather periods. If dry weather discharge is found follow-up with investigation to determine if a portion or all the discharge is illicit. Document the findings and initiate efforts to eliminate any identified illicit discharges.</p>	<p>3 points may be claimed for annual inspection as required by this BMP.</p> <p>5 points may be claimed for these inspections completed twice in a year but they must be seasonal (winter, spring, summer, and fall). If an illicit discharge is detected <u>and eliminated</u>.</p> <p>2 additional points may be claimed either in the year detected or in the year the illicit discharge is eliminated.</p>

APPENDIX G: Total Maximum Daily Load (TMDL) BMP Table

<p>TMDL - 8</p>	<p>Implement an Alternative Stormwater Offsite Pollution Reduction Program.</p>	<p>This program will include installation of BMPs in alternative locations, including outside the Permit Area, within the watershed shared by urban entities or urban and non-urban entities. The alternative stormwater offsite pollution reduction program shall be developed with watershed interests, such as other communities, Watershed Restoration and Protection Strategy (WRAPS) groups and Conservation Districts lying outside the Permit Area for the joint purpose of reducing pollutant loads generated from urban and non-urban lands within the shared watershed. Candidate offsite locations and practices will be consistent with implementing existing watershed plans that identify specific urban and non-urban (such as agricultural) BMP types and locations to achieve TMDLs reductions. The Alternative Stormwater Offsite Pollution Reduction Program shall be subject to KDHE approval and approved by KDHE prior to incorporation into the permittee's SMP.</p>	<p>5 points may be claimed in the year KDHE approves the program.</p> <p>4 points may be claimed for each subsequent year it remains in effect.</p>
<p>TMDL - 9</p>	<p>Implement a program to collect and properly dispose of litter, on four separate occasions per calendar year, within areas where littering has been identified as a problem. Such areas may include municipal parks, trails, rest areas, or other public lands owned by the permittee.</p>	<p>The four litter collection efforts should, but are not required to, occur seasonally, i.e., winter, spring, summer and fall. If it is unreasonable to collect litter in any season the required four collection efforts may occur in either three seasons or in a minimum of two seasons.</p>	<p>2 points may be claimed for any year in which four collection efforts have occurred in compliance with the requirements of this BMP.</p>
<p>TMDL -10</p>	<p>Establish a program to encourage Rainwater Harvesting.</p>	<p>Provide public education on rainwater harvesting and design guidance for the installation of rain barrels, cisterns, raingardens, and other rainwater harvesting devices. When rain barrels are utilized they must be a minimum size of 50 gallons. When raingardens are utilized they must be a minimum of 20 square feet. A rain harvesting system on a commercial setting must have adequate capacity to hold the runoff from the impervious surface for which it is designed to collect on the commercial parcel equal to that generated by a 0.1-inch rainfall event. The installation of rain barrels or rain gardens on five residential lots, or the installation of one rain harvesting system in a commercial setting shall qualify the permittee to claim points for this BMP.</p>	<p>3 points may be claimed for any year in which 5 or more residential barrel systems, or one commercial cistern is constructed and operational.</p> <p>2 points may be claimed in the year that the program is established.</p> <p>1 point may be claimed in subsequent years the program is maintained</p>

APPENDIX G: Total Maximum Daily Load (TMDL) BMP Table

<p>TMDL -11</p>	<p>Construct and maintain a structural BMP to reduce loadings of sediment and nutrients, including bioretention, detention basins, porous pavement, retention ponds, media filters and any composite treatment trains of multiple BMPs</p>	<p>A construction project installing a structural BMP must be completed prior to awarding of points. Any individual project will be awarded points scaled on the basis of the extent of the contributing area that the BMP will control. The permittee will document maintenance of the constructed BMP in subsequent years to continue to be awarded points.</p>	<p>4 points may be claimed for any year in which a structural BMP is completed for an area exceeding one acre.</p> <p>3 points may be claimed for any year in which a structural BMP is completed for an area under one acre.</p> <p>1 bonus point may be awarded for a composite BMP project.</p> <p>2 points may be awarded in subsequent years for ongoing maintenance of the BMPs.</p>
<p>TMDL -12</p>	<p>Construct a stream bank stabilization project.</p>	<p>Install a minimum of 100 feet of bank stabilization at a site(s) with a history of erosion. The sites may be on the same stream or on different streams.</p>	<p>3 points may be claimed for the year in which the required minimum amount of stream bank stabilization is installed.</p> <p>2 points may be claimed for each subsequent year it remains in effect.</p>

ATTACHMENT A

Stormwater Pollution Prevention Plan Requirements and Guidelines

The Stormwater Pollution Prevention (SWP2) plan shall be specific to the industrial activities and site characteristics occurring at the location described in this permit. The permittee shall fully implement the provisions of the SWP2 plan required under this permit as a condition of this permit.

The purpose of the SWP2 plan is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of pollutants in stormwater discharges associated with the industrial activities at the facility. The SWP2 plan shall evaluate BMPs from each of three major classes: managerial/administrative; structural controls and non-structural controls.

As guidance, the permittee shall evaluate, select, install, utilize, operate and maintain the BMPs in accordance with best professional judgment, generally accepted and scientifically defensible guidance, and the concepts and methods described in Environmental Protection Agency (EPA) document number EPA 833-B-09-002, entitled ***Developing Your Stormwater Pollution Prevention Plan***, a *Guide for Industrial Operators*, dated March 2021^a and the U.S. EPA *National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP)*; as modified effective September 29, 2021, and subsequent modifications.

The SWP2 plan and any amendments shall be developed by an individual knowledgeable in stormwater management and control and familiar with the site characteristics of the facility. Due to technical and site-specific requirements in developing a SWP2 plan, KDHE highly encourages and recommends that the SWP2 plan and any amendments be prepared by, or under the supervision of a Kansas licensed professional engineer. The SWP2 plan shall be reviewed and re-certified for compliance with accepted standards for stormwater pollution prevention at least once every five years. If KDHE determines the SWP2 plan to be inadequate KDHE, reserves the right to require the permittee to obtain the services of a qualified consultant to correct any deficiencies in the SWP2 plan. The SWP2 plan shall contain, at a minimum, the following items:

1. Pollution Prevention Team - Specific individuals or positions shall be identified within the facility organization as members of a Stormwater Pollution Prevention Team who are responsible for developing, implementing, maintaining and revising the SWP2 plan. Each member's responsibilities shall be clearly identified in the SWP2 plan. The activities and responsibilities of the team shall address all aspects of the facility's SWP2 plan.
2. Description of Potential Pollutant Sources - pollutant sources which may reasonably be expected to add significant amounts of pollutants to the stormwater discharge shall be described. The description shall include, at a minimum:
 - a. Site Map - a site map identifying the following: the outline of drainage area(s) for each stormwater outfall; the location of significant materials exposed to precipitation; storage tanks; scrap yards and general refuse areas; fuel storage and distribution areas; vehicle and equipment maintenance and storage areas; loading/unloading areas; waste treatment, storage or disposal areas; short and long term material storage areas (including but not limited to: supplies, construction materials, plant equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizers, and pesticides); landfills; construction sites; stock piles; major spills or leaks; surface water bodies and existing structural control measures to reduce pollutants in stormwater runoff (such as bermed areas, grassy swales, etc.).
 - b. Inventory of Exposed Materials - a narrative description of significant materials handled, treated, stored, leaked, spilled or disposed of in a manner to allow exposure to stormwater within the period starting three years prior to the date of this permit; existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and any treatment the stormwater receives. A list of significant spills and leaks of toxic/hazardous materials in exposed areas shall be maintained and kept updated.
 - c. Sampling Data - a summary of existing sampling data, if available.
 - d. Risk Identification and Summary of Potential Pollutant Sources - A narrative description of the potential pollutant sources and pollutant parameter of concern shall be identified.

^a The EPA Manual entitled ***Developing Your Stormwater Pollution Prevention Plan***, a *Guide for Industrial Operators*, dated March 2021; and the U.S. EPA *National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP)*; as modified effective September 29, 2021 are available online at: <https://www.epa.gov/npdes/industrial-stormwater-guidance> or the KDHE website: <https://www.kdhe.ks.gov/756/Industrial-Programs-Section-Stormwater-P>.

3. Measures and Controls - A description of stormwater management controls appropriate for the facility which addresses the following minimum components, including a schedule for implementing such controls to the extent practical:
- a. Good housekeeping requiring the maintenance of areas in a clean, orderly manner including handling and storage areas (exposed to precipitation) for raw metals, scrap metals, fuels, paints and other process areas.
 - b. Preventive Maintenance - Including timely inspection and maintenance of stormwater management devices, like oil water separators, catch basins, etc.
 - c. Spill Prevention and Response Procedures - Appropriate material handling procedure, storage requirements, use of equipment such as diversion valves, and procedures for cleaning up spills should be identified. Availability of the necessary equipment to implement a clean-up should be addressed. The following areas should be addressed:
 - (1) Metal fabrication and finishing areas - include measures for maintaining clean, dry, orderly conditions and use of dry clean-up techniques;
 - (2) Receiving, Unloading and Storage Areas and Raw Material Storage Areas - include measures to prevent spills & leaks; easy access for spill clean-up; quick and correct identification of materials; and train employees on clean-up techniques.
 - (3) Storage of Equipment - include procedures for proper clean-up and/or covering of equipment before storing outdoors.
 - (4) Storage of Metal Working Fluids - measures to identify proper controls.
 - (5) Cleaners and Rinse Water - include measures to control spills, build-up and disbursement of sand from sand blasting, and use of less toxic cleaners.
 - (6) Lubricating Oils and Hydraulic Fluids - include procedures for using detecting and control devices to reduce, prevent, and contain leaks and overflows.
 - (7) Chemical Storage Areas - include a program to inspect containers and identify proper disposal and spill controls to prevent stormwater contamination.
 - d. Inspections: Identification of qualified facility personnel to inspect, at appropriate intervals, designated storage areas for raw metal, finished product, materials and chemicals, recycling, equipment, paint, fueling and maintenance; and loading, unloading, and waste management areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained on-site for at least three years after the date of the inspection.
 - e. Employee Training: Employee training programs to inform personnel responsible for implementing activities identified in the SWP2 plan or otherwise responsible for stormwater management, at all levels of responsibility, of the components and goals of the SWP2 plan. The SWP2 plan shall provide for training existing and new staff.
 - f. Record keeping and Internal Reporting Procedures: A log, along with other information, needs to be developed and maintained to document a description of incidents (i.e., spills or other discharges) that may impact the quality and quantity of stormwater discharges. Reporting procedures, inspections and maintenance activities shall be developed and included in the SWP2 plan.
 - g. Non-stormwater Discharges - The SWP2 plan must identify all unauthorized, non-stormwater (dry weather) discharges directed to surface or groundwater. KDHE shall be notified of all unauthorized discharge(s) within 5 days, and identify and ensure the implementation of appropriate pollution prevention measures for the dry weather flow component(s) of the discharge. A list of authorized non-stormwater discharges is contained in the *Kansas Water Pollution Control (KWPC) General Permit for Stormwater Runoff from Industrial Activities*^b.
 - h. Sediment and Erosion Control: Measures to minimize erosion in areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion. At a minimum consider structural, vegetative, and/or stabilization measures to limit erosion. Must include measures to minimize erosion related to the high volume of traffic from heavy equipment for delivery to and from the facility and for equipment operating at the facility on a daily basis such as forklifts, cranes etc.
 - i. Management of Runoff: Describe existing and/or proposed stormwater management practices (practices other than those which control the generation or source(s) of pollutants) to divert, infiltrate, reuse or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The pollutant sources at the facility identified in Item 2 above, Description of Potential Pollutant Sources, with potential to contribute pollutants to stormwater discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures to implement.

^b The *KWPC General Permit for Stormwater Runoff from Industrial Activities* issued November 1, 2021 is available online at: <https://www.kdhe.ks.gov/DocumentCenter/View/23383/2021-11-01-SW-Ind-GP-Packet-PDF?bidid=>

4. Comprehensive Site Compliance Evaluation - Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall provide for:
 - a. Visual inspection of areas contributing to a stormwater discharge associated with industrial activity for evidence of, or the potential for, pollutants entering the drainage system. Evaluation of measures to reduce pollutant loadings to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. A visual evaluation of equipment needed to implement the plan, such as spill response equipment and containment drums, shall be made to determine it is functioning properly and drums are not corroded.
 - b. A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP2 plan, and any actions taken shall be made and retained as part of the SWP2 plan.
 - c. The report shall include resolution to any incident of non-compliance determined from the comprehensive site evaluation within 90 days.

If the comprehensive site evaluation does not identify any incidents of non-compliance, the report shall include a statement that the facility is in compliance with the SWP2 plan and the conditions of this permit.

5. Monitoring and Record Keeping Requirements.
 - a. Visual Examination of Stormwater Quality: The permittee shall periodically perform and document a visual examination of a stormwater discharge associated with industrial activity from each identified stormwater outfall. Visual examination reports shall be maintained on-site and be made available for KDHE & EPA inspection upon request. Each report shall include the date and time, name of the person performing examination, nature of discharge (runoff or snow melt), visual quality of the discharge (i.e., color, odor, clarity, floating solids, suspended solids, foam, oil sheen, and other indicators of stormwater pollution) and probable sources of any observed contamination.
 - b. Records of all stormwater monitoring data^o, unless otherwise indicated in this permit, shall be kept on file for three (3) years.
6. The SWP2 plan shall be re-evaluated and modified in a timely manner, but in no case more than 90 days after:
 - a. A change in design, construction, operation or maintenance that has a significant effect on the potential for the discharge of pollutants to the waters of the State, or
 - b. the permittee's inspections (including the regular comprehensive site compliance evaluation required herein) indicate deficiencies in the SWP2 plan or any BMP; or
 - c. a visual inspection of contributing areas or a visual inspection of the stormwater discharges or monitoring of the stormwater discharges indicate the plan appears to be ineffective in eliminating or significantly minimizing pollutants from sources identified in the plan.
 - d. Written notification from KDHE or EPA determining the site best management practices are or will not be effective in eliminating or minimizing pollutants in the stormwater discharges.

^o For sampling methods and procedures please refer to *Industrial Stormwater Monitoring and Sampling Guide*, EPA 832-B-09-003, April 2021 Final Draft available online at: https://www.epa.gov/sites/production/files/2015-11/documents/msgp_monitoring_guide.pdf

ATTACHMENT B

No Exposure Checklist

Are any of the following materials or activities exposed to stormwater, now or in the foreseeable future?

1. Using, storing, or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater
2. Materials or residuals on the ground or in stormwater inlets from spills/leaks
3. Materials or products from past industrial activities
4. Material handling equipment (except adequately maintained vehicles)
5. Materials or products during loading/unloading or transporting activities
6. Materials or products stored outdoors (except final products intended for outside use where exposure to stormwater does not result in the discharge of pollutants)
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks and similar containers
8. Materials or products handled/stored on roads owned or maintained by the discharger
9. Waste material (except waste in covered, non-leaking containers [e.g. dumpsters])
10. Application or disposal of process wastewater (unless otherwise permitted)
11. Particulate matter or visible deposits of residuals from roof stacks and/or vents not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater outflow

If you answer "Yes" to any of these questions, you are no longer eligible for a "No Exposure" exclusion and need to prepare a Stormwater Pollution Prevention (SWP2) plan.