

# MS4 STORMWATER MANAGEMENT PLAN

**Veterans Affairs Medical Center  
Manchester Campus**

**Manchester, New Hampshire**

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COMMITMENT & INTEGRITY DRIVE RESULTS

## TABLE OF CONTENTS

SECTION	PAGE NO.
<b>EXECUTIVE SUMMARY .....</b>	<b>ES-1</b>
<b>1. INTRODUCTION .....</b>	<b>1-1</b>
1.1 Stormwater Permitting Program Applicability .....	1-1
1.2 Summary of Permit Structure .....	1-1
1.3 Stormwater Management Plan Organization .....	1-1
1.4 Notice of Intent Requirements .....	1-2
<b>2. CAMPUS INFORMATION .....</b>	<b>2-1</b>
<b>3. STORMWATER MANAGEMENT PLAN REQUIREMENTS .....</b>	<b>3-1</b>
3.1 VAMC Manchester SWMP Team .....	3-1
3.1.1 Protection of Endangered or Threatened Species .....	3-1
3.1.2 Protection of Historic Places .....	3-2
3.1.3 Requirement to Meet Water Quality Standards .....	3-2
3.1.4 Documentation of Authorization of New or Increased Discharges .....	3-3
<b>4. PUBLIC EDUCATION AND OUTREACH .....</b>	<b>4-1</b>
4.1 Public Education & Outreach Target Audience .....	4-1
4.2 Proposed BMPs – Public Education and Outreach .....	4-1
4.2.1 Target Public Education Materials .....	4-1
<b>5. PUBLIC PARTICIPATION/INVOLVEMENT .....</b>	<b>5-1</b>
5.1 Public Participation/Involvement .....	5-1
5.2 Proposed BMPs – Public Participation/Involvement .....	5-1
5.2.1 Facilitate Public Review of SWMP and Annual Reports .....	5-1
<b>6. ILLICIT DISCHARGE DETECTION AND ELIMINATION .....</b>	<b>6-1</b>
6.1 Illicit Discharges Regulated Under this Minimum Control Measures .....	6-1
6.2 Proposed BMPs – Illicit Discharge Detection and Elimination (IDDE) .....	6-2
6.2.1 Legal Authority and Illicit Discharge Elimination .....	6-2
6.2.2 Sanitary Sewer Overflows .....	6-2
6.2.2.1 Develop Sanitary Sewer Overflow Inventory .....	6-2
6.2.2.2 Conduct Sanitary Sewer Overflow Reporting .....	6-3
6.2.3 Storm Drain Mapping .....	6-3
6.2.4 Develop Written Illicit Discharge Detection and Elimination (IDDE) Program .....	6-4
6.2.4.1 Statement of IDDE Program Responsibilities .....	6-4
6.2.4.2 Written IDDE Procedures .....	6-4
6.2.5 Implement IDDE Program .....	6-4
6.2.5.1 Outfall/Interconnection Assessment and Initial Ranking .....	6-4
6.2.5.2 Dry Weather Outfall and Interconnection Screening and Sampling .....	6-5
6.2.5.3 Catchment Investigations .....	6-5
6.2.5.4 Wet Weather Outfall and Interconnection Screening and Sampling .....	6-5
6.2.5.5 Indicators of IDDE Program Success .....	6-5
6.2.6 Ongoing Screening .....	6-5
6.2.7 Implement IDDE Program Training .....	6-6



**7. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL .....7-1**

7.1 Construction Site Stormwater Runoff Control Measure .....7-1

7.2 Proposed BMPs – Construction Site Stormwater Runoff Controls .....7-1

7.2.1 Develop Written Construction Site Runoff Control Program .....7-1

7.2.2 Conduct Construction Site Inspections .....7-2

7.2.3 Implement Construction Site Plan Reviews .....7-2

**8. POST-CONSTRUCTION STORMWATER MANAGEMENT .....8-1**

8.1 Post-Construction Stormwater Management Control Measure .....8-1

8.2 Implement Post-Construction Stormwater Management Policy .....8-1

8.2.1 Post-Construction Site Runoff Control Program .....8-1

8.2.1.1 Implement New Development Requirements .....8-1

8.2.1.2 Implement Redevelopment Requirements .....8-2

8.2.2 Conduct Street and Parking Lot Design Guideline Assessment .....8-3

8.2.3 Submission of As-Built Drawings .....8-3

8.2.4 Targeting Properties for BMP Retrofits or Modifications .....8-3

**9. GOOD HOUSEKEEPING AND POLLUTION PREVENTION .....9-1**

9.1 Good Housekeeping and Pollution Prevention Control Measure .....9-1

9.1.1 Conduct Inventory of VAMC Manchester Properties .....9-1

9.1.2 Develop Stormwater Pollution Prevention Plans .....9-1

9.1.3 Development of Operations and Maintenance Programs .....9-1

9.1.4 Implement Catch Basin Cleaning Program .....9-2

9.1.5 Implement Street Sweeping Program .....9-2

9.1.6 Implement Road Salt Use Optimization Program .....9-3

9.1.7 Conduct Inspection and Maintenance of Stormwater Treatment Structures .....9-3

9.1.8 Employee Training Programs .....9-3

**10. PROGRAM EVALUATION, RECORDKEEPING, AND REPORTING REQUIREMENTS .....10-1**

10.1 Program Evaluation .....10-1

10.2 Record Keeping .....10-1

10.3 Annual Report .....10-1

10.3.1 Annual Report Purpose and Content .....10-2

10.3.2 Signature and Certification Requirements .....10-2

10.3.3 Mailing Information .....10-2

**11. SIGNATORY REQUIREMENT .....11-1**

**TABLES**

Table 3-1: VAMC Manchester SWMP Team .....3-1  
 Table 4-1: Measurable Goals for Public Education & Outreach Control Measure .....4-2  
 Table 5-1: Measurable Goals for Public Participation/Involvement Minimum Control Measure .....5-2  
 Table 6-1: Measurable Goals for Illicit Discharge Detection and Elimination Control Measure .....6-7  
 Table 7-1: Measurable Goals for Construction Site Runoff Control Measure .....7-3  
 Table 8-1: Measurable Goals for Post-Construction Runoff Control Measure .....8-3  
 Table 9-1: Measurable Goals for Pollution Prevention / Good Housekeeping Control Measure .....9-4

**FIGURES**

Figure 1: Site Locus  
 Figure 2: VAMC Manchester Stormwater Collection System

**APPENDICES**

Appendix A: NPDES General Permit for Stormwater Discharges From Small Municipal Separate Storm Sewer Systems  
 Appendix B: Annual Reporting Tables  
 Appendix C: Notice of Intent  
 Appendix D: Eligibility Documentation  
 Appendix E: Sanitary Sewer Overflow Inventory  
 Appendix F: Illicit Discharge Detection and Elimination Program  
 Appendix G: Construction Site Runoff Program  
 Appendix H: Record of Changes

## EXECUTIVE SUMMARY

Polluted stormwater runoff is often transported to municipal separate stormwater systems (MS4) and discharged into local waterbodies without treatment. The recently reissued 2017 “National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Separate Storm Sewer Systems” (“2017 MS4 General Permit”, “Permit”) replaces the previously issued 2003 “National Pollution Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems” (“2003 MS4 General Permit”). Like the 2003 MS4 General Permit, the 2017 MS4 General Permit, which became effective on July 1, 2018, requires operators of MS4s to implement a stormwater management program that will reduce the discharge of pollutants, through implementation of Best Management Practices (BMPs), thereby protecting water quality of the waterbodies which receive discharges from the MS4 and remaining compliant with Permit conditions.

The U.S. Department of Veterans Affairs Medical Center Manchester Campus (“VAMC Manchester”, “Campus”), located at 718 Smyth Road in Manchester, New Hampshire (**Figure 1**), is subject to the 2017 MS4 General Permit jurisdiction under the Environmental Protection Agency (EPA) as a non-traditional MS4, which is defined by the Permit as any state, federal, county and other publicly owned separate stormwater systems located in an Urbanized Area, as defined by the United States Bureau of Census.

This Stormwater Management Plan (SWMP) is a required element of the 2017 MS4 General Permit. The SWMP, along with the goals and schedules contained herein, represents the VAMC Manchester’s plans to comply with the 2017 MS4 General Permit over the Permit’s five-year period, 2018 – 2023. The goal of this SWMP is to create a fully integrated plan that provides the VAMC Manchester with the framework toward achieving compliance with the Permit requirements. The SWMP will be assessed periodically and updated continually to improve stormwater quality, replace ineffective BMPs, and target new discoveries from field work and public outreach efforts. This SWMP takes advantage of ongoing or planned efforts whenever possible.



## 1. INTRODUCTION

### 1.1 Stormwater Permitting Program Applicability

The U.S. Department of Veterans Affairs Medical Center Manchester Campus (“VAMC Manchester”, “Campus”), located at 718 Smyth Road in Manchester, New Hampshire (**Figure 1**), is subject to the 2017 MS4 General Permit jurisdiction under the Environmental Protection Agency (EPA) because it meets the following two criteria:

- 1) The VAMC Manchester is a non-traditional MS4, which is defined by the Permit as any state, federal, county and other publicly owned properties containing separate stormwater systems; and
- 2) The VAMC Manchester is in the United States Bureau of Census-defined Manchester, New Hampshire Urbanized Area.

Because the VAMC Manchester meets these criteria, its separate storm sewer system must be permitted as a regulated small MS4. The VAMC Manchester is a new permittee under the 2017 MS4 General Permit, which expands on the previously issued 2003 MS4 General Permit’s requirements and provides a more prescriptive framework to reduce the discharge of pollutants from the VAMC Manchester’s MS4 to waters of the United States.

### 1.2 Summary of Permit Structure

Implementation of the BMPs required by 2017 MS4 General Permit is based on six elements, called “Control Measures” (“CMs”). Each CM contains the framework describing the methodology developed to provide the Permittee with actions designed to reduce pollutant discharges to receiving waterbodies. These CMs are:

- 1) Public Education and Outreach;
- 2) Public Involvement and Participation;
- 3) Illicit Discharge Detection and Elimination;
- 4) Construction Site Stormwater Runoff Control;
- 5) Stormwater Management in New Development and Redevelopment (i.e. Post-Construction Stormwater Management); and
- 6) Good Housekeeping and Pollution Prevention for Permittee Owned Operations.

This SWMP presents each CM and their related requirements in detail in the following sections, as discussed in Section 1.3.

### 1.3 Stormwater Management Plan Organization

This SWMP has been developed to provide a summary of Permit requirements applicable to the VAMC Manchester, presented by CM, and represents the VAMC Manchester’s overall plan for implementation of Permit requirements. Specific documentation required to be developed as part of the Permit will include prescriptive guidance toward meeting Permit requirements. These documents will be included as appendices to this SWMP as they are created for use while implementing related Permit requirements.

Each CM is presented in the order they appear in the Permit, and includes associated BMPs required to be implemented as part of that CM. BMPs listed in this SWMP are not prescriptive, which allows for flexibility of

implementation throughout the Permit cycle. However; it should be noted that all requirements presented in this SWMP originate from specific Permit requirements. As such, each relevant section of the Permit will be reviewed during implementation to verify that the requirements presented therein are incorporated into each BMP. For comprehensive details regarding implementation of the Best Management Practices (BMPs) described in this SWMP, refer to the Permit and related appendices, currently located here: <https://www.epa.gov/npdes-permits/new-hampshire-small-ms4-general-permit>. A copy of the Permit without appendices is included as **Appendix A**.

Tables presented in each section of this SWMP have been organized to coincide with information submitted in the Notice of Intent (NOI), which was submitted to the EPA on September 26, 2018. This NOI verified the VAMC Manchester's intent to comply with Permit requirements. Tables include a description of each best management practice (BMP) associated with that CM, the measurable goal associated with each BMP, the VAMC Manchester's implementation deadline for the BMP, and the VAMC Manchester staff responsible for implementation of that BMP.

To facilitate the collection of information required as part of the Permit Annual Reporting process, supporting tables are included in **Appendix B** that provide a template for Annual Reports. Like the tables presented in this SWMP, the **Appendix B** tables include a description of each BMP, the measurable goal associated with each BMP, the Permit implementation deadline, and associated Permit reference section. They also include specific Permit references to information to be included within the Annual Report. EPA may issue an Annual Report template for completion by the permittees; however, in the absence of an EPA provided template, the tables provided in **Appendix B** can be used to fulfill reporting requirements. At a minimum, the tables presented in **Appendix B** contain references toward pertinent permit sections and the deadline for implementation for each BMP.

#### 1.4 Notice of Intent Requirements

The VAMC Manchester has prepared a NOI in accordance with Permit requirements. The initial NOI was submitted to the EPA in September 2018. Based on the receipt of new information obtained during closed circuit television activities regarding outfalls located on campus, a revised NOI was submitted to EPA in September 2019. A copy of the revised NOI is provided in **Appendix C**.

## 2. CAMPUS INFORMATION

This section contains an overview of relevant Campus information for this SWMP.

TOPIC	INFORMATION
<b>Campus Name</b>	Veterans Affairs Medical Center Manchester Campus
<b>Type of Facility</b>	Federal Medical Campus
<b>Location of Campus</b>	718 Smyth Road Manchester, New Hampshire 03104
<b>Owner Name and Address</b>	Veterans Affairs Medical Center Manchester Campus 718 Smyth Road Manchester, New Hampshire 03104
<b>Designated Person Accountable for Stormwater Management</b>	Amanda Furtado GEMS Program Manager, VAMC Manchester Campus
<b>Availability of Stormwater Management Plan</b>	Master copy: GEMS Program Manager's Office – Building 6
<b>Receiving Water Body</b>	Stormwater generated from the Campus is collected and transported via the MS4 to outfalls located on the southeastern portion of the Campus along Smyth Road. Depending on the volume of runoff, stormwater discharging from the VAMC Manchester eventually reaches a culvert located in the southeastern adjacent neighborhood that is part of the City of Manchester's MS4. According to the City of Manchester, stormwater collected by this culvert discharges to Goldfish Pond, followed by Dorrs Pond, which ultimately discharges to the Merrimack River. This information will be periodically evaluated throughout implementation of the SWMP and revised, if needed.

### 3. STORMWATER MANAGEMENT PLAN REQUIREMENTS

As discussed in Section 1.4, the contents of this SWMP are based on Part 1.10.3 of the Permit, “Contents and Timelines of the Stormwater Management Program for New Permittees”. This Permit section provides requirements for information that must be included in the SWMP within specific timeframes of the Permit effective date. The information incorporated into this SWMP includes all information required to be included during the Permit period. The following subsections provide information required within the SWMP that are not part of the BMPs included in other sections.

#### 3.1 VAMC Manchester SWMP Team

The VAMC Manchester stormwater management team will be comprised of the representatives from Facility Service (FS), Engineering, Roads & Grounds, and Maintenance sections, and the Green Environmental Management System (GEMS) Program Manager, acting as the Team Leader.

**Table 3-1: VAMC Manchester SWMP Team**

<b>Team Leader: GEMS Program Manager</b>
<b>Responsibilities:</b> Coordinating SWMP activities, monitoring of SWMP goals and BMPs, dissemination of stormwater educational content, public involvement with the stormwater program, investigating stormwater issues and concerns, Chairperson of the VAMC Manchester’s SWMP Team, submitting the annual reports to EPA and NHDES, SWMP education and training.
<b>Member:</b> Engineering
<b>Responsibilities:</b> Implements construction and post-construction stormwater management requirements. Involved in the investigation and elimination of illicit discharges and sanitary sewer overflows.
<b>Member:</b> Maintenance
<b>Responsibilities:</b> Oversees maintenance of VAMC Manchester facilities, grounds, and MS4 infrastructure. Involved in illicit discharge detection processes.
<b>Member:</b> Roads & Grounds Section
<b>Responsibilities:</b> Oversees maintenance of VAMC Manchester facilities, grounds, and MS4 infrastructure. Involved in illicit discharge detection processes.

#### 3.1.1 Protection of Endangered or Threatened Species

In accordance with Part 1.9.1 and the methodology presented in Appendix C, the VAMC Manchester evaluated stormwater discharges or discharge related activities whose unmitigated, direct, indirect, interrelated, interconnected, or interdependent impacts may adversely affect any species that are listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA are not eligible for coverage under the Permit. To conduct this evaluation, VAMC Manchester consulted with the United States Department of the Interior Fish and Wildlife Service (FWS) to identify threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat that may be located within the VAMC Manchester boundary and/or affected by MS4 operations within the VAMC Manchester.

Based on this consultation, the FWS identified the Small Whorled Pogonia as an endangered species where the VAMC Manchester is located. No Critical Habitats were identified in proximity to the VAMC Manchester or any of the system outfalls. The proposed stormwater program activities being conducted at the VAMC Manchester include non-structural management of stormwater runoff as required by the Permit. These activities include education, investigation, and pollutant source control on existing facilities and roadways and will not disturb terrestrial vegetation that may support Small Whorled Pogonia habitat. As such, activities associated with the implementation of the Permit requirements will have “no effect” on the habitats potentially receiving stormwater discharges from the site. As such, the VAMC Manchester is eligible for Permit coverage under Eligibility Criterion C.

The FWS consultation letter documenting the process used to make this determination, which was submitted to the FWS and EPA as part of the NOI requirements, is included in **Appendix D**.

### 3.1.2 Protection of Historic Places

The VAMC Manchester was evaluated in accordance with Part 1.9.2 and the methodology presented in Appendix D of the Permit to determine eligibility for coverage under the Permit. Using the screening process presented in Appendix D of the Permit, the VAMC Manchester is eligible for Permit coverage under Criterion A.

During an evaluation of the site’s MS4 operations it was determined that Smyth Tower is located on the site and is registered as a historic place. However, Smyth Tower is not located near or within proximity to known stormwater discharges, allowable non-stormwater discharges, and/or stormwater discharge related activities originating from the VAMC Manchester that would affect this historic structure. Additionally, due to Smyth Tower’s location on the highest elevation point of the site in a pervious area, stormwater generated from the site is not expected to affect the structure. Stormwater and allowable non-stormwater discharges will be periodically evaluated, as well as the potential for future construction activities occurring near this historic structure, throughout the Permit term to determine whether additional actions are required to mitigate the effects of stormwater discharges, should they occur. It is important to note that no other historic properties are located within proximity to the site.

A copy of the Historic Places certification statement that was submitted to EPA as part of the NOI submittal process, is provided in **Appendix D**.

### 3.1.3 Requirement to Meet Water Quality Standards

Discharges of any pollutant into any water for which a TMDL has been established or approved by the EPA, unless the discharge is consistent with the TMDL, are not eligible for coverage under the Permit. Stormwater runoff from impervious surfaces at the VAMC Manchester, such as parking lots, roads, walkways, and roofs is collected by the facility separate stormwater collection system and transported via the MS4 to outfalls located along the southeastern portion of the Campus along Smyth Road. (**Figure 2**). Depending on the volume of runoff, stormwater discharging from the VAMC Manchester eventually reaches a culvert located in the southeastern adjacent neighborhood that is part of the City of Manchester’s MS4. According to the City of Manchester, stormwater collected by this culvert discharges to Goldfish Pond, followed by Dorrs Pond, which ultimately discharges to the Merrimack River. Based on an evaluation of the State of New Hampshire 2014 and 2016 Section 303(d) Surface Water Quality Lists, there are no listed impairments for Goldfish Pond. Additionally, the 2018 Draft 303(d) Surface Water Quality List does not list any impairments for Goldfish Pond. The VAMC Manchester will periodically evaluate available finalized 303(d) lists to determine whether the impairment status for Goldfish Pond has changed throughout implementation of the Permit and adjust IDDE-related sampling activities, if necessary.

### 3.1.4 Documentation of Authorization of New or Increased Discharges

The VAMC Manchester, as a new permittee, evaluated its current MS4 discharges within the framework of the provisions of N.H. Code Admin. R. Part Env-Wq 1708.04 and 1708.06. The VAMC Manchester is a new permittee that has not undertaken MS4 related discharge evaluations and/or sampling of MS4 related discharges. Because of their new permittee status, new or increased discharges, including increased pollutant loadings originating from the Campus's MS4 cannot be evaluated against historic discharge data. Discharges and pollutant loading data obtained during sampling and/or screening conducted as part of Part 2.3.4.7.b and 2.3.4.8.c.ii.2 will be periodically evaluated through implementation of Permit conditions throughout the duration of the Permit to verify conformance with this requirement, as applicable.

## 4. PUBLIC EDUCATION AND OUTREACH

### 4.1 Public Education & Outreach Target Audience

Because the VAMC Manchester is a facility rather than a municipality, the target audience for public education and outreach has a more limited scope. For the purpose of this SWMP, the term “public” will be interpreted as VAMC Manchester employees, patients, visitors, and on-site contractors. It is important to identify the appropriate target audience and to understand how they receive information when implementing this CM.

These individuals currently obtain information relating to the VAMC Manchester campus through a variety of sources, as described below. VAMC Manchester’s SWMP utilizes these existing communications pathways to raise public awareness and provide education about what stormwater is, where it goes at the VAMC Manchester, sources of storm water pollution and their impact on water quality.

### 4.2 Proposed BMPs – Public Education and Outreach

The VAMC Manchester will implement and/or incorporate the following program elements or BMPs to address this CM during the permit term. Impaired and TMDL statuses of waterbodies receiving MS4 discharges from the Campus will be periodically evaluated through consultation with the most recent NH DES State of New Hampshire 2014 Section 303(d) Surface Water Quality List” dated March 27, 2017 and the “State of New Hampshire 2017 Section 303(d) Surface Water Quality List” dated November 30, 2017 to determine the need to add or change educational messages related to specific pollutants identified in receiving waterbodies.

#### 4.2.1 Target Public Education Materials

The VAMC Manchester public currently obtains stormwater information relating to the VAMC Manchester campus through dissemination of periodic electronic and hard copy stormwater related updates and policies through quarterly newsletters, email, employee training opportunities, contractor educational talks, MS4 infrastructure marking, and the VAMC Manchester intranet. The educational program will be evaluated and updated, if necessary, to include other methods of message distribution and targeted educational messages based on stormwater issues related to the VAMC Manchester.

A minimum of two educational messages to each of four audiences will be distributed to the public over the permit term. Based on the VAMC Manchester’s public audience, educational messages will target employees, patients, visitors, and on-site contractors, and may vary in content based on each audiences’ role within the VAMC Manchester community.

The VAMC Manchester may modify or supplement public education messages with the education and outreach resources available at the EPA’s website, <http://cfpub.epa.gov/npstbx/index.html>, or other, relevant resources.



**Table 4-1: Measurable Goals for Public Education & Outreach Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>1-1</b>	<b>Target Public Education Materials</b>			
	GEMS Program Manager	Develop and implement targeted public education messages.	Development and implementation of a targeted public education program incorporating Permit requirements to employees, patients, visitors, and on-site contractors.	End of Permit Year 2
	GEMS Program Manager	Distribute educational messages to target audiences.	Distribute a minimum of 2 educational message to each target audience by the end of Permit Year 5.	End of Permit Year 5
<b>1-2</b>	<b>Evaluate Effectiveness of Public Messages</b>			
	GEMS Program Manager	Evaluate effectiveness of public educational messaging prior to next message delivery	Assess effectiveness of the educational program and modify messages, if needed.	Annually during Permit term

## 5. PUBLIC PARTICIPATION/INVOLVEMENT

### 5.1 Public Participation/Involvement

An effective method of gaining long term support and awareness of the VAMC Manchester's SWMP is to get the public involved. As with the Public Education and Outreach CM described in Section 4, the term "public" will be interpreted as VAMC Manchester employees, patients, visitors, and on-site contractors.

### 5.2 Proposed BMPs – Public Participation/Involvement

The VAMC Manchester will develop the following program elements or BMPs to address this CM during the permit term.

#### 5.2.1 Facilitate Public Review of SWMP and Annual Reports

The public will be provided notice of the availability of the SWMP and Annual Report for their review and comment in accordance with NH: RSA Chapter 91-A. Comments and feedback provided by the public during this review process will be considered within the context of the VAMC Manchester's stormwater related operations and integrated into applicable documents, where feasible. Opportunities to provide public participation will be evaluated during the permit term.





**Table 5-1: Measurable Goals for Public Participation/Involvement Minimum Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>2-1 Public review and participation of Stormwater Management Plan and Annual Reports</b>				
	GEMS Program Manager	Post/provide the Stormwater Management Plan (SWMP) and all Annual Reports to the public for review and comment (does not require public notice).	Provision of the SWMP to the public.	Throughout the Permit term
	GEMS Program Manager	Allow annual public participation in review and implementation of the SWMP	Allow and/or facilitate public review/comment of SWMP annually.	Throughout the Permit term

## 6. ILLICIT DISCHARGE DETECTION AND ELIMINATION

### 6.1 Illicit Discharges Regulated Under this Minimum Control Measures

Illicit discharges into the VAMC Manchester's storm drain system are defined by EPA as "...any discharge to an MS4 that is not composed entirely of storm water..." Exceptions include permitted industrial sources and discharges from fire-fighting activities.

The EPA has listed several potential sources of illicit discharges within their Control Measure fact sheet on the topic. Examples of illicit discharges include:

- Sanitary wastewater
- Effluent from septic tanks
- Car wash wastewaters
- Improper oil disposal
- Radiator flushing disposal
- Laundry wastewaters
- Spills from roadway accidents
- Improper disposal of auto and household toxics

These illicit discharges can enter a storm drain system either through a direct connection (e.g., wastewater piping connected directly to the storm drain) or indirectly (e.g., spills, dumped chemicals, cracks in sanitary sewers). A program to detect and eliminate both direct and indirect illicit discharges into the VAMC Manchester's storm drain system is addressed within this section.

Certain discharges are not regulated within this control measure. Therefore, if any of the following discharges are observed over the course of implementing this control measure, the EPA allows them to be excluded from stormwater mitigation actions, unless the VAMC Manchester determines they are causing or contributing to water quality issues.

- Water line flushing
- Landscape irrigation
- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration
- Uncontaminated pumped ground water
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensation
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains

- Lawn watering
- Individual residential car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Street wash water
- Residential building wash waters without discharges

Discharges or flows generated from fire-fighting activities are allowed under the Permit. These types of flows only require consideration if they are identified as a significant source of pollutants to receiving waterbodies.

## **6.2 Proposed BMPs – Illicit Discharge Detection and Elimination (IDDE)**

The following BMPs will be implemented and evaluated at the VAMC Manchester. The overall goal is to determine the locations of illicit discharges (to the maximum possible extent) and to remove or correct those illicit discharges in an appropriate and timely manner.

The VAMC Manchester's existing program for detecting or eliminating illicit discharges within its storm drain system has been removing illicit discharges whenever they are found during system operation and maintenance. The VAMC Manchester is committed to implementing an IDDE Program using a proactive approach.

### **6.2.1 Legal Authority and Illicit Discharge Elimination**

As a non-traditional MS4, the VAMC Manchester has the flexibility to develop an internal authority (standard operating procedure, specification, guidance document, or similar mechanism) to prohibit, investigate, and eliminate illicit discharges at the Campus. While the VAMC Manchester, as a non-traditional MS4, does not operate within the framework of ordinances or by-laws, it will create an internal document designed to meet the Permit's intent with respect to illicit discharge legal authority.

Any detected illicit discharges will be eliminated as soon as possible. Where illicit discharge elimination is not possible within 60 days of detection, the VAMC Manchester will establish a prompt schedule for removal and report dates of identification and the schedule for removal in the Annual Report.

### **6.2.2 Sanitary Sewer Overflows**

Sanitary sewer overflows (SSOs) are defined as a release of untreated sewage discharged from a sanitary sewer into the environment prior to treatment, including backups into buildings or other structures. SSOs occur when raw or partially treated sewage from a sanitary sewer collection system enters the environment through an overflow, spill or other release. These types of releases often contaminate waterbodies, degrading water quality and exposing humans to potentially serious health issues.

#### **6.2.2.1 Develop Sanitary Sewer Overflow Inventory**

To mitigate the effects of SSOs to waterbodies, VAMC Manchester will identify all known locations where SSOs have discharged to the MS4 within the previous 5 years. This information will be stored within a database or similar method and include the following information, as available:

- Location;
- Statement of whether the discharge entered a waterbody directly or through the MS4 discharge;
- Date and time of each known SSO occurrence;
- Estimated volume of SSO;

- Known or suspected cause of SSO;
- Corrective measures completed to eliminate SSO, along with dates implemented; and
- Corrective measures planned, with implementation schedule, if measures have not been completed.

The inventory is included in **Appendix E** of this SWMP and is updated annually, as new information is obtained. An update of the SSO inventory will also be included in the Annual Report, along with a discussion of any corrective measures implemented to address SSOs during the reporting period.

### 6.2.2.2 Conduct Sanitary Sewer Overflow Reporting

If an SSO is identified, VAMC Manchester will work to eliminate the SSO as soon as possible. Interim mitigation measures will be taken to minimize SSO discharges until the discharge is eliminated. The VAMC Manchester will notify EPA verbally within 24 hours of identifying a SSO and provide written notice to EPA and NH DES within 5 days, including information with the updated inventory, as discussed in Section 6.2.1.1.

For NH DES reporting, the Permits & Compliance section of the NH DES Wastewater Engineering Bureau tracks NPDES permit related reporting. SSO notification may be directed to:

NH DES: Wastewater Engineering Bureau, Permits & Compliance Water Division  
Phone: 603-271-1497  
Address: PO Box 95, Concord, NH 03302

There is no specified format for SSO reporting to the EPA. For EPA reporting, the VAMC Manchester will contact Doug Koopman at 1-617-918-1747 and/or via email at [Koopman.douglas@epa.gov](mailto:Koopman.douglas@epa.gov). The following contact information is also applicable for SSO reporting:

EPA: Region 1  
Phone: 617-918-1510  
Address: 5 Post Office Square, Boston, MA 02109

### 6.2.3 Storm Drain Mapping

The first step in implementing an illicit detection and elimination program is the generation of a comprehensive, up-to-date storm drainage map and associated database. As part of the implementation of the Permit requirements, the VAMC Manchester will produce a map within 2 years of the Permit effective date to include information specified in Part 2.3.4.5.a through Part 2.3.4.5.b, as necessary. MS4 information required to be mapped within 5 years of the Permit effective date includes the following elements:

- Outfalls and receiving waters;
- Open channel conveyances (swales, ditches, etc.);
- Interconnections with other MS4s and other storm sewer systems;
- MS4-owned stormwater treatment structures (e.g. detention and retention basins, infiltration systems, bioretention areas, water quality swales, gross particle separators, oil/water separators, or other similar systems);
- Impaired or TMDL waterbodies receiving discharge from the VAMC Manchester MS4;
- Initial catchment delineations:
- Outfall locations (latitude and longitude within +/- 30 feet);
- Pipes;
- Manholes;
- Catch basins;
- Refined catchment delineations;
- Sanitary sewer system (if available); and

- Combined sewer system (if applicable).

Additional MS4 components that are recommended to be mapped during the current Permit term are included in Part 2.3.4.5.c. Progress toward completion of the MS4 system mapping will be summarized in each Annual Report. Annual review of VAMC Manchester's stormwater drainage system by the SWMP Team will help ensure the accuracy of this database. A copy of the VAMC Manchester's current stormwater drainage map will be included in this SWMP as **Figure 2** when it is completed.

## **6.2.4 Develop Written Illicit Discharge Detection and Elimination (IDDE) Program**

The inventory and mapping components described above provide the framework for investigation and detection of illicit discharges into the VAMC Manchester's MS4. The 2017 MS4 General Permit's IDDE Program requirements obligate permittees to develop and implement an IDDE Program by requiring components of the IDDE Program to be recorded in a written document. The IDDE Program document can be maintained electronically or hard copy and must include the components discussed in the following sections.

A written IDDE Program will be developed during Permit Year 1 and included in this SWMP as **Appendix F**.

### **6.2.4.1 Statement of IDDE Program Responsibilities**

The VAMC Manchester's written IDDE Program will clearly identify departments and/or personnel (by title) who are responsible for implementing the VAMC Manchester IDDE Program. This includes, but is not limited to, personnel responsible for plumbing inspections, catch basin cleaning and maintenance, outfall inspections, drain system investigations, sewer system inspections, and personnel overseeing construction activities related to tie-in to the MS4 or other subsurface conduits.

### **6.2.4.2 Written IDDE Procedures**

As part of the VAMC Manchester's IDDE Program, written procedures pertaining to implementation of the IDDE Program will be recorded within that document. Procedures to be documented in the IDDE Program Manual include, at a minimum, dry weather outfall and interconnection screening and sampling, catchment investigations; and wet weather screening and sampling, as described in the following sections.

## **6.2.5 Implement IDDE Program**

Implementation of the written IDDE Program focuses on the following elements: outfall/interconnection assessment and initial ranking; dry weather outfall and interconnection screening and sampling; catchment investigations; and wet weather screening and sampling.

### **6.2.5.1 Outfall/Interconnection Assessment and Initial Ranking**

Using the information obtained and recorded in the storm drain mapping requirement discussed in Section 6.2.3, the VAMC Manchester will inventory each outfall located at the Campus and interconnection to non-VAMC Manchester systems discharging from the Campus (if present), record the outfall or interconnection location and condition, and track and record inspections, screenings, and other activities conducted at the outfall or interconnection in accordance with the IDDE Program.

Criteria such as past discharge complaints, poor receiving water quality, age of infrastructure, etc. will be used to rank each outfall/interconnection into one of the following categories: Problem, High Priority, or Low Priority. Information obtained during this assessment and initial ranking procedure will be used to determine the order that outfalls and interconnections will be screened, as specified in Section 6.2.5.2. If, during the course of implementation of MS4 General Permit requirements, the VAMC Manchester identifies MS4 discharges to any waterbodies that are identified

as impaired, catchments draining directly to the waterbody will be designated as either Problem or High Priority in development of the IDDE Program Manual.

### **6.2.5.2 Dry Weather Outfall and Interconnection Screening and Sampling**

Outfalls and interconnections identified as “High Priority” or “Problem” during the ranking process discussed in Part 2.3.4.7 of the Permit will be screened and sampled if discharge is observed during dry weather conditions, prior to outfalls and interconnections identified as “Low Priority”. The VAMC Manchester will develop a dry weather outfall and interconnection screening and sampling procedure and incorporate it within their IDDE Program Manual using the methodology provided in the Permit. Information obtained during the screening process will be used to update and/or reprioritize rankings discussed in Part 2.3.4.7.

### **6.2.5.3 Catchment Investigations**

The VAMC Manchester will develop a systematic procedure to investigate each catchment associated with an outfall or interconnection to their MS4. This catchment investigation procedure will include sufficient methods to facilitate isolation and confirmation of sources of illicit discharges using maps, historic plans and records, manhole inspections, and other pertinent information, as presented in the Permit. Information obtained during the catchment investigation program will be used to identify system vulnerability factors (SVFs), which in turn will trigger wet weather sampling requirements presented in Part 2.3.4.8.c.ii.2.

### **6.2.5.4 Wet Weather Outfall and Interconnection Screening and Sampling**

Per the catchment investigation requirements discussed in Part 2.3.4.8.c.ii.2, when a SVF is identified, based on previous information or dry weather investigation results, a wet weather investigation must be conducted at the identified outfall or interconnection. The VAMC Manchester will perform wet weather investigations consisting of the same parameters to be implemented for dry weather screening and sampling, during or after a storm event sufficient to produce stormwater discharge. Results of the investigation will be recorded and reported in each Annual Report.

### **6.2.5.5 Indicators of IDDE Program Success**

The following indicators of successful implementation of the IDDE Program will be tracked and evaluated in each Annual Report:

- The number of SSOs and illicit discharges identified and removed;
- The number and percent of total outfall catchments served by the MS4 evaluated using the catchment investigation procedures;
- All dry and wet weather screening results; and
- The volume of sewage removed from the MS4.

This information will be used by the VAMC Manchester to determine the overall effectiveness of the IDDE Program.

### **6.2.6 Ongoing Screening**

Using the information obtained during the catchment investigation and illicit discharge removal procedures, outfalls and interconnections will be reprioritized for screening in accordance with the Permit schedules. This will include dry weather screening, as presented in Part 2.3.4.7.a and wet weather screening, if necessary, as presented in Part 2.3.4.7.c.



### **6.2.7 Implement IDDE Program Training**

The VAMC Manchester will train all employees involved in IDDE Program implementation annually, with specific focus on how to identify illicit discharges and SSOs. Types and frequencies of trainings will be summarized in each Annual Report.

**Table 6-1: Measurable Goals for Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>3-1 Illicit Discharge Reporting</b>				
	GEMS Program Manager, Facility Service	Locate, identify, and eliminate illicit discharges as quickly as possible.	Elimination of illicit discharges upon verification; reporting illicit discharges as required.	Throughout Permit term, with elimination of verified illicit discharges as soon as possible.
<b>3-2 Develop Sanitary Sewer Overflow (SSO) Inventory</b>				
	Facility Service; GEMS Program Manager	Develop and maintain an inventory of all identified SSOs discharged to the MS4 within the past 5 years.	Production of SSO inventory, including required information related to the SSO.	End of Permit Year 3
<b>3-3 Update Storm Drain System Mapping</b>				
	Facility Engineering Service,	Verify and/or incorporate Phase I mapping elements into MS4 map.	Completion of an updated MS4 map containing all required Phase I elements.	End of Permit Year 4
	Facility Engineering Service,	Verify and/or incorporate Phase II mapping elements into MS4 map.	Completion of a MS4 map containing all required Phase II elements.	End of Permit Year 10
<b>3-4 Develop Written Illicit Discharge Detection and Elimination Program</b>				
	GEMS Program Manager, Facility Service	Develop a written Illicit Discharge Detection and Elimination (IDDE) Program.	Development and implementation of a written IDDE Program Manual containing all required elements.	End of Permit Year 3

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>3-5 Implement Written IDDE Program: Dry Weather Outfall/Interconnection Screening and Sampling</b>				
	GEMS Program Manager	Conduct dry weather outfall/interconnection screening and sampling for required parameters.	Implement dry weather outfall/interconnection screening and sampling for required parameters within Permit timeframe.	End of Permit Year 9
<b>3-6 Implement Written IDDE Program: Wet Weather Outfall/Interconnection Screening and Sampling</b>				
	GEMS Program Manager	Develop written catchment investigation procedure in accordance with Permit requirements.	Implement catchment investigation procedures in accordance with Permit requirements.	End of Permit Year 3
	GEMS Program Manager	Develop wet weather outfall/interconnection screening and sampling procedures for required parameters.	Conduct wet weather screening and sampling procedures within Permit timeframe.	By end of Permit Year 3
<b>3-7 Evaluate IDDE Program Success</b>				
	GEMS Program Manager	Evaluate effectiveness of IDDE Program using indicators defined in the IDDE Program Manual.	Provide evaluation of IDDE Program annually in the Annual Report	During Permit term, document annually in Annual Report
<b>3-8 Ongoing Screening Requirements</b>				
	GEMS Program Manager	Evaluation of wet and dry weather screening data; implement screening procedures as necessary.	Complete ongoing outfall screening upon completion of IDDE Program.	Ongoing screening once every 5 years upon completion of catchment investigations.
<b>3-9 Implement IDDE Program Training</b>				
	GEMS Program Manager	Provide annual training to employees involved in the IDDE Program.	Provide and/or conduct annual training to all employees involved in the IDDE Program. Report on the frequency and type of employee training in the Annual Report.	Annually (at a minimum)

## 7. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

### 7.1 Construction Site Stormwater Runoff Control Measure

Stormwater generated from unstabilized construction sites has the potential to contribute significant quantities of sediment and construction activity related pollutants into the VAMC Manchester's MS4. The Permit-required BMPs listed in this section of the SWMP have been developed to minimize the contribution of pollutants to stormwater generated on construction sites within the VAMC Manchester, which will ultimately maintain or improve water quality of waterbodies receiving MS4 discharges.

For the purposes of the Permit, construction sites equal to or greater than one acre disturbed, or construction sites that are part of a larger common development equal to or greater than one acre disturbed, are obligated to fulfill the following requirements presented in the BMPs below. The one-acre threshold was selected to conform to requirements specified in the EPA's Construction General Permit, which mandates permit coverage separate and beyond the Permit requirements. References to construction projects and activities within the following sections refer to projects exceeding the one-acre threshold, as described above.

### 7.2 Proposed BMPs – Construction Site Stormwater Runoff Controls

The following BMPs will be implemented or continue to be implemented at the VAMC Manchester to mitigate the contribution of pollutants generated from applicable construction activities to stormwater entering the MS4.

#### 7.2.1 Develop Written Construction Site Runoff Control Program

To provide contractors, construction site operators, and other parties responsible for implementation of construction activities at the VAMC Manchester with guidance pertaining to the applicability and usage of erosion and sedimentation control practices, the VAMC Manchester will review existing design specifications, contract language, and construction related procedures and synthesize relevant documents into a written construction site runoff control program that meets Permit requirements. This process, which will result in the creation of a formal written document, will include controls for other wastes often generated from construction activities, such as sanitary waste, litter, concrete truck washout, chemicals, discarded building materials, and demolition debris. Specifically, the written program will include the following elements:

- Mechanism requiring the use of sediment and erosion controls, as well as control of wastes generated from construction activities (demolition debris, litter, sanitary waste, etc.);
- Written procedures for site inspections and enforcement of sediment and erosion control measures;
- Requirements for construction operators to implement a sediment and erosion control program that includes appropriate BMPs for the construction site conditions; and
- Pre-construction site plan review processes incorporating procedures for the consideration of potential water quality impacts and use of low impact development and/or green infrastructure.

Where land disturbance activities may result in a discharge of stormwater to the MS4, construction site operators will be required to develop and implement BMPs appropriate to conditions at the construction site. This requirement may be fulfilled as part of the Stormwater Pollution Prevention Plan (SWPPP) development requirements specified in EPA's Construction General Permit. The VAMC Manchester will request and review SWPPPs prepared for applicable projects to determine compliance with MS4 General Permit requirements. A copy of the written construction site runoff program is included in **Appendix G**.

## 7.2.2 Conduct Construction Site Inspections

The VAMC Manchester SWMP Team will perform periodic inspections of applicable construction projects underway on the VAMC Manchester campus. These periodic inspection procedures will be documented and will clearly define personnel responsible for construction site inspections and authority to implement enforcement actions.

The Construction General Permit requires the construction site owner to have a “qualified professional” conduct the following inspections as a minimum condition of coverage under that permit:

- An initial inspection prior to the commencement of construction;
- At least every 7 calendar days after construction commences;
- Within 24 hours of the end of a storm event generating 0.25” or more of precipitation;
- Final inspection prior to finalizing the Notice of Termination to certify that the site has undergone final stabilization and all temporary erosion and sedimentation controls have been removed.

A “qualified professional” is defined as a person that is knowledgeable in the principals and practices of erosion and sedimentation control, who has the appropriate skills and training to assess conditions at the construction site that could impact stormwater quality, and the appropriate skills and training to assess the effectiveness of any stormwater controls installed to meet the requirements of the Construction General Permit.

As part of this BMP, a designated VAMC Manchester SWMP team member will perform periodic inspections of construction projects to evaluate the adequacy of the construction inspection program being implemented by the contractor and assess the overall site condition relative to sedimentation and erosion. These inspections are not intended to be as comprehensive as the inspections required under the Construction General Permit. They are intended to verify that the inspection program required as part of the Construction General Permit coverage is being performed in accordance with that Plan. The VAMC Manchester will leverage construction site inspections required under the Construction General Permit to fulfill the less stringent MS4 General Permit construction site inspection requirements.

## 7.2.3 Implement Construction Site Plan Reviews

The VAMC Manchester will implement written procedures for site plan review, inspection, and enforcement, including the following elements:

- Pre-construction review of site design;
- Planned operations and BMPs to be implemented at the construction site; and
- Planned BMPs to be implemented to manage post-runoff construction.

These procedures will include consideration of potential water quality impacts related to construction projects. Additionally, the VAMC Manchester will review and implement projects in accordance with internal policies regarding use of low impact design and green infrastructure, such as “Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under Section 438 of the Energy Independence and Security Act” (VA EISA Section 438), where applicable. Review, inspection, and enforcement actions will be tracked and included in each Annual Report submittal.

**Table 7-1 Measurable Goals for Construction Site Runoff Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>4-1 Adopt Requirements for Construction Operator Erosion and Sedimentation Control Program Implementation</b>				
	Facility Service, Engineering	Adopt a mechanism requiring use of sediment and erosion control practices at construction sites, including control of construction related wastes.	Implementation of mechanism to control stormwater runoff and waste control originating from construction sites.	End of Permit Year 2
	Facility Service, Engineering	Require construction site operators to implement a sediment and erosion control program including BMPs appropriate for the construction site conditions.	Verification of construction site operator development and implementation of a Construction General Permit Stormwater Pollution Prevention Plan for applicable construction projects occurring at the VAMC Manchester.	End of Permit Year 2.
<b>4-2 Develop Written Construction Site Runoff Control Program</b>				
	GEMS Program Manager	Develop written procedures for site inspections, enforcement of sediment and erosion control measures.	Implement and document written construction site inspections, enforcement actions.	End of Permit Year 4
<b>4-3 Conduct Site Plan Reviews</b>				
	Facility Service, Engineering	Develop written procedures for site plan review incorporating Permit required elements.	Implement written site plan review process, including pre-construction review and BMP use evaluation.	End of Permit Year 4
<b>4-4 Conduct Site Inspections</b>				
	GEMS Program Manager, Facility Service, Engineering	Develop written procedures to document site inspection and enforcement activities.	Implement and document site inspection activities and conduct enforcement activities, as required.	End of Permit Year 2

## 8. POST-CONSTRUCTION STORMWATER MANAGEMENT

### 8.1 Post-Construction Stormwater Management Control Measure

Post-construction stormwater management, also referred to in the Permit as “Stormwater Management in New Development and Redevelopment”, is an important step toward decreasing the volume and pollutant discharge in stormwater through installation of permanent stormwater control practices during expansion and/or modification of the Campus. The goal of the MS4 Program is to mitigate the long-term impacts of new and redevelopment projects on water quality using appropriate stormwater runoff controls, low impact development and runoff reduction practices.

The BMPs discussed in this section will provide the framework and methodology to assist the VAMC Manchester with the development and implementation of a post-construction stormwater management program. Like the construction stormwater management CM discussed in Section 7, this portion of the Permit requirements relate to construction sites equal to or greater than one acre, or construction sites that are part of a larger common development equal to or greater than one acre.

### 8.2 Implement Post-Construction Stormwater Management Policy

The objective of post-construction runoff control is to minimize the impacts of stormwater runoff from new development to receiving waters once construction activities are completed. The VA is currently applying several policies to manage post-construction site stormwater runoff, most notably through implementation of VA EISA Section 438 procedures.

The VAMC Manchester proposes to implement existing practices, where established, and/or develop the following program elements or BMPs to address this CM during the permit term.

#### 8.2.1 Post-Construction Site Runoff Control Program

The VAMC Manchester will develop and implement guidance in the form of written policies and/or procedures to provide engineers/designers, contractors, and other parties responsible for the planning and design of structures during construction activities at the site with mechanisms to reduce post-construction related runoff after completion of construction activities. This document will include the provisions provided in Part 2.3.6, which includes the information provided in the following sections, as well as:

- Use of Low Impact Development (LID) site planning and design strategies to the maximum extent feasible to reduce stormwater discharge from new development;
- Design and maintenance of salt storage areas in accordance with NH DES Fact Sheets WD-WMB-4 (<https://www.des.nh.gov/organization/commissioner/pip/factsheets/wmb/documents/wmb-4.pdf>) and WD-DWGB-22-30 (<https://www.des.nh.gov/organization/commissioner/pip/factsheets/dwgb/documents/dwgb-22-30.pdf>), which stipulate, in part, that salt and snow storage areas will be maintained and located to prevent direct untreated discharge to receiving waters, including groundwater; and
- Selection and design of treatment and infiltration practices will follow the guidance in Volume 2 of the New Hampshire Stormwater manual, where applicable (<https://www.des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-08-20b.pdf>).

##### 8.2.1.1 Implement New Development Requirements

New development within the VAMC Manchester that is part of an applicable construction activity will design stormwater treatment BMPs to meet the following requirements:

- BMPs design to retain the Water Quality Volume calculated in accordance with NH Code Admin. R. Part Env-Wq 1504.10; or

- Require BMPs designed to remove 90% of the average annual load of total suspended solids (TSS) and 60% of the average annual load of total phosphorus (TP) generated from the total post-construction impervious area.

Appendix F, Attachment 3 of the Permit (<https://www3.epa.gov/region1/npdes/stormwater/nh/2017-appendix-f-sms4-nh.pdf>) and the “Stormwater Best Management Practices (BMP) Performance Analysis”, <https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/BMP-Performance-Analysis-Report.pdf> provide tools to evaluate pollutant removal performance for BMPs. Long term maintenance practices will be implemented for installed BMPs in accordance with NH Code Admin. R. Part Env-Wq 1507.07, “Long-Term Maintenance”.

The VAMC Manchester will calculate pollutant removal consistent with EPA Region 1’s “BMP Performance Extrapolation Tool” or other BMP performance evaluation tool provided by EPA Region 1. If EPA’s tools do not address the planned or installed BMP performance, the VAMC Manchester will use a federally or State approved BMP design guidance or performance standard to calculate BMP performance. The VA’s EISA Section 438 largely fulfills these requirements.

### 8.2.1.2 Implement Redevelopment Requirements

For sites within the VAMC Manchester that will be redeveloped as part of an applicable construction activity, the VAMC Manchester will evaluate development and implementation of post-construction management standards as part of their construction specifications. Similar to the New Development requirements in Section 8.2.1.1, stormwater BMPs will be designed to meet the following requirements:

- BMPs design to retain the Water Quality Volume calculated in accordance with NH Code Admin. R. Part Env-Wq 1504.10; or
- Require BMPs designed to remove 80% of the average annual load of total suspended solids (TSS) and 50% of the average annual load of total phosphorus (TP) generated from the total post-construction impervious area.

Long term maintenance practices will be implemented for installed BMPs in accordance with NH Code Admin. R. Part Env-Wq 1507.07, “Long-Term Maintenance”.

The VAMC Manchester will calculate pollutant removal consistent with EPA Region 1’s “BMP Performance Extrapolation Tool” or other BMP performance evaluation tool provided by EPA Region 1. If EPA’s tools do not address the planned or installed BMP performance, the VAMC Manchester will use a federally or State approved BMP design guidance or performance standard to calculate BMP performance. The VA’s EISA Section 438 largely fulfills these requirements.

Consideration will be given to structural and non-structural control measures for site stabilization and discharge elimination, following New Hampshire Stormwater Manual Volume 2, and/or the VA EISA Section 438, to the maximum extent feasible.

Additionally, the VAMC Manchester will treat stormwater discharges from applicable construction sites with a structural BMP designed to retain the volume of runoff equivalent to, or greater than, 0.80 inch multiplied by the total impervious surface area onsite, OR remove 80% of the average annual TSS load from the total post-construction impervious area onsite AND 50% of the average annual load of TP generated from the total post construction impervious area on the site. The VA’s EISA Section 438 largely fulfills these requirements.

### 8.2.2 Conduct Street and Parking Lot Design Guideline Assessment

The VAMC will evaluate opportunities to include green infrastructure practices in new development and redevelopment at the campus, focusing on opportunities to reduce the amount of impervious cover created for parking lots and walkways.

### 8.2.3 Submission of As-Built Drawings

As part of the process to confirm long term operation and maintenance requirements associated with post-construction stormwater management features, the VAMC Manchester will require submittal of as-built drawings depicting on-site stormwater controls (structural and non-structural). Procedures to guarantee long-term operation and maintenance of stormwater management controls will be developed and implemented per control-specific requirements. Measures taken to conform to this Permit requirement will be reported in each Annual Report.

### 8.2.4 Targeting Properties for BMP Retrofits or Modifications

The VAMC Manchester will evaluate portions of the site with significant impervious cover, such as parking lots, buildings, and maintenance yards, that could be retrofitted or modified to reduce the frequency, volume, or pollutant load of stormwater discharges from these areas. Although the Permit requires identification of a minimum of five locations for modifications or retrofits during the Permit cycle, the VAMC Manchester can choose to select this quantity or a smaller quantity of properties due to the size of the campus compared to a traditional MS4.

In addition to the properties described above, the VAMC Manchester will evaluate the next planned infrastructure, resurfacing, or redevelopment activity planned for that property or planned retrofit date; the estimated cost of redevelopment or retrofit BMPs; and the engineering and regulatory feasibility of redevelopment or retrofit BMPs to reduce phosphorus loading to receiving waterbodies. BMPs that infiltrate stormwater will be considered, where feasible.

The retrofit and/or modification status will be summarized in Annual Reports, beginning four years from the effective date of the Permit. This status will include a list of planned structural BMPs and a plan and schedule for the implementation in the Permit Year 5 Annual Report. VAMC Manchester will plan and install a minimum of one structural BMP as a demonstration project within six years of the Permit effective date and include an estimation of the amount of phosphorus removed by the BMP.

**Table 8-1 Measurable Goals for Post-Construction Runoff Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
5-1	<b>Post-Construction Site Runoff Control Policy</b>			
	GEMS Program Manager, Facility Service	Implement an effective post-stormwater runoff control program to minimize or eliminate erosion and maintain sediment onsite.	Development of a written Post-Construction Program Manual including references to facility procedures and policies.	End of Permit Year 3

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>5-2</b>	<b>Stormwater Management in New Development and Redevelopment Program</b>			
	GEMS Program Manager, Facility Service	Implement a written program to reduce the discharge of pollutants found in stormwater through retention or treatment of stormwater after construction on new or developed sites.	Review and revise facility stormwater policies and procedures in Permit year 2 for consistency Permit requirements.	Permit Year 3
<b>5-3</b>	<b>Parking Lot and Walkway Impervious Cover Assessment</b>			
	GEMS Program Manager, Facility Service	Evaluate opportunities to include green infrastructure practices on new and redevelopment, including opportunities to reduce impervious cover due to parking lots and walkways. Verify long term operation and maintenance of stormwater management practices installed to reduce impervious cover.	Tracking and evaluation of green infrastructure opportunities on parking lots and walkways. Tracking of long term operation and maintenance of stormwater management practices.	By end of Permit Year 5.
<b>5-4</b>	<b>Submission of As-Built Drawings</b>			
	Facility Service Engineering	Require submittal of as-built drawings, including procedures to guarantee long-term operation and maintenance of stormwater management controls.	Documentation, inventory, and archive of as-built drawings completed within 2 years of project completion, including O&M plans for associated stormwater controls.	No later than 2 years after completion of construction projects, beginning at Permit effective date.
<b>5-5</b>	<b>BMP Retrofit and Modification Identification</b>			
	Facility Service Engineering	Identify up to 5 locations for potential modification or retrofit of BMPs designed to reduce the frequency, volume, and pollutant load of stormwater.	Identification and documentation of locations suitable for retrofit or BMP modifications.	By end of Permit Year 5

## 9. GOOD HOUSEKEEPING AND POLLUTION PREVENTION

### 9.1 Good Housekeeping and Pollution Prevention Control Measure

The Good Housekeeping and Pollution Prevention Control Measure focuses on strategies that individual VAMC Manchester Departments, such as Facility Service, can implement to prevent the pollution of stormwater. As the name implies, a significant portion of this measure is focused on “Good Housekeeping” through proper maintenance and storage of VAMC Manchester owned equipment and supplies to reduce exposure of outdoor equipment and materials to stormwater runoff. Additionally, this measure addresses implementing schedules for catch basin cleaning and street sweeping, which serves to reduce the amounts and types of pollutants that often accumulate on streets, parking lots, and storage and vehicle maintenance areas that discharge to local waterbodies.

#### 9.1.1 Conduct Inventory of VAMC Manchester Properties

To facilitate implementation of the development of O&M programs, as described in Section 9.1.3, the VAMC Manchester will update and maintain an inventory of all facilities listed above that are present onsite, and review and update annually, as needed. The VAMC Manchester is well-positioned to implement this Permit requirement due to the size of the VAMC Manchester campus in comparison to a traditional municipality. Information currently stored in the VAMC Manchester’s WebGIS program can be used to develop this inventory, which will be periodically evaluated and updated, as necessary, during the duration of the Permit. Inventory status will be included in Annual Reports, including updates to the inventory, as applicable.

#### 9.1.2 Develop Stormwater Pollution Prevention Plans

Stormwater Pollution Prevention Plans (SWPPPs) are required to be developed and implemented for permittee-owned or operated maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater. The VAMC Manchester does not currently contain any operations that would be regulated by the 2016 MS4 General Permit the National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP). NPDES Construction General Permit requirements are addressed in Section 7. The VAMC Manchester will periodically evaluate Campus operations throughout the duration of the Permit to verify that no changes have occurred that would require MSGP coverage.

#### 9.1.3 Development of Operations and Maintenance Programs

Operations and maintenance (O&M) programs currently being implemented at the VAMC Manchester will be evaluated and modified, if necessary, to conform to Permit requirements. O&M programs and stormwater-friendly standard operating procedures will be recorded in written documents (hard copy or electronic) for the following areas of the Campus and/or activities:

- 1) Parks and open spaces:
  - a) Proper use, storage, and disposal of pesticides, herbicides, and fertilizers, including minimizing the use of these products where possible.
  - b) Pet waste handling procedures;
  - c) Waterfowl waste management;
  - d) Trash receptacle management; and
  - e) Vegetation establishment to mitigate erosion.

- 2) Buildings and Facilities:
  - a) Use, storage, and disposal of petroleum products and potential stormwater pollutants, including provision of employee training, as necessary;
  - b) Development of Spill Prevention Plans, if applicable;
  - c) Dumpster and waste management equipment procedure development;
  - d) Implementation of parking lot and facility adjacent sweeping programs.
- 3) Vehicles and Equipment:
  - a) Establishment of vehicle and equipment storage procedures, including leak detection and mitigation processes;
  - b) Evaluation of fueling areas; and
  - c) Processes for vehicle and equipment washing.

The VAMC Manchester will report on the status of O&M Programs being implemented, as well as maintenance activities associated with each O&M Program, as described in the following sections.

#### **9.1.4 Implement Catch Basin Cleaning Program**

The VAMC Manchester inspects catch basins twice per year to determine whether they require cleaning or maintenance activities. Catch basins are cleaned twice per year based on these inspection findings, in the spring and the fall, by an outside contractor. During catch basin inspections, cleaning and maintenance will be prioritized for catch basins located near construction activities, with cleanings occurring more frequently if excessive sediment or debris is noted. All catch basins will be cleaned at a frequency designed to verify that catch basins are no more than 50 percent full at the time of cleaning.

The VAMC Manchester uses contractors to clean catch basins. Contractors will provide the VAMC Manchester with all records pertaining to the quantity of catch basins inspected, cleaned, and quantity of materials removed from catch basins and transported off-site for disposal. This information will be summarized annually in the Annual Report. If catch basin cleanings are stored at the Campus, they will be stored securely in a location that will not discharge to receiving waters.

The NHDES does not currently have a policy in place for the disposal of catch basin cleanings. Spoils generated from catch basin cleaning can be managed at the VAMC Manchester unless they are contaminated. If the spoils exhibit visual, olfactory, or laboratory confirmed evidence of contamination and/or are going to be used in an offsite application they will need to be managed as a solid waste under the NH Solid Waste Rules (Env-SW 903 Contaminated Soils).

#### **9.1.5 Implement Street Sweeping Program**

The VAMC Manchester conducts the majority of street sweeping activities, on an ongoing basis during autumn months, with daily sweeping of leaves/debris around campus. The VAMC Manchester will obtain volumes of street sweepings collected by contractors and estimates other street sweeping volumes generated during routine facility maintenance for inclusion in Annual Reports. Similar to catch basin cleaning spoils, the NHDES does not have a policy in place for street sweeping spoils. Street sweeping spoils exhibiting evidence of contamination or that will be removed from the campus will be managed in accordance with NH Solid Waste Rule Env-SW 903 Contaminated Soils.

Information obtained during implementation of the catch basin cleaning program will be used to evaluate and adjust street sweeping frequencies and locations, if required. Specifically, where catch basins are observed to be greater than 50 percent full or located in an area of the VAMC Manchester that has been identified as contributing increased pollutant loads, or any other area where land use activities may contribute to the discharge of pollutants to stormwater, street sweeping will be conducted more frequently.

### **9.1.6 Implement Road Salt Use Optimization Program**

Winter road maintenance activities will be evaluated to minimize the use of sodium chloride and other salts and evaluate opportunities for use of alternative deicing materials. The use and storage of sand and salt will be conducted in a manner that minimizes exposure to weather and potential transport via catch basins, topography, or other mechanisms to the MS4 and/or waterbodies receiving discharge from the site. The VAMC Manchester will consult with the NH DES Environmental Fact Sheet WMB-3, Snow Disposal Guidelines, when determining procedures for snow disposal site selection (<https://www.des.nh.gov/organization/commissioner/pip/factsheets/wmb/documents/wmb-3.pdf>).

### **9.1.7 Conduct Inspection and Maintenance of Stormwater Treatment Structures**

Any stormwater treatment structures located at the VAMC Manchester will be inspected annually, at a minimum, to verify that they are in good working condition. Maintenance to stormwater treatment structures will occur in a timely manner if issues are identified during inspection. Stormwater treatment structures can include, but are not limited to, water quality swales, retention/detention basins, infiltration structures, and proprietary treatment devices.

### **9.1.8 Employee Training Programs**

While VAMC Manchester provides various training for its employees the focus of stormwater related training topics primarily falls to Facility Service employees, a majority of whom, work at or near catch basins and outfalls. Training topics for Facility Service employees include: Stormwater Management, Oil Spill Prevention, Control, and Countermeasure (SPCC), Fuel Oil Delivery and Oil Handling. These trainings are in addition to the various annual safety and environmental trainings determined as by the GEMS Program Manager.

**Table 9-1 Measurable Goals for Pollution Prevention / Good Housekeeping Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>6-1 Conduct Inventory of VAMC Manchester Properties</b>				
	GEMS Program Manager, Facility Service	Develop inventory of VAMC Manchester owned facilities and activities with potential to generate stormwater pollutants.	Creation and maintenance of facility inventory list.	By end of Permit Year 3.
<b>6-2 Develop Stormwater Pollution Prevention Plans</b>				
	GEMS Program Manager	Develop and implement SWPPPs for relevant VAMC Manchester facilities.	Initiate and develop SWPPPs (and Spill Prevention Countermeasure and Control (SPCC) Plans, as needed) for maintenance garages, public works yards, transfer stations, and waste handling facilities, as applicable.	End of Permit Year 5.
<b>6-3 Implement Operations &amp; Maintenance (O&amp;M) Procedures</b>				
	GEMS Program Manager	Establish a written program detailing activities and procedures for MS4 property maintenance to reduce discharge of pollutants.	Development of written procedures to minimize pollutant discharges to the MS4 for facilities and activities identified in the inventory.	End of Permit Year 3.
<b>6-4 Implement Infrastructure O&amp;M Procedures</b>				
	Facility Service	Establish a written program detailing procedures for MS4 infrastructure maintenance.	Development and implementation of written procedures to reduce or eliminate discharge of pollutants from the MS4.	End of Permit Year 3.
<b>6-5 Implement Catch Basin Cleaning Program</b>				
	Facility Service Roads & Grounds	Develop a catch basin cleaning SOP in accordance with Permit requirements.	Establish and implement procedures and schedule for catch basin cleaning in concurrence with Permit requirements.	End of Permit Year 3.

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline
<b>6-6 Implement Street Sweeping Program</b>				
	Facility Service Roads & Grounds	Develop a street sweeping SOP in accordance with Permit requirements.	Implement street sweeping procedures in accordance with Permit requirements.	Report on status annually
<b>6-7 Implement Road Salt Use Optimization Program</b>				
	Facility Service Roads & Grounds	Establish and implement procedures for winter road maintenance.	Implementation of procedures to minimize use of salts during winter road maintenance.	Report on status annually
<b>6-8 Conduct Inspection and Maintenance of Stormwater Treatment Structures</b>				
	Facility Service, GEMS Program Manager	Establish and implement inspection/maintenance procedures for stormwater treatment structures (excluding catch basins).	Conduct inspections of stormwater treatment structures, perform maintenance activities in a timely manner if issues are identified during inspections.	Report on status annually

## 10. PROGRAM EVALUATION, RECORDKEEPING, AND REPORTING REQUIREMENTS

Successful implementation of the Permit is not tied to specific water quality limits associated with stormwater discharges. Instead, Permit compliance involves successful implementation of BMPs designed to reduce pollutant loading to waterbodies. This flexibility allows the permittee to develop specific measures customized to fit their facility's operations; however, it may be more difficult to measure the successful implementation of the MS4 program without specific numeric criteria to compare to. As such, the permittee often must rely on professional judgement combined with information obtained during implementation of the Permit to effectively evaluate their program.

This section provides the framework by which the VAMC Manchester will evaluate their MS4 stormwater management program, as well as record keeping and related Permit reporting requirements.

### 10.1 Program Evaluation

The MS4 stormwater management program evaluation relies on the implementation of Permit requirements, which are the primary references for the program evaluation. The VAMC Manchester will self-evaluate its compliance with Permit conditions annually and record the self-evaluation in the Annual Report.

Each BMP described in this SWMP will be evaluated against its appropriateness in achieving the measurable goal of the related control measure (i.e. Public Involvement and Participation, etc.). If a BMP is determined to be ineffective, it will be augmented or changed by adding components or controls to that BMP or, replacement. If a BMP is replaced, that section of the SWMP describing the BMP must also be updated to reflect the change. Updates to the SWMP must include an analysis of why the BMP being replaced is ineffective or infeasible, expectations on the effectiveness of the replacement BMP; and an analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced. Any BMP modifications or replacements will be documented in the Annual Report.

### 10.2 Record Keeping

All records required as part of the implementation of the Permit will be kept for at least five years. Records include information used in the development of any written program required by the Permit, monitoring results, copies of reports, records of screening, follow-up and elimination of illicit discharges, maintenance records, inspection records, and data used in the development of the notice of intent (NOI), SWMP, SWPPPs (as applicable), and Annual Reports.

These records will be made available to the public for review during normal business hours. The VAMC Manchester may choose to implement this Permit requirement by posting relevant records online. All hard copies of stormwater related records are to be maintained in the GEMS Program Manager's office.

### 10.3 Annual Report

The VAMC Manchester must submit an Annual Report that contains information regarding activities associated with the SWMP BMPs that occurred during the previous reporting year period – July 1 thru June 30. The initial report covering the activities mandated by the 2017 MS4 General Permit is due on September 29, 2019, and is to be submitted annually thereafter.

In New Hampshire, where EPA and the State of New Hampshire are the joint permitting authorities, reports must be submitted annually to both EPA Region 1 and the State of New Hampshire within 90 days from the closing of the reporting period. Submittal mailing information is presented in Section 10.3.3.

### 10.3.1 Annual Report Purpose and Content

Per Part 4.4 of the Permit, the VAMC Manchester is required to review the measurable goals presented in this BMP and evaluate whether the associated BMPs were effective toward achieving the measurable goals, terms and conditions of the Permit. This evaluation is summarized annually in the Annual Report, which documents the status of the VAMC Manchester Stormwater Management Program. Tables summarizing Permit requirements for each CM, as well as the information that must be included in each Annual Report, are included as **Appendix E**. In addition to these reporting requirements, the VAMC Manchester should review the latest New Hampshire Integrated List of Waters to determine whether the impaired or TMDL status of any waterbodies receiving MS4 discharges from the VAMC Manchester have changed. A change in a waterbody's impaired or TMDL status may trigger additional implementation of BMPs.

### 10.3.2 Signature and Certification Requirements

Annual reports must be signed in accordance with Appendix B, Part A of the Permit and be accompanied by the signatory certification language presented in Appendix B, Part B.11.D, which is incorporated into Section 11 of this SWMP. Signatory requirements included in Appendix B that are relevant to federal agencies are excerpted below:

Appendix B, Part A (Excerpted):

All applications, including NOIs, must be signed as follows:

(3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official.

(b) ... or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

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

(3) The written authorization is submitted to the Director.

### 10.3.3 Mailing Information

VAMC Manchester must submit the MS4 Annual Reports to each of the following agencies:

U.S. Environmental Protection Agency  
Stormwater and Construction Permits Section (OEP06-1)  
Five Post Office Square, Suite 100  
Boston, MA 02109

New Hampshire Department of Environmental Services  
Wastewater Engineering Bureau  
Permits and Compliance Section  
PO Box 95  
Concord, NH 03302-0095



The GEMS Program Manager is responsible for submitting copies of the annual reports to EPA and NHDES.

Reports may also be submitted electronically to the EPA at the following email address: [stormwater.reports@epa.gov](mailto:stormwater.reports@epa.gov).  
After December 21, 2020, all Annual Reports must be submitted electronically.

NOTE: Each report submittal requires an original certification signature page.



## 11. SIGNATORY REQUIREMENT

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

---

Associate Director

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Title

---

Signature

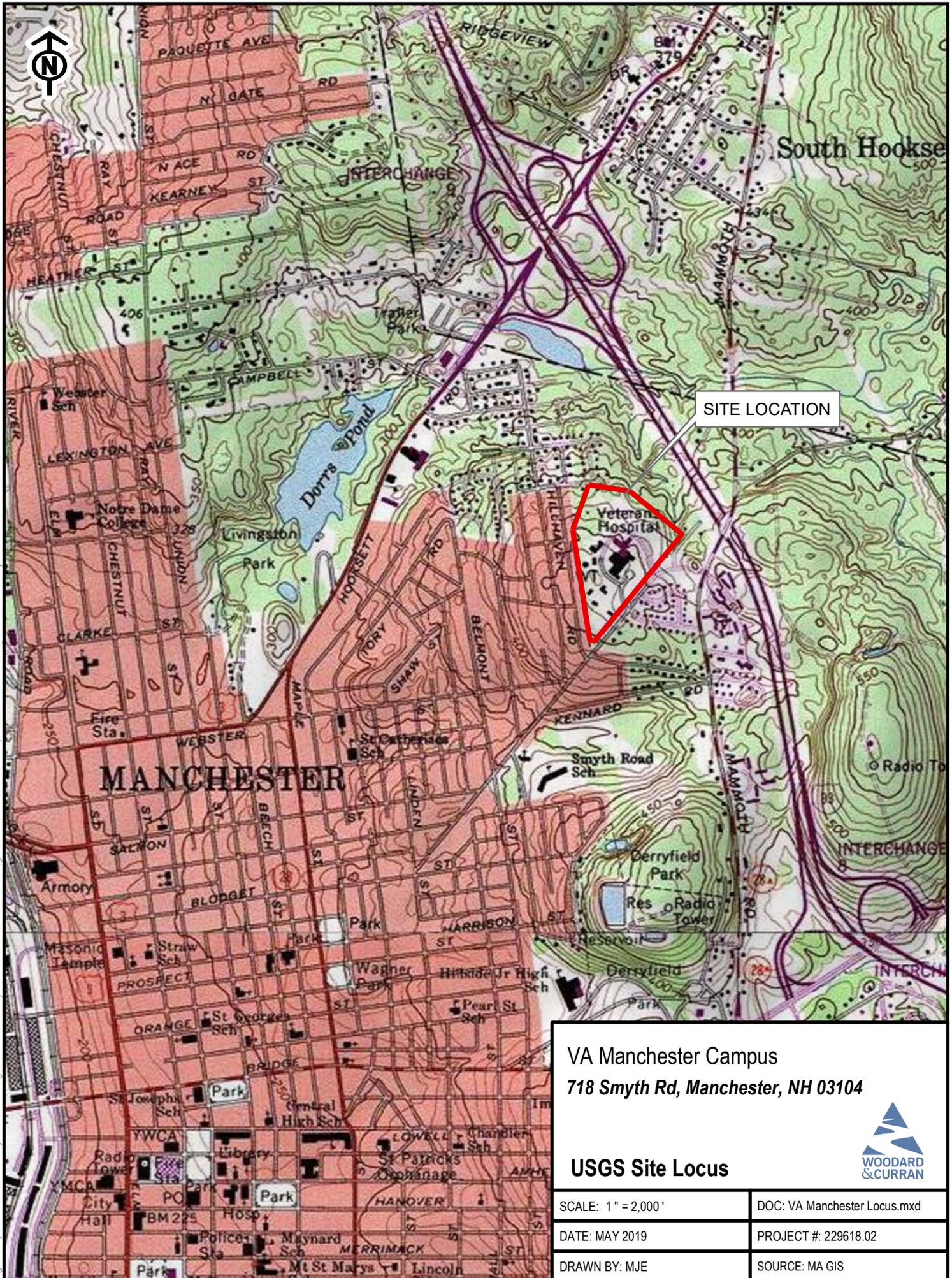
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9/16/2019

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Date

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SITE LOCATION

VA Manchester Campus  
718 Smyth Rd, Manchester, NH 03104

USGS Site Locus



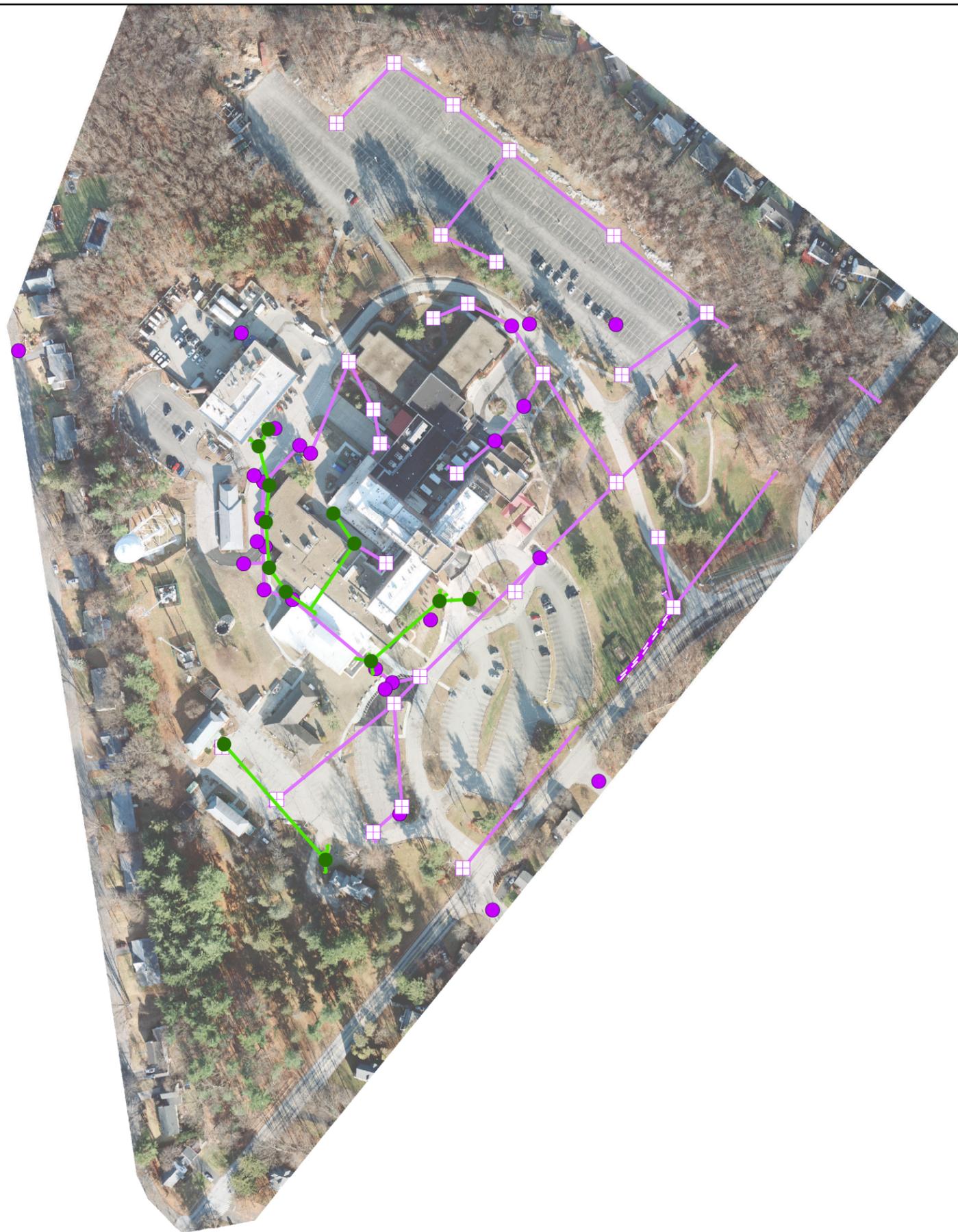
SCALE: 1" = 2,000'	DOC: VA Manchester Locus.mxd
DATE: MAY 2019	PROJECT #: 229618.02
DRAWN BY: MJE	SOURCE: MA GIS

# VAMC MS4 Infrastructure Manchester



## Legend

-  drainage\_catchbasin
-  drainage\_manhole
-  sewer\_manhole
-  sewer\_line
-  drainage\_culvert\_estimate
-  drainage\_line\_estimate



0 55 110 220  
Feet



Project #: 229618.02  
Map Created: January 2019

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. **Data Sources:**



**APPENDIX A: NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES  
FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

**United States Environmental Protection Agency (EPA)  
National Pollutant Discharge Elimination System (NPDES)**

**GENERAL PERMITS FOR STORMWATER DISCHARGES FROM  
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act (CWA), as amended (33 U.S.C. §1251 *et seq.*), any operator of a small municipal separate storm sewer system whose system

- Is located in the areas described in Part 1.1;
- Is eligible for coverage under Part 1.2 and Part 1.9; and
- Submits a complete and accurate Notice of Intent in accordance with Part 1.7 of this permit and receives written authorization from EPA

is authorized to discharge in accordance with the conditions and the requirements set forth herein.

The following appendices are also included as part of these permits:

- Appendix A – Definitions, Abbreviations, and Acronyms;
- Appendix B – Standard permit conditions applicable to all authorized discharges;
- Appendix C – Endangered Species Act Eligibility Guidance;
- Appendix D – National Historic Preservation Act Eligibility Guidance;
- Appendix E – Information required for the Notice of Intent (NOI);
- Appendix F – Requirements for NH Small MS4s Subject to Approved TMDLs;
- Appendix G – Impaired Waters Monitoring Parameter Requirements; and
- Appendix H – Requirements related to discharges to certain impaired waterbodies

These permits become effective on **July 1, 2018**.

These permits and the authorization to discharge expire at midnight on June 30, 2023.

Signed this 18<sup>th</sup> day of January, 2017

  
\_\_\_\_\_  
Ken Moraff, Director  
Office of Ecosystem Protection  
United States Environmental Protection Agency  
5 Post Office Square – Suite 100  
Boston, Massachusetts 02109-3912

## Table of Contents

<b>1.0 INTRODUCTION.....</b>	<b>4</b>
1.1 AREAS OF COVERAGE .....	4
1.2 ELIGIBILITY .....	4
1.2.1 Small MS4s Covered .....	4
1.3 LIMITATIONS ON COVERAGE.....	4
1.4 ALLOWABLE NON-STORMWATER DISCHARGES.....	5
1.5 PERMIT COMPLIANCE.....	6
1.6 CONTINUATION OF THIS PERMIT .....	6
1.7 OBTAINING AUTHORIZATION TO DISCHARGE .....	6
1.7.1 How to Obtain Authorization to Discharge .....	7
1.7.2 Notice of Intent .....	7
1.7.3 Submission of Notice of Intent .....	7
1.7.4 Effective Date of Coverage.....	8
1.8 INDIVIDUAL PERMITS AND ALTERNATIVE GENERAL PERMITS .....	9
1.9 SPECIAL ELIGIBILITY DETERMINATIONS .....	9
1.9.1 Documentation Regarding Endangered Species.....	9
1.9.2 Documentation Regarding Historic Properties .....	10
1.10 STORMWATER MANAGEMENT PROGRAM (SWMP) .....	10
1.10.1 Stormwater Management Program Availability .....	11
1.10.2 Contents of the Stormwater Management Program for Permittees Covered Under the 2003 Permit.....	11
1.10.3 Contents and Timelines of the Stormwater Management Program for New Permittees.....	13
<b>2.0 NON-NUMERIC EFFLUENT LIMITATIONS.....</b>	<b>17</b>
2.1 WATER QUALITY BASED EFFLUENT LIMITATIONS .....	17
2.1.1 Requirement to Meet Water Quality Standards.....	17
2.1.2 Increased Discharges .....	18
2.2 DISCHARGES TO CERTAIN IMPAIRED WATERS .....	18
2.2.1 Discharges Subject to Requirements Related to an Approved TMDL.....	19
2.2.2 Discharge to Certain Water Quality Limited Waters without an Approved TMDL ....	21
2.3 REQUIREMENTS TO REDUCE POLLUTANTS TO THE MAXIMUM EXTENT PRACTICABLE (MEP) 26	
2.3.1 Control Measures .....	26
2.3.2 Public Education and Outreach.....	27
2.3.3 Public Involvement and Participation.....	29
2.3.4. Illicit Discharge Detection and Elimination (IDDE) Program .....	29
2.3.5 Construction Site Stormwater Runoff Control .....	44
2.3.6 Stormwater Management in New Development and Redevelopment (Post Construction Stormwater Management).....	46
2.3.7 Good House Keeping and Pollution Prevention for Municipal Operations .....	50

<b>3.0</b>	<b>ADDITIONAL STATE REQUIREMENTS.....</b>	<b>58</b>
3.1	REQUIREMENTS FOR MS4S IN NEW HAMPSHIRE.....	58
3.2	NEW HAMPSHIRE PUBLIC DRINKING WATER REQUIREMENTS.....	58
<b>4.0</b>	<b>PROGRAM EVALUATION, RECORD KEEPING, AND REPORTING.....</b>	<b>60</b>
4.1	PROGRAM EVALUATION.....	60
4.2	RECORD KEEPING .....	60
4.3	OUTFALL MONITORING .....	61
4.4	ANNUAL REPORTING .....	62
<b>5.0</b>	<b>NON-TRADITIONAL MS4S .....</b>	<b>64</b>
5.1.	REQUIREMENTS FOR NON-TRADITIONAL MS4S.....	64
<b>6.0</b>	<b>REQUIREMENTS FOR TRANSPORTATION AGENCIES.....</b>	<b>66</b>
6.1	PUBLIC EDUCATION.....	66
6.2	ORDINANCES AND REGULATORY MECHANISMS.....	66
6.3	ASSESSMENT OF REGULATIONS .....	66
6.4	NEW DISCHARGERS.....	66

## **1.0 Introduction**

This document consists of three (3) general permits listed in Part 1.1. Each general permit is applicable to a particular type of municipal system within New Hampshire. Many of the permit terms and conditions are applicable across all regulated entities, and therefore are presented just once in Parts 1-2, Part 4, and Appendices A through E. Other conditions are applicable to a particular set of authorized entities; these terms and conditions are included in Parts 3, 5 and 6 and Appendices F through H. Throughout the permit, the terms “this permit” or “the permit” will refer to all three general permits.

### **1.1 Areas of Coverage**

This permit covers small municipal separate storm sewer systems (MS4s) located in the State of New Hampshire:

- Traditional Cities and Towns (NPDES Permit No. NHR041000)
- State, federal, county and other publicly owned properties (Non-traditional) (NHR042000)
- State transportation agency (NHR043000)

### **1.2 Eligibility**

The MS4 shall meet the eligibility provisions described in Part 1.2.1 and Part 1.9 to be eligible for authorization under this permit.

#### **1.2.1 Small MS4s Covered**

This permit authorizes the discharge of stormwater from small MS4s as defined at 40 CFR § 122.26(b)(16) and Appendix A. This includes MS4s described in 40 CFR §122.32(a)(1) or (a)(2). An MS4 is eligible for authorization under this permit if it is:

- a. An MS4 (see definition in Appendix A) within the permit areas described in Part 1.1;
- b. Not a large or medium MS4 as defined in 40 CFR §§122.26(b)(4) or (7); and
- c. Either:
  1. Located fully or partially within an urbanized area as determined by the 2010 Decennial Census by the Bureau of Census; or
  2. Located in a geographic area designated by EPA as requiring a permit.

If the small MS4 is not located entirely within an urbanized area, only the portion of the MS4 that is located within the urbanized area is regulated consistent with 40 CFR §122.32(a)(1).

### **1.3 Limitations on Coverage**

This permit does not authorize the following:

- a. Stormwater discharges mixed with sources of non-stormwater, unless the non-stormwater discharges are either (1) authorized under a separate NPDES permit, or (2) allowed under Part 1.4.
- b. Stormwater discharges associated with industrial activity as defined in 40 CFR §122.26 (b) (14) (i)-(ix) and (xi).

- c. Stormwater discharges associated with construction activity as defined in 40 CFR §122.26(b) (14) (x) or (b) (15).
- d. Stormwater discharges currently covered under another NPDES permit, including discharges covered under other regionally issued general permits.
- e. Stormwater discharges or discharge related activities that are likely to adversely affect any species that are listed as endangered or threatened under the Endangered Species Act (ESA) or result in the adverse modification or destruction of habitat that is designated as critical under the ESA. The permittee shall follow the procedures detailed in Appendix C to make a determination regarding eligibility. The permittee shall certify compliance with this provision on the submitted NOI.
- f. Stormwater discharges whose direct or indirect impacts do not prevent or minimize adverse effects on any Essential Fish Habitat.
- g. Stormwater discharges, allowable non-stormwater discharges, or stormwater discharge-related activities that have an effect on a property that is listed or eligible for listing on the National Register of Historic Properties (NRHPS). The permittee shall follow the procedures detailed in Appendix D to make a determination regarding eligibility. The permittee shall certify compliance with this provision on the submitted NOI.
- h. Stormwater discharges to territorial seas, the waters of the contiguous zone, or the oceans.
- i. Stormwater discharges prohibited under 40 CFR § 122.4.
- j. Stormwater discharges to the subsurface subject to state Underground Injection Control (UIC) regulations at N.H. Code Admin. R. Part Env-Wq 404. Although the permit includes provisions related to infiltration and groundwater recharge, structural controls that dispose of stormwater into the ground may be subject to UIC regulation requirements. Authorization for such discharges shall be obtained from the New Hampshire Department of Environmental Services, Groundwater Discharge Permitting and Registration Program.

#### **1.4 Allowable Non-Stormwater Discharges**

The following categories of non-stormwater discharges are allowed under this permit unless the permittee, EPA, or the state agency identifies any category of non-stormwater discharge in Part 1.4.a-r as a significant contributor of pollutants to the MS4, then that category is not allowed under Part 1.4, but rather shall be deemed an “illicit discharge” under Part 2.3.4.1. and the permittee shall address that category as part of the Illicit Discharge Detection and Elimination (IDDE) Program described in Part 2.3.4 of this permit.

- a. Water line flushing
- b. Landscape irrigation

- c. Diverted stream flows
- d. Rising ground water
- e. Uncontaminated ground water infiltration (as defined at 40 CFR § 35.2005(20))
- f. Uncontaminated pumped ground water
- g. Discharge from potable water sources
- h. Foundation drains
- i. Air conditioning condensation
- j. Irrigation water, springs
- k. Water from crawl space pumps
- l. Footing drains
- m. Lawn watering
- n. Individual resident car washing
- o. Flows from riparian habitats and wetlands
- p. De-chlorinated swimming pool discharges
- q. Street wash waters
- r. Residential building wash waters without detergents

Discharges or flows from fire fighting activities are allowed under this permit need only be addressed where they are identified as significant sources of pollutants to waters of the United States.

### **1.5 Permit Compliance**

Any non-compliance with any requirement of this permit constitutes a violation of the permit and the CWA and may be grounds for an enforcement action and may result in the imposition of injunctive relief and/or penalties.

### **1.6 Continuation of this Permit**

If this permit is not reissued prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedure Act and remain in force and effect for discharges that were authorized prior to expiration. If a small MS4 was granted permit authorization prior to the expiration date of this permit, it will automatically remain authorized by this permit until the earliest of:

- Authorization under a reissued general permit following timely and appropriate submittal of a complete and accurate NOI requesting authorization to discharge under the reissued permit; or
- Issuance or denial of an individual permit for the MS4's discharges; or
- Authorization or denial under an alternative general permit.

If the MS4 operator does not submit a timely, appropriate, complete and accurate NOI requesting authorization to discharge under the reissued permit, or a timely request for authorization under an individual or alternative general permit, authorization under this permit will terminate on the due date for the NOI under the reissued permit unless otherwise specified in the reissued permit.

### **1.7 Obtaining Authorization to Discharge**

### 1.7.1 How to Obtain Authorization to Discharge

To obtain authorization under this permit, a small MS4 shall:

1. Be located in the areas listed in Part 1.1 of this permit;
2. Meet the eligibility requirements in Part 1.2 and Part 1.9;
3. Submit a complete and accurate Notice of Intent (NOI) in accordance with the requirements of Part 1.7.2; and
4. Receive written authorization from EPA.

### 1.7.2 Notice of Intent

- a. Operators of Small MS4s seeking authorization to discharge under the terms and conditions of this permit shall submit a Notice of Intent that contains the information identified in Appendix E<sup>1</sup>.
- b. Operators of Small MS4s that have developed Alternative Pollutant Reduction Plan(s) to meet TMDL Waste Load Allocations in accordance with Appendix F Part I.2, II.2, and/or III.2 shall attach their proposed NHDES-approved Alternative Pollutant Reduction Plan(s) to their NOI.
- c. The NOI shall be signed by an appropriate official (see Appendix B Subparagraph 11).
- d. The NOI shall contain the following certification:

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Print the name and title of the official, followed by signature and date.

- e. The NOI shall be submitted within 90 days of the effective date of the permit. If EPA notifies an MS4 that it is designated under 40 CFR §122.32(a) (2) or (b), the NOI shall be submitted within 180 days of receipt of notice unless granted a longer period of time by EPA.

### 1.7.3 Submission of Notice of Intent

- a. All small MS4s shall submit a complete and accurate Notice of Intent to EPA-Region 1 at the following address:

---

<sup>1</sup> This includes operators of small MS4s that were previously authorized under the May 1, 2003 small MS4 general permit (MS4-2003)

United States Environmental Protection Agency  
ATTN: Stormwater and Construction Permits Section  
5 Post Office Square – Suite 100  
Mail Code – OEP06-1  
Boston, Massachusetts 02109-3912

- b. New Hampshire Department of Environmental Services (NHDES) may request that a permittee submit their NOI to NHDES, upon receipt of such request the small MS4s must also submit a copy of the NOI at the following address:

New Hampshire Department of Environmental Services  
Water Division – Wastewater Engineering Bureau  
P.O. Box 95  
Concord, New Hampshire 03302-0095  
ATTN: Stormwater Permits Coordinator

- c. Late notification: A small MS4 is not prohibited from submitting an NOI after the dates provided in Part 1.7.2.e. However, if a late NOI is submitted, authorization is only for discharges that occur after permit authorization is granted. EPA reserves the right to take enforcement actions for any unpermitted discharges.

#### **1.7.4 Effective Date of Coverage**

- a. Based on a review of an NOI, EPA may grant authorization under this permit or deny authorization under this permit and require submission of an application for an individual or alternative NPDES permit (see Part 1.8). A small MS4 operator will be authorized to discharge under the terms and conditions of this permit upon written receipt of notice of authorization from EPA.
- b. For operators of small MS4s that submitted Alternative Pollutant Reduction Plan(s) seeking operator-specific permit requirements (see Appendix F Part I.2, II.2, and/or III.2) EPA will provide a public notice and opportunity for comment on the Alternative Pollutant Reduction Plan(s) as well as operator-specific permit requirements. The public comment period will be a minimum of 30 calendar days and will be conducted in accordance with 40 CFR §§ 124.10 through 124.13 (excluding § 124.10(c)(2)). Based on a review of the Alternative Pollutant Reduction Plan(s), comments received, and other relevant information, EPA will issue a response to all significant comments received consistent with 40 CFR §124.17 and may grant or deny authorization to discharge under the proposed operator-specific permit requirements (see Appendix F Part I.2, II.2, and III.2) via written correspondence and will post the final operator-specific permit requirements on EPA's website.
- c. Permittees whose authorization to discharge under the MS4-2003 which expired on May 1, 2008 has been administratively continued in accordance with the Administrative Procedures Act (5 U.S.C. 558(c)) and 40 CFR § 122.6, who wish to obtain coverage

under this permit, must submit a new complete and accurate NOI requesting permit coverage in accordance with the requirements of Part 1.7 of this permit to EPA within 90 days after the effective date of this permit. For enforcement purposes, permittees whose authorization to discharge under the expired MS4-2003 was administratively continued, who fail to submit a timely, complete and accurate NOI requesting authorization to discharge under the reissued permit or an application for an individual NPDES permit within 90 days after the effective date of this permit, will be considered to be discharging without a permit.

## **1.8 Individual Permits and Alternative General Permits**

- a. EPA may require a small MS4 to apply for and obtain authorization under either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition EPA in accordance with the provisions of 40 CFR §122.26(f) to require a small MS4 to apply for and/or obtain authorization under either an individual NPDES permit or an alternative NPDES general permit. If EPA requires a small MS4 to apply for an individual or alternative NPDES permit, EPA will notify the small MS4 in writing that a permit application is required. This notification will include a brief statement of the reasons for this decision and will provide application information and an application deadline. If a small MS4 is authorized under the MS4-2003 or this permit and fails to submit an individual NPDES or an alternative general permit NPDES permit application as required by EPA, then the authorization under the MS4-2003 or this permit to the small MS4 is automatically terminated at the end of the date specified by EPA as the deadline for application submittal. EPA reserves the right to take enforcement action for any unpermitted discharge.
- b. A small MS4 may request to be excluded from this general permit by applying for an individual permit or authorization under an alternative general permit. In such a case, a small MS4 shall submit an individual permit application in accordance with the requirements of 40 CFR §122.33(b) (2) (i) or §122.33(b) (2) (ii), with reasons supporting the request, to EPA at the address listed in Part 1.7.3 of this permit. The request may be granted by issuance of an individual permit or authorization under an alternative general permit if EPA determines that the reasons stated by the small MS4 are adequate to support the request. (See 40 CFR § 122.28(b) (3)).
- c. When an individual NPDES permit is issued, or a small MS4 is authorized to discharge under an alternative NPDES general permit, authorization under this permit automatically terminates on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit.

## **1.9 Special Eligibility Determinations**

### **1.9.1 Documentation Regarding Endangered Species**

EPA will work with the U.S. National Marine Fisheries Service (NMFS) directly to fulfill ESA requirements of this permit related to species under their jurisdiction. The small MS4 shall certify eligibility regarding federally listed endangered or threatened species (or critical habitat) under the jurisdiction of the U.S. Fish and Wildlife Service in the NOI required by Part 1.7.2.

The Stormwater Management Program (SWMP) shall include documentation supporting the permittee's eligibility determination with regard to federal Endangered and Threatened Species and Critical Habitat Protection, including:

- a. Information on whether federally listed endangered or threatened species, or critical habitat are found in proximity to the MS4's stormwater outfalls, or activities or structures involved in stormwater best management practices (BMPs);
- b. Whether such species or habitat are likely to be adversely affected by the stormwater discharges or stormwater discharge-related activities, e.g., BMP installation;
- c. Results of the Appendix C endangered species screening determinations; and
- d. If any such species or habitat are present, a description of the measures the MS4 shall implement to protect federally listed endangered or threatened species, or critical habitat, including any conditions imposed by the U.S. Fish and Wildlife Service. If a permittee fails to document and implement such measures, those discharges are ineligible for coverage under this permit.

### **1.9.2 Documentation Regarding Historic Properties**

The small MS4 shall certify eligibility regarding historic properties on the NOI required by Part 1.7.2. The SWMP shall include documentation supporting the MS4's eligibility determination with regard to Historic Properties Preservation, including:

- a. Information on whether the permittee's stormwater discharges, allowable non-stormwater discharges, or stormwater discharge-related activities would have an effect on a property that is listed or eligible for listing on the National Register of Historic Properties (NRHP);
- b. Where such effects may occur, any documents received by the permittee or any written agreements the permittee has made with the State Historic Preservation Officer (SHPO) representative to mitigate those effects;
- c. Results of the Appendix D historic property screening investigations; and
- d. If applicable, a description of the measures the permittee shall implement to avoid or minimize adverse impacts on places listed, or eligible for listing, on the NRHP, including any conditions imposed by the SHPO. If the permittee fails to document and implement such measures, those discharges are ineligible for coverage under this permit.

### **1.10 Stormwater Management Program (SWMP)**

- a. The permittee shall develop, implement, and enforce a written SWMP (hardcopy or electronic). The SWMP shall be signed in accordance with Appendix B, Subsection 11, including the date of signature. A signature and date is required for initial program preparation and for any significant revision to the program. The initial written SWMP shall be completed within one (1) year of the effective date of the permit and be updated as necessary to include necessary elements to ensure compliance with schedules and requirements contained in this permit.

The SWMP is the document used by the permittee to describe the activities and measures that will be implemented to meet the terms and conditions of the permit. The initial SWMP shall accurately describe the permittee's plans and activities as described in the notice of intent and be updated as needed. The document shall be updated and/or

modified during the permit term as the permittee's activities change and to comply with schedules and requirements contained in the permit.

- b. Permittees authorized by the MS4-2003 shall modify or update their existing Best Management Practices (BMPs) and measurable goals to meet the terms and conditions of this permit within one (1) year of the effective date of the permit. These modifications and updates shall be reflected in the written SWMP. Permittees authorized by the MS4-2003 shall continue to implement their existing SWMP until the program has been updated.
- c. Implementation of one or more of the permit requirements may be shared with another entity (including another interconnected MS4) or the other entity may fully implement the measure or requirement, if the following requirements are satisfied:
  - The other entity, in fact, implements the required task or program.
  - The particular task or program undertaken by the other entity is at least as stringent as the corresponding permit requirement.
  - The other entity agrees to implement the task or program on the permittee's behalf. The annual reports must specify that the permittee is relying on another entity to satisfy some of its permit obligations and specify what those obligations are. The permittee remains responsible for reporting compliance with all permit obligations.
  - See Part 2.3.1. for further requirements related to the permit's 6 minimum control measures.

#### **1.10.1 Stormwater Management Program Availability**

- a. The permittee shall retain a copy of the current SWMP required by this permit at the office or facility of the person listed as the program contact on the submitted Notice of Intent (NOI). The SWMP shall be immediately available to representatives from EPA; a State agency; the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) at the time of an onsite inspection or upon request.
- b. The permittee shall make the SWMP available to the public during normal business hours. The permittee may charge a reasonable fee for copy requests. The permittee is encouraged to satisfy this requirement by posting the SWMP online or making it available on written request.

#### **1.10.2 Contents of the Stormwater Management Program for Permittees Covered Under the 2003 Permit**

- a. The following information must be included in the SWMP within one (1) year of the permit effective date and updated annually thereafter, as necessary:
  1. Identification of names and titles of people responsible for program implementation. If a position is currently unfilled, list the title of the position and modify the SWMP with the name once the position is filled;
  2. Listing of all receiving waterbody segments, their classification under the applicable state water quality standards, any impairment(s) and associated

pollutant(s) of concern, applicable TMDLs and WLAs, and number of outfalls from the MS4 that discharge to each waterbody. In addition to the receiving water, the permittee shall document in the SWMP all public drinking water sources (surface water and groundwater) that may be impacted by MS4 discharges;

3. Documentation of compliance with Part 1.9.1;
  4. Documentation of compliance with Part 1.9.2;
  5. The map of the separate storm sewer system required by Part 2.3.4.6;
  6. Listing of all discharges identified pursuant to Part 2.1.1.d. and description of response;
  7. Description of practices to achieve compliance with Part 2.3 (MEP requirements);  
For each permit condition in Part 2.3 identify:
    - a. The person(s) or department responsible for the measure;
    - b. The BMPs for the control measure or permit requirement;
    - c. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity or quality associated with its endpoint. Each goal shall have a measure of assessment associated with it.
  8. Description of measures to avoid or minimize impacts to public and known private drinking water sources (surface water and groundwater). The permittee is also encouraged to include provisions to notify public water supplies in the event of an emergency. For more information or assistance, contact: New Hampshire Department of Environmental Services, Drinking Water Source Protection Program. Description of activities to achieve compliance with Part 3.0;
  9. Annual program evaluation (Part 4.1). Update annually and maintain copies.
- b. The following information must be included in the SWMP within two (2) years of the permit effective date and updated annually thereafter, as necessary:
1. Listing of all interconnected MS4s and other separate storm sewer systems receiving a discharge from the permitted MS4, the receiving waterbody segment(s) ultimately receiving the discharge, their classification under the applicable state water quality standards, any impairment(s) and associated pollutant(s) of concern, applicable TMDLs and WLAs, and the number of interconnections;
  2. Written procedures (hardcopy or electronic) to require submission of as-built drawings and ensure long term operation and maintenance in accordance with Part 2.3.6.b.
  3. The map of the separate storm sewer system required by Part 2.3.4.5.
- c. The following information must be included in the SWMP within four (4) years of the permit effective date and updated annually thereafter, as necessary:
1. Report(s) assessing current street design and parking lot guidelines and other local requirements within the municipality that affect the creation of impervious cover.

- d. The following information must be included in the SWMP concurrent with the applicable deadlines in Appendix F and H and updated annually thereafter, as necessary:
  1. Description of practices to achieve compliance with Part 2.2.1 (TMDL requirements) including:
    - a. The person(s) or department responsible for the measure;
    - b. The BMPs for the control measure or permit requirement;
    - c. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity or quality associated with its endpoint. Each goal must have an associated measure of assessment.
  2. Description of practices to achieve compliance with Part 2.2.2 (discharges to certain water quality limited waters subject to additional requirements) including:
    - a. The person(s) or department responsible for the measure;
    - b. The BMPs for the control measure or permit requirement;
    - c. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity or quality associated with its endpoint. Each goal must have an associated measure of assessment;
  3. Description of any other practices to achieve compliance with Part 2.1 (water quality based requirements).

### **1.10.3 Contents and Timelines of the Stormwater Management Program for New Permittees**

Permittees seeking authorization for the first time shall meet all deadlines contained in this permit except the following:

1. Timelines for public education requirements in Part 2.3.2.c shall be extended by one (1) year and need to include one (1) message to each audience over the permit term;
2. The ordinances, by-laws, or other regulatory mechanisms required by Parts 2.3.4, 2.3.5 and 2.3.6 shall be completed as soon as possible, but no later than three (3) years from the permit effective date; and
3. All other deadlines in Part 2.3.4.4 through 2.3.4.11 shall be extended by three (3) years.
4. All other deadlines in Part 2.3.5, 2.3.6 and 2.3.7 shall be extended by two (2) years.
5. All deadlines for discharges to water quality limited waters without a TMDL under Part 2.2.2 shall be extended by two (2) years.

#### Contents of the Stormwater Management Program for New Permittees

- a. The following information must be included in the SWMP within one (1) year of the permit effective date and updated annually thereafter, as necessary:
  1. Identification of names and titles of people responsible for program

- implementation. If a position is currently unfilled, list the title of the position and modify the SWMP with the name once the position is filled;
2. Documentation of compliance with Part 1.9.1;
  3. Documentation of compliance with Part 1.9.2;
  4. Documentation of authorization of all new or increased discharges granted by NHDES in compliance with Part 2.1.2;
  5. Listing of all discharges identified pursuant to Part 2.1.1 and description of response;
  6. Description of practices to achieve compliance with Part 2.3 (MEP requirements) identified in the permittee's NOI and any updates to those BMPs within the first year; For each permit condition in Part 2.3 identify:
    - a. The person(s) or department responsible for the measure;
    - b. The BMPs for the control measure or permit requirement;
    - c. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity or quality associated with its endpoint. Each goal shall have a measure of assessment associated with it;
  7. Description of measures to avoid or minimize impacts to public surface waterbody drinking water supplies. The permittee is also encouraged to include provisions to notify public water supplies in the event of an emergency. New Hampshire Department of Environmental Services, Drinking Water Source Protection Program. Description of activities to achieve compliance with Part 3.0;
  8. Annual program evaluation (Part 4.1). Update annually and maintain copies.
- b. The following information must be included in the SWMP within three (3) years of the permit effective date and updated annually thereafter, as necessary:
1. Written procedures for site inspections and enforcement of sediment and erosion control procedures in accordance with Part 2.3.5;
  2. Written operation and maintenance procedures for municipal activities in Part 2.3.7.a.ii;
  3. Written program detailing the activities and procedures the permittee will implement so that the MS4 infrastructure is maintained in a timely manner to reduce the discharge of pollutants from the MS4 in accordance with Part 2.3.7.a.iii.1;
  4. Written procedures to require submission of as-built drawings and ensure long term operation and maintenance in accordance with Part 2.3.6.a.iii;
- c. The following information must be included in the SWMP within four (4) years of the permit effective date and updated annually thereafter, as necessary:
1. Outfall and interconnection inventory;
  2. Sanitary Sewer Overflow (SSO) inventory including all of the information required in Part 2.3.4.4.b;

3. Written IDDE Program pursuant to Part 2.3.4.6.

- d. The following information must be included in the SWMP within five (5) years of the permit effective date and updated annually thereafter, as necessary:
1. Phase 1 of the map of the separate storm sewer system required by Part 2.3.4.5;
  2. Listing of all receiving waterbody segments, their classification under the applicable state water quality standards, any impairment(s) and associated pollutant(s) of concern, applicable TMDLs and WLAs, and number of outfalls from the MS4 that discharge to each waterbody. In addition to the receiving water, the permittee shall document in the SWMP all surface public drinking water sources that may be impacted by MS4 discharges;
  3. Listing of all interconnected MS4s and other separate storm sewer systems receiving a discharge from the permitted MS4, the receiving waterbody segment(s) ultimately receiving the discharge, their classification under the applicable state water quality standards, any impairment(s) and associated pollutant(s) of concern, applicable TMDLs and WLAs, and the number of interconnections;
- e. The following information must be included in the SWMP within six (6) years of the permit effective date and updated annually thereafter, as necessary:
1. Report(s) assessing current street design and parking lot guidelines and other local requirements within the municipality that affect the creation of impervious cover.
- f. The following information must be included in the SWMP concurrent with the applicable deadlines in Appendix F and H (extended by two (2) years) and updated annually thereafter, as necessary:
1. Description of practices to achieve compliance with Part 2.2.1 (discharges subject to requirements related to approved TMDLs) including:
    - a. The person(s) or department responsible for the measure;
    - b. The BMPs for the control measure or permit requirement;
    - c. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity or quality associated with its endpoint. Each goal must have an associated measure of assessment.
  2. Description of practices to achieve compliance with Part 2.2.2 (discharges to certain water quality limited waters subject to additional requirements) including:
    - a. The person(s) or department responsible for the measure;
    - b. The BMPs for the control measure or permit requirement;
    - c. The measurable goal(s) for each BMP. Each measurable goal shall include milestones and timeframes for its implementation and have a quantity or

quality associated with its endpoint. Each goal must have an associated measure of assessment;

3. Description of any other practices to achieve compliance with Part 2.1 (water quality based requirements).

## **2.0 Non-Numeric Effluent Limitations**

The permittee shall develop, implement and enforce a program to reduce the discharge of pollutants from the MS4 to the maximum extent practicable; to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act and the New Hampshire Water Quality Standards.

### **2.1 Water Quality Based Effluent Limitations**

Pursuant to Clean Water Act 402(p)(3)(B)(iii), this permit includes provisions to ensure that discharges from the permittee's small MS4 do not cause or contribute to an exceedance of water quality standards, in addition to requirements to reduce the discharge of pollutants to the maximum extent practicable. The requirements found in this Part and Part 2.2 constitute the water quality based effluent limits of this permit. Requirements to reduce the discharge of pollutants to the maximum extent practicable are set forth in Part 2.3.

#### **2.1.1 Requirement to Meet Water Quality Standards**

- a. The permittee shall reduce the discharge of pollutants such that discharges from the MS4 do not cause or contribute to an exceedance of water quality standards.
- b. If there is a discharge from the MS4 to a waterbody (or its tributaries in some cases) that is subject to an approved TMDL identified in Part 2.2.1, the permittee is subject to the requirements of Part 2.2.1 and Appendix F of this permit and the permittee shall comply with all applicable schedules and requirements in Appendix F for that discharge. A permittee's compliance with all applicable requirements and BMP implementation schedules in Appendix F applicable to it will constitute compliance with Part 2.1.1.a. of the Permit.
- c. If there is a discharge from the MS4 to a waterbody (or its tributaries in some cases) that is water quality limited (see definition in Appendix A) due to nutrients (total nitrogen or total phosphorus), metals (cadmium, copper, iron, lead, or zinc), solids (sedimentation/siltation or turbidity), bacteria/pathogens (E. Coli, Enterococcus or fecal coliform), chloride or oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)) and is not subject to an approved TMDL, or the MS4 is located within a municipality listed in Part 2.2.2.a.-b., the permittee is subject to the requirements of Part 2.2.2 and Appendix H of this permit and the permittee shall comply with all applicable schedules and requirements in Appendix H for that discharge. A permittee's compliance with all applicable requirements and BMP implementation schedules in Appendix H applicable to it will constitute compliance with Part 2.1.1.a. of the Permit.
- d. Except where a pollutant of concern in a discharge is subject to the requirements of Part 2.2.1 and/or Part 2.2.2 of this permit or is the result of an illicit discharge and subject to Part 2.3.4 of this permit, if a pollutant in a discharge from the MS4 is causing or

contributing to a violation of applicable water quality criteria<sup>2</sup> for the receiving water, the permittee shall, as expeditiously as possible, but no later than 60 days of becoming aware of the situation, reduce or eliminate the pollutant in its discharge such that the discharge meets applicable water quality criteria.

### 2.1.2 Increased Discharges

- a. Any increased discharge (including increased pollutant loadings) through the MS4 to waters of the United States is subject to New Hampshire antidegradation regulations. The permittee shall comply with the provisions of N.H. Code Admin. R. Part Env-Wq 1708.04 and 1708.06 including information submittal requirements and obtaining authorization for increased discharges where appropriate. Any authorization of an increased discharge by NH DES shall be incorporated into the permittee's SWMP. If an applicable NH DES approval specifies additional conditions or requirements, then those requirements are incorporated into this permit by reference. The permittee must comply with all such requirements<sup>3</sup>.
- b. There shall be no new or increased discharges from the MS4 to *impaired waters* listed in categories 5 or 4b on the most recent EPA-approved New Hampshire Integrated Report of waters listed pursuant to Clean Water Act section 303(d) and 305(b) unless the permittee demonstrates that there is no net increase in loading from the MS4 to the impaired water of the pollutant(s) for which the waterbody is impaired. The permittee may demonstrate compliance with this provision by *either*:
  1. Documenting that the pollutant(s) for which the waterbody is impaired is not present in the MS4's discharge and retain documentation of this finding with the SWMP; *or*
  2. Documenting that the total load of the pollutant(s) of concern from the MS4 to any impaired portion of the receiving water will not increase as a result of the activity and retain documentation of this finding in the SWMP. Unless otherwise determined by the Permittee, USEPA or by NH DES that additional demonstration is necessary, compliance with the requirements of Part 2.2.2 and Part 2.3.6 of this permit, including all reporting and documentation requirements, shall be considered as demonstrating no net increase as required by this Part.
- c. The requirements of this section are independent of permit conditions requiring reduction in discharges of pollutants as set forth in Parts 2.1.1 and 2.2 (water quality based requirements) and 2.3 (requirements to reduce discharge of pollutants to the maximum extent practicable). Permittees remain subject to requirements to reduce the discharge of pollutants from the MS4 as set forth in those Parts.

## 2.2 Discharges to Certain Impaired Waters

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<sup>2</sup> Applicable water quality criteria are part of the state standards that have been federally approved as of the effective date of this permit and are compiled by EPA at <http://www.epa.gov/waterscience/standards/wqslibrary/>

<sup>3</sup> For information regarding compliance with N.H. Code Admin. R. Part Env-Wq 1708.04 and 1708.06, contact the NHDES Watershed Management Bureau.

The permittee shall identify in the SWMP and Annual Reports all discharges, including both outfalls and interconnections to other MS4 or other separate storm sewer systems, that:

- a. Are subject to an approved Total Maximum Daily Load (TMDL) as identified in Part 2.2.1;
- b. Are subject to additional requirements to protect water quality as identified in Part 2.2.2.

The discharge location from an interconnection shall be determined based on the receiving water of the ultimate outfall in the interconnected system.

### **2.2.1 Discharges Subject to Requirements Related to an Approved TMDL**

- a. “Approved TMDLs” for discharges from the permittee’s MS4 are those that have been approved by EPA as of the issuance date of this permit.
- b. For those TMDLs that specify a wasteload allocation or other requirements either individually or categorically for the MS4 discharge, the permittee shall comply with the applicable requirements of Appendix F. Appendix F identifies, by section, the provisions and schedules the permittee shall comply with to be consistent with the terms of the approved TMDL.
- c. The “TMDL for 158 Acid Impaired Ponds and 21 Aluminum Impaired Lakes” and the “Northeast Regional Mercury TMDL” do not specify wasteload allocations or other requirements either individually or categorically for the MS4 discharges and specify that load reductions are to be achieved through reduction in atmospheric deposition sources. No requirements related to these TMDLs are imposed on MS4 discharges under this Part. However, if the permittee becomes aware, or EPA or NHDES determines, that an MS4 discharge is causing or contributing to such impairments to an extent that cannot be explained by atmospheric deposition (e.g. chemical spill, acid landfill leachate or other sources), the permittee shall comply with the requirements of Part 2.1.1.d.
- d. The following is a list of municipalities that contain waters subject to an approved TMDL for chlorides:
  1. DERRY  
LONDONDERRY  
SALEM  
WINDHAM

The operators of MS4s located in municipalities listed above that discharge to Beaver Brook, Dinsmore Brook, North Tributary to Canobie Lake, or Policy-Porcupine Brook and any other MS4 that discharges directly to Beaver Brook, Dinsmore Brook, North Tributary to Canobie Lake, or Policy-Porcupine Brook shall meet the requirements of Appendix F Part I with respect to reduction of chloride discharges from their MS4.

- e. The following is a list of municipalities that contain waters subject to an approved TMDL for bacteria or pathogens.

1.
  - ALLENSTOWN
  - AMHERST
  - ATKINSON
  - AUBURN
  - BEDFORD
  - DERRY
  - DOVER
  - DURHAM
  - EXETER
  - GOFFSTOWN
  - GREENLAND
  - HAMPSTEAD
  - HAMPTON
  - HOLLIS
  - HOOKSETT
  - HUDSON
  - KINGSTON
  - LITCHFIELD
  - LONDONDERRY
  - MANCHESTER
  - MERRIMACK
  - MILFORD
  - MILTON
  - NASHUA
  - NEW CASTLE
  - NEWMARKET
  - NORTH HAMPTON
  - PELHAM
  - PLAISTOW
  - PORTSMOUTH
  - RAYMOND
  - ROCHESTER
  - ROLLINSFORD
  - RYE
  - SALEM
  - SANDOWN
  - SEABROOK
  - SOMERSWORTH
  - STRATHAM
  - WILTON
  - WINDHAM

The operators of MS4s located in municipalities listed above that discharge to a waterbody segment listed on Table F-1 in Appendix F and any other MS4 that discharges directly to a waterbody segment listed on Table F-1 in Appendix F shall meet the requirements of Appendix F, Part II with respect to reduction of bacteria/pathogens discharges from their MS4.

- f. The following is a list of municipalities that contain a lake or pond subject to an approved lake or pond phosphorus TMDL,
  1.
    - AMHERST
    - BEDFORD
    - DERRY
    - HOLLIS
    - HUDSON
    - KINGSTON
    - MANCHESTER
    - MERRIMACK
    - NEWTON

RAYMOND  
SANDOWN

The operators of MS4s located in municipalities listed above that discharge to a waterbody segment listed on Table F-2 in Appendix F or their tributaries, and any other permittee that discharges to waterbodies listed on Table F-2 in Appendix F or their tributaries, shall meet the requirements of Appendix F, Part III with respect to reduction of phosphorus discharges from their MS4.

**2.2.2 Discharge to Certain Water Quality Limited Waters without an Approved TMDL**

For purposes of this permit, a ‘water quality limited water body’ is any water body that does not meet applicable water quality standards, including but not limited to waters listed in categories 5 or 4b on the most recent EPA-approved New Hampshire Clean Water Act section 303(d) list or New Hampshire Integrated Report under Clean Water Act section 305(b).

If there is a discharge from the MS4 to a water quality limited waterbody where pollutants typically found in stormwater (specifically nutrients (Total Nitrogen or Total Phosphorus), solids (Sedimentation/Siltation or Turbidity), bacteria/pathogens (Enterococcus, fecal coliform, or Escherichia Coli), chloride (Chloride), metals (Cadmium, Copper, Iron, Lead or Zinc) and oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs )) are the cause of the impairment and there is not an approved TMDL, or the MS4 is located in a town listed in Part 2.2.2.a.-e. the permittee shall comply with the provisions in Appendix H applicable to it.

In the absence of a defined pollutant reduction target and where no approved TMDL has been established, this permit Part and Appendix H define an iterative approach addressing pollutant reductions to waterbodies where the permittee’s discharge is causing or contributing to an excursion above water quality standards due to nutrients (nitrogen or phosphorus), solids, bacteria/pathogens, chloride, metals or oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)).

- a. Discharges to water quality limited waterbodies where nitrogen (Total Nitrogen) is the cause of the impairment, or their tributaries
  - i. The requirements of this Part are applicable to:
    1. Permittees (including traditional and non-traditional MS4s) that own or operate an MS4 in the following municipalities. Discharges from MS4s within these municipalities are to waterbodies that are impaired due to nitrogen, or their tributaries.
      - DANVILLE
      - DERRY
      - DOVER
      - DURHAM
      - EXETER
      - GREENLAND
      - HAMPSTEAD

HAMPTON  
KINGSTON  
MILTON  
NEW CASTLE  
NEWMARKET  
NORTH HAMPTON  
PORTSMOUTH  
RAYMOND  
ROCHESTER  
ROLLINSFORD  
RYE  
SANDOWN  
SOMERSWORTH  
STRATHAM

2. Any permittee that, during the permit term, becomes aware that its discharge is to a waterbody that is impaired due to nitrogen, or a tributary of such water.
  - ii. Permittees subject to Part 2.2.2.a.i above shall meet the requirements of Appendix H Part I with respect to the control of nitrogen discharges from their MS4;
  - iii. During development of their Notice of Intent, the permittee may determine that there are no regulated discharges of stormwater to a waterbody (or a tributary to a waterbody) on the most recent EPA-approved New Hampshire 303(d) list (as of the effective date of this permit) where Nitrogen (“Total Nitrogen) is the cause of impairment. The permittee shall retain all documentation used in this determination as part of their NOI and are relieved from the requirements of Part 2.2.2.a.i and Appendix H Part I.
- b. Discharges to water quality limited waterbodies where phosphorus (Total Phosphorus) is the cause of the impairment, or their tributaries
  - i. The requirements of this Part are applicable to:
    1. Permittees (including traditional and non-traditional MS4s) that own or operate an MS4 in the following municipalities. Discharges from MS4s within these municipalities are to waterbodies that are impaired due to phosphorus, or their tributaries.

ATKINSON  
DERRY  
DOVER  
GOFFSTOWN  
HAMPSTEAD  
KINGSTON

LITCHFIELD  
MANCHESTER  
NEWTON  
PELHAM  
RAYMOND  
ROLLINSFORD  
SALEM  
SANDOWN  
SOMERSWORTH  
WINDHAM

2. Any permittee that, during the permit term, becomes aware that its discharge is to a waterbody that is water quality limited due to phosphorus, or to a tributary of such water.
  - ii. The permittees subject to Part 2.2.2.b.i. above shall meet all requirements of Appendix H Part II with respect to the control of phosphorus discharges from the MS4.
  - iii. During development of their Notice of Intent, the permittee may determine that all discharges from the regulated area through their MS4 are outside of a watershed with a downstream segment on the most recent EPA-approved New Hampshire 303(d) list (as of the effective date of this permit) where phosphorus (“Total Phosphorus) is listed as the cause of impairment. The permittee shall retain all documentation used in this determination as part of their NOI and are relieved from the requirements of Part 2.2.2.b.i and Appendix H Part II.
- c. Discharges to water quality limited waterbodies where bacteria or pathogens (Enterococcus, fecal coliform, or Escherichia Coli) is the cause of the impairment
  - i. The requirements of this Part are applicable to:
    1. Permittees (including traditional and non-traditional MS4s) that own or operate an MS4 in the following municipalities. Discharges from MS4s within these municipalities are to waterbodies that are impaired due to bacteria or pathogens.

DERRY  
EXETER  
HOLLIS  
HUDSON  
KINGSTON  
MANCHESTER  
MILTON

NEW CASTLE  
NORTH HAMPTON  
ROCHESTER  
RYE  
SALEM  
WINDHAM

2. Any permittee that, during the permit term, becomes aware that its discharge is to a waterbody that is water quality limited due to bacteria or pathogens
  - ii. The permittees subject to Part 2.2.2.c.i. shall meet all requirements of Appendix H Part III with respect to reduction of bacteria or pathogens discharges from the MS4.
  - iii. During development of their Notice of Intent, the permittee may determine that all discharges from the regulated area through their MS4 are not discharging directly to an impaired waterbody on the most recent EPA-approved New Hampshire 303(d) list where bacteria or pathogens (E. Coli, Enterococcus or Fecal Coliform) is the cause of the impairment. The permittee shall retain all documentation used in this determination as part of their NOI and are relieved from the requirements of Part 2.2.2.c.i and Appendix H Part III.
- d. Discharges to water quality limited waterbodies where chloride (Chloride) is the cause of the impairment
  - i. The requirements of this Part are applicable to:
    1. Permittees (including traditional and non-traditional MS4s) that own or operate an MS4 in the following municipalities. Discharges from MS4s within these municipalities are to waterbodies that are impaired due to chloride.

BEDFORD  
DERRY  
DOVER  
DURHAM  
EXETER  
GOFFSTOWN  
GREENLAND  
HOOKSETT  
LONDONDERRY  
MANCHESTER  
NASHUA  
PORTSMOUTH  
RYE

SALEM  
SEABROOK  
STRATHAM

2. Any permittee that, during the permit term, becomes aware that its discharge is to a waterbody that is water quality limited due to chloride.
  - ii. The permittees subject to Part 2.2.2.d.i. shall meet all requirements of Appendix H Part IV with respect to reduction of chloride discharges from the MS4.
  - iii. During development of their Notice of Intent, the permittee may determine that all discharges from the regulated area through their MS4 are not discharging directly to an impaired waterbody on the most recent EPA approved New Hampshire 303(d) list where chloride (Chloride) is the cause of the impairment. The permittee shall retain all documentation used in this determination as part of their NOI and are relieved from the requirements of Part 2.2.2.d.i and Appendix H Part IV.
- e. Discharges to water quality limited waterbodies where solids (Total Suspended Solids (TSS) or Turbidity), metals (Cadmium, Copper, Iron, Lead or Zinc) and oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)), is the cause of the impairment
  - i. The requirements of this Part are applicable to:
    1. Permittees (including traditional and non-traditional MS4s) that own or operate an MS4 in the following municipalities. Discharges from MS4s within these municipalities are to waterbodies that are impaired due to solids, oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)) or metals.

DERRY  
DOVER  
EXETER  
GOFFSTOWN  
GREENLAND  
HAMPTON  
LONDONDERRY  
MANCHESTER  
MERRIMACK  
NASHUA  
NEWMARKET  
PORTSMOUTH  
RAYMOND  
ROCHESTER  
SEABROOK

STRATHAM  
WILTON

2. Any permittee that, during the permit term, becomes aware that its discharge is to a waterbody that is water quality limited due to solids, oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)) or metals.
  - ii. The permittees subject to Part 2.2.2.e.i. shall meet all requirements of Appendix H Part V with respect to reduction of solids, oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)) or metals discharges from the MS4.
  - iii. During development of their Notice of Intent, the permittee may determine that all discharges from the regulated area through their MS4 are not discharging directly to an impaired waterbody on the most recent EPA approved New Hampshire 303(d) list where oil and grease (Oil Slicks, Benzo(a) pyrene (PAHs)), solids (TSS or Turbidity) or metals (Cadmium, Copper, Iron, Lead or Zinc) is the cause of the impairment. The permittee shall retain all documentation used in this determination as part of their NOI and are relieved from the requirements of Part 2.2.2.e.i and Appendix H Part V.

**2.3 Requirements to Reduce Pollutants to the Maximum Extent Practicable (MEP)**

The permittee shall reduce the discharge of pollutants from the MS4 to the maximum extent practicable (MEP), as set forth in Parts 2.3.2 through 2.3.7.

**2.3.1 Control Measures**

- a. Permittees authorized under the MS4-2003 shall continue to implement their existing SWMPs while updating their SWMPs pursuant to this permit. This permit does not extend the compliance deadlines set forth in the MS4-2003.
- b. Implementation of one or more of the minimum control measures described in Parts 2.3.2- 2.3.7 or other permit requirements may be shared with another entity (including another interconnected MS4) or the other entity may fully implement the measure or requirement, if the following requirements are satisfied:
  1. The other entity, in fact, implements the control measure.
  2. The particular control measure or component thereof undertaken by the other entity is at least as stringent as the corresponding permit requirement.
  3. The other entity agrees to implement the control measure on the permittee's behalf. The annual reports must specify that the permittee is relying on another entity to satisfy some of its permit obligations and specify what those obligations are.
  4. If the permittee is relying on another governmental entity regulated under 40 CFR §122 to satisfy all of its permit obligations, including the obligation to file annual reports, the permittee shall note that fact in its NOI, but is not required to file annual reports.

5. The permittee remains responsible for compliance with all permit obligations if the other entity fails to implement the control measures (or component thereof). The permittee may enter into a legally binding agreement with the other entity regarding the other entity's performance of control measures, but the permittee remains ultimately responsible for permit compliance.

### **2.3.2 Public Education and Outreach**

Objective: The permittee shall implement an education program that includes educational goals based on stormwater issues of significance within the MS4 area. The ultimate objective of a public education program is to increase knowledge and change behavior of the public so that pollutants in stormwater are reduced.

2.3.2.1 - The permittee shall continue to implement the public education program required by the MS4-2003 by distributing educational material to the MS4 community. The educational program shall define educational goals, express specific messages, define the targeted audience for each message, and identify responsible parties for program implementation. If appropriate for the target audience, materials may be developed in a language other than English. At a minimum, the program shall provide information concerning the impact of stormwater discharges on water bodies within the community, especially those waters that are impaired or identified as priority waters. The program shall identify steps and/or activities that the public can take to reduce the pollutants in stormwater runoff and their impacts to the environment.

- a. The educational program shall include education and outreach efforts for the following four audiences: (1) residents, (2) businesses, institutions (private colleges, private schools, hospitals), and commercial facilities, (3) developers (construction), and (4) industrial facilities, unless one or more of these audiences is not present in the MS4 community. In such a situation, the MS4 must document in both the NOI and SWMP which audience(s) is(are) absent from the community. No educational messages are required to the absent audience(s).
- b. Beginning the first year of the permit the permittee shall distribute a minimum of two (2) educational messages over the permit term to each audience identified in Part 2.3.2.1.a.. (The permittee shall distribute at least eight educational messages during the permit term). The distribution of materials to each audience shall be spaced at least a year apart. Educational messages may be printed materials such as brochures or newsletters; electronic materials such as websites; mass media such as newspaper articles or public service announcement (radio or cable); or displays in a public area such as town/city hall. The permittee may use existing materials if they are appropriate for the message the permittee chooses to deliver or the permittee may develop its own educational materials. The permittee may partner with other MS4s, community groups or watershed associations to implement the education program. Some EPA educational materials are available at: <http://cfpub.epa.gov/npstbx/index.html>.
- c. The permittee shall at a minimum consider the topics listed in paragraphs 2.3.2.1c.i. – iv. when developing the outreach/education program. The topics are not exclusive and the permittee shall focus on those topics most relevant to the community.

- i. Residential program: effects of outdoor activities such as lawn care (use of pesticides, herbicides, and fertilizers) on water quality; benefits of appropriate on-site infiltration of stormwater; effects of automotive work and car washing on water quality; proper disposal of swimming pool water; proper management of pet waste; maintenance of septic systems. If the small MS4 area has greater than thirty percent of its residents serviced by septic systems, the permittee shall include maintenance of septic systems as part of its education program.
  
- iv. Business/Commercial/Institution program: proper lawn maintenance (use of pesticides, herbicides and fertilizer); benefits of appropriate on-site infiltration of stormwater; building maintenance (use of detergents); use of salt or other de-icing and anti-icing materials (minimize their use); proper storage of salt or other de-icing/anti-icing materials (cover/prevent runoff to storm system and contamination to ground water); proper storage of materials (emphasize pollution prevention); proper management of waste materials and dumpsters (cover and pollution prevention); proper management of parking lot surfaces (sweeping); proper car care activities (washing of vehicles and maintenance); and proper disposal of swimming pool water by entities such as motels, hotels, and health and country clubs (discharges must be dechlorinated and otherwise free from pollutants).
  
- v. Developers and Construction: proper sediment and erosion control management practices; information about Low Impact Development (LID) principles and technologies; and information about EPA's construction general permit (CGP). This education can also be a part of the Construction Site Stormwater Runoff Control measure detailed in Part 2.3.5.
  
- vi. Industrial program: equipment inspection and maintenance; proper storage of industrial materials (emphasize pollution prevention); proper management and disposal of wastes; proper management of dumpsters; minimization of use of salt or other de-icing/anti-icing materials; proper storage of salt or other de-icing/anti-icing materials (cover/prevent runoff to storm system and ground water contamination); benefits of appropriate on-site infiltration of stormwater runoff from areas with low exposure to industrial materials such as roofs or employee parking; proper maintenance of parking lot surfaces (sweeping); and requirements for coverage under EPA's Multi-Sector General Permit.

2.3.2.2 - An effective program shall show evidence of focused messages for specific audiences as well as evidence that progress toward the defined educational goals of the program has been achieved. The permittee shall identify methods that it will use to evaluate the effectiveness of the educational messages and the overall education program. Any methods used to evaluate the effectiveness of the program shall be tied to the defined goals of the program and the overall objective of changes in behavior and knowledge.

2.3.2.3 - The permittee shall modify any ineffective messages or distribution techniques for an audience prior to the next scheduled message delivery.

2.3.2.4 - The permittee shall document in each annual report the messages for each audience; the method of distribution; the measures/methods used to assess the effectiveness of the messages, and the method/measures used to assess the overall effectiveness of the education program in the annual report.

### **2.3.3 Public Involvement and Participation**

Objective: The permittee shall provide opportunities to engage the public to participate in the review and implementation of the permittee's SWMP.

2.3.3.1 - All public involvement activities shall comply with state public notice requirements (NH: RSA Chapter 91-A). The SWMP (consistent with Part 1.10.1) and all annual reports shall be available to the public. The permittee is encouraged to satisfy this requirement by posting records online.

2.3.3.2 - The permittee shall annually provide the public an opportunity to participate in the review and implementation of the SWMP.

2.3.3.3 - The permittee shall report on the activities undertaken to provide public participation opportunities including compliance with Part 2.3.3.1. Public participation opportunities pursuant to Part 2.3.3.2 may include, but are not limited to, websites; hotlines; clean-up teams; monitoring teams; or an advisory committee.

### **2.3.4. Illicit Discharge Detection and Elimination (IDDE) Program**

Objective: The permittee shall implement an IDDE program to systematically find and eliminate sources of non-stormwater discharges to its municipal separate storm sewer system and implement procedures to prevent such discharges.

- a. Legal Authority - The IDDE program shall include adequate legal authority to: prohibit illicit discharges; investigate suspected illicit discharges; eliminate illicit discharges, including discharges from properties not owned by or controlled by the MS4 that discharge into the MS4 system; and implement appropriate enforcement procedures and actions. Adequate legal authority consists of a currently effective ordinance, by-law, or other regulatory mechanism. For permittees authorized by the MS4-2003 permit, the ordinance, by-law, or other regulatory mechanism was a requirement of the MS4-2003 permit and was required to be effective by May 1, 2008. For new permittees the ordinance, by-law, or other regulatory mechanism shall be in place within 3 years of the permit effective date.
- b. During the development of the new components of the IDDE program required by this permit, permittees authorized by the MS4-2003 permit must continue to implement their existing IDDE program required by the MS4-2003 permit to detect and eliminate illicit discharges to their MS4.

#### 2.3.4.1. Definitions and Prohibitions

The permittee shall prohibit illicit discharges and sanitary sewer overflows (SSOs) to its MS4 and require removal of such discharges consistent with Parts 2.3.4.2 and 2.3.4.4 of this permit.

An SSO is a discharge of untreated sanitary wastewater from a municipal sanitary sewer.

An illicit discharge is any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

#### 2.3.4.2. Elimination of Illicit Discharges

- a. Upon detection of an illicit discharge, the permittee shall locate, identify and eliminate the illicit discharge as expeditiously as possible. Upon identification of the illicit source the MS4 notify all responsible parties for any such discharge and require immediate cessation of improper disposal practices in accordance with its legal authorities. Where elimination of an illicit discharge within 60 days of its identification as an illicit discharge is not possible, the permittee shall establish an expeditious schedule for its elimination and report the dates of identification and schedules for removal in the permittee's annual reports. The permittee shall immediately commence actions necessary for elimination. The permittee shall diligently pursue elimination of all illicit discharges. In the interim, the permittee shall take all reasonable and prudent measures to minimize the discharge of pollutants to and from its MS4.
- b. The period between identification and elimination of an illicit discharge is not a grace period. Discharges from an MS4 that are mixed with an illicit discharge are not authorized by this Permit (Part 1.3.a) and remain unlawful until eliminated.

#### 2.3.4.3. Non-Stormwater Discharges

The permittee may presume that the sources of non-stormwater listed in Part 1.4 of this permit need not be addressed. However, if the permittee identifies any of these sources as significant contributors of pollutants to the MS4, then the permittee shall implement measures to control these sources so they are no longer significant contributors of pollutants, and/or eliminate them entirely, consistent with Part 2.3.4.

#### 2.3.4.4. Sanitary Sewer Overflows

- a. Upon detection of an SSO the permittee shall eliminate it as expeditiously as possible and take interim mitigation measures to minimize the discharge of pollutants to and from its MS4 until elimination is completed.
- b. The permittee shall identify all known locations where SSOs have discharged to the

MS4 within the previous five (5) years. This shall include SSOs resulting, during dry or wet weather, from inadequate conveyance capacities, or where interconnectivity of the storm and sanitary sewer infrastructure allows for communication of flow between the systems. Within one (1) year of the effective date of the permit, the permittee shall develop an inventory of all identified SSOs indicating the following information, if available:

1. Location (approximate street crossing/address and receiving water, if any);
2. A clear statement of whether the discharge entered a surface water directly or entered the MS4;
3. Date(s) and time(s) of each known SSO occurrence (i.e., beginning and end of any known discharge);
4. Estimated volume(s) of the occurrence;
5. Description of the occurrence indicating known or suspected cause(s);
6. Mitigation and corrective measures completed with dates implemented; and
7. Mitigation and corrective measures planned with implementation schedules.

The permittee shall maintain the inventory as a part of the SWMP and update the inventory annually, all updates shall include the information in Part 2.3.4.4.b.1-7.

- c. In accordance with Paragraph B.12 of Appendix B of this permit, upon becoming aware of an SSO to the MS4, the permittee shall provide oral notice to EPA within 24 hours. Additionally, the permittee shall provide written notice to EPA and NHDES within five (5) days of becoming aware of the SSO occurrence and shall include the information in the updated inventory. The notice shall contain all of the information listed in Part 2.3.4.4.b. Where common notification requirements for SSOs are included in multiple NPDES permits issued to a permittee, a single notification may be made to EPA as directed in the permittee's wastewater or CSO NPDES permit and constitutes compliance with this Part.
- d. The permittee shall include and update the SSO inventory in its annual report, including the status of mitigation and corrective measures implemented by the permittee to address each SSO identified pursuant to this Part.
- e. The period between detection and elimination of a discharge from the SSO to the MS4 is not a grace period. Discharges from an MS4 that are mixed with an SSO are not authorized by this Permit (Part 1.3.a) and remain unlawful until eliminated.

#### 2.3.4.5. System mapping

The permittee shall revise their system mapping required by the MS4-2003 permit to include more detailed system information. This revised map of the MS4 shall be completed in two phases as outlined below. The mapping shall include a depiction of the permittee's separate storm sewer system in the permit area. The mapping is intended to facilitate the identification of key infrastructure and factors influencing proper system operation, and the potential for illicit sanitary sewer discharges.

- a. Phase I: The system map shall be updated within two (2) years of the permit effective date to include the following information:
- Outfalls and receiving waters (required by MS4-2003 permit)
  - Open channel conveyances (swales, ditches, etc.)
  - Interconnections with other MS4s and other storm sewer systems
  - Municipally-owned stormwater treatment structures (e.g., detention and retention basins, infiltration systems, bioretention areas, water quality swales, gross particle separators, oil/water separators, or other proprietary systems)
  - Waterbodies identified by name and indication of all use impairments as identified on the most recent EPA approved New Hampshire Integrated List of waters report pursuant to Clean Water Act section 303(d) and 305(b)
  - Initial catchment delineations. Any available system data and topographic information may be used to produce initial catchment delineations. For the purpose of this permit, a catchment is the area that drains to an individual outfall or interconnection.
- b. Phase II: The system map shall be updated annually as the following information becomes available during implementation of catchment investigation procedures in Part 2.3.4.8. This information must be included in the map for all outfalls within ten (10) years of the permit effective date:
- Outfall spatial location (latitude and longitude with a minimum accuracy of +/-30 feet)
  - Pipes
  - Manholes
  - Catch basins
  - Refined catchment delineations. Catchment delineations shall be updated to reflect information collected during catchment investigations
  - Municipal sanitary sewer system (if available)
  - Municipal combined sewer system (if applicable).
- c. Recommended elements to be included in the system map as information becomes available:
- Storm sewer material, size (pipe diameter) and age
  - Sanitary sewer system material, size (pipe diameter) and age
  - Privately-owned stormwater treatment structures
  - Where a municipal sanitary sewer system exists, properties known or suspected to be served by a septic system, especially in high-density urban areas
  - Area where the permittee's MS4 has received or could receive flow from septic system discharges (e.g., areas with poor soils, or high ground water elevations unsuitable for conventional subsurface disposal systems)

- Seasonal high water table elevations impacting sanitary alignments
  - Topography
  - Orthophotography
  - Alignments, dates and representation of work completed (with legend) of past illicit discharge investigations (e.g., flow isolation, dye testing, CCTV)
  - Locations of suspected, confirmed and corrected illicit discharges (with dates and flow estimates).
- d. The mapping may be produced by hand or through computer-aided methods (e.g. GIS). The required scale and detail of the map shall be appropriate to facilitate a rapid understanding of the system by the permittee, EPA and the state. In addition, the mapping shall serve as a planning tool for the implementation and phasing of the IDDE program and demonstration of the extent of complete and planned investigations and corrections. The permittee shall update the mapping as necessary to reflect newly discovered information and required corrections or modifications.
- e. The permittee shall report on the progress towards the completion of the system map in each annual report.

#### 2.3.4.6. Written Illicit Discharge Detection and Elimination Program

The IDDE program shall be recorded in a written (hardcopy or electronic) document. The IDDE program shall include each of the elements described in Parts 2.3.4.7 and Part 2.3.4.8, unless the permittee provides a written explanation within the IDDE program as to why a particular element is not applicable to the permittee.

Notwithstanding the permittee's explanation, EPA may at any time determine that a particular element is in fact applicable to the permittee and require the permittee to add it to the IDDE program. The written (hardcopy or electronic) IDDE program shall be completed within one (1) year of the effective date of the permit and updated in accordance with the milestones of this Part. The permittee shall implement the IDDE program in accordance with the goals and milestones contained in this Part.

- a. The written (hardcopy or electronic) IDDE program shall include a reference or citation of the authority the permittee will use to implement all aspects of the IDDE program.
- b. Statement of IDDE Program Responsibilities - The permittee shall establish a written (hardcopy or electronic) statement that clearly identifies responsibilities with regard to eliminating illicit discharges. The statement shall identify the lead municipal agency(ies) or department(s) responsible for implementing the IDDE Program as well as any other agencies or departments that may have responsibilities for aspects of the program (e.g., board of health responsibilities for overseeing septic system construction; sanitary sewer system staff; inspectional services for enforcing plumbing codes; town counsel responsibilities in enforcement actions, etc.). Where multiple departments and agencies have responsibilities with respect to the IDDE

program specific areas of responsibility shall be defined and processes for coordination and data sharing shall be established and documented.

- c. Program Procedures – The permittee shall include in the IDDE program all written (hardcopy or electronic) procedures developed in accordance with the requirements and timelines in Parts 2.3.4.7 and 2.3.4.8 below. At a minimum this shall include the written procedures for dry weather outfall screening and sampling and for catchment investigations.

#### 2.3.4.7. Assessment and Priority Ranking of Outfalls/Interconnections

The permittee shall assess and priority rank the outfalls in terms of their potential to have illicit discharges and SSOs and the related public health significance. This ranking will determine the priority order for screening of outfalls and interconnections pursuant to Part 2.3.4.7.b, catchment investigations for evidence of illicit discharges and SSOs pursuant to Part 2.3.4.8, and provides the basis for determining permit milestones of this Part.

- a. Outfall/Interconnection Inventory and Initial Ranking:

An initial outfall and interconnection inventory and priority ranking to assess illicit discharge potential based on existing information shall be completed within one (1) year from the effective date of the permit; an updated inventory and ranking will be provided in each annual report thereafter. The inventory shall be updated annually to include data collected in connection with the dry weather screening and other relevant inspections conducted by the permittee.
- i. The outfall and interconnection inventory will identify each outfall and interconnection discharging from the MS4, record its location and condition, and provide a framework for tracking inspections, screenings and other activities under the permittee's IDDE program.
  - An outfall means a point source as defined by 40 CFR § 122.2 as the point where the municipal separate storm sewer discharges to waters of the United States. An outfall does not include open conveyances connecting two municipal separate storm sewers or pipes, tunnels or other conveyances that connect segments of the same stream or other waters of the United States and that are used to convey waters of the United States. (40 CFR § 122.26(b)(9)). However, it is strongly recommended that a permittee inspect all accessible portions of the system as part of this process. Culverts longer than a simple road crossing shall be included in the inventory unless the permittee can confirm that they are free of any connections and simply convey waters of the United States.
  - An interconnection means the point where the permittee's MS4 discharges to another MS4 or other storm sewer system, through which the discharge is conveyed to waters of the United States or to another storm sewer system and eventually to a water of the United States.

- ii. The permittee shall classify each of the permittee's outfalls and interconnections into one of the following categories:
- Problem Outfalls: Outfalls/interconnections with known or suspected contributions of illicit discharges based on existing information shall be designated as Problem Outfalls. This shall include any outfalls/interconnections where previous screening indicates likely sewer input.<sup>4</sup> Problem Outfalls need not be screened pursuant to Part 2.3.4.7.b.
  - High Priority Outfalls: Outfalls/interconnections that have not been classified as Problem Outfalls and that are:
    - discharging to an area of concern to public health due to proximity of public beaches, recreational areas, drinking water supplies or shellfish beds;
    - determined by the permittee as high priority based on the characteristics listed below or other available information;
  - Low Priority Outfalls: Outfalls/interconnections determined by the permittee as low priority based on the characteristics listed below or other available information.
  - Excluded outfalls: outfalls/interconnections with no potential for illicit discharges may be excluded from the IDDE program. This category is limited to roadway drainage in undeveloped areas with no dwellings and no sanitary sewers; drainage for athletic fields, parks or undeveloped green space and associated parking without services; cross-country drainage alignments (that neither cross nor are in proximity to sanitary sewer alignments) through undeveloped land.
- iii. The permittee shall priority rank outfalls into the categories above (except for excluded outfalls), based on the following characteristics of the defined initial catchment area where information is available:
- Past discharge complaints and reports.
  - Poor receiving water quality- the following guidelines are recommended to identify waters as having a high illicit discharge potential: exceeding water quality standards for bacteria; ammonia levels above 0.5 mg/l; surfactants levels greater than or equal to 0.25 mg/l.
  - Density of generating sites- Generating sites are those places, including institutional, municipal, commercial, or industrial sites, with a potential to generate pollutants that could contribute to illicit discharges. Examples of these sites include, but are not limited to, car dealers; car washes; gas stations;

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<sup>4</sup> Likely sewer input indicators are any of the following:

- Olfactory or visual evidence of sewage,
- Ammonia  $\geq 0.5$  mg/L, surfactants  $\geq 0.25$  mg/L, and bacteria levels greater than the water quality criteria applicable to the receiving water, or
- Ammonia  $\geq 0.5$  mg/L, surfactants  $\geq 0.25$  mg/L, and detectable levels of chlorine.

garden centers; and industrial manufacturing areas.

- Age of development and infrastructure – Industrial areas greater than 40 years old and areas where the sanitary sewer system is more than 40 years old will probably have a high illicit discharge potential. Developments 20 years or younger will probably have a low illicit discharge potential.
- Sewer conversion – contributing catchment areas that were once serviced by septic systems, but have been converted to sewer connections may have a high illicit discharge potential.
- Historic combined sewer systems – contributing areas that were once serviced by a combined sewer system, but have been separated may have a high illicit discharge potential.
- Surrounding density of aging septic systems – Septic systems thirty years or older in residential land use areas are prone to have failures and may have a high illicit discharge potential.
- Culverted streams – any river or stream that is culverted for distances greater than a simple roadway crossing may have a high illicit discharge potential.
- Water quality limited waterbodies that receive a discharge from the MS4 or waters with approved TMDLs applicable to the permittee, where illicit discharges have the potential to contain the pollutant identified as the cause of the water quality impairment.
- The permittee may also consider additional relevant characteristics, including location-specific characteristics; if so, the permittee shall include the additional characteristics in its written (hardcopy or electronic) IDDE program.

b. Dry Weather Outfall and Interconnection Screening and Sampling

All outfalls/interconnections (excluding Problem and excluded Outfalls) shall be inspected for the presence of dry weather flow within three (3) years of the permit effective date. The permittee shall screen all High and Low Priority Outfalls in accordance with their initial ranking developed at Part 2.3.4.7.a.

- i. Written procedure: The permittee shall develop an outfall and interconnection screening and sampling procedure to be included in the IDDE program within one (1) year of the permit effective date. This procedure shall include the following procedures for:
  - sample collection,
  - use of field kits,
  - storage and conveyance of samples (including relevant hold times), and
  - field data collection and storage.

An example screening and sampling protocol (*EPA New England Bacterial Source Tracking Protocol*) can be found on EPA's website.

- ii. Weather conditions: Dry weather screening and sampling shall proceed only when

no more than 0.1 inches of rainfall has occurred in the previous 24-hour period and no significant snow melt is occurring.

iii. Screening requirements: For each outfall/interconnection:

1. The permittee shall record all of the following information and include it in the outfall/interconnection inventory and priority ranking:
  - unique identifier,
  - receiving water,
  - date of most recent inspection,
  - dimensions,
  - shape,
  - material (concrete, PVC),
  - spatial location (latitude and longitude with a minimum accuracy of +/-30 feet,
  - physical condition,
  - indicators of potential non-stormwater discharges (including presence or evidence of suspect flow and sensory observations such as odor, color, turbidity, floatables, or oil sheen).
2. If an outfall/interconnection is inaccessible or submerged, the permittee shall proceed to the first accessible upstream manhole or structure for the observation and sampling and report the location with the screening results.
3. If no flow is observed, but evidence of illicit flow exists, the permittee shall revisit the outfall during dry weather within one week of the initial observation, if practicable, to perform a second dry weather screening and sample any observed flow (proceed as in iv. below).
4. Where dry weather flow is found at an outfall/interconnection, at least one (1) sample shall be collected, and:
  - a) Samples shall be analyzed at a minimum for:
    - ammonia,
    - chlorine,
    - conductivity,
    - salinity,
    - *E. coli* (freshwater receiving water) or enterococcus (saline or brackish receiving water),
    - surfactants (such as MBAS),
    - temperature, and

- pollutants of concern<sup>5</sup>
  - b) All analyses with the exception of indicator bacteria and pollutants of concern can be performed with field test kits or field instrumentation and are not subject to 40 CFR Part 136 requirements. Sampling for bacteria and pollutants of concern shall be conducted using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136. Sampling for ammonia and surfactants must use sufficiently sensitive methods to detect those parameters at or below the threshold indicator concentrations of 0.5 mg/L for ammonia and 0.25 mg/L for surfactants. Sampling for residual chlorine must use a method with a detection limit of 0.02 mg/L or 20 ug/L.
- iv. The permittee may rely on screening conducted under the MS4-2003 permit, pursuant to an EPA enforcement action, or by the state or EPA to the extent that it meets the requirements of Part 2.3.4.7.b.iii.4. All data shall be reported in each annual report. Permittees that have conducted substantially equivalent monitoring to that required by Part 2.3.4.7.b as part of an EPA enforcement action can request an exemption from the requirements of Part 2.3.4.7.b by submitting a written request to EPA and retaining exemption approval from EPA as part of the SWMP. Until the permittee receives formal written approval of the exemption from Part 2.3.4.7.b from EPA the permittee remains subject to all requirements of Part 2.3.4.7.b.
- v. The permittee shall submit all screening data used in compliance with this Part in its Annual Report.
- c. Follow-up ranking of outfalls and interconnections:
  - i. The permittee's outfall and interconnection ranking (2.3.4.7.a) shall be updated to reprioritize outfalls and interconnections based on information gathered during dry weather screening (Part 2.3.4.7.b).
  - ii. Outfalls/interconnections where relevant information was found indicating sewer input to the MS4 or sampling results indicating sewer input<sup>6</sup> shall be considered highly likely to contain illicit discharges from sanitary sources, and such

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<sup>5</sup> Where the discharge is directly into a water quality limited water or a water subject to an approved TMDL as indicated in Appendix F; the sample shall be analyzed for the pollutant(s) of concern identified as the cause of the impairment as specified in Appendix G

<sup>6</sup> Likely sewer input indicators are any of the following:

- Olfactory or visual evidence of sewage,
- Ammonia  $\geq$  0.5 mg/L, surfactants  $\geq$  0.25 mg/L, and bacteria levels greater than the water quality criteria applicable to the receiving water, or
- Ammonia  $\geq$  0.5 mg/L, surfactants  $\geq$  0.25 mg/L, and detectable levels of chlorine.

outfalls/interconnections shall be ranked at the top of the High Priority Outfalls category for investigation. At this time, permittees may choose to rank other outfalls and interconnections based on any new information from the dry weather screening.

- iii. The ranking can be updated continuously as dry weather screening information becomes available, but shall be completed within three (3) years of the effective date of the permit.

#### 2.3.4.8. Catchment Investigations

The permittee shall develop a systematic procedure to investigate each catchment associated with an outfall or interconnection within their MS4 system.

##### a. Timelines:

- A written catchment investigation procedure (hardcopy or electronic) shall be developed within 18 months of the permit effective date in accordance with the requirements of Part 2.3.4.8.b below.
- Investigations of catchments associated with Problem Outfalls shall begin no later than two (2) years from the permit effective date.
- Investigations of catchments associated with High and Low Priority Outfalls shall follow the ranking of outfalls updated in Part 2.3.4.7.c.
- Investigations of catchments associated with Problem Outfalls shall be completed within seven (7) years of the permit effective date
- Investigations of catchments where any information gathered on the outfall/interconnection identifies sewer input<sup>7</sup> shall be completed within seven (7) years of the permit effective date.
- Investigations of catchments associated with all High- and Low-Priority Outfalls shall be completed within ten (10) years of the permit effective date.

\*For the purposes of these milestones, an individual catchment investigation will be considered complete if all relevant procedures in Part 2.3.4.8.c. and 2.3.4.8.d. below have been completed.

##### b. A written catchment investigation procedure shall be developed that:

- i. **Identifies maps, historic plans and records, and other sources of data,** including but not limited to plans related to the construction of the storm drain and of sanitary sewers, prior work performed on the storm drains or sanitary sewers, board of health or other municipal data on septic system failures or

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<sup>7</sup> Likely sewer input indicators are any of the following:

- Olfactory or visual evidence of sewage,
- Ammonia  $\geq 0.5$  mg/L, surfactants  $\geq 0.25$  mg/L, and bacteria levels greater than the water quality criteria applicable to the receiving water, or
- Ammonia  $\geq 0.5$  mg/L, surfactants  $\geq 0.25$  mg/L, and detectable levels of chlorine.

required upgrades, and complaint records related to SSOs, sanitary sewer surcharges, and septic system breakouts. These data sources will be used in identifying system vulnerability factors within each catchment.

- ii. **Includes a manhole inspection methodology** that shall describe a storm drain network investigation that involves systematically and progressively observing, sampling (as required below) and evaluating key junction manholes (see definition in Appendix A) in the MS4 to determine the approximate location of suspected illicit discharges or SSOs. The manhole inspection methodology may either start from the outfall and work up the system or start from the upper parts of the catchment and work down the system or be a combination of both practices. Either method must, at a minimum, include an investigation of each key junction manhole within the MS4, even where no evidence of an illicit discharge is observed at the outfall. The manhole inspection methodology must describe the method the permittee will use. The manhole inspection methodology shall include procedures for dry and wet weather investigations.
  - iii. **Establishes procedures to isolate and confirm sources of illicit discharges** where manhole investigations or other physical evidence or screening has identified that MS4 alignments are influenced by illicit discharges or SSOs. These shall include isolation of the drainage area for implementation of more detailed investigations, inspection of additional manholes along the alignment to refine the location of potential contaminant sources, and methods such as sandbagging key junction manhole inlets, targeted internal plumbing inspections, dye testing, video inspections, or smoke testing to isolate and confirm the sources.
- c. Requirements for each catchment investigation associated with an outfall/interconnection:
- i. For each catchment being investigated, the permittee shall review relevant mapping and historic plans and records gathered in accordance with Part 2.3.4.8.b.i. This review shall be used to identify areas within the catchment with higher potential for illicit connections. The permittee shall identify and record the presence of any of the following specific **System Vulnerability Factors (SVFs)**:
    - History of SSOs, including, but not limited to, those resulting from wet weather, high water table, or fat/oil/grease blockages;
    - Common or twin-invert manholes serving storm and sanitary sewer alignments;
    - Common trench construction serving both storm and sanitary sewer alignments;
    - Crossings of storm and sanitary sewer alignments where the sanitary system is shallower than the storm drain system;
    - Sanitary sewer alignments known or suspected to have been constructed with an underdrain system;
    - Inadequate sanitary sewer level of service (LOS) resulting in regular

- surcharging, customer back-ups, or frequent customer complaints;
- Areas formerly served by combined sewer systems;
- Sanitary sewer infrastructure defects such as leaking service laterals, cracked, broken, or offset sanitary infrastructure, directly piped connections between storm drain and sanitary sewer infrastructure, or other vulnerability factors identified through Inflow/Infiltration Analyses, Sanitary Sewer Evaluation Surveys, or other infrastructure investigations.

EPA recommends the permittee include the following in their consideration of System Vulnerability Factors:

- Sewer pump/lift stations, siphons, or known sanitary sewer restrictions where power/equipment failures or blockages could readily result in SSOs;
- Any sanitary sewer and storm drain infrastructure greater than 40 years old;
- Widespread code-required septic system upgrades required at property transfers (indicative of inadequate soils, water table separation, or other physical constraints of the area rather than poor owner maintenance);
- History of multiple Board of Health actions addressing widespread septic system failures (indicative of inadequate soils, water table separation, or other physical constraints of the area rather than poor owner maintenance);

The permittee shall document the presence or absence of System Vulnerability Factors for each catchment, retain this documentation as part of its IDDE program, and report this information in Annual Reports. Catchments with a minimum of one (1) System Vulnerability Factor are subject to wet weather sampling requirements of Part 2.3.4.8.c.ii.2.

- ii. For each catchment, the permittee must inspect key junction manholes and gather catchment information on the locations of MS4 pipes, manholes, and the extent of the contributing catchment.

1. For all catchments

- a) Infrastructure information shall be incorporated into the permittee's mapping required at Part 2.3.4.5; the permittee will refine their catchment delineation based on the field investigation where appropriate.
- b) The SVF inventory for the catchment will be updated based on information obtained during the inspection, including common (twin invert) manholes, directly piped connections between storm drains and sanitary sewer infrastructure, common weir walls, sanitary sewer underdrain connections and other structural vulnerabilities where sanitary discharges could enter the storm drain system during wet weather.

- 1) **Where a minimum of one (1) SVF is identified based on previous information or the investigation, a wet weather investigation must be conducted at the associated outfall (see**

**below).**

- c) During dry weather, key junction manholes<sup>8</sup> shall be opened and inspected systematically for visual and olfactory evidence of illicit connections (e.g., excrement, toilet paper, gray filamentous bacterial growth, or sanitary products present).
    - 1) If flow is observed, the permittee shall sample the flow at a minimum for ammonia, chlorine and surfactants and can use field kits for these analyses.
    - 2) Where sampling results or visual or olfactory evidence indicate potential illicit discharges or SSOs, the area draining to the junction manhole shall be flagged for further upstream investigation.
  - d) Key junction and subsequent manhole investigations will proceed until the location of suspected illicit discharges or SSOs can be isolated to a pipe segment between two manholes. If no evidence of an illicit discharge is found, catchment investigations will be considered complete upon completion of key junction manhole sampling.
2. For all catchments with a minimum of one (1) SVF identified
- a) The permittee shall meet the requirements above for dry weather screening
  - b) The permittee shall inspect and sample under wet weather conditions to the extent necessary to determine whether wet weather-induced high flows in sanitary sewers or high groundwater in areas served by septic systems result in discharges of sanitary flow to the MS4.
    - 1) The permittee shall conduct at least one wet weather screening and sampling at the outfall that includes the same parameters required during dry weather screening, Part 2.3.4.7.b.iii.4.
    - 2) Wet weather sampling and screening shall proceed during or after a storm event of sufficient depth or intensity to produce a stormwater discharge. EPA strongly recommends sampling during the spring (March through June) when groundwater levels are relatively high.
    - 3) The permit does not require a minimum rainfall event prior to wet weather screening. However, permittees may incorporate provisions that assist in targeting such discharges, including avoiding sampling during the initial period of discharge (“first flush”) and/or identifying minimum storm event intensities likely to trigger sanitary sewer interconnections.
  - c) This sampling can be done upon completion of any dry weather investigation but must be completed before the catchment investigation is

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<sup>8</sup> Where catchments do not contain junction manholes, the dry weather screening and sampling shall be considered as meeting the manhole inspection requirement. In these catchments, dry weather screenings that indicate potential presence of illicit discharges shall be further investigated pursuant to part 2.3.4.8.d. Investigations in these catchments may be considered complete where dry weather screening reveals no flow; no evidence of illicit discharges or SSOs is indicated through sampling results or visual or olfactory means; and no wet weather System Vulnerability Factors are identified.

marked as complete.

- iii. All data collected as part of the dry and wet weather catchment investigations shall be recorded and reported in each annual report.
- d. Identification/Confirmation of illicit source  
Where the source of an illicit discharge has been approximated between two manholes in the permittee's MS4, the permittee shall isolate and identify/confirm the source of the illicit discharge using more detailed methods identified in their written procedure (2.3.4.8.b.iii). For outfalls that contained evidence of an illicit discharge, catchment investigations will be considered complete upon confirmation of all illicit sources.
- e. Illicit discharge removal  
When the specific source of an illicit discharge is identified, the permittee shall exercise its authority as necessary to require its removal pursuant to Part 2.3.4.2 or 2.3.4.3.
  - i. For each confirmed source the permittee shall include in the annual report the following information:
    - the location of the discharge and its source(s);
    - a description of the discharge;
    - the method of discovery;
    - date of discovery;
    - date of elimination, mitigation or enforcement action OR planned corrective measures and a schedule for completing the illicit discharge removal; and
    - estimate of the volume of flow removed.
  - ii. Within one year of removal of all identified illicit discharges within a catchment area, confirmatory outfall or interconnection screening shall be conducted. The confirmatory screening shall be conducted in dry weather unless System Vulnerability Factors have been identified, in which case both dry weather and wet weather confirmatory screening shall be conducted. If confirmatory screening indicates evidence of additional illicit discharges, the catchment shall be scheduled for additional investigation.

#### 2.3.4.9. Indicators of IDDE Program Progress

The permittee shall define or describe indicators for tracking program success and evaluate and report on the overall effectiveness of the IDDE program in each annual report. At a minimum the permittee shall document in each annual report:

- the number of SSOs and illicit discharges identified and removed,
- the number and percent of total outfall catchments served by the MS4

- evaluated using the catchment investigation procedure,
- all dry weather and wet weather screening and sampling results and
- the volume of sewage removed

#### 2.3.4.10 Ongoing Screening

Upon completion of all catchment investigations pursuant to Part 2.3.4.8.c and illicit discharge removal and confirmation (if necessary) pursuant to paragraph 2.3.4.8.e, each outfall or interconnection shall be reprioritized for screening in accordance with Part 2.3.4.7.a and scheduled for ongoing screening once every five years. Ongoing screening shall consist of dry weather screening and sampling consistent with Part 2.3.4.7.b; wet weather screening and sampling shall also be required at outfalls where wet weather screening was required due to SVFs and shall be conducted in accordance with Part 2.3.4.8.c.ii. All sampling results shall be reported in the permittee's annual report.

#### 2.3.4.11 Training

The permittee shall, at a minimum, annually provide training to employees involved in IDDE program about the program, including how to recognize illicit discharges and SSOs. The permittee shall report on the frequency and type of employee training in the annual report.

### 2.3.5 Construction Site Stormwater Runoff Control

Objective: The objective of an effective construction stormwater runoff control program is to minimize or eliminate erosion and maintain sediment on construction sites so that it is not transported in stormwater and allowed to discharge to a water of the U.S. through the permittee's MS4.

The construction site stormwater runoff control program required by this permit is a separate and distinct program from EPA's stormwater construction permit program (see <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#cgp> for further information).

2.3.5.1 – Permittees shall implement and enforce a program to reduce pollutants in any stormwater runoff discharged to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. The permittee's program shall include disturbances less than one acre if that disturbance is part of a larger common plan of development or sale that would disturb one acre or more. Permittees authorized under the MS4-2003 shall continue to implement their existing programs and shall modify them as necessary to meet the requirements of this Part.

2.3.5.2 - The permittee does not need to apply its construction program requirements to projects that receive a waiver from EPA under the provisions of 40 CFR § 122.26(b) (15) (i).

2.3.5.3 - The construction site stormwater runoff control program shall include the elements in Paragraphs a. through e. of this Part:

- a. An ordinance or other regulatory mechanism that requires the use of sediment and erosion control practices at construction sites. In addition to addressing sediment and erosion control, the ordinance must include controls for other wastes on construction sites such as demolition debris, litter and sanitary wastes. Development of an ordinance or other regulatory mechanism was a requirement of the MS4-2003 (See Part III.B.4) and was required to be effective by May 1, 2008.
- b. Written procedures (hardcopy or electronic) for site inspections and enforcement of sediment and erosion control measures. If not already existing, these procedures shall be completed within one (1) year from the effective date of the permit. The procedures shall clearly define who is responsible for site inspections as well as who has authority to implement enforcement procedures. The program shall provide that the permittee may, to the extent authorized by law, impose sanctions to ensure compliance with the local program. These procedures and regulatory authorities shall be documented in the SWMP.
- c. Requirements for construction operators to implement a sediment and erosion control program. The program shall include BMPs appropriate for the conditions at the construction site. The program may include references to BMP design standards in state manuals or design standards specific to the MS4. EPA supports and encourages the use of design standards in local programs. Examples of appropriate sediment and erosion control measures for construction sites include local requirements to:
  - minimize the amount of disturbed area and protect natural resources;
  - stabilize sites when projects are complete or operations have temporarily ceased;
  - protect slopes on the construction site;
  - protect all storm drain inlets and armor all newly constructed outlets;
  - use perimeter controls at the site;
  - stabilize construction site entrances and exits to prevent off-site tracking; and
  - inspect stormwater controls at consistent intervals.
- d. Requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes. These wastes may not be discharged to the MS4.
- e. Written procedures (hardcopy or electronic) for site plan review. If not already existing, the procedure for site plan review shall be completed within one (1) year from the effective date of the permit. Site plan review shall include a review by the permittee of the site design, the planned operations at the construction site, planned BMPs during the construction phase, and the planned BMPs to be used to manage runoff created after development. The review procedure shall incorporate procedures for the consideration of potential water quality impacts; procedures for pre-construction review; and procedures

for receipt and consideration of information submitted by the public. Site plan review procedure shall include evaluation of opportunities for use of low impact design and green infrastructure. When the opportunity exists, the permittee shall encourage project proponents to incorporate these practices into the site design. The permittee shall track the number of site reviews, inspections, and enforcement actions. This information shall be included as part of each annual report required by Part 4.4.

### **2.3.6 Stormwater Management in New Development and Redevelopment (Post Construction Stormwater Management)**

Objective: The objective of this control measure is to minimize the water quality impact from new development and reduce the water quality impact due to stormwater runoff from a redeveloped site.

- a. Permittees shall develop, implement, and enforce a program to address post-construction stormwater runoff from all new development and redevelopment projects that disturb a minimum of one or more acre(s) and discharge into the permittees MS4 at a minimum. Permittees authorized under the MS4-2003 permit shall continue to implement and enforce their program and modify as necessary to meet the requirements of this Part.
  - i. The permittee's new development/ redevelopment program shall include projects less than one acre if the project is part of a larger common plan of development or redevelopment which disturbs one or more acre.
  - ii. The permittee shall develop or modify, as appropriate, an ordinance or other regulatory mechanism within two (2) years of the effective date of the permit to be consistent with Section 4 Element C and Element D of the Southeast Watershed Alliance's Model Stormwater Standards for Coastal Watershed Communities<sup>9</sup>; OR contain provisions that are as least as stringent as the following:
    - a) Low Impact Development (LID) site planning and design strategies must be used to the maximum extent feasible in order to reduce the discharge of stormwater from new development.
    - b) Salt storage areas on commercial and industrial new and redevelopment sites shall be covered and loading/offloading areas shall be designed and maintained in accordance with NH DES published guidance (Fact Sheets WD-WMB-4<sup>10</sup> and WD-DWGB-22-30<sup>11</sup>) such that no untreated discharge to receiving waters results. Snow storage areas shall be located in

<sup>9</sup> Model Stormwater Standards for Coastal Watershed Communities, Southeast Watershed Alliance, December 2012. [http://southeastwatershedalliance.org/wp-content/uploads/2013/05/Final\\_SWA\\_SWStandards\\_Dec\\_20121.pdf](http://southeastwatershedalliance.org/wp-content/uploads/2013/05/Final_SWA_SWStandards_Dec_20121.pdf).

<sup>10</sup> Environmental Fact Sheet: Road Salt and Water Quality, New Hampshire Department of Environmental Services, 2016. <http://des.nh.gov/organization/commissioner/pip/factsheets/wmb/documents/wmb-4.pdf>.

<sup>11</sup> Environmental Fact Sheet: Storage and Management of Deicing Materials, New Hampshire Department of Environmental Services, 2011. <http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/documents/dwgb-22-30.pdf>.

accordance with NH DES published guidance (Fact Sheets WD-WMB-4 and WD-DWGB-22-30) such that no direct untreated discharges to receiving waters are possible from the storage site. Runoff from snow and salt storage areas shall enter treatment areas as specified above before being discharged to receiving waters or allowed to infiltrate into the groundwater.

- c) The selection and design of treatment and infiltration practices shall follow the guidance in Volume 2 of the New Hampshire Stormwater Manual<sup>12</sup>, where applicable.
- d) Post construction stormwater runoff from new development sites shall be controlled by:
  - 1) Retention or treatment of stormwater runoff to the MS4 by one of the following:
    - a. Require BMPs that are designed to retain the Water Quality Volume calculated in accordance with N.H. Code Admin. R. Part Env-Wq 1504.10. OR
    - b. Require BMPs that are designed to remove 90% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious area<sup>13</sup> AND 60% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious area<sup>14</sup>. Pollutant removal shall be evaluated consistent with Attachment 3 to Appendix F and the Stormwater Best Management Practices (BMP) Performance Analysis<sup>15</sup> or other tools provided by EPA Region 1 consistent with these resources. If EPA Region 1 tools do not address the planned or installed BMP performance any federally or State approved<sup>16</sup> BMP design guidance or performance standards (e.g. State stormwater handbooks and design guidance manuals) may be used to calculate BMP performance.
  - 2) Implement long term maintenance practices of BMPs in accordance with N.H. Code Admin. R. Part Env-Wq 1507.08.

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<sup>12</sup> New Hampshire Stormwater Manual Volume 2: Post-Construction Best Management Practices Selection & Design, New Hampshire Department of Environmental Services, December, 2008.

<http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-08-20b.pdf>.

<sup>13</sup> The required removal percentage is not required for each storm, it is the average removal over a year that is required

<sup>14</sup> The required removal percentage is not required for each storm, it is the average removal over a year that is required

<sup>15</sup> Stormwater Best Management Practices (BMP) Performance Analysis, Tetra Tech, Inc. for U.S. EPA Region 1, Rev. March 2010. <https://www3.epa.gov/region1/npdes/stormwater/assets/pdfs/BMP-Performance-Analysis-Report.pdf>.

<sup>16</sup> State approved includes any state in the United States, including, but not limited to, approved guidance by the State of New Hampshire

- e) Post construction stormwater runoff from redevelopment sites shall be controlled by:
    - 1) Retention or treatment of stormwater runoff from the disturbed portion of the redevelopment site to the MS4 by one of the following:
      - a. Require BMPs that are designed to retain or treat the Water Quality Volume calculated in accordance with N.H. Code Admin. R. Part Env-Wq 1504.10 and be designed to remove pollutants in accordance with N.H. Code Admin. R. Part Env-Wq 1507.03; OR
      - b. Require BMPs that remove 80% of the average annual load of Total Suspended Solids (TSS) generated from the total post-construction impervious area<sup>17</sup> AND 50% of the average annual load of Total Phosphorus (TP) generated from the total post-construction impervious surface<sup>18</sup>. Pollutant removal shall be calculated consistent with EPA Region 1's BMP Performance Extrapolation Tool or other BMP performance evaluation tool provided by EPA Region 1, where available. If EPA Region 1 tools do not address the planned or installed BMP performance, any federally or State approved<sup>19</sup> BMP design guidance or performance standards (e.g. State stormwater handbooks and design guidance manuals) may be used to calculate BMP performance.
    - 2) Implement long term maintenance practices of BMPs in accordance with N.H. Code Admin. R. Part Env-Wq 1507.08.
    - 3) Offsite mitigation within the same USGS HUC10 or smaller watershed as the redevelopment site may be used to meet the pollutant removal equivalent of the requirements in Part 2.3.6(a)ii.(e)(1)b. and the equivalent groundwater recharge requirements of Part 2.3.6(a)ii.(e)(2) above.
  - f) Redevelopment that disturbs greater than 1 acre and is exclusively maintenance and improvement of existing roadways shall be exempt from Part 2.3.6(a)ii.(e). Roadway maintenance or improvements that increase the amount of impervious area on the redevelopment site shall meet the requirements of Part 2.3.6(a)ii.(e) fully.
- b. For projects subject to the ordinances required by this Part the permittee shall require the submission of as-built drawings within a specified time frame, not to exceed two years from completion of construction projects at a minimum. The as-built drawings must

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<sup>17</sup> The required removal percentage is not required for each storm, it is the average removal over a year that is required

<sup>18</sup> The required removal percentage is not required for each storm, it is the average removal over a year that is required

<sup>19</sup> State approved includes any state in the United States, including, but not limited to, approved guidance by the State of New Hampshire

depict all on-site controls designed to manage the stormwater associated with the completed site (post-construction stormwater management). The new development/redevelopment program shall have procedures to ensure adequate long-term operation and maintenance of stormwater management practices that remain in place after the completion of a construction project. These procedures may include the use of dedicated funds or escrow accounts for development projects or the acceptance of ownership by the permittee of all privately owned BMPs. These procedures may also include the development of maintenance contracts between the owner of the BMP and the permittee. Alternatively, these procedures may include the submission of an annual certification documenting the work that has been done over the last 12 months to properly operate and maintain the stormwater control measures. The procedures to require submission of as-built drawings and ensure long term operation and maintenance shall be a part of the SWMP. The permittee shall report in the annual report on the measures that the permittee has utilized to meet this requirement.

- c. Within four (4) years of the effective date of this permit, the permittee shall develop a report assessing current street design and parking lot guidelines and other local requirements that affect the creation of impervious cover. This assessment shall be used to provide information to determine if the design standards for streets and parking lots can be modified to support low impact design options. If the assessment indicates that changes can be made, the assessment shall include recommendations and proposed schedules to incorporate policies and standards into relevant documents and procedures to minimize impervious cover attributable to parking areas and street designs. The permittee shall implement all recommendations, in accordance with the schedules contained in the assessment. The permittee shall involve any local planning boards and local transportation boards in this assessment to the extent feasible. The permittee shall report in each annual report on the status of this assessment including any planned or completed changes to local regulations and guidelines.
- d. Within four (4) years from the effective date of the permit, the permittee shall develop a report assessing existing local regulations including, but not limited to, zoning and construction codes to determine the feasibility of making, at a minimum, the following green infrastructure practices allowable when appropriate site conditions exist:
  1. Green roofs;
  2. Infiltration practices such as rain gardens, curb extensions, planter gardens, porous and pervious pavements, and other designs to manage stormwater using landscaping and structured or augmented soils; and
  3. Water harvesting devices such as rain barrels and cisterns, and the use of stormwater for non-potable uses.

The assessment shall indicate whether and under what circumstances the practices are allowed in the MS4 jurisdiction. If the practices are not allowed, the permittee shall identify impediments to the use of these practices, and what changes in local regulations may be made to make them allowable, and provide a schedule for implementation of recommendations. The permittee shall implement all recommendations, in accordance with the schedules contained in the assessment. The permittee shall report in each annual

report on its findings and progress towards making the practices allowable. (Information available at:

<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/AddressingBarrier2LID.pdf> )

- e. Within four (4) years from the effective date of this permit, the permittee shall complete an inventory and priority ranking of permittee-owned property and existing infrastructure that could be retrofitted with BMPs designed to reduce the frequency, volume and pollutant loads of stormwater discharges to its MS4 through the mitigation of impervious area. Properties and infrastructure for consideration shall include those with the potential for mitigation of on-site impervious area, as well as those that could provide mitigation of off-site impervious area. At a minimum, permittees shall consider municipal property with significant impervious area (including parking lots, buildings, and maintenance yards) that could be mitigated, and open space and undeveloped land available to mitigate impervious area and associated stormwater from proximate offsite properties. MS4 infrastructure to be considered includes existing street right-of-ways, outfalls and conventional stormwater conveyances and controls (including swales and detention practices) that could be readily modified to provide reduction in frequency, volume or pollutant loads of such discharges through the mitigation of impervious cover. The permittee may also include in its inventory properties and infrastructure that are privately-held or that do not contribute stormwater to its MS4.

The inventory and priority ranking shall, at minimum, be a screening level ranking that may be based on existing or readily obtainable data. In determining the potential for retrofitting particular properties, the permittee shall consider, on a screening level and subject to availability of data, factors such as access for maintenance purposes; subsurface geology; depth to water table; site slope and elevation; and proximity to aquifers and subsurface infrastructure including sanitary sewers and septic systems. The permittee may consider public safety when evaluating potential retrofits and any other information the permittee deems relevant to the ranking. In determining its priority ranking, the permittee shall consider, on a screening level and subject to availability of data, factors such as schedules for planned capital improvements to storm and sanitary sewer infrastructure and paving projects; current storm sewer level of service; and control of discharges to impaired waters, first or second order streams, and critical receiving waters; the complexity and cost of implementation; and opportunities for public use and education. For the purposes of this Part, critical receiving waters include public swimming beaches, public drinking water supply sources, outstanding resource waters, cold water fisheries, and shellfish growing areas.

Beginning with the fifth year annual report and in each subsequent annual report, the permittee shall report on those permittee-owned properties and infrastructure inventoried pursuant to Part 2.3.6.e. that have been retrofitted with BMPs to mitigate impervious area. The permittee may also include in its annual report non-MS4 owned property that has been retrofitted with BMPs to mitigate impervious area.

### **2.3.7 Good House Keeping and Pollution Prevention for Municipal Operations**

Objective: The permittee shall implement an operations and maintenance program for permittee

operations that includes a training component and has a goal of preventing or reducing pollutant runoff and protecting water quality from all permittee operations.

#### 2.3.7.1 - Operations and Maintenance (O & M) Programs

Within two (2) years from the effective date of the permit, the permittee shall develop, if not already developed, written (hard copy or electronic) operations and maintenance procedures for the municipal activities listed below in Parts 2.3.7.1.a–c. These written O & M procedures shall be included as part of the SWMP.

The permittee must develop an inventory of all such facilities within two (2) years of the effective date of this permit. The permittee shall review this inventory annually and update as necessary.

- a. Parks and open space: Establish procedures to address the proper use, storage, and disposal of pesticides, herbicides, and fertilizers (PHF) including minimizing the use of these products and using them only in accordance manufacturer's instruction. Evaluate lawn maintenance and landscaping activities to ensure practices are protective of water quality. Protective practices include reduced use of PHFs, integrated pest management (IPM), recycling or proper disposal of lawn clippings and other vegetative waste, and use of native and drought resistant landscaping materials. Establish procedures for management of trash containers at parks (scheduled cleanings; sufficient number), and for placing signage in areas concerning the proper disposal of pet wastes. Establish procedures to address waterfowl congregation areas where appropriate to reduce waterfowl droppings from entering the MS4. Establish procedures to address erosion or poor vegetative cover when the permittee becomes aware of it; especially if the erosion is within 50 feet of a surface water.
- b. Buildings and facilities where pollutants are exposed to stormwater runoff: This includes schools (to the extent they are permittee-owned or operated), town offices, police, and fire stations, municipal pools and parking garages and other permittee-owned or operated buildings or facilities. Evaluate the use, storage, and disposal of petroleum products and other potential stormwater pollutants. Provide employee training as necessary so that those responsible for handling these products know proper procedures. Ensure that Spill Prevention Plans are in place, if applicable, and coordinate with the fire department as necessary. Develop management procedures for dumpsters and other waste management equipment. Sweep parking lots and keep areas surrounding the facilities clean to reduce runoff of pollutants.
- c. Vehicles and Equipment: Establish procedures for the storage of permittee vehicles. Vehicles with fluid leaks shall be stored indoors or containment shall be provided until repaired. Evaluate fueling areas owned by the permittee or used by permittee vehicles. If possible, place fueling areas under cover in order to minimize exposure. Establish procedures to ensure that vehicle wash waters are not discharged to the municipal storm sewer system or to surface waters. This permit does not authorize such discharges.
- d. Infrastructure Operations and Maintenance

- i. The permittee shall establish within two (2) years of the effective date of the permit a written program (hardcopy or electronic) detailing the activities and procedures the permittee will implement so that the MS4 infrastructure is maintained in a timely manner to reduce the discharge of pollutants from the MS4. If the permittee has an existing program to maintain its MS4 infrastructure in a timely manner to reduce or eliminate the discharge of pollutants from the MS4, the permittee shall document the program in the SWMP.
- ii. The permittee shall conduct routine inspections, cleaning and maintenance of catch basins such that the following conditions are met:
  - Establish a schedule with the goal that the frequency of routine cleaning will ensure that no catch basin at any time will be more than 50% full. A catch basin sump is more than 50% full if the contents within the sump exceed one half the distance between the bottom interior of the catch basin to the invert of the deepest outlet of the catch basin.
  - Prioritize a 50% full limit for any catch basins serving catchments draining to impaired waters where the pollutant of concern is sedimentation/siltation, Nitrogen (Total) or Phosphorus (Total). If the majority of the waters are impaired, the permittee shall prioritize cleaning efforts based on the cause of the impairment and the potential for the MS4 to contribute to the impairment. The permittee shall document its prioritization in the SWMP.
  - Prioritize inspection and maintenance for catch basins located near construction activities (roadway construction, residential, commercial, or industrial development or redevelopment). Clean catch basins in such areas more frequently if inspection and maintenance activities indicate excessive sediment or debris loadings.
  - If a catch basin sump is more than 50% full during two consecutive routine inspections/cleaning events, the permittee shall document that finding, investigate the contributing drainage area for sources of excessive sediment loading, and to the extent practicable, abate contributing sources. The permittee shall describe any actions taken in its annual report.
  - The permittee shall document in the SWMP and in the first annual report its plan for optimizing catch basin cleaning, inspection plans, or its schedule for gathering information to develop the optimization plan. Documentation shall include metrics and other information used to reach the determination that the established plan for cleaning and maintenance is optimal for the MS4. The permittee shall keep a log of catch basins cleaned or inspected.
  - The permittee shall report in each annual report the total number of catch basins, number inspected, number cleaned, and the total volume or mass of material removed from all catch basins.
- iii. The permittee shall establish and implement procedures for sweeping and/or cleaning streets and permittee-owned parking lots. All streets with curbing and/or

catch basins in the MS4 regulated area shall be swept and/or cleaned a minimum of once per year in the spring (following winter activities such as sanding). The procedures shall also include more frequent sweeping of targeted areas determined by the permittee on the basis of pollutant load reduction potential, based on inspections, pollutant loads, catch basin cleaning or inspection results, land use, impaired or TMDL waters or other relevant factors as determined by the permittee. The permittee shall report in each annual report the number of miles cleaned and the volume or mass of material removed.

- iv. The permittee shall ensure proper storage of catch basin cleanings and street sweepings prior to disposal or reuse such that they do not discharge to receiving waters.
  - v. The permittee shall establish and implement procedures for winter road maintenance including the use and storage of salt and sand; minimize the use of sodium chloride and other salts, and evaluate opportunities for use of alternative materials; and ensure that snow disposal activities do not result in disposal of snow into waters of the United States. See NHDES, Fact Sheet WMB-3 Snow Disposal, for guidance as to selection and maintenance of snow disposal areas. For purposes of this MS4 Permit, salt shall mean any chloride-containing material used to treat paved surfaces for deicing, including sodium chloride, calcium chloride, magnesium chloride, and brine solutions.
  - vi. The permittee shall establish and implement inspection and maintenance frequencies and procedures for the storm drain systems and for all stormwater treatment structures such as water quality swales, retention/detention basins, infiltration structures, proprietary treatment devices or other similar structures. All permittee-owned stormwater treatment structures (excluding catch basins) shall be inspected annually at a minimum.
- e. The permittee shall report in the annual report on the status of the inventory required by this Part and any subsequent updates; the status of the O&M programs for the permittee-owned facilities and activities in Parts 2.3.7.1.a. – d. of this section; and the maintenance activities associated with each.
  - f. The permittee shall keep a written record (hardcopy or electronic) of all required activities including but not limited to maintenance activities, inspections and training required by Part 2.3.7.1. The permittee shall maintain, consistent with Part 4.2.1, all records associated with maintenance and inspection activities required by Part 2.3.7.1

#### 2.3.7.2 - Stormwater Pollution Prevention Plan (SWPPP)

The permittee shall develop and fully implement a SWPPP for each of the following permittee-owned or operated facilities: maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater. If facilities are located at the same property, the permittee may develop one SWPPP for the entire property. The SWPPP is a separate and different document from the SWMP required in Part 1.10. A SWPPP

does not need to be developed for a facility if the permittee has either developed a SWPPP or received a no exposure certification for the discharge under the Multi-Sector General Permit or the discharge is authorized under another NPDES permit.

- a. No later than two years from the effective date of the permit, the permittee shall develop and implement a written SWPPP for the facilities described above. The SWPPP shall be signed in accordance with the signatory requirements of Appendix B – Subparagraph 11.
- b. The SWPPP shall contain the following elements:

- i. **Pollution Prevention Team**  
Identify the staff on the team, by name and title. If the position is unstaffed, the title of the position will be included and the SWPPP updated when the position is filled. The role of the team is to develop, implement, maintain, and revise, as necessary, the SWPPP for the facility.
- ii. **Description of the facility and identification of potential pollutant sources.** The SWPPP shall include a map of the facility and a description of the activities that occur at the facility. The map shall show the location of the stormwater outfalls, receiving waters, and any structural controls. Identify all activities that occur at the facility and the potential pollutants associated with each activity including the location of any floor drains. These may be included as part of the inventory required by Part 2.3.7.1.
- iii. **Identification of stormwater controls.** The permittee shall select, design, install, and implement the control measures detailed in paragraph iv below to prevent or reduce the discharge of pollutants from the permittee owned facility.

The selection, design, installation, and implementation of the control measures shall be in accordance with good engineering practices and manufacturer's specifications. The permittee shall also take all reasonable steps to control or address the quality of discharges from the site that may not originate at the facility.

If the discharge from the facility is to an impaired water and the facility has the potential to discharge the pollutant identified as causing the impairment, the permittee shall identify the control measures that will be used to address this pollutant at the facility so that the discharge does not cause or contribute to a violation of a water quality standard.

- iv. The SWPPP shall include the following management practices:

Minimize or Prevent Exposure: The permittee shall to the extent practicable either locate materials and activities inside, or protect them with storm-resistant coverings in order to prevent exposure to rain, snow, snowmelt and runoff (although significant enlargement of impervious surface area is not recommended). Materials do not need to be enclosed or covered if stormwater

runoff from affected areas will not be discharged directly or indirectly to surface waters or to the MS4 or if discharges are authorized under another NPDES permit.

Good Housekeeping: The permittee shall keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals. Ensure that trash containers are closed when not in use, keep storage areas well swept and free from leaking or damaged containers; and store leaking vehicles needing repair indoors.

Preventative Maintenance: The permittee shall regularly inspect, test, maintain, and repair all equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in stormwater to receiving waters. Inspections shall occur at a minimum once per quarter.

Spill Prevention and Response: The permittee shall minimize the potential for leaks, spills, and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur. At a minimum, the permittee shall have procedures that include:

- Preventive measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling.
- Response procedures that include notification of appropriate facility personnel, emergency agencies, and regulatory agencies, and procedures for stopping, containing, and cleaning up leaks, spills and other releases. Measures for cleaning up hazardous material spills or leaks shall be consistent with applicable Resource Conservation and Recovery Act (RCRA) regulations at 40 CFR Part 264 and 40 CFR Part 265. Employees who may cause, detect, or respond to a spill or leak shall be trained in these procedures and have necessary spill response equipment available. If possible, one of these individuals shall be a member of the Pollution Prevention Team; and
- Contact information for individuals and agencies that shall be notified in the event of a leak, spill, or other release. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period, the permittee shall notify the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as the permittee has knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency, public health or drinking water supply agencies, and owners of public drinking water supplies. Contact information shall be in locations that are readily accessible and available.

Erosion and Sediment Control: The permittee shall use structural and non-

structural control measures at the facility to stabilize and contain runoff from exposed areas and to minimize or eliminate onsite erosion and sedimentation. Efforts to achieve this may include the use of flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion.

Management of Runoff: The permittee shall manage stormwater runoff from the facility to prevent or reduce the discharge of pollutants. This may include management practices which divert runoff from areas that are potential sources of pollutants, contain runoff in such areas, or reuse, infiltrate or treat stormwater to reduce the discharge of pollutants.

Salt Storage Piles or Piles Containing Salt: For storage piles of salt or piles containing salt used for deicing or other purposes (including maintenance of paved surfaces) for which the discharge during precipitation events discharges to the permittee's MS4, any other MS4 or to a Water of the United States, the permittee shall prevent exposure of the storage pile to precipitation by enclosing or covering the storage piles. Such piles shall be enclosed or covered within two (2) years of the permit effective date. The permittee shall implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile. The permittee is encouraged to store piles in such a manner as not to impact surface water resources, ground water resources, recharge areas, and wells.

Employee Training: The permittee shall regularly train employees who work in areas where materials or activities are exposed to stormwater, or who are responsible for implementing activities identified in the SWPPP (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team. Training shall cover both the specific components and scope of the SWPPP and the control measures required under this Part, including spill response, good housekeeping, material management practices, any best management practice operation and maintenance, etc. EPA recommends annual training.

The permittee shall document the following information for each training:

- The training date, title and training duration;
- List of municipal attendees
- Subjects covered during training

Maintenance of Control Measures: The permittee shall maintain all control measures, required by this permit in effective operating condition. The permittee shall keep documentation onsite that describes procedures and a regular schedule for preventative maintenance of all control measures and discussions of back-up practices in place should a runoff event occur while a control measure is off-line. Nonstructural control measures shall also be diligently maintained (e.g., spill response supplies available, personnel trained).

- v. The permittee shall conduct the following inspections:

Site Inspections: Inspect all areas that are exposed to stormwater and all stormwater control measures. Inspections shall be conducted at least once each calendar quarter. More frequent inspections may be required if significant activities are exposed to stormwater. Inspections shall be performed when the facility is in operation. At least one of the quarterly inspections shall occur during a period when a stormwater discharge is occurring.

The permittee shall document the following information for each facility inspection:

- The inspection date and time;
- The name of the inspector;
- Weather information and a description of any discharge occurring at the time of the inspection;
- Identification of any previously unidentified discharges from the site;
- Any control measures needing maintenance or repair;
- Any failed control measures that need replacement.
- Any SWPPP changes required as a result of the inspection.

- vi. If during the inspections, or any other time, the permittee identifies control measures that need repair or are not operating effectively, the permittee shall repair or replace them before the next anticipated storm event if possible, or as soon as practicable following that storm event. In the interim, the permittee shall have back-up measures in place.
- c. The permittee shall report the findings from the Site Inspections in the annual report.
- d. The permittee must keep a written record (hardcopy or electronic) of all required activities including but not limited to maintenance, inspections, and training required by Part 2.3.7.2. The permittee shall maintain all records associated with the development and implementation of the SWPPP required by this section consistent with the requirements of Part 4.2.1.

### **3.0 Additional State Requirements**

#### **3.1 Requirements for MS4s in New Hampshire**

The permittee shall evaluate physical conditions, site design, and best management practices to promote ground water recharge and infiltration where feasible in the implementation of the control measures described in Part 2.3. The permittee shall address recharge and infiltration for the control measures, as well as any reasons for electing not to implement recharge and infiltration. Loss of annual recharge to ground water should be minimized through the use of infiltration to the maximum extent practicable. Any subsurface disposal of stormwater shall be in accordance with applicable groundwater, source water protection and underground injection control requirements (see Part 1.3.j).

3.1.1. Infiltration through stormwater practices shall be prohibited under certain circumstances, including:

- a. When stormwater originates from gasoline dispensing areas at locations with state registered underground storage tanks (UST) and above ground storage tanks (AST);
- b. Within groundwater protection areas (defined under N.H. Code Admin. R. Part Env-Wq 1502.24) when stormwater originates from land uses considered a “high load area” under N.H. Code Admin. R. Part Env-Wq 1502.26; and
- c. Within areas that have contaminants in groundwater above the ambient groundwater quality standards established in N.H. Code Admin. R. Part Env-Or 603.03 or in soil above site-specific soil standards developed pursuant to Env-Or 600.

3.1.2. MS4s that discharge to coastal waters with public swimming beaches shall consider these waters a priority in implementation of the stormwater management program.

3.1.3. When updating stormwater ordinances as required in Part 2.3.6, permittees must consider adding the provisions identified in N.H. Code Admin. R. Part Env-Wq 1507.04 for groundwater recharge, N.H. Code Admin. R. Part Env-Wq 1507.05 for channel protection, and N.H. Code Admin. R. Part Env-Wq 1507.06 for peak runoff control. The last two will help communities to address concerns about streambank erosion and flooding which may cause both water quality violations and significant property damage or loss of life.

#### **3.2 New Hampshire Public Drinking Water Requirements**

3.2.1 MS4s that discharge to public drinking water sources and their source protection areas must consider these sources priority resources when implementing the control measures of Part 2.3.

3.2.2 Discharge to public drinking water supply sources and their protection areas must provide pretreatment and spill control suitable to protect drinking water sources to the extent feasible.

3.2.3 – The permittee shall avoid direct discharges to groundwater and surface water drinking water sources and ensure any discharges near source protection areas of water supply wells or intakes comply with the applicable state requirements. Stormwater systems shall meet the minimum discharge setback requirements of N.H. Code Admin. R. Part Env-Wq 1500 unless exempt under N.H. Code Admin. R. Part Env-Wq 1508.02(c). The following minimum setbacks apply to certain drinking water supply resources, including:

- a. Discharge setbacks from water supply wells in accordance with N.H. Code Admin. R. Part Env-Wq 1508.02(a); and
- b. Discharge setback of 100 feet within water supply intake protection areas as specified under N.H. Code Admin. R. Part Env-Wq 1508(b).

In groundwater protection areas and water supply intake protection areas, infiltration and filtration practices shall provide additional vertical separation to the seasonal high water table in accordance with N.H. Code Admin. R. Part Env-Wq 1500 within local regulations for projects not subject to N.H. Code Admin. R. Part Env-Wq 1500.

The permittee is encouraged to adopt similar requirements or reference these state rule requirements under N.H. Code Admin. R. Part Env-Wq 1500 within local regulations for projects not subject to N.H. Code Admin. R. Part Env-Wq 1500.

3.2.4 – The permittee shall develop and implement a plan to notify public water suppliers in the event of an emergency which has the potential to impact a water supply.

## **4.0 Program Evaluation, Record Keeping, and Reporting**

### **4.1 Program Evaluation**

4.1.1 The permittee shall annually self-evaluate its compliance with the terms and conditions of this permit. The permittee shall maintain the annual evaluation documentation as part of the SWMP.

4.1.2 The permittee shall evaluate the appropriateness of the selected BMPs in achieving the objectives and requirements of each control measure and the defined measurable goals. The permittee may change BMPs in accordance with the following provisions:

- a. Changes adding (but not subtracting or replacing) components or controls may be made at any time.
- b. Changes replacing an ineffective or infeasible BMP specifically identified in the SWMP with an alternative BMP may be made if the proposed changes meet the criteria below:

4.1.3 BMP modification documentation shall include the following information and all documentation shall be kept in the SWMP:

- a. An analysis of why the BMP is ineffective or infeasible;
- b. Expectations on the effectiveness of the replacement BMP; and
- c. An analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced.

The permittee shall indicate BMP modifications along with a brief explanation of the modification in each Annual Report.

4.1.4 EPA or the state agency may require the permittee to add, modify, repair, replace or change BMPs or other measures described in the annual reports as needed:

- a. To address impacts to receiving water quality caused or contributed to by discharges from the MS4; or
- b. To satisfy conditions of this permit.

Any changes requested by EPA or the state agency will be in writing and will set forth the schedule for the permittee to develop the changes and will offer the permittee the opportunity to propose alternative program changes to meet the objective of the requested modification.

### **4.2 Record Keeping**

4.2.1 The permittee shall keep all records required by this permit for a period of at least five years. Records include information used in the development of any written program required by this permit, any monitoring results, copies of reports, records of screening, follow-up and elimination of illicit discharges; maintenance records; inspection records; and data used in the development of the notice of intent, SWMP, SWPPP, and annual reports. This list provides examples of records that should be maintained, but is not all inclusive.

4.2.2 Records other than those required to be included in the annual report, Part 4.4, shall be submitted only when requested by the EPA or the state agency.

4.2.3 The permittee shall make the records relating to this permit, including the written (hardcopy or electronic) stormwater management program, available to the public. The public may view the records during normal business hours. The permittee may charge a reasonable fee for copying requests. The permittee is encouraged to satisfy this requirement by posting records online.

### **4.3 Outfall monitoring**

4.3.1. The permittee shall monitor and sample its outfalls at a minimum through sampling and testing at the frequency and locations required in connection with IDDE screening under Part 2.3.4.8.d. through g. and 2.3.4.9.

- i. IDDE screening shall include collection of grab samples and analysis of said samples for *E. coli* (for freshwater receiving waters) or enterococcus (for saline or brackish receiving waters). Bacteria analysis shall be conducted using the analytical methods found in 40 CFR §136, or alternative methods approved by EPA in accordance with the procedures in 40 CFR §136. Other IDDE screening parameters shall be considered field screening and are not subject to 40 CFR §136 requirements.
- ii. If the discharge is directly into an impaired water, or if the discharge is subject to a waste load allocation in an approved TMDL as indicated in Appendix F, grab samples shall be collected concurrently with the IDDE investigation required by Part 2.3.4.8.e.(b) and analyzed for the pollutants identified as the cause of the impairment. The required pollutant analyses in connection with causes of impairment are provided in Appendix G.
- iii. The monitoring program may also include additional outfall and interconnection monitoring as determined by the permittee in connection with assessment of SWMP effectiveness pursuant to Part 4.1; evaluation of discharges to impaired waters pursuant to Part 2.2; assessment of BMP effectiveness pursuant to Part 2.2 or 2.3; or otherwise.

4.3.2. The permittee shall document all monitoring results each year in the annual report. The report shall include the date, outfall or interconnection identifier, location, weather conditions at time of sampling, precipitation in previous 48 hours, field screening parameter results, and results of all analyses. The annual report shall include all of this information and data for the current reporting period and may include all data for the entire permit period.

4.3.3. The permittee shall also include in the annual report results from any other stormwater or receiving water quality monitoring or studies conducted during the reporting period. If such monitoring or studies were conducted on behalf of the permittee, or if monitoring or studies

conducted by other entities were reported to the permittee, a brief description of the type of information gathered or received shall be included in the annual report(s) covering the time period(s) the information was received.

#### **4.4 Annual Reporting**

4.4.1 The permittee shall submit an annual report. The reporting period will be a one year period commencing on July 1, 2018, and subsequent anniversaries thereof, except that the first annual report under this permit shall also cover the period from May 1, 2018 to July 1, 2018. The annual report is due ninety days from the close of each reporting period.

4.4.2 The annual reports shall contain the following information:

4.4.2.1 A self-assessment review of compliance with the permit terms and conditions.

4.4.2.2 An assessment of the appropriateness of the selected BMPs.

4.4.2.3 The status of the any plans or activities required by Part 2.1 and/ or Part 2.2, including:

- a. For discharges subject to TMDLs, a description of BMPs implemented to comply with the applicable Part(s) of Appendix F;
- b. For discharges to certain impaired waters (and their tributaries for nutrient-impaired waters), a description of BMPs implemented to comply with the applicable Part(s) of Appendix F

4.4.2.4 An assessment of the progress towards achieving the measurable goals and objectives of each control measure in Part 2.3 including:

- a. Evaluation of the public education program including a description of the targeted messages for each audience; method of distribution and dates of distribution; methods used to evaluate the program; and any changes to the program.
- b. Description of the activities used to promote public participation including documentation of compliance with state public notice regulations.
- c. Description of the activities related to implementation of the IDDE program including: status of the map; status and results of the illicit discharge potential ranking and assessment; identification of problem catchments; status of all protocols described in Parts 2.3.4. (program responsibilities and systematic procedure); number and identifier of catchments evaluated; number and identifier of outfalls screened; number of illicit discharges located; number of illicit discharges removed; gallons of flow removed; identification of tracking indicators and measures of progress based on those indicators; and employee training.
- d. Evaluation of the construction runoff management including number of project plans reviewed; number of inspections; and number of enforcement actions.
- e. Evaluation of stormwater management for new development and redevelopment including status of ordinance development and review and status of the street design assessment.
- f. Status of the O&M Programs required by Part 2.3.7.1.
- g. Status of SWPPP required by Part 2.3.7.2 including inspection results.

h. Any additional reporting requirements in Part 3.0.

4.4.2.5 All outfall screening and monitoring data collected by or on behalf of the permittee during the reporting period, including but not limited to all data collected pursuant to Parts 2.3.4 and 4.3. The permittee shall also provide a description of any additional monitoring data received by the permittee during the reporting period.

4.4.2.6 Description of activities for the next reporting cycle.

4.4.2.7 Description of any changes in identified BMPs or measurable goals.

4.4.2.8 Description of activities undertaken by any entity contracted for achieving any measurable goal or implementing any control measure.

4.4.3 Reports must be submitted to EPA following address:

United State Environmental Protection Agency  
Stormwater and Construction Permits Section (OEP06-1)  
Five Post Office Square, Suite 100  
Boston, MA 02109

NHDES may request that the permittee submit reports to NHDES, upon receipt of this request the reports shall be sent to the following address:

NH Department of Environmental Services  
Wastewater Engineering Bureau  
Permits and Compliance Section  
P.O. Box 95  
Concord, NH 03302-0095

## **5.0 Non-Traditional MS4s**

Non-traditional MS4s are MS4s owned and operated by the State of New Hampshire, counties or other public agencies within the State of New Hampshire, and properties owned and operated by the United States (Federal Facilities) within the States of New Hampshire. This Part addresses all non-traditional MS4s except MS4s that are owned or operated by transportation agencies, which are addressed in Part 6.0 below.

### **5.1. Requirements for Non-Traditional MS4s**

All requirements and conditions of Parts 1 – 4 above apply to all Non-traditional MS4s, except as specifically provided below:

**5.1.1 Public education:** For the purpose of this permit, the audiences for a Non-traditional MS4 include the employees, clients and customers (including students at education MS4s) or visitors to the property, and any contractors working at the facility where the MS4 is located. The permittee may use some of the educational topics included in Part 2.3.2.1.c. as appropriate, or may focus on topics specific to the MS4. The permittee shall document the educational topics for each target audience in the SWMP and annual reports.

**5.1.2 Ordinances and regulatory mechanisms:** Some MS4s may not have authority to enact an ordinance, by-law, or other regulatory mechanisms. MS4s without the authority to enact an ordinance shall ensure that written policies or procedures are in place to address the requirements of Part 2.3.4.6.a., Part 2.3.5.3.a., Part 2.3.6.a., and Part 2.3.6.b. They may rely on EPA, the State environmental agency or State Attorney General Office for enforcement assistance.

**5.1.3 Assessment of Regulations:** Non-traditional MS4s do not need to meet the requirements of Part 2.3.6.c and Part 2.3.6.d. Non-traditional MS4s shall instead evaluate opportunities to include green infrastructure practices in new development and redevelopment at their facilities. Non-traditional MS4s shall evaluate opportunities to reduce the amount of impervious cover due to parking areas and walkways. Non-traditional MS4s shall report on these efforts in each annual report. The permittee shall also ensure adequate long-term operation and maintenance of stormwater management practices installed by the non-traditional MS4 or its agents.

#### **5.1.4 New Dischargers**

New MS4 facilities are subject to additional water quality-based requirements if they fall within the definition of “new dischargers” under 40 CFR § 122.2: “A new discharger is any building, structure, facility or installation (a) from which there is or may be a ‘discharge of pollutants’ (b) that did not commence the ‘discharge of pollutants’ at a particular ‘site’ prior to August 13, 1979; (c) which is not a ‘new source’; and (d) which never received a finally effective NPDES permit for discharges at that ‘site.’ The term “site” is defined in §122.2 to mean “the land or water area where any ‘facility or activity’ is physically located or conducted including adjacent land used in connection with the facility or activity.”

Consistent with these definitions, a Non-traditional MS4 is a “new discharger” if it discharges stormwater from a new facility with an entirely new separate storm sewer system that is not

physically located on the same or adjacent land as an existing facility and associated system operated by the same MS4.

Any Non-traditional MS4 facility that is a “new discharger” and discharges to waterbody listed in category 5 or 4b on the most recent EPA approved New Hampshire Integrated Report of waters listed pursuant to Clean Water Act, section 303(d) and 305(b) due to nutrients (Total Nitrogen or Total Phosphorus), metals (Cadmium, Copper, Iron, Lead, or Zinc), solids (TSS or Turbidity), bacteria/pathogens (E. Coli, Enterococcus or Fecal Coliform), chloride (Chloride) or oil and grease (Oil Slicks or Benzo(a) pyrene (PAHs), or discharges to a waterbody with an approved TMDL for any of those pollutants, is not eligible for coverage under this permit and shall apply for an individual permit.

Any Non-traditional MS4 facility that is a “new discharger” and discharges to a waterbody that is in attainment is subject to New Hampshire antidegradation regulations at N.H. Code Admin. R. Part Env-Wq 1708. The permittee shall comply with the provisions of N.H. Code Admin. R. Part Env-Wq 1708.04 and N.H. Code Admin. R. Part Env-Wq 1708.06 including information submittal requirements and obtaining authorization for new discharges as appropriate<sup>20</sup>. Any authorization of new discharges by NHDES shall be incorporated into the permittee’s SWMP. If an applicable NHDES approval specifies additional conditions or requirements, then those requirements are incorporated into this permit by reference. The permittee must comply with all such requirements.

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<sup>20</sup> Contact NHDES for guidance on compliance.

## **6.0 Requirements for Transportation Agencies**

A transportation agency is the state agency responsible for operation and maintenance of the state owned roadways (New Hampshire Department of Transportation -NHDOT). All requirements and conditions of this permit apply with the following exceptions:

**6.1 Public education:** For the purpose of this permit, the audiences for a transportation agency education program include the general public (users of the roadways), employees, and any contractors working at the location. The permittee may use some of the educational topics included in Part 2.3.2.1.c. as appropriate, or may focus on topics specific to the agency. The permittee shall document the educational topics for each target audience in the SWMP and annual reports.

**6.2 Ordinances and regulatory mechanisms:** The transportation agency may not have authority to enact an ordinance, by-law or other regulatory mechanisms. The agency shall ensure that written agency policies or procedures are in place to address the requirements of Part 2.3.4.6.a., Part 2.3.5.3.a., Part 2.3.6.a., and Part 2.3.6.b. These agencies may rely on EPA or the State environmental agency for enforcement assistance.

**6.3 Assessment of regulations:** The requirements of Part 2.3.6.c. and Part 2.3.6.d. do not apply. The agency shall instead evaluate opportunities to include green infrastructure practices in new development and redevelopment at the facility. The agency shall evaluate opportunities to reduce the amount of impervious cover due to parking areas and walkways. The permittee shall report on these efforts in each annual report. The permittee shall also ensure adequate long-term operation and maintenance of stormwater management practices installed by the agency or its agents.

### **6.4 New Dischargers**

New MS4 facilities are subject to additional water quality-based requirements if they fall within the definition of “new dischargers” under 40 CFR § 122.2: “A new discharger is any building, structure, facility or installation (a) from which there is or may be a ‘discharge of pollutants’ (b) that did not commence the ‘discharge of pollutants’ at a particular ‘site’ prior to August 13, 1979; (c) which is not a ‘new source’; and (d) which never received a finally effective NPDES permit for discharges at that ‘site.’ The term “site” is defined in §122.2 to mean “the land or water area where any ‘facility or activity’ is physically located or conducted including adjacent land used in connection with the facility or activity.”

Consistent with these definitions, a new transportation MS4 is a “new discharger” if it discharges stormwater from a new facility with an entirely new separate storm sewer system that is not physically located on the same or adjacent land as an existing facility and associated system operated by the same MS4.

Any transportation MS4 facility that is a “new discharger” and discharges to a waterbody listed as impaired in category 5 or 4b on the most recent EPA approved New Hampshire Integrated Report of waters listed pursuant to Clean Water Act section 303(d) or 305(b) due to nutrients (Total Nitrogen or Total Phosphorus), metals (Cadmium, Copper, Iron, Lead or Zinc), solids

(TSS or Turbidity), bacteria/pathogens (E. Coli, Enterococcus or Fecal Coliform), chloride (Chloride) or oil and grease (Oil Slicks or Benzo(a) pyrene (PAHs)) or discharges to a waterbody with an approved TMDL for any of those pollutants, is not eligible for coverage under this permit and shall apply for an individual permit.

Any transportation MS4 facility that is a “new discharger” and discharges to a waterbody that is in attainment is subject to New Hampshire antidegradation regulations at N.H. Code Admin. R. Part Env-Wq 1708. The permittee shall comply with the provisions of N.H. Code Admin. R. Part Env-Wq 1708.04 and N.H. Code Admin. R. Part Env-Wq 1708.06 including information submittal requirements and obtaining authorization for new discharges as appropriate<sup>21</sup>. Any authorization of new discharges by NHDES shall be incorporated into the permittee’s SWMP. If an applicable NHDES approval specifies additional conditions or requirements, then those requirements are incorporated into this permit by reference. The permittee must comply with all such requirements.

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<sup>21</sup> Contact NHDES for guidance on compliance.



## **APPENDIX B: ANNUAL REPORTING TABLES**



**Public Education & Outreach Minimum Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)	
1-1	GEMS Program Manager	<b>Target Public Education Materials to Specific Audiences</b>					2.3.2.g: For annual reporting, document method of message distribution; measures/methods used to assess the effectiveness of the messages, and the method/measures used to assess the overall effectiveness of the education program for all BMPs listed in this section.
		Implement public education program targeted to specific VAMC Manchester audiences providing information regarding stormwater discharge impacts to waterbodies, including steps to reduce pollutants in stormwater runoff.	Development and implementation of a targeted public education program incorporating Permit requirements, with distribution of a minimum of 2 educational messages over the Permit term to employees, patients, visitors, and on-site contractors.	End of Permit Year 1	2.3.2.1.a-c-i-vi		
		Distribute a minimum of 2 educational messages to each of the VAMC Manchester target audiences (employees, patients, visitors, onsite contractors) over the Permit term. Space messages to each audience at least 1 year apart.	Distribute a minimum of 1 educational message to each target audience by the end of Permit Year 2.	End of Permit Year 2	2.3.2.b		
			Distribute a minimum of 1 educational message to each target audience by the end of Permit Year 5.	End of Permit Year 5			
1-2	GEMS Program Manager	<b>Evaluate Effectiveness of Public Education Messages</b>					Document messages for each audience; the method of distribution; the measures/methods used to assess message effectiveness; and method/measures to assess overall effectiveness of the education program in each Annual Report.
		Modify ineffective messages, if any, prior to next message delivery.	Assess effectiveness of the educational program and modify messages, if needed.	Annually during Permit term	2.3.2.4		



**Measurable Goals for Public Participation/Involvement Minimum Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
2-1	<b>Public Review and Participation of Stormwater Management Plan and Annual Reports</b>					
	GEMS Program Manager	Post/provide the Stormwater Management Plan (SWMP) and all Annual Reports to the public for review and comment (following public notice requirements).	Provision of the SWMP and Annual Report to the public.	Annually	2.3.3.1	Report on the activities undertaken to provide public participation opportunities, including compliance with part 2.3.3.1. Public participation opportunities include, but are not limited to, websites; hotlines; cleanup teams; monitoring teams; or advisory committees.
	GEMS Program Manager	Allow annual public participation in review and implementation of the SWMP	Allow and/or facilitate public review/comment of SWMP annually.	Annually	2.3.3.2-3	



**Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
3-1	<b>Illicit Discharge Reporting</b>					
	GEMS Program Manager, Facility Service	Upon detection of an illicit discharge, locate, identify, and eliminate the illicit discharge as quickly as possible. Where elimination of an illicit discharge within 60 days is not possible, establish an expeditious schedule and report the dates of identification and schedule for removal in the Annual Report.	Immediately eliminate illicit discharges upon detection. Report illicit discharges that occur for greater than 60 days in the Annual Report.	Throughout Permit term, with elimination of detected illicit discharges as soon as possible.	2.3.4.2	2.3.4.2.a: For illicit discharges lasting >60 days, report dates of illicit discharge discovery, schedule for illicit discharge elimination, and outcome of illicit discharge elimination in Annual Report.
3-2	<b>Sanitary Sewer Overflows (SSOs)</b>					
	Facility Service; GEMS Program Manager	Develop an inventory of all identified SSOs discharged to the MS4 within the past 5 years, including location, date/time, volume, suspected causes, and corrective measures.	Production of SSO inventory, including required information related to the SSO.	End of Permit Year 3	2.3.4.4.b	2.3.4.4.d: Include and update the SSO inventory in the Annual Report, including status of mitigation and corrective measures implemented to address each SSO.
		Maintain/update the SSO inventory as part of the SWMP and include inventory and status of corrective measures in the Annual Report;		Annually	2.3.4.4.d	
After identifying new SSOs, notify EPA within 24 hours and provide written notice to EPA and NHDES within 5 days.			Within 24 hours (oral) and 5 days (written)	2.3.4.4.c		



**Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
3-3	<b>Storm Drain System Mapping</b>					
	Facility Service; Engineering	Phase I – update the MS4 map required by the MS4-2003 permit to include: <ul style="list-style-type: none"> <li>• Outfalls and receiving waters;</li> <li>• Open channel conveyances;</li> <li>• Interconnections with other MS4s and other storm sewer systems;</li> <li>• Facility owned stormwater treatment structures;</li> <li>• Waterbodies (name, use, impairment); and</li> <li>• Initial catchment delineations.</li> </ul>	Completion of an updated MS4 map containing all required Phase I elements.	End of Permit Year 4	2.3.4.5.a	Report annually on progress toward the completion of the MS4 map.
Facility Service; Engineering	Phase II – update the MS4 map annually as the following information becomes available during implementation of catchment investigation procedures: <ul style="list-style-type: none"> <li>• Outfall spatial location;</li> <li>• Pipes;</li> <li>• Manholes;</li> <li>• Catch basins;</li> <li>• Refined catchment delineations;</li> <li>• Facility sanitary sewer and combined sewer systems (if available or applicable)</li> </ul>	Completion of a MS4 map containing all required Phase II elements.	End of Permit Year 12	2.3.4.5.b		



**Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
3-4	<b>Develop Written Illicit Discharge Detection and Elimination Program</b>					
	GEMS Program Manager; Facility Service	<p>Complete a written Illicit Discharge Detection and Elimination (IDDE) Program including, at a minimum, the following elements:</p> <ul style="list-style-type: none"> <li>• Authority;</li> <li>• Statement of responsibilities;</li> <li>• Outfall/interconnection screening inventory and initial priority ranking;</li> <li>• Outfall/interconnection screening and sampling procedures;</li> <li>• Follow-up ranking procedures;</li> <li>• Catchment investigation procedures;</li> <li>• Illicit discharge confirmation and removal procedures;</li> <li>• Indicators of IDDE Program progress;</li> <li>• Ongoing screening; and</li> <li>• Training.</li> </ul>	Development and implementation of a written IDDE Program containing all required elements.	End of Permit Year 3	2.3.4.6	Implement and document the IDDE Program as described below, recording required information in the Annual Report.
		<p>Develop a systematic procedure to investigate each catchment associated with an outfall or interconnection within the MS4 system (include in IDDE Program document) including the following elements:</p> <ul style="list-style-type: none"> <li>• Maps, historic plans and records, other sources of data that will be used to identify SVFs within each catchment;</li> <li>• Description of manhole inspection methodology;</li> </ul> <p>Establishment of procedures to isolate and confirm sources of illicit discharges.</p>	Development of a catchment investigation procedure integrating information specified in the Permit into the procedure.	<p>Develop catchment investigation procedure within 4 1/2 years of the Permit effective date.</p> <p>Review and update annually based on information from screening or reprioritization.</p>	2.3.4.8.b	Report on status of catchment investigation procedure development.



**Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
3-4	<b>Develop Written Illicit Discharge Detection and Elimination Program</b>					
		For each catchment, inspect key junction manholes and gather information on the location of pipes, manholes, and extent of catchment.	Complete required catchment investigations within schedule, provide data and status annually in Annual Report.	Begin catchment investigations no later than 5 years after Permit effective date; Investigate all catchments within 13 years of Permit effective date; Identified problem outfalls must have investigation completed within 10 years of effective date.	2.3.4.8.a	Provide catchment investigation data and status in Annual Report.
		Require removal of confirmed sources of illicit discharge or SSO. For each illicit discharge or SSO source removed, conduct confirmatory outfall screening in dry weather (unless SVF identified, then conduct screening in dry and wet weather)	Locate, identify, and eliminate illicit discharges or SSOs. Confirm removal of verified illicit discharges or SSOs through dry (and/or wet) bracket sampling.	During Permit term, document annually in Annual Report.	2.3.4.8	2.3.4.8.e.i: For each confirmed source, include the following information in the Annual Report: <ul style="list-style-type: none"> <li>• Location and source of discharge;</li> <li>• Description of discharge;</li> <li>• Method of discovery;</li> <li>• Date of discovery;</li> <li>• Date of elimination, mitigation, enforcement action or planned corrective measures and a schedule for completing the illicit discharge removal; and</li> <li>• Estimate the volume of the flow removed.</li> </ul>
		Complete an initial inventory and priority ranking of outfalls and interconnections based on existing information, prioritizing by categories and screening factors (included in IDDE Program document). Provide updated inventory and priority ranking in Annual Report.  Designate catchments draining to any waterbody impaired for bacteria or pathogens as either Problem or High Priority catchments in implementation of IDDE Program.	Conduct initial prioritization of catchments and include in IDDE Program document. Designate catchments draining to Mill River Segment ID as either Problem or High Priority catchments.	End of Permit Year 3 Update annually	2.3.4.7.a	2.3.4.7.a: Include an updated inventory and ranking in each Annual Report, to be updated annually to include data collected in connection with the dry weather screening and other relevant inspections.



**Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
3-5	<b>Implement IDDE Program: Dry Weather Outfall/Interconnection Screening and Sampling</b>					
	GEMS Program Manager	Dry weather outfall/interconnection screening and sampling <ul style="list-style-type: none"> <li>• Dry weather screening and sampling (no more than 0.1" of rainfall in past 24 hours):                             <ul style="list-style-type: none"> <li>- Record condition and information for inventory and priority ranking;</li> <li>- If flow, sample for ammonia, chlorine, conductivity, salinity, E. coli or enterococcus, surfactants, temperature, and pollutants of concern;</li> <li>- If no flow, but evidence of illicit flow exists, revising within one week to perform screening/sampling (as applicable).</li> </ul> </li> </ul>	Conduct dry weather outfall/interconnection screening and sampling for required parameters.	Begin dry weather outfall screening by Permit Year 5. Provide data annually in Annual Report.	2.3.4.7.b	All data collected as part of dry weather outfall/interconnection screening and sampling investigations will be recorded and reported in each Annual Report.
3-6	<b>Implement IDDE Program: Wet Weather Outfall/Interconnection Screening and Sampling</b>					
	GEMS Program Manager	Identify System Vulnerability Factors (SVFs) within each catchment in preparation for catchment investigations	Documentation of the presence/absence of SVFs.	Permit Year 2	2.3.4.8.c.i	2.3.4.8.c.i: Document the presence or absence of SVFs for each catchment and report this information in Annual Reports.
	GEMS Program Manager	If SVFs are identified within a catchment, conduct wet-weather screening	Implementation of wet weather screening		2.3.4.7.b.iii.4 2.3.4.8.c.ii.1-2	All data collected as part of wet weather catchment investigations will be recorded and reported in each Annual Report.
	GEMS Program Manager	Wet weather screening and sampling shall be conducted during or after a precipitation event of sufficient intensity to produce a discharge and include sampling for ammonia, chlorine, conductivity, salinity, E. coli or enterococcus, surfactants, temperature, pollutants of concern.	Conduct wet weather outfall/interconnection screening on priority (Problem or High) outfalls prior to initiation of catchment investigation. Provide data annually in Annual Report	Complete all wet weather screening in identified catchments within 5 years of Permit effective date, upon completion of dry weather screening.	2.3.4.8.c.iii	
GEMS Program Manager	Follow-up ranking of outfalls and interconnections: Update outfall and interconnection ranking (2.3.4.7.a) to reprioritize based on information gathered during dry weather screening. Ranking can be updated continuously as new screening information becomes available.	Update IDDE Program Manual with refined prioritization based on applicable dry weather screening results in Permit year 3.	Update prioritization by end of Permit Year 5	2.3.4.7.c		



**Illicit Discharge Detection and Elimination Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
<b>IDDE Program: Indicators of IDDE Program Success</b>						
3-7	GEMS Program Manager	Evaluate effectiveness of IDDE Program using indicators defined in the IDDE Program document (i.e. number of SSOs and illicit discharges identified and removed, number and percent of total catchments evaluated using procedure, dry and wet weather screening and sampling results, volume of sewage removed).	Provide evaluation of IDDE Program annually in the Annual Report	During Permit term, document annually in Annual Report	2.3.4.9	Document the evaluation of the IDDE Program annually, including: <ul style="list-style-type: none"> <li>• Number of SSOs and illicit discharges identified and removed;</li> <li>• Number and percent of total outfall catchments served by the MS4 evaluated using the catchment investigation procedure;</li> <li>• All dry and wet weather screening and sampling results; and</li> <li>• Volume of sewage removed.</li> </ul>
<b>Ongoing Screening Requirements</b>						
3-8	GEMS Program Manager	Reprioritize each outfall and interconnection upon completion of all catchment investigations (Part 2.3.4.8) and schedule ongoing screening once every 5 years that includes dry weather screening and sampling. Wet weather screening and sampling is also required at outfalls where previous wet weather screening was required due to SVFs.	Conduct outfall screening once every five years upon completion of all catchment investigations.	Ongoing screening once every 5 years upon completion of catchment investigations.	2.3.4.10	Report all ongoing screening sampling results in the Annual Report.
<b>IDDE Program Training</b>						
3-9	GEMS Program Manager	Provide annual training (at a minimum) to employees involved in the IDDE Program. Report on frequency and type of training in the Annual Report.	Provide and/or conduct annual training to all employees involved in the IDDE Program. Report on the frequency and type of employee training in the Annual Report.	Annually (at a minimum)	2.3.4.11	Report on the frequency and type of employee training conducted in the Annual Report.



**Construction Site Runoff Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
<b>Construction Site Runoff Control Program Requirements</b>						
4-1	Facility Service; Engineering	Implement (or continue to implement) an effective stormwater runoff control program to minimize or eliminate erosion and maintain sediment onsite so that it is not transported in stormwater and allowed to discharge to a water of the U.S. This program will include a formal written document, construction specification, or similar mechanism that requires the use of sediment and erosion control and waste management practices.	Development and implementation of a regulatory mechanism to minimize or eliminate stormwater runoff and waste control originating from construction sites	End of Permit Year 2.	2.3.5.3.a 2.3.5.3.d	
	Facility Service; Engineering	Require construction site operators to implement a sediment and erosion control program including BMPs appropriate for the construction site conditions.	Verification of construction site operator development and implementation of a Construction General Permit Stormwater Pollution Prevention Plan for applicable construction projects occurring at the VAMC Manchester.	End of Permit Year 2.	2.3.5.3.c	
<b>Develop Written Construction Site Runoff Control Program</b>						
4-2	GEMS Program Manager	Develop written procedures for site plan review including the following elements: <ul style="list-style-type: none"> <li>• Pre-construction review of site design;</li> <li>• Planned operations and BMPs to be implemented to manage runoff during construction;</li> <li>• Planned BMPs to be implemented to manage post-construction runoff;</li> <li>• Procedures to consider potential water quality impacts and information submitted by the public;</li> <li>• Evaluation of opportunities to use low impact design and green infrastructure.</li> </ul>	Development and implementation of written construction site plan review processes.	End of Permit Year 4.	2.3.5.3.e	Track the number of reviews, inspections, and enforcement actions and include this information as part of each Annual Report.
	GEMS Program Manager	Develop written procedures for site inspections and enforcement of sediment and erosion control measures and document procedures in the SWMP.	Complete written procedures of site inspections and enforcement procedures.	End of Permit Year 4.	2.3.5.b	Include number of site inspections and enforcement actions in Annual Report.



**Construction Site Runoff Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
4-3	<b>Conduct Site Plan Reviews</b>					
	Facility Service; Engineering	Conduct site plan reviews.	Develop and implement written procedures for site plan review process, including pre-construction review and BMP use evaluation.	End of Permit Year 1	2.3.5.c.v	Track the number of site plan reviews, along with other related information presented in BMP 4-4, below, in Annual Report.
4-4	<b>Conduct Site Inspections</b>					
	GEMS Program Manager; Facility Service; Engineering	Develop written procedures to document site inspection and enforcement activities.	Implement and document site inspection activities and conduct enforcement activities, as required.	End of Permit Year 1.	2.3.5.c	Include the number of site reviews, inspections, and enforcement actions conducted in each Annual Report.



**Post-Construction Runoff Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
<b>Post-Construction Site Runoff Control Policy</b>						
5-1	GEMS Program Manager; Facility Service	Implement (or continue to implement) an effective post-stormwater runoff control program to minimize or eliminate erosion and maintain sediment onsite so that it is not transported in stormwater and allowed to discharge to a water of the U.S. This program will include a formal written document, construction specification, or similar mechanism that requires the use of sediment and erosion control and waste management practices	Development of a written Construction and Post-Construction Program Manual including references to facility procedures and policies.	End of Permit Year 3	2.3.6.a.ii	
<b>Stormwater Management in New Development and Redevelopment Program</b>						
5-2	GEMS Program Manager; Facility Service	<p>Implement a written program to reduce the discharge of pollutants found in stormwater through retention or treatment of stormwater after construction on new or developed sites, incorporating the minimum elements found in Part 2.3.6.a.ii of the Permit:</p> <ul style="list-style-type: none"> <li>LID site planning and design use to the maximum extent feasible to reduce the discharge of stormwater from new development;</li> <li>Salt storage areas on commercial and industrial new and redevelopment sites shall be covered and loading/offloading areas designed and maintained in accordance with NHDES Fact Sheets WD-WMB-4 and WD-DWGB-22-30. Snow storage areas will be located in accordance with these fact sheets;</li> <li>Selection and design of treatment and infiltration will follow the guidance in Vol.2 of the NH Stormwater Manual, where applicable; and</li> <li>Post construction requirements for new development sites will: require BMPs designed to retain the Water Quality Volume calculated in accordance with NH Code Admin. R Part Env-Wq 1504.10 OR require BMPs designed to remove 90% average total suspended solids (TSS) generated from total post-construction impervious area AND 60% of the average load of Total Phosphorus (TP) generated from the new development post-construction impervious area (80% TSS and 50% TP from the redevelopment total post-construction impervious area).</li> <li>Implement long-term maintenance practices of BMPs in accordance with NH Code Admin. Part Env.-Wq 1507.08.</li> </ul>	Review facility stormwater policies and procedures in Permit year 2 for consistency with this regulatory requirement and for provisions associated with nitrogen and bacteria control requirements associated with impaired waters.	Permit Year 3	2.3.6.a.ii.e.1-3	



**Post-Construction Runoff Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
5-3	GEMS Program Manager	<b>Parking Lot and Walkway Impervious Cover Assessment</b>				
		Evaluate opportunities to include green infrastructure practices on new and redevelopment, including opportunities to reduce impervious cover due to parking lots and walkways. Verify long term operation and maintenance of stormwater management practices installed to reduce impervious cover.	Tracking and evaluation of green infrastructure opportunities on parking lots and walkways. Tracking of long-term operation and maintenance of stormwater management practices.	By end of Permit Year 4.	2.3.6.c	Report status of the evaluation, including planned or completed projects designed to reduce impervious cover, in each Annual Report.
5-4	Facility Service Engineering	<b>Submission of As-Built Drawings</b>				
		Require submittal of as-built drawings depicting structural and non-structural onsite stormwater controls, including procedures to guarantee long-term operation and maintenance of stormwater management controls.	Documentation, inventory, and archive of as-built drawings completed within 2 years of project completion, including O&M plans for associated stormwater controls.	No later than 2 years after completion of construction projects.	2.3.6.b	Document long-term O&M planning for stormwater controls in Annual Report.
5-5	Facility Service Engineering	<b>BMP Retrofit and Modification Identification</b>				
		Identification of a minimum of 5 locations for potential modification or retrofit of BMPs designed to reduce the frequency, volume, and pollutant load of stormwater.	Identification and documentation of locations suitable for retrofit or BMP modifications.	By end of Permit Year 4	2.3.6.e	Beginning in Permit Year 5 Annual Report, identify 5 sites/infrastructure that may be retrofitted; report on all properties that have been retrofitted or modified as part of the inventory.

**Pollution Prevention / Good Housekeeping Minimum Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
<b>6-1</b>	<b>Conduct Inventory of VAMC Manchester Properties</b>					
	GEMS Program Manager; Facility Service	Develop facility inventory of VAMC Manchester owned parks and open space, buildings where pollutants are exposed to runoff, locations where vehicles and equipment are stored). Review and update the inventory as needed. Provide status updates in the SWMP, focusing on parks and open space; buildings and facilities; and vehicles and equipment, to reduce discharge of pollutants to the MS4.	Update facility inventory list. Development of procedures to minimize pollutant discharges to the MS4 for facilities identified in the inventory.	By end of Permit year three	2.3.7.1.a-c	
<b>6-2</b>	<b>Stormwater Pollution Prevention Plan Evaluation</b>					
	GEMS Program Manager	Evaluate and, if applicable, develop SWPPPs for maintenance garages, public works yards, transfer stations, and waste handling facilities that include the elements listed in 2.3.7.b.ii. Retain all records associated with the development and implementation of the SWPPP.	Initiate and develop SWPPPs (and Spill Prevention Countermeasure and Control (SPCC) Plans, as needed) for maintenance garages, public works yards, transfer stations, and waste handling facilities, as applicable. Report on SWPPP status annually in Annual Report.	End of Permit year five, document annually.	2.3.7.2.a-b.i-iv	Report on SWPPP statuses in Annual Report.
		Conduct site inspection procedures consistent with the SWPPPs.	Inspect all areas exposed to stormwater and all stormwater control measures at each applicable facility at least once per calendar quarter. Report findings in Annual Report.	Once per quarter upon completion of SWPPP development BMP (above), document annually.	2.3.7.2.b.v	Report findings of SWPPP related site inspections in Annual Report.
		Conduct employee SWPPP training program for employees who work in areas where materials or activities are exposed to stormwater, or who are responsible for implementing the SWPPP.	Implementation of SWPPP trainings. Document training dates, title and training duration; list of attendees; topics covered during training. Provide documentation in Annual Report.	Annually, upon completion of SWPPP development BMP (above).	2.3.7.2.d	Document SWPPP trainings in Annual Report.
<b>6-3</b>	<b>Implement Operations &amp; Maintenance (O&amp;M) Procedures</b>					
	GEMS Program Manager	Establish a written program detailing activities and procedures for MS4 infrastructure maintenance to reduce discharge of pollutants. Document this written program in the SWMP.	Creation of written O&M procedures by the Permit specified deadline.	Three years after Permit effective date	2.3.7.2.d.i-vi	Review inventory annually and update as necessary.

**Pollution Prevention / Good Housekeeping Minimum Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
<b>6-4</b>	<b>Implement Infrastructure O&amp;M Procedures</b>					
	Facility Service	Establish a written program describing procedures for MS4 infrastructure maintenance containing the elements described in BMPs 6-5 through 6-9, below.	Development and implementation of written procedures to reduce or eliminate discharge of pollutants from the MS4.	End of Permit Year 3	2.3.7.1.d.i	
<b>6-5</b>	<b>Catch Basin Cleaning Program</b>					
	Facility Service Roads & Grounds	Optimize routine inspections, cleaning, and maintenance of catch basins. Report in each Annual Report the total number of catch basins, quantity inspected, quantity cleaned, and total volume of material removed from all catch basins.	Establish and implement procedures and schedule for catch basin cleaning in concurrence with Permit requirements, verify that each catch basin is <50% full during each cleaning.	Document plan for optimizing catch basin cleaning, inspection plans, and schedule in first Annual Report.	2.3.7.1.d.ii	Report the total number of catch basins, quantity inspected, quantity cleaned, and total volume of material removed from all catch basins annually in Annual Report.  Document plan for catch basin cleaning, inspection, and schedule optimization in first Annual Report.  If catch basin sumps are more than 50% full during two consecutive cleanings/inspections, document that finding and investigation for sources of excessive sediment loading, abatement activities.
	Facility Service Roads & Grounds	Properly store catch basin cleanings to ensure they do not discharge to receiving waters. Dispose of catch basin cleanings in compliance with NHDES policies.	Storage of catch basin cleanings in protective areas; disposal and documentation of catch basin cleanings per NHDEC policies.	Concurrently with catch basin cleaning program.	2.3.7.1.d.ii	
<b>6-6</b>	<b>Street Sweeping Program</b>					
	Facility Service Roads & Grounds	Establish procedures for sweeping/cleaning streets and parking lots, including more frequent sweeping of targeted areas. Report the number of street miles cleaned and/or the volume of material removed from streets and parking lots in the Annual Report.	Implement street sweeping procedures in accordance with Permit requirements.		2.3.7.1.d.iii	Report the number of street miles cleaned and/or the volume of material removed from streets and parking lots in the Annual Report.
	Facility Service Roads & Grounds	Properly store street sweepings prior to reuse or disposal to ensure that they do not discharge to receiving waters. Dispose of street sweepings in compliance with NHDEC policies.	Storage of street sweepings in protective areas; disposal and documentation of street sweepings per NHDEC policies.	Concurrently with street sweeping program.	2.3.7.1.d.iii	



**Pollution Prevention / Good Housekeeping Minimum Control Measure**

BMP ID#	Responsible Party/Department	BMP Description	Measurable Goal	Implementation Deadline	Permit Section Reference	Annual Report Status (to be completed)
<b>6-7</b>	<b>Road Salt Use Optimization Program</b>					
	Facility Service Roads & Grounds	Establish and implement procedures for winter road maintenance that minimize the use of sodium chloride and other salts. Evaluate use of alternative materials for winter road maintenance. Dispose of snow in a manner that does not result in snow disposal to a waterbody.	Implementation of procedures to minimize use of salts during winter road maintenance activities. Verification that snow disposal activities do not result in migration of runoff into a waterbody.	Annually	2.3.7.1.d.iii(5)	Report on procedures used to minimize salt usage and verify snow disposal runoff does not migrate into waterbodies.
<b>6-8</b>	<b>Inspection and Maintenance of Stormwater Treatment Structures</b>					
	GEMS Program Manager; Facility Service	Establish and implement inspection/maintenance procedures for stormwater treatment structures (excluding catch basins).	Conduct annual inspections of stormwater treatment structures, perform maintenance activities in a timely manner if issues are identified during inspections. Maintain written records of inspection and maintenance activities.	Annually	2.3.7.1.d.iii(6)	Report on status annually



**APPENDIX C: NOTICE OF INTENT**

**Notice of Intent (NOI) for coverage under Small MS4 General Permit** Page 1 of 18

Part I: General Conditions

**General Information**

Name of Municipality or Organization:  State:

EPA NPDES Permit Number (if applicable):

**Primary MS4 Program Manager Contact Information**

Name:  Title:

Street Address Line 1:

Street Address Line 2:

City:  State:  Zip Code:

Email:  Phone Number:

Fax Number:

**Other Information**

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed):

**Eligibility Determination**

Endangered Species Act (ESA) Determination Complete?

Eligibility Criteria (check all that apply):  A  B  C

National Historic Preservation Act (NHPA) Determination Complete?

Eligibility Criteria (check all that apply):  A  B  C  D

Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part II: Summary of Receiving Waters

Please list the waterbodies to which your MS4 discharges. For each waterbody, please report the number of outfalls discharging into it and, if applicable, the segment ID and any impairments.

New Hampshire list of impaired waters: <http://des.nh.gov/organization/divisions/water/wmb/swqa/>

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
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Goldfish Pond, NHLAK700060802-04	5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No listed impairments or TMDLs
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## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs).

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

#### MCM 1: Public Education and Outreach

BMP Media/Category <small>(enter your own text to override the drop down menu)</small>	BMP Description	Targeted Audience	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>	Measurable Goal	Beginning Year of BMP Implementation
Brochures/Pamphlets/Infrastructure Marking	Develop and implement targeted public education messages. Distribute messages to target audiences.	Patients	GEMS Program Manager	Development and implementation of a targeted public education program, distribution of messages to audience within Permit timeframes.	2019
Brochures/Pamphlets/Infrastructure Marking	Develop and implement targeted public education messages. Distribute messages to target audiences.	Visitors	GEMS Program Manager	Development and implementation of a targeted public education program, distribution of messages to audience within Permit timeframes.	2019
Newsletters/Emails/Trainings/Intranet	Develop and implement targeted public education messages. Distribute messages to target audiences.	Employees	GEMS Program Manager	Development and implementation of a targeted public education program, distribution of messages to audience within Permit timeframes.	2019







**Notice of Intent (NOI) for coverage under Small MS4 General Permit**

Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

<p><b>BMP Categorization</b> (enter your own text to override the drop down menu)</p>	<p><b>BMP Description</b></p>	<p><b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)</p>	<p><b>Measurable Goal</b> (all text can be overwritten)</p>
SSO inventory	Develop SSO inventory in accordance of permit conditions	Facilities Management Services; GEMS Program Manager	Complete within 4 years of effective date of permit
Storm sewer system map	Create map and update during IDDE program completion	GEMS Program Manager, Engineering Department	Update map within 4 years of effective date of permit and complete full system map 10 years after effective date of permit
Written IDDE program development	Create written IDDE program	GEMS Program Manager; Engineering Department; Facilities Management	Complete within 4 years of the effective date of permit and update as required
Implement IDDE program	Implement catchment investigations according to program and permit conditions	GEMS Program Manager	Complete 10 years after effective date of permit
Employee training	Train employees on IDDE implementation	GEMS Program Manager	Train annually
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	GEMS Program Manager	Complete 6 years after effective date of permit
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	GEMS Program Manager	Complete 10 years after effective date of permit
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	GEMS Program Manager	Complete ongoing outfall screening on completion of IDDE program



### Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Engineering Department; GEMS Program Manager	Complete within 3 years of the effective date of permit
Site plan review	Complete written procedures of site plan review and begin implementation	Engineering Department	Complete within 3 years of the effective date of permit
Erosion and sediment control	Adoption of requirements for construction operators to implement a sediment and erosion control program	Engineering Department; GEMS Program Manager	Complete within 3 years of the effective date of permit
Waste control	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	Engineering Department; GEMS Program Manager	Complete within 3 years of the effective date of permit


**Notice of Intent (NOI) for coverage under Small MS4 General Permit**

Part III: Stormwater Management Program Summary (continued)

MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

<p><b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)</p>	<p><b>BMP Description</b></p>	<p><b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)</p>	<p><b>Measurable Goal</b> (all text can be overwritten)</p>
<p>As-built plans for on-site stormwater control</p>	<p>The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP</p>	<p>Engineering Department</p>	<p>Require submission of as-built plans for completed projects</p>
<p>Target properties to reduce impervious areas</p>	<p>Complete an inventory and priority ranking of permittee-owned property and existing infrastructure that could be retrofitted with BMPs designed to reduce the frequency, volume and pollutant loads of stormwater discharges to its MS4 through the mitigation of impervious area</p>	<p>Engineering Department</p>	<p>Complete 6 years after effective date of permit and report annually on retrofitted properties</p>
<p>Allow green infrastructure</p>	<p>Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist</p>	<p>Engineering Department; GEMS Program Manager</p>	<p>Complete 6 years after effective date of permit and implement recommendations of report</p>
<p>Street design and parking lot guidelines</p>	<p>Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.</p>	<p>Engineering Department; GEMS Program Manager</p>	<p>Complete 6 years after effective date of permit and implement recommendations of report</p>



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary (continued)

#### MCM 6: Municipal Good Housekeeping and Pollution Prevention

<b>BMP Categorization</b> <small>(enter your own text to override the drop down menu or entered text)</small>	<b>BMP Description</b>	<b>Responsible Department/Parties</b> <small>(enter your own text to override the drop down menu)</small>	<b>Measurable Goal</b> <small>(all text can be overwritten)</small>	<b>Beginning Year of BMP Implementation</b>
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.1 for parks and open spaces, buildings and facilities, and vehicles and equipment	GEMS Program Manager; Maintenance & Operations Department	Complete and implement 4 years after effective date of permit	2022
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	Engineering Department	Complete 4 years after effective date of permit and implement annually	2022
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	Maintenance & Operations Department	Complete 4 years after effective date of permit	2022
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	GEMS Program Manager	Complete 4 years after effective date of permit	2022
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	Roads & Grounds Department	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2018
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	Roads & Grounds Department	Sweep all streets and permittee-owned parking lots once per year in the spring	2018
Road salt use optimization program	Establish and implement a program to minimize the use of road salt	Roads & Grounds Department	Implement salt use optimization during deicing season	2018

Inspections and maintenance of stormwater treatment structures	Establish and implement inspection and maintenance procedures and frequencies	GEMS Program Manager; Maintenance & Operations Department	Inspect and maintain treatment structures at least annually	2018
			Implement BMPs presented within the Salt Reduction Plan.	2021





# Notice of Intent (NOI) for coverage under Small MS4 General Permit

## Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.2 that you have identified as not applicable to your MS4 and provide all supporting documentation below or attach additional documents if necessary.

Provide any additional information about your MS4 program below.

Supporting documentation used to make the Endangered Species and Historic Properties determinations is attached to this NOI submittal.

The "2012 List of Threatened or Impaired Waters that Require a TMDL", "2014 List of Threatened or Impaired Waters that Require a TMDL", and "2016 List of Threatened or Impaired Waters that Require a TMDL" were used to make the determination of applicable parts of 2.2.2 to the VAMC Manchester's MS4 stormwater program. The VAMC Manchester is a new permittee to the MS4 General Permit Program. As such, permit required elements that involve the determination of ultimate discharge points of outfalls and interconnections to specific waterbodies were developed for this NOI using the best available knowledge of the VAMC Manchester's MS4 and the City of Manchester MS4. The VAMC Manchester is actively working toward obtaining a complete and accurate MS4 map of their facility. If information becomes available while this map is being prepared that identifies waterbodies ultimately receiving discharge from the VAMC Manchester that have TMDLs or are impaired for parameters that are not listed in this NOI, the VAMC Manchester will amend the NOI, Stormwater Management Plan, and any related actions to implement the appropriate permit requirements.

# Notice of Intent (NOI) for coverage under Small MS4 General Permit

## Part V: Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (40 CFR 122.22)

Name: Kevin Forrest

Title: Associate Director

Signature: Forrest, Kevin Digitally signed by Forrest, Kevin  
Date: 2018.09.25 11:14:23 -04'00'

Date: 09/25/18

[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

Note: When prompted during signing, save the document under a new file name

Note: Resigned and certified due to revisions to original NOI submittal.

KEVIN M  
FORREST 619156

Digitally signed by KEVIN M  
FORREST 619156  
Date: 2019.09.09 12:53:37  
-04'00'

# **MS4 General Permit NOI Supporting Documentation**

**(Endangered Species Determination Letter and Historic  
Properties Determination Letter)**



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F 401.273.5087

Via Electronic Mail

September 25, 2018



Mr. Newton Tedder  
US Environmental Protection Agency  
Stormwater and Construction Permits Section (OEP06-1)  
Five Post Office Square, Suite 100  
Boston, MA 02109

Re: NH MS4 General Permit Endangered Species Determination – VA Medical Center Manchester,  
718 Smyth Road, Manchester, New Hampshire

Dear Mr. Tedder:

The Veterans Affairs Medical Center Manchester, New Hampshire Campus (VAMC Manchester, site) is a federal, non-traditional MS4 designated by the U.S. Environmental Protection Agency (EPA) for conducting formal or informal consultation with the U.S. Fish and Wildlife Service as a condition of coverage under the 2017 New Hampshire Small MS4 General Permit (Permit).

Woodard & Curran, on behalf of the VAMC Manchester, has evaluated the U.S. Fish & Wildlife Service iPAC Biological and Conservation Data System files in accordance with the methodology presented in Appendix C of the Permit to determine the presence of endangered or threatened species within the program implementation area.

Our review evaluated the area of impact related to required program activities, analysis of these program activity areas within the iPAC database, examining maps, and the personal knowledge of staff and/or cooperating experts with knowledge of site operations.

According to the information currently in the iPAC database, one listed endangered species is located within the vicinity of the VAMC Manchester: the Small Whorled Pogonia. No threatened or candidate species and no critical habitat were identified within the project area. The formal U.S. Fish and Wildlife Service consultation response letter is provided as an attachment to this letter. The proposed stormwater program activities being conducted at the VAMC Manchester include non-structural management of stormwater runoff as required by the Permit. These activities will include education, investigation, and pollutant source control on existing facilities and roadways and will not disturb terrestrial vegetation. As such, activities associated with implementation of the Permit requirements will have "no effect" to the habitats potentially receiving stormwater discharges from the site.

The VAMC Manchester will continue to evaluate potential effects to threatened, endangered, or candidate species and critical habitat related to installation of structural stormwater treatment practices or other land disturbing activities enacted as a result of maintaining compliance with the Permit, and initiate either informal or formal consultation with the U.S. Fish and Wildlife Services to determine potential impacts.

Based on this review and an evaluation of determination requirements outlined in Appendix C of the Permit, we have determined that the VAMC Manchester meets Criterion C.

Please do not hesitate to contact either of the undersigned if you have any questions about the VAMC Manchester's stormwater management program.



Sincerely,

*Amanda Furtado*

Amanda Furtado  
GEMS Program Manager  
VAMC Manchester  
[Amanda.Furtado@va.gov](mailto:Amanda.Furtado@va.gov)  
1-603-624-4366 x6241

*Janelle Bonn*

Janelle Bonn  
Project Scientist  
Woodard & Curran  
[jbonn@woodardcurran.com](mailto:jbonn@woodardcurran.com)  
1-401-427-1314

Enclosures

cc: William Kulas, VA

PN: 229618



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>



In Reply Refer To:

September 18, 2018

Consultation Code: 05E1NE00-2018-SLI-3124

Event Code: 05E1NE00-2018-E-07344

Project Name: VA Manchester, NH Medical Campus MS4 General Permit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New England Ecological Services Field Office**

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

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## Project Summary

Consultation Code: 05E1NE00-2018-SLI-3124

Event Code: 05E1NE00-2018-E-07344

Project Name: VA Manchester, NH Medical Campus MS4 General Permit

Project Type: \*\* OTHER \*\*

Project Description: This determination is being conducted in support of Notice of Intent requirements under the recently reissued MS4 General Permit. MS4 operations are ongoing throughout the site, which operates as a Veterans Affairs medical campus.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/43.012139519750676N71.4409284871218W>



Counties: Hillsborough, NH

## Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1890">https://ecos.fws.gov/ecp/species/1890</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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Via Electronic Mail

September 25, 2018



Mr. Newton Tedder  
US Environmental Protection Agency  
Stormwater and Construction Permits Section (OEP06-1)  
Five Post Office Square, Suite 100  
Boston, MA 02109

Re: NH MS4 General Permit Historic Properties Evaluation – VA Medical Center, Manchester,  
718 Smyth Road, Manchester, New Hampshire

Dear Mr. Tedder:

Woodard & Curran, on behalf of the Veterans Affairs Medical Center Manchester, New Hampshire Campus (VAMC Manchester, site) has determined that the discharges regulated under the 2017 New Hampshire Small MS4 General Permit (Permit) do not have the potential to cause effects to any properties listed on the National Register of Historic Places. Using the screening process presented in Appendix D of the Permit, the VAMC Manchester is eligible for Permit coverage under Criterion A.

During an evaluation of the site's MS4 operations it was determined that Smyth Tower is located on the site and is registered as a historic place. However; Smyth Tower is not located near or within proximity to known stormwater discharges, allowable non-stormwater discharges, and/or stormwater discharge related activities originating from the VAMC Manchester that would affect this historic structure. Additionally, due to Smyth Tower's location on the highest elevation point of the site in a pervious area, stormwater generated from the site is not expected to affect the structure. Stormwater and allowable non-stormwater discharges will be periodically evaluated, as well as the potential for future construction activities occurring near this historic structure, throughout the Permit term to determine whether additional actions are required to mitigate the effects of stormwater discharges, should they occur. It is important to note that no other historic properties are located within proximity to the site.

Please do not hesitate to contact either of the undersigned if you have any questions about the VAMC Manchester's stormwater management program.

Sincerely,

Amanda Furtado  
GEMS Program Manager  
VAMC Manchester  
[Amanda.Furtado@va.gov](mailto:Amanda.Furtado@va.gov)  
1-603-624-4366 x6241

Janelle Bonn  
Project Scientist  
Woodard & Curran  
[jbonn@woodardcurran.com](mailto:jbonn@woodardcurran.com)  
1-401-427-1314

cc: William Kulas, VA

PN: 229618





## **APPENDIX D: ELIGIBILITY DOCUMENTATION**

Via Electronic Mail

September 25, 2018



Mr. Newton Tedder  
US Environmental Protection Agency  
Stormwater and Construction Permits Section (OEP06-1)  
Five Post Office Square, Suite 100  
Boston, MA 02109

Re: NH MS4 General Permit Historic Properties Evaluation – VA Medical Center, Manchester,  
718 Smyth Road, Manchester, New Hampshire

Dear Mr. Tedder:

Woodard & Curran, on behalf of the Veterans Affairs Medical Center Manchester, New Hampshire Campus (VAMC Manchester, site) has determined that the discharges regulated under the 2017 New Hampshire Small MS4 General Permit (Permit) do not have the potential to cause effects to any properties listed on the National Register of Historic Places. Using the screening process presented in Appendix D of the Permit, the VAMC Manchester is eligible for Permit coverage under Criterion A.

During an evaluation of the site's MS4 operations it was determined that Smyth Tower is located on the site and is registered as a historic place. However; Smyth Tower is not located near or within proximity to known stormwater discharges, allowable non-stormwater discharges, and/or stormwater discharge related activities originating from the VAMC Manchester that would affect this historic structure. Additionally, due to Smyth Tower's location on the highest elevation point of the site in a pervious area, stormwater generated from the site is not expected to affect the structure. Stormwater and allowable non-stormwater discharges will be periodically evaluated, as well as the potential for future construction activities occurring near this historic structure, throughout the Permit term to determine whether additional actions are required to mitigate the effects of stormwater discharges, should they occur. It is important to note that no other historic properties are located within proximity to the site.

Please do not hesitate to contact either of the undersigned if you have any questions about the VAMC Manchester's stormwater management program.

Sincerely,

Handwritten signature of Amanda Furtado in black ink.

Amanda Furtado  
GEMS Program Manager  
VAMC Manchester  
[Amanda.Furtado@va.gov](mailto:Amanda.Furtado@va.gov)  
1-603-624-4366 x6241

Handwritten signature of Janelle Bonn in black ink.

Janelle Bonn  
Project Scientist  
Woodard & Curran  
[jbonn@woodardcurran.com](mailto:jbonn@woodardcurran.com)  
1-401-427-1314

cc: William Kulas, VA

PN: 229618

Via Electronic Mail

September 25, 2018



Mr. Newton Tedder  
US Environmental Protection Agency  
Stormwater and Construction Permits Section (OEP06-1)  
Five Post Office Square, Suite 100  
Boston, MA 02109

Re: NH MS4 General Permit Endangered Species Determination – VA Medical Center Manchester,  
718 Smyth Road, Manchester, New Hampshire

Dear Mr. Tedder:

The Veterans Affairs Medical Center Manchester, New Hampshire Campus (VAMC Manchester, site) is a federal, non-traditional MS4 designated by the U.S. Environmental Protection Agency (EPA) for conducting formal or informal consultation with the U.S. Fish and Wildlife Service as a condition of coverage under the 2017 New Hampshire Small MS4 General Permit (Permit).

Woodard & Curran, on behalf of the VAMC Manchester, has evaluated the U.S. Fish & Wildlife Service iPAC Biological and Conservation Data System files in accordance with the methodology presented in Appendix C of the Permit to determine the presence of endangered or threatened species within the program implementation area.

Our review evaluated the area of impact related to required program activities, analysis of these program activity areas within the iPAC database, examining maps, and the personal knowledge of staff and/or cooperating experts with knowledge of site operations.

According to the information currently in the iPAC database, one listed endangered species is located within the vicinity of the VAMC Manchester: the Small Whorled Pogonia. No threatened or candidate species and no critical habitat were identified within the project area. The formal U.S. Fish and Wildlife Service consultation response letter is provided as an attachment to this letter. The proposed stormwater program activities being conducted at the VAMC Manchester include non-structural management of stormwater runoff as required by the Permit. These activities will include education, investigation, and pollutant source control on existing facilities and roadways and will not disturb terrestrial vegetation. As such, activities associated with implementation of the Permit requirements will have “no effect” to the habitats potentially receiving stormwater discharges from the site.

The VAMC Manchester will continue to evaluate potential effects to threatened, endangered, or candidate species and critical habitat related to installation of structural stormwater treatment practices or other land disturbing activities enacted as a result of maintaining compliance with the Permit, and initiate either informal or formal consultation with the U.S. Fish and Wildlife Services to determine potential impacts.

Based on this review and an evaluation of determination requirements outlined in Appendix C of the Permit, we have determined that the VAMC Manchester meets Criterion C.

Please do not hesitate to contact either of the undersigned if you have any questions about the VAMC Manchester’s stormwater management program.



Sincerely,

*Amanda Furtado*

Amanda Furtado  
GEMS Program Manager  
VAMC Manchester  
[Amanda.Furtado@va.gov](mailto:Amanda.Furtado@va.gov)  
1-603-624-4366 x6241

*Janelle Bonn*

Janelle Bonn  
Project Scientist  
Woodard & Curran  
[jbonn@woodardcurran.com](mailto:jbonn@woodardcurran.com)  
1-401-427-1314

Enclosures

cc: William Kulas, VA

PN: 229618



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>

In Reply Refer To:

September 18, 2018

Consultation Code: 05E1NE00-2018-SLI-3124

Event Code: 05E1NE00-2018-E-07344

Project Name: VA Manchester, NH Medical Campus MS4 General Permit

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New England Ecological Services Field Office**

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

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## Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1890">https://ecos.fws.gov/ecp/species/1890</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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**APPENDIX E:        SANITARY SEWER OVERFLOW INVENTORY**



### Sanitary Sewer Overflow Inventory

<b>Location</b>	
<b>Did SSO enter waterbody directly or through MS4 discharge?</b>	
<b>Date and Time of SSO Occurrence</b>	
<b>Estimated Volume of SSO</b>	
<b>Known or suspected cause of SSO</b>	
<b>Corrective Measures and Dates Implemented</b>	
<b>Planned Corrective Measures and Implementation Schedule</b>	

Note: As of March 2019, no SSOs have occurred at the VAMC Manchester campus within the previous 5 years. In the event of a SSO this table will be updated accordingly.



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**APPENDIX F: ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM**

**VA**



U.S. Department  
of Veterans Affairs



Document to Be Included Upon Production



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**APPENDIX G: CONSTRUCTION SITE RUNOFF PROGRAM**

**VA**



U.S. Department  
of Veterans Affairs



Document to Be Included Upon Production



**APPENDIX H:      RECORD OF CHANGES**



DESCRIPTION OF CHANGE	REASON FOR CHANGE
<p>Section 2, Campus Information, page 2-1: receiving waterbody information changed; Section 3.1.3, Requirement to Meet Water Quality Standards, page 3-2; receiving waterbody information changed.</p>	<hr/> <hr/> <hr/> <hr/> <hr/>
<p><b>Signature:</b> _____ <b>Date:</b> _____</p>	
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<p><b>Signature:</b> _____ <b>Date:</b> _____</p>	



[woodardcurran.com](http://woodardcurran.com)  
COMMITMENT & INTEGRITY DRIVE RESULTS