ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM

AUTHORIZATION TO DISCHARGE STORMWATER FROM A MUNICIPAL SEPARATE STORM SEWER SYSTEM TO PROTECTED SURFACE WATERS

This permit provides authorization to discharge under the Arizona Pollutant Discharge Elimination System (AZPDES) program, in compliance with the provisions of the Arizona Revised Statutes (A.R.S.) Title 49, Chapter 2, Article 3.1, the Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Article 9, and amendments thereto; and the Clean Water Act as amended (33 U.S.C. 1251 *et seq*.). The Permittee, the

Arizona Department of Transportation

205 S. 17th Ave., Mail Drop EM02

Phoenix, Arizona 85007

is authorized statewide (except for Indian Country) to discharge stormwater from the municipal separate storm sewer system (MS4) owned or operated by the Arizona Department of Transportation (ADOT) to protected surface waters in Arizona in accordance with the terms and conditions set forth in this permit. State requirements for discharges to waters that are not waters of the U.S. (non-WOTUS), but are protected surface waters, are enforceable solely by the Arizona Department of Environmental Quality (ADEQ).

This permit becomes effective on July 1, 2021.

This permit modification is effective on May 13, 2022

This permit and the authorization to discharge expire at midnight June 30, 2026.

Arizona Department of Environmental Quality

Trevor Baggiore, Director

Water Quality Division

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1.0 AUTHORIZATION

[40 CFR 122.26(a)(3)(i) incorporated by reference in A.A.C. R18-9-A905; A.R.S. 49-221(G)]

1.1 Authorized Discharges

Subject to the terms and conditions of this permit, ADOT is authorized to discharge stormwater from MS4 outfalls owned or operated by ADOT to all waters on the protected surface water list, including discharges to waters of the U.S. (WOTUS) and non-WOTUS protected surface waters. The requirements of discharges to non-WOTUS protected surface waters are state-only, and enforceable solely by ADEQ.

1.2 Limitations of Coverage

This permit does not authorize the following discharges:

A. Stormwater discharges associated with industrial activity as defined in 40 Code of Federal Regulations (CFR) 122.26(b)(14)(i)-(ix) and (xi);

B. Stormwater discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) or 40 CFR 122.26(b)(15); and

C. Non-stormwater discharges, except discharges associated with Allowable Non-stormwater Discharges in Section 4.6.B.

2.0 LEGAL AUTHORITY

To the extent allowable under state law, the Permittee shall continue to develop, maintain, and enforce adequate legal authority to control the discharge of pollutants into and from its MS4 through a combination of policies, standards, permits, agreements or other means necessary.

2.1 Review Legal Authority

[40 CFR 122.26(d)(1)(ii) incorporated by reference in A.A.C. R18-9-A905]

Within 12 months of the effective date of this permit, the Permittee shall review, revise and/or adopt relevant rules, memorandums of agreement or other regulatory mechanisms, to the extent allowable under state law that provides the Permittee adequate legal authority to control the discharge of pollutants into and from its MS4, and to meet the requirements of this permit.

2.2 Maintain Adequate Legal Authority

[40 CFR 122.26(d)(2)(i) incorporated by reference in A.A.C. R18-9-A905]

To be considered adequate, this legal authority must, at a minimum, authorize or enable the Permittee to:

A. Control through ordinance, permit, contract, order or similar means the contribution of pollutants to its MS4 by stormwater discharges associated with industrial activity and the quality of stormwater discharged from sites of industrial activity;

B. Control through ordinance, permit, contract, order or similar means the contribution of pollutants to its MS4 by stormwater discharges associated with construction activity and the quality of stormwater discharged from sites of construction activity;

C. Prohibit through ordinance, order or similar means, illicit discharges to the MS4;

D. Control through ordinance, order or similar means discharges to its MS4 of spills, dumping or disposal of materials other than stormwater;

E. Require compliance with conditions in ordinances, permits, contracts or orders;

F. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance and noncompliance with permit conditions including the prohibition on illicit discharges to the MS4; and

G. Establish requirements for post-construction stormwater controls.

3.0 PROTECTION AND COMPLIANCE WITH ARIZONA SURFACE WATER QUALITY STANDARDS

3.1 Protection of Water Quality from MS4 Discharges

[40 CFR 122.26(d)(2)(iv); A.R.S. 49-221]

A. The Permittee shall protect water quality by reducing the discharge of pollutants, to the maximum extent practicable (MEP), that may cause or contribute to an exceedance of any applicable surface water quality standard (SWQS) of the State of Arizona (A.A.C. Title 18, Chapter 11, Article 1),

including the narrative standards that are applicable to the protected surface waters receiving discharges from the MS4. To do so, the Permittee shall fully implement the Stormwater Management Program (SWMP), any subsequent revisions, and all requirements of this permit.

[40 CFR 122.26(d)(2)(iii)]

B. The Permittee shall analyze stormwater monitoring data at the identified outfalls, as required in Section 5.0 (Monitoring Requirements), by submitting Discharge Monitoring Reports (DMRs) with the stormwater monitoring data to compare with the applicable SWQS for the protected surface water. An exceedance of a SWQS is not considered a violation of this permit as long as the Permittee is implementing applicable control measures to reduce the discharge of pollutants to the MEP in the land-use area(s) where such exceedances have occurred and where that land-use area is identified across the MS4 region.

C. The Permittee shall evaluate the effectiveness of existing control measures on the pollutant(s) of concern for the applicable land use and modify existing control measures or implement additional control measures, as necessary, to reduce the discharge of pollutants to the MEP.

D. If, despite full implementation of the SWMP and other requirements of this permit to reduce the discharge of pollutants, the Permittee determines that a discharge contains a pollutant above a SWQS, then the Permittee shall report this information in the annual report. The information in the annual report shall include, at a minimum, the information specified in Section 6.0 (Reporting Requirements) of this permit.

3.2 SWQS Exceedances Notification and Planning

A. If the Permittee has credible, site specific information (that is not required to be reported in Section 6.1) that a discharge from their MS4 is causing or contributing to a SWQS exceedance, the Permittee shall notify the Arizona Department of Environmental Quality (ADEQ) within 30 calendar days of becoming aware of the exceedance.

B. If implementation of permit requirements does not address the exceedance, and the exceedance is not a routine or ubiquitous stormwater pollutant, the Permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ within 60 calendar days of becoming aware of the SWQS exceedance.

C. All notifications in this permit are to be submitted to ADEQ at AZPDES@azdeq.gov.

D. If a discharge containing pollutants above an applicable SWQS persists and the Permittee has not modified existing control measures or implemented additional control measures to reduce the discharge of pollutants to the MEP, this permit may be reopened and modified as provided in A.A.C R18-9-B906 and 40 CFR 122.62.

3.3 Discharges from the MS4 to Impaired Waters

[A.A.C. R18-11-604]

A. The Permittee shall develop and implement control measures to minimize the discharge of any listed parameter(s) from the MS4 to protected surface waters listed on the most current version of Arizona's 303(d) list and not-attaining waters listed in the 305(b) Assessment Report. In addition to the monitoring requirements in Table 1, ADOT will only monitor discharges to 303(d) listed impaired and 305(b) listed non-attaining waters if the point of discharge is within ¼ mile of the ordinary high-water mark of that listed water, and it has been shown through statistically robust methods and verifiable data that ADOT activities are a significant contributor of the pollutant(s) of concern to those waters.

B. If a total maximum daily load (TMDL) has been established, the SWMP shall be consistent with the requirements of the TMDL, including any ADOT assigned waste load allocation in the TMDL (Appendix C). The SWMP must identify Best Management Practices (BMPs) the Permittee will use to meet waste load allocations and include monitoring for associated pollutant(s).

1. If a WLA is exceeded the Permittee shall propose to ADEQ an action plan, including a schedule for implementation, and submit it to ADEQ at AZPDES@azdeq.gov within 60 calendar days of becoming aware of the WLA exceedance. ADEQ shall provide a review and approval within 30 calendar days. The Permittee shall then incorporate the action plan into their SWMP. Repeat exceedances for the same parameter of the WLA does not require submittal of another action plan.

C. If a TMDL has not been established then ADOT shall address and identify BMPs used to control the discharge of 303(d) listed pollutants to the MEP in the SWMP, if it has been shown through statistically robust methods and verifiable data that ADOT activities are a significant contributor of the pollutant(s) of concern to those waters, and if the ADOT generated point source discharges are located within ¼ mile of the ordinary high water mark of that 303(d) listed impaired water. In addition, ADOT will rely on the engineered best available demonstrated pollutant removal effectiveness as the monitored level of pollutant removal to satisfy the monitored status, and will follow industry standards of maintenance to ensure long term effectiveness.

4.0 STORMWATER MANAGEMENT PROGRAM (SWMP)

[40 CFR 122.26(d)(2)(iv) incorporated by reference in A.A.C. R18-9-A905]

4.1 Program Implementation

The Permittee shall continue to implement and maintain a SWMP designated to reduce the discharge of pollutants, from the MS4, to the MEP to protect water quality and satisfy applicable SWQS. The Permittee shall review the SWMP at least annually to modify or revise, as needed, existing elements and/or develop new elements to comply with requirements for authorized stormwater discharges from the MS4.

A. At a minimum, the Permittee must include the following information in its SWMP document:

1. Agreements, policies, or other regulatory mechanisms providing the legal authority necessary to implement and enforce the requirements of this Permit;

2. Written procedures describing how the Permittee will implement provisions described in Sections 4.2 - 4.10.

The Permittee shall keep records demonstrating compliance with the requirements of the permit for a minimum of three (3) years.

B. Any contractor hired by the Permittee to perform activities must be contractually required to comply with all of the standard operating procedures (SOPs) described in the SWMP.

1. The Permittee must provide oversight of contractor activities to ensure that contractors are using appropriate control measures and SOPs. Oversight procedures must be described in the SWMP.

4.2 Training

A. The Permittee shall implement an employee stormwater training program and shall outline and update the program as necessary in the SWMP. Training of ADOT employees for each subject-specific area shall include: new ADOT employees whose job responsibilities include stormwater duties; and existing ADOT employees whose job responsibilities change to include stormwater duties. All such employees shall receive initial training within 12 months of employment or change in duties. The Permittee shall require refresher training for all subject-specific areas at least once every three (3) years thereafter. The Permittee shall keep records of all employees who receive stormwater training and shall summarize the training and attendance in the annual report.

1. The Permittee shall provide stormwater awareness training to educate personnel at all levels of responsibilities who are involved in activities that may impact stormwater quality and those staff who may come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system.

2. The Permittee shall provide training to all staff who may be involved in waste disposal, spill prevention and response. Training shall include:

    a. Procedures to prevent, contain, and respond to spills, and

    b. Proper handling, storage, transportation, and disposal of toxic and hazardous materials, including used oil and batteries, to prevent or minimize spills or discharges to the storm sewer system.

3. The Permittee shall provide training to all staff directly involved in storm sewer system maintenance, street repair, and road improvement. Training shall include:

    a. Potential sources of contaminants related to repair and maintenance activities, and

    b. Proper maintenance, housekeeping, and repair control measures to prevent discharges to the storm sewer system and protected surface waters.

4. The Permittee shall provide training to all staff directly involved in performing stormwater construction site inspections. Training shall include:

    a. Requirements of this permit and AZPDES Construction General Permit (CGP) for structural and non-structural control measures on construction sites, such as erosion and sediment control and waste control,

    b. ADOT Contractor’s requirements to obtain coverage under and comply with the AZPDES CGP and requirements of that permit, and

    c. ADOT’s compliance, enforcement, and contractual processes to minimize stormwater discharges.

5. The Permittee shall continue to require training and certification for its construction contractors. The selected course shall train ADOT

construction contractors on the erosion and sediment control measure requirements in the AZPDES CGP and the inspection and maintenance requirements of these controls. ADOT shall maintain a description of the program to train and certify ADOT construction contractors in the SWMP.

6. The Permittee shall provide training to all staff directly involved in controlling stormwater runoff from new development and redevelopment, including those persons with responsibilities for preliminary design, design, and design review. Training shall include:

   a. Concepts and use of post-construction control measures to prevent or minimize water quality impacts, and

   b. Design standards, maintenance requirements, and planning as related to stormwater.

4.3 Enforcement Measures and Tracking

A. Enforcement Response Plan (ERP)

1. The Permittee shall continue to implement, and revise if necessary, an ERP. The Permittee shall review the ERP at least annually and update as necessary. The ERP shall describe how the Permittee will use each of the following types of enforcement responses based on the type of violation.

   a. Where the Permittee lacks direct legal authority to prohibit illicit discharges, require compliance, receive and collect information, inspect, respond to violations, levy monetary penalties or impose civil/ criminal penalties, the Permittee shall establish agreements with other agencies, to the extent allowable by state law, including, but not limited to the Arizona Office of the Attorney General. Such interagency agreements shall, at a minimum, contain the following:

      i. Inter-agency Divisions

      ii. Process for referring matters to the appropriate agency for enforcement

      iii. Time frames for referrals, actions, response and resolution

   b. Verbal Warnings – At a minimum, verbal warnings shall specify the nature of the violation and required corrective action.

c. Written Notices – Written notices of violation, or their equivalent, shall stipulate the nature of the violation and the required corrective action, with deadlines for taking such action.

d. Escalated Enforcement Measures – ADOT shall establish and maintain the legal ability to employ any combination of the enforcement actions below (or their functional equivalent), and to escalate enforcement responses where necessary to address non-compliance, repeat or escalating violations, or incidents of major environmental harm:

i. Citations – The ERP shall define the process whereby ADOT shall refer to the Attorney General's Office for assessment of monetary fines, which may include civil and administrative penalties.

ii. Stop Work Orders – The ERP shall define ADOT's authority to: a) issue stop work orders that require construction activities to be halted, except for those activities directed at cleaning up, abating discharge, and installing appropriate control measures; b) withhold payment from a contractor for deficiencies in construction; and c) charge illegal encroachers for the removal of an illicit connection/ encroachment.

iii. Withholding of Plan Approvals or Other Authorizations – Where a construction contractor is in non-compliance, the ERP shall address how ADOT's own approval process affecting the contractor's ability to discharge to the MS4 can be used to abate the violation.

iv. Additional Measures – ADOT shall also establish and implement additional enforcement measures, as necessary, to address CGP non-compliance and/ or violations committed by contractors, illicit dischargers and other persons who create illicit discharges.

B. Enforcement Tracking

1. The Permittee shall track instances of non-compliance either in hard copy files or electronically. The enforcement case documentation shall include, at a minimum, the following:

a. Name of owner/operator of facility or site of violation
b. Location of the illicit discharge source (*e.g.*, construction project, industrial facility)

c. Description of violation
d. Required schedule for returning to compliance
e. Description of enforcement response used, including escalated responses if repeat violations occur or violations are not resolved in a timely manner
f. Accompanying documentation of enforcement response (*e.g.*, notices of noncompliance, notices of violations)
g. Any referrals to different departments or agencies
h. Date violation was resolved.

C. Enforcement Authority Framework

The Permittee shall include as part of its written SWMP the framework for enforcing the use of its storm sewer system. This statement shall include:

1. Identification of all departments within the Permittee's jurisdiction that conduct stormwater-related activities and their roles and responsibilities under this permit. Include an up-to-date organizational chart specifying these departments, key personnel, and contact information.

2. Identification of the Permittee's administrative and legal procedures, rules and statutes available to mandate compliance with stormwater-related requirements and therefore with the conditions of this permit.

3. A description of how stormwater related-requirements are implemented and, where applicable, appealed.

4. A description of the Permittee's procedures to issue administrative orders and injunctions through the Arizona Attorney General's Office or the court system for enforcement actions.

4.4 Public Outreach and Education

[40 CFR 122.26(d)(2)(iv)(B)(6)]

The Permittee shall implement a public outreach and education program to provide information to the general public about actions individuals can take to reduce transportation-related pollutants and improve water quality. The Permittee shall implement or participate in a stormwater education program that uses different types of media and targets a wide range of audiences.

A. The Permittee shall provide outreach and education to the public on the stormwater program issues and requirements. The SWMP shall include details of the outreach strategy that shall be implemented the entire permit term.

1. At a minimum, the Permittee shall provide public education and outreach to at least one (1) target group and focus its efforts on conveying relevant messages using one (1) or more appropriate topic(s).

2. The Permittee shall evaluate and measure the understanding and adoption of the targeted behaviors for at least one target audience in at least one subject area. No later than the end of year four (4), the Permittee shall use the results of the evaluation to direct future education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors. The Permittee may meet this requirement individually or as a member of a regional group.

    a. The 4th year annual report shall include an evaluation of the target audience in a subject area and any changes adopted in response to targeted behaviors in order to be more effective. If a member of a regional group, the Permittee may not submit the same evaluation report as other members of the regional group. The evaluation report must be tailored to the Permittee.

4.5 Public Involvement and Participation

The Permittee shall engage the public to effectively message stormwater pollution prevention, to undertake group activities that highlight storm drain pollution, and contribute volunteer community actions to restore and protect local water resources. The SWMP shall include details of the public involvement/participation strategy.

A. The Permittee shall host an annual public SWMP workshop to inform and engage interested members of the public with the development and implementation of all parts of the Permittee's SWMP.

B. The Permittee shall create opportunities for citizens to participate in the implementation of stormwater controls (e.g., stream clean-ups, storm drain stenciling, volunteer monitoring, educational activities, and facilitation of litter control activities).

C. The Permittee shall provide and publicize a reporting system to facilitate and track public reporting of spills, discharges and/or dumping to the MS4 on a continuous basis.

D. No later than one (1) year from the permit's effective date, the current SWMP and latest annual report shall be posted on the Permittee's website. The current SWMP and annual report in subsequent years shall be posted no later than thirty (30) days of the due date of the annual report.

4.6 Illicit Discharge Detection and Elimination (IDDE)

[40 CFR 122.26(d)(2)(iv)(B)]

A. The Permittee must implement a program to detect, investigate, and eliminate non-stormwater discharges including dumping and spills, into its system. Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to an AZPDES or National Pollutant Discharge Elimination System (NPDES) permit and discharges resulting from emergency firefighting activities.

1. The SWMP shall detail the components and implementation of the Permittee's program designed to prevent, detect, characterize and eliminate illicit discharges into the MS4.

2. The program shall include procedures for addressing pollutants entering the MS4 from an interconnected MS4.

B. Allowable Discharges

[40 CFR 122.26(d)(2)(iv)(B)(1)]

The following categories of non-stormwater discharges or flows shall be addressed where such discharges are identified by the MS4 as sources of pollutants to a protected surface water:

1. Water line flushing
2. Landscape irrigation
3. Diverted stream flows
4. Rising ground waters
5. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005 (b)(20)) to separate storm sewers
6. Uncontaminated pumped groundwater
7. Discharges from potable water sources
8. Foundation drains
9. Air conditioning condensation
10. Irrigation water
11. Springs
12. Water from crawl space pumps
13. Footing drains
14. Lawn watering
15. Individual residential car washing
16. Flows from riparian habitats and wetlands
17. Dechlorinated swimming pool discharges
18. Street wash water
19. Discharges or flows from emergency firefighting activities

20. Discharges from emergency highway situations where federal rules specify washing as the preferred method to ensure public safety
21. Discharges authorized by another AZPDES or NPDES permit

C. MS4 Mapping

1. The Permittee shall maintain an inventory of all known MS4 outfalls, interconnections with other MS4s, and those outfalls identified by the Permittee as priority for illicit discharges or other non-stormwater flows.

    a. When identifying priority outfalls, the Permittee must consider at a minimum:

        i. History of illicit discharges and any cause for prioritization identified by the Permittee;

        ii. Discharges to/within another regulated MS4

        iii. Discharges located within ¼ mile and upstream of listed impaired, Outstanding Arizona Waters (OAWs), and/or perennial waters.

2. The Permittee's MS4 map must include the location of all known MS4 outfalls, and shall include, at a minimum, the following information about the outfall:

    a. The ADOT outfall location, including latitude and longitude;

    b. Outfall diameter;

    c. Outfall type (corrugated metal pipe, cast concrete, etc.);

    d. The drainage pattern and the water quality status (unimpaired, not-attaining, impaired or OAW of the receiving water;

    e. The associated stormwater collection and conveyance structures (*e.g.* drainage pipes, streets, floodway structures, drywells, retention/ detention basins);

    f. The surrounding highway system, including the nearest milepost; and

    g. The relevant ADOT district boundary.

3. The Permittee's MS4 map must include the location (and name, where known to the Permittee) of all protected surface waters, including the water quality status, receiving discharges from those outfalls. Each mapped outfall must be given a unique identifier, which must be noted on the map.

4. A copy of the storm sewer system map must be available for review by the permitting authority upon request.

5. The Permittee shall continue to map the state highway system including stormwater sewer components and outfalls under a defined schedule. The following shall be completed by the end of this permit term:

    a. Mapping for highway corridors: US 60, State Route (SR) 77, SR 85, SR 260, US 95, SR 69, SR 87, and SR 89, based on the SR Mapping Plan submitted and approved by ADEQ in 2019.

D. Inspections and Screening

1. The Permittee shall continue to implement an ongoing program designed to detect and identify non-stormwater discharges into the Permittee's MS4. Inspections and screening for non-stormwater discharges into the MS4 may be conducted using the Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments, Center for Watershed Protection, October 2004 (available at www.cwp.org); or another method of equal or improved effectiveness.

    a. Inspections can include maintenance activities performed throughout the year, so long as stormwater function is part of those maintenance activities.

2. The Permittee shall inspect all "priority" outfalls once each year of the permit term.

3. At a minimum, the Permittee shall inspect approximately 20% of the remaining (i.e., non-priority) outfalls each year of the permit term, reaching 100% of all outfalls within five (5) years of the effective date of this permit. The Permittee shall document inspections, findings, and report evidence of non-stormwater flows, and follow-up actions taken by the Permittee.

4. The Permittee shall conduct ongoing dry weather field screening of outfalls. Field screening includes:

    a. Visual inspection for flow, trash, suds, odors, etc.

    b. Field sampling, when significant flow is observed for chemical indicator parameters.

    c. Re-inspection and sampling within 24 hours, if flow is still present.

E. Investigation Timelines

1. The Permittee shall immediately respond to all illicit discharges which constitute a threat to human health or the environment.

2. The Permittee shall investigate (or refer to the appropriate agency with authority to act) within five (5) business days for at least 90% of all reports of illicit discharges to the Permittee's MS4.

F. Source of the Illicit Discharge

ADOT shall determine and document through its investigations the source of all illicit discharges.

1. If an illicit discharge is found, but within six (6) months of the beginning of the investigation neither the source nor the same non-stormwater discharge has been identified/ observed, then ADOT shall maintain written documentation for review upon request by ADEQ.

2. If the observed discharge is intermittent, ADOT shall document that a minimum of three (3) separate investigations were made to observe the discharge when it was flowing. If these attempts are unsuccessful, ADOT shall maintain written documentation for review upon request by ADEQ. However, since this is an ongoing program, ADOT should periodically recheck these suspected intermittent discharges.

G. Duty to Eliminate Illicit Discharge

Immediately upon determining the source of the illicit discharge, ADOT shall notify the responsible party of the problem to cease the discharge immediately. Furthermore, ADOT shall require the responsible party to conduct all necessary actions to eliminate the non-stormwater discharge within 24 hours of notification.

Upon being notified that the discharge has been eliminated, ADOT shall conduct a follow-up investigation, with field screening, consistent with Section 4.6.E, to verify that the discharge has been eliminated. ADOT shall document its follow-up investigation.

H. Coordinate with Local Jurisdictions for Complaint Response and Investigation

1. The SWMP shall include a description of ADOT's procedures for coordinating with municipalities and state or federal regulatory agencies to address situations where investigations indicate that the illicit discharge originates outside ADOT's jurisdiction.

2. ADOT shall continue to implement procedures for notifying other jurisdictions, including ADEQ, for assistance in enforcement where ADOT lacks legal authority to establish enforceable rules or if an illicit discharger fails to comply with procedures or policies established by ADOT.

I. Responding to Spills

ADOT shall implement and maintain control measures to respond to spills that occur to ADOT's storm sewer system. ADOT shall continue compliance with the Arizona State Emergency Response and Recovery Plan for ADOT's

Emergency Response Program and shall identify these procedures in the SWMP.

J. Recordkeeping

1. The Permittee shall track and maintain records of the activities conducted to meet the requirements of this section.

2. The Permittee shall submit as part of each annual report a summary of IDDE activities in tabular format. The required fields are:

a. ADOT AZPDES Number
b. Date incident reported or discovered
c. Date of the beginning of your response
d. Date of the end of your response
e. Did the discharge reach a protected surface water [or] discharge from the MS4, yes or no?
f. Incident location (address or latitude and longitude)
g. Pollutants
h. Source
i. Correction method(s)

4.7 Pollution Prevention and Good Housekeeping Practices for Facilities

A. Inventory and Prioritization for Facilities

1. The Permittee shall develop and update at least annually an inventory, database, list, map, or other equivalent tracking system of facilities and activities with potential stormwater pollutant generating sources.

2. The Permittee shall develop and implement a process to prioritize the facilities and associated activities according to risk for the amount and type of potential stormwater pollutants, including the proximity relative to an impaired, not-attaining and OAW.

3. At a minimum, the Permittee shall annually inspect all facilities identified in 4.7.B.1. The Permittee may count follow up compliance inspections at the same site toward the annual inspection rate.

B. Good Housekeeping Measures for Facilities

1. The Permittee shall implement a site specific Stormwater Pollution Prevention Plan (SWPPP) for all facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the Multi-Sector General Permit (MSGP) or another AZPDES or NPDES permit that authorizes stormwater discharges associated with the activity. All SWPPPs shall be maintained on-site. The Permittee shall evaluate all facilities requiring SWPPPs or SWPPP

updates within 12 months of the effective date of this permit. All SWPPPs shall be updated within 24 months of the effective date of this permit to include the following information. The SWPPP shall include periodic visual observation of discharges from the facility to evaluate the effectiveness of BMPs. At a minimum, the SWPPP shall include:

a. A description of the operational and structural BMPs in use at the facility. The SWPPP shall be updated as needed.

b. At the minimum, annual inspections of the facility shall be conducted to evaluate the effectiveness of the BMPs and identify maintenance needs. If it is determined that additional or different BMPs are needed, the schedule for implementation shall be documented and the SWPPP shall be updated. The results of these inspections shall be documented in an inspection report or check list.

c. An inventory of the materials and activities conducted at the facility which may be exposed to precipitation or runoff and could result in stormwater pollution.

d. A site map showing the facility's stormwater drainage, discharge points, areas of potential pollutant exposure and near-by surface waters clearly identified.

e. A plan for preventing and responding to spills at the facility which could result in an illicit discharge. The plan shall include a system to track and record spills or other releases.

f. A description and location of salt storage, deicing and anti-icing chemicals.

g. A training plan for all personnel responsible for implementing components of the SWPPP.

h. A list of personnel responsible for the implementation of the on-site SWPPP.

i. A summary of any corrective actions.

C. Recordkeeping

1. The Permittee shall track and maintain records of the activities conducted to meet the requirements of this Section.

4.8 Measures to Control Discharges from Highway Operations and Maintenance

The Permittee shall implement programs for roadway and storm sewer system maintenance, cleaning and repair, vegetation management, erosion abatement and winter storm policies to reduce the discharge of pollutants to and from the storm sewer system. The SWMP shall include control measures, policies and procedures to prevent or reduce the discharge of pollutants to and from the MS4.

A. Maintenance Schedules and Prioritization for Highway Operations

1. The Permittee shall identify and develop routine maintenance schedules and maintenance priorities for its storm sewer system, including roadways, to minimize pollutant discharges from the storm sewer system.

2. The Permittee shall evaluate and update maintenance schedules and priorities annually, as needed.

B. Repairs, Maintenance, and Cleaning for Highway Operations

1. The Permittee shall repair, maintain, and clean its roadways used for stormwater conveyance and its storm sewer system to minimize the discharge of pollutants (including floatable debris) from the storm sewer system.

2. The Permittee shall, during repair, maintenance or cleaning activities, ensure that all storm drain inlets are assessed for evidence of illicit discharges (including illegal dumping), such as significant amounts of a specific pollutant(s) or material(s). Upon discovery, the Permittee shall initiate procedures in accordance with the IDDE program as described in Section 4.6.

3. The Permittee shall, when performing repair, maintenance, or cleaning of the storm sewer system, including roadways, implement appropriate control measures to reduce the discharge of pollutants to and from the storm sewer system.

C. Inspections for Highway Operations

1. The Permittee shall inspect and record conditions of the storm sewer system, including roadways used for stormwater conveyance, catch basins, storm drain inlets, open channels, washes, culverts, and retention/detention basins to identify potential sources of pollutants and determine maintenance needs.

D. Waste Disposal for Highway Operations

1. The Permittee shall properly dispose of waste removed from its roadways and storm sewer system, including dredge spoil and accumulated sediments, products, materials and other wastes.

E. Good Housekeeping Measures for Highway Operations and Maintenance

1. The Permittee shall implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from ADOT operational rights-of-way and maintenance activities. The Permittee shall implement and maintain the ADOT Maintenance and Facilities Best Management Practices Manual.

a. The following activities shall be addressed:

- Maintaining highway and roadside areas, including vegetation management
- Road repair and resurfacing, including pavement grinding
- Pavement striping maintenance
- Street cleaning and maintenance
- Landscape maintenance and vegetation disposal
- Sediment and erosion control
- Utility installation
- Cleaning of culverts that convey stormwater in ditch systems
- Ditch maintenance
- Pipe cleaning
- Dust control
- Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts
- Snow and ice control
- Trash and other waste management
- Building exterior cleaning and maintenance.

4.9 Construction

A. Applicability Requirements for Notice of Intent (NOIs)

1. The Permittee shall submit separate and accurate NOIs for construction activities, for which the Permittee meets one or both of the definitions of “operator” as defined in the CGP.

2. The Permittee shall require its contractors to submit a separate NOI for each project subject to the CGP.

B. Plan Review and Approval

1. For construction projects that will result in land disturbance of one (1) acre or more (including those less than one (1) acre, but are part of a larger common plan of development) the Permittee shall review and approve at least 80% of plans.

2. For construction projects that will result in land disturbance of one (1) acre or more (including those less than one (1) acre, but are part of a larger common plan of development) the Permittee shall review contractor SWPPPs, prior to issuing approval or authorizations.

C. Inventory

1. The Permittee shall develop and update a comprehensive inventory within one (1) year of the effective date of this permit. This inventory shall include new projects, sites that have achieved final stabilization and that the Permittee considers complete, and projects turned over to the Permittee to ensure stabilization during the current permit term. The Permittee shall maintain and update annually, thereafter.

   a. Summarize in the annual report the construction site inventory.

2. The Permittee shall develop a mechanism to identify and document facilities subject to the CGP that did not file a timely NOI (i.e., before construction activities were initiated). This system of non-filer notification shall also contain a means of communication with operators of these construction activities to inform them of their responsibility to comply.

   a. Report non-filers to AZPDES@azdeq.gov within five (5) business days of identification.

D. Inspections

1. The Permittee shall inspect construction sites identified in the inventory in accordance with the CGP and document the inspection protocols.

2. The Permittee shall conduct follow-up inspections of construction sites to ensure stormwater deficiencies/concerns/non-compliance identified as a result of a routine inspection were corrected.

E. Stormwater Control Measures

1. The Permittee shall continue to implement requirements for inspection and enforcement of ADOT's erosion and pollution control procedures in the SWMP. ADOT shall evaluate its 2020 Erosion and Pollution Control

Manual at least annually and not later than June 30 of each year during this permit term, and update the manual as necessary.

4.10 Post-Construction

A. Post-Construction Controls

1. The Permittee shall implement a program to control stormwater discharges from areas of new development and redevelopment after construction is complete. This program shall apply to the Permittee's development or redevelopment projects one (1) year after issuance of this Permit.

   a. The program shall require new development and redeveloped projects of one acre or more, including projects that disturb less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4, will reduce stormwater pollution to the maximum extent practicable. Adequate post-construction BMPs, and policies are presumptively met if the Permittee follows the 2016 ADOT Post-Construction Best Management Practices Manual. The Permittee may also implement a program of equivalent efficacy, provided that such a program's adequacy is documented by the Permittee prior to discharge.

   b. The SWMP must describe the site design strategies, control measures, and other practices deemed necessary by the Permittee to maintain or improve pre-development hydrology.

2. The Permittee shall annually assess ADOT retrofit projects. The Permittee shall report the assessment in the annual report each year. The retrofit assessment shall include, at a minimum:

   a. An inventory of potential retrofit locations/projects, which considers, at a minimum:

      i. Locations that contribute highway transportation-related pollutants of concern to a local agency municipal separate storm sewer system;
      ii. Locations that contribute highway transportation-related pollutants of concern to an impaired or not-attaining waterbody or OAW and
      iii. Locations with significant erosion that contribute highway transportation-related pollutants of concern to protected surface waters.

   b. A ranking of inventoried locations to prioritize potential retrofitting which includes, at a minimum, an evaluation of:

i. Stormwater pollutant control measures;
ii. Feasibility;
iii. Availability of Rights-of-Way;
iv. Cost effectiveness;
v. Roadway area potentially treated; and
vi. Maintenance requirements.

B. Compliance Oversight

1. The Permittee shall inspect 100% of sites discharging to the MS4 from areas of new development and redevelopment projects within one (1) year after construction completion to determine the compliance of their post-construction stormwater controls with the requirements of 4.10.A.1.

2. The Permittee shall develop and implement an inventory, inspection, maintenance, and tracking program for post-construction stormwater BMPs in order to determine the control measures are operating properly and being maintained. The Permittee shall inspect such BMPs at a rate of 20% each year, reaching 100% by the end of the five year permit term.

a. Stormwater facilities/BMPs built under the 2021 permit must meet the required standards in 4.10.A.1.a. Achievement of 80% of the BMP's design standard for detention, retention, or treatment shall constitute compliance.

3. The Permittee shall document non-compliance with BMP standards in 4.10.B.2 and follow-up actions taken by the Permittee to achieve compliance. The Permittee shall assign maintenance responsibility through enforceable means such as rules, policies, memorandums, agreements or other regulatory mechanisms.

5.0 MONITORING REQUIREMENTS

5.1 Monitoring and Assessment

[40 CFR 122.26(d)(2)(iii)]

A. The Permittee shall conduct stormwater monitoring as required by Section 5.0 of this permit. Stormwater monitoring data shall be used, at a minimum, for the following purposes:

1. To characterize stormwater quality and identify stormwater pollutants;

2. To detect and eliminate illicit discharges; and

3. To evaluate the overall effectiveness of control measures and the SWMP as a whole in reducing the discharge of pollutants to the MEP.

5.2 Wet Weather Monitoring

[40 CFR 122.26(d)(2)(iii)]

A. Qualifying Storm Event

The Permittee shall conduct wet weather monitoring for qualifying storm events. A qualifying storm event is rainfall in the amount of 0.1 inches or more and a measurable discharge. Stormwater samples shall be collected from qualifying storm events and at least 72 hours (3 calendar days) after a previous qualifying storm event.

B. Storm Event Records

Each season the Permittee shall record qualifying storm events (0.1 inches or more and resulting in a discharge) occurring at each outfall until all samples required to be collected during that season are obtained from the outfall.

1. The Permittee shall report the storm event data in the annual report, including the following information:

   a. Date of each qualifying storm event;

   b. Amount of rainfall (in inches) in the drainage area for each stormwater monitoring location; and

   c. Indication of whether or not a stormwater sample was collected, and if not, indicate applicable No Data Indicator (NODI) code for explanation that prevented sampling.

C. Stormwater Sampling

The Permittee shall sample stormwater discharges from the MS4 to protected surface waters at the outfalls identified by the Permittee in Part 5.2.D. Stormwater samples shall be collected from the first qualifying storm event of each wet season, and subsequent qualifying storm events, as necessary, to complete the monitoring requirements at each monitoring location (outfall) as required in Part 5.2.F Table 1. Wet seasons, for the purposes of monitoring, shall be defined as follows:

Summer wet season:	June 1 – October 31
Winter wet season:	November 1 – May 31

Stormwater samples shall be collected at the frequencies specified (once each wet season). Sampling shall be conducted over the first three (3) hours of the discharge, or for the entire discharge period if the discharge lasts less

than three (3) hours. The Permittee shall design stormwater sampling procedures to include the “first flush” (first 30 minutes of storm event discharge) of a qualifying storm event, to the extent practicable.

In addition to Table 1, the Permittee shall sample stormwater discharges from the MS4 as required in Part 5.2.F Table 2 during year four (4) of the permit term. This monitoring requirement shall provide discharge characterization data of stormwater discharges from the MS4.

D. Monitoring Locations

The Permittee shall continue monitoring at the Phoenix, Tucson, Sedona, Nogales, and Flagstaff locations. The Permittee shall perform wet weather monitoring at these five (5) established monitoring locations.

E. Sampling Waiver

Sampling of a qualifying storm event is not required during adverse climatic conditions. Adverse climatic conditions which prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, electrical storms, etc.). Information on the conditions that prevented sampling, including technical malfunctions, shall be reported to ADEQ with the DMRs. The Permittee shall continue to monitor subsequent storm events during the monitoring season and perform storm water sampling of a qualifying storm event if another occurs during the same wet season.

F. Stormwater Monitoring Requirements

The following parameters shall be monitored. Any additional parameters may be monitored as determined by the Permittee. All parameters monitored must be reported to ADEQ through the DMRs.

Table 1. Analytical Wet Weather Monitoring

Parameter	**Units**	**Monitoring Frequency**	**Monitoring Type**
Conventional Parameters			
Flow	---	1x/sampling event	---
pH	S.U.	1x/ wet season	Discrete

Hardness	mg/L	1x/ wet season	Flow-proportional composite
Temperature	°C	1x/ wet season	Discrete
Total Suspended Solids (TSS)	mg/L	1x/ wet season	Flow-proportional composite
Microbiological			
Escherichia coli (E. coli)	cfu/100 mL or MPN	1x/ wet season	Discrete
Metals			
Arsenic	µg/L	1x/ wet season	Flow-proportional composite
Barium	µg/L	1x/ wet season	Flow-proportional composite
Cadmium	µg/L	1x/ wet season	Flow-proportional composite
Chromium, Total	µg/L	1x/ wet season	Flow-proportional composite
Copper	µg/L	1x/ wet season	Flow-proportional composite
Lead	µg/L	1x/ wet season	Flow-proportional composite
Mercury	µg/L	1x/ wet season	Flow-proportional composite
Selenium	µg/L	1x/ wet season	Flow-proportional composite
Silver	µg/L	1x/ wet season	Flow-proportional composite
Zinc	µg/L	1x/ wet season	Flow-proportional composite
Nutrients			
Nitrate plus Nitrite as N	mg/L	1x/ wet season	Flow-proportional composite

Ammonia as N	mg/L	1x/ wet season	Flow-proportional composite
Total Kjeldahl Nitrogen (TKN) as N	mg/L	1x/ wet season	Flow-proportional composite
Total Phosphorus	mg/L	1x/ wet season	Flow-proportional composite
Organic Toxic Pollutants			
Total Oil and Grease	mg/L	1x/ wet season	Discrete

Footnotes:

1. Discrete samples shall be collected manually. Flow-proportional composite samples shall be collected for all other parameters specified. A flow-proportional composite sample may be collected with a continuous sampler or as a combination of multiple discrete samples (aliquots). Only one (1) analysis of the composite of aliquots is required. Regardless of the sample type, the Permittee shall attempt to include the "first flush" (first 30 minutes of stormwater discharge) of a qualifying storm event whenever possible to do so.
2. When analyzing for metals, the Permittee shall assume a 1:1 total to dissolved ratio for purposes of reporting and comparison with SWQS. Alternatively, the Permittee may test for dissolved metals, if appropriate field filtering is completed. Hardness data must also be collected and used to calculate the corresponding SWQS for certain metals as indicated by SWQS rules.

Table 2 Analytical Wet Weather Characterization Monitoring

Parameter	**Units**	**Monitoring Frequency**	**Monitoring Type**
Metals			
Antimony	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Barium	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Beryllium	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Thallium	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Volatile Organic Compounds (VOCs)			

Acrolein	µg/L	1x /wet season during year 4 of the permit term	Discrete
Acrylonitrile	µg/L	1x /wet season during year 4 of the permit term	Discrete
Benzene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Carbon tetrachloride	µg/L	1x /wet season during year 4 of the permit term	Discrete
Chlorobenzene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Chlorodibromomethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
Chloroethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
2-chloroethylvinyl ether	µg/L	1x /wet season during year 4 of the permit term	Discrete
Chloroform	µg/L	1x /wet season during year 4 of the permit term	Discrete
Dichlorobromomethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,2-dichlorobenzene	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,3-dichlorobenzene	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,4-dichlorobenzene	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,1-dichloroethane	µg/L	1x /wet season during year 4 of the permit term	Discrete

1,2-dichloroethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,3-dichloropropylene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Ethylbenzene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Methyl bromide	µg/L	1x /wet season during year 4 of the permit term	Discrete
Methyl chloride	µg/L	1x /wet season during year 4 of the permit term	Discrete
Methylene chloride	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,1,2,2-tetrachloroethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
Tetrachloroethylene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Toluene	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,2-trans-dichloroethylene	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,1,1-trichloroethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
1,1,2-trichloroethane	µg/L	1x /wet season during year 4 of the permit term	Discrete
Trichloroethylene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Trimethylbenzene	µg/L	1x /wet season during year 4 of the permit term	Discrete

Vinyl chloride	µg/L	1x /wet season during year 4 of the permit term	Discrete
Xylene	µg/L	1x /wet season during year 4 of the permit term	Discrete
Semi-VOCs - Acid Extractables			
2-chlorophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2,4-dichlorophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2,4-dimethylphenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
4,6-dinitro-o-cresol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2,4-dinitrophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2-nitrophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
4-nitrophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
p-chloro-m-cresol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Pentachlorophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Phenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2,4,6-trichlorophenol	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite

Semi-VOCs -- Base/Neutrals			
Acenaphthene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Acenaphthylene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Anthracene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Benzo(a)anthracene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Benzo(a)pyrene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Benzo(b)fluoranthene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Benzo(g,h,i)perylene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Benzo(k)fluoranthene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Chrysene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Dibenz(a,h)anthracene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
3,3’-dichlorobenzidine	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Diethyl phthalate	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Dimethyl phthalate	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite

Di-n-butyl phthalate	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2,4-dinitrotoluene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
2,6-dinitrotoluene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Di-n-octyl phthalate	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
1,2-diphenylhydrazine (as azobenzene)	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Fluoranthene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Fluorene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Hexachlorobenzene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Hexachlorobutadiene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Hexachlorocyclopentadiene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Hexachloroethane	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Indeno(1,2,3-cd)pyrene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Isophorone	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Naphthalene	µg/L	1x /wet season during year 4 of	Flow-proportional composite

		the permit term	
Nitrobenzene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
N-nitrosodimethylamine	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
N-nitrosodi-n-propylamine	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
N-nitrosodiphenylamine	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Phenanthrene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Pyrene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
1,2,4-trichlorobenzene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB / Pesticides			
Aldrin	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Alpha-BHC	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Beta-BHC	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Gamma-BHC	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Delta-BHC	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Chlordane	µg/L	1x /wet season during year 4 of	Flow-proportional composite

		the permit term	
4,4’-DDT	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
4,4’-DDE	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
4,4’-DDD	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Dieldrin	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Alpha-endosulfan	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Beta-endosulfan	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Endosulfan sulfate	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Endrin	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Endrin aldehyde	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Heptachlor	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Heptachlor epoxide	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB-1242	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB-1254	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite

PCB-1221	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB-1232	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB-1248	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB-1260	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
PCB-1016	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite
Toxaphene	µg/L	1x /wet season during year 4 of the permit term	Flow-proportional composite

5.3 Sample Collection and Analysis

[40 CFR 136]

The Permittee is responsible for the quality and accuracy of all data required under this permit.

A. Quality Assurance (QA) Manual

The Permittee shall continue to implement and maintain a Quality Assurance (QA) Manual that describes sample collection and analyzes processes. If the Permittee collects samples or conducts sample analysis in house, the Permittee shall obtain a copy of the applicable QA procedures. The QA Manual shall be available for review by ADEQ upon request. The QA Manual shall be updated as necessary to reflect current conditions, and shall describe the following:

1. Project management including:
    a. Roles and responsibilities of the participants;
    b. Qualifications of persons collecting samples;
    c. Purpose of sample collection;
    d. Matrix to be sampled;

e. The analytes or compounds being measured; and

f. Applicable surface water quality standards.

2. Sample collection procedures including:

a. Equipment used;

b. Type and number of samples to be collected including QA/QC (Quality Assurance/Quality Control) samples (i.e., background samples, duplicates, and equipment or field banks);

c. Preservatives and holding times for the samples; and

d. Chain of custody procedures.

3. Specification of approved analytical method(s) including:

a. Limits of Detection (LOD) and Limits of Quantitation (LOQs)

b. Required quality control (QC) results to be reported (e.g., matrix spike recoveries, duplicate relative percent differences, blank contamination, laboratory control sample recoveries, surrogate spike recoveries, etc.) and acceptance criteria; and

c. Corrective actions to be taken by the Permittee or the laboratory as a result of problems identified during QC checks.

4. How the Permittee will perform data review; complete DMRs and records used to report results to ADEQ; resolve data quality issues; and identify limitations on the use of the data.

B. Sample Collection

Sample collection, preservation and handling shall be performed as described in 40 CFR 136, or by procedures referenced in A.R.S. Title 9, Chapter 14 of the Arizona Department of Health Services (ADHS) Laboratory Licensure rules. The Permittee shall outline the proper procedures in the QA Manual, and samples taken for this permit must conform to these procedures whether collection and handling is performed directly by the Permittee or contracted to a third party.

C. Analytical Requirements

The Permittee shall use a laboratory that is licensed by the Arizona Department of Health Services (ADHS) Office of Laboratory Licensure and Certifications. Sample analyses conducted in the field at the time of collection (e.g., temperature, pH, etc.) may be performed by the Permittee (including contractors retained by ADOT) utilizing instrumentation appropriate for the analyses or measurements. The Permittee shall use an

analytical method prescribed in A.A.C. R9-14-610, 40 CFR 136.3, or an alternative analytical method approved under A.A.C. R9-14-610(C) with test methods with Method Detection Limits (MDLs) and Minimum Levels (MLs) that are lower than the applicable SWQS. If all MDLs or MLs are higher than these standards, then the Permittee shall use the test method with the lowest MDL or ML available. If all published MDLs are higher than the standard, the Permittee shall utilize the U.S. Environmental Protection Agency (EPA)-approved analytical method with the lowest published MDL.

6.0 REPORTING REQUIREMENTS

6.1 Discharge Monitoring Report

The Permittee shall report wet weather analytical monitoring results on DMRs to the myDEQ electronic portal, when available, no later than 30 business days from receipt of the lab report for the applicable method provided by ADEQ. The reports required to be electronically submitted include the following:

1. Discharge Monitoring Reports
2. Original copies of laboratory reports
3. Bench sheets or similar documentation for field testing parameters

6.2 Annual Report

The Permittee shall complete the annual report by September 30th each year of the permit term. The annual report must be submitted on a form provided by ADEQ and emailed to AZPDES@azdeq.gov. If electronic reporting becomes available during the permit term, ADEQ will notify the Permittee that all future annual reports must be submitted electronically through myDEQ. The reporting period for the annual report will be July 1 through June 30. The electronic reporting deadline for MS4 annual reports is December 21, 2025.

6.3 Renewal Application

[A.A.C. R18-9-B904(B)]

The Permittee shall complete the renewal application requirements as specified in Appendix B. All information in Appendix B must be submitted to ADEQ at AZPDES@azdeq.gov 180 days prior to the expiration date.

6.4 Non-filer Reporting

The Permittee shall report non-filers to ADEQ at AZPDES@azdeq.gov within five (5) business days of identifying a non-filer. This report shall include, at a minimum, the facility name, activity, and location of the non-filer and the subject line must include “Non-filer – MS4 Permittee Name – AZPDES Permit Number.”

7.0 STANDARD AZPDES PERMIT CONDITIONS & NOTIFICATION

Standard permit conditions in Section 7.0 are consistent with the permit provisions required under 40 CFR 122.41 and A.A.C. R18-9-A905(A)(3).

7.1 Duty to Reapply

[A.A.C. R18-9-B904(B)]

The Permittee shall submit the information required for renewal (Appendix B) at least 180 days before the permit expiration date.

7.2 Signatory Requirements

[A.A.C. R18-9-905(A)(3)(a), incorporates 40 CFR 122.41(k) and (l), A.A.C. R18-9-A905(A)(1)(c), incorporates by reference 40 CFR 122.22]

A. All permit applications for a municipality, State, Federal, or other public agency shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

1. All applications, reports or information submitted to ADEQ shall be signed and certified.
2. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.

B. All reports required by this permit and other information requested by the Director shall be signed by a person described above, 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 above;
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, operator of a well or 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.

C. If an authorization under paragraph above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

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

7.3 Duty to Comply

[A.A.C. R18-9-A905(A)(3)(a)]

A. The Permittee shall comply with all conditions of this permit and any standard and prohibition required under A.R.S. Title 49, Chapter 2, Article 3.1 and A.A.C. Title 18, Chapter 9, Articles 9 and 10. Any permit noncompliance constitutes a violation of the Clean Water Act; A.R.S. Title 49, Chapter 2, Article 3.1; and A.A.C. Title 18, Chapter 9, Articles 9 and 10, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.

B. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person discharging under this permit is required to comply.

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

D. Civil Penalties. A.R.S. § 49-262(C) provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed $25,000 per day per violation.

E. Criminal Penalties. Any person who violates a condition of this permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 9, Articles 9 and 10 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

7.4 Need to Halt or Reduce Activity Not a Defense

[A.A.C. R18-9-A905(A)(3)(a)]

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

7.5 Duty to Mitigate

[A.A.C. R18-9-A905(A)(3)(a)]

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

7.6 Proper Operation and Maintenance

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(e)]

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit and the Permittee's SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the Permittee when the operation is necessary to achieve compliance with the conditions of the permit.

7.7 Permit Actions

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(f)]

This permit may be modified, revoked and reissued, or terminated for cause. The filling of a request by the Permittee for a permit modification, revocation and

reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7.8 Property Rights

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(g)]

This permit does not convey any property rights of any sort, or any exclusive privilege nor does it authorize any injury to private property or any invasion of personal rights, not any infringement of federal, state, Indian tribe, or local laws or regulations.

7.9 Duty to Provide Information

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(h)]

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

7.10 Inspection and Entry

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(i)]

The Permittee shall allow ADEQ, or an authorized representative, upon the presentation of credentials and such other documents as may be required by law, to:

A. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

B. Have access to and copy, at reasonable times, any records that must be kept under the terms of this permit;

C. Inspect at reasonable times any facilities, equipment (including monitoring or control equipment), practices or operations regulated or required under this permit; and

D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Article 9, any substances or parameters at any location.

7.11 Monitoring and Records

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(j)]

A. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

B. The Permittee must retain records of all monitoring information, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for at least three (3) years from the date this permit coverage expires or the permit authorization is terminated. This period may be extended by request of the Director at any time. Permittees must submit any such records to ADEQ upon request.

C. Records of monitoring information must include:

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

b. The individual(s) who performed the sampling or measurements;

c. The date(s) analyses were performed;

d. The time(s) the analyses were initiated;

e. The individual(s) who performed the analyses;

f. References and written procedures, when available, for the analytical techniques or methods used;

g. The analytical techniques or methods used; and

h. The results of such analyses.

D. Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless specific test procedures have been otherwise specified in this permit. Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which includes the possibility of fines and/or imprisonment.

7.12 Reporting Requirements

[A.A.C. R18-9-A905(A)(3)(a) incorporates by reference 40 CFR 122.41(l)]

A. Anticipated Noncompliance

The Permittee shall give advance notice to ADEQ as soon as possible, but no fewer than 30 days, of any planned changes in the permitted facility or activity which may result in noncompliance with the permit requirements.

B. Transfers

This permit is not transferable to any person except after notice to ADEQ. ADEQ may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under Arizona Revised Statutes and Clean Water Act.

C. Monitoring Reports

Monitoring results must be reported at the intervals specified elsewhere in this permit.

a. Monitoring results must be reported on a DMR provided online by ADEQ.

b. If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the e-DMR (if available), or submitted as a separate report.

c. Calculations for all limitations which require averaging of measurements must use an arithmetic mean and non-detected results must be incorporated in calculations as the limit of quantitation for the analysis.

D. Twenty-Four Hour Reporting

For *emergency noncompliance* which may endanger the environment or human health and reach a protected surface water, the Permittee shall orally report the information to the ADEQ Spill Line at 602-771-2330, within 24 hours from the time the Permittee becomes aware of the event.

For *non-emergency noncompliance*, the Permittee shall provide a written notification to ADEQ at AZPDES@azdeq.gov within five (5) calendar days of the noncompliance event. The Permittee shall include in the written notification a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the anticipated timeline it is expected to continue; and steps

taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

E. Other noncompliance

The Permittee shall report all instances of noncompliance not otherwise required to be reported under this subsection, at the time monitoring reports are submitted.

F. Other information

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to ADEQ, the Permittee shall promptly submit such facts or information.

7.13 Bypass

[A.A.C. R18-9-A905(A)(3)(a)]

A. Definitions:

1. Bypass means the intentional diversion of waste streams from any portion of a treatment facility

2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of bypass. Severe property damage does not mean economic loss caused by delays in production.

B. Bypass not Exceeding Limitations:

The Permittee may allow any bypass to occur which does not cause effluent limitation to be exceeded, but only if it also is for essential maintenance to assure efficient operation.

C. Notice:

1. Anticipated bypass. If the Permittee knows in advance of the need for a bypass, if possible prior notice shall be submitted at least ten days before the date of the bypass.

2. Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in Section 7.12.D.

D. Prohibition of bypass:

a. Bypass is prohibited, and ADEQ may take enforcement action against the Permittee for bypass, unless:

i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable industry judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

iii. The Permittee submitted notices as required in subsection above.

b. ADEQ may approve an anticipated bypass after considering its adverse effects if the Department determines that it will meet the three conditions listed above.

7.14 Upset

[A.A.C. R18-9-A905(A)(3)(a)]

A. Definition: Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the operator. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

B. Effect of an upset: An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of the following subsection, “conditions necessary for a demonstration of upset” are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

C. Conditions necessary for a demonstration of upset. An operator who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

i. An upset occurred and that the operator can identify the cause(s) of the upset;
ii. The permitted facility was at the time being properly operated;
iii. The Permittee submitted notice of the upset as required in Section 7.12.D; and
iv. The Permittee complied with any remedial measures required.

D. Burden of proof. In any enforcement proceeding, the Permittee, who is seeking to establish the occurrence of an upset, has the burden of proof.

7.15 Penalties for Violations of Permit Conditions

Any permit noncompliance constitutes a violation and is grounds for an enforcement action, permit termination, revocation and reissuance, revision, or denial of a permit renewal application.

A. Civil Penalties. A.R.S. § 49-262 provides that any operator who violates any provision of A.R.S. Title 49, Chapter 2, Article 2, 3 or 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed $25,000 per day per violation.

B. Criminal Penalties. Any operator who violates a condition of this permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 2, Article 9 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

7.16 Severability

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

7.17 State or Tribal Law

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Tribal Law or regulation under authority preserved by Section 510 of the Clean Water Act.

8.0 DEFINITIONS

Aliquot means a portion of a discrete sample used to produce a composite sample for analysis.

Analytical monitoring means monitoring conducted to provide quantitative results in accordance with A.A.C. R18-9-A905(B)

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of protected surface waters. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [40 CFR 122.2].

Clean Water Act (CWA) means the federal water pollution control act amendments of 1972

Components means all elements of the SWMP including measures, stormwater best management practices, and measurable goals (associated frequencies, amounts, time-frames)

Composite sample is a combined sample that is formed by combining a series of individual discrete samples of specific volumes at specified intervals. Composite samples characterize the quality of a stormwater discharge over a longer period of time, such as the duration of a storm event.

Construction activity is earth-disturbing activities such as, clearing, grading, excavating, stockpiling of fill material and other similar activities. This definition encompasses both large construction activities defined in 40 CFR 122.26(b)(14)(x), small construction activities in 40 CFR 122.26(b)(15)(i), and includes construction support activities and areas used exclusively for ADOT construction projects including, but not limited to: equipment and other storage areas; material storage areas; excavated material disposal areas; borrow areas; access roads; and any mobile operations such as asphalt plants and concrete batch plants, and asphalt and concrete recycling (mixing and crushing).

Control Measure or Controls refers to any practice or method used to prevent or reduce the discharge of pollutants to protected surface waters. Control measures include, but are not limited, to best management practices. Control measures can include other methods such as the installation, operation, and maintenance of structural controls and treatment devices.

Corrective Action means any action taken to (1) modify, or replace any ineffective control measure used at the site; (2) mitigate any conditions that results in a discharge of pollutants above surface water quality standards; or (3) remedy a permit violation.

Discharge when used without qualification means the "discharge of a pollutant."

Discharge of a pollutant means any addition of any "pollutant" or combination of pollutants to protected surface waters from any "point source," or any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into protected surface waters from surface runoff which is collected or channeled by man. See 40 CFR 122.2.

Discrete or Grab Sample means a discrete, individual sample collected from a single location within a short period of time (over a period of time not exceeding 15 minutes).

Erosion Control means BMPs to prevent soil particles from detaching and being transported in stormwater; includes temporary and permanent BMPs.

Field Screening Point means any point source location that "releases" stormwater from the Permittee's storm sewer system to another regulated MS4 operator's infrastructure, and in some cases private infrastructure, where the same release then either directly discharges to a water of the United States, or where the Permittee determines there is a reasonable probability of the release discharging to a water of the United States.

Flow-Proportional Composite Sample means a sample that combines discrete samples collected over a period of time, based on the flow of the discharge being sampled. There are two (2) methods used to collect this type of sample. One collects a constant sample volume at time intervals that vary based on stream flow. The other collects discrete samples that are proportioned into aliquots of varying volumes based on stream flow, at constant time intervals (i.e. flow-weighted composite sample).

Illicit connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to an AZPDES/NPDES permit (other than the AZPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from emergency firefighting activities.

Impaired waters means protected surface waters for which credible scientific data exists that satisfies the requirements of A.R.S. § 49-232 and that, in the case of WOTUS, demonstrates that the water should be identified pursuant to 33 U.S.C. § 1313(d) and the regulations implementing that statute. A.R.S. § 49-231(1). [R18-11-601(7)].

Industrial activity means the 10 categories of industrial activities included in the definition of "Stormwater discharges associated with industrial activity" as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Limit of Quantitation (LOQ) means the minimum levels, concentrations, or quantities of a target variable such as an analyte that can be reported with a specific degree of confidence.

Maximum Extent Practicable (MEP) means maximum extent practicable, the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges.

Method Detection Limit (MDL) an analyte and matrix-specific estimate of the minimum amount of a substance that the analytical process can reliably detect with a 99% confidence level. This may be laboratory dependent and is developed according to A.A.C. R-9-14-615(C)(7).

Municipal separate storm sewer system is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

a. Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to protected surface waters;

b. Designed or used for collecting or conveying stormwater;

c. Which is not a combined sewer; and

d. Which is not part of a Publicly Owned Treatment Works.

Municipal separate storm sewer system (MS4) means all separate storm sewers defined as “large,” “medium,” or “small” municipal separate storm sewer systems or any municipal separate storm sewers on a system-wide or jurisdiction-wide basis as determined by the Director under A.A.C. R18-9-C902(A)(1)(g)(i) through (iv). [A.A.C. R18-9-A901(23)]. This also includes similar systems owned or operated by separate storm sewer municipal jurisdictions not required to obtain stormwater discharge authorization.

Non-stormwater discharge means any discharge which is not composed entirely of stormwater. Non-stormwater discharges include illicit discharges, non-stormwater discharges that are authorized under this permit, and non-stormwater discharges that are permitted under a separate AZPDES permit.

Not-Attaining Water [R18-11-601(11)] means a surface water that is assessed as impaired, but is not placed on the 303(d) List because a TMDL is prepared and

implemented for the surface water; or an action which meets the requirements of R-18-11-604(D)(2)(h) is occurring and is expected to bring the surface water to "attaining" before the next 303(d) List submission; or the impairment of the surface water is due to pollution but not a pollutant, for which a TMDL load allocation cannot be developed.

Non-WOTUS Protected Surface Water means a protected surface water that is not a WOTUS. [A.R.S. § 49-201(27)].

Outfall is a "point source" as defined by 40 CFR 122.2 at the point where stormwater discharges to a protected surface water or to a Municipal Separate Storm Sewer System.

Outstanding Arizona Water (OAW) is a water of the U.S. that has been designated by ADEQ as an outstanding state resource under A.A.C. R18-11-112.

Perennial water is a surface water or portion of a surface water that flows continuously throughout the year [A.R.S. § 49-201(31)].

Permittee, for the purposes of this permit, a municipality is given authorization to discharge stormwater from a municipal separate storm sewer system.

Point source as defined in 40 CFR 122.2 as any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff. [40 CFR 122.2 and A.R.S. § 49-201(34)].

Pollutant is defined in 40 CFR 122.2 as a partial listing from this definition includes dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste

Protected Surface Waters means waters of the state listed on the Protected Surface Water List under Section 49-221, Subsection G and all WOTUS. [A.R.S. § 49-201(38)].

Stormwater means stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Stormwater Discharge Associated with Construction Activity means a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Stormwater Discharge Associated with Industrial Activity means a discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the AZPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, byproduct or waste product. The term excludes areas located at industrial sites that are separate from the facility's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities include those that are federally, state, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14). The term also includes those facilities designated under the provisions of 40 CFR 122.26(a)(1)(v). See 40 CFR 122.26(b)(14).

Stormwater Management Program (SWMP) means a comprehensive program to manage the quality of stormwater discharged from the municipal separate storm sewer. Stormwater Management Program is also used to refer to the written document that describes the SWMP components.

Surface Water Quality Standard (SWQS) means a standard adopted for a protected surface water pursuant to A.R.S. § 49-221 and, in the case of WOTUS, pursuant to A.R.S. § 49-222. [A.R.S. § 49-231(2)].

Total Maximum Daily Load (TMDL) means an estimation of the total amount of a pollutant from all sources that may be added to a water, while still allowing the water to achieve and maintain applicable surface water quality standards. Each total maximum daily load shall include allocations for sources that contribute the pollutant to the water. Total maximum daily loads for WOTUS shall meet the requirements of section 303(d) of the Clean Water Act (33 United States Code, Section 1313(d)) and regulations implementing that statute to achieve applicable surface water quality standards. Total maximum daily loads for non-WOTUS protected surface waters shall not be subject to review, approval or enforcement by the United States Environmental Protection Agency. [A.R.S. § 49-231(4)]

Wasteload Allocation (WLA) is the maximum load of pollutants each discharge of waste is allowed to release into a particular water of the U.S. Discharge limits are usually required for each specific water quality criterion being, or expected to be, violated. WLAs constitute a type of water-quality based effluent limitations. (See 40 C.F.R. 130.2(h)]

Waters of the United States (WOTUS) means those waters as defined in 40 CFR 122.2.

WOTUS Protected Surface Water means a protected surface water that is a WOTUS. [A.R.S. § 49-201(54)].

Appendix A: Annual Report

1. The Permittee shall submit one (1) copy of the updated SWMP.

2.0 Legal Authority

2. Did the Permittee develop, maintain and enforce adequate legal authority to control the discharge of pollutants into and from its MS4, per 2.0?

3.0 Arizona Surface Water Quality Standards (SWQS)

3. How many discharges to protected surface waters had pollutant parameters exceed a SWQS? (Expressed in numbers).

4.1 Program Implementation

4. Did the Permittee include the 4.1.A (1-2) required items in the SWMP?

4.2 Training

5. Did the Permittee implement an employee stormwater training program and outline and update the program, as necessary in the SWMP, per 4.2.A?

4.3 Enforcement Response Plan

6. Did the Permittee review and update the ERP, as necessary, per 4.3.A?

4.4 Public Education and Outreach

7. Did the Permittee provide outreach and education to the public on the stormwater program issues and requirements, per 4.4.A?

    a. List the target groups and topics used for outreach and education.

8. Did the Permittee evaluate and measure the understanding and adoption of the targeted behaviors for at least one target audience in at least one subject area no later than the end of year four?

9. Did the Permittee use the results of the evaluation to direct future education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors no later than the end of year four?

10. Attach, as part of your 4th year annual report, an evaluation of the target audience in a subject area and any changes adopted in response to targeted behaviors in order to be more effective.

4.5 Public Involvement and Participation

11. Did the Permittee host an annual public SWMP workshop, per 4.5.A?

12. Did the Permittee create opportunities for citizens to participate in the implementation of stormwater controls (e.g., stream clean-ups, storm drain stenciling, volunteer monitoring, disposal of household hazardous waste, educational activities, and facilitation of Adopt-A-Wash, Adopt-A-Park, and Adopt-A-Street litter control activities), per 4.5.B?

13. Did the Permittee provide and publicize a reporting system to facilitate and track public reporting of spills, discharges and/or dumping to the MS4 on a continuous basis, per 4.5.C?

14. Was the current SWMP and annual report posted no later than thirty (30) days of the due date of the annual report or, if in the first year of permit becoming effective, was the current SWMP and latest annual report posted on the Permittee's website, per 4.5.D?

4.6 Illicit Discharge Detection and Elimination (IDDE)

15. Did the Permittee implement a program to detect, investigate, and eliminate non-stormwater discharges including dumping and spills, into its system, per 4.6.A?

16. Did the Permittee maintain an inventory of all known MS4 outfalls, interconnections with other MS4s, and those outfalls identified by the Permittee as priority for illicit discharges or other non-stormwater flows, per 4.6.C?

17. Did the Permittee inspect all "priority" outfalls, per 4.6.D.2?

18. Did the Permittee inspect approximately 20% of the remaining (i.e., non-priority) outfalls, per 4.6.D.3?

19. Did the Permittee conduct ongoing dry weather field screening of outfalls and screening points, per 4.6.D.4?

20. Did the Permittee investigate (or refer to the appropriate agency with authority to act) within five (5) business days for at least 90% of all reports of illicit discharges to the Permittee's MS4, per 4.6.E.2?

21. Did the Permittee implement and maintain control measures to respond to spills that occur to ADOT's storm sewer system, per 4.6.I?

22. The Permittee shall submit one (1) copy of their 4.6.J.2 summary of IDDE activities in tabular format.

4.7 Pollution Prevention and Good Housekeeping Practices for Facilities

23. Did the Permittee update and maintain an inventory, database, list, map, or other equivalent tracking system of facilities and activities with potential stormwater pollutant generating sources, per 4.7.A.1?

24. The Permittee shall submit one (1) copy of their 4.7.A.1 inventory list as an attachment.

25. Did the Permittee develop and implement a process to prioritize the facilities and activities according to risk for the amount and type of potential stormwater pollutants, including the proximity relative to an impaired, not-attaining and OAW, per 4.7.A.2?

26. Did the Permittee inspect all facilities identified in 4.7.B.1, per 4.7.A.3?

27. Did the Permittee implement a site specific Stormwater Pollution Prevention Plan (SWPPP) for all facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the Multi-Sector General Permit (MSGP) or another NPDES permit that authorizes stormwater discharges associated with the activity, per 4.7.B.1?

4.8 Measures to Control Discharges from Highway Operations and Maintenance

28. Did the Permittee identify and develop routine maintenance schedules and maintenance priorities for its storm sewer system, including roadways to minimize pollutant discharges from the storm sewer system, per 4.8.A.1?

29. The Permittee shall submit one (1) copy of their 4.8.A.1 schedules and priorities as an attachment.

30. Did the Permittee repair, maintain, and clean its roadways used for stormwater conveyance and its storm sewer system to minimize the discharge of pollutants (including floatable debris) from the storm sewer system, per 4.8.B.1?

31. Did the Permittee inspect and record conditions of the roadways including the storm sewer system, used for stormwater conveyance, catch basins, storm drain inlets, open channels, washes, culverts, and retention/detention basins to identify potential sources of pollutants and determine maintenance needs, per 4.8.C.1?

32. Did the Permittee properly dispose of waste removed from its roadways and storm sewer system, including dredge spoil and accumulated sediments, products, materials and other wastes, per 4.8.D.1?

33. Did the Permittee implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from ADOT operational rights-of-way and maintenance activities, per 4.8.E.1?

4.9 Construction

34. For construction projects that will result in land disturbance of one (1) acre or more (including those less than one (1) acre, but are part of a larger common plan of development), did the Permittee review at least 80% of plans for new development and redevelopment, per 4.9.B?

35. How many projects for new development and redeveloped projects one acre or greater discharging to the MS4 were reviewed?

36. Did the Permittee develop and update a comprehensive inventory, per 4.9.C.1?

37. Did the Permittee develop a mechanism to identify and document facilities subject to the CGP that did not file a timely NOI (i.e., before construction activities were initiated) and contain a means of communication with operators of these facilities to inform them of their responsibility to comply, per 4.9.C.2?

38. Did the Permittee inspect construction sites identified in the inventory in accordance with the Construction General Permit and document the inspection protocols, per 4.9.D.1?

39. Did the Permittee conduct follow-up inspections of construction sites to ensure stormwater deficiencies/concerns/non-compliance identified as a result of a routine inspection were corrected, per 4.9.D.2?

40. Did the Permittee continue to implement requirements for inspection and enforcement of ADOT's erosion and pollution control procedures, per 4.9.E?

4.10 Post-Construction

41. Did the Permittee implement a program to control stormwater discharges from areas of new development and redevelopment after construction is complete, including adequate post-construction BMPs, and policies, per 4.10.A.1.a?

42. Did the Permittee complete an assessment of retrofit projects, per 4.10.A.2?

43. Attach the 4.10.A.2 retrofit assessment.

44. Did the Permittee inspect 100% of sites discharging to the MS4 from areas with new development and redevelopment projects within one (1) year after construction completion to determine the compliance of their post-construction stormwater controls, per 4.10.B.1?

45. Did the Permittee inspect at least 20% of post construction BMPs from the inventory list in 4.10.B.2?

Appendix B: Renewal Application

[A.A.C. R18-9-B904(B)]

The following information is required to be submitted to ADEQ at least 180 days prior to expiration of this permit. This comprehensive document shall serve as the renewal application for the Permittee.

a. The name, address, and telephone number of the MS4;

b. The name, address, and telephone number of the contact person;

c. The status of compliance with permit conditions, including an assessment of the appropriateness of the selected best management practices and progress toward achieving the selected measurable goals for each minimum measure;

d. The results of any information collected and analyzed, including additional monitoring data, if any;

e. A summary of the stormwater activities planned for the next reporting cycle;

f. A change in any identified best management practices or measurable goals for any minimum measure; and

g. Notice of relying on another governmental entity to satisfy some of the permit obligations.

Appendix C: TMDL Requirements

[A.A.C. R18-11-604]

The following requirements are included in this permit based on applicable TMDL requirements in accordance with Section 3.3.

Gila River

Name of TMDL	**Gila River – Centennial Wash to Gillespie Dam**
Document(s) for TMDL	**middlegila_centennial_tmdl_final.pdf** may be downloaded at https://www.azdeq.gov, search words “Middle Gila Watershed”
Location of Original 303(d) Listings	AZ15070101-008
Area Where TMDL Requirements Apply	State Highway (SR 85) transits the TMDL watershed
Parameter(s)	Total Boron and Total Selenium
WLA	Concentration-based WLA equivalent to the applicable surface water quality standards for boron (1,000 µg/L) and selenium (2.0 µg/L)
EPA Approval Date	November 2015

Granite Creek

Name of TMDL	**Upper Granite Creek Watershed *E. coli***
Document(s) for TMDL	**tmdl_granitecreek_final.pdf** may be downloaded at https://www.azdeq.gov, search words “Verde Watershed”
Location of Original 303(d) Listings	AZ15060202-059A
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to the Upper Granite Creek watershed
Parameter(s)	*E. coli*
WLA	Concentration-based WLA equivalent to the FBC surface water quality standard for *E. coli* (235 cfu/100 mL)
EPA Approval Date	November 2015

Little Colorado River

Name of TMDL	**Little Colorado River – Silver Creek to Carr Lake Draw**
Document(s) for TMDL	**littleco_silvercreek_ecoli_tmdl.pdf** may be downloaded at https://www.azdeq.gov, search words “Little Colorado River Watershed”
Location of Original 303(d) Listings	AZ15020002-004
Area Where TMDL Requirements Apply	Several state highways that transit the TMDL watershed, including Highways 77, 277, 260, 180, and 61
Parameter(s)	*E. coli*
WLA	Concentration-based waste load allocation of 235 cfu/100 ml (single sample maximum) is established for direct discharge(s) to a stream reach carrying an FBC designated use consistent with the provisions of the TMDL, where *E. coli* is reasonably assessed as being a constituent of concern. Where direct discharge(s) are to a stream reach carrying a PBC designated use, the concentration-based WLA shall be 575 cfu/100 ml unless reasonable potential for bacteriological water quality degradation of downstream FBC reaches from such discharges is assessed by the ADEQ Stormwater Unit in the SWPPP or SWMP review and approval process. In such a case, the concentration-based WLA shall be 235 cfu/100 ml. The concentration-based WLA is applicable for each separate discharge that may issue from a site location.
EPA Approval Date	June 2013

Oak Creek

Name of TMDL	**Oak Creek and Spring Creek**	
Document(s) for TMDL	**verderiver_oakcreek_2010tmdl.pdf** may be downloaded at https://www.azdeq.gov, search words “Verde Watershed”	
Location of Original 303(d) Listings	Oak Creek-Headwaters to West Fork Oak Creek	AZ15060202-019
	Oak Creek-West Fork to Slide Rock State Park	AZ15060202-18A
	Oak Creek-At Slide Rock State Park	AZ15060202-18B
	Oak Creek-Below Slide Rock S.P. to Dry Creek	AZ15060202-18C
	Oak Creek-Dry Creek to Spring Creek	AZ15060202-017

	Spring Creek-Coffee Creek to Oak Creek	AZ15060202-022
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to the Oak Creek Watershed	
Parameter(s)	*E. coli*	
WLA	Since the surface area of highways is very small when compared to the larger watershed, a WLA for ADOT was not included explicitly in the TMDL. The MS4 related WLAs only apply under the top three flow regimes which may be impacted by storm flows.	
EPA Approval Date	August 2010	

Santa Cruz River

Name of TMDL	**Upper Santa Cruz River Subwatershed Clean Water Plan for *E. coli***	
Document(s) for TMDL	**uscr_cwp_final_021020.pdf** may be downloaded at https://www.azdeq.gov, search words “San Pedro Watershed”	
Location of Original 303(d) Listings	Nogales International WWTP Outfall to Josephine Canyon	AZ15050301-009
	Josephine Canyon to the Tubac Bridge	AZ15050301-008A
	Tubac Bridge to Sopori Wash	AZ15050301-008B
	US/Mexico Border to Potrero Creek	AZ15050301-011
	Below I-19 to the Santa Cruz River	AZ15050301-500B
Area Where TMDL Requirements Apply	Several Arizona highways are located in the project area (I-19, Highway 289, Highway 189, Highway 82, and Highway 83)	
Parameter(s)	*E. coli*	
WLA	While not expected to be a significant source of bacteria, the ADOT MS4 permit was assigned a concentration-based WLA in this TMDL that is applicable throughout the project area (load-based calculations were not performed because highways are not expected to be a consistent or significant source of E. coli loading). Concentration-based WLA of 575 cfu/100 mL (single sample maximum) not affecting Potrero Creek and 235 cfu/100 mL (single sample maximum) affecting Potrero Creek.	
EPA Approval Date	February 2020	

San Pedro River

Name of TMDL	**San Pedro River *E. coli* TMDL**
Document(s) for TMDL	**sanpedro_ecoli_tmdl.pdf** may be downloaded at https://www.azdeq.gov, search words “San Pedro Watershed”
Location of Original 303(d) Listings	AZ15050203-001
Area Where TMDL Requirements Apply	One Arizona highway (Hwy 77) covered by the permit exists upstream of the San Pedro – Gila River confluence in the vicinity of the impaired reach.
Parameter(s)	*E. coli*
WLA	Concentration-based waste load allocation of 235 cfu/100 ml (single sample maximum) is established for direct discharge(s) to a stream reach carrying a FBC designated use
EPA Approval Date	August 2013

Watson Lake

Name of TMDL	**Watson Lake TMDL: Total Nitrogen, DO, pH & Total Phosphorus Targets**
Document(s) for TMDL	**tmdl_watsonlake_final.pdf** may be downloaded at https://www.azdeq.gov, search words “Verde Watershed”
Location of Original 303(d) Listings	AZL15060202-1590
Area Where TMDL Requirements Apply	TMDL coverage includes areas served by an MS4 draining to the Watson Lake watershed
Parameter(s)	Total Nitrogen and Total Phosphorus
WLA	Concentration-based WLA equivalent to 1.0 mg/L total nitrogen and 0.10 mg/L total phosphorus
EPA Approval Date	February 2015