

# Municipal Separate Storm Sewer System (MS4) Program Plan

## Stafford County, Virginia



**Developed in compliance with:**

Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Stormwater Discharges from Small MS4, Effective Date November 1, 2018

# TABLE OF CONTENTS

Signatory Authorizations.....	1
MS4 Program Plan Certification.....	2
Acronyms .....	3
Chapter 1. Introduction.....	5
1.1 MS4 Permitting in Virginia .....	5
1.2 MS4 Permitting and Stafford County.....	5
1.3 The Current MS4 General Permit.....	6
Chapter 2. MS4 Program Plan.....	8
2.1 Purpose of the MS4 Program Plan.....	8
2.2 The MS4 Program Plan Contents .....	8
2.3 MS4 Program Plan Reference Library .....	8
2.4 MS4 Program Plan Updates .....	9
2.5 MS4 Program Plan and its Relationship to Other County Programs .....	9
Chapter 3. Administration of the Stafford County MS4 Program Plan.....	10
3.1 Summary of Roles and Responsibilities .....	10
3.2 Legal Authorities .....	13
3.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules .....	14
3.4 MS4 Annual Reporting to the Department of Environmental Quality .....	14
3.5 Duty to Reapply for Continued MS4 General Permit Coverage.....	15
Chapter 4. Assuring Compliance with Minimum Control Measures.....	16
4.1 Minimum Control Measure 1 – Public Education and Outreach (MCM #1).....	16
4.2 Minimum Control Measure 2 – Public Involvement and Participation (MCM #2) .....	18
4.3 Minimum Control Measure 3 – Illicit Discharge Detection and Elimination (MCM #3) .....	25
4.4 Minimum Control Measure 4 – Construction Site Stormwater Runoff Control (MCM #4).....	31
4.5 Minimum Control Measure 5 – Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands (MCM#5).....	34
4.6 Minimum Control Measure 6 – Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the Permittee within the MS4 Service Area (MCM #6) .....	41
Chapter 5. Assuring compliance with Total Maximum Daily Load (TMDL) Special Conditions .....	50
5.1 Chesapeake Bay TMDL for Nitrogen, Phosphorus, and Sediment.....	50
5.2 Local TMDLs .....	51
Chapter 6. MS4 Program Plan Measurable Goals.....	54
Chapter 7. Record of MS4 Program Plan Revisions .....	56
Appendices.....	57

## SIGNATORY AUTHORIZATIONS

Part III K. of the Virginia Pollutant Discharge Elimination System General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems establishes signatory requirements for the submission of registration statements, reports and other information.

The following positions are authorized under Part III K to sign all registration statements, reports and other information:

- Principal Executive Officer<sup>1</sup>
- Ranking Elected Official

In addition, the aforementioned officials are permitted to provide authorization for other “persons” to sign reports required by state permits, including annual reports, and other information requested by the State Water Control Board or Department of Environmental Quality. Other “persons” are considered duly authorized to sign these reports and other information only if:

1. Authorization is made in writing by either a principal executive officer or a ranking elected official;
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the operator. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
3. The signed and dated written authorization is submitted to the Department of Environmental Quality.

### Stafford County Duly Authorized Positions

In accordance with Part III K of the Virginia Pollutant Discharge Elimination System General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems, the following Stafford County positions (job titles) are duly authorized to sign reports and other information requested by the State Water Control Board or the Department of Environmental Quality:

_____	_____
_____	_____
_____	_____

This authorization is provided by

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

<sup>1</sup> A principal executive officer of a public agency is defined as the chief executive officer of the agency or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

## MS4 PROGRAM PLAN CERTIFICATION

As required by the VPDES General Permit for Stormwater Discharges from Small MS4s (MS4 General Permit), Part III 4.

*"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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

## ACRONYMS

The following acronyms are utilized throughout the MS4 Program Plan

BMP	Best Management Practice
CBPA	Chesapeake Bay Preservation Act
CRRL	Central Rappahannock Regional Library
CWA	Federal Clean Water Act
CWP	Northern Virginia Regional Commission – Clean Water Partners
DEQ	Virginia Department of Environmental Quality
DH-ESS	Department of Health – Environmental Services Section
DPU	Stafford County Department of Utilities
DPW	Stafford County Public Works Department
DPW-EP	Stafford County Department of Public Works – Environmental Division
DPZ	Stafford County Planning and Zoning
EPA	United States Environmental Protection Agency
F&R	Stafford County Fire and Rescue
FOR	Friends of the Rappahannock
GIS	Geographic Information System
GWRPC	George Washington Regional Planning Commission
HHW	Household Hazardous Waste
HUC	Hydrologic Unit Code
I&M Procedures	Inspection and Maintenance Procedures
IDDE	Illicit Discharge Detection and Elimination
IT	Stafford County Information and Technology Department
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MOU	Memorandum of Understanding
MS4	Municipal Separate Storm Sewer System
NMP	Nutrient Management Plan
NPDES	National Pollutant Discharge Elimination System
NVRC	Northern Virginia Regional Commission
PEOP	Public Education and Outreach Program Plan
POC	Pollutants of Concern
POTW	Publicly Owned Treatment Works

PRCF	Stafford County Parks, Recreation and Community Facilities
PY	Permit Year
R-Board	Rappahannock Regional Solid Waste Management Board
Reference Library	MS4 Program Plan Reference Library
SO	Sherriff's Office
SOPs	Standard Operating Procedures
SWM	Stormwater Management
SWPPP	Stormwater Pollution Prevention Plans
TCWCD	Tri-County/City Soil and Water Conservation District
TMDL(s)	Total Maximum Daily Load(s)
UA	United States Census Bureau Urbanized Area
US	United States
VAC	Virginia Administrative Code
VCE	Stafford County Cooperative Extension
VDACS	Virginia Department of Agriculture and Consumer Services
VESCP	Virginia Erosion and Sediment Control Program
VPDES	Virginia Pollutant Discharge Elimination System
VSMP	Virginia Stormwater Management Program

## CHAPTER 1. INTRODUCTION

Municipal Separate Storm Sewer Systems (MS4s) are conveyances or a system of conveyances owned and operated by government entities that are designed or used in the collection or conveyance of stormwater runoff and are not part of a combined sewer or part of a Publicly Owned Treatment Works (POTW). Modifications to the federal Clean Water Act (CWA) in 1987 classified discharges from MS4s as point-source discharges and initiated a phased regulatory approach to require MS4 operators to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for their MS4 discharges. Under the first phase of NPDES permit implementation, localities that were specifically identified in the federal regulations adopted as a result of the CWA modifications were required to obtain individual NPDES permits. As part of the second phase of NPDES permit implementation, operators of small MS4s were required to obtain NPDES permit coverage. Small MS4s are defined primarily as MS4s located within an Urbanized Area (UA) identified delineated as part of the latest United States (US) Census.



**Figure 1. Stafford County MS4 Outfall Node ID: CO-RPR(1)1 located off Village Parkway**

### 1.1 MS4 Permitting in Virginia

The Commonwealth of Virginia has been authorized by the US Environmental Protection Agency (EPA) to implement the NPDES program within its jurisdictional boundaries. As such, the State Water Control Board (SWCB) issued its first Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Stormwater Discharges from Small MS4s in 2003 (MS4 General Permit), under which small MS4 operators obtained coverage and agreed to comply with the conditions set out within it regarding discharges. As a general permit, the MS4 General Permit has a five-year permit cycle, upon which the SWCB must reissue a new general permit under which small MS4 operators must reapply for coverage and agree to apply with the conditions contained in the new permit. In 2018, DEQ reissued the latest version of the MS4 General Permit containing a revised slate of permit conditions that small MS4 operators must comply with in order to remain in compliance with the federal CWA and the State Water Control Law.

### 1.2 MS4 Permitting and Stafford County

Stafford County, Virginia (County) encompasses approximately 277 square miles within the Interstate 95 corridor just north of the City of Fredericksburg, VA. Northern portions of the County have been determined to fall within the Washington DC-VA-MD UA boundaries; whereas southern portions of the County fall within the Fredericksburg, VA UA. UA boundaries, which are population and population density based, change with completion of each decennial US Census. The portions of the County located within an UA as a result of the 2010 US Census are mapped in Figure 2.

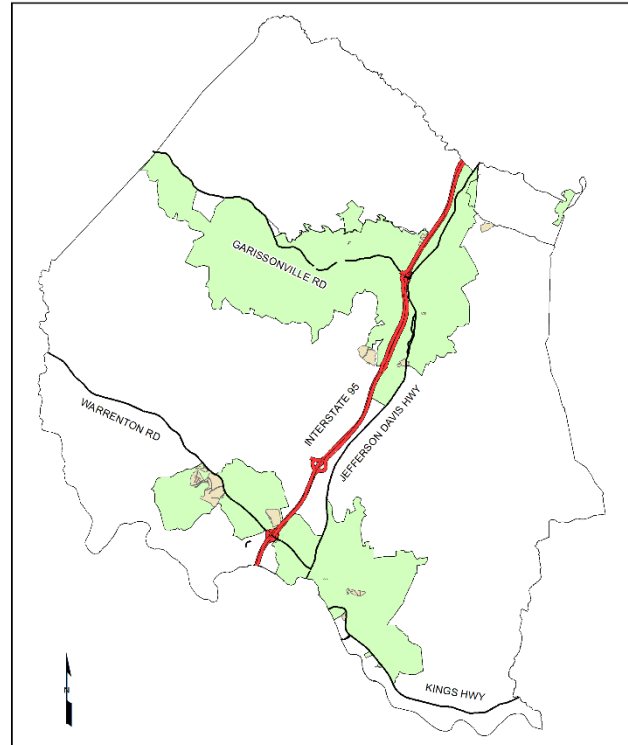
The County has retained coverage under the MS4 General Permit since the State’s initial permit in 2003. During such time, the County has successfully implemented numerous best management practices (BMPs), activities and strategies to meet the conditions in each successive permit. In 2018, the County submitted a complete Registration State for Permit Coverage to obtain coverage under the most recent MS4 General Permit. The County received its Notice of Coverage under the MS4 General Permit on October 29, 2018.

By applying for, and receiving coverage, under the MS4 General Permit, the County has agreed to comply with its conditions and authorizations regarding discharges from the County’s MS4. This includes the development, implementation and enforcement of an MS4 Program that is designed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP) in accordance with the MS4 General Permit, to protect water quality and to satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations. The MS4 Program Plan, established here, defines the means and methods that the County will utilize to meet these overarching requirements.

### 1.3 The Current MS4 General Permit

The current MS4 General Permit, which is also a state regulation found at 9VAC25-890 et. seq. of the Virginia Administrative Code (VAC), became effective November 1, 2018 and will expire on October 31, 2023. The MS4 General Permit provides the County authorization to discharge stormwater from its MS4 provided conditions contained in the permit are met. The MS4 General Permit applies to all discharges from County owned or operated storm drainage conveyances located within the latest decennial U.S. Census (2010). The MS4 General Permit is the legal authority upon which County compliance will be determined. Failure to meet the conditions and requirements contained in the MS4 General Permit can lead to State or Federal authorities initiating compliance action against the County. The CWA also allows third-parties to utilize Citizen’s Suits to ensure County compliance in case of alleged non-compliance.

The MS4 General Permit is divided into three Parts: Part I – Discharge Authorization and Special Conditions; Part 2 – TMDL Special Conditions; and Part III – Conditions Applicable to all State and VPDES Permits. Part I of the MS4 General Permit contains the requirement to develop, implement and enforce



**Figure 2. Portions of Stafford County located within 2010 U.S. Census Urbanized Areas (shaded in green)**

**The MS4 General Permit applies to all discharges from County owned or operated storm drainage conveyances located within the latest decennial U.S. Census (2010).**



a MS4 Program designed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP) in accordance with this permit, to protect water quality, and to satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations of the Commonwealth of Virginia to control discharges to and from the MS4. The MS4 Program Plan and Annual Reporting requirements are included in Part I, along with the six (6) Minimum Control Measures (MCMs). The MCMs are the six (6) stormwater pollution prevention measures expected of MS4 Programs operated by small MS4 operators, such as the County. The MCMs are:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands
- Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the County within the MS4 Service Area

Along with the minimum requirements for each MCM, Part I contains conditions that require development and implementation of an MS4 Program Plan and submission of annual reports to DEQ.

Part II of the MS4 General Permit contains special conditions that define how the County is required to address applicable Total Maximum Daily Loads (TMDLs). The MS4 General Permit contains two special conditions, both of which are applicable to the County. Part II.A. is the Chesapeake Bay TMDL Special Condition, which is applicable to all MS4s located in the Chesapeake Bay watershed. Part II.B. is the Local TMDL Special Condition, which is applicable to MS4s that discharge into a waterbody that does not meet water quality standards due to excessive pollution and for which a TMDL has identified the MS4 as a source of the contributing pollutant.

Part III of the MS4 General Permit contains the standard VPDES permit conditions including, but not limited to, records retention, reporting of unauthorized discharges and unusual discharges, signatory requirements, certification requirements, and authorization for DEQ entry to conduct inspections.

The conditions and requirements included in the MS4 General Permit have been incorporated into the County's MS4 Program Plan to provide the County guidance in complying with the permit. The concept of reducing the pollutant loads in MS4 discharges and protecting water quality to the MEP is an iterative process based on continued implementation, review and revision of the MS4 Program and associated MS4 Program Plan. MS4 Program revisions must be incorporated into the MS4 Program Plan to continue to provide up to date guidance regarding the County's iterative process.

**The official version of the MS4 General Permit is found at**

<https://law.lis.virginia.gov/admincode/title9/agency25/chapter890/>. For ease in reference in the MS4 Program Plan, a copy of the MS4 General Permit, with non-applicable Chesapeake Bay TMDL watershed tables removed, is included in the MS4 Program Plan as Appendix 1 and contains continuous line numbering along the left-hand column.

## CHAPTER 2. MS4 PROGRAM PLAN

### 2.1 Purpose of the MS4 Program Plan

DEQ will evaluate the County's MS4 Program compliance against the conditions and requirements of the MS4 General Permit. The purpose of the MS4 Program Plan is to provide and maintain a clear and concise description of how the County will administer its MS4 Program to comply with the conditions of the MS4 General Permit.

### 2.2 The MS4 Program Plan Contents

The MS4 Program Plan contains seven chapters and numerous appendices.

- Chapter 1 provides an outline of the regulatory history of the MS4 Program, its applicability to the County and describes the current MS4 General Permit requirements.
- Chapter 2 introduces the MS4 Program Plan, its contents and relationship to other County programs.
- Chapter 3 defines the administrative distribution of effort and requirements to implement the County's MS4 Program through the MS4 Program Plan as well as describes the legal authorities employed.
- Chapter 4 provides the County's committed efforts to address the MCMs contained in Part I of the MS4 General Permit. For each MCM, Chapter 3 includes
  - Discussion on the MS4 General Permit requirements
  - Identification and discussion on the County-selected BMPs and strategies to meet the MS4 General Permit conditions
  - Specific compliance dates and schedules contained in the MS4 General Permit
  - Annual reporting requirements
- Chapter 5 describes the County's commitments to comply with Part II of the MS4 General Permit regarding TMDL Special Conditions.
- Chapter 6 identifies the measurable goals by which the County will evaluate the MS4 Program and each individual MCM efforts for effectiveness and how effectiveness will be assessed.
- Chapter 7 provides the mechanism for documenting MS4 Program Plan updates made throughout the MS4 General Permit lifespan.
- Appendices

**The purpose of the MS4 Program Plan is to provide and maintain a clear and concise description of how the County will administer its MS4 Program to comply with the conditions of the MS4 General Permit.**

### 2.3 MS4 Program Plan Reference Library

Successful implementation of the MS4 Program Plan relies on the development of numerous policies and procedures as well as their periodic review, evaluation and update. All materials and documents referenced in the MS4 Program Plan are included in the digital MS4 Program Plan Reference Library (Reference Library) maintained by the Stafford County Department of Public Works – Environmental Division (DPW-EP). A list of the documents and materials included in the Reference Library are found in Appendix 2. Current document and materials, as well as an up-to-date list that identifies current versions including applicable effective and expiration dates, are available by accessing the Reference Library. Material and document versions are identified using the YYMMDD format, consisting of the applicable year (YY), the applicable month (MM) and the applicable day (DD).

## **2.4 MS4 Program Plan Updates**

While compliance with the MS4 General Permit is an iterative process, the MS4 Program Plan is intended to provide guidance to the County on maintaining this compliance in conjunction with its daily operations. As such, revisions to the MS4 Program Plan are expected throughout the five-year MS4 General Permit cycle. Revisions to the MS4 Program Plan must be documented and reported to DEQ as part of the required MS4 Annual Report. Additionally, effort must be made to ensure that affected County staff are informed of MS4 Program Plan modifications when the revisions may impact day-to-day operations.

To ensure that County employees impacted have access to the up-to-date materials and documents, the current information must be maintained in the Reference Library. In order to ensure this, DPW-EP must:

- Identify the newly developed or modified document or material using the YYMMDD format to identify that it is the current version.
- Replace the previous document or material with the new document or material in the Reference Library.
- Document the update of the MS4 Program Plan as directed in Chapter 7.
- Notify impacted County Departments or Partner Organizations of the newly developed or modified document, material or MS4 Program Plan element.

## **2.5 MS4 Program Plan and its Relationship to Other County Programs**

The MS4 Program Plan provides the linchpin between County programs and the MS4 General Permit conditions. While MS4 General Permit conditions and requirements are applicable to all County activities and actions, all County activities and actions are not implemented solely to address the MS4 General Permit requirements. Similarly, individual activities and actions are often impacted by additional regulatory mandates that influence how they are completed. As such, the MS4 Program Plan has identified the roles, responsibilities and efforts undertaken to comply with MS4 General Permit conditions, such as implementation of standard operating procedures (SOPs), while also identifying the existing County programs applicable for meeting MS4 General Permit requirements, such as the County's Local Virginia Erosion and Sediment Control Program (VESCP).

## CHAPTER 3. ADMINISTRATION OF THE STAFFORD COUNTY MS4 PROGRAM PLAN

As previously discussed, the conditions and requirements contained in the MS4 General Permit for discharges from the County’s MS4 are applicable to all discharges from County owned or operated storm drainage conveyances located within the latest decennial US Census. Chapter 2 describes the roles and responsibilities of County departments, agencies and partners in administering the MS4 Program Plan.

### 3.1 Summary of Roles and Responsibilities

All County departments and agencies share responsibility in ensuring that their individual department’s activities and actions are compliant with these MS4 General Permit requirements. Administrative oversight of the County’s efforts is assigned to the DPW-EP. The DPW-EP’s administrative responsibilities include coordination with and providing aid other County departments and agencies in implementation of the MS4 Program Plan; implementation of the specific portions of the MS4 Program Plan where it has been identified as responsible; and documentation, evaluation and reporting the County’s overall MS4 General Permit compliance efforts to the DEQ.

The DPW-EP can be contacted as follows:

**Physical Address**

2126 Jefferson Davis Highway  
Suite 203  
Stafford, VA 22554

**Mailing Address**

P.O. Box 339  
Stafford, VA 22555-0339

**Phone**

(540) 658-8830

**Webpage**

<https://staffordcountyva.gov/998/Environmental>

#### 3.1.1 **Stafford County Departments**

While a significant portion of MS4 General Permit compliance efforts are the responsibility of DPW-EP, other County departments and agencies have specific roles in the County’s MS4 General Permit compliance efforts. These specific department roles are summarized in Table 1.

**Table 1. Department, Specific MS4 Compliance Role Description and Applicable BMPs**

Department	MS4 Program Plan Implementation Role	
	Description	Applicable BMPs
County Administrator’s Office	The County administrator provides administrative support to ensure necessary resources and inter-departmental cooperation is secured.	All
County Attorney Office	The County Attorney’s Office provides legal assistance in enforcement of County ordinances utilized to implement the MS4 Program Plan and reviews contracts and other legal documents to ensure legal documents are consistent with the County’s MS4 Program Plan.	3.3; 4.1; 5.1; 6.5

Department	MS4 Program Plan Implementation Role	
	Description	Applicable BMPs
Fire and Rescue (F&R)	F&R assists in minimizing the impact of illicit discharges from spills and releases; implements applicable Pollution Prevention SOPs as part of daily operations and ensures applicable employee/contractor training are met.	3.3; 6.1; 6.4
Information and Technology Department (IT)	IT assists DPW-EP in the upkeep and maintenance of asset management and geographic information system (GIS) data.	3.1 and upon request
Parks, Recreation and Community Facilities (PRCF)	PRCF conducts required maintenance on County stormwater management (SWM) facilities, implements Pollution Prevention SOPs as part of daily operations, implements stormwater pollution prevention plans (SWPPPs) at high-priority County facilities, nutrient management plans (NMPs) at County facilities and ensures applicable employee/contractor training requirements included in the Training Plan are met.	2.2; 5.2; 5.3; 6.1; 6.2; 6.3; 6.4
Department of Planning and Zoning (DPZ)	DPZ provides outreach to the development community regarding stormwater regulatory requirements and ensures applicable employee/contractor training requirements included in the Training Plan are met.	1.1; 6.4
Department of Public Works (DPW)	DPW implements Pollution Prevention SOPs as part of daily DPW operations and ensures applicable employee/contractor training requirements included in the Training Plan are met.	5.2; 5.3; 6.4
County Sheriff's Office (SO)	SO ensures applicable employee/contractor training requirements included in the Training Plan are met.	6.4
Department of Utilities (DPU)	DPU assists in minimizing the impact of illicit discharges from utility infrastructure, implements Pollution Prevention SOPs as part of daily DPU operations and ensures applicable employee/contractor training requirements included in the Training Plan are met.	3.3; 5.2; 5.3; 6.1; 6.4

**3.1.2 Partner Organizations**

The County partners with numerous public organizations to provide local government services to its residents in the most economic and efficient manner. These partnerships are part of a broader local government services provision mechanism and not specifically for implementing MS4 General Permit control measures. Partner organizations, along with their relationship to the County and their role in MS4 Program Plan implementation are contained in Table 2.

**Table 2. Partner Organizations and their Potential Involvement in Stafford County MS4 Program Plan Implementation**

Organization	Relationship	MS4 Program Implementation Role	
		Description	Applicable BMPs
Central Rappahannock Regional Library (CRRL)	Through County funding, CRRL provides regional library services to County residents.	CRRL provides a public location for the distribution of traditional public education and outreach materials.	1.1
Department of Health – Environmental Services Section (DH-ESS)	DH-ESS is the local office of the State Department of Health.	DH-ESS is the legal authority for ensuring that private sanitary sewer systems function properly when such systems are found to be discharging into the MS4.	3.3
Friends of the Rappahannock (FOR)	FOR is a local non-profit organization whose role specific to the MS4 Program is outlined in the County’s MOU with FOR.	FOR implements portions of the public education and outreach and public participation programs as outlined by the annually renewed MOU between FOR and the County.	1.1; 2.2
George Washington Regional Planning Commission (GWRPC)	GWRPC is the regional planning district commission that includes the County.	GWRPC engages in community education and outreach activities applicable to the County’s public education and outreach and public involvement needs. Specific activities are identified annually.	1.1
Northern Virginia Regional Commission (NVRC)	NVRC partners with the County and whose role specific to the MS4 Program is in the County’s Memorandum of Understanding (MOU) <sup>2</sup> with NVRC.	NVRC administers the Clean Water Partners (CWP) Only Rain Down the Drain regional stormwater education initiative.	1.1; 2.2
Rappahannock Regional Solid Waste Management Board (R-Board)	R-Board is a joint landfill and recycling operational venture between Stafford County and the City of Fredericksburg.	R-Board implements the Household Hazardous Waste Collection Program for County residents.	1.1; 2.2

<sup>2</sup> Copies of MOUs implemented with Partner Organizations are maintained in the Reference Library

Organization	Relationship	MS4 Program Implementation Role	
		Description	Applicable BMPs
Stafford County Cooperative Extension (VCE)	VCE is the local office of Virginia’s land grant colleges that provides access to educational programs for Stafford County residents and to which the County provides funding.	VCE engages in community education and outreach activities applicable to the County’s public education and outreach and public involvement needs. VCE also implements the Smart Green Lawns Program for County residents.	1.1; 2.2
Tri-County/City Soil and Water Conservation District (TCSWCD)	TCSWCD is a local political subdivision of the Commonwealth of Virginia that receives County funding and whose role specific to the MS4 Program is outlined in the County’s MOU with TCSWCD.	TCSWCD engages in community education and outreach activities applicable to the County’s public education and outreach and public involvement needs. Specific activities are identified annually.	1.1

**3.2 Legal Authorities**

The County has secured the necessary legal authorities to implement this MS4 Program Plan utilizing the Chapters of the Stafford County Code of Ordinances identified in Table 3.

**Table 3. Legal Authorities**

Chapter	MS4 Program Plan Applicability
Chapter 5 – Animals	Chapter 5, Section 5-36 prohibits dogs to defecate on public property without the dog owner immediately removes and properly disposes of the waste.
Chapter 11 – Erosion and Sediment Control	Chapter 11 provides legal authority for the implementation of a local Virginia Erosion and Sediment Control Program (VESCP).
Chapter 21.5 – Stormwater Management	Chapter 21.5, Article 1 provides legal authority for the implementation of a local Virginia Stormwater Management Program (VSMP).
	Chapter 21-5, Article 2 prohibits illicit discharges and illegal dumping.
Chapter 27B – Chesapeake Bay Preservation Area	Chapter 27B enacts Chesapeake Bay Preservation Act (Code of Virginia § 62.1-44.15:67 et seq.) into County Ordinance.

The most current available version of the Stafford County Code of Ordinances is available at [www.municode.com](http://www.municode.com).

The County has developed policy, procedure and guidance (materials and documents) based on the authorities provided by the legal authority provided by County ordinance. Materials and documents required for the successful implementation of the MS4 Program Plan are identified throughout this program plan and are referenced both in the applicable MS4 Program Plan Chapter and the Reference Library

**Materials and documents required for the successful implementation of the MS4 Program Plan are identified throughout the MS4 Program Plan. Current versions of the referenced materials and documents are maintained by DPW-EP in the Reference Library.**

### **3.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

The MS4 General Permit contains both annual compliance dates and schedules, which occur each year, and dates and schedules specific to one permit condition. The dates and schedules specific to individual permit conditions are both identified in the applicable MS4 Program Plan Chapters.

### **3.4 MS4 Annual Reporting to the Department of Environmental Quality**

As a condition of the MS4 General Permit, the County is required to submit an MS4 Annual Report to the DEQ no later than October 1 of each year. Each MS4 Annual Report is required to include information specified throughout the MS4 General Permit regarding the County’s compliance accomplishments completed between the previous July 1 and June 30 as identified in Table 4.

**Table 4. Permit Year Reference Dates**

Permit Year (PY)	PY Reporting Period		Annual Report Due Date	Responsible County Department
	Begins	Ends		
PY01	July 1, 2018	June 30, 2019	October 1, 2019	DPW-EP
PY02	July 1, 2019	June 30, 2020	October 1, 2020	DPW-EP
PY03	July 1, 2020	June 30, 2021	October 1, 2021	DPW-EP
PY04	July 1, 2021	June 30, 2022	October 1, 2022	DPW-EP
PY05	July 1, 2022	June 30, 2023	October 1, 2023	DPW-EP



Each MS4 Annual Report is required to include the following information

- The permittee, system name and permit number
- The reporting period for which the MS4 Annual Report is being submitted
- A signed certification<sup>3</sup> by a principal executive officer, ranking elected official or an individual employed in a duly authorized position
- Each annual reporting item specified in one of the six MCM
- An evaluation of the MS4 program implementation, including a review of each MCM, to determine the MS4 Program's effectiveness and whether changes to the MS4 Program Plan are necessary<sup>4</sup>
- A status report on the implementation of the Chesapeake Bay TMDL Action Plan including the specific reporting requirements identified in the MS4 General Permit Special Condition Part II A.
- A statute report on the implementation of the Bacterial TMDL for the Tidal Freshwater Rappahannock River Watershed including the specific reporting requirements identified in the MS4 General Permit Special Condition Part II B.
- A summarized list of MS4 Program Plan modifications.

### **3.5 Duty to Reapply for Continued MS4 General Permit Coverage**

Per the MS4 General Permit, Part III M, the County must submit a new Registration Statement to DEQ before Wednesday, August 2, 2023, unless a later date has been granted by the State Water Control Board.

---

<sup>3</sup> All persons signing a document for which a signature is required must 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*"

<sup>4</sup> In accordance with the MS4 General Permit, the MS4 Program Plan and all MS4 Annual Reports are to be maintained separately. Proposed modifications identified and listed in a MS4 Annual Report must be incorporated separately into a revised MS4 Program Plan.

## CHAPTER 4. ASSURING COMPLIANCE WITH MINIMUM CONTROL MEASURES

The six (6) MCMs in the MS4 General Permit form its backbone and make up the basics of what is required in the County's MS4 Program and MS4 Program Plan. Each MCM requires the County to address several specific requirements throughout the MS4 General Permit cycle. Chapter 4 contains the following for each of the six (6) MCMs:

- MS4 General Permit compliance requirements
- Selected County BMPs and strategies
- Compliance dates/schedules
- Annual reporting requirements

In addition, the MS4 General Permit requires the County to utilize measurable goals to evaluate the progress and effectiveness of the selected County BMPs and strategies in meeting the MCM requirements as well as the overarching requirement to "reduce the discharge of pollutants from the small MS4 to the MEP in accordance with this permit, to protect water quality, and to satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations." The measurable goals and methods for evaluating the County's progress are addressed in the MS4 Program Plan, Chapter 6.

### 4.1 Minimum Control Measure 1 – Public Education and Outreach (MCM #1)

MCM #1 details the expectations and requirements of the County's efforts to increase public knowledge and awareness regarding stormwater pollution, anthropogenic impacts to water quality and local water quality concerns.

#### 4.1.1 MS4 General Permit Compliance Requirements

Under the MS4 General Permit, the County is required to implement a public education and outreach program (PEOP) that is designed to:

- Increase the public's knowledge of how to reduce stormwater pollution, placing priority on reducing impacts to impaired waters and other local water pollution concerns;
- Increase the public's knowledge of hazards associated with illegal discharges and improper disposal of waste, including pertinent legal implications; and
- Implement a diverse program with strategies that are targeted toward individuals or groups most likely to have significant stormwater impacts.

To address requirements associated with MCM #1, County must identify no less than three (3) high-priority stormwater issues to address in meeting the abovementioned goals. The PEOP associated with the high-priority stormwater issues must:

- Clearly identify the high-priority stormwater issues;
- Explain the importance of the high-priority stormwater issues;
- Include measures or actions the public can take to minimize the impact of the high-priority stormwater issues; and
- Provide a contact and telephone number, website, or location where the public can find out more information.

A summary of the MCM #1 Permit Conditions are found in Table 5.

**Table 5. Summary of MS4 General Permit Conditions for MCM #1**

Summary of the MS4 General Permit MCM #1 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
The County shall implement a public education and outreach program.	303-336
The County shall identify no less than three high-priority stormwater issues to meet the goal of educating the public.	311-314
<p>The County shall use two or more strategies of the following strategies per year to communicate to the public the high-priority stormwater issues:</p> <ul style="list-style-type: none"> <li>▪ Traditional written materials, including but not limited to, informational brochures, newsletters, fact sheets, utility bill inserts or recreational guides for targeted groups of citizens.</li> <li>▪ Alternative materials, including but not limited to, bumper stickers, refrigerator magnets, t-shirts, or drink koozies.</li> <li>▪ Signage, including but not limited to, temporary or permanent signage in public places or facilities, vehicle signage, bill boards or storm drain stenciling.</li> <li>▪ Media materials, including but not limited to, information disseminated through electronic media, radio, televisions movie theaters or newspapers</li> <li>▪ Speaking engagements, including but not limited to presentations to school, church, industry, trade, special interest, or community groups.</li> <li>▪ Curriculum materials, including but not limited to, materials developed for school-aged children, students at local colleges or universities, or extension classes offered to local citizens.</li> <li>▪ Training materials including but not limited to materials developed to disseminate during workshops offered to local citizens, trade organizations, or industrial officials.</li> </ul>	320-321
<p>The MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ A list of the high-priority stormwater issues the permittee will communicate to the public as part of the public education and outreach program.</li> <li>▪ The rationale for selection of each high-priority stormwater issue and an explanation of how each education or outreach strategy is intended to have a positive impact on stormwater discharges.</li> <li>▪ Identification of the public audience to receive each high-priority stormwater message.</li> <li>▪ The strategies from the MS4 General Permit Table 1 that are to be used to communicate each high- priority stormwater message.</li> <li>▪ The anticipated time periods the messages will be communicated or made available to the public.</li> </ul>	324-332

**4.1.2 Selected County BMPs and Strategies**

The County has identified 1) pet wastes, 2) residential lawn care, and 3) illicit discharges as the three (3) high-priority stormwater issues to address as part of its PEOP. The County selected pet wastes as a high-

priority stormwater issue due to the fact that pet wastes are known to contain high volumes of bacteria and the 2016 305(b)/303(d) Water Quality Assessment Integrated Report identified bacteria as a cause of impairment for numerous receiving waters downstream of the County’s MS4 service area in both the Potomac River and Rappahannock River basins. The County selected residential lawn care as a high-priority stormwater issue due to the fact that improper nutrient application on residential lawns has been identified as a source of nutrients that contribute to the Chesapeake Bay impairments. The County selected illicit discharges, in general, as a high-priority stormwater issue due to the fact that eliminating illicit discharges has been identified by EPA as one of the six (6) MCMs necessary for MS4 operators to implement in order to reduce pollutants from MS4s to the MEP. The County will implement BMP #1.1 to meet the requirements contained in the MS4 General Permit for MCM #1.

***BMP #1.1 – Implementation of the Stafford County Public Education and Outreach Program Plan***

The County has developed Stafford County Public Education and Outreach Program Plan (PEOP) to guide implementation of its public education and outreach program. The PEOP identifies the list of specific strategies, partnerships, events and materials that the County will utilize to meet the MS4 General Permit MCM #1 permit conditions. Additional information regarding the Public Education and Outreach Program and the PEOP is available from the DPW-EP. The DPW-EP contact information is found in Chapter 3.1.

**Roles and Responsibilities**

- DPW-EP is responsible for coordinating implementation of the PEOP with the applicable partners and ensuring that the latest version of the PEOP is available to the public via the County’s Environmental webpage. DPW-EP is also responsible for ensuring that a minimum of two (2) or more strategies are used annually to communicate with the public.

**Necessary Reference Materials and Documents**

- Public Education and Outreach Plan
- NVRC Memorandum of Understanding
- FOR Memorandum of Understanding

**4.1.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

- N/A

**4.1.4 Annual Reporting Requirements**

The MS4 General Permit requires that the items specific to MCM #1 identified in Table 6 be reported as part of the MS4 Annual Report.

**Table 6. MS4 Annual Report Reporting Item Requirements Specific to MCM #1**

<b>MCM #1 Required MS4 Annual Report Reporting Item</b>
A list of the high-priority stormwater issues the permittee addressed in the public education and outreach program
A list of the strategies used to communicate each high-priority stormwater issue

**4.2 Minimum Control Measure 2 – Public Involvement and Participation (MCM #2)**

MCM #2 is designed to both keep the public informed of the County’s efforts at minimizing pollutant discharge through its MS4 and to encourage public involvement and participation in the pollution prevention efforts.

#### 4.2.1 MS4 General Permit Compliance Requirements

The County must develop and implement procedures regarding public involvement and participation that allows for the public to provide input on the County programs and reporting stormwater issues. The County must provide information specific to its MS4 program through its website and provide for annual public participation in a minimum of four (4) events selected from a minimum of two (2) of five (5) MS4 General Permit identified categories. Table 7 contains a summary of the MCM #2 Permit Conditions as well as the location of the specific MS4 General Permit language.

**Table 7. Summary of MS4 General Permit Conditions for MCM #2**

Summary of the MS4 General Permit MCM #2 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<p>The County must develop and implement procedures for the following:</p> <ul style="list-style-type: none"> <li>▪ The public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns;</li> <li>▪ The public to provide input on the permittee's MS4 program plan;</li> <li>▪ Receiving public input or complaints;</li> <li>▪ Responding to public input received on the MS4 program plan or complaints; and</li> <li>▪ Maintaining documentation of public input received on the MS4 program and associated MS4 program plan and the permittee's response.</li> </ul>	337-345
<p>By February 1, 2019, the County must develop and maintain a website dedicated to the MS4 Program and stormwater pollution prevention. The webpage must include:</p> <ul style="list-style-type: none"> <li>▪ The effective MS4 General Permit and coverage letter;</li> <li>▪ The most current MS4 Program Plan (or location where the MS4 Program Plan can be obtained);</li> <li>▪ A mechanism for the public to report               <ul style="list-style-type: none"> <li>- Potential illicit discharges, improper disposal or spills to the MS4</li> <li>- Complaints regarding land disturbing activities</li> <li>- Other potential stormwater pollution prevention concerns; and</li> </ul> </li> <li>▪ A method for how the public can provide input on the MS4 Program Plan.</li> </ul>	346-357

Summary of the MS4 General Permit MCM #2 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<p>The County must implement no less than four (4) activities per year from two or more of the following categories to provide an opportunity for public involvement to improve water quality and support local restoration and clean-up projects:</p> <ul style="list-style-type: none"> <li>▪ Monitoring such as, but not limited to, establishing or supporting a citizen monitoring group;</li> <li>▪ Restoration such as, but not limited to, stream or watershed clean-up days or adopt-a-water way program;</li> <li>▪ Educational events such as, but not limited to, sponsoring a booth at community fair, stormwater control demonstration projects, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, watershed walks, or participation on environmental advisory committees;</li> <li>▪ Disposal or collection events such as, but not limited to, household hazardous waste collection or vehicle fluids collection; and</li> <li>▪ Pollution prevention programs such as, but not limited to, public adopt-a-storm drain or street programs, storm drain marking, promoting residential stormwater BMPs usage, or implementation of pet waste stations in public areas.</li> </ul>	358-361
<p>MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ The webpage address where mechanisms for the public to report (i) potential illicit discharges, improper disposal, or spills to the MS4, (ii) complaints regarding land disturbing activities, or (iii) other potential stormwater pollution concerns;</li> <li>▪ The webpage address that contains the methods for how the public can provide input on the permittee's MS4 program; and</li> <li>▪ A description of the public involvement activities to be implemented by the permittee, the anticipated time period the activities will occur, and a metric for each activity to determine if the activity is beneficial to water quality.</li> </ul>	364-373

**4.2.2 Selected County BMPs and Strategies**

The MS4 Program Plan includes the following BMPs/compliance strategies to meet the MS4 General Permit requirements for MCM #2.

***BMP #2.1 – Stormwater and MS4 Public Reporting and Communication***

DPW-EP maintains an Environmental website, <https://staffordcountyva.gov/998/Environmental>, that is comprised of individual webpages regarding the Chesapeake Bay Act, Erosion and Sediment Control, Stormwater Management, Wetlands and Other Environmental Agencies. The Stormwater Management webpage also includes links to webpages dedicated to the MS4 Stormwater Permit Program, the Chesapeake Bay TMDL Action Plan and Plan Review and Inspections.

The County’s MS4 Stormwater Permit Program webpage includes a link to the current MS4 General Permit and the County’s Notice of Coverage under the permit from DEQ. The MS4 Stormwater Permit

Program webpage also includes links to the County's current MS4 Program Plan as well as the its MS4 Annual Report. In addition, the MS4 Stormwater Permit Program webpage directs the public to report potential illicit discharges, improper disposal or spills to the MS4; complaints regarding land disturbing activities; and other potential stormwater pollution prevention concerns to DPW-EP via the following methods:

- Calling the (504) 658-8830; and
- Providing a link to the Environmental Programs' e-mail addresses

The public can also utilize the County's Citizen Service Request Tracker, or the Stafford 311 system as directed on the Environmental website to report their concerns.

The County will utilize the Environmental website to provide public access to documents, such as the MS4 Program Plan and Chesapeake Bay TMDL Action Plan, for which public comment is requested.

### **Roles and Responsibilities**

- The DPW-EP is responsible for coordinating public communication regarding stormwater management issues among County departments as well as web-page content.

### **Necessary Reference Materials and Documents**

- The County's Environmental websites (<https://staffordcountyva.gov/998/Environmental>)

### ***BMP #2.2 – Public Involvement and Participation Opportunities***

The County has developed and implemented numerous involvement and participation opportunities for the public that are available for the public.

### **Opportunities for Public Involvement and Participation**

- River Clean-Up Events

The Friends of the Rappahannock (FOR) promote and lead numerous river cleanup projects in the Rappahannock River portion of Stafford County. Through a MOU between the County and FOR, FOR manages the river clean-up program and reports a narrative description to the County of each project including various metrics as described in the MOU. The County bases its selection of Storm Drain Marking as a valuable BMP on EPA's inclusion of the BMP in its National Menu of BMPs for Stormwater, which listed practices that can successfully achieve the requirements of the MCMs.

- Volunteer Storm Drain Marking Program

DPW-EP continuously promotes its voluntary Storm Drain Marking Program through its environmental website (<https://staffordcountyva.gov/998/Environmental>). DPW-EP works with interested community organizations to install "Only Rain Down the Drain" storm drain markers in subdivisions throughout the County. The County provides interested citizens storm drain markers and application instructions while coordinating with VDOT to obtain the necessary permits to mark residential street stormwater drainage infrastructure. The Volunteer Storm Drain Marking Program meets the Pollution Prevention category of the MS4 General Permit. Each storm drain marking event counts towards meeting the MS4 General Permit-required four public involvement opportunities.

The County bases its selection of Storm Drain Marking as a valuable BMP on EPA's inclusion of the BMP in its National Menu of BMPs for Stormwater, which listed practices that can successfully achieve the requirements of the MCMs.



- **Regional Solid Waste Management Board Household Hazardous Waste Collection Program**

The R-Board is a joint venture between the Stafford County and the City of Fredericksburg government that is responsible for the operation and maintenance of the Regional Landfill and recycling drop-off facilities in Stafford and Fredericksburg. Since 1999, the R-Board has voluntarily held spring and fall household hazardous waste (HHW) collection events at which the County residents may participate. As of November 1, 2019, the Spring HHW collection event is held in Fredericksburg while the Fall HHW collection event is held in Stafford. R-Board promotes the events using their website and social media and provides a summary of the HHW collection events including the number of participants and type of HHWs collected in their Annual Financial & Operational Report. The HHW Program meets the Disposal or Collection Event category of the MS4 General Permit and is one of four activities required. Each HHW event counts towards meeting the MS4 General Permit-required four (4) public involvement opportunities.

The County bases its selection of HHW Collection as being beneficial to improving water quality based on EPA's recognition in its 1993 publication, Household Hazardous Waste Steps to Safe Management (EPA 530-F-92-031) that the improper disposal of HHW through disposal can cause environmental damage and that recycling is an economical and environmentally sound way to handle some types of household hazardous wastes.

- **Stafford County Cooperative Extension Office Smart Green Lawns Program**

The Stafford County VCE offers the Smart Green Lawns Program to County residents. The Smart Green Lawns Program is designed to ensure healthy green lawns while using environmentally safe practices to protect local waters. County residents who participate in the program receive a site visit from a trained Master Gardener volunteer, soil tests, a Smart Green Lawns handbook and a customized lawn and fertilizer plan specific for the participants lawn. The Smart Green Lawns program is available to County residents between March 1 and October 31 each year. County residents who wish to participate enroll into the program by completion and submission of the Smart Green Lawns Program enrollment form to the Stafford VCE along the applicable fees. The Smart Green Lawns Program meets the Disposal or Collection Event category of the MS4 General Permit and is one of four activities required. Each Smart Green Lawn counts towards meeting the MS4 General Permit-required four public involvement opportunities.

The County bases its selection of the Smart Green Lawns Program as being beneficial to improving water quality on Virginia's desire to expand homeowner lawn management programs in the Phase III Chesapeake Bay TMDL Implementation Plan as released on April 11, 2019.

- **Duff McDuff Green Memorial Park Dog Park Pet Waste Stations**

The County operates three (3) separate dog park areas at the Duff McDuff Green Memorial Park. These include an areas for both small and large dogs and an open area of approximately 4-acres for all dogs to run. In order to encourage pet waste clean-up, the County provides pet waste stations at all three facilities. The pet waste stations at the three Duff McDuff Green Memorial Park dog park areas meet the Pollution Prevention category of the MS4 General Permit and is one of four activities required. Each pet waste station counts towards meeting the MS4 General Permit-required four (4) public involvement opportunities.

The County bases its selection of Pet Waste Stations as being beneficial to improving water quality on its inclusion in the DEQ Guidance Manual for TMDL Implementation Plans (June 2017), which states "pet waste management programs are successful pollutant management



strategies targeted at the residential community for reducing bacteria associated with pet wastes.”

- Additional Public Involvement and Participation Opportunities

While the MS4 Program Plan includes the descriptions for those public involvement and participation BMPs that the County anticipates utilizing over multiple reporting periods, the County also recognizes that additional public involvement and participation opportunities related to stormwater pollution prevention occur throughout the County, such as stream and park clean-up days.

## **Roles and Responsibilities**

- River Clean-Up Program
  - DPW-EP is responsible for coordinating the River Clean-Up Program with FOR and maintaining an up-to-date and current MOU.
  - FOR is responsible for the commitments outlined in the FOR Stafford County MS4 Support Memorandum of Understanding
- Storm Drain Marking
  - DPW-EP is responsible for promoting the storm drain marking program, providing the necessary storm drain markers and instructions and coordinating with the local VDOT District office to obtain the necessary VDOT land use permits for storm sewer stenciling. DPW-EP is responsible for coordinating implementation efforts led by Partner Organizations as outlined in MOUs between the County and the Partner Organizations.
  - FOR is responsible for meeting the commitments outlined in the FOR Stafford County MS4 Support Memorandum of Understanding
- Household Hazardous Waste Collection
  - DPW-EP is responsible for coordinating with the R-Board to obtain the information required for the MS4 Annual Report.
  - The R-Board is responsible for the continued implementation of HHW collection events
  - DPW-EP is responsible for coordinating with the R-Board to obtain the information required for the MS4 Annual Report.
- Smart Green Lawns Program
  - DPW-EP is responsible to coordinate with VCE to identify the number of County residents who participate in the program.
  - VCE is responsible to continue to provide the Smart Green Lawns Program to the residents of the County.
  - Both VCE and DPW-EP have a role in the continued publicization of the Smart Green Lawns Program.
- Duff McDuff Memorial Park Pet Waste Stations
  - PRCF is responsible for maintaining the pet waste stations at each of the three dog park areas at Duff McDuff Green Memorial Park.

- Additional Public Involvement and Participation Opportunities
  - DPW-EP is responsible for the identification, selection and defining the County’s involvement regarding additional public involvement and participation opportunities in relationship to MCM #2. DPW-EP is responsible for providing the necessary information regarding the public involvement and participation opportunity in the MS4 Annual Report including categorizing the activity in one of the four MS4 General Permit-identified categories, providing a metric to evaluate whether the activity is beneficial to improving water quality and identifying other MS4 operators who also participated in implementation of the event.

**Necessary Reference Materials and Documents**

- River Clean-Up Program
  - FOR Stafford County MS4 Support Memorandum of Understanding
- Storm Drain Marking
  - Information regarding VDOT Land Use Permit requirements is available at [http://www.virginiadot.org/business/locdes/ms4\\_stormwater\\_management.asp](http://www.virginiadot.org/business/locdes/ms4_stormwater_management.asp).
  - FOR Stafford County MS4 Support Memorandum of Understanding
- Smart Green Lawns Program
  - Information regarding the Smart Green Lawns program, including the enrollment form, is available at <https://stafford.ext.vt.edu/index.html>

**4.2.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 8. contains the dates and schedules specific to complying with the permit conditions associated with MCM #4 that are in the MS4 General Permit.

**Table 8: MS4 General Permit Compliance Dates Pertaining to MCM #2**

Due Date	Requirement
2/1/2019	The County must develop and maintain a website dedicated to the MS4 Program and stormwater pollution prevention. The webpage must include: <ul style="list-style-type: none"> <li>▪ The effective MS4 General Permit and coverage letter</li> <li>▪ The most current MS4 Program Plan (or location where the MS4 Program Plan can be obtained)</li> <li>▪ A mechanism for the public to report               <ul style="list-style-type: none"> <li>- Potential illicit discharges, improper disposal or spills to the MS4</li> <li>- Complaints regarding land disturbing activities</li> <li>- Other potential stormwater pollution prevention concerns</li> </ul> </li> <li>▪ A mechanism for how the public can provide input on the MS4 Program Plan</li> </ul>
11/30/2019	The County must post the MS4 Annual Report for PY01 on the MS4 Program website prior to this date.
11/30/2020	The County must post the MS4 Annual Report for PY02 on the MS4 Program website prior to this date.
11/30/2021	The County must post the MS4 Annual Report for PY03 on the MS4 Program website prior to this date.
11/30/2022	The County must post the MS4 Annual Report for PY04 on the MS4 Program website prior to this date.
11/30/2023	The County must post the MS4 Annual Report for PY05 on the MS4 Program website prior to this date.

#### 4.2.4 Annual Reporting Requirements

The MS4 General Permit requires that the items specific to MCM #2 identified in Table 9 be reported as part of the MS4 Annual Report.

**Table 9. MS4 Annual Report Reporting Item Requirements Specific to MCM #2**

<b>MCM4 Required MS4 Annual Report Reporting Item</b>
A summary of any public input of the MS4 Program received (including stormwater complaints) and how the County responded.
A webpage address to the County’s MS4 Program and stormwater website.
A description of the public involvement activities implemented by the County.
A report of the metric as defined by each activity and an evaluation as to whether the activity is beneficial to improving water quality.
The name of other MS4 permittees with whom the County collaborated in the public involvement opportunities.

#### 4.3 Minimum Control Measure 3 – Illicit Discharge Detection and Elimination (MCM #3)

MCM #3 requires the County to maintain a map of the storm sewer system owned and operated by the County that is located within the census urbanized area identified by the 2010 decennial census, implement and enforce illicit discharge identification and elimination prohibitions and procedures including dry weather screening.

##### 4.3.1 MS4 General Permit Compliance Requirements

Table 10 includes a summary of the MCM #3 MS4 General Permit Conditions along with the location of the specific language in the MS4 General Permit

**Table 10. Summary of MS4 General Permit Conditions for MCM #3**

<p align="center"><b>Summary of the MS4 General Permit MCM #3 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must maintain an accurate MS4 map and outfall information table that includes</p> <ul style="list-style-type: none"> <li>▪ A map of the MS4 owned or operated by the County within the 2010 Census UA.               <ul style="list-style-type: none"> <li>- MS4 outfalls discharging into surface water, except                   <ul style="list-style-type: none"> <li>• If the outfall is located outside of the County’s legal responsibility, the County may map the known point of discharge closest to the actual outfall</li> <li>• If the outfall discharges to a receiving water that is channelized underground, the County may elect to map the point downstream at which the receiving water emerges above ground as an outfall location. The County must note if the outfall location receives discharges from more than one outfall.</li> </ul> </li> <li>- A unique identifier for each mapped item</li> <li>- The name and receiving waters to which each outfall or point of discharge discharges</li> <li>- The MS4 service area</li> <li>- The stormwater management facilities owned by the County</li> </ul> </li> <li>▪ The associated outfall information table for the MS4 map must include the following information:               <ul style="list-style-type: none"> <li>- A unique identifier for each mapped item</li> <li>- The latitude and longitude of each outfall or point of discharge</li> <li>- The estimated regulated acreage draining to each outfall or point of discharge</li> <li>- The name of the receiving water</li> <li>- The 6<sup>th</sup> Order Hydrologic Unit Code of the receiving water</li> <li>- An indication whether the receiving water is listed as impaired on the Virginia 2016 305(b)/303(d) Water Quality Assessment Integrated Report</li> <li>- The predominant land use for each outfall discharging to an impaired water</li> <li>- The name of any EPA approved TMDLs for which the County is assigned a wasteload allocation</li> </ul> </li> </ul>	<p align="center">383-411</p>
<p>No later than July 1, 2019, the County must submit to DEQ a GIS-compatible shapefile of the permittee's MS4 map as described above. If the permittee does not have an MS4 map in a GIS format, the permittee shall provide the map as a PDF document.</p>	<p align="center">412-417</p>

<p align="center"><b>Summary of the MS4 General Permit MCM #3 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must provide written notification to any downstream adjacent of any known physical interconnection <u>established or discovered</u> after the effective date of the permit.</p>	<p align="center">418-419</p>
<p>The County must prohibit through legal mechanism unauthorized non-stormwater discharges into the County’s MS4. The County must address authorized stormwater discharges or flows if the County identifies them as a significant contributor of pollutants contributing to the MS4.</p>	<p align="center">420-424</p>
<p>The County must maintain, implement and enforce IDDE written procedures to designed to detect, identify and address unauthorized non-stormwater discharges, including illegal dumping, to the small MS4 to effectively eliminate the unauthorized discharge. The written procedures must include:</p> <ul style="list-style-type: none"> <li>▪ A description of the legal authorities, policies, SOPs and other legal mechanisms available to the County for elimination of illicit discharges</li> <li>▪ Dry weather screening protocols that include: <ul style="list-style-type: none"> <li>- A prioritized schedule of field screening activities and rationale for such prioritization</li> <li>- A schedule to annually screen a minimum of 50 outfalls annually such that no more than 50% are screened in the previous 12-month period. The 50% criteria is not applicable if all outfalls have been screened in the previous three years.</li> <li>- A mechanism to track the following: <ul style="list-style-type: none"> <li>• The unique outfall identifier for each outfall screened</li> <li>• The time since the last precipitation event</li> <li>• The estimated quantity of the last precipitation event</li> <li>• Site description (e.g., conveyance type and dominant watershed land use)</li> <li>• Presence of an observed discharge</li> <li>• The estimated discharge rate and visual characteristics of the observed discharge</li> </ul> </li> <li>- A timeframe upon which to conduct an investigation to identify and locate the source of any unauthorized non-stormwater discharge</li> <li>- Methodologies to determine the source of all illicit discharges</li> <li>- Methodologies for conducting illicit discharge follow-up investigations for illicit discharges that are continuous or expected to occur more frequently than a one-time discharge to verify the discharge has been eliminated</li> <li>- A mechanism to track all illicit discharge investigations to document the following <ul style="list-style-type: none"> <li>• The dates that the illicit discharge was initially observed, reported or both</li> </ul> </li> </ul> </li> </ul>	<p align="center">425-465</p>

Summary of the MS4 General Permit MCM #3 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<ul style="list-style-type: none"> <li>• The results of the investigation including the source if identified</li> <li>• Any follow-up to the investigation</li> <li>• Resolution of the investigation</li> <li>• The date the investigation was closed</li> </ul>	
<p>The MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ The MS4 map and outfall information table, directly or by reference</li> <li>▪ Copies of written notifications of new physical interconnections given by the County to other MS4s</li> <li>▪ The IDDE procedures</li> </ul>	466-472

**4.3.2 Selected County BMPs and Strategies**

The County has identified the following individual BMPs and strategies to address the MS4 General Permit MCM #3 permit conditions.

***BMP #3.1 – Stafford County MS4 Outfall Data Recordkeeping and Mapping***

The County maintains numerous geocoded layers in its GIS that contains information that is potentially necessary in implementing its MS4 program such as land use and ownership, streets, elevational contours, utility location, MS4 outfalls, FEMA flood data and watershed and stream data. SWM facilities and BMPs as well as individual MS4 outfalls are provided individual asset IDs and their locations identified via latitude/longitude. Records regarding individual SWM facilities, BMPs or MS4 outfalls are obtained by consolidating available data from County GIS layers, Infor Inspection and Facility Database System, ONBASE Case File Records Repository and current DPW-EP spreadsheets. Records searches can be conducted via numerous methods including asset ID, parcel, and case number and synced with existing GIS layers to provide necessary maps and asset outfall information tables.

**Roles and Responsibilities**

- DPW-EP is responsible for maintaining an up-to-date, accurate and complete data regarding SWM facilities, BMPs and MS4 outfalls and ensuring that the specific asset information for individual stormwater assets is being maintained. DPW-EP is also responsible for coordinating with IT to ensure that the available GIS layers contain the information necessary to develop and submit the required MS4 Outfall Map and Outfall information tables.
- DPW-EP is responsible for providing an up-to-date MS4 Map and outfall information table to DEQ within 14-days of request.
- IT is responsible for assisting DPW-EP in maintaining an up-to-date, accurate and complete georeferenced information.

**Necessary Reference Materials and Documents**

- **None Required**

### ***BMP #3.2 – Physically Interconnected MS4 Reporting***

In addition to the County-operated MS4, other government agencies operate regulated MS4 within the Stafford County jurisdictional boundary. These include:

- Stafford County School Board (MS4 General Permit Registration Number VAR040071)
  - <https://www.staffordschools.net/Page/20575>
- The US Marine Corps Base Quantico (MS4 General Permit Registration Number VAR040069)
  - <https://www.quantico.marines.mil/Offices-Staff/G-F-Installation-and-Environment/Natural-Resources-Environmental-Affairs/NREA-Documents/>
- The University of Mary Washington (MS4 General Permit Registration Number VAR040094)
  - <https://adminfinance.umw.edu/facilities/storm-water-mangement/>
- The Virginia Department of Transportation (VPDES Permit #VA0092975)
  - [http://www.virginiadot.org/business/locdes/ms4\\_stormwater\\_management.asp](http://www.virginiadot.org/business/locdes/ms4_stormwater_management.asp)

The County will notify the appropriate MS4 operator, in writing (e-mail is acceptable) of newly established or newly discovered MS4 outfalls based on the following:

- VDOT will be notified of any newly established or newly discovered discharges from County-owned or operated MS4s that discharge into the VDOT right-of-way or onto a VDOT-owned parcel, as identified by the most recent GIS parcel information.
- All other MS4 operators will be notified of any newly established or newly discovered discharges from County-owned or operated MS4s that onto a MS4 operator-owned parcel, as identified by the most recent GIS parcel information.
- A copy of the physical-interconnection notification will be placed in the Reference Library.
- MS4 outfall information will be entered into the County's MS4 database identified under BMP #3.1.

### **Roles and Responsibilities**

- The DPW-EP will notify the appropriate MS4 operators of newly established or newly discovered physically interconnected MS4 outfalls based on the aforementioned criteria.

### **Necessary Reference Materials and Documents**

- A copy of MS4 operator notifications of physically-interconnected MS4 Outfalls

### ***BMP #3.3 – Illicit Discharge Detection and Elimination (IDDE)***

The County's legal authority to prohibit illicit discharges into the its MS4 is found in Chapter 21.5 – Stormwater Management, Article II. Stormwater Pollution and Illicit Discharge of the Stafford County Code of Ordinances. Under the authorities provided by this legal authority, the County has developed and implemented the Illicit Discharge Detection and Elimination (IDDE) Standard Operating Procedures Manual (IDDE Manual). The IDDE Manual provides procedures for prioritizing outfalls, conducting dry weather screening, addressing illicit discharge complaints including investigation and recordkeeping, determining the source of suspect discharges, methods including enforcement mechanisms to eliminate illicit discharges and coordinating with other agencies.

### **Roles and Responsibilities**

- DPW-EP is responsible for maintaining an accurate and complete map and outfall information table of MS4 outfalls. DPW-EP is also responsible for coordinating IDDE activities as outlined in the IDDE SOPs including outfall prioritization, dry weather screening, addressing complaints, determining suspect discharge sources, eliminating illicit discharges and reporting illicit discharges.

- The County Attorney is responsible for assisting DPW-EP in ensuring the elimination of illicit discharges under Section 21.5 of the County Code of Ordinances.
- DPU is responsible for follow-up and elimination of illicit discharges originating from DPU infrastructure.
- DPH-ESS is responsible for follow-up and elimination of illicit discharges originating from failed septic systems and straight pipes.
- F&R is responsible for providing emergency response to spills and other hazardous material releases.

**Necessary Reference Materials and Documents**

The following reference materials and documents are required for the implementation of the MCM #3 BMPs and are available from the Reference Library:

- Illicit Discharge Detection and Elimination (IDDE) Standard Operating Procedures Manual

**4.3.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 11. contains the dates and schedules specific to complying with the permit conditions associated with MCM #3 are in the MS4 General Permit.

**Table 11: MS4 General Permit Compliance Dates Pertaining to MCM#3**

<b>Due Date</b>	<b>Requirement</b>
7/1/2019 <sup>5</sup>	The County must submit to DEQ a GIS-compatible shapefile of the County’s MS4 map.
10/1/2019	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY01.
10/1/2020	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY02.
10/1/2021	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY03.
10/1/2022	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY04.
10/1/2023	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY05.

**4.3.4 Annual Reporting Requirements**

The MS4 General Permit requires that the items specific to MCM #3 identified in Table 12 be reported as part of the MS4 Annual Report.

<sup>5</sup> Per MS4 General Permit Part I E 3 d, “The map shall be made available to [DEQ] within 14 days upon request.”



**Table 12. MS4 Annual Report Reporting Item Requirements Specific to MCM#3**

<b>MCM#3 Required MS4 Annual Report Reporting Item</b>
A confirmation statement that the MS4 map and outfall information table have been updated to reflect any changes to the MS4 occurring on or before June 30 of the reporting year.
The total number of outfalls screened during the reporting period as part of the dry weather screening program
<p>A list of illicit discharges to the MS4, including that spills reach the MS4, with the following information:</p> <ul style="list-style-type: none"> <li>▪ The source of the illicit discharge</li> <li>▪ The dates that the [illicit] discharge was observed, reported or both.</li> <li>▪ Whether the [illicit] discharge was discovered by the County during dry weather screening, reported by the public or other method</li> <li>▪ How the investigation was resolved</li> <li>▪ A description of any follow-up activities</li> <li>▪ The date the investigation was closed</li> </ul>

**4.4 Minimum Control Measure 4 – Construction Site Stormwater Runoff Control (MCM #4)**

MCM #4 contains the MS4 General Permit conditions to address discharges to the MS4 from regulated construction site stormwater runoff.

**4.4.1 MS4 General Permit Compliance Requirements**

The MS4 General Permit conditions associated with construction site stormwater runoff are consistent with those contained in the Virginia Erosion and Sediment Control Law (§62.1-44:15:51 et seq. of the Code of Virginia) and the Virginia Erosion and Sediment Control Regulations (9VAC25-840) in which the County is required to implement a local VESCP. Under the MS4 General Permit, the County is also required to ensure implementation of appropriate controls to prevent nonstormwater discharges to the MS4 from construction activities regulated under the County’s VSMP.

The County’s VESCP is required to conduct plan reviews, site inspections and enforcement for non-compliance. As a defined Tidewater locality under the Chesapeake Bay Preservation Act (CBPA), the County is required to regulate land disturbing activities that are equal to or greater than 2,500 square feet in areas of the jurisdiction designated by the County under Chapter 27B of the County Code of Ordinances. The County VESCP must be administered by a DEQ-certified Program Administrator with plan reviews and compliance inspections being conducted by DEQ-certified individuals.

In addition to MS4 General Permit conditions pertaining to MS4 Program Plan content and Annual Reporting, the MS4 General Permit contains conditions specific to MCM #4 for which the County must ensure compliance. These specific conditions are summarized in Table 13.

**Table 13. Summary of MS4 General Permit Conditions for MCM #4**

Summary of the MS4 General Permit MCM #4 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
The County is required to utilize its legal authority, such as ordinances, permits, orders, specific contract language and interjurisdictional agreements to address discharges entering the MS4 from regulated construction site runoff through implementation of its DEQ – approved local VESCP consistent with the Virginia Erosion and Sediment Control Law and Virginia Erosion and Sediment Control Regulations.	486-507
The County is required to require implementation of appropriate controls to prevent nonstormwater discharges to the MS4, such as wastewater, concrete washout, fuels and oils, and other illicit discharges identified during land disturbing activity inspections of the MS4.	521-524
<p>The County’s MS4 Program Plan must include</p> <ul style="list-style-type: none"> <li>▪ The local ordinance citations for the VESCP</li> <li>▪ A description of the legal authorities utilized to control construction site stormwater runoff</li> <li>▪ Written inspection procedures to ensure the ESC controls are properly implemented and all associated documents utilized during inspection including the inspection schedule</li> <li>▪ Written procedures for requiring compliance through corrective or enforcement action</li> <li>▪ The roles and responsibilities of each of the County’s departments, divisions, or subdivisions in implementing the construction site stormwater control.</li> </ul>	525-541

**4.4.2 Selected County BMPs and Strategies**

The County will utilize the combined programs described in BMP 4.1 and BMP 4.1 to address the MS4 General Permit MCM #4 permit conditions.

***BMP #4.1 – Combined Stafford County Local Virginia Erosion and Sediment Control Program and Stafford County Local Stormwater Management Program***

As a State Water Control Board-approved local authority for both VESCP and VSMP, Stafford County relies on implementation of these programs to meet the MS4 General Permit conditions associated with MCM #4. Both the local VESCP and the VSMP are administered by the DPW-EP. The legal authority for administration of these programs is contained in the County Code of Ordinances Chapter 11 – Erosion and Sediment Control and Chapter 21.5 Stormwater Management. As a Tidewater locality, the County regulates land disturbance activities on projects equal to or larger than 2,500 square feet while requiring development and implementation of pollution prevention plans on construction activities regulated under the Virginia Stormwater Management Act and Regulation.

The responsible parties of proposed land disturbing activities are required to submit site plans for review and approval by DEQ-certified plan reviewers. Site plan applications and checklists for grading

plans and commercial site plans are maintained on the Department of Planning and Zoning website (<https://staffordcountyva.gov/488/Application-Forms>). Pollution Prevention Plan requirements, which are part of the VSMP required Stormwater Pollution Prevention Plan, are evaluated using Chapter 7 of the Stormwater Management (SWM) Design Manual.

Land disturbing cannot begin at regulated activities until a pre-construction meeting is held. As the County doesn't employ an alternative inspection schedule, County ESC inspectors conduct routine land disturbing activity inspections in accordance with Virginia Administrative Code 9VAC25-840-60 B.1., which requires inspections during "inspection during or immediately following initial installation of erosion and sediment controls, at least once in every two-week period, within 48 hours following any runoff producing storm event, and at the completion of the project prior to the release of any performance bonds." Inspection results are provided to the responsible party and recorded into the INFOR Inspection and Facility Database System based on the type of inspection including:

- Type 100 – Erosion and Sediment Control Inspection
- Type 111 – SWPPP Review
- Type 121 – Pollution Prevention Review
- Type 198 – O.P./Yard Inspection (building occupancy)
- Type 199 – Final Erosion Inspection

The County's progressive enforcement for addressing non-compliance is outlined in its Stafford County VSMP Compliance and Enforcement Policy and Procedures with the County utilizing a standardized Notice to Comply template, when appropriate. County records are maintained on the County's Asset Management System in accordance with the Stafford County Stormwater Recordkeeping and Reporting Policy Procedures.

### **Roles and Responsibilities**

- DPW-EP is responsible for the implementation of the County's VESCSP and VSMP.
- The County Attorney's Office is responsible for assisting DPW-EP in the enforcement of Chapter 11 and Chapter 21.5 of the County Code of Ordinances.

### **Necessary Reference Materials and Documents**

- Stormwater Management Design Manual
- Stafford County VSMP Compliance and Enforcement Policy and Procedures
- Stafford County Stormwater Recordkeeping and Reporting Policy Procedures

#### **4.4.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

MCM#4 does not include any specific compliance dates or schedules outside of what is identified as part of the Annual Reporting Requirements

#### **4.4.4 Annual Reporting Requirements**

*Note: Under the MS4 General Permit, tracking and reporting requirements apply to only projects that are served by the County's MS4.*

The MS4 General Permit requires that the items specific to MCM4 identified in Table 14 be reported as part of the MS4 Annual Report.

**Table 14. MS4 Annual Report Reporting Item Requirements Specific to MCM #4**

<b>MCM4 Required MS4 Annual Report Reporting Item</b>
The total number of ESC and VSMP inspections conducted
The total number and type of enforcement action implemented for both the ESC and for pollution prevention compliance issues under the VSMP program.
A review and evaluation of MCM #4 program effectiveness and whether changes are necessary

**4.5 Minimum Control Measure 5 – Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands (MCM#5)**

MCM #5 contains the MS4 General Permit conditions to address discharges to the MS4 from post-development stormwater runoff.

**4.5.1 MS4 General Permit Compliance Requirements**

The MS4 General Permit conditions associated with post-development stormwater management for new development and development on prior developed lands are consistent with those contained in the Virginia Stormwater Management Act (§62.1-44:15:28 et seq. of the Code of Virginia) and the Virginia Stormwater Management Program Regulations (9VAC25-870). Under the MS4 General Permit, the County is also required to ensure that both public and private permanent stormwater management facilities are maintained and continue to function as designed.

The County’s VSMP is required to conduct plan reviews, site inspections and enforcement for non-compliance. As a defined Tidewater locality under the CBPA, the County is required to regulate land disturbing activities that are equal to or greater than 2,500 square feet in areas of the jurisdiction designated by the County as regulated as part of the CBPA area. The County VSMP must be administered by a DEQ-certified Program Administrator with plan reviews and compliance inspections being conducted by DEQ-certified individuals.

In addition to MS4 General Permit conditions pertaining to MS4 Program Plan content and Annual Reporting, the MS4 General Permit contains conditions specific to MCM #5 for which the County must ensure compliance. These specific conditions are summarized in Table 15.

**Table 15. Summary of MS4 General Permit Conditions for MCM #5**

<p><b>Summary of the MS4 General Permit MCM #5 Permit Conditions</b></p>	<p><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must implement its DEQ-approved VSMP consistent with the Virginia Stormwater Management Act and the VSMP regulations.</p>	<p>553-579</p>
<p>The County must implement an inspection and maintenance program for its stormwater management facilities based on:</p> <ul style="list-style-type: none"> <li>▪ Written inspection and maintenance procedures designed to ensure adequate long-term operation and maintenance of the stormwater management facilities</li> <li>▪ SWM facility inspections occurring no less than once a year unless an alternative schedule is implemented based on facility type and expected facility needs provided that the alternative schedule and rationale is included in the MS4 Program Plan and the inspection frequency is no less than once per five years</li> <li>▪ Required maintenance discovered as part of the inspection process is conducted in accordance with the required written procedures</li> </ul>	<p>580-591</p>
<p>The County must implement an inspection and enforcement program, to the maximum extent allowable under legal authority, for all privately-owned SWM facilities that discharge into the MS4 based on</p> <ul style="list-style-type: none"> <li>▪ An inspection frequency of no less than once per five years</li> <li>▪ Adequate long-term operation and maintenance by the SWM facility owner requiring the owner to develop and record a maintenance agreement, that includes an inspection schedule</li> <li>▪ Utilization of the County’s legal authority for enforcement if maintenance is neglected.</li> </ul>	<p>592-603</p>

<p align="center"><b>Summary of the MS4 General Permit MCM #5 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must maintain an electronic database of all known SWM facilities that discharge into the MS4. The database must include the following for each SWM facility or BMP:</p> <ul style="list-style-type: none"> <li>▪ Type</li> <li>▪ Location as latitude and longitude and 6th Order Hydrologic Unit Code</li> <li>▪ Acres treated including <ul style="list-style-type: none"> <li>- Total</li> <li>- Pervious</li> <li>- Impervious</li> </ul> </li> <li>▪ The date the SWM facility or BMP was brought on-line (MM/YYYY)</li> <li>▪ Ownership distinguished between County-owned or privately-owned</li> <li>▪ Whether the SWM facility is part of a County TMDL Action Plan required by the MS4 General Permit Part II A, B or both</li> <li>▪ If the SWM facility or BMP is privately-owned, if a Maintenance Agreement exists</li> <li>▪ The date of the County’s most recent inspection of the SWM facility or BMP.</li> </ul>	<p align="center">604-621</p>
<p>The electronic database or spreadsheet shall be updated no later than 30 days after a new stormwater management facility is brought online, a new BMP is implemented to meet a TMDL load reduction as required in the TMDL Special Conditions or discovered if it is an existing stormwater management facility.</p>	<p align="center">622-624</p>
<p>The County must use the DEQ Construction Stormwater Database or other application as specified by the department to report each stormwater management facility installed after July 1, 2014, to address the control of post-construction runoff from land disturbing activities for which the permittee is required to obtain a General VPDES Permit for Discharges of Stormwater from Construction Activities.</p>	<p align="center">625-628</p>
<p>No later than October 1 of each year, the County must electronically report the stormwater management facilities and BMPs implemented between July 1 and June 30 of each year using the DEQ BMP Warehouse and associated reporting template for any practices not reported in accordance with Part I E 5 f including stormwater management facilities installed to control post-development stormwater runoff from land disturbing activities less than one acre in accordance with the Chesapeake Bay Preservation Act regulations (9VAC25-830 ) and for which a General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.</p>	<p align="center">629-634</p>

Summary of the MS4 General Permit MCM #5 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<p>The County’s MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ A copy of the DEQ VSMP approval letter</li> <li>▪ Written inspection procedures and all associated documents utilized in the inspection of privately-owned SWM facilities</li> <li>▪ Written procedures for compliance and enforcement of inspection and maintenance requirements for privately owned BMPs</li> <li>▪ Written inspection procedures and all associated documents utilized during inspection of SWM facilities owned and operated by the County</li> <li>▪ The roles and responsibilities of each of the County’s departments, divisions, or subdivisions in implementing the post-construction stormwater runoff control program</li> <li>▪ The SWM facility database incorporated by reference and the location or webpage address where it can be reviewed.</li> </ul>	<p>635-655</p>

**4.5.2 Selected County BMPs and Strategies**

The County will utilize the following BMPs to address the MS4 General Permit MCM #5 permit conditions.

***BMP #5.1 – Stafford County Virginia Stormwater Management Program***

As a State Water Control Board-approved local authority for VSMP, Stafford County relies on implementation of these programs to meet the MS4 General Permit conditions associated with MCM #5 regarding plan review and approval, inspection during construction, development and implementation of a site-specific SWPPP and ensuring controls are implemented to control both the quality and quantity of post-development stormwater runoff. The legal authority for administration of the VSMP program is contained in the County Code of Ordinances Chapter 21.5 Stormwater Management. As a Tidewater locality, the County regulates land disturbance activities on projects equal to or larger than 2,500 square feet while requiring development and implementation of pollution prevention plans on construction activities regulated under the Virginia Stormwater Management Act and Regulation.

The responsible parties of proposed land disturbing activities are required to submit site plans for review and approval by DEQ-certified plan reviewers. Site plan applications and checklists for grading plans and commercial site plans are maintained on the Department of Planning and Zoning website (<https://staffordcountyva.gov/488/Application-Forms>). Pollution Prevention Plan requirements, which are part of the VSMP required Stormwater Pollution Prevention Plan, are evaluated using the Stafford County Stormwater Management (SWM) Design Manual. As part of the plan approval process, a Maintenance Agreement for Stormwater Management System must be executed between the private property owner and the Stafford County Board of Supervisors and recorded with the Clerk of Circuit Court. In addition, a long-term maintenance plan must be developed and attached to the maintenance agreement. Current maintenance agreement applications are maintained on the Department of Planning and Zoning website.

During active construction, inspections are held concurrently with the VESCP inspections identified in BMP #4.1 with the results being recorded in the Infor Inspection and Facility Database System as well as being provided to the responsible party.

The County's progressive enforcement for addressing non-compliance is outlined in its Stafford County VSMP Compliance and Enforcement Policy and Procedures with the County utilizing a standardized Notice to Comply template, when appropriate. County records are maintained on the County's Asset Management System in accordance with the Stafford County Stormwater Recordkeeping and Reporting Policy Procedures.

Upon project completion, DPW-EP adds new SWM facilities into an in-house excel spreadsheet in order to maintain up-to-date list of SWM facilities and associated information for post-development SWM facility inspections identified in BMP #5.2 and BMP #5.3. The spreadsheet is designed to be a working document, meaning that it is constantly being updated to include the most current list of, and information pertaining to, SWM facilities.

### **Roles and Responsibilities**

- DPW-EP is responsible for the implementation of the County's VSMP including maintaining accurate, up-to-date SWM facility records.
- The County Attorney's office is responsible for assisting DPW-EP in enforcement of Chapter 21.5 of the Stafford County Code of Ordinances.
- IT is responsible for assisting DPW-EP with database and GIS management needs.

### **Necessary Reference Materials and Documents**

- DEQ VSMP Approval Notification Letter
- Stafford County Stormwater Management Design Manual
- Stafford County VSMP Compliance and Enforcement Policy and Procedures
- Stafford County Stormwater Recordkeeping and Reporting Policy and Procedures
- Inspection records maintained in the Infor Inspection and Facility Database System
- Approved plans and as-builts located on ONBASE Case File Records Repository
- Hard-copy plans and as-builts for historical projects not included on the ONBASE Case File Records Repository

### ***BMP #5.2 – County Owned/Operated Stormwater Management Facility Inspection and Maintenance***

The County has developed and implemented the County Owned/Operated SWM Facility Inspections and Maintenance Procedures (I&M Procedures). The I&M Procedures define the inspection schedules for County owned/operated SWM facilities and the procedures to ensure required maintenance is conducted. The I&M Procedures include operation and maintenance checklists and identify the responsible County department for each County SWM facility.

### **Roles and Responsibilities**

- DPW-EP is responsible for conducting SWM facility inspections and follow-ups as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures. DPW-EP is responsible for documenting SWM facility inspections and follow-ups in the County's Infor Asset Management System.
- DPU is responsible for conducting maintenance on DPU SWM facilities as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.



- DPW is responsible for conducting maintenance on County-owned/operated Regional SWM facilities as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.
- PRCF is responsible for conducting maintenance on County-owned/operated Regional SWM facilities as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.

### **Necessary Reference Materials and Documents**

- County Owned/Operated Stormwater Management Facility Inspection and Maintenance Procedures

### ***BMP #5.3 – Private Stormwater Management Facility Inspection and Maintenance***

DPW-EP inspectors conduct on-site inspections on privately-owned SWM facilities over a two-year time period. The universe of privately-owned SWM facilities has been divided into 24 individual lists that provide monthly inspection schedules for DPW-EP inspectors and ensure that all facilities are inspected over the two-year time period. Construction records are available to the inspector either by hard-copy or, for SWM facilities brought on-line after 2018, digitally through the County’s ONBASE case files records repository.

Inspections are conducted using County-specific inspection checklists based on DEQ operations and maintenance checklists. Inspection records are entered into the County’s INFOR Inspection and Facility Database System as SW800 (Biennial Stormwater Inspections). SWM facility owners are provided a letter of inspection results that details the inspection findings and any required maintenance needs. A copy of the letter is placed in the ONBASE case files record repository. Follow-up inspections, when necessary, are documented in the INFOR Inspection and Facility Database System as SW801 inspections. Additional compliance and enforcement are conducted in accordance to the Stafford County VSMP Compliance and Enforcement Policy and Procedures.

### **Roles and Responsibilities**

- DPW-EP is responsible for maintaining an updated SWM facility database and an up-to-date map and outfall information table including updating the local SWM facility database.
- DPW-EP is responsible for the electronic reporting of the SWM facilities and BMPs using the DEQ Construction Stormwater Database for SWM facilities covered under a General VPDES Permit for Discharges of Stormwater from Construction Activities.
- DPW-EP is responsible for the inspection of privately-owned SWM facilities and for enforcing maintenance requirements so that SWM facilities function as designed.
- The County Attorney’s office is responsible for assisting DPW-EP in enforcement of Chapter 21.5 of the County Code of Ordinances.

### **Necessary Reference Materials and Documents**

- Inspection Procedures for Inspecting Privately Owned SWM Facilities
- Individual records maintained on the INFOR Inspection and Facility Database System and the ONBASE Case File Records Repository
- Stafford County VSMP Compliance and Enforcement Policy and Procedures

### **4.5.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 16 contains the dates and schedules specific to complying with the permit conditions associated with MCM #5 that are in the MS4 General Permit.

**Table 16: MS4 General Permit Compliance Dates Pertaining to MCM #5**

Due Date	Requirement
Variable, Continuous	The SWM facility database must be updated <b>no later than 30-days</b> after a new SWM facility is brought on-line, a new BMP is implemented to meet a TMDL load reduction as part of a County TMDL Action Plan or a previously-unknown existing SWM facility is discovered.
10/1/2019	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2018 and June 30, 2019 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2020	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2019 and June 30, 2020 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2021	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2020 and June 30, 2021 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2022	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2021 and June 30, 2022 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2023	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2022 and June 30, 2023 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.

**4.5.4 Annual Reporting Requirements**

*Note: Under the MS4 General Permit, tracking and reporting requirements apply to only projects that are served by the County’s MS4.*

The MS4 General Permit requires that the items specific to MCM #4 identified in Table 17 be reported as part of the MS4 Annual Report.

**Table 17. MS4 Annual Report Reporting Item Requirements Specific to MCM #5**

<b>MCM4 Required MS4 Annual Report Reporting Item</b>
The number of privately-owned stormwater management facilities inspected.
The number and type of enforcement actions initiated by the County to ensure long-term maintenance of privately-owned stormwater management facilities.
The total number of inspections conducted on stormwater management facilities owned or operated by the County.
A description of the significant maintenance, repair or retrofit activities, not including routine activities, performed on the stormwater management facilities to ensure that it continues to perform as designed.
A confirmation statement that the County submitted stormwater management facility information through the Virginia Construction Stormwater General Permit database for those land disturbing activities required to obtain coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities.
A confirmation statement that the County electronically reported BMPs using the DEQ BMP Warehouse and the date upon which the information was submitted.

**4.6 Minimum Control Measure 6 – Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the Permittee within the MS4 Service Area (MCM #6)**

MCM #6 defines the MS4 General Permit’s conditions and requirements for minimizing pollutant discharge associated with County facilities and operations. MCM #6 requires the County to develop and implement pollution prevention/good housekeeping procedures at County activities, develop stormwater pollution prevention plans for certain County high-priority facilities with a high potential for causing pollution, development and implementation of nutrient management plans at County facilities where nutrients are applied on an area greater than one contiguous acre and implement a stormwater training program for County employees and contractors.

**4.6.1 MS4 General Permit Compliance Requirements**

The MS4 General Permit contains numerous specific conditions. These conditions are summarized in Table 18.

**Table 18. Summary of MS4 General Permit Conditions for MCM #6**

<p><b>Summary of the MS4 General Permit MCM #6 Permit Conditions</b></p>	<p><b>Specific MS4 General Permit Language (Appendix 1 Line Number)</b></p>
<p>The County must maintain and implement written procedures for activities such as road, street and parking lot maintenance, equipment maintenance, and the application, storage and disposal of pesticides, herbicides and fertilizers at County facilities designed to:</p> <ul style="list-style-type: none"> <li>▪ Prevent illicit discharges</li> <li>▪ Ensure proper disposal of waste materials including landscape wastes</li> <li>▪ Prevent the discharge of wastewater or County vehicle wash water into the MS4 without separate VPDES permit authorization</li> <li>▪ Require implementation of best management practices (BMPs) when discharging water pumped from utility construction and maintenance activities</li> <li>▪ Minimize the pollutants in stormwater runoff from bulk storage</li> <li>▪ Prevent pollutant discharge into the MS4 from leaking automobiles and equipment</li> <li>▪ Ensure that the application of materials including fertilizers and pesticides is conducted in accordance with the manufacturer’s recommendations</li> </ul>	<p>674-689</p>
<p>The County must maintain a list of County high-priority facilities and denote if the high-priority facility has a high potential to discharge pollutants.</p>	<p>692-711</p>
<p>The County must maintain and implement a site-specific stormwater pollution prevention plan (SWPPP) at each County facility considered as a high-priority facility with a high potential of discharging pollutants in accordance with the MS4 General Permit.</p>	<p>712-727</p>
<p>No later than June 30 of each year, the County must annually review any high-priority facility owned or operated by the permittee for which a SWPPP has not been developed to determine if the facility has a high potential to discharge pollutants. If the facility is determined to be a high-priority facility with a high potential to discharge pollutants, the permittee shall develop a SWPPP no later than December 31 of that same year.</p>	<p>728-732</p>
<p>The County must review the contents of any site specific SWPPP no later than 30 days after any unauthorized discharge, release, or spill reported in accordance with Part III G to determine if additional measures are necessary to prevent future unauthorized discharges, releases, or spills. If necessary, the SWPPP shall be updated no later than 90 days after the unauthorized discharge.</p>	<p>733-736</p>
<p>The County must keep the maintained SWPPPs at each applicable high priority facility with the high potential to discharge pollutants and utilize the SWPPPs as part of the required on-site SWPPP training.</p>	<p>737-739</p>

<p align="center"><b>Summary of the MS4 General Permit MCM #6 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Number)</b></p>
<p>The County must implement certified nutrient management plans on all County lands where nutrients are applied to a contiguous area greater than one acre.</p>	<p align="center">743-747</p>
<p>The County must follow manufacturer’s recommendations for nutrients applied to achieve final stabilization of a land disturbing project.</p>	
<p>The County must not utilize urea or other forms of nitrogen or phosphorus as a deicing agent for parking lots roadways sidewalks or other paved surfaces.</p>	<p align="center">751-752</p>
<p>The County must employ methods within its legal authority such as contract language, training, SOPs or other measures, to minimize the discharge of pollutants to the MS4 from contractors employed by the County.</p>	<p align="center">753-756</p>
<p>The County must develop and implement a written training program that ensures</p> <ul style="list-style-type: none"> <li>▪ Field personnel receive training regarding the recognition and reporting of illicit discharges no less than every 24 months</li> <li>▪ Employees involved in the maintenance of roads, streets and parking lots receive good housekeeping and pollution prevention training no less than every 24 months</li> <li>▪ Employees working in and around maintenance, public works and recreational facilities receive good housekeeping and pollution prevention training regarding those facilities no less than every 24 months</li> <li>▪ Employees and County-hired contractors who apply pesticides and herbicides are trained or certified in accordance with the Virginia Pesticide Control Act</li> <li>▪ Employees and County-hired contractors serving as plan reviewers, inspectors, program administrators and construction site operators obtain the appropriate DEQ Erosion and Sediment Control certifications</li> <li>▪ Employees and County-hired contractors implementing the VSMP obtain the appropriate DEQ Stormwater Management certifications</li> <li>▪ Employees whose duties include emergency response have been trained in spill response</li> </ul> <p>The County must use the written procedures regarding activity pollution prevention and good housekeeping in the MS4 General Permit required employee training program.</p> <p>The County must document the following each good housekeeping and pollution prevention event:</p> <ul style="list-style-type: none"> <li>▪ The date of the training event</li> <li>▪ The number of employees attending the training event</li> <li>▪ The objective of the training event</li> </ul>	<p align="center">757-782</p>

Summary of the MS4 General Permit MCM #6 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Number)
<p>The MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ The written good housekeeping/pollution prevention procedures</li> <li>▪ A list of all County-owned high-priority facilities and whether each facility has a high potential to discharge pollutants</li> <li>▪ A list of lands for which NMPs are required that includes: <ul style="list-style-type: none"> <li>- The total acreage on which nutrients are applied</li> <li>- The date of the most recent NMP for each property</li> <li>- The location of each NMP</li> </ul> </li> <li>▪ A summary of the mechanisms the permittee uses to ensure contractors working on behalf of the County implements necessary good housekeeping, pollution prevention procedures and stormwater pollution plans</li> <li>▪ The written training plan</li> </ul>	786-798

**4.6.2 Selected County BMPs and Strategies**

The County will implement the following BMPs to address the MS4 General Permit MCM#6 permit conditions.

***BMP #6.1 – Pollution Prevention/Good Housekeeping for Municipal Operations***

The County has developed Pollution Prevention/Good Housekeeping for Municipal Operations Standard Operating Procedure (Pollution Prevention SOP). The Pollution Prevention SOP provides good housekeeping procedures for the following activities:

- Municipal Facilities
- Parking Lot Maintenance
- Vehicle/Equipment Maintenance
- Ground Maintenance
- Utility Maintenance

The SOPs include the specific County departments and authority figures responsible for implementing the good housekeeping procedures at each facility identified.

## **Roles and Responsibilities**

- DPW-EP is responsible for the overall coordination regarding Pollution Prevention SOP implementation across the County.
- F&R is responsible to implement the applicable Pollution Prevention SOPs as part of daily operations.
- PRCF is responsible to implement the applicable Pollution Prevention SOPs as part of daily operations.
- DPU is responsible to implement the appropriate Pollution Prevention SOPs as part of daily operations.
- DPW is responsible to implement the appropriate Pollution Prevention SOPs as part of daily operations.

## **Necessary Reference Materials and Documents**

### ***Pollution Prevention/Good Housekeeping for Municipal Operations Standard Operating Procedures BMP #6.2 – Stormwater Pollution Prevention Plans (SWPPP)***

The County has identified ten (10 ) high priority municipal facilities with the high potential to discharge pollutants and are located within the 2010 UA in its Stormwater Pollution Prevention Plan Implementation Final Report. The County has not not identified any high priority municipal facilities for which a SWPPP was not developed. Individual SWPPPs were created for each of the facilities that include:

- A site description including a site map identifying all outfalls, direction of stormwater flows, existing source controls, and receiving water bodies (when appropriate);
- A photo log of potential pollutant sources;
- A record of potential nonstormwater discharge;
- Applicable County SOPs to reduce/prevent pollutant discharges;
- An employee training schedule;
- Procedures and checklists for conducting annual comprehensive site compliance evaluations;
- A schedule for site specific source control inspections and maintenance; and
- Individual logs to record
  - Additional potential pollutant sources and recommended management practices
  - Additional non-stormwater discharges
  - Annual evaluation results and SPPPP revisions
  - Maintenance conducted
  - Spills, releases and discharges.

Original copies of the individual SWPPPs are housed in the Reference Library. Hard copies are maintained at each individual facility for ease in individual record keeping and documentation.

## **Roles and Responsibilities**

- DPW-EP is responsible for coordination with each individual high-priority County facility to ensure that SWPPPs are being implemented and the SWPPP document is being maintained.
- DPW-EP is responsible to coordinate annual review of any identified high priority County facilities for which a SWPPP has not been developed and implemented to determine the potential for pollutant discharge.
- PRCF is responsible for the day-to-day implementation and implementation of the SWPPPs including the annual evaluation and documentation of activities.

## **Necessary Reference Materials and Documents**

- Stormwater Pollution Prevention Plan Implementation Final Report
- Individual SWPPPs for High Priority County Facilities identified in Appendix 3.

### ***BMP #6.3 – Nutrient Management Plans (NMPs)***

The County has identified and developed NMPs for County locations where nutrients are applied on a contiguous area greater than one acre. The locations for which NMPs have been implemented are found in Appendix 4. PRCF implements the individual NMPs on County facilities, including maintaining all documentation required to demonstrate compliance. Original copies of the current NMPs are housed on the Reference Library. NMP hardcopies are maintained at the PRCF offices for ease in individual NMP record keeping and documentation.

NMPs must be reviewed and updated every three years by a nutrient planner certified by the Virginia Department of Conservation and Recreation.

### **Roles and Responsibilities**

- PRCF is responsible for implementation of the NMPs at the County facilities identified in Appendix 4. PRCF is also responsible for maintaining documentation required to demonstrate compliance with the NMPs.
- DPW-EP is responsible to ensure that NMPs are renewed and updated prior to their expiration date.

## **Necessary Reference Materials and Documents**

- Individual NMPs for County facilities identified in Appendix 4.

### ***BMP #6.4 – Pollution Prevention/Good Housekeeping for Municipal Operations Training***

The County developed the Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan to address training requirements in the MS4 General Permit. This training plan outlines the training requirements and schedules for employees regarding:

- Recognition and reporting of illicit discharges
- Good housekeeping and pollution prevention practices that are employed during road, street and parking lot maintenance
- Good housekeeping and pollution prevention practices that are employed in and around maintenance and public works facilities
- Obtaining proper certifications and training for employees and contractors who apply pesticides and herbicides
- Obtaining proper DEQ-certifications (ESC and SWM) for plan reviewers, inspectors, program administrators and construction site operators
- Good housekeeping and pollution prevention practices that are employed in and around recreational facilities
- Ensuring emergency response employees are trained in spill response

### **Roles and Responsibilities**

- DPW-EP is responsible for the overall coordination regarding SOP implementation across the County. DPW-EP is responsible for keeping current copies of DEQ-certifications of all employees or contractors who are responsible for plans review, site inspections and administration of the County's VESCP and VSMP.



- DPU is responsible to ensure that training is provided to DPU employees regarding the appropriate topics in accordance with the training schedule.
- DPW is responsible to ensure that training is provided to DPW employees regarding the appropriate topics in accordance with the training schedule.
- DPZ is responsible to ensure that training is provided to DPZ employees regarding the appropriate topics in accordance with the training schedule.
- F&R is responsible to ensure that training is provided to F&R employees regarding the appropriate topics in accordance with the training schedule.
- PRCF is responsible to ensure that training is provided to PRFC employees regarding the appropriate topics in accordance with the training schedule.
- SO is responsible to ensure that training is provided to SO employees regarding the appropriate topics in accordance with the training schedule.

Departments who apply pesticides and herbicides are responsible for keeping current copies of Virginia Department of Agriculture and Consumer Services (VDACS) Pesticide and Herbicide Applicator certifications of all employees or contractors who apply pesticides and herbicides for the County. Copies of the certifications should be made available to DPW-EP upon request.

In addition, all Departments are responsible for completing and submitting to DPW-EP a Training Attendance Form (available from DPW-EP) that includes the date of the training session, the trainer, the topics covered and the names of the employees who attend the training.

#### **Necessary Reference Materials and Documents**

- Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan

#### ***BMP #6.5 – Contractor Language***

Individual County Departments work with the County Purchasing Department to ensure that necessary language regarding environmental laws, regulations, certifications and SOPs are incorporated into County contracts.

#### **Roles and Responsibilities**

- DPW-EP is responsible for coordinating with individual County Departments, the County Attorney’s Office and the County Purchasing Department to ensure necessary stormwater-related contract language is included in contracting documents.

#### **Necessary Reference Materials and Documents**

- N/A

#### **4.6.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 19 contains the dates and schedules specific to complying with the permit conditions associated with MCM #6 that are in the MS4 General Permit.

**Table 19. MS4 General Permit Compliance Dates Pertaining to MCM #6**

<b>Due Date</b>	<b>Requirement</b>
6/30/19	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/19	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/20	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/20	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/21	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/21	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/22	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/22	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/23	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/23	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.

**4.6.4 Annual Reporting Requirements**

*Note: Under the MS4 General Permit, tracking and reporting requirements apply to only projects that are served by the County’s MS4.*

The MS4 General Permit requires that the items specific to MCM #6 identified in Table 20 be reported as part of the MS4 Annual Report.

**Table 20. MS4 Annual Report Reporting Item Requirements Specific to MCM #6**

<b>MCM #6 Required MS4 Annual Report Reporting Item</b>
A summary of any SOPs developed or modified during the reporting period
A summary of any new SWPPPs developed during the reporting period
A summary of any new turf and landscape NMP that includes: <ul style="list-style-type: none"> <li>▪ Location of each land area</li> <li>▪ Total acreage of each land area</li> <li>▪ Date of the approved NMP</li> </ul>
A list of the conducted training events including: <ul style="list-style-type: none"> <li>▪ Date of each training event</li> <li>▪ Number of employees attending each training event</li> <li>▪ Objective of each training event</li> </ul>

## CHAPTER 5. ASSURING COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD (TMDL) SPECIAL CONDITIONS

DEQ evaluates Virginia waterbodies (i.e., streams, reservoirs and estuaries) on a biennial basis as part of the 305(b)/303(d) Water Quality Assessment process. Individual waterbodies are categorized based on whether they meet the State-adopted water quality standards. Those that do not meet the water quality standards are considered impaired. A subset of the impaired waterbodies undergoes a more thorough evaluation involving long-term monitoring and computer modeling known as a Total Maximum Daily Load (TMDL) study. Each TMDL study identifies source (pollutant) that is causing the waterbody impairment and calculates the maximum pollutant load that can be introduced into the waterbody without causing the impairment. The allowable pollutant load is then divided up between non-regulated non-point dischargers such as undeveloped lands and agriculture and regulated point source discharges including MS4s. The MS4 General Permit Part II contains two (2) Special Conditions which are applicable to County MS4 discharges:

- Chesapeake Bay TMDL Special Condition (MS4 General Permit Line 814 – 928)
- Local TMDL Special Condition (MS4 General Permit Line 929 – 1003)

The County is required to address applicable MS4 General Permit Special Permit conditions through development and implementation of action plans for each applicable TMDL. TMDL action plans identify the means and methods that the County will utilize to meet the Special Conditions pertaining to the pollutant load.

### 5.1 Chesapeake Bay TMDL for Nitrogen, Phosphorus, and Sediment

The Chesapeake Bay TMDL Special Condition requires that the County develop and maintain a Chesapeake Bay TMDL Action Plan that addresses nitrogen, phosphorus, and sediment (i.e., pollutants of concern or POC) from:

- Transitional Sources
- New Sources
- Nutrient Application on County Facilities
- Existing Sources

The County submitted its original Phase I Chesapeake Bay TMDL Action Plan to DEQ on June 30, 2015 and submitted an updated version on June 30, 2016. The Phase I TMDL Action Plan described the County's means and methods for complying with the 2013 MS4 General Permit Chesapeake Bay TMDL Special Condition. A copy of the Phase I Chesapeake Bay TMDL Action Plan is available in the Reference Library.

The County is required to develop and implement a Phase II Chesapeake Bay TMDL Action Plan to DEQ by October 30, 2019, which defines the means and methods by which the County will comply with the current MS4 General Permit. The Phase II Chesapeake Bay TMDL Action Plan will include the BMPs and strategies selected by the County, as well as identify the responsible departments, necessary materials and documents and other information necessary to comply with the Chesapeake Bay TMDL Special Condition. Upon development, public comment and submittal to DEQ, the Phase II TMDL Action Plan will be available in the Reference Library.

#### 5.1.1 Specifically Identified MS4 General Permit Compliance Dates and Schedules

The following compliance items regarding the Chesapeake Bay TMDL Special Condition are required to be met during the MS4 General Permit reporting cycle (Table 21):

**Table 21. MS4 General Permit Compliance Dates Pertaining to the Chesapeake Bay TMDL Special Condition**

Due Date	Compliance Item
Prior to 10/30/19	Provide an opportunity for the public to comment on the additional BMPs proposed to meet the required POC reductions for no less than 15-days
10/30/19	Submit an updated Phase II Chesapeake Bay TMDL Action Plan
10/30/23	Reduce the POC load from Existing Sources served by the County MS4 within the 2010 UA by at least 40% of the L2 Scoping Run (Defined in the Phase II TMDL Chesapeake Bay Action Plan)
10/30/23	Offset 40% of the increased POC loads from new sources that initiated construction between July 1, 2009 and June 30, 2014 that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.
10/30/23	Offset the increased POC loads from new sources that initiated construction after July 1, 2014 that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.

### 5.1.2 Annual Reporting Requirements

The County’s MS4 Annual Report to DEQ must include the items regarding the Chesapeake Bay TMDL Action Plan identified in Table 22.

**Table 22. MS4 Annual Report Reporting Item Requirements Specific to the Chesapeake Bay TMDL Special Condition**

MS4 Annual Report Required Chesapeake Bay TMDL Action Plan Items
A list of BMPs implemented during the reporting period but not reported to the DEQ BMP warehouse as part of VSMP implementation.
If credits were obtained, a statement that credits were acquired during the reporting period to meet all or a portion of the required POC reductions identified in the Phase II Chesapeake Bay Action Plan.
The progress, using the final design efficiency of the BMPs, toward meeting the required cumulative reductions for each of the POC – nitrogen, phosphorus and sediment.
A list of BMPs that are planned to be implemented during the next reporting period.

## 5.2 Local TMDLs

Numerous receiving waters including stream, rivers, reservoirs and estuaries have been identified as impaired for not meeting its specified designated uses as specified in Virginia’s Water Quality Standards. For many of the receiving waters that are considered impaired, DEQ has developed local TMDLs to restore and maintain water quality in order ensure that the specified designated uses are met. The MS4 General Permit has integrated the TMDL requirements into the Local TMDL Special Condition and are based upon the source of the local receiving water impairment and the TMDL publication date.

### 5.2.1 Local TMDLs Applicable to the County MS4

For the County, there are three (3) applicable TMDLs for which it must comply with the MS4 General Permit Local TMDL Special Condition:

- Bacterial TMDL for the Tidal Freshwater Rappahannock River Watershed which was approved by EPA on May 5, 2008;
- Bacteria TMDL Development for Tributaries to the Potomac River Located within Prince William and Stafford Counties, which was approved by EPA on September 26, 2013; and
- TMDLs of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia, which was approved by EPA on October 31, 2007.

#### **5.2.1.1 Bacteria TMDL for the Tidal Freshwater Rappahannock River Watershed**

The County developed the Bacteria TMDL Action Plan, dated June 30, 2016 and approved by DEQ on December 2, 2016 to address the Bacteria TMDL for the Tidal Freshwater Rappahannock River Watershed. A copy of the approved TMDL Action Plan is available in the Reference Library.

The County is required to update the Bacteria TMDL Action Plan by May 1, 2020 to define the means and methods by which the County will comply with the Local TMDL Special Condition in the current MS4 General Permit. The updated Bacteria TMDL Action Plan will include the BMPs and strategies selected by the County, as well as identify the responsible Departments, necessary materials and documents, annual reporting requirements and other information necessary to comply with the Local TMDL Special Condition for bacteria. Upon development, the updated Bacteria TMDL Action Plan will be available in the Reference Library.

#### **5.2.3.2 TMDLs of PCBs for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia**

The County is required to update the existing PCB TMDL Action Plan by May 1, 2020 to define the means and methods by which the County will comply with the Local TMDL Special Condition. The PCB TMDL Action Plan will include the BMPs and strategies selected by the County, as well as identify the responsible Departments, necessary materials and documents, annual reporting requirements and other information necessary to comply with the Local TMDL Special Condition for bacteria. Upon development, the updated PCB TMDL Action Plan will be available in the Reference Library.

#### **5.2.3.3 Bacteria TMDL Development for Tributaries to the Potomac River Located within Prince William and Stafford Counties**

The County is required to develop a TMDL Action Plan to address the Bacteria TMDL Development for Tributaries to the Potomac River, Located within Prince William and Stafford Counties. As the TMDL was developed after July 1, 2013, the TMDL Action Plan will be the initial County document regarding Bacteria TMDL for the Tributaries to the Potomac River Located within Prince William and Stafford Counties.

The new TMDL Action Plan will define the means and methods by which the County will comply with the Local TMDL Special Condition and will include the BMPs and strategies selected by the County, as well as identify the responsible Departments, necessary materials and documents and other information necessary. Upon development, the TMDL Action Plan will be available in the Reference Library.

### **5.2.2 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 23 contains applicable MS4 General Permit compliance dates regarding the development and modification of County local TMDL Action Plans.

**Table 23. MS4 General Permit Compliance Dates Pertaining to the Local TMDL Special Condition**

Due Date	Compliance Item
5/1/2020	The County must update the previously approved Bacterial TMDL Action Plan for the Bacterial TMDL for the Tidal Freshwater Rappahannock River Watershed to meet the conditions of the MS4 General Permit Local TMDL Special Condition. Prior to submission to DEQ, the County must provide a minimum of 15-days for the public to provide comment on the proposed TMDL Action Plan.
5/1/2020	The County must update the PCB TMDL Action Plan for the TMDLs of PCBs for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia to meet the conditions of the MS4 General Permit Local TMDL Special Condition. Prior to submission to DEQ, the County must provide a minimum of 15-days for the public to provide comment on the proposed TMDL Action Plan.
5/1/2021	The County must develop and implement a TMDL Action for the Bacteria TMDL Development for Tributaries to the Potomac River, Located within Prince William and Stafford Counties. Prior to submission to DEQ, the County must provide a minimum of 15-days for the public to provide comment on the proposed TMDL Action Plan.

**5.2.3 Annual Reporting Requirements**

The County’s MS4 Annual Report to DEQ must include the items regarding local TMDL Action Plan implementation identified in Table 24.

**Table 24. MS4 Annual Reporting Requirements Associated with the Local TMDL Special Condition**

MS4 Annual Report Required Local TMDL Action Plan Items
A summary of action conducted to implement each TMDL Action Plan.

## CHAPTER 6. MS4 PROGRAM PLAN MEASURABLE GOALS

The MS4 General Permit requires that the County:

- Identify the measurable goal by which each BMP or strategy will be evaluated;
- Review the County’s program implementation of BMPs and strategies to determine the MS4 program’s effectiveness; and
- Identify any necessary changes in the County’s program implementation.

For review and evaluation, the County will utilize the measurable goals identified in Table 25 to evaluate the effectiveness of the County program and determine whether changes to the program are required.

**Table 25. Measurable Goals for Determining MS4 Program Effectiveness**

MCM	BMP #	Measurable Goals
1	BMP #1.1	The County will identify three high-priority stormwater issues for meeting the goal of educating the public.
		The County will use a minimum of two (2) strategies listed in the MS4 General Permit Table 1 annually to communicate to the public the high-priority identified high priority issues.
2	BMP #2.1	The County will maintain an up-to-date website that provides access to, and the ability to provide comment on, MS4 Program information including the MS4 Program Plan, MS4 Annual Reports, TMDL Action Plans and public involvement and participation opportunities.
		The County will continue to provide mechanisms for the public to report complaints regarding potential illicit discharges, improper disposal or spills to the MS4; complaints regarding land disturbing activities or other potential stormwater pollution concerns.
	BMP #2.2	The County will annually implement a minimum of four (4) public involvement activities selected from at least MS4 General Permit Table 2 categories.
3	BMP #3.1	The County will maintain MS4 outfall and SWM Facility/BMP records in accordance with County policies and procedures.
		The County will provide DEQ the required MS4 map and outfall information table as required during PY01 and within 14-days of DEQ-request throughout the permit cycle.
	BMP #3.2	The County will notify MS4 operators of any newly constructed or identified physical interconnections.
	BMP #3.3	The County will implement the IDDE SOPs, including conducting annual dry weather MS4 outfall screening, to continue to identify and eliminate illicit discharges into the MS4.



MCM	MCM #1	Measurable Goals
4	BMP #4.1	The County will implement a VESCP that is consistent with the Virginia Erosion and Sediment Control Law and the Virginia Erosion and Sediment Control Regulations.
		The County VESCP will be administered by a DEQ-certified administrator.
		VESCP plan review and approval will be conducted by DEQ-certified plan reviewers.
		VESCP inspections will be conducted by DEQ-certified inspectors.
5	BMP #5.1	The County will implement a VSMP that is consistent with the Virginia Stormwater Management Act and Regulation.
	BMP #5.2	The County will inspect County-owned SWM facilities and BMPs on an annual basis.
	BMP #5.3	The County will maintain County-owned SWM facilities and BMPs in accordance with the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.
6	BMP #6.1	Privately-owned SWM facilities will be inspected on a two-year rotational basis.
	BMP #6.2	The County will implement the Pollution Prevention SOPs as part of its overall daily operations throughout the MS4 Service Area.
	BMP #6.3	The County will implement and maintain SWPPPs on high-priority municipal facilities located within the MS4 Services Area.
	BMP #6.4	The County will implement and maintain NMPs on County facilities located within the MS4 Service Area where nutrients are applied to greater than one contiguous acre.
	BMP #6.5	The County will conduct training on the schedule provided in the Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan.
		The County will include appropriate language in contractual documents to ensure that necessary permits and certifications are obtained and that required pollution prevention efforts are implemented.

## CHAPTER 7. RECORD OF MS4 PROGRAM PLAN REVISIONS

Revisions to the MS4 Program Plan are expected throughout the live of the MS4 General Permit as part of the iterative process to reduce pollutant loading and protect water quality to the MEP. The County must summarize revisions to the MS4 Program Plan as part of the MS4 Annual Report. The Reference Library contains an excel spreadsheet to assist DPW-EP in tracking and documenting modifications to the MS4 Program Plan. The spreadsheet provides for the recording of the following information:

- Date of Revision
- MS4 Program Plan
  - Chapter
  - Page Number
- Revision Description
- Revision Effective Date

The County should annually incorporate MS4 Program Plan updates into an updated MS4 Program Plan version in conjunction with development of its MS4 Annual Report.

## APPENDICES

1. VPDES General Permit for Stormwater Discharges from Small MS4s
2. Stafford County Reference Library
3. High-Priority County Facilities with Stormwater Pollution Prevention Plans
4. County Facilities with Nutrient Management Plans

Virginia Administrative Code  
Title 9. Environment  
Agency 25. State Water Control Board

Chapter 890. General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems

9VAC25-890-1. Definitions.

The words and terms used in this chapter shall have the meanings defined in the Virginia Stormwater Management Act (Article 2.3 (§ [62.1-44.15:24](#) et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia) and [9VAC25-870](#) unless the context clearly indicates otherwise, except that for the purposes of this chapter:

"Date brought online" means the date when the permittee determines that a new stormwater management facility is properly functioning.

"High-priority facilities" means facilities owned or operated by the permittee that actively engage in one or more of the following activities: (i) composting, (ii) equipment storage and maintenance, (iii) materials storage, (iv) pesticide storage, (v) storage for public works, (vi) recycling, (vii) salt storage, (viii) solid waste handling and transfer, and (ix) vehicle storage and maintenance.

"MS4 regulated service area" or "service area" means for Phase II permittees, the drainage area served by the permittee's MS4 that is located within an urbanized area as determined by the 2010 decennial census performed by the Bureau of the Census. MS4 regulated service area may also be referred to as "served by the MS4" as it pertains to the tables in Part II A of this permit.

"Physically interconnected" means that one MS4 is connected to a second MS4 in such a manner that it allows for direct discharges to the second system.

"Pollutants of concern" or "POC" means pollutants specifically identified in a U.S. Environmental Protection Agency approved total maximum daily load (TMDL) report as causing a water quality impairment.

Statutory Authority

§ [62.1-44.15:28](#) of the Code of Virginia.

9VAC25-890-10. Purpose; Delegation of Authority; Effective Date of the State Permit.

A. This general permit regulation governs point source stormwater discharges from regulated small municipal separate storm sewer systems (small MS4s) to surface waters of the Commonwealth of Virginia. Nonmunicipal stormwater or wastewater discharges are not authorized by this permit except in accordance with [9VAC25-890-20](#) D.

B. This general permit will become effective on November 1, 2018 and will expire October 31, 2023.

C. The Director of the Department of Environmental Quality, or his designee, may perform any act of the board provided under this chapter, except as limited by § [62.1-44.14](#) of the Code of Virginia.

Statutory Authority

§ [62.1-44.15:28](#) of the Code of Virginia.

9VAC25-890-15. Applicability of Incorporated References Based on the Dates That They Became Effective.

Except as noted, when a regulation of the U.S. Environmental Protection Agency set forth in Title 40 CFR is referenced and incorporated in this chapter, that regulation shall be as it exists and has been published in the July 1, 2017, update. The final rule published in the Federal Register on August 28, 2017 (82 FR 40836), which amends 40 CFR Part 136, is also incorporated by reference in this chapter.

Statutory Authority

§ [62.1-44.15:28](#) of the Code of Virginia.

9VAC25-890-20. Authorization to Discharge.

A. Any operator covered by this general permit is authorized to discharge stormwater from the small municipal separate storm sewer system (MS4) to surface waters of the Commonwealth of Virginia provided that:

1. The operator submits a complete and accurate registration statement in accordance with [9VAC25-890-30](#) and that registration statement is accepted by the board;
2. The operator submits any permit fees required by [9VAC25-870-700](#) et seq. (Part XIII);
3. The operator complies with the requirements of [9VAC25-890-40](#); and

- 51 4. The board has not notified the operator that the discharge is ineligible for coverage in accordance with  
52 subsection C of this section.
- 53 B. The operator is not authorized by this general permit to discharge to surface waters specifically named in  
54 other board regulations that prohibit such discharges.
- 55 C. The board will notify an operator that the discharge is not eligible for coverage under this general permit in the event  
56 of any of the following:
- 57 1. The operator is required to obtain an individual permit in accordance with [9VAC25-870-410](#) B;
- 58 2. The operator is proposing discharges to surface waters specifically named in other board regulations that prohibit  
59 such discharges; or
- 60 3. The operator fails to implement BMPs to reduce pollutants to the maximum extent practicable (MEP) standard  
61 in order to demonstrate progress toward meeting the water quality requirements as listed in [9VAC25-31-220](#) D 1 a  
62 in accordance with [9VAC25-31-220](#)
- 63 D. Nonstormwater discharges or flows into the small MS4 are authorized by this state permit and do not need to be  
64 addressed in the MS4 program required under [9VAC25-890-40](#) Part I E 3 if:
- 65 1. The nonstormwater discharges or flows are covered by a separate individual or general VPDES or state permit for  
66 nonstormwater discharges;
- 67 2. The individual nonstormwater discharges or flows have been identified by the department as de minimis  
68 discharges that are not significant sources of pollutants to surface waters and do not require a separate VPDES  
69 permit;
- 70 3. The nonstormwater discharges or flows are identified in this subdivision D 3 and have not been identified by the  
71 operator or by the board as significant contributors of pollutants to the small MS4:
- 72 a. Water line flushing, managed in a manner to avoid an instream impact;
- 73 b. Landscape irrigation;
- 74 c. Diverted stream flows;
- 75 d. Rising groundwaters;
- 76 e. Uncontaminated groundwater infiltration, as defined at 40 CFR 35.2005(20);
- 77 f. Uncontaminated pumped groundwater;
- 78 g. Discharges from potable water sources;
- 79 h. Foundation drains;
- 80 i. Air conditioning condensation;
- 81 j. Irrigation water;
- 82 k. Springs;
- 83 l. Water from crawl space pumps;
- 84 m. Footing drains;
- 85 n. Lawn watering;
- 86 o. Individual residential car washing;
- 87 p. Flows from riparian habitats and wetlands;
- 88 q. Dechlorinated swimming pool discharges;
- 89 r. Street wash water;
- 90 s. Discharges or flows from firefighting activities;

91 t. Discharges from noncommercial fundraising car washes if the washing uses only biodegradable,  
92 phosphate-free, water-based cleaners; or

93 u. Other activities generating discharges identified by the department as not requiring VPDES authorization.

94 4. The immediate discharge of materials is necessary to protect life or property as determined by fire department  
95 personnel or emergency management officials or any discharge in accordance with [9VAC25-31-40](#). The operator shall  
96 take, or ensure that the responsible party takes, all reasonable steps to minimize or prevent any adverse effect on  
97 human health or the environment. This state permit does not transfer liability for a spill itself from the party  
98 responsible for the spill to the operator nor relieve the party responsible for a spill from the reporting requirements of  
99 40 CFR Part 117 and 40 CFR Part 302.

100 E. In the event the operator is unable to meet certain conditions of this permit due to circumstances beyond the  
101 operator's control, the operator shall submit a written explanation of the circumstances that prevented state permit  
102 compliance to the department in the annual report. Circumstances beyond the control of the operator include abnormal  
103 climatic conditions; weather conditions that make certain requirements unsafe or impracticable; or unavoidable  
104 equipment failures caused by weather conditions or other conditions beyond the reasonable control of the operator  
105 (operator error is not a condition beyond the control of the operator). The failure to provide adequate program funding,  
106 staffing or equipment maintenance shall not be an acceptable explanation for failure to meet state permit conditions. The  
107 board will determine, at its sole discretion, whether the reported information will result in an enforcement action.

108 F. Discharges that are excluded from permitting requirements pursuant to [9VAC25-870-300](#) are exempted from the  
109 regulatory requirements of this state permit.

110 G. For those portions of the small MS4 engaging in activities that are covered under a separate VPDES permit for  
111 discharges associated with industrial activities, the permittee shall follow the conditions established by the separate  
112 VPDES permit.

113 H. Upon termination of permit coverage for those activities addressed in subsection G of this section, the discharges  
114 from the outfalls previously authorized under the VPDES permit for stormwater discharges associated with industrial  
115 activities shall meet the conditions of this state permit provided it has been determined by the board that an individual  
116 MS4 permit is not required.

117 I. Stormwater discharges from specific MS4 permittee activities that have been granted conditional exclusion for "no  
118 exposure" of industrial activities and materials to stormwater under the separate VPDES permitting program shall comply  
119 with this state permit unless a separate VPDES permit is obtained. The department is responsible for determining  
120 compliance with the conditional exclusion under the State Water Control Law and attendant regulations.

121 J. Receipt of this general permit does not relieve any permittee of the responsibility to comply with any other applicable  
122 federal, state or local statute, ordinance or regulation.

123 K. Continuation of permit coverage.

124 1. Any permittee that was authorized to discharge under the state permit effective July 1, 2013, and that submits a  
125 complete registration statement on or before June 1, 2018, is authorized to continue to discharge under the terms of  
126 the July 1, 2013, state permit until such time as the board either:

127 a. Issues coverage to the permittee under this state permit; or

128 b. Notifies the permittee that the discharge is not eligible for coverage under this state permit.

129 2. When the permittee is not in compliance with the conditions of the expiring or expired general permit, the board  
130 may choose to do any or all of the following:

131 a. Initiate enforcement action based upon the 2013 general permit;

132 b. Issue a notice of intent to deny coverage under the new general permit. If coverage under the general permit  
133 is denied, the permittee would then be required to cease the activities authorized by the continued general  
134 permit or be subject to enforcement action for operating without a state permit;

135 c. Issue a new state permit with appropriate conditions; or

136 d. Take other actions authorized by the VPDES ([9VAC25-31](#)) and VSMP ([9VAC25-870](#)) regulations

137 Statutory Authority  
138 § [62.1-44.15:28](#) of the Code of Virginia.  
139

- 140 9VAC25-890-30. Registration Statement.
- 141 A. Deadline for submitting a registration statement.
- 142 1. Operators of small MS4s described under [9VAC25-870-400](#) B that are applying for initial coverage under this  
143 general permit must submit a complete registration statement to the department within 180 days of notice of  
144 designation, unless the board grants a later date.
- 145 2. In order to continue uninterrupted coverage under the general permit, operators of small MS4s shall submit a new  
146 registration statement no later than June 1, 2018, unless permission for a later date has been granted by the board. The  
147 board shall not grant permission for registration statements to be submitted later than the expiration date of the  
148 existing state permit.
- 149 B. The registration statement shall include the following information:
- 150 1. The name and location of the small MS4;
- 151 2. The name of the owner or operator of the small MS4;
- 152 3. The mailing address of the owner or operator of the small MS4;
- 153 4. The type of small MS4 (city, county, incorporated town, unincorporated town, college or university, local school  
154 board, military installation, transportation system, federal or state facility, or other);
- 155 5. The name, title, mailing address, telephone number, and email address for the following individuals:
- 156 a. The responsible official who meets the criteria established in [9VAC-25-870](#) -370 A 3;
- 157 b. The MS4 permit contact; and
- 158 c. The annual permit maintenance fee contact;
- 159 6. The following receiving waters information:
- 160 a. The names of the receiving surface waters to which the MS4 system discharges; and
- 161 b. Whether or not the receiving waters are listed as impaired in the Virginia 2016 305(b)/303(d) Water  
162 Quality Assessment Integrated Report.
- 163 7. The names of any physically interconnected MS4s to which the small MS4 discharges;
- 164 8. A list of all existing signed agreements between the operator and any applicable third parties where the operator  
165 has entered into an agreement in order to implement minimum control measures or portions of minimum control  
166 measures;
- 167 9. For those permittees whose regulated MS4 is located partially or entirely in the Chesapeake Bay watershed, a  
168 draft second phase Chesapeake Bay TMDL action plan; and
- 169 10. The following certification: "I certify under penalty of law that this document and all attachments were prepared  
170 under my direction or supervision in accordance with a system designed to assure that qualified personnel properly  
171 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system,  
172 or those persons directly responsible for gathering the information, the information submitted is, to the best of my  
173 knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false  
174 information, including the possibility of fine and imprisonment for knowing violations."
- 175 C. The registration statement shall be signed in accordance with [9VAC25-890-40](#) Part III K 4.
- 176 D. An operator may file its own registration statement, or the operator and other operators of small MS4s may jointly  
177 submit a registration statement. If responsibilities for meeting the stormwater minimum control measures will be shared  
178 with other municipalities or governmental entities, the registration statement must describe which stormwater minimum  
179 control measures the operator will implement and identify the entities that will implement the other stormwater  
180 minimum control measures within the area served by the small MS4.
- 181 E. The registration statement may be delivered to the DEQ Central Office, Office of VPDES Permits or by electronic  
182 mail to an electronic mailbox specified by the department.

183 Statutory Authority  
184 § [62.1-44.15:28](#) of the Code of Virginia.

185  
186 9VAC25-890-40. General Permit.

187 Any MS4 operator whose registration statement is accepted by the board will receive coverage under the following  
188 general permit and shall comply with the requirements in this general permit and be subject to all applicable  
189 requirements of the Virginia Stormwater Management Program (VSMP) Regulations ([9VAC25-870](#)) and the Virginia  
190 Pollutant Discharge Elimination System (VPDES) Permit Regulations ([9VAC25-31](#)).

191  
192 General Permit No.: VAR04  
193 Effective Date: November 1, 2018  
194 Expiration Date: October 31, 2023

195 GENERAL VPDES PERMIT FOR DISCHARGES OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS  
196 AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA STORMWATER MANAGEMENT PROGRAM REGULATIONS,  
197 VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM REGULATIONS, AND THE VIRGINIA STATE WATER  
198 CONTROL LAW

199 In compliance with the provisions of the Clean Water Act, as amended and pursuant to the State Water Control Law and  
200 regulations adopted pursuant thereto, permittees of small municipal separate storm sewer systems are authorized to  
201 discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those waters specifically  
202 named in State Water Control Board regulations which prohibit such discharges.

203 The authorized discharge shall be in accordance with the registration statement filed with the department, this cover page,  
204 Part I - Discharge Authorization and Special Conditions, Part II - TMDL Special Conditions, and Part III - Conditions Applicable  
205 to All State and VPDES Permits, as set forth in this general permit.

206 Part I  
207 Discharge Authorization and Special Conditions

208 A. Coverage under this state permit. During the period beginning with the date of coverage under this general permit and  
209 lasting until the expiration and reissuance of this state permit, the permittee is authorized to discharge stormwater and  
210 those authorized nonstormwater discharges described in [9VAC25-890-20](#) D in accordance with this state permit from the  
211 small municipal separate storm sewer system identified in the registration statement into surface waters within the  
212 boundaries of the Commonwealth of Virginia and consistent with [9VAC25- 890-30](#) .

213 The permittee shall develop, implement, and enforce a MS4 program designed to reduce the discharge of pollutants from  
214 the small MS4 to the maximum extent practicable (MEP) in accordance with this permit, to protect water quality, and to  
215 satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations. The  
216 permittee shall utilize the legal authority provided by the laws and regulations of the Commonwealth of Virginia to control  
217 discharges to and from the MS4. This legal authority may be a combination of statute, ordinance, permit, policy, specific  
218 contract language, order, or interjurisdictional agreements. The MS4 program shall include the minimum control  
219 measures (MCM) described in Part I E. For the purposes of this permit term, implementation of MCMs in Part I E and the  
220 Chesapeake Bay and local TMDL requirements in Part II (as applicable) consistent with the provisions of an iterative MS4  
221 program required pursuant to this general permit constitutes compliance with the standard of reducing pollutants to the  
222 "maximum extent practicable," provides adequate progress in meeting water quality standards, and satisfies the  
223 appropriate water quality requirements of the State Water Control Law and its attendant regulations.

224 C. The MS4 program plan.

225 1. The MS4 program plan shall include, at a minimum, the following written items:

226 a. The roles and responsibilities of each of the permittee's divisions and departments in the implementation of the  
227 requirements of the permit tasked with ensuring that the permit requirements are met;

228 b. If the permittee utilizes another entity to implement portions of the MS4 program, a copy of the written  
229 agreement. The description of each party's roles and responsibilities, including any written agreements with third  
230 parties, shall be updated as necessary;

231 c. For each MCM in Part I E, the following information shall be included:

232 (1) Each specific requirement as listed in Part I E for each MCM;



- 233 (2) A description of the BMPs or strategies that the permittee anticipates will be implemented to  
234 demonstrate compliance with the permit conditions in Part I E;
- 235 (3) All standard operating procedures or policies necessary to implement the BMPs;
- 236 (4) The measurable goal by which each BMP or strategy will be evaluated; and
- 237 (5) The persons, positions, or departments responsible for implementing each BMP or strategy; and
- 238 d. A list of documents incorporated by reference including the version and date of the document being  
239 incorporated.

240 2. If the permittee is receiving initial coverage under this general VPDES permit for the discharge of stormwater, the  
241 permitteeshall:

- 242 a. No later than six months following the date of permit coverage, submit to the department a schedule for  
243 the development of each component of the MS4 program plan in accordance with Part I C 1 that does not  
244 exceed the expiration date of this permit; and
- 245 b. Provide to the department a copy of the MS4 program plan upon completion of development.

246 3. If the permittee was previously covered under the General VPDES Permit for the Discharge of Stormwater from MS4  
247 effective July 1, 2013, the permittee shall update the MS4 program plan to meet the requirements of this permit no later  
248 than six months after the effective date of this permit unless otherwise specified in another permit condition and shall  
249 post the most up-to-date version of MS4 program plan on the permittee's website or location where the MS4 program  
250 plan can be obtained as required by Part I E 2 within 30 days of updating the MS4 program plan. Until such time that the  
251 MS4 program plan is updated in accordance with Part I E, the permittee shall continue to implement the MS4 program  
252 plan in effect at the time that coverage is issued under this general permit.

253 4. Revisions to the MS4 program plan are expected throughout the life of this permit as part of the iterative process to  
254 reduce pollutant loading and protect water quality to the MEP. As such, revisions made in accordance with this permit  
255 as a result of the iterative process do not require modification of this permit. The permittee shall summarize revisions  
256 to the MS4 program plan as part of the annual report as described in Part I D 2.

257 5. The permittee may demonstrate compliance with one or more MCM in Part I E through implementation of separate  
258 statutory or regulatory programs provided that the permittee's MS4 program identifies and fully describes any program  
259 that will be used to satisfy one or more of the minimum control measures of Part I E. If the program that the permittee is  
260 using requires the approval of a third party, the program shall be fully approved by the third party, or the permittee shall  
261 be working toward getting full approval. Documentation of the program's approval status, or the progress toward  
262 achieving full approval, shall be included in the annual report required by Part I D. The permittee shall remain responsible  
263 for compliance with the permit requirements if the other entity fails to implement one or more components of the control  
264 measures.

265 6. The permittee may rely on another entity to satisfy the permit requirements to implement a minimum  
266 control measure if:

- 267 a. The other entity, in fact, implements the control measure;
- 268 b. The particular control measure, or component thereof, is at least as stringent as the corresponding permit  
269 requirement;
- 270 c. The other entity agrees to implement the control measure on behalf of the permittee; and
- 271 d. The agreement between the parties is documented in writing and retained by the permittee with the MS4  
272 program plan for as long as the agreement is active.

273 The permittee shall remain responsible for compliance with requirements of the permit and shall document in the annual  
274 reports required in accordance with Part I D that another entity is being relied on to satisfy all or part of the state permit  
275 requirements. The permittee shall provide the information required in Part I D.

276 7. If the permittee relies on another governmental entity regulated under [9VAC25-870-380](#) to satisfy all of the state  
277 permit obligations, including the obligation to file periodic reports required by Part I D, the permittee must note that  
278 fact in the registration statement, but is not required to file the periodic reports. The permittee remains responsible for  
279 compliance with the state permit requirements if the other entity fails to implement the control measures or components  
280 thereof.

281 D. Annual reporting requirements.

- 282 1. The permittee shall submit an annual report to the department no later than October 1 of each year in a format as  
283 specified by the department. The report shall cover the previous year from July 1 to June 30.
- 284 2. The annual report shall include the following general information:
- 285 a. The permittee, system name, and permit number;
- 286 b. The reporting period for which the annual report is being submitted;
- 287 c. A signed certification as per Part III K;
- 288 d. Each annual reporting item as specified in an MCM in Part I E; and
- 289 e. An evaluation of the MS4 program implementation, including a review of each MCM, to determine the MS4  
290 program's effectiveness and whether or not changes to the MS4 program plan are necessary.
- 291 3. For permittees receiving initial coverage under this general VPDES permit for the discharge of stormwater, the annual  
292 report shall include a status update on each component of the MS4 program plan being developed. Once the MS4  
293 program plan has been updated to include implementation of a specific MCM in Part I E, the permittee shall follow the  
294 reporting requirements established in Part I D 2.
- 295 4. For those permittees with requirements established under Part II A, the annual report shall include a status report  
296 on the implementation of the Chesapeake Bay TMDL action plan in accordance with Part II A of this permit including any  
297 revisions to the plan.
- 298 5. For those permittees with requirements established under Part II B, the annual report shall include a status report  
299 on the implementation of the local TMDL action plans in accordance with Part II B including any revisions to the plan.
- 300 6. For the purposes of this permit, the MS4 program plan and annual report shall be maintained separately and  
301 submitted to the department as required by this permit as two separate documents.

302 E. Minimum control measures.

303 1. Public education and outreach.

304 a. The permittee shall implement a public education and outreach program designed to:

- 305 (1) Increase the public's knowledge of how to reduce stormwater pollution, placing priority on reducing impacts to  
306 impaired waters and other local water pollution concerns;
- 307 (2) Increase the public's knowledge of hazards associated with illegal discharges and improper disposal of waste,  
308 including pertinent legal implications; and
- 309 (3) Implement a diverse program with strategies that are targeted toward individuals or groups most likely to have  
310 significant stormwater impacts.

311 b. The permittee shall identify no less than three high-priority stormwater issues to meet the goal of educating the public  
312 in accordance with Part I E 1 a. High-priority issues may include the following examples: Chesapeake Bay nutrients, pet  
313 wastes, local receiving water impairments, TMDLs, high-quality receiving waters, and illicit discharges from commercial  
314 sites.

315 c. The high-priority public education and outreach program, as a whole, shall:

- 316 (1) Clearly identify the high-priority stormwater issues;
- 317 (2) Explain the importance of the high-priority stormwater issues;
- 318 (3) Include measures or actions the public can take to minimize the impact of the high-priority stormwater issues; and
- 319 (4) Provide a contact and telephone number, website, or location where the public can find out more information.

320 d. The permittee shall use two or more of the strategies listed in Table 1 below per year to communicate to the public the  
321 high-priority stormwater issues identified in accordance with Part I E 1 b including how to reduce stormwater pollution.

Table 1 Strategies for Public Education and Outreach	
Strategies	Examples (provided as examples and are not meant to be all inclusive or limiting)
Traditional written materials	Informational brochures, newsletters, fact sheets, utility bill inserts, or recreational guides for targeted groups of citizens
Alternative materials	Bumper stickers, refrigerator magnets, t-shirts, or drink koozies
Signage	Temporary or permanent signage in public places or facilities, vehicle signage, bill boards, or storm drain stenciling
Media materials	Information disseminated through electronic media, radio, televisions, movie theater, or newspaper
Speaking engagements	Presentations to school, church, industry, trade, special interest, or community groups
Curriculum materials	Materials developed for school-aged children, students at local colleges or universities, or extension classes offered to local citizens
Training materials	Materials developed to disseminate during workshops offered to local citizens, trade organization, or industrial officials

e. The permittee may coordinate its public education and outreach efforts with other MS4 permittees; however, each permittee shall be individually responsible for meeting all of its state permit requirements.

f. The MS4 program plan shall include:

(1) A list of the high-priority stormwater issues the permittee will communicate to the public as part of the public education and outreach program;

(2) The rationale for selection of each high-priority stormwater issue and an explanation of how each education or outreach strategy is intended to have a positive impact on stormwater discharges;

(3) Identification of the public audience to receive each high-priority stormwater message;

(4) The strategies from Table 1 of Part I E 1 d to be used to communicate each high-priority stormwater message; and

(5) The anticipated time periods the messages will be communicated or made available to the public.

g. The annual report shall include the following information:

(1) A list of the high-priority stormwater issues the permittee addressed in the public education and outreach program; and

(2) A list of the strategies used to communicate each high-priority stormwater issue.

## 2. Public involvement and participation.

a. The permittee shall develop and implement procedures for the following:

(1) The public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns;

(2) The public to provide input on the permittee's MS4 program plan;

(3) Receiving public input or complaints;

(4) Responding to public input received on the MS4 program plan or complaints; and

(5) Maintaining documentation of public input received on the MS4 program and associated MS4 program plan and the permittee's response.

b. No later than three months after this permit's effective date, the permittee shall develop and maintain a webpage dedicated to the MS4 program and stormwater pollution prevention. The following information shall be posted on this webpage:

(1) The effective MS4 permit and coverage letter;

(2) The most current MS4 program plan or location where the MS4 program plan can be obtained;

351 (3) The annual report for each year of the term covered by this permit no later than 30 days after submittal to  
352 the department;

353 (4) A mechanism for the public to report potential illicit discharges, improper disposal, or spills to the MS4,  
354 complaints regarding land disturbing activities, or other potential stormwater pollution concerns in accordance with  
355 Part I E 2 a (1); and

356 (5) Methods for how the public can provide input on the permittee's MS4 program plan in accordance with Part I  
357 E 2 a(2).

358 c. The permittee shall implement no less than four activities per year from two or more of the categories listed in  
359 Table 2 below to provide an opportunity for public involvement to improve water quality and support local  
360 restoration and clean-up projects.  
361

Table 2 Public Involvement Opportunities	
Public involvement opportunities	Examples (provided as example and are not meant to be all inclusive or limiting)
Monitoring	Establish or support citizen monitoring group
Restoration	Stream or watershed clean-up day, adopt-a-water way program,
Educational events	Booth at community fair, demonstration of stormwater control projects, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, watershed walks, participation on environmental advisory committees
Disposal or collection events	Household hazardous chemicals collection, vehicle fluids collection
Pollution prevention	Adopt-a-storm drain program, implement a storm drain marking program, promote use of residential stormwater BMPs, implement pet waste stations in public areas, adopt-a-street program.

362 d. The permittee may coordinate the public involvement opportunities listed in Table 2 with other MS4  
363 permittees; however, each permittee shall be individually responsible for meeting all of the permit requirements.

364 e. The MS4 program plan shall include:

365 (1) The webpage address where mechanisms for the public to report (i) potential illicit discharges, improper  
366 disposal, or spills to the MS4, (ii) complaints regarding land disturbing activities, or (iii) other potential  
367 stormwater pollution concerns;

368 (2) The webpage address that contains the methods for how the public can provide input on the  
369 permittee's MS4 program;and

370 (3) A description of the public involvement activities to be implemented by the permittee, the anticipated time  
371 period the activities will occur, and a metric for each activity to determine if the activity is beneficial to water  
372 quality. An example of metrics may include the weight of trash collected from a stream cleanup, the number of  
373 participants in a hazardous waste collection event, etc.

374 f. The annual report shall include the following information:

375 (1) A summary of any public input on the MS4 program received (including stormwater complaints) and how the  
376 permitteeresponded;

377 (2) A webpage address to the permittee's MS4 program and stormwater website;

378 (3) A description of the public involvement activities implemented by the permittee;

379 (4) A report of the metric as defined for each activity and an evaluation as to whether or not the activity is  
380 beneficial to improving water quality; and

381 (5) The name of other MS4 permittees with whom the permittee collaborated in the public involvement  
382 opportunities.

### 383 3. Illicit discharge detection and elimination.

384 a. The permittee shall develop and maintain an accurate MS4 map and information table as follows:

385 (1) A map of the storm sewer system owned or operated by the permittee within the census urbanized area  
386 identified by the 2010 decennial census that includes, at a minimum:

387 (a) MS4 outfalls discharging to surface waters, except as follows:

388 (i) In cases where the outfall is located outside of the MS4 permittee's legal responsibility, the permittee may  
389 elect to map the known point of discharge location closest to the actual outfall; and

390 (ii) In cases where the MS4 outfall discharges to receiving water channelized underground, the permittee may elect  
391 to map the point downstream at which the receiving water emerges above ground as an outfall discharge location. If  
392 there are multiple outfalls discharging to an underground channelized receiving water, the map shall identify that an  
393 outfall discharge location represents more than one outfall. This is an option a permittee may choose to use and  
394 recognizes the difficulties in accessing outfalls to underground channelized stream conveyances for purposes of  
395 mapping, screening, or monitoring.

396 (b) A unique identifier for each mapped item required in Part I E 3;

397 (c) The name and location of receiving waters to which the MS4 outfall or point of discharge discharges;

398 (d) MS4 regulated service area; and

399 (e) stormwater management facilities owned or operated by the permittee.

400 (2) The permittee shall maintain an information table associated with the storm sewer system map that includes  
401 the following information for each outfall or point of discharge for those cases in which the permittee elects to map  
402 the known point of discharge in accordance with Part I E 3 a (1) (a):

403 (a) A unique identifier as specified on the storm sewer system map;

404 (b) The latitude and longitude of the outfall or point of discharge;

405 (c) The estimated regulated acreage draining to the outfall or point of discharge;

406 (d) The name of the receiving water;

407 (e) The 6th Order Hydrologic Unit Code of the receiving water;

408 (f) An indication as to whether the receiving water is listed as impaired in the Virginia 2016 305(b)/303(d) Water Quality  
409 Assessment Integrated Report;

410 (g) The predominant land use for each outfall discharging to an impaired water; and

411 (h) The name of any EPA approved TMDLs for which the permittee is assigned a wasteload allocation.

412 (3) No later than July 1, 2019, the permittee shall submit to DEQ a GIS-compatible shapefile of the permittee's  
413 MS4 map as described in Part I E 3 a. If the permittee does not have an MS4 map in a GIS format, the permittee  
414 shall provide the map as a PDF document.

415 (4) No later than October 1 of each year, the permittee shall update the storm sewer system map and outfall  
416 information table to include any new outfalls constructed or TMDLs approved or both during the immediate  
417 preceding reporting period.

418 (5) The permittee shall provide written notification to any downstream adjacent MS4 of any known physical  
419 interconnection established or discovered after the effective date of this permit.

420 b. The permittee shall prohibit, through ordinance, policy, standard operating procedures, or other legal mechanism, to  
421 the extent allowable under federal, state, or local law, regulations, or ordinances, unauthorized nonstormwater discharges  
422 into the storm sewer system. Nonstormwater discharges or flows identified in [9VAC25-890-20](#) D 3 shall only be addressed  
423 if they are identified by the permittee as a significant contributor of pollutants discharging to the MS4. Flows that have  
424 been identified by the department as de minimis discharges are not significant sources of pollutants to surface water.

425 c. The permittee shall maintain, implement, and enforce illicit discharge detection and elimination (IDDE) written  
426 procedures designed to detect, identify, and address unauthorized nonstormwater discharges, including illegal dumping,  
427 to the small MS4 to effectively eliminate the unauthorized discharge. Written procedures shall include:

428 (1) A description of the legal authorities, policies, standard operating procedures or other legal mechanisms available  
429 to the permittee to eliminate identified sources of ongoing illicit discharges including procedures for using legal  
430 enforcement authorities.

- 431 (2) Dry weather field screening protocols to detect, identify, and eliminate illicit discharges to the MS4. The  
 432 protocol shall include:
- 433 (a) A prioritized schedule of field screening activities and rationale for prioritization determined by the permittee  
 434 based on such criteria as age of the infrastructure, land use, historical illegal discharges, dumping or cross  
 435 connections;
  - 436 (b) If the total number of MS4 outfalls is equal to or less than 50, a schedule to screen all outfalls annually;
  - 437 (c) If the total number of MS4 outfalls is greater than 50, a schedule to screen a minimum of 50 outfalls  
 438 annually such that no more than 50% are screened in the previous 12-month period. The 50% criteria is not  
 439 applicable if all outfalls have been screened in the previous three years; and
  - 440 (d) A mechanism to track the following information:
    - 441 (i) The unique outfall identifier;
    - 442 (ii) Time since the last precipitation event;
    - 443 (iii) The estimated quantity of the last precipitation event;
    - 444 (iv) Site descriptions (e.g., conveyance type and dominant watershed land uses);
    - 445 (v) Whether or not a discharge was observed; and
    - 446 (vi) If a discharge was observed, the estimated discharge rate (e.g., width and depth of discharge flow rate) and visual  
 447 characteristics of the discharge (e.g., odor, color, clarity, floatables, deposits or stains, vegetation condition, structural  
 448 condition, and biology).
  - 449 (3) A timeframe upon which to conduct an investigation to identify and locate the source of any observed  
 450 unauthorized nonstormwater discharge. Priority of investigations shall be given to discharges of sanitary sewage and  
 451 those believed to be a risk to human health and public safety. Discharges authorized under a separate VPDES or state  
 452 permit require no further action under this permit.
  - 453 (4) Methodologies to determine the source of all illicit discharges. If the permittee is unable to identify the source of  
 454 an illicit discharge within six months of beginning the investigation then the permittee shall document that the source  
 455 remains unidentified. If the observed discharge is intermittent, the permittee shall document that attempts to observe  
 456 the discharge flowing were unsuccessful.
  - 457 (5) Methodologies for conducting a follow-up investigation for illicit discharges that are continuous or that permittees  
 458 expect to occur more frequently than a one-time discharge to verify that the discharge has been eliminated except as  
 459 provided for in Part I E 3 c (4);
  - 460 (6) A mechanism to track all illicit discharge investigations to document the following:
    - 461 (a) The dates that the illicit discharge was initially observed, reported, or both;
    - 462 (b) The results of the investigation, including the source, if identified;
    - 463 (c) Any follow-up to the investigation;
    - 464 (d) Resolution of the investigation; and
    - 465 (e) The date that the investigation was closed.
- 466 d. The MS4 program plan shall include:
- 467 (1) The MS4 map and information table required by Part I E 3 a. The map and information table may be incorporated  
 468 into the MS4 program plan by reference. The map shall be made available to the department within 14 days upon  
 469 request;
  - 470 (2) Copies of written notifications of new physical interconnections given by the permittee to other MS4s;  
 471 and
  - 472 (3) The IDDE procedures described in Part I E 3 c.
- 473 e. The annual report shall include:

474 (1) A confirmation statement that the MS4 map and information table have been updated to reflect any  
475 changes to the MS4 occurring on or before June 30 of the reporting year;

476 (2) The total number of outfalls screened during the reporting period as part of the dry weather screening  
477 program;and

478 (3) A list of illicit discharges to the MS4 including spills reaching the MS4 with information as follows:

479 (a) The source of illicit discharge;

480 (b) The dates that the discharge was observed, reported, or both;

481 (c) Whether the discharge was discovered by the permittee during dry weather screening, reported by  
482 the public, or other method (describe);

483 (d) How the investigation was resolved;

484 (e) A description of any follow-up activities; and

485 (f) The date the investigation was closed.

486 4. Construction site stormwater runoff control.

487 a. The permittee shall utilize its legal authority, such as ordinances, permits, orders, specific contract language, and  
488 interjurisdictional agreements, to address discharges entering the MS4 from regulated construction site  
489 stormwater runoff. The permittee shall control construction site stormwater runoff as follows:

490 (1) If the permittee is a city, county, or town that has adopted a Virginia Erosion and Sediment Control Program  
491 (VESCP), the permittee shall implement the VESCP consistent with the Virginia Erosion and Sediment Control Law (§  
492 [62.1-44.15:51](#) et seq. of the Code of Virginia) and Virginia Erosion and Sediment Control Regulations ([9VAC25-840](#));

493 (2) If the permittee is a town that has not adopted a VESCP, implementation of a VESCP consistent with the Virginia  
494 Erosion and Sediment Control Law (§ 62.1-44.15:51 et seq. of the Code of Virginia) and Virginia Erosion and Sediment  
495 Control Regulations ([9VAC25-840](#)) by the surrounding county shall constitute compliance with Part I E 4 a; such town  
496 shall notify the surrounding county of erosion, sedimentation or other construction stormwater runoff problems;

497 (3) If the permittee is a state agency; public institution of higher education including community colleges,  
498 colleges, and universities; or federal entity and has developed standards and specifications in accordance with  
499 the Virginia Erosion and Sediment Control Law (§ [62.1-44.15:51](#) et seq. of the Code of Virginia) and Virginia  
500 Erosion and Sediment Control Regulations ([9VAC25-840](#)), the permittee shall implement the most recent  
501 department approved standards and specifications; or

502 (4) If the permittee is a state agency; public institution of higher education including community colleges, colleges,  
503 and universities; or federal entity and has not developed standards and specifications in accordance with the Virginia  
504 Erosion and Sediment Control Law (§ [62.1-44.15:51](#) et seq. of the Code of Virginia) and Virginia Erosion and Sediment  
505 Control Regulations ([9VAC25-840](#)), the permittee shall inspect all land disturbing activities as defined in § [62.1-](#)  
506 [44.15:51](#) of the Code of Virginia that result in the disturbance activities of 10,000 square feet or greater, or 2,500  
507 square feet or greater in accordance with areas designated under the Chesapeake Bay Preservation Act, as follows:

508 (a) During or immediately following initial installation of erosion and sediment controls;

509 (b) At least once per every two-week period;

510 (c) Within 48 hours following any runoff producing storm event; and

511 (d) At the completion of the project prior to the release of any performance bond.

512 (5) If the permittee is a subdivision of a local government such as a school board or other local government body, the  
513 permittee shall inspect those projects resulting in a land disturbance as defined in § 62.1-44.15.51 of the Code of  
514 Virginia occurring on lands owned or operated by the permittee that result in the disturbance of 10,000 square feet  
515 or greater, 2,500 square feet or greater in accordance with areas designated under the Chesapeake Bay Preservation  
516 Act, or in accordance with more stringent thresholds established by the local government, as follows:

517 (a) During or immediately following initial installation of erosion and sediment controls;

518 (b) At least once per every two-week period;

519 (c) Within 48 hours following any runoff producing storm event; and

- 520 (d) At the completion of the project prior to the release of any performance bond.
- 521 b. The permittee shall require implementation of appropriate controls to prevent nonstormwater discharges to the  
522 MS4, such as wastewater, concrete washout, fuels and oils, and other illicit discharges identified during land disturbing  
523 activity inspections of the MS4. The discharge of nonstormwater discharges other than those identified in [9VAC25-890-](#)  
524 [20](#) D through the MS4 is not authorized by this state permit.
- 525 c. The permittee's MS4 program plan shall include:
- 526 (1) If the permittee implements a construction site stormwater runoff control program in accordance with Part I E 4 a  
527 (1), the local ordinance citations for the VESCP program;
- 528 (2) If the permittee implements a construction site stormwater runoff control program in accordance with Part I E  
529 4 a(3):
- 530 (a) The most recently approved standards and specifications or if incorporated by reference, the location  
531 where the standards and specifications can be viewed; and
- 532 (b) A copy of the most recent standards and specifications approval letter from the department;
- 533 (3) A description of the legal authorities utilized to ensure compliance with Part I E 4 a to control construction site  
534 stormwater runoff control such as ordinances, permits, orders, specific contract language, policies, and  
535 interjurisdictional agreements;
- 536 (4) Written inspection procedures to ensure the erosion and sediment controls are properly implemented  
537 and all associated documents utilized during inspection including the inspection schedule;
- 538 (5) Written procedures for requiring compliance through corrective action or enforcement action to the extent  
539 allowable under federal, state, or local law, regulation, ordinance, or other legal mechanisms; and
- 540 (6) The roles and responsibilities of each of the permittee's departments, divisions, or subdivisions in  
541 implementing the construction site stormwater runoff control requirements in Part I E 4.
- 542 d. The annual report shall include the following:
- 543 (1) If the permittee implements a construction site stormwater runoff program in accordance with Part I E 4  
544 a(3):
- 545 (a) A confirmation statement that land disturbing projects that occurred during the reporting period have been  
546 conducted in accordance with the current department approved standards and specifications for erosion and  
547 sediment control; and
- 548 (b) If one or more of the land disturbing projects were not conducted with the department approved  
549 standards and specifications, an explanation as to why the projects did not conform to the approved  
550 standards and specifications.
- 551 (2) Total number of inspections conducted; and
- 552 (3) The total number and type of enforcement actions implemented and the type of enforcement actions.
- 553 5. Post-construction stormwater management for new development and development on prior developed lands.
- 554 a. The permittee shall address post-construction stormwater runoff that enters the MS4 from the following land  
555 disturbing activities by implementing a post-construction stormwater runoff management program as follows:
- 556 (1) If the permittee is a city, county, or town, with an approved Virginia Stormwater Management Program (VSMP),  
557 the permittee shall implement the VSMP consistent with the Virginia Stormwater Management Act (§ [62.1-](#)  
558 [44.15:24](#) et seq. of the Code of Virginia) and VSMP Regulations ([9VAC25-870](#)) as well as develop an inspection and  
559 maintenance program in accordance with Parts I E 5 b and c;
- 560 (2) If the permittee is a town that has not adopted a VSMP, implementation of a VSMP consistent with the Virginia  
561 Stormwater Management Act (§ [62.1-44.15:24](#) et seq. of the Code of Virginia) and VSMP Regulations ([9VAC25-](#)  
562 [870](#)) by the surrounding county shall constitute compliance with Part I E 5 a; such town shall notify the  
563 surrounding county of erosion, sedimentation, or other post-construction stormwater runoff problems and  
564 develop an inspection and maintenance program in accordance with Part I E 5 b and c;



565 (3) If the permittee is a state agency; public institution of higher education including community colleges, colleges,  
566 and universities; or federal entity and has developed standards and specifications in accordance with the Virginia  
567 Stormwater Management Act (§ [62.1-44.15:24](#) et seq. of the Code of Virginia) and VSMP Regulations ([9VAC25-870](#)),  
568 the permittee shall implement the most recent department approved standards and specifications and develop an  
569 inspection and maintenance program in accordance with Part I E 5 b;

570 (4) If the permittee is a state agency; public institution of higher education including community colleges, colleges,  
571 and universities; or federal entity and has not developed standards and specifications in accordance with the Virginia  
572 Stormwater Management Act (§ [62.1-44.15:24](#) et seq. of the Code of Virginia) and Virginia Stormwater Management  
573 Regulations ([9VAC25-870](#)) the permittee shall implement a post- construction stormwater runoff control program  
574 through compliance with [9VAC25-870](#) and with the implementation of a maintenance and inspection program  
575 consistent with Part I E 5 b; or

576 (5) If the permittee is a subdivision of a local government such as a school board or other local government body, the  
577 permittee shall implement a post-construction stormwater runoff control program through compliance with  
578 [9VAC25-870](#) or in accordance with more stringent local requirements, if applicable, and with the implementation of  
579 a maintenance and inspection program consistent with Part I E 5 b.

580 b. The permittee shall implement an inspection and maintenance program for those stormwater management  
581 facilities owned or operated by the permittee that discharges to the MS4 as follows:

582 (1) The permittee shall develop and maintain written inspection and maintenance procedures in order to ensure  
583 adequate long-term operation and maintenance of its stormwater management facilities;

584 (2) The permittee shall inspect stormwater management facilities owned or operated by the permittee no less than  
585 once per year. The permittee may choose to implement an alternative schedule to inspect these stormwater  
586 management facilities based on facility type and expected maintenance needs provided that the alternative schedule  
587 and rationale is included in the MS4 program plan. The alternative inspection frequency shall be no less than once per  
588 five years; and

589 (3) If during the inspection of the stormwater management facility conducted in accordance with Part I E 5 b (2), it is  
590 determined that maintenance is required, the permittee shall conduct the maintenance in accordance with the written  
591 procedures developed under Part I E 5 b (1).

592 c. For those permittees described in Part I E 5 a (1) or (2), the permittee shall:

593 (1) Implement an inspection and enforcement program for stormwater management facilities not owned by the  
594 permittee (i.e., privately owned) that includes:

595 (a) An inspection frequency of no less than once per five years for all privately owned stormwater management  
596 facilities that discharge into the MS4; and

597 (b) Adequate long-term operation and maintenance by the owner of the stormwater management facility by  
598 requiring the owner to develop and record a maintenance agreement, including an inspection schedule to the  
599 extent allowable under state or local law or other legal mechanism;

600 (2) Utilize its legal authority for enforcement of the maintenance responsibilities if maintenance is neglected by  
601 the owner; and

602 (3) The permittee may develop and implement a progressive compliance and enforcement strategy provided that  
603 the strategy is included in the MS4 program plan.

604 d. The permittee shall maintain an electronic database or spreadsheet of all known permittee-owned or permittee-  
605 operated and privately owned stormwater management facilities that discharge into the MS4. The database shall  
606 also include all BMPs implemented by the permittee to meet the Chesapeake Bay TMDL load reduction as required  
607 in Part II A. A database shall include the following information as applicable:

608 (1) The stormwater management facility or BMP type;

609 (2) The stormwater management facility or BMPs location as latitude and longitude;

610 (3) The acres treated by the stormwater management facility or BMP, including total acres, pervious acres, and  
611 impervious acres;

612 (4) The date the facility was brought online (MM/YYYY). If the date brought online is not known, the permittee  
613 shall use June 30, 2005;

- 614 (5) The 6th Order Hydrologic Unit Code in which the stormwater management facility is located;
- 615 (6) Whether the stormwater management facility or BMP is owned or operated by the permittee or privately  
616 owned;
- 617 (7) Whether or not the stormwater management facility or BMP is part of the permittee's Chesapeake Bay  
618 TMDL action plan required in Part II A or local TMDL action plan required in Part II B, or both;
- 619 (8) If the stormwater management facility or BMP is privately owned, whether a maintenance agreement  
620 exists; and
- 621 (9) The date of the permittee's most recent inspection of the stormwater management facility or BMP.
- 622 e. The electronic database or spreadsheet shall be updated no later than 30 days after a new stormwater  
623 management facility is brought online, a new BMP is implemented to meet a TMDL load reduction as required in Part  
624 II, or discovered if it is an existing stormwater management facility.
- 625 f. The permittee shall use the DEQ Construction Stormwater Database or other application as specified by the  
626 department to report each stormwater management facility installed after July 1, 2014, to address the control  
627 of post-construction runoff from land disturbing activities for which the permittee is required to obtain a  
628 General VPDES Permit for Discharges of Stormwater from Construction Activities.
- 629 g. No later than October 1 of each year, the permittee shall electronically report the stormwater management  
630 facilities and BMPs implemented between July 1 and June 30 of each year using the DEQ BMP Warehouse and  
631 associated reporting template for any practices not reported in accordance with Part I E 5 f including stormwater  
632 management facilities installed to control post-development stormwater runoff from land disturbing activities less  
633 than one acre in accordance with the Chesapeake Bay Preservation Act regulations ([9VAC25-830](#)) and for which a  
634 General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
- 635 h. The MS4 program plan shall include:
- 636 (1) If the permittee implements a VSMP in accordance with Part I E 5 a (1) and (2):
- 637 (a) A copy of the VSMP approval letter issued by the department;
- 638 (b) Written inspection procedures and all associated documents utilized in the inspection of privately  
639 owned stormwater management facilities; and
- 640 (c) Written procedures for compliance and enforcement of inspection and maintenance requirements for privately  
641 owned BMPs.
- 642 (2) If the permittee implements a post-development stormwater runoff control program in accordance with Part I E 5  
643 a(3):
- 644 (a) The most recently approved standards and specifications or if incorporated by reference, the location  
645 where the standards and specifications can be viewed; and
- 646 (b) A copy of the most recent standards and specifications approval letter from the department.
- 647 (3) A description of the legal authorities utilized to ensure compliance with Part I E 5 a for post-construction  
648 stormwater runoff control such as ordinances (provide citation as appropriate), permits, orders, specific contract  
649 language, and interjurisdictional agreements;
- 650 (4) Written inspection procedures and all associated documents utilized during inspection of stormwater  
651 management facilities owned or operated by the permittee;
- 652 (5) The roles and responsibilities of each of the permittee's departments, divisions, or subdivisions in  
653 implementing the post-construction stormwater runoff control program; and
- 654 (6) The stormwater management facility spreadsheet or database incorporated by reference and the location or  
655 webpage address where the spreadsheet or database can be reviewed.
- 656 i. The annual report shall include the following information:
- 657 (1) If the permittee implements a Virginia Stormwater Management Program in accordance with Part I E 5  
658 a (1) and (2):
- 659 (a) The number of privately owned stormwater management facility inspections conducted; and

- 660 (b) The number of enforcement actions initiated by the permittee to ensure long-term maintenance of privately  
661 owned stormwater management facilities including the type of enforcement action;
- 662 (2) Total number of inspections conducted on stormwater management facilities owned or operated by the  
663 permittee;
- 664 (3) A description of the significant maintenance, repair, or retrofit activities performed on the stormwater  
665 management facilities owned or operated by the permittee to ensure it continues to perform as designed. This  
666 does not include routine activities such as grass mowing or trash collection;
- 667 (4) A confirmation statement that the permittee submitted stormwater management facility information through the  
668 Virginia Construction Stormwater General Permit database for those land disturbing activities for which the permittee  
669 was required to obtain coverage under the General VPDES Permit for Discharges of Stormwater from Construction  
670 Activities in accordance with Part I E 5 f or a statement that the permittee did not complete any projects requiring  
671 coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities; and
- 672 (5) A confirmation statement that the permittee electronically reported BMPs using the DEQ BMP Warehouse in  
673 accordance with Part I E 5 g and the date on which the information was submitted.
- 674 6. Pollution prevention and good housekeeping for facilities owned or operated by the permittee within the MS4  
675 service area.
- 676 a. The permittee shall maintain and implement written procedures for those activities at facilities owned or operated by  
677 the permittee, such as road, street, and parking lot maintenance; equipment maintenance; and the application,  
678 storage, transport, and disposal of pesticides, herbicides, and fertilizers designed to:
- 679 (1) Prevent illicit discharges;
- 680 (2) Ensure the proper disposal of waste materials, including landscape wastes;
- 681 (3) Prevent the discharge of wastewater or permittee vehicle wash water or both into the MS4 without  
682 authorization under a separate VPDES permit;
- 683 (4) Require implementation of best management practices when discharging water pumped from utility  
684 construction and maintenance activities;
- 685 (5) Minimize the pollutants in stormwater runoff from bulk storage areas (e.g., salt storage, topsoil stockpiles)  
686 through the use of best management practices;
- 687 (6) Prevent pollutant discharge into the MS4 from leaking municipal automobiles and equipment; and
- 688 (7) Ensure that the application of materials, including fertilizers and pesticides, is conducted in accordance  
689 with the manufacturer's recommendations.
- 690 b. The written procedures established in accordance with Part I E 6 a shall be utilized as part of the employee training  
691 program at Part I E 6 m.
- 692 c. Within 12 months of state permit coverage, the permittee shall identify which of the high-priority facilities have a  
693 high potential of discharging pollutants. The permittee shall maintain and implement a site specific stormwater  
694 pollution prevention plan (SWPPP) for each facility identified. High priority facilities that have a high potential for  
695 discharging pollutants are those facilities that are not covered under a separate VPDES permit and which any of the  
696 following materials or activities occur and are expected to have exposure to stormwater resulting from rain, snow,  
697 snowmelt or runoff:
- 698 (1) Areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to  
699 stormwater;
- 700 (2) Materials or residuals on the ground or in stormwater inlets from spills or leaks;
- 701 (3) Material handling equipment;
- 702 (4) Materials or products that would be expected to be mobilized in stormwater runoff during loading or unloading  
703 or transporting activities (e.g., rock, salt, fill dirt);
- 704 (5) Materials or products stored outdoors (except final products intended for outside use where exposure to  
705 stormwater does not result in the discharge of pollutants);

- 706 (6) Materials or products that would be expected to be mobilized in stormwater runoff contained in open,  
707 deteriorated or leaking storage drums, barrels, tanks, and similar containers;
- 708 (7) Waste material except waste in covered, nonleaking containers (e.g., dumpsters);
- 709 (8) Application or disposal of process wastewater (unless otherwise permitted); or
- 710 (9) Particulate matter or visible deposits of residuals from roof stacks, vents or both not otherwise regulated (i.e.,  
711 under an air quality control permit) and evident in the stormwater runoff.
- 712 d. Each SWPPP as required in Part I E 6 c shall include the following:
- 713 (1) A site description that includes a site map identifying all outfalls, direction of stormwater flows, existing  
714 source controls, and receiving waterbodies;
- 715 (2) A description and checklist of the potential pollutants and pollutant sources;
- 716 (3) A description of all potential nonstormwater discharges;
- 717 (4) Written procedures designed to reduce and prevent pollutant discharge;
- 718 (5) A description of the applicable training as required in Part I E 6 m;
- 719 (6) Procedures to conduct an annual comprehensive site compliance evaluation;
- 720 (7) An inspection frequency of no less than once per year and maintenance requirements for site specific  
721 source controls. The date of each inspection and associated findings and follow-up shall be logged in each  
722 SWPPP; and
- 723 (8) A log of each unauthorized discharge, release, or spill incident reported in accordance with Part III G  
724 including the following information:
- 725 (a) Date of incident;
- 726 (b) Material discharged, released, or spilled; and
- 727 (c) Estimated quantity discharged, released or spilled.
- 728 e. No later than June 30 of each year, the permittee shall annually review any high- priority facility owned or operated  
729 by the permittee for which a SWPPP has not been developed to determine if the facility has a high potential to  
730 discharge pollutants as described in Part I E 6 c. If the facility is determined to be a high-priority facility with a high  
731 potential to discharge pollutants, the permittee shall develop a SWPPP meeting the requirements of Part I E 6 d no  
732 later than December 31 of that same year.
- 733 f. The permittee shall review the contents of any site specific SWPPP no later than 30 days after any unauthorized  
734 discharge, release, or spill reported in accordance with Part III G to determine if additional measures are necessary to  
735 prevent future unauthorized discharges, releases, or spills. If necessary, the SWPPP shall be updated no later than 90  
736 days after the unauthorized discharge.
- 737 g. The SWPPP shall be kept at the high-priority facility with a high potential to discharge and utilized as part of staff  
738 training required in Part I E 6 m. The SWPPP and associated documents may be maintained as a hard copy or  
739 electronically as long as the documents are available to employees at the applicable site.
- 740 h. If activities change at a facility such that the facility no longer meets the criteria of a high-priority facility with a high  
741 potential to discharge pollutants as described in Part I E 6 c, the permittee may remove the facility from the list of high-  
742 priority facilities with a high potential to discharge pollutants.
- 743 i. The permittee shall maintain and implement turf and landscape nutrient management plans that have been  
744 developed by a certified turf and landscape nutrient management planner in accordance with [§ 10.1-104.2](#) of the Code  
745 of Virginia on all lands owned or operated by the permittee where nutrients are applied to a contiguous area greater  
746 than one acre. If nutrients are being applied to achieve final stabilization of a land disturbance project, application  
747 shall follow the manufacturer's recommendations.
- 748 j. Permittees with lands regulated under [§ 10.1-104.4](#) of the Code of Virginia, including state agencies, state colleges  
749 and universities, and other state government entities, shall continue to implement turf and landscape nutrient  
750 management plans in accordance with this statutory requirement.

- 751 k. The permittee shall not apply any deicing agent containing urea or other forms of nitrogen or phosphorus to  
752 parking lots, roadways, and sidewalks, or other paved surfaces.
- 753 l. The permittee shall require through the use of contract language, training, standard operating procedures, or  
754 other measures within the permittee's legal authority that contractors employed by the permittee and engaging in  
755 activities with the potential to discharge pollutants use appropriate control measures to minimize the discharge of  
756 pollutants to the MS4.
- 757 m. The permittee shall develop a training plan in writing for applicable staff that ensures the following:
- 758 (1) Field personnel receive training in the recognition and reporting of illicit discharges no less than once per 24  
759 months;
- 760 (2) Employees performing road, street, and parking lot maintenance receive training in pollution prevention and  
761 good housekeeping associated with those activities no less than once per 24 months;
- 762 (3) Employees working in and around maintenance, public works, or recreational facilities receive training in  
763 good housekeeping and pollution prevention practices associated with those facilities no less than once per 24  
764 months;
- 765 (4) Employees and contractors hired by the permittee who apply pesticides and herbicides are trained or certified in  
766 accordance with the Virginia Pesticide Control Act (§ [3.2-3900](#) et seq. of the Code of Virginia). Certification by the  
767 Virginia Department of Agriculture and Consumer Services (VCACS) Pesticide and Herbicide Applicator program shall  
768 constitute compliance with this requirement;
- 769 (5) Employees and contractors serving as plan reviewers, inspectors, program administrators, and construction site  
770 operators obtain the appropriate certifications as required under the Virginia Erosion and Sediment Control Law and  
771 its attendant regulations;
- 772 (6) Employees and contractors implementing the stormwater program obtain the appropriate certifications as  
773 required under the Virginia Stormwater Management Act and its attendant regulations; and
- 774 (7) Employees whose duties include emergency response have been trained in spill response. Training of emergency  
775 responders such as firefighters and law-enforcement officers on the handling of spill releases as part of a larger  
776 emergency response training shall satisfy this training requirement and be documented in the training plan.
- 777 n. The permittee shall maintain documentation of each training event conducted by the permittee to fulfill the  
778 requirements of Part I E 6 m for a minimum of three years after the training event. The documentation shall include  
779 the following information:
- 780 (1) The date of the training event;
- 781 (2) The number of employees attending the training event; and
- 782 (3) The objective of the training event.
- 783 o. The permittee may fulfill the training requirements in Part I E 6 m, in total or in part, through regional training  
784 programs involving two or more MS4 permittees; however, the permittee shall remain responsible for ensuring  
785 compliance with the training requirements.
- 786 p. The MS4 program plan shall include:
- 787 (1) The written procedures for the operations and maintenance activities as required by Part I E 6 a;
- 788 (2) A list of all high-priority facilities owned or operated by the permittee required in accordance with Part I E 6 c,  
789 and whether or not the facility has a high potential to discharge;
- 790 (3) A list of lands for which turf and landscape nutrient management plans are required in accordance with Part I E 6 i  
791 and j, including the following information:
- 792 (a) The total acreage on which nutrients are applied;
- 793 (b) The date of the most recently approved nutrient management plan for the property; and
- 794 (c) The location in which the individual turf and landscape nutrient management plan is located;

- 795 (4) A summary of mechanisms the permittee uses to ensure contractors working on behalf of the permittees  
796 implement the necessary good housekeeping and pollution prevention procedures, and stormwater pollution plans  
797 as appropriate; and
- 798 (5) The written training plan as required in Part I E 6 m.
- 799 q. The annual report shall include the following:
- 800 (1) A summary of any operational procedures developed or modified in accordance with Part I E 6 a during the  
801 reporting period;
- 802 (2) A summary of any new SWPPPs developed in accordance Part I E 6 c during the reporting period;
- 803 (3) A summary of any SWPPPs modified in accordance with Part I E 6 f or the rationale of any high priority  
804 facilities delisted in accordance with Part I E 6 h during the reporting period;
- 805 (4) A summary of any new turf and landscape nutrient management plans developed that includes:
- 806 (a) Location and the total acreage of each land area; and
- 807 (b) The date of the approved nutrient management plan; and
- 808 (5) A list of the training events conducted in accordance with Part I E 6 m, including the following information:
- 809 (a) The date of the training event;
- 810 (b) The number of employees who attended the training event; and
- 811 (c) The objective of the training event.

Part II  
TMDL Special Conditions

A. Chesapeake Bay TMDL special condition.

1. The Commonwealth in its Phase I and Phase II Chesapeake Bay TMDL Watershed Implementation Plans (WIPs) committed to a phased approach for MS4s, affording MS4 permittees up to three full five-year permit cycles to implement necessary reductions. This permit is consistent with the Chesapeake Bay TMDL and the Virginia Phase I and Phase II WIPs to meet the Level 2 (L2) scoping run for existing developed lands as it represents an implementation of an additional 35% of L2 as specified in the 2010 Phase I and Phase II WIPs. In combination with the 5.0% reduction of L2 that has already been achieved, a total reduction at the end of this permit term of 40% of L2 will be achieved. Conditions of future permits will be consistent with the TMDL or WIP conditions in place at the time of permit issuance.

2. The following definitions apply to Part II of this state permit for the purpose of the Chesapeake Bay TMDL special condition for discharges in the Chesapeake Bay Watershed:

"Existing sources" means pervious and impervious urban land uses served by the MS4 as of June 30, 2009.

"New sources" means pervious and impervious urban land uses served by the MS4 developed or redeveloped on or after July 1, 2009.

"Pollutants of concern" or "POC" means total nitrogen, total phosphorus, and total suspended solids.

"Transitional sources" means regulated land disturbing activities that are temporary in nature and discharge through the MS4.

3. Reduction requirements. No later than the expiration date of this permit, the permittee shall reduce the load of total nitrogen, total phosphorus, and total suspended solids from existing developed lands served by the MS4 as of June 30, 2009, within the 2010 Census urbanized areas by at least 40% of the Level 2 (L2) Scoping Run Reductions. The 40% reduction is the sum of (i) the first phase reduction of 5.0% of the L2 Scoping Run Reductions based on the lands located within the 2000 Census urbanized areas required by June 30, 2018; (ii) the second phase reduction of at least 35% of the L2 Scoping Run based on lands within the 2000 Census urbanized areas required by June 30, 2023; and (iii) the reduction of at least 40% of the L2 Scoping Run, which shall only apply to the additional lands that were added by the 2010 expanded Census urbanized areas required by June 30, 2023. The required reduction shall be calculated using Tables 3a, 3b, 3c, and 3d below as applicable:

Table 3b  
 Calculation Sheet for Estimating Existing Source Loads and Reduction Requirements for the **Potomac River Basin**

		A	B	C	D	E	F	G
Pollutant	Subsource	Loading rate (lbs/ac/yr) <sup>1</sup>	Existing developed lands as of 6/30/09 served by the MS4 within the 2010 CUA (acres) <sup>2</sup>	Load (lbs/yr) <sup>3</sup>	Percentage of MS4 required Chesapeake Bay total L2 loading reduction	Percentage of L2 required reduction by 6/30/2023	40% cumulative reduction required by 6/30/2023 (lbs/yr) <sup>4</sup>	Sum of 40% cumulative reduction (lb/yr) <sup>5</sup>
Nitrogen	Regulated urban impervious	16.86			9%	40%		
	Regulated urban pervious	10.07			6%	40%		
Phosphorus	Regulated Urban Impervious	1.62			16%	40%		
	Regulated urban pervious	0.41			7.25%	40%		
Total suspended solids	Regulated urban impervious	1171.32			20%	40%		
	Regulated urban pervious	175.8			8.75%	40%		
<sup>1</sup> Edge of stream loading rate based on the Chesapeake Bay Watershed Model Progress Run 5.3.2 <sup>2</sup> To determine the existing developed acres required in Column B, permittees should first determine the extent of their regulated service area based on the 2010 Census urbanized area (CUA). Next, permittees will need to delineate the lands within the 2010 CUA served by the MS4 as pervious or impervious as of the baseline date of June 30, 2009. <sup>3</sup> Column C = Column A x Column B. <sup>4</sup> Column F = Column C x Column D x Column E. <sup>5</sup> Column G = The sum of the subsource cumulative reduction required by 6/30/23 (lbs/yr) as calculated in Column F.								



Table 3c Calculation Sheet for Estimating Existing Source Loads and Reduction Requirements for the <b>Rappahannock River Basin</b>								
		A	B	C	D	E	F	G
Pollutant	Subsource	Loading rate (lbs/ac/yr) <sup>1</sup>	Existing developed lands as of 6/30/09 served by the MS4 within the 2010 CUA (acres) <sup>2</sup>	Load (lbs/yr) <sup>3</sup>	Percentage e of MS4 required Chesapeake key Bay total L2 loading duction	Percentage e of L2 required reduction by 6/30/2023	40% cumulative e reduction Required by 6/30/2023 (lbs/yr) <sup>4</sup>	Sum of 40% cumulative reduction (lb/yr) <sup>5</sup>
Nitrogen	Regulated urban impervious	9.38			9%	40%		
	Regulated urban pervious	5.34			6%	40%		
Phosphorus	Regulated urban impervious	1.41			16%	40%		
	Regulated urban pervious	0.38			7.25%	40%		
Total suspended solids	Regulated urban impervious	423.97			20%	40%		
	Regulated urban pervious	56.01			8.75%	40%		

<sup>1</sup> Edge of stream loading rate based on the Chesapeake Bay Watershed Model Progress Run 5.3.2.

<sup>2</sup> To determine the existing developed acres required in Column B, permittees should first determine the extent of their regulated service area based on the 2010 Census urbanized area (CUA). Next, permittees will need to delineate the lands within the 2010 CUA served by the MS4 as pervious or impervious as of the baseline date of June 30, 2009.

<sup>3</sup> Column C = Column A x Column B.

<sup>4</sup> Column F = Column C x Column D x Column E.

<sup>5</sup> Column G = The sum of the subsource cumulative reduction required by 6/30/23 (lbs/yr) as calculated in Column F.

840

841 4. No later than the expiration date of this permit, the permittee shall offset 40% of the increased loads from new  
 842 sources initiating construction between July 1, 2009, and June 30, 2019, and designed in accordance with [9VAC25-870](#)  
 843 Part II C ([9VAC25-870-93](#) et seq.) if the following conditions apply:

- 844 a. The activity disturbed one acre or greater; and
- 845 b. The resulting total phosphorous load was greater than 0.45 lb/acre/year, which is equivalent to an average  
 846 land cover condition of 16% impervious cover.

847 The permittee shall utilize Table 4 of Part II A 5 to develop the equivalent pollutant load for nitrogen and total suspended  
 848 solids for new sources meeting the requirements of this condition.

849 5. No later than the expiration date of this permit, the permittee shall offset the increased loads from projects  
 850 grandfathered in accordance with [9VAC25-870-48](#) that begin construction after July 1, 2014, if the following  
 851 conditions apply:

- 852 a. The activity disturbs one acre or greater; and
- 853 b. The resulting total phosphorous load was greater than 0.45 lb/acre/year, which is equivalent to an average  
 854 land cover condition of 16% impervious cover.

855  
856

The permittee shall utilize Table 4 below to develop the equivalent pollutant load for nitrogen and total suspended solids for grandfathered sources meeting the requirements of this condition.

Table 4 Ratio of Phosphorus Loading Rate to Nitrogen and Total Suspended Solids Loading Rates for Chesapeake Bay Basins			
Ratio of Phosphorus to Other POCs (Based on All Land Uses 2009 Progress Run)	Phosphorus Loading Rate (lbs/acre)	Nitrogen Loading Rate (lbs/acre)	Total Suspended Solids Loading Rate (lbs/acre)
Potomac River Basin	1.0	6.9	469.2
Rappahannock River Basin	1.0	6.7	320.9

857  
858  
859

6. Reductions achieved in accordance with the General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems effective July 1, 2013, shall be applied toward the total reduction requirements to demonstrate compliance with Part II A 3, A 4, and A 5.

860  
861

7. Reductions shall be achieved in each river basin as calculated in Part II A 3 or for reductions in accordance with Part II A 4 and A 5 in the basin in which the new source or grandfathered project occurred.

862  
863  
864  
865

8. Loading and reduction values greater than or equal to 10 pounds calculated in accordance with Part II A 3, A 4, and A 5 shall be calculated and reported to the nearest pound without regard to mathematical rules of precision. Loading and reduction values of less than 10 pounds reported in accordance with Part II A 3, A 4, and A 5 shall be calculated and reported to two significant digits.

866

9. Reductions required in Part II A 3, A 4, and A 5 shall be achieved through one or more of the following:

867

a. BMPs approved by the Chesapeake Bay Program;

868

b. BMPs approved by the department; or

869

c. A trading program described in Part II A 10.

870  
871  
872  
873  
874

10. The permittee may acquire and use total nitrogen and total phosphorus credits in accordance with § [62.1-44.19:21](#) of the Code of Virginia and total suspended solids in accordance with § [62.1-44.19:21.1](#) of the Code of Virginia for purposes of compliance with the required reductions in Table 3a, Table 3b, Table 3c, Table 3d of Part II A 3; Part II A 4; and Part II A 5, provided the use of credits has been approved by the department. The exchange of credits is subject to the following requirements:

875

a. The credits are generated and applied to a compliance obligation in the same calendar year;

876

b. The credits are generated and applied to a compliance obligation in the same tributary;

877  
878

c. The credits are acquired no later than June 1 immediately following the calendar year in which the credits are applied;

879  
880

d. No later than June 1 immediately following the calendar year in which the credits are applied, the permittee certifies on an MS4 Nutrient Credit Acquisition Form that the permittee has acquired the credits;

881  
882  
883  
884

e. Total nitrogen and total phosphorus credits shall be either point source credits generated by point sources covered by the Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed general permit issued pursuant to § [62.1-44.19:14](#) of the Code of Virginia, or nonpoint source credits certified pursuant to § [62.1-44.19:20](#) of the Code of Virginia;

885

f. Sediment credits shall be derived from one of the following:

886  
887  
888

(1) Implementation of BMP in a defined area outside of an MS4 service area, in which case the necessary baseline sediment reduction for such defined area shall be achieved prior to the permittee's use of additional reductions as credit; or

889  
890  
891

(2) A point source wasteload allocation established by the Chesapeake Bay total maximum daily load, in which case the credit is the difference between the wasteload allocation specified as an annual mass load and any lower monitored annual mass load that is discharged as certified on an MS4 Sediment Credit Acquisition Form.

892  
893

g. Sediment credits shall not be associated with phosphorus credits used for compliance with the stormwater nonpoint nutrient runoff water quality criteria established pursuant to § [62.1-44.15:28](#) of the Code of Virginia.

894 11. No later than 12 months after the permit effective date, the permittee shall submit an updated Chesapeake Bay  
895 TMDL action plan for the reductions required in Part II A 3, A 4, and A 5 that includes the following information:

896 a. Any new or modified legal authorities, such as ordinances, permits, policy, specific contract language, orders, and  
897 interjurisdictional agreements, implemented or needing to be implemented to meet the requirements of Part II A 3, A  
898 4, and A 5.

899 b. The load and cumulative reduction calculations for each river basin calculated in accordance with Part II A 3,  
900 A 4, and A5.

901 c. The total reductions achieved as of July 1, 2018, for each pollutant of concern in each river basin.

902 d. A list of BMPs implemented prior to July 1, 2018, to achieve reductions associated with the Chesapeake Bay  
903 TMDL including:

904 (1) The date of implementation; and

905 (2) The reductions achieved.

906 e. The BMPs to be implemented by the permittee prior to the expiration of this permit to meet the cumulative  
907 reductions calculated in Part II A 3, A 4, and A 5, including as applicable:

908 (1) Type of BMP;

909 (2) Project name;

910 (3) Location;

911 (4) Percent removal efficiency for each pollutant of concern; and

912 (5) Calculation of the reduction expected to be achieved by the BMP calculated and reported in accordance  
913 with the methodologies established in Part II A 8 for each pollutant of concern; and

914 f. A summary of any comments received as a result of public participation required in Part II A 12, the permittee's  
915 response, identification of any public meetings to address public concerns, and any revisions made to Chesapeake Bay  
916 TMDL action plan as a result of public participation.

917 12. Prior to submittal of the action plan required in Part II A 11, the permittee shall provide an opportunity for public  
918 comment on the additional BMPs proposed to meet the reductions not previously approved by the department in the first  
919 phase Chesapeake Bay TMDL action plan for no less than 15 days.

920 13. For each reporting period, the corresponding annual report shall include the following information:

921 a. A list of BMPs implemented during the reporting period but not reported to the DEQ BMP Warehouse in  
922 accordance with Part I E 5 g and the estimated reduction of pollutants of concern achieved by each and reported  
923 in pounds per year;

924 b. If the permittee acquired credits during the reporting period to meet all or a portion of the required  
925 reductions in Part II A 3, A 4, or A 5, a statement that credits were acquired;

926 c. The progress, using the final design efficiency of the BMPs, toward meeting the required cumulative  
927 reductions for total nitrogen, total phosphorus, and total suspended solids; and

928 d. A list of BMPs that are planned to be implemented during the next reporting period.

929 B. Local TMDL special condition.

930 1. The permittee shall develop a local TMDL action plan designed to reduce loadings for pollutants of concern if the  
931 permittee discharges the pollutants of concern to an impaired water for which a TMDL has been approved by the U.S.  
932 Environmental Protection Agency (EPA) as described in Part II B 1 a and 1 b:

933 a. For TMDLs approved by the EPA prior to July 1, 2013, and in which an individual or aggregate wasteload has  
934 been allocated to the permittee, the permittee shall update the previously approved local TMDL action plans to  
935 meet the conditions of Part II B 3, B 4, B 5, B 6, and B 7 as applicable, no later than 18 months after the permit  
936 effective date and continue implementation of the action plan; and

937 b. For TMDLs approved by EPA on or after July 1, 2013, and prior to June 30, 2018, and in which an individual or  
938 aggregate wasteload has been allocated to the permittee, the permittee shall develop and initiate implementation

939 of action plans to meet the conditions of Part II B 3, B 4, B 5, B 6, and B 7 as applicable for each pollutant for which  
940 wasteloads have been allocated to the permittee's MS4 no later than 30 months after the permit effective date.

941 2. The permittee shall complete implementation of the TMDL action plans as soon as practicable. TMDL action plans  
942 may be implemented in multiple phases over more than one permit cycle using the adaptive iterative approach  
943 provided adequate progress is achieved in the implementation of BMPs designed to reduce pollutant discharges in a  
944 manner that is consistent with the assumptions and requirements of the applicable TMDL.

945 3. Each local TMDL action plan developed by the permittee shall include the following:

- 946 a. The TMDL project name;
- 947 b. The EPA approval date of the TMDL;
- 948 c. The wasteload allocated to the permittee (individually or in aggregate), and the corresponding percent  
949 reduction, if applicable;
- 950 d. Identification of the significant sources of the pollutants of concern discharging to  
951 the permittee's MS4 and that are not covered under a separate VPDES permit. For the purposes of this  
952 requirement, a significant source of pollutants means a discharge where the expected pollutant loading is  
953 greater than the average pollutant loading for the land use identified in the TMDL;
- 954 e. The BMPs designed to reduce the pollutants of concern in accordance with Parts II B 4, B 5, and B6;
- 955 f. Any calculations required in accordance with Part II B 4, B 5, or B6;
- 956 g. For action plans developed in accordance with Part II B 4 and B 5, an outreach strategy to enhance the  
957 public's education (including employees) on methods to eliminate and reduce discharges of the pollutants;  
958 and
- 959 h. A schedule of anticipated actions planned for implementation during this permit term.

960 4. Bacterial TMDLs.

- 961 a. If the permittee is an approved VSMP authority, the permittee shall select and implement at least three of the  
962 strategies listed in Table 5 below designed to reduce the load of bacteria to the MS4. Selection of the strategies  
963 shall correspond to sources identified in Part II B 3 d.
- 964 b. If the permittee is not an approved VSMP authority, the permittee shall select at least one strategy listed in  
965 Table 5 below designed to reduce the load of bacteria to the MS4 relevant to sources of bacteria applicable within  
966 the MS4 regulated service area. Selection of the strategies shall correspond to sources identified in Part II B 3 d.  
967

Table 5 Strategies for Bacteria Reduction Stormwater Control/Management Strategy	
Source	Strategies (provided as an example and not meant to be all inclusive or limiting)
Domestic pets (dogs and cats)	<p>Provide signage to pick up dog waste, providing pet waste bags and disposal containers.</p> <p>Adopt and enforce pet waste ordinances or policies, or leash laws or policies.</p> <p>Place dog parks away from environmentally sensitive areas.</p> <p>Maintain dog parks by removing disposed of pet waste bags and cleaning up other sources of bacteria.</p> <p>Protect riparian buffers and provide unmanicured vegetative buffers along streams to dissuade stream access.</p>
Urban wildlife	<p>Educate the public on how to reduce food sources accessible to urban wildlife (e.g., manage restaurant dumpsters and grease traps, residential garbage, feed pets indoors).</p> <p>Install storm drain inlet or outlet controls.</p> <p>Clean out storm drains to remove waste from wildlife.</p> <p>Implement and enforce urban trash management practices.</p> <p>Implement rooftop disconnection programs or site designs that minimize connections to reduce bacteria from rooftops</p> <p>Implement a program for removing animal carcasses from roadways and properly disposing of the same (either through proper storage or through transport to a licensed facility).</p>
Illicit connections or illicit discharges to the MS4	<p>Implement an enhanced dry weather screening and illicit discharge, detection, and elimination program beyond the requirements of Part E 3 to identify and remove illicit connections and identify leaking sanitary sewer lines infiltrating to the MS4 and implement repairs.</p> <p>Implement a program to identify potentially failing septic systems.</p> <p>Educate the public on how to determine whether their septic system is failing.</p> <p>Implement septic tank inspection and maintenance program.</p> <p>Implement an educational program beyond any requirements in Part I E 1 through E 6 to explain to citizens why they should not dump materials into the MS4.</p>
Dry weather urban flows (irrigations, car washing, power washing, etc.)	<p>Implement public education programs to reduce dry weather flows from storm sewers related to lawn and park irrigation practices, car washing, power washing and other nonstormwater flows.</p> <p>Provide irrigation controller rebates.</p> <p>Implement and enforce ordinances or policies related to outdoor water waste. Inspect commercial trash areas, grease traps, washdown practices, and enforce corresponding ordinances or policies.</p>
Birds (Canadian geese, gulls, pigeons, etc.)	<p>Identify areas with high bird populations and evaluate deterrents, population controls, habitat modifications and other measures that may reduce bird-associated bacteria loading.</p> <p>Prohibit feeding of birds.</p>
Other sources	<p>Enhance maintenance of stormwater management facilities owned or operated by the permittee.</p> <p>Enhance requirements for third parties to maintain stormwater management facilities.</p> <p>Develop BMPs for locating, transporting, and maintaining portable toilets used on permittee-owned sites. Educate third parties that use portable toilets on BMPs for use.</p> <p>Provide public education on appropriate recreational vehicle dumping practices.</p>

- 969 5. Local sediment, phosphorus, and nitrogen TMDLs.
- 970 a. The permittee shall reduce the loads associated with sediment, phosphorus, or nitrogen through implementation  
971 of one or more of the following:
- 972 (1) One or more of the BMPs from the Virginia Stormwater BMP Clearinghouse listed in [9VAC25-870-65](#) or other  
973 approved BMPs found on the Virginia Stormwater BMP Clearinghouse website;
- 974 (2) One or more BMPs approved by the Chesapeake Bay Program; or
- 975 (3) Land disturbance thresholds lower than Virginia's regulatory requirements for erosion and sediment  
976 control and post development stormwater management.
- 977 b. The permittee may meet the local TMDL requirements for sediment, phosphorus, or nitrogen through BMPs  
978 implemented to meet the requirements of the Chesapeake Bay TMDL in Part II A as long as the BMPs are implemented  
979 in the watershed for which local water quality is impaired.
- 980 c. The permittee shall calculate the anticipated load reduction achieved from each BMP and include the calculations  
981 in the action plan required in Part II B 3 f.
- 982 d. No later than 36 months after the effective date of this permit, the permittee shall submit to the department  
983 the anticipated end dates by which the permittee will meet each WLA for sediment, phosphorus, or nitrogen. The  
984 proposed end date may be developed in accordance with Part II B 2.
- 985 6. Polychlorinated biphenyl (PCB) TMDLs.
- 986 a. For each PCB TMDL action plan, the permittee shall include an inventory of potentially significant sources of PCBs  
987 owned or operated by the permittee that drains to the MS4 that includes the following information:
- 988 (1) Location of the potential source;
- 989 (2) Whether or not the potential source is from current site activities or activities previously conducted at the site  
990 that have been terminated (i.e. legacy activities); and
- 991 (3) A description of any measures being implemented or to be implemented to prevent exposure to stormwater  
992 and the discharge of PCBs from the site.
- 993 b. If at any time during the term of this permit, the permittee discovers a previously unidentified significant source  
994 of PCBs within the permittee's MS4 regulated service area, the permittee shall notify DEQ in writing within 30 days  
995 of discovery.
- 996 7. Prior to submittal of the action plan required in Part II B 1, the permittee shall provide an opportunity for public  
997 comment proposed to meet the local TMDL action plan requirements for no less than 15 days.
- 998 8. The MS4 program plan as required by Part I B of this permit shall incorporate each local TMDL action plan. Local TMDL  
999 action plans may be incorporated by reference into the MS4 program plan provided that the program plan includes the  
1000 date of the most recent local TMDL action plan and identification of the location where a copy of the local TMDL action  
1001 plan may be obtained.
- 1002 9. For each reporting period, each annual report shall include a summary of actions conducted to implement each local  
1003 TMDL action plan.

Part III  
Conditions Applicable to All State and VPDES Permits

NOTE: Discharge monitoring is not required for compliance purposes by this general permit. If the operator chooses to monitor stormwater discharges for informational or screening purposes, the operator does not need to comply with the requirements of Parts III A, B, or C.

A. Monitoring.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitoring activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this state permit. Analyses performed according to test procedures approved under 40 CFR Part 136 shall be performed by an environmental laboratory certified under regulations adopted by the Department of General Services ([1VAC30-45](#) or [1VAC30-46](#)).
3. The operator shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Monitoring records and reports shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individuals who performed the sampling or measurements;
  - c. The dates and times analyses were performed;
  - d. The individuals who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. The operator shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this state permit, and records of all data used to complete the registration statement for this state permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the operator, or as requested by the board.

C. Reporting monitoring results.

1. The operator shall submit the results of the monitoring as may be performed in accordance with this state permit with the annual report unless another reporting schedule is specified elsewhere in this state permit.
2. Monitoring results shall be reported on a discharge monitoring report (DMR); on forms provided, approved or specified by the department; or in any format provided that the date, location, parameter, method, and result of the monitoring activity are included.
3. If the operator monitors any pollutant specifically addressed by this state permit more frequently than required by this state permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this state permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.
4. Calculations for all limitations that require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this state permit.

D. Duty to provide information. The operator shall furnish within a reasonable time, any information that the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this state permit or to determine compliance with this state permit. The board, department, or EPA may require the operator to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of surface waters, or such other information as may be necessary to accomplish

1050 the purposes of the CWA and Virginia Stormwater Management Act. The operator shall also furnish to the board,  
1051 department, or EPA upon request, copies of records required to be kept by this state permit.

1052 E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and  
1053 final requirements contained in any compliance schedule of this state permit shall be submitted no later than 14 days  
1054 following each schedule date.

1055 F. Unauthorized stormwater discharges. Pursuant to § [62.1-44.5](#) of the Code of Virginia, except in compliance with a  
1056 state permit issued by the department, it shall be unlawful to cause a stormwater discharge from a MS4.

1057 G. Reports of unauthorized discharges. Any operator of a small MS4 who discharges or causes or allows a discharge of  
1058 sewage, industrial waste, other wastes or any noxious or deleterious substance or a hazardous substance or oil in an  
1059 amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, 40 CFR  
1060 Part 302, or § [62.1-44.34:19](#) of the Code of Virginia that occurs during a 24-hour period into or upon surface waters or who  
1061 discharges or causes or allows a discharge that may reasonably be expected to enter surface waters shall notify the  
1062 department of the discharge immediately upon discovery of the discharge, but in no case later than within 24 hours after  
1063 said discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of  
1064 discovery of the discharge. The written report shall contain:

- 1065 1. A description of the nature and location of the discharge;
- 1066 2. The cause of the discharge;
- 1067 3. The date on which the discharge occurred;
- 1068 4. The length of time that the discharge continued;
- 1069 5. The volume of the discharge;
- 1070 6. If the discharge is continuing, how long it is expected to continue;
- 1071 7. If the discharge is continuing, what the expected total volume of the discharge will be; and
- 1072 8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future  
1073 discharges not authorized by this state permit.

1074 Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted  
1075 from this requirement.

1076 H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a "bypass" (Part III  
1077 U) or "upset," (Part III V), should occur from a facility and the discharge enters or could be expected to enter surface  
1078 waters, the operator shall promptly notify, in no case later than within 24 hours, the department by telephone after the  
1079 discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects  
1080 on aquatic life and the known number of fish killed. The operator shall reduce the report to writing and shall submit it to  
1081 the department within five days of discovery of the discharge in accordance with Part III I 2. Unusual and extraordinary  
1082 discharges include any discharge resulting from:

- 1083 1. Unusual spillage of materials resulting directly or indirectly from processing operations;
- 1084 2. Breakdown of processing or accessory equipment;
- 1085 3. Failure or taking out of service some or all of the facilities; and
- 1086 4. Flooding or other acts of nature.

1087 I. Reports of noncompliance. The operator shall report any noncompliance which may adversely affect surface  
1088 waters or may endanger public health.

1089 1. An oral report to the department shall be provided within 24 hours from the time the operator becomes aware  
1090 of the circumstances. The following shall be included as information that shall be reported within 24 hours under  
1091 this subdivision:

- 1092 a. Any unanticipated bypass; and
- 1093 b. Any upset that causes a discharge to surface waters.

1094 2. A written report shall be submitted within five days and shall contain:



- 1095 a. A description of the noncompliance and its cause;
- 1096 b. The period of noncompliance, including exact dates and times, and if the
- 1097 noncompliance has not been corrected, the anticipated time it is expected to continue; and
- 1098 c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The department
- 1099 may waive the written report on a case-by-case basis for reports of noncompliance under Part III I if the oral
- 1100 report has been received within 24 hours and no adverse impact on surface waters has been reported.

1101 3. The operator shall report all instances of noncompliance not reported under Part III I 1 or 2, in writing, as part of the

1102 annual reports that are submitted. The reports shall contain the information listed in Part III I 2.

1103 NOTE: The reports required in Part III G, H, and I shall be made to the department. Reports may be made by telephone,

1104 email, or fax. For reports outside normal working hours, leaving a recorded message shall fulfill the immediate

1105 reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24-hour

1106 telephone service at 1-800-468-8892.

1107 4. Where the operator becomes aware of a failure to submit any relevant facts, or submittal of incorrect information

1108 in any report, including a registrations statement, to the department, the operator shall promptly submit such facts or

1109 correct information.

1110 J. Notice of planned changes.

1111 1. The operator shall give notice to the department as soon as possible of any planned physical alterations or

1112 additions to the permitted facility. Notice is required only when:

1113 a. The operator plans an alteration or addition to any building, structure, facility, or installation that may meet

1114 one of the criteria for determining whether a facility is a new source in [9VAC25-870-420](#):

1115 b. The operator plans an alteration or addition that would significantly change the nature or increase the

1116 quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent

1117 limitations in this state permit; or

1118 2. The operator shall give advance notice to the department of any planned changes in the permitted facility or

1119 activity that may result in noncompliance with state permit requirements.

1120 K. Signatory requirements.

1121 1. Registration statement. All registration statements shall be signed as follows:

1122 a. For a corporation: by a responsible corporate officer. For the purpose of this chapter, a responsible corporate

1123 officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal

1124 business function, or any other person who performs similar policy-making or decision-making functions for the

1125 corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the

1126 manager is authorized to make management decisions that govern the operation of the regulated facility including

1127 having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing

1128 other comprehensive measures to assure long term compliance with environmental laws and regulations; the

1129 manager can ensure that the necessary systems are established or actions taken to gather complete and accurate

1130 information for state permit application requirements; and where authority to sign documents has been assigned or

1131 delegated to the manager in accordance with corporate procedures;

1132 b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

1133 c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking

1134 elected official. For purposes of this chapter, a principal executive officer of a public agency includes:

1135 (1) The chief executive officer of the agency, or

1136 (2) A senior executive officer having responsibility for the overall operations of a principal geographic unit

1137 of the agency.

1138 2. Reports and other information. All reports required by state permits, including annual reports, and other

1139 information requested by the board or department shall be signed by a person described in Part III K 1, or by a duly

1140 authorized representative of that person. A person is a duly authorized representative only if:

1141 a. The authorization is made in writing by a person described in Part III K 1;

1142 b. The authorization specifies either an individual or a position having responsibility for the overall operation of the  
1143 regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent,  
1144 position of equivalent responsibility, or an individual or position having overall responsibility for environmental  
1145 matters for the operator. (A duly authorized representative may thus be either a named individual or any individual  
1146 occupying a named position.); and

1147 c. The signed and dated written authorization is submitted to the department.

1148 3. Changes to authorization. If an authorization under Part III K 2 is no longer accurate because a different individual or  
1149 position has responsibility for the overall operation of the MS4, a new authorization satisfying the requirements of Part III  
1150 K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an  
1151 authorized representative.

1152 4. Certification. Any person signing a document under Part III K 1 or 2 shall make the following certification:

1153 "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision  
1154 in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information  
1155 submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible  
1156 for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and  
1157 complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine  
1158 and imprisonment for knowing violations."

1159 L. Duty to comply. The operator shall comply with all conditions of this state permit. Any state permit noncompliance  
1160 constitutes a violation of the Virginia Stormwater Management Act and the Clean Water Act, except that noncompliance  
1161 with certain provisions of this state permit may constitute a violation of the Virginia Stormwater Management Act but not  
1162 the Clean Water Act. Permit noncompliance is grounds for enforcement action; for state permit termination, revocation  
1163 and reissuance, or modification; or denial of a state permit renewal application.

1164 The operator shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for  
1165 toxic pollutants within the time provided in the regulations that establish these standards or prohibitions or standards for  
1166 sewage sludge use or disposal, even if this state permit has not yet been modified to incorporate the requirement.

1167 M. Duty to reapply. If the operator wishes to continue an activity regulated by this state permit after the expiration date  
1168 of this state permit, the operator shall submit a new registration statement at least 90 days before the expiration date of  
1169 the existing state permit, unless permission for a later date has been granted by the board. The board shall not grant  
1170 permission for registration statements to be submitted later than the expiration date of the existing state permit.

1171 N. Effect of a state permit. This state permit does not convey any property rights in either real or personal property or  
1172 any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any  
1173 infringement of federal, state or local law or regulations.

1174 O. State law. Nothing in this state permit shall be construed to preclude the institution of any legal action under, or relieve  
1175 the operator from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or  
1176 under authority preserved by § 510 of the Clean Water Act. Except as provided in state permit conditions on "bypassing"  
1177 (Part III U), and "upset" (Part III V) nothing in this state permit shall be construed to relieve the operator from civil and  
1178 criminal penalties for noncompliance.

1179 P. Oil and hazardous substance liability. Nothing in this state permit shall be construed to preclude the institution of any  
1180 legal action or relieve the operator from any responsibilities, liabilities, or penalties to which the operator is or may be  
1181 subject under §§ [62.1-44.34:14](#) through [62.1-44.34:23](#) of the State Water Control Law or § 311 of the Clean Water Act.

1182 Q. Proper operation and maintenance. The operator shall at all times properly operate and maintain all facilities and  
1183 systems of treatment and control (and related appurtenances), which are installed or used by the operator to achieve  
1184 compliance with the conditions of this state permit. Proper operation and maintenance also includes effective plant  
1185 performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate  
1186 quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which  
1187 are installed by the operator only when the operation is necessary to achieve compliance with the conditions of this state  
1188 permit.

1189 R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of  
1190 pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering surface  
1191 waters and in compliance with all applicable state and federal laws and regulations.

1192 S. Duty to mitigate. The operator shall take all reasonable steps to minimize or prevent any discharge in violation of  
1193 this state permit that has a reasonable likelihood of adversely affecting human health or the environment.

- 1194 T. Need to halt or reduce activity not a defense. It shall not be a defense for an operator in an enforcement action that it  
1195 would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of  
1196 this state permit.
- 1197 U. Bypass.
- 1198 1. "Bypass," as defined in [9VAC25-870-10](#) , means the intentional diversion of waste streams from any portion of  
1199 a treatment facility. The operator may allow any bypass to occur that does not cause effluent limitations to be  
1200 exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not  
1201 subject to the provisions of Part III U 2 and U 3.
- 1202 2. Notice.
- 1203 a. Anticipated bypass. If the operator knows in advance of the need for a bypass, the operator shall submit prior  
1204 notice to the department, if possible at least 10 days before the date of the bypass.
- 1205 b. Unanticipated bypass. The operator shall submit notice of an unanticipated bypass as required in Part III I.
- 1206 3. Prohibition of bypass.
- 1207 a. Except as provided in Part III U 1, bypass is prohibited, and the board or department may take enforcement  
1208 action against an operator for bypass, unless:
- 1209 (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- 1210 (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities,  
1211 retention of untreated wastes, or maintenance during normal periods of equipment downtime. This  
1212 condition is not satisfied if adequate back-up equipment should have been installed in the exercise of  
1213 reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment  
1214 downtime or preventive maintenance; and
- 1215 (3) The operator submitted notices as required under Part III U 2.
- 1216 b. The department may approve an anticipated bypass, after considering its adverse effects, if the department  
1217 determines that it will meet the three conditions listed in Part III U 3 a.
- 1218 V. Upset.
- 1219 1. An "upset," as defined in [9VAC25-870-10](#) , means an exceptional incident in which there is unintentional and  
1220 temporary noncompliance with technology based state permit effluent limitations because of factors beyond the  
1221 reasonable control of the operator. An upset does not include noncompliance to the extent caused by operational error,  
1222 improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or  
1223 improper operation.
- 1224 2. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based state  
1225 permit effluent limitations if the requirements of Part III V 4 are met. A determination made during administrative  
1226 review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final  
1227 administrative action subject to judicial review.
- 1228 3. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment  
1229 facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- 1230 4. An operator who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed,  
1231 contemporaneous operating logs, or other relevant evidencethat:
- 1232 a. An upset occurred and that the operator can identify the causes of the upset;
- 1233 b. The permitted facility was at the time being properly operated;
- 1234 c. The operator submitted notice of the upset as required in Part III I; and
- 1235 d. The operator complied with any remedial measures required under Part III S.
- 1236 5. In any enforcement proceeding the operator seeking to establish the occurrence of an upset has the burden of  
1237 proof.

1238 W. Inspection and entry. The operator shall allow the department as the board's designee, EPA, or an authorized  
1239 representative (including an authorized contractor), upon presentation of credentials and other documents as may be  
1240 required by law, to:

1241 1. Enter upon the operator's premises where a regulated facility or activity is located or conducted, or where  
1242 records must be kept under the conditions of this state permit;

1243 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this state  
1244 permit;

1245 3. Inspect and photograph at reasonable times any facilities, equipment (including monitoring and control  
1246 equipment), practices, or operations regulated or required under this state permit; and

1247 4. Sample or monitor at reasonable times, for the purposes of ensuring permit compliance or as otherwise  
1248 authorized by the Clean Water Act and the Virginia Stormwater Management Act, any substances or parameters at  
1249 any location. For purposes of this subsection, the time for inspection shall be deemed reasonable during regular  
1250 business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection  
1251 unreasonable during an emergency.

1252 X. State permit actions. State permits may be modified, revoked and reissued, or terminated for cause. The filing of a  
1253 request by the operator for a state permit modification, revocation and reissuance, or termination, or a notification of  
1254 planned changes or anticipated noncompliance does not stay any state permit condition.

1255 Y. Transfer of state permits.

1256 1. State permits are not transferable to any person except after notice to the department. Except as provided in Part III  
1257 Y 2, a state permit may be transferred by the operator to a new operator only if the state permit has been modified or  
1258 revoked and reissued, or a minor modification made, to identify the new operator and incorporate such other  
1259 requirements as may be necessary under the Virginia Stormwater Management Act and the Clean Water Act.

1260 2. As an alternative to transfers under Part III Y 1, this state permit may be automatically transferred to a new  
1261 operator if:

1262 a. The current operator notifies the department at least 30 days in advance of the proposed transfer of  
1263 the title to the facility or property;

1264 b. The notice includes a written agreement between the existing and new operators containing a specific  
1265 date for transfer of state permit responsibility, coverage, and liability between them; and

1266 c. The department does not notify the existing operator and the proposed new operator of its intent to modify or  
1267 revoke and reissue the state permit. If this notice is not received, the transfer is effective on the date specified in  
1268 the agreement mentioned in Part III Y 2 b.

1269 Z. Severability. The provisions of this state permit are severable, and if any provision of this state permit or the  
1270 application of any provision of this state permit to any circumstance is held invalid, the application of such provision to  
1271 other circumstances, and the remainder of this state permit, shall not be affected thereby.

## APPENDIX 2. STAFFORD COUNTY REFERENCE LIBRARY

Reference Document/Material		Current Version		Revision		Revision		Revision		Notes
No.	Title	Version	Effective Date	Version	Effective Date	Version	Effective Date	Version	Effective Date	
1	Friends of the Rappahannock MOU	190501	3/25/2019							
2	Northern Virginia Regional Planning Commission MOU	190501	5/17/2018							
3	Public Education and Outreach Plan	190501	9/18/2018							
4	When Nature Calls, Please Pick Up After Your Pet Brochure	190501	5/1/2019							
5	Illicit Discharge Detection and Elimination Program Brochure	190501	5/1/2019							
6	Illicit Discharge Detection and Elimination (IDDE) Standard Operating Procedures Manual	190501	6/1/2014							
7	DEQ VSMP Approval Letter	190501	6/26/2014							
8	Stormwater Management Design Manual	190501	3/1/2014							
9	Stafford County VSMP Compliance and Enforcement Policy and Procedures	190501	6/1/2014							
10	Stafford County Stormwater Recordkeeping and Reporting Policy and Procedures	190501	6/1/2014							
11	County Owned/Operated Stormwater Management Facility Inspection and Maintenance Procedures	190501	10/1/2014							
12	Inspection Procedures for Inspecting Privately Owned SWM Facilities	190501								

Reference Document/Material		Current Version		Revision		Revision		Revision		Notes
No.	Title	Version	Effective Date	Version	Effective Date	Version	Effective Date	Version	Effective Date	
13	Pollution Prevention/Good Housekeeping for Municipal Operations Standard Operating Procedures	190501	7/1/2013							
14	Stormwater Pollution Prevention Plan Implementation Final Report	190501	3/1/2014							
15	Administration Building Stormwater Pollution Prevention Plan	190501	10/17/2014							
16	Aquia Landing Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
17	Berea Fire & Rescue Stormwater Pollution Prevention Plan	190501	10/17/2014							
18	Curtis Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
19	Duff Farm Stormwater Pollution Prevention Plan	190501	10/17/2014							
20	Fire and Rescue Training & Logistics Stormwater Pollution Prevention Plan	190501	10/17/2014							
21	Garrisonville Fire and Rescue Co. 14 Stormwater Pollution Prevention Plan	190501	10/17/2014							
22	John Lee Pratt Memorial Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
23	McDuff Green Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
24	Patawomeck Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
25	Potomac Hills VFD Co. 10 Stormwater Pollution Prevention Plan	190501	10/17/2014							

Reference Document/Material		Current Version		Revision		Revision		Revision		Notes
No.	Title	Version	Effective Date	Version	Effective Date	Version	Effective Date	Version	Effective Date	
26	Sheriff and Fire Rescue Building Stormwater Pollution Prevention Plan	190501	10/17/2014							
27	Smith Lake Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
28	St. Clair Brooks Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
29	Stafford Fire & Rescue Co. 2 Stormwater Pollution Prevention Plan	190501	10/17/2014							
30	Willowmere Park Stormwater Pollution Prevention Plan	190501	10/17/2014							
31	Wodlands Pool Stormwater Pollution Prevention Plan	190501	10/17/2014							
32	Autumn Ridge Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
33	Berea Fire Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
34	Carl Lewis Community Center Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
35	Chichester Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
36	Curtis Memorial County Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
37	Embrey Mill Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
38	England Run Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
39	Ray Grizzle Activity Center Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22

Reference Document/Material		Current Version		Revision		Revision		Revision		Notes
No.	Title	Version	Effective Date	Version	Effective Date	Version	Effective Date	Version	Effective Date	
40	John Lee Pratt Memorial Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
41	McDuff Green Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
42	Patawomeck Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
43	Rowser Building Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
44	Smith Lake Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
45	St. Clair Brooks Memorial Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
46	Stafford Fire Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
47	Vista Woods Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
48	Willowmere Park Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
49	Massad Family YMCA Nutrient Management Plan	190501	1/4/2019							Expires 1/4/22
50	Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan	190501	7/1/2013							
51	Phase I Chesapeake Bay TMDL Action Plan	190501	6/30/2016							
52	Phase II Chesapeake Bay TMDL Action Plan									Due October 30, 2019



Reference Document/Material		Current Version		Revision		Revision		Revision		Notes
No.	Title	Version	Effective Date	Version	Effective Date	Version	Effective Date	Version	Effective Date	
53	Bacteria TMDL Action Plan for the Tidal Freshwater Rappahannock River Watershed	190501	6/30/2016							
54	PCB TMDL Action Plan for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland and Virginia	190501								
55	Bacteria TMDL Action Plan for Tributaries to the Potomac River Located within Prince William and Stafford Counties									Due May 1, 2021
56	Record of MS4 Program Plan Revisions	190501								

### APPENDIX 3. HIGH PRIORITY MUNICIPAL FACILITIES WITH STORMWATER POLLUTION PREVENTION PLANS

Facility	Address	Latitude	Longitude	Located Within the MS4 Service Area (Y/N)
Administration Building	1300 Courthouse Road, Stafford, VA 22554	38° 25'22.9688" N	77° 24'36.031" W	Y
Berea Fire & Rescue Co. 12	20 Sebring Way, Fredericksburg, VA 22406	38° 21'20.7119" N	77° 30'26.5657" W	Y
Garrisonville Fire and Rescue Co. 14	53 Shelton Shop Road, Stafford, VA 22554	38° 27'59.6134" N	77° 27'39.6078" W	Y
John Lee Pratt Memorial Park	120 River Road, Stafford, VA 22405	38° 18'49.6669" N	77° 27'31.8035" W	Y
Potomac Hills VFD Co. 10	3528 Jefferson Davis Highway, Stafford, VA 22554	38° 29'28.1638" N	77° 22'51.393" W	Y
Public Safety Building	1225 Courthouse Road, Stafford, VA 22554	38° 25'19.9908" N	77° 24'46.9084" W	Y
Smith Lake Park	370 Doc Stone Road Stafford, VA 22556	38° 29'3.4452" N	77° 23'46.9571" W	Y
St. Clair Brooks Park	80 Butler Road, Stafford, VA 22405	38° 19'8.9148" N	77° 27'43.3611" W	Y
Stafford Fire & Rescue Co. 2	305 Jason Mooney Drive, Stafford, VA 22555	38° 25'11.2304" N	77° 24'54.668" W	Y
Woodlands Pool	2 Northampton Boulevard, Stafford, VA 22554	38° 27'45.2727" N	77° 26'5.5037" W	Y
Aquia Landing Park	2846 Brooke Road, Stafford, VA 22554	38° 23'21.9055" N	77° 18'58.1504" W	N
Curtis Park	58 Jessie Curtis Lane, Stafford, VA 22406	38° 25'49.2069" N	77° 34'7.0748" W	N
Duff Farm	638 Kings Highway, Stafford, VA 22405	38° 16'24.8517" N	77° 25'33.6005" W	N
Fire and Rescue Training & Logistics Center	1326 Courthouse Road, Stafford, VA 22554	38° 25'11.4877" N	77° 24'19.8601" W	N
McDuff Green Park	75 James Ashby Parkway, Stafford, VA 22405	38° 16'26.8747" N	77° 25'51.0149" W	N
Patawomeck Park	25 Chopawamsic Parkway, Stafford, VA 22554	38° 29'24.613" N	77° 21'25.8756" W	N
Willowmere Park	21 Willowmere Pond Road, Stafford, VA 22554	38° 28'10.4321" N	77° 32'30.6537" W	N

## APPENDIX 4. COUNTY FACILITIES WITH NUTRIENT MANAGEMENT PLANS

Nutrient Management Plans have been developed and implemented on the following County facilities. Copies of the NMPs are maintained at the Parks, Recreation and County Facility offices located at 1729 Jefferson Davis Highway, Stafford, VA.

County Facility	NMP Date	Acreage
Autumn Ridge Park	1/4/19	1.94
Berea Fire	1/4/19	0.94
Carl Lewis Community Center	1/4/19	2.13
Chichester Park	1/4/19	23
Curtis Memorial County Park	1/4/19	8.82
Embrey Mill Park	1/4/19	39
England Run	1/4/19	0.82
Ray Grizzle Activity Center	1/4/19	0.64
John Lee Pratt Memorial Park	1/4/19	28.02
McDuff Green	1/4/19	17.25
Patawomeck Park	1/4/19	18.77
Rowser Building	1/4/19	2.17
Smith Lake Park	1/4/19	7.59
St. Clair Brooks Memorial Park	1/4/19	17.84
Stafford Fire	1/4/19	2.11
Vista Woods	1/4/19	1.59
Willowmere Park	1/4/19	21
Massad Family YMCA	1/4/19	11.32
	Total Acreage	204.95

# Municipal Separate Storm Sewer System (MS4) Program Plan

## Stafford County, Virginia



**Developed in compliance with:**

Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Stormwater Discharges from Small MS4, Effective Date November 1, 2018

# TABLE OF CONTENTS

Signatory Authorizations.....	1
MS4 Program Plan Certification.....	2
Acronyms .....	3
Chapter 1. Introduction.....	5
1.1 MS4 Permitting in Virginia .....	5
1.2 MS4 Permitting and Stafford County.....	5
1.3 The Current MS4 General Permit.....	6
Chapter 2. MS4 Program Plan.....	8
2.1 Purpose of the MS4 Program Plan.....	8
2.2 The MS4 Program Plan Contents .....	8
2.3 MS4 Program Plan Reference Library .....	8
2.4 MS4 Program Plan Updates .....	9
2.5 MS4 Program Plan and its Relationship to Other County Programs .....	9
Chapter 3. Administration of the Stafford County MS4 Program Plan.....	10
3.1 Summary of Roles and Responsibilities .....	10
3.2 Legal Authorities .....	13
3.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules .....	14
3.4 MS4 Annual Reporting to the Department of Environmental Quality .....	14
3.5 Duty to Reapply for Continued MS4 General Permit Coverage.....	15
Chapter 4. Assuring Compliance with Minimum Control Measures.....	16
4.1 Minimum Control Measure 1 – Public Education and Outreach (MCM #1).....	16
4.2 Minimum Control Measure 2 – Public Involvement and Participation (MCM #2) .....	18
4.3 Minimum Control Measure 3 – Illicit Discharge Detection and Elimination (MCM #3) .....	25
4.4 Minimum Control Measure 4 – Construction Site Stormwater Runoff Control (MCM #4).....	31
4.5 Minimum Control Measure 5 – Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands (MCM#5).....	34
4.6 Minimum Control Measure 6 – Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the Permittee within the MS4 Service Area (MCM #6) .....	41
Chapter 5. Assuring compliance with Total Maximum Daily Load (TMDL) Special Conditions .....	50
5.1 Chesapeake Bay TMDL for Nitrogen, Phosphorus, and Sediment.....	50
5.2 Local TMDLs .....	51
Chapter 6. MS4 Program Plan Measurable Goals.....	54
Chapter 7. Record of MS4 Program Plan Revisions .....	56
Appendices.....	57

## SIGNATORY AUTHORIZATIONS

Part III K. of the Virginia Pollutant Discharge Elimination System General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems establishes signatory requirements for the submission of registration statements, reports and other information.

The following positions are authorized under Part III K to sign all registration statements, reports and other information:

- Principal Executive Officer<sup>1</sup>
- Ranking Elected Official

In addition, the aforementioned officials are permitted to provide authorization for other “persons” to sign reports required by state permits, including annual reports, and other information requested by the State Water Control Board or Department of Environmental Quality. Other “persons” are considered duly authorized to sign these reports and other information only if:

1. Authorization is made in writing by either a principal executive officer or a ranking elected official;
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the operator. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
3. The signed and dated written authorization is submitted to the Department of Environmental Quality.

### Stafford County Duly Authorized Positions

In accordance with Part III K of the Virginia Pollutant Discharge Elimination System General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems, the following Stafford County positions (job titles) are duly authorized to sign reports and other information requested by the State Water Control Board or the Department of Environmental Quality:

_____	_____
_____	_____
_____	_____

This authorization is provided by

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

<sup>1</sup> A principal executive officer of a public agency is defined as the chief executive officer of the agency or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

## MS4 PROGRAM PLAN CERTIFICATION

As required by the VPDES General Permit for Stormwater Discharges from Small MS4s (MS4 General Permit), Part III 4.

*"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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

## ACRONYMS

The following acronyms are utilized throughout the MS4 Program Plan

BMP	Best Management Practice
CBPA	Chesapeake Bay Preservation Act
CRRL	Central Rappahannock Regional Library
CWA	Federal Clean Water Act
CWP	Northern Virginia Regional Commission – Clean Water Partners
DEQ	Virginia Department of Environmental Quality
DH-ESS	Department of Health – Environmental Services Section
DPU	Stafford County Department of Utilities
DPW	Stafford County Public Works Department
DPW-EP	Stafford County Department of Public Works – Environmental Division
DPZ	Stafford County Planning and Zoning
EPA	United States Environmental Protection Agency
F&R	Stafford County Fire and Rescue
FOR	Friends of the Rappahannock
GIS	Geographic Information System
GWRPC	George Washington Regional Planning Commission
HHW	Household Hazardous Waste
HUC	Hydrologic Unit Code
I&M Procedures	Inspection and Maintenance Procedures
IDDE	Illicit Discharge Detection and Elimination
IT	Stafford County Information and Technology Department
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MOU	Memorandum of Understanding
MS4	Municipal Separate Storm Sewer System
NMP	Nutrient Management Plan
NPDES	National Pollutant Discharge Elimination System
NVRC	Northern Virginia Regional Commission
PEOP	Public Education and Outreach Program Plan
POC	Pollutants of Concern
POTW	Publicly Owned Treatment Works



PRCF	Stafford County Parks, Recreation and Community Facilities
PY	Permit Year
R-Board	Rappahannock Regional Solid Waste Management Board
Reference Library	MS4 Program Plan Reference Library
SO	Sherriff's Office
SOPs	Standard Operating Procedures
SWM	Stormwater Management
SWPPP	Stormwater Pollution Prevention Plans
TCWCD	Tri-County/City Soil and Water Conservation District
TMDL(s)	Total Maximum Daily Load(s)
UA	United States Census Bureau Urbanized Area
US	United States
VAC	Virginia Administrative Code
VCE	Stafford County Cooperative Extension
VDACS	Virginia Department of Agriculture and Consumer Services
VESCP	Virginia Erosion and Sediment Control Program
VPDES	Virginia Pollutant Discharge Elimination System
VSMP	Virginia Stormwater Management Program

## CHAPTER 1. INTRODUCTION

Municipal Separate Storm Sewer Systems (MS4s) are conveyances or a system of conveyances owned and operated by government entities that are designed or used in the collection or conveyance of stormwater runoff and are not part of a combined sewer or part of a Publicly Owned Treatment Works (POTW). Modifications to the federal Clean Water Act (CWA) in 1987 classified discharges from MS4s as point-source discharges and initiated a phased regulatory approach to require MS4 operators to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for their MS4 discharges. Under the first phase of NPDES permit implementation, localities that were specifically identified in the federal regulations adopted as a result of the CWA modifications were required to obtain individual NPDES permits. As part of the second phase of NPDES permit implementation, operators of small MS4s were required to obtain NPDES permit coverage. Small MS4s are defined primarily as MS4s located within an Urbanized Area (UA) identified delineated as part of the latest United States (US) Census.



**Figure 1. Stafford County MS4 Outfall Node ID: CO-RPR(1)1 located off Village Parkway**

### 1.1 [MS4 Permitting in Virginia](#)

The Commonwealth of Virginia has been authorized by the US Environmental Protection Agency (EPA) to implement the NPDES program within its jurisdictional boundaries. As such, the State Water Control Board (SWCB) issued its first Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Stormwater Discharges from Small MS4s in 2003 (MS4 General Permit), under which small MS4 operators obtained coverage and agreed to comply with the conditions set out within it regarding discharges. As a general permit, the MS4 General Permit has a five-year permit cycle, upon which the SWCB must reissue a new general permit under which small MS4 operators must reapply for coverage and agree to apply with the conditions contained in the new permit. In 2018, DEQ reissued the latest version of the MS4 General Permit containing a revised slate of permit conditions that small MS4 operators must comply with in order to remain in compliance with the federal CWA and the State Water Control Law.

### 1.2 [MS4 Permitting and Stafford County](#)

Stafford County, Virginia (County) encompasses approximately 277 square miles within the Interstate 95 corridor just north of the City of Fredericksburg, VA. Northern portions of the County have been determined to fall within the Washington DC-VA-MD UA boundaries; whereas southern portions of the County fall within the Fredericksburg, VA UA. UA boundaries, which are population and population density based, change with completion of each decennial US Census. The portions of the County located within an UA as a result of the 2010 US Census are mapped in Figure 2.

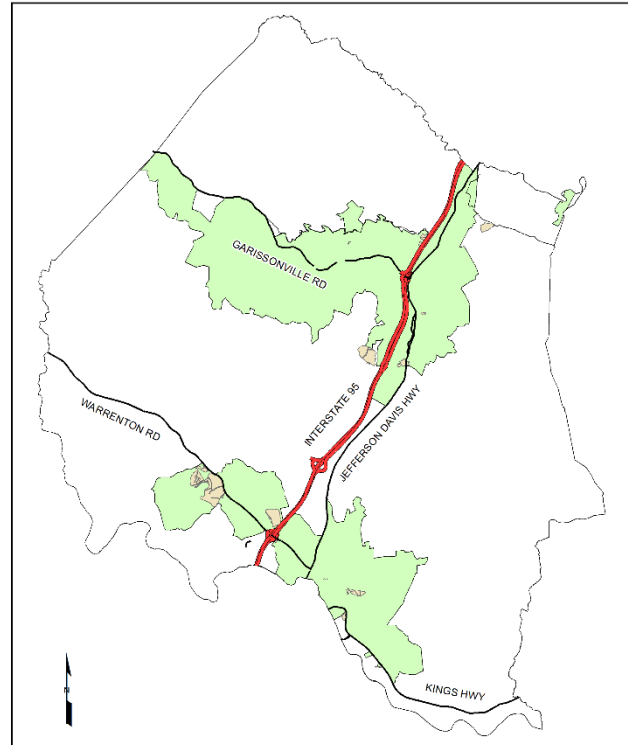
The County has retained coverage under the MS4 General Permit since the State’s initial permit in 2003. During such time, the County has successfully implemented numerous best management practices (BMPs), activities and strategies to meet the conditions in each successive permit. In 2018, the County submitted a complete Registration State for Permit Coverage to obtain coverage under the most recent MS4 General Permit. The County received its Notice of Coverage under the MS4 General Permit on October 29, 2018.

By applying for, and receiving coverage, under the MS4 General Permit, the County has agreed to comply with its conditions and authorizations regarding discharges from the County’s MS4. This includes the development, implementation and enforcement of an MS4 Program that is designed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP) in accordance with the MS4 General Permit, to protect water quality and to satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations. The MS4 Program Plan, established here, defines the means and methods that the County will utilize to meet these overarching requirements.

### 1.3 The Current MS4 General Permit

The current MS4 General Permit, which is also a state regulation found at 9VAC25-890 et. seq. of the Virginia Administrative Code (VAC), became effective November 1, 2018 and will expire on October 31, 2023. The MS4 General Permit provides the County authorization to discharge stormwater from its MS4 provided conditions contained in the permit are met. The MS4 General Permit applies to all discharges from County owned or operated storm drainage conveyances located within the latest decennial U.S. Census (2010). The MS4 General Permit is the legal authority upon which County compliance will be determined. Failure to meet the conditions and requirements contained in the MS4 General Permit can lead to State or Federal authorities initiating compliance action against the County. The CWA also allows third-parties to utilize Citizen’s Suits to ensure County compliance in case of alleged non-compliance.

The MS4 General Permit is divided into three Parts: Part I – Discharge Authorization and Special Conditions; Part 2 – TMDL Special Conditions; and Part III – Conditions Applicable to all State and VPDES Permits. Part I of the MS4 General Permit contains the requirement to develop, implement and enforce



**Figure 2. Portions of Stafford County located within 2010 U.S. Census Urbanized Areas (shaded in green)**

**The MS4 General Permit applies to all discharges from County owned or operated storm drainage conveyances located within the latest decennial U.S. Census (2010).**

a MS4 Program designed to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable (MEP) in accordance with this permit, to protect water quality, and to satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations of the Commonwealth of Virginia to control discharges to and from the MS4. The MS4 Program Plan and Annual Reporting requirements are included in Part I, along with the six (6) Minimum Control Measures (MCMs). The MCMs are the six (6) stormwater pollution prevention measures expected of MS4 Programs operated by small MS4 operators, such as the County. The MCMs are:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands
- Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the County within the MS4 Service Area

Along with the minimum requirements for each MCM, Part I contains conditions that require development and implementation of an MS4 Program Plan and submission of annual reports to DEQ.

Part II of the MS4 General Permit contains special conditions that define how the County is required to address applicable Total Maximum Daily Loads (TMDLs). The MS4 General Permit contains two special conditions, both of which are applicable to the County. Part II.A. is the Chesapeake Bay TMDL Special Condition, which is applicable to all MS4s located in the Chesapeake Bay watershed. Part II.B. is the Local TMDL Special Condition, which is applicable to MS4s that discharge into a waterbody that does not meet water quality standards due to excessive pollution and for which a TMDL has identified the MS4 as a source of the contributing pollutant.

Part III of the MS4 General Permit contains the standard VPDES permit conditions including, but not limited to, records retention, reporting of unauthorized discharges and unusual discharges, signatory requirements, certification requirements, and authorization for DEQ entry to conduct inspections.

The conditions and requirements included in the MS4 General Permit have been incorporated into the County's MS4 Program Plan to provide the County guidance in complying with the permit. The concept of reducing the pollutant loads in MS4 discharges and protecting water quality to the MEP is an iterative process based on continued implementation, review and revision of the MS4 Program and associated MS4 Program Plan. MS4 Program revisions must be incorporated into the MS4 Program Plan to continue to provide up to date guidance regarding the County's iterative process.

**The official version of the MS4 General Permit is found at**

<https://law.lis.virginia.gov/admincode/title9/agency25/chapter890/>. For ease in reference in the MS4 Program Plan, a copy of the MS4 General Permit, with non-applicable Chesapeake Bay TMDL watershed tables removed, is included in the MS4 Program Plan as Appendix 1 and contains continuous line numbering along the left-hand column.

## CHAPTER 2. MS4 PROGRAM PLAN

### 2.1 Purpose of the MS4 Program Plan

DEQ will evaluate the County's MS4 Program compliance against the conditions and requirements of the MS4 General Permit. The purpose of the MS4 Program Plan is to provide and maintain a clear and concise description of how the County will administer its MS4 Program to comply with the conditions of the MS4 General Permit.

### 2.2 The MS4 Program Plan Contents

The MS4 Program Plan contains seven chapters and numerous appendices.

- Chapter 1 provides an outline of the regulatory history of the MS4 Program, its applicability to the County and describes the current MS4 General Permit requirements.
- Chapter 2 introduces the MS4 Program Plan, its contents and relationship to other County programs.
- Chapter 3 defines the administrative distribution of effort and requirements to implement the County's MS4 Program through the MS4 Program Plan as well as describes the legal authorities employed.
- Chapter 4 provides the County's committed efforts to address the MCMs contained in Part I of the MS4 General Permit. For each MCM, Chapter 3 includes
  - Discussion on the MS4 General Permit requirements
  - Identification and discussion on the County-selected BMPs and strategies to meet the MS4 General Permit conditions
  - Specific compliance dates and schedules contained in the MS4 General Permit
  - Annual reporting requirements
- Chapter 5 describes the County's commitments to comply with Part II of the MS4 General Permit regarding TMDL Special Conditions.
- Chapter 6 identifies the measurable goals by which the County will evaluate the MS4 Program and each individual MCM efforts for effectiveness and how effectiveness will be assessed.
- Chapter 7 provides the mechanism for documenting MS4 Program Plan updates made throughout the MS4 General Permit lifespan.
- Appendices

**The purpose of the MS4 Program Plan is to provide and maintain a clear and concise description of how the County will administer its MS4 Program to comply with the conditions of the MS4 General Permit.**

### 2.3 MS4 Program Plan Reference Library

Successful implementation of the MS4 Program Plan relies on the development of numerous policies and procedures as well as their periodic review, evaluation and update. All materials and documents referenced in the MS4 Program Plan are included in the digital MS4 Program Plan Reference Library (Reference Library) maintained by the Stafford County Department of Public Works – Environmental Division (DPW-EP). A list of the documents and materials included in the Reference Library are found in Appendix 2. Current document and materials, as well as an up-to-date list that identifies current versions including applicable effective and expiration dates, are available by accessing the Reference Library. Material and document versions are identified using the YYMMDD format, consisting of the applicable year (YY), the applicable month (MM) and the applicable day (DD).

## **2.4 MS4 Program Plan Updates**

While compliance with the MS4 General Permit is an iterative process, the MS4 Program Plan is intended to provide guidance to the County on maintaining this compliance in conjunction with its daily operations. As such, revisions to the MS4 Program Plan are expected throughout the five-year MS4 General Permit cycle. Revisions to the MS4 Program Plan must be documented and reported to DEQ as part of the required MS4 Annual Report. Additionally, effort must be made to ensure that affected County staff are informed of MS4 Program Plan modifications when the revisions may impact day-to-day operations.

To ensure that County employees impacted have access to the up-to-date materials and documents, the current information must be maintained in the Reference Library. In order to ensure this, DPW-EP must:

- Identify the newly developed or modified document or material using the YYMMDD format to identify that it is the current version.
- Replace the previous document or material with the new document or material in the Reference Library.
- Document the update of the MS4 Program Plan as directed in Chapter 7.
- Notify impacted County Departments or Partner Organizations of the newly developed or modified document, material or MS4 Program Plan element.

## **2.5 MS4 Program Plan and its Relationship to Other County Programs**

The MS4 Program Plan provides the linchpin between County programs and the MS4 General Permit conditions. While MS4 General Permit conditions and requirements are applicable to all County activities and actions, all County activities and actions are not implemented solely to address the MS4 General Permit requirements. Similarly, individual activities and actions are often impacted by additional regulatory mandates that influence how they are completed. As such, the MS4 Program Plan has identified the roles, responsibilities and efforts undertaken to comply with MS4 General Permit conditions, such as implementation of standard operating procedures (SOPs), while also identifying the existing County programs applicable for meeting MS4 General Permit requirements, such as the County's Local Virginia Erosion and Sediment Control Program (VESCP).



## CHAPTER 3. ADMINISTRATION OF THE STAFFORD COUNTY MS4 PROGRAM PLAN

As previously discussed, the conditions and requirements contained in the MS4 General Permit for discharges from the County’s MS4 are applicable to all discharges from County owned or operated storm drainage conveyances located within the latest decennial US Census. Chapter 2 describes the roles and responsibilities of County departments, agencies and partners in administering the MS4 Program Plan.

### 3.1 Summary of Roles and Responsibilities

All County departments and agencies share responsibility in ensuring that their individual department’s activities and actions are compliant with these MS4 General Permit requirements. Administrative oversight of the County’s efforts is assigned to the DPW-EP. The DPW-EP’s administrative responsibilities include coordination with and providing aid other County departments and agencies in implementation of the MS4 Program Plan; implementation of the specific portions of the MS4 Program Plan where it has been identified as responsible; and documentation, evaluation and reporting the County’s overall MS4 General Permit compliance efforts to the DEQ.

The DPW-EP can be contacted as follows:

**Physical Address**

2126 Jefferson Davis Highway  
Suite 203  
Stafford, VA 22554

**Mailing Address**

P.O. Box 339  
Stafford, VA 22555-0339

**Phone**

(540) 658-8830

**Webpage**

<https://staffordcountyva.gov/998/Environmental>

#### 3.1.1 **Stafford County Departments**

While a significant portion of MS4 General Permit compliance efforts are the responsibility of DPW-EP, other County departments and agencies have specific roles in the County’s MS4 General Permit compliance efforts. These specific department roles are summarized in Table 1.

**Table 1. Department, Specific MS4 Compliance Role Description and Applicable BMPs**

Department	MS4 Program Plan Implementation Role	
	Description	Applicable BMPs
County Administrator’s Office	The County administrator provides administrative support to ensure necessary resources and inter-departmental cooperation is secured.	All
County Attorney Office	The County Attorney’s Office provides legal assistance in enforcement of County ordinances utilized to implement the MS4 Program Plan and reviews contracts and other legal documents to ensure legal documents are consistent with the County’s MS4 Program Plan.	3.3; 4.1; 5.1; 6.5

Department	MS4 Program Plan Implementation Role	
	Description	Applicable BMPs
Fire and Rescue (F&R)	F&R assists in minimizing the impact of illicit discharges from spills and releases; implements applicable Pollution Prevention SOPs as part of daily operations and ensures applicable employee/contractor training are met.	3.3; 6.1; 6.4
Information and Technology Department (IT)	IT assists DPW-EP in the upkeep and maintenance of asset management and geographic information system (GIS) data.	3.1 and upon request
Parks, Recreation and Community Facilities (PRCF)	PRCF conducts required maintenance on County stormwater management (SWM) facilities, implements Pollution Prevention SOPs as part of daily operations, implements stormwater pollution prevention plans (SWPPPs) at high-priority County facilities, nutrient management plans (NMPs) at County facilities and ensures applicable employee/contractor training requirements included in the Training Plan are met.	2.2; 5.2; 5.3; 6.1; 6.2; 6.3; 6.4
Department of Planning and Zoning (DPZ)	DPZ provides outreach to the development community regarding stormwater regulatory requirements and ensures applicable employee/contractor training requirements included in the Training Plan are met.	1.1; 6.4
Department of Public Works (DPW)	DPW implements Pollution Prevention SOPs as part of daily DPW operations and ensures applicable employee/contractor training requirements included in the Training Plan are met.	5.2; 5.3; 6.4
County Sheriff's Office (SO)	SO ensures applicable employee/contractor training requirements included in the Training Plan are met.	6.4
Department of Utilities (DPU)	DPU assists in minimizing the impact of illicit discharges from utility infrastructure, implements Pollution Prevention SOPs as part of daily DPU operations and ensures applicable employee/contractor training requirements included in the Training Plan are met.	3.3; 5.2; 5.3; 6.1; 6.4

**3.1.2 Partner Organizations**

The County partners with numerous public organizations to provide local government services to its residents in the most economic and efficient manner. These partnerships are part of a broader local government services provision mechanism and not specifically for implementing MS4 General Permit control measures. Partner organizations, along with their relationship to the County and their role in MS4 Program Plan implementation are contained in Table 2.



**Table 2. Partner Organizations and their Potential Involvement in Stafford County MS4 Program Plan Implementation**

Organization	Relationship	MS4 Program Implementation Role	
		Description	Applicable BMPs
Central Rappahannock Regional Library (CRRL)	Through County funding, CRRL provides regional library services to County residents.	CRRL provides a public location for the distribution of traditional public education and outreach materials.	1.1
Department of Health – Environmental Services Section (DH-ESS)	DH-ESS is the local office of the State Department of Health.	DH-ESS is the legal authority for ensuring that private sanitary sewer systems function properly when such systems are found to be discharging into the MS4.	3.3
Friends of the Rappahannock (FOR)	FOR is a local non-profit organization whose role specific to the MS4 Program is outlined in the County’s MOU with FOR.	FOR implements portions of the public education and outreach and public participation programs as outlined by the annually renewed MOU between FOR and the County.	1.1; 2.2
George Washington Regional Planning Commission (GWRPC)	GWRPC is the regional planning district commission that includes the County.	GWRPC engages in community education and outreach activities applicable to the County’s public education and outreach and public involvement needs. Specific activities are identified annually.	1.1
Northern Virginia Regional Commission (NVRC)	NVRC partners with the County and whose role specific to the MS4 Program is in the County’s Memorandum of Understanding (MOU) <sup>2</sup> with NVRC.	NVRC administers the Clean Water Partners (CWP) Only Rain Down the Drain regional stormwater education initiative.	1.1; 2.2
Rappahannock Regional Solid Waste Management Board (R-Board)	R-Board is a joint landfill and recycling operational venture between Stafford County and the City of Fredericksburg.	R-Board implements the Household Hazardous Waste Collection Program for County residents.	1.1; 2.2

<sup>2</sup> Copies of MOUs implemented with Partner Organizations are maintained in the Reference Library

Organization	Relationship	MS4 Program Implementation Role	
		Description	Applicable BMPs
Stafford County Cooperative Extension (VCE)	VCE is the local office of Virginia’s land grant colleges that provides access to educational programs for Stafford County residents and to which the County provides funding.	VCE engages in community education and outreach activities applicable to the County’s public education and outreach and public involvement needs. VCE also implements the Smart Green Lawns Program for County residents.	1.1; 2.2
Tri-County/City Soil and Water Conservation District (TCSWCD)	TCSWCD is a local political subdivision of the Commonwealth of Virginia that receives County funding and whose role specific to the MS4 Program is outlined in the County’s MOU with TCSWCD.	TCSWCD engages in community education and outreach activities applicable to the County’s public education and outreach and public involvement needs. Specific activities are identified annually.	1.1

**3.2 Legal Authorities**

The County has secured the necessary legal authorities to implement this MS4 Program Plan utilizing the Chapters of the Stafford County Code of Ordinances identified in Table 3.

**Table 3. Legal Authorities**

Chapter	MS4 Program Plan Applicability
Chapter 5 – Animals	Chapter 5, Section 5-36 prohibits dogs to defecate on public property without the dog owner immediately removes and properly disposes of the waste.
Chapter 11 – Erosion and Sediment Control	Chapter 11 provides legal authority for the implementation of a local Virginia Erosion and Sediment Control Program (VESCP).
Chapter 21.5 – Stormwater Management	Chapter 21.5, Article 1 provides legal authority for the implementation of a local Virginia Stormwater Management Program (VSMP).
	Chapter 21-5, Article 2 prohibits illicit discharges and illegal dumping.
Chapter 27B – Chesapeake Bay Preservation Area	Chapter 27B enacts Chesapeake Bay Preservation Act (Code of Virginia § 62.1-44.15:67 et seq.) into County Ordinance.

The most current available version of the Stafford County Code of Ordinances is available at [www.municode.com](http://www.municode.com).

The County has developed policy, procedure and guidance (materials and documents) based on the authorities provided by the legal authority provided by County ordinance. Materials and documents required for the successful implementation of the MS4 Program Plan are identified throughout this program plan and are referenced both in the applicable MS4 Program Plan Chapter and the Reference Library

**Materials and documents required for the successful implementation of the MS4 Program Plan are identified throughout the MS4 Program Plan. Current versions of the referenced materials and documents are maintained by DPW-EP in the Reference Library.**

### **3.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

The MS4 General Permit contains both annual compliance dates and schedules, which occur each year, and dates and schedules specific to one permit condition. The dates and schedules specific to individual permit conditions are both identified in the applicable MS4 Program Plan Chapters.

### **3.4 MS4 Annual Reporting to the Department of Environmental Quality**

As a condition of the MS4 General Permit, the County is required to submit an MS4 Annual Report to the DEQ no later than October 1 of each year. Each MS4 Annual Report is required to include information specified throughout the MS4 General Permit regarding the County’s compliance accomplishments completed between the previous July 1 and June 30 as identified in Table 4.

**Table 4. Permit Year Reference Dates**

Permit Year (PY)	PY Reporting Period		Annual Report Due Date	Responsible County Department
	Begins	Ends		
PY01	July 1, 2018	June 30, 2019	October 1, 2019	DPW-EP
PY02	July 1, 2019	June 30, 2020	October 1, 2020	DPW-EP
PY03	July 1, 2020	June 30, 2021	October 1, 2021	DPW-EP
PY04	July 1, 2021	June 30, 2022	October 1, 2022	DPW-EP
PY05	July 1, 2022	June 30, 2023	October 1, 2023	DPW-EP

Each MS4 Annual Report is required to include the following information

- The permittee, system name and permit number
- The reporting period for which the MS4 Annual Report is being submitted
- A signed certification<sup>3</sup> by a principal executive officer, ranking elected official or an individual employed in a duly authorized position
- Each annual reporting item specified in one of the six MCM
- An evaluation of the MS4 program implementation, including a review of each MCM, to determine the MS4 Program's effectiveness and whether changes to the MS4 Program Plan are necessary<sup>4</sup>
- A status report on the implementation of the Chesapeake Bay TMDL Action Plan including the specific reporting requirements identified in the MS4 General Permit Special Condition Part II A.
- A statute report on the implementation of the Bacterial TMDL for the Tidal Freshwater Rappahannock River Watershed including the specific reporting requirements identified in the MS4 General Permit Special Condition Part II B.
- A summarized list of MS4 Program Plan modifications.

### **3.5 Duty to Reapply for Continued MS4 General Permit Coverage**

Per the MS4 General Permit, Part III M, the County must submit a new Registration Statement to DEQ before Wednesday, August 2, 2023, unless a later date has been granted by the State Water Control Board.

---

<sup>3</sup> All persons signing a document for which a signature is required must 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*"

<sup>4</sup> In accordance with the MS4 General Permit, the MS4 Program Plan and all MS4 Annual Reports are to be maintained separately. Proposed modifications identified and listed in a MS4 Annual Report must be incorporated separately into a revised MS4 Program Plan.

## CHAPTER 4. ASSURING COMPLIANCE WITH MINIMUM CONTROL MEASURES

The six (6) MCMs in the MS4 General Permit form its backbone and make up the basics of what is required in the County's MS4 Program and MS4 Program Plan. Each MCM requires the County to address several specific requirements throughout the MS4 General Permit cycle. Chapter 4 contains the following for each of the six (6) MCMs:

- MS4 General Permit compliance requirements
- Selected County BMPs and strategies
- Compliance dates/schedules
- Annual reporting requirements

In addition, the MS4 General Permit requires the County to utilize measurable goals to evaluate the progress and effectiveness of the selected County BMPs and strategies in meeting the MCM requirements as well as the overarching requirement to "reduce the discharge of pollutants from the small MS4 to the MEP in accordance with this permit, to protect water quality, and to satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations." The measurable goals and methods for evaluating the County's progress are addressed in the MS4 Program Plan, Chapter 6.

### 4.1 Minimum Control Measure 1 – Public Education and Outreach (MCM #1)

MCM #1 details the expectations and requirements of the County's efforts to increase public knowledge and awareness regarding stormwater pollution, anthropogenic impacts to water quality and local water quality concerns.

#### 4.1.1 MS4 General Permit Compliance Requirements

Under the MS4 General Permit, the County is required to implement a public education and outreach program (PEOP) that is designed to:

- Increase the public's knowledge of how to reduce stormwater pollution, placing priority on reducing impacts to impaired waters and other local water pollution concerns;
- Increase the public's knowledge of hazards associated with illegal discharges and improper disposal of waste, including pertinent legal implications; and
- Implement a diverse program with strategies that are targeted toward individuals or groups most likely to have significant stormwater impacts.

To address requirements associated with MCM #1, County must identify no less than three (3) high-priority stormwater issues to address in meeting the abovementioned goals. The PEOP associated with the high-priority stormwater issues must:

- Clearly identify the high-priority stormwater issues;
- Explain the importance of the high-priority stormwater issues;
- Include measures or actions the public can take to minimize the impact of the high-priority stormwater issues; and
- Provide a contact and telephone number, website, or location where the public can find out more information.

A summary of the MCM #1 Permit Conditions are found in Table 5.

**Table 5. Summary of MS4 General Permit Conditions for MCM #1**

Summary of the MS4 General Permit MCM #1 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
The County shall implement a public education and outreach program.	303-336
The County shall identify no less than three high-priority stormwater issues to meet the goal of educating the public.	311-314
<p>The County shall use two or more strategies of the following strategies per year to communicate to the public the high-priority stormwater issues:</p> <ul style="list-style-type: none"> <li>▪ Traditional written materials, including but not limited to, informational brochures, newsletters, fact sheets, utility bill inserts or recreational guides for targeted groups of citizens.</li> <li>▪ Alternative materials, including but not limited to, bumper stickers, refrigerator magnets, t-shirts, or drink koozies.</li> <li>▪ Signage, including but not limited to, temporary or permanent signage in public places or facilities, vehicle signage, bill boards or storm drain stenciling.</li> <li>▪ Media materials, including but not limited to, information disseminated through electronic media, radio, televisions movie theaters or newspapers</li> <li>▪ Speaking engagements, including but not limited to presentations to school, church, industry, trade, special interest, or community groups.</li> <li>▪ Curriculum materials, including but not limited to, materials developed for school-aged children, students at local colleges or universities, or extension classes offered to local citizens.</li> <li>▪ Training materials including but not limited to materials developed to disseminate during workshops offered to local citizens, trade organizations, or industrial officials.</li> </ul>	320-321
<p>The MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ A list of the high-priority stormwater issues the permittee will communicate to the public as part of the public education and outreach program.</li> <li>▪ The rationale for selection of each high-priority stormwater issue and an explanation of how each education or outreach strategy is intended to have a positive impact on stormwater discharges.</li> <li>▪ Identification of the public audience to receive each high-priority stormwater message.</li> <li>▪ The strategies from the MS4 General Permit Table 1 that are to be used to communicate each high- priority stormwater message.</li> <li>▪ The anticipated time periods the messages will be communicated or made available to the public.</li> </ul>	324-332

**4.1.2 Selected County BMPs and Strategies**

The County has identified 1) pet wastes, 2) residential lawn care, and 3) illicit discharges as the three (3) high-priority stormwater issues to address as part of its PEOP. The County selected pet wastes as a high-

priority stormwater issue due to the fact that pet wastes are known to contain high volumes of bacteria and the 2016 305(b)/303(d) Water Quality Assessment Integrated Report identified bacteria as a cause of impairment for numerous receiving waters downstream of the County’s MS4 service area in both the Potomac River and Rappahannock River basins. The County selected residential lawn care as a high-priority stormwater issue due to the fact that improper nutrient application on residential lawns has been identified as a source of nutrients that contribute to the Chesapeake Bay impairments. The County selected illicit discharges, in general, as a high-priority stormwater issue due to the fact that eliminating illicit discharges has been identified by EPA as one of the six (6) MCMs necessary for MS4 operators to implement in order to reduce pollutants from MS4s to the MEP. The County will implement BMP #1.1 to meet the requirements contained in the MS4 General Permit for MCM #1.

***BMP #1.1 – Implementation of the Stafford County Public Education and Outreach Program Plan***

The County has developed Stafford County Public Education and Outreach Program Plan (PEOP) to guide implementation of its public education and outreach program. The PEOP identifies the list of specific strategies, partnerships, events and materials that the County will utilize to meet the MS4 General Permit MCM #1 permit conditions. Additional information regarding the Public Education and Outreach Program and the PEOP is available from the DPW-EP. The DPW-EP contact information is found in Chapter 3.1.

**Roles and Responsibilities**

- DPW-EP is responsible for coordinating implementation of the PEOP with the applicable partners and ensuring that the latest version of the PEOP is available to the public via the County’s Environmental webpage. DPW-EP is also responsible for ensuring that a minimum of two (2) or more strategies are used annually to communicate with the public.

**Necessary Reference Materials and Documents**

- Public Education and Outreach Plan
- NVRC Memorandum of Understanding
- FOR Memorandum of Understanding

**4.1.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

- N/A

**4.1.4 Annual Reporting Requirements**

The MS4 General Permit requires that the items specific to MCM #1 identified in Table 6 be reported as part of the MS4 Annual Report.

**Table 6. MS4 Annual Report Reporting Item Requirements Specific to MCM #1**

<b>MCM #1 Required MS4 Annual Report Reporting Item</b>
A list of the high-priority stormwater issues the permittee addressed in the public education and outreach program
A list of the strategies used to communicate each high-priority stormwater issue

**4.2 Minimum Control Measure 2 – Public Involvement and Participation (MCM #2)**

MCM #2 is designed to both keep the public informed of the County’s efforts at minimizing pollutant discharge through its MS4 and to encourage public involvement and participation in the pollution prevention efforts.

#### 4.2.1 MS4 General Permit Compliance Requirements

The County must develop and implement procedures regarding public involvement and participation that allows for the public to provide input on the County programs and reporting stormwater issues. The County must provide information specific to its MS4 program through its website and provide for annual public participation in a minimum of four (4) events selected from a minimum of two (2) of five (5) MS4 General Permit identified categories. Table 7 contains a summary of the MCM #2 Permit Conditions as well as the location of the specific MS4 General Permit language.

**Table 7. Summary of MS4 General Permit Conditions for MCM #2**

Summary of the MS4 General Permit MCM #2 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<p>The County must develop and implement procedures for the following:</p> <ul style="list-style-type: none"> <li>▪ The public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns;</li> <li>▪ The public to provide input on the permittee's MS4 program plan;</li> <li>▪ Receiving public input or complaints;</li> <li>▪ Responding to public input received on the MS4 program plan or complaints; and</li> <li>▪ Maintaining documentation of public input received on the MS4 program and associated MS4 program plan and the permittee's response.</li> </ul>	337-345
<p>By February 1, 2019, the County must develop and maintain a website dedicated to the MS4 Program and stormwater pollution prevention. The webpage must include:</p> <ul style="list-style-type: none"> <li>▪ The effective MS4 General Permit and coverage letter;</li> <li>▪ The most current MS4 Program Plan (or location where the MS4 Program Plan can be obtained);</li> <li>▪ A mechanism for the public to report               <ul style="list-style-type: none"> <li>- Potential illicit discharges, improper disposal or spills to the MS4</li> <li>- Complaints regarding land disturbing activities</li> <li>- Other potential stormwater pollution prevention concerns; and</li> </ul> </li> <li>▪ A method for how the public can provide input on the MS4 Program Plan.</li> </ul>	346-357



Summary of the MS4 General Permit MCM #2 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<p>The County must implement no less than four (4) activities per year from two or more of the following categories to provide an opportunity for public involvement to improve water quality and support local restoration and clean-up projects:</p> <ul style="list-style-type: none"> <li>▪ Monitoring such as, but not limited to, establishing or supporting a citizen monitoring group;</li> <li>▪ Restoration such as, but not limited to, stream or watershed clean-up days or adopt-a-water way program;</li> <li>▪ Educational events such as, but not limited to, sponsoring a booth at community fair, stormwater control demonstration projects, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, watershed walks, or participation on environmental advisory committees;</li> <li>▪ Disposal or collection events such as, but not limited to, household hazardous waste collection or vehicle fluids collection; and</li> <li>▪ Pollution prevention programs such as, but not limited to, public adopt-a-storm drain or street programs, storm drain marking, promoting residential stormwater BMPs usage, or implementation of pet waste stations in public areas.</li> </ul>	358-361
<p>MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ The webpage address where mechanisms for the public to report (i) potential illicit discharges, improper disposal, or spills to the MS4, (ii) complaints regarding land disturbing activities, or (iii) other potential stormwater pollution concerns;</li> <li>▪ The webpage address that contains the methods for how the public can provide input on the permittee's MS4 program; and</li> <li>▪ A description of the public involvement activities to be implemented by the permittee, the anticipated time period the activities will occur, and a metric for each activity to determine if the activity is beneficial to water quality.</li> </ul>	364-373

**4.2.2 Selected County BMPs and Strategies**

The MS4 Program Plan includes the following BMPs/compliance strategies to meet the MS4 General Permit requirements for MCM #2.

***BMP #2.1 – Stormwater and MS4 Public Reporting and Communication***

DPW-EP maintains an Environmental website, <https://staffordcountyva.gov/998/Environmental>, that is comprised of individual webpages regarding the Chesapeake Bay Act, Erosion and Sediment Control, Stormwater Management, Wetlands and Other Environmental Agencies. The Stormwater Management webpage also includes links to webpages dedicated to the MS4 Stormwater Permit Program, the Chesapeake Bay TMDL Action Plan and Plan Review and Inspections.

The County’s MS4 Stormwater Permit Program webpage includes a link to the current MS4 General Permit and the County’s Notice of Coverage under the permit from DEQ. The MS4 Stormwater Permit

Program webpage also includes links to the County's current MS4 Program Plan as well as the its MS4 Annual Report. In addition, the MS4 Stormwater Permit Program webpage directs the public to report potential illicit discharges, improper disposal or spills to the MS4; complaints regarding land disturbing activities; and other potential stormwater pollution prevention concerns to DPW-EP via the following methods:

- Calling the (504) 658-8830; and
- Providing a link to the Environmental Programs' e-mail addresses

The public can also utilize the County's Citizen Service Request Tracker, or the Stafford 311 system as directed on the Environmental website to report their concerns.

The County will utilize the Environmental website to provide public access to documents, such as the MS4 Program Plan and Chesapeake Bay TMDL Action Plan, for which public comment is requested.

### **Roles and Responsibilities**

- The DPW-EP is responsible for coordinating public communication regarding stormwater management issues among County departments as well as web-page content.

### **Necessary Reference Materials and Documents**

- The County's Environmental websites (<https://staffordcountyva.gov/998/Environmental>)

### ***BMP #2.2 – Public Involvement and Participation Opportunities***

The County has developed and implemented numerous involvement and participation opportunities for the public that are available for the public.

### **Opportunities for Public Involvement and Participation**

- River Clean-Up Events

The Friends of the Rappahannock (FOR) promote and lead numerous river cleanup projects in the Rappahannock River portion of Stafford County. Through a MOU between the County and FOR, FOR manages the river clean-up program and reports a narrative description to the County of each project including various metrics as described in the MOU. The County bases its selection of Storm Drain Marking as a valuable BMP on EPA's inclusion of the BMP in its National Menu of BMPs for Stormwater, which listed practices that can successfully achieve the requirements of the MCMs.

- Volunteer Storm Drain Marking Program

DPW-EP continuously promotes its voluntary Storm Drain Marking Program through its environmental website (<https://staffordcountyva.gov/998/Environmental>). DPW-EP works with interested community organizations to install "Only Rain Down the Drain" storm drain markers in subdivisions throughout the County. The County provides interested citizens storm drain markers and application instructions while coordinating with VDOT to obtain the necessary permits to mark residential street stormwater drainage infrastructure. The Volunteer Storm Drain Marking Program meets the Pollution Prevention category of the MS4 General Permit. Each storm drain marking event counts towards meeting the MS4 General Permit-required four public involvement opportunities.

The County bases its selection of Storm Drain Marking as a valuable BMP on EPA's inclusion of the BMP in its National Menu of BMPs for Stormwater, which listed practices that can successfully achieve the requirements of the MCMs.

- **Regional Solid Waste Management Board Household Hazardous Waste Collection Program**

The R-Board is a joint venture between the Stafford County and the City of Fredericksburg government that is responsible for the operation and maintenance of the Regional Landfill and recycling drop-off facilities in Stafford and Fredericksburg. Since 1999, the R-Board has voluntarily held spring and fall household hazardous waste (HHW) collection events at which the County residents may participate. As of November 1, 2019, the Spring HHW collection event is held in Fredericksburg while the Fall HHW collection event is held in Stafford. R-Board promotes the events using their website and social media and provides a summary of the HHW collection events including the number of participants and type of HHWs collected in their Annual Financial & Operational Report. The HHW Program meets the Disposal or Collection Event category of the MS4 General Permit and is one of four activities required. Each HHW event counts towards meeting the MS4 General Permit-required four (4) public involvement opportunities.

The County bases its selection of HHW Collection as being beneficial to improving water quality based on EPA's recognition in its 1993 publication, Household Hazardous Waste Steps to Safe Management (EPA 530-F-92-031) that the improper disposal of HHW through disposal can cause environmental damage and that recycling is an economical and environmentally sound way to handle some types of household hazardous wastes.

- **Stafford County Cooperative Extension Office Smart Green Lawns Program**

The Stafford County VCE offers the Smart Green Lawns Program to County residents. The Smart Green Lawns Program is designed to ensure healthy green lawns while using environmentally safe practices to protect local waters. County residents who participate in the program receive a site visit from a trained Master Gardener volunteer, soil tests, a Smart Green Lawns handbook and a customized lawn and fertilizer plan specific for the participants lawn. The Smart Green Lawns program is available to County residents between March 1 and October 31 each year. County residents who wish to participate enroll into the program by completion and submission of the Smart Green Lawns Program enrollment form to the Stafford VCE along the applicable fees. The Smart Green Lawns Program meets the Disposal or Collection Event category of the MS4 General Permit and is one of four activities required. Each Smart Green Lawn counts towards meeting the MS4 General Permit-required four public involvement opportunities.

The County bases its selection of the Smart Green Lawns Program as being beneficial to improving water quality on Virginia's desire to expand homeowner lawn management programs in the Phase III Chesapeake Bay TMDL Implementation Plan as released on April 11, 2019.

- **Duff McDuff Green Memorial Park Dog Park Pet Waste Stations**

The County operates three (3) separate dog park areas at the Duff McDuff Green Memorial Park. These include an areas for both small and large dogs and an open area of approximately 4-acres for all dogs to run. In order to encourage pet waste clean-up, the County provides pet waste stations at all three facilities. The pet waste stations at the three Duff McDuff Green Memorial Park dog park areas meet the Pollution Prevention category of the MS4 General Permit and is one of four activities required. Each pet waste station counts towards meeting the MS4 General Permit-required four (4) public involvement opportunities.

The County bases its selection of Pet Waste Stations as being beneficial to improving water quality on its inclusion in the DEQ Guidance Manual for TMDL Implementation Plans (June 2017), which states "pet waste management programs are successful pollutant management

strategies targeted at the residential community for reducing bacteria associated with pet wastes.”

- Additional Public Involvement and Participation Opportunities

While the MS4 Program Plan includes the descriptions for those public involvement and participation BMPs that the County anticipates utilizing over multiple reporting periods, the County also recognizes that additional public involvement and participation opportunities related to stormwater pollution prevention occur throughout the County, such as stream and park clean-up days.

## **Roles and Responsibilities**

- River Clean-Up Program
  - DPW-EP is responsible for coordinating the River Clean-Up Program with FOR and maintaining an up-to-date and current MOU.
  - FOR is responsible for the commitments outlined in the FOR Stafford County MS4 Support Memorandum of Understanding
- Storm Drain Marking
  - DPW-EP is responsible for promoting the storm drain marking program, providing the necessary storm drain markers and instructions and coordinating with the local VDOT District office to obtain the necessary VDOT land use permits for storm sewer stenciling. DPW-EP is responsible for coordinating implementation efforts led by Partner Organizations as outlined in MOUs between the County and the Partner Organizations.
  - FOR is responsible for meeting the commitments outlined in the FOR Stafford County MS4 Support Memorandum of Understanding
- Household Hazardous Waste Collection
  - DPW-EP is responsible for coordinating with the R-Board to obtain the information required for the MS4 Annual Report.
  - The R-Board is responsible for the continued implementation of HHW collection events
  - DPW-EP is responsible for coordinating with the R-Board to obtain the information required for the MS4 Annual Report.
- Smart Green Lawns Program
  - DPW-EP is responsible to coordinate with VCE to identify the number of County residents who participate in the program.
  - VCE is responsible to continue to provide the Smart Green Lawns Program to the residents of the County.
  - Both VCE and DPW-EP have a role in the continued publicization of the Smart Green Lawns Program.
- Duff McDuff Memorial Park Pet Waste Stations
  - PRCF is responsible for maintaining the pet waste stations at each of the three dog park areas at Duff McDuff Green Memorial Park.

- Additional Public Involvement and Participation Opportunities
  - DPW-EP is responsible for the identification, selection and defining the County’s involvement regarding additional public involvement and participation opportunities in relationship to MCM #2. DPW-EP is responsible for providing the necessary information regarding the public involvement and participation opportunity in the MS4 Annual Report including categorizing the activity in one of the four MS4 General Permit-identified categories, providing a metric to evaluate whether the activity is beneficial to improving water quality and identifying other MS4 operators who also participated in implementation of the event.

**Necessary Reference Materials and Documents**

- River Clean-Up Program
  - FOR Stafford County MS4 Support Memorandum of Understanding
- Storm Drain Marking
  - Information regarding VDOT Land Use Permit requirements is available at [http://www.virginiadot.org/business/locdes/ms4\\_stormwater\\_management.asp](http://www.virginiadot.org/business/locdes/ms4_stormwater_management.asp).
  - FOR Stafford County MS4 Support Memorandum of Understanding
- Smart Green Lawns Program
  - Information regarding the Smart Green Lawns program, including the enrollment form, is available at <https://stafford.ext.vt.edu/index.html>

**4.2.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 8. contains the dates and schedules specific to complying with the permit conditions associated with MCM #4 that are in the MS4 General Permit.

**Table 8: MS4 General Permit Compliance Dates Pertaining to MCM #2**

Due Date	Requirement
2/1/2019	The County must develop and maintain a website dedicated to the MS4 Program and stormwater pollution prevention. The webpage must include: <ul style="list-style-type: none"> <li>▪ The effective MS4 General Permit and coverage letter</li> <li>▪ The most current MS4 Program Plan (or location where the MS4 Program Plan can be obtained)</li> <li>▪ A mechanism for the public to report               <ul style="list-style-type: none"> <li>- Potential illicit discharges, improper disposal or spills to the MS4</li> <li>- Complaints regarding land disturbing activities</li> <li>- Other potential stormwater pollution prevention concerns</li> </ul> </li> <li>▪ A mechanism for how the public can provide input on the MS4 Program Plan</li> </ul>
11/30/2019	The County must post the MS4 Annual Report for PY01 on the MS4 Program website prior to this date.
11/30/2020	The County must post the MS4 Annual Report for PY02 on the MS4 Program website prior to this date.
11/30/2021	The County must post the MS4 Annual Report for PY03 on the MS4 Program website prior to this date.
11/30/2022	The County must post the MS4 Annual Report for PY04 on the MS4 Program website prior to this date.
11/30/2023	The County must post the MS4 Annual Report for PY05 on the MS4 Program website prior to this date.

#### 4.2.4 Annual Reporting Requirements

The MS4 General Permit requires that the items specific to MCM #2 identified in Table 9 be reported as part of the MS4 Annual Report.

**Table 9. MS4 Annual Report Reporting Item Requirements Specific to MCM #2**

<b>MCM4 Required MS4 Annual Report Reporting Item</b>
A summary of any public input of the MS4 Program received (including stormwater complaints) and how the County responded.
A webpage address to the County’s MS4 Program and stormwater website.
A description of the public involvement activities implemented by the County.
A report of the metric as defined by each activity and an evaluation as to whether the activity is beneficial to improving water quality.
The name of other MS4 permittees with whom the County collaborated in the public involvement opportunities.

#### 4.3 Minimum Control Measure 3 – Illicit Discharge Detection and Elimination (MCM #3)

MCM #3 requires the County to maintain a map of the storm sewer system owned and operated by the County that is located within the census urbanized area identified by the 2010 decennial census, implement and enforce illicit discharge identification and elimination prohibitions and procedures including dry weather screening.

##### 4.3.1 MS4 General Permit Compliance Requirements

Table 10 includes a summary of the MCM #3 MS4 General Permit Conditions along with the location of the specific language in the MS4 General Permit

**Table 10. Summary of MS4 General Permit Conditions for MCM #3**

<p align="center"><b>Summary of the MS4 General Permit MCM #3 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must maintain an accurate MS4 map and outfall information table that includes</p> <ul style="list-style-type: none"> <li>▪ A map of the MS4 owned or operated by the County within the 2010 Census UA. <ul style="list-style-type: none"> <li>- MS4 outfalls discharging into surface water, except <ul style="list-style-type: none"> <li>• If the outfall is located outside of the County’s legal responsibility, the County may map the known point of discharge closest to the actual outfall</li> <li>• If the outfall discharges to a receiving water that is channelized underground, the County may elect to map the point downstream at which the receiving water emerges above ground as an outfall location. The County must note if the outfall location receives discharges from more than one outfall.</li> </ul> </li> <li>- A unique identifier for each mapped item</li> <li>- The name and receiving waters to which each outfall or point of discharge discharges</li> <li>- The MS4 service area</li> <li>- The stormwater management facilities owned by the County</li> </ul> </li> <li>▪ The associated outfall information table for the MS4 map must include the following information: <ul style="list-style-type: none"> <li>- A unique identifier for each mapped item</li> <li>- The latitude and longitude of each outfall or point of discharge</li> <li>- The estimated regulated acreage draining to each outfall or point of discharge</li> <li>- The name of the receiving water</li> <li>- The 6<sup>th</sup> Order Hydrologic Unit Code of the receiving water</li> <li>- An indication whether the receiving water is listed as impaired on the Virginia 2016 305(b)/303(d) Water Quality Assessment Integrated Report</li> <li>- The predominant land use for each outfall discharging to an impaired water</li> <li>- The name of any EPA approved TMDLs for which the County is assigned a wasteload allocation</li> </ul> </li> </ul>	<p align="center">383-411</p>
<p>No later than July 1, 2019, the County must submit to DEQ a GIS-compatible shapefile of the permittee's MS4 map as described above. If the permittee does not have an MS4 map in a GIS format, the permittee shall provide the map as a PDF document.</p>	<p align="center">412-417</p>

<p align="center"><b>Summary of the MS4 General Permit MCM #3 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must provide written notification to any downstream adjacent of any known physical interconnection <u>established or discovered</u> after the effective date of the permit.</p>	<p align="center">418-419</p>
<p>The County must prohibit through legal mechanism unauthorized non-stormwater discharges into the County’s MS4. The County must address authorized stormwater discharges or flows if the County identifies them as a significant contributor of pollutants contributing to the MS4.</p>	<p align="center">420-424</p>
<p>The County must maintain, implement and enforce IDDE written procedures to designed to detect, identify and address unauthorized non-stormwater discharges, including illegal dumping, to the small MS4 to effectively eliminate the unauthorized discharge. The written procedures must include:</p> <ul style="list-style-type: none"> <li>▪ A description of the legal authorities, policies, SOPs and other legal mechanisms available to the County for elimination of illicit discharges</li> <li>▪ Dry weather screening protocols that include: <ul style="list-style-type: none"> <li>- A prioritized schedule of field screening activities and rationale for such prioritization</li> <li>- A schedule to annually screen a minimum of 50 outfalls annually such that no more than 50% are screened in the previous 12-month period. The 50% criteria is not applicable if all outfalls have been screened in the previous three years.</li> <li>- A mechanism to track the following: <ul style="list-style-type: none"> <li>• The unique outfall identifier for each outfall screened</li> <li>• The time since the last precipitation event</li> <li>• The estimated quantity of the last precipitation event</li> <li>• Site description (e.g., conveyance type and dominant watershed land use)</li> <li>• Presence of an observed discharge</li> <li>• The estimated discharge rate and visual characteristics of the observed discharge</li> </ul> </li> <li>- A timeframe upon which to conduct an investigation to identify and locate the source of any unauthorized non-stormwater discharge</li> <li>- Methodologies to determine the source of all illicit discharges</li> <li>- Methodologies for conducting illicit discharge follow-up investigations for illicit discharges that are continuous or expected to occur more frequently than a one-time discharge to verify the discharge has been eliminated</li> <li>- A mechanism to track all illicit discharge investigations to document the following <ul style="list-style-type: none"> <li>• The dates that the illicit discharge was initially observed, reported or both</li> </ul> </li> </ul> </li> </ul>	<p align="center">425-465</p>



Summary of the MS4 General Permit MCM #3 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<ul style="list-style-type: none"> <li>• The results of the investigation including the source if identified</li> <li>• Any follow-up to the investigation</li> <li>• Resolution of the investigation</li> <li>• The date the investigation was closed</li> </ul>	
<p>The MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ The MS4 map and outfall information table, directly or by reference</li> <li>▪ Copies of written notifications of new physical interconnections given by the County to other MS4s</li> <li>▪ The IDDE procedures</li> </ul>	466-472

**4.3.2 Selected County BMPs and Strategies**

The County has identified the following individual BMPs and strategies to address the MS4 General Permit MCM #3 permit conditions.

***BMP #3.1 – Stafford County MS4 Outfall Data Recordkeeping and Mapping***

The County maintains numerous geocoded layers in its GIS that contains information that is potentially necessary in implementing its MS4 program such as land use and ownership, streets, elevational contours, utility location, MS4 outfalls, FEMA flood data and watershed and stream data. SWM facilities and BMPs as well as individual MS4 outfalls are provided individual asset IDs and their locations identified via latitude/longitude. Records regarding individual SWM facilities, BMPs or MS4 outfalls are obtained by consolidating available data from County GIS layers, Infor Inspection and Facility Database System, ONBASE Case File Records Repository and current DPW-EP spreadsheets. Records searches can be conducted via numerous methods including asset ID, parcel, and case number and synced with existing GIS layers to provide necessary maps and asset outfall information tables.

**Roles and Responsibilities**

- DPW-EP is responsible for maintaining an up-to-date, accurate and complete data regarding SWM facilities, BMPs and MS4 outfalls and ensuring that the specific asset information for individual stormwater assets is being maintained. DPW-EP is also responsible for coordinating with IT to ensure that the available GIS layers contain the information necessary to develop and submit the required MS4 Outfall Map and Outfall information tables.
- DPW-EP is responsible for providing an up-to-date MS4 Map and outfall information table to DEQ within 14-days of request.
- IT is responsible for assisting DPW-EP in maintaining an up-to-date, accurate and complete georeferenced information.

**Necessary Reference Materials and Documents**

- **None Required**

### ***BMP #3.2 – Physically Interconnected MS4 Reporting***

In addition to the County-operated MS4, other government agencies operate regulated MS4 within the Stafford County jurisdictional boundary. These include:

- Stafford County School Board (MS4 General Permit Registration Number VAR040071)
  - <https://www.staffordschools.net/Page/20575>
- The US Marine Corps Base Quantico (MS4 General Permit Registration Number VAR040069)
  - <https://www.quantico.marines.mil/Offices-Staff/G-F-Installation-and-Environment/Natural-Resources-Environmental-Affairs/NREA-Documents/>
- The University of Mary Washington (MS4 General Permit Registration Number VAR040094)
  - <https://adminfinance.umw.edu/facilities/storm-water-mangement/>
- The Virginia Department of Transportation (VPDES Permit #VA0092975)
  - [http://www.virginiadot.org/business/locdes/ms4\\_stormwater\\_management.asp](http://www.virginiadot.org/business/locdes/ms4_stormwater_management.asp)

The County will notify the appropriate MS4 operator, in writing (e-mail is acceptable) of newly established or newly discovered MS4 outfalls based on the following:

- VDOT will be notified of any newly established or newly discovered discharges from County-owned or operated MS4s that discharge into the VDOT right-of-way or onto a VDOT-owned parcel, as identified by the most recent GIS parcel information.
- All other MS4 operators will be notified of any newly established or newly discovered discharges from County-owned or operated MS4s that onto a MS4 operator-owned parcel, as identified by the most recent GIS parcel information.
- A copy of the physical-interconnection notification will be placed in the Reference Library.
- MS4 outfall information will be entered into the County's MS4 database identified under BMP #3.1.

### **Roles and Responsibilities**

- The DPW-EP will notify the appropriate MS4 operators of newly established or newly discovered physically interconnected MS4 outfalls based on the aforementioned criteria.

### **Necessary Reference Materials and Documents**

- A copy of MS4 operator notifications of physically-interconnected MS4 Outfalls

### ***BMP #3.3 – Illicit Discharge Detection and Elimination (IDDE)***

The County's legal authority to prohibit illicit discharges into the its MS4 is found in Chapter 21.5 – Stormwater Management, Article II. Stormwater Pollution and Illicit Discharge of the Stafford County Code of Ordinances. Under the authorities provided by this legal authority, the County has developed and implemented the Illicit Discharge Detection and Elimination (IDDE) Standard Operating Procedures Manual (IDDE Manual). The IDDE Manual provides procedures for prioritizing outfalls, conducting dry weather screening, addressing illicit discharge complaints including investigation and recordkeeping, determining the source of suspect discharges, methods including enforcement mechanisms to eliminate illicit discharges and coordinating with other agencies.

### **Roles and Responsibilities**

- DPW-EP is responsible for maintaining an accurate and complete map and outfall information table of MS4 outfalls. DPW-EP is also responsible for coordinating IDDE activities as outlined in the IDDE SOPs including outfall prioritization, dry weather screening, addressing complaints, determining suspect discharge sources, eliminating illicit discharges and reporting illicit discharges.

- The County Attorney is responsible for assisting DPW-EP in ensuring the elimination of illicit discharges under Section 21.5 of the County Code of Ordinances.
- DPU is responsible for follow-up and elimination of illicit discharges originating from DPU infrastructure.
- DPH-ESS is responsible for follow-up and elimination of illicit discharges originating from failed septic systems and straight pipes.
- F&R is responsible for providing emergency response to spills and other hazardous material releases.

**Necessary Reference Materials and Documents**

The following reference materials and documents are required for the implementation of the MCM #3 BMPs and are available from the Reference Library:

- Illicit Discharge Detection and Elimination (IDDE) Standard Operating Procedures Manual

**4.3.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 11. contains the dates and schedules specific to complying with the permit conditions associated with MCM #3 are in the MS4 General Permit.

**Table 11: MS4 General Permit Compliance Dates Pertaining to MCM#3**

<b>Due Date</b>	<b>Requirement</b>
7/1/2019 <sup>5</sup>	The County must submit to DEQ a GIS-compatible shapefile of the County’s MS4 map.
10/1/2019	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY01.
10/1/2020	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY02.
10/1/2021	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY03.
10/1/2022	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY04.
10/1/2023	The County must update the MS4 map and outfall information table to include any new outfalls constructed and/or TMDLs approved during PY05.

**4.3.4 Annual Reporting Requirements**

The MS4 General Permit requires that the items specific to MCM #3 identified in Table 12 be reported as part of the MS4 Annual Report.

<sup>5</sup> Per MS4 General Permit Part I E 3 d, “The map shall be made available to [DEQ] within 14 days upon request.”

**Table 12. MS4 Annual Report Reporting Item Requirements Specific to MCM#3**

<b>MCM#3 Required MS4 Annual Report Reporting Item</b>
A confirmation statement that the MS4 map and outfall information table have been updated to reflect any changes to the MS4 occurring on or before June 30 of the reporting year.
The total number of outfalls screened during the reporting period as part of the dry weather screening program
<p>A list of illicit discharges to the MS4, including that spills reach the MS4, with the following information:</p> <ul style="list-style-type: none"> <li>▪ The source of the illicit discharge</li> <li>▪ The dates that the [illicit] discharge was observed, reported or both.</li> <li>▪ Whether the [illicit] discharge was discovered by the County during dry weather screening, reported by the public or other method</li> <li>▪ How the investigation was resolved</li> <li>▪ A description of any follow-up activities</li> <li>▪ The date the investigation was closed</li> </ul>

**4.4 Minimum Control Measure 4 – Construction Site Stormwater Runoff Control (MCM #4)**

MCM #4 contains the MS4 General Permit conditions to address discharges to the MS4 from regulated construction site stormwater runoff.

**4.4.1 MS4 General Permit Compliance Requirements**

The MS4 General Permit conditions associated with construction site stormwater runoff are consistent with those contained in the Virginia Erosion and Sediment Control Law (§62.1-44:15:51 et seq. of the Code of Virginia) and the Virginia Erosion and Sediment Control Regulations (9VAC25-840) in which the County is required to implement a local VESCP. Under the MS4 General Permit, the County is also required to ensure implementation of appropriate controls to prevent nonstormwater discharges to the MS4 from construction activities regulated under the County’s VSMP.

The County’s VESCP is required to conduct plan reviews, site inspections and enforcement for non-compliance. As a defined Tidewater locality under the Chesapeake Bay Preservation Act (CBPA), the County is required to regulate land disturbing activities that are equal to or greater than 2,500 square feet in areas of the jurisdiction designated by the County under Chapter 27B of the County Code of Ordinances. The County VESCP must be administered by a DEQ-certified Program Administrator with plan reviews and compliance inspections being conducted by DEQ-certified individuals.

In addition to MS4 General Permit conditions pertaining to MS4 Program Plan content and Annual Reporting, the MS4 General Permit contains conditions specific to MCM #4 for which the County must ensure compliance. These specific conditions are summarized in Table 13.

**Table 13. Summary of MS4 General Permit Conditions for MCM #4**

Summary of the MS4 General Permit MCM #4 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
The County is required to utilize its legal authority, such as ordinances, permits, orders, specific contract language and interjurisdictional agreements to address discharges entering the MS4 from regulated construction site runoff through implementation of its DEQ – approved local VESCP consistent with the Virginia Erosion and Sediment Control Law and Virginia Erosion and Sediment Control Regulations.	486-507
The County is required to require implementation of appropriate controls to prevent nonstormwater discharges to the MS4, such as wastewater, concrete washout, fuels and oils, and other illicit discharges identified during land disturbing activity inspections of the MS4.	521-524
<p>The County’s MS4 Program Plan must include</p> <ul style="list-style-type: none"> <li>▪ The local ordinance citations for the VESCP</li> <li>▪ A description of the legal authorities utilized to control construction site stormwater runoff</li> <li>▪ Written inspection procedures to ensure the ESC controls are properly implemented and all associated documents utilized during inspection including the inspection schedule</li> <li>▪ Written procedures for requiring compliance through corrective or enforcement action</li> <li>▪ The roles and responsibilities of each of the County’s departments, divisions, or subdivisions in implementing the construction site stormwater control.</li> </ul>	525-541

**4.4.2 Selected County BMPs and Strategies**

The County will utilize the combined programs described in BMP 4.1 and BMP 4.1 to address the MS4 General Permit MCM #4 permit conditions.

***BMP #4.1 – Combined Stafford County Local Virginia Erosion and Sediment Control Program and Stafford County Local Stormwater Management Program***

As a State Water Control Board-approved local authority for both VESCP and VSMP, Stafford County relies on implementation of these programs to meet the MS4 General Permit conditions associated with MCM #4. Both the local VESCP and the VSMP are administered by the DPW-EP. The legal authority for administration of these programs is contained in the County Code of Ordinances Chapter 11 – Erosion and Sediment Control and Chapter 21.5 Stormwater Management. As a Tidewater locality, the County regulates land disturbance activities on projects equal to or larger than 2,500 square feet while requiring development and implementation of pollution prevention plans on construction activities regulated under the Virginia Stormwater Management Act and Regulation.

The responsible parties of proposed land disturbing activities are required to submit site plans for review and approval by DEQ-certified plan reviewers. Site plan applications and checklists for grading

plans and commercial site plans are maintained on the Department of Planning and Zoning website (<https://staffordcountyva.gov/488/Application-Forms>). Pollution Prevention Plan requirements, which are part of the VSMP required Stormwater Pollution Prevention Plan, are evaluated using Chapter 7 of the Stormwater Management (SWM) Design Manual.

Land disturbing cannot begin at regulated activities until a pre-construction meeting is held. As the County doesn't employ an alternative inspection schedule, County ESC inspectors conduct routine land disturbing activity inspections in accordance with Virginia Administrative Code 9VAC25-840-60 B.1., which requires inspections during "inspection during or immediately following initial installation of erosion and sediment controls, at least once in every two-week period, within 48 hours following any runoff producing storm event, and at the completion of the project prior to the release of any performance bonds." Inspection results are provided to the responsible party and recorded into the INFOR Inspection and Facility Database System based on the type of inspection including:

- Type 100 – Erosion and Sediment Control Inspection
- Type 111 – SWPPP Review
- Type 121 – Pollution Prevention Review
- Type 198 – O.P./Yard Inspection (building occupancy)
- Type 199 – Final Erosion Inspection

The County's progressive enforcement for addressing non-compliance is outlined in its Stafford County VSMP Compliance and Enforcement Policy and Procedures with the County utilizing a standardized Notice to Comply template, when appropriate. County records are maintained on the County's Asset Management System in accordance with the Stafford County Stormwater Recordkeeping and Reporting Policy Procedures.

### **Roles and Responsibilities**

- DPW-EP is responsible for the implementation of the County's VESCSP and VSMP.
- The County Attorney's Office is responsible for assisting DPW-EP in the enforcement of Chapter 11 and Chapter 21.5 of the County Code of Ordinances.

### **Necessary Reference Materials and Documents**

- Stormwater Management Design Manual
- Stafford County VSMP Compliance and Enforcement Policy and Procedures
- Stafford County Stormwater Recordkeeping and Reporting Policy Procedures

#### **4.4.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

MCM#4 does not include any specific compliance dates or schedules outside of what is identified as part of the Annual Reporting Requirements

#### **4.4.4 Annual Reporting Requirements**

*Note: Under the MS4 General Permit, tracking and reporting requirements apply to only projects that are served by the County's MS4.*

The MS4 General Permit requires that the items specific to MCM4 identified in Table 14 be reported as part of the MS4 Annual Report.

**Table 14. MS4 Annual Report Reporting Item Requirements Specific to MCM #4**

<b>MCM4 Required MS4 Annual Report Reporting Item</b>
The total number of ESC and VSMP inspections conducted
The total number and type of enforcement action implemented for both the ESC and for pollution prevention compliance issues under the VSMP program.
A review and evaluation of MCM #4 program effectiveness and whether changes are necessary

**4.5 Minimum Control Measure 5 – Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands (MCM#5)**

MCM #5 contains the MS4 General Permit conditions to address discharges to the MS4 from post-development stormwater runoff.

**4.5.1 MS4 General Permit Compliance Requirements**

The MS4 General Permit conditions associated with post-development stormwater management for new development and development on prior developed lands are consistent with those contained in the Virginia Stormwater Management Act (§62.1-44:15:28 et seq. of the Code of Virginia) and the Virginia Stormwater Management Program Regulations (9VAC25-870). Under the MS4 General Permit, the County is also required to ensure that both public and private permanent stormwater management facilities are maintained and continue to function as designed.

The County’s VSMP is required to conduct plan reviews, site inspections and enforcement for non-compliance. As a defined Tidewater locality under the CBPA, the County is required to regulate land disturbing activities that are equal to or greater than 2,500 square feet in areas of the jurisdiction designated by the County as regulated as part of the CBPA area. The County VSMP must be administered by a DEQ-certified Program Administrator with plan reviews and compliance inspections being conducted by DEQ-certified individuals.

In addition to MS4 General Permit conditions pertaining to MS4 Program Plan content and Annual Reporting, the MS4 General Permit contains conditions specific to MCM #5 for which the County must ensure compliance. These specific conditions are summarized in Table 15.

**Table 15. Summary of MS4 General Permit Conditions for MCM #5**

<p><b>Summary of the MS4 General Permit MCM #5 Permit Conditions</b></p>	<p><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must implement its DEQ-approved VSMP consistent with the Virginia Stormwater Management Act and the VSMP regulations.</p>	<p>553-579</p>
<p>The County must implement an inspection and maintenance program for its stormwater management facilities based on:</p> <ul style="list-style-type: none"> <li>▪ Written inspection and maintenance procedures designed to ensure adequate long-term operation and maintenance of the stormwater management facilities</li> <li>▪ SWM facility inspections occurring no less than once a year unless an alternative schedule is implemented based on facility type and expected facility needs provided that the alternative schedule and rationale is included in the MS4 Program Plan and the inspection frequency is no less than once per five years</li> <li>▪ Required maintenance discovered as part of the inspection process is conducted in accordance with the required written procedures</li> </ul>	<p>580-591</p>
<p>The County must implement an inspection and enforcement program, to the maximum extent allowable under legal authority, for all privately-owned SWM facilities that discharge into the MS4 based on</p> <ul style="list-style-type: none"> <li>▪ An inspection frequency of no less than once per five years</li> <li>▪ Adequate long-term operation and maintenance by the SWM facility owner requiring the owner to develop and record a maintenance agreement, that includes an inspection schedule</li> <li>▪ Utilization of the County’s legal authority for enforcement if maintenance is neglected.</li> </ul>	<p>592-603</p>



<p align="center"><b>Summary of the MS4 General Permit MCM #5 Permit Conditions</b></p>	<p align="center"><b>Specific MS4 General Permit Language (Appendix 1 Line Numbers)</b></p>
<p>The County must maintain an electronic database of all known SWM facilities that discharge into the MS4. The database must include the following for each SWM facility or BMP:</p> <ul style="list-style-type: none"> <li>▪ Type</li> <li>▪ Location as latitude and longitude and 6th Order Hydrologic Unit Code</li> <li>▪ Acres treated including <ul style="list-style-type: none"> <li>- Total</li> <li>- Pervious</li> <li>- Impervious</li> </ul> </li> <li>▪ The date the SWM facility or BMP was brought on-line (MM/YYYY)</li> <li>▪ Ownership distinguished between County-owned or privately-owned</li> <li>▪ Whether the SWM facility is part of a County TMDL Action Plan required by the MS4 General Permit Part II A, B or both</li> <li>▪ If the SWM facility or BMP is privately-owned, if a Maintenance Agreement exists</li> <li>▪ The date of the County’s most recent inspection of the SWM facility or BMP.</li> </ul>	<p align="center">604-621</p>
<p>The electronic database or spreadsheet shall be updated no later than 30 days after a new stormwater management facility is brought online, a new BMP is implemented to meet a TMDL load reduction as required in the TMDL Special Conditions or discovered if it is an existing stormwater management facility.</p>	<p align="center">622-624</p>
<p>The County must use the DEQ Construction Stormwater Database or other application as specified by the department to report each stormwater management facility installed after July 1, 2014, to address the control of post-construction runoff from land disturbing activities for which the permittee is required to obtain a General VPDES Permit for Discharges of Stormwater from Construction Activities.</p>	<p align="center">625-628</p>
<p>No later than October 1 of each year, the County must electronically report the stormwater management facilities and BMPs implemented between July 1 and June 30 of each year using the DEQ BMP Warehouse and associated reporting template for any practices not reported in accordance with Part I E 5 f including stormwater management facilities installed to control post-development stormwater runoff from land disturbing activities less than one acre in accordance with the Chesapeake Bay Preservation Act regulations (9VAC25-830 ) and for which a General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.</p>	<p align="center">629-634</p>

Summary of the MS4 General Permit MCM #5 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Numbers)
<p>The County’s MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ A copy of the DEQ VSMP approval letter</li> <li>▪ Written inspection procedures and all associated documents utilized in the inspection of privately-owned SWM facilities</li> <li>▪ Written procedures for compliance and enforcement of inspection and maintenance requirements for privately owned BMPs</li> <li>▪ Written inspection procedures and all associated documents utilized during inspection of SWM facilities owned and operated by the County</li> <li>▪ The roles and responsibilities of each of the County’s departments, divisions, or subdivisions in implementing the post-construction stormwater runoff control program</li> <li>▪ The SWM facility database incorporated by reference and the location or webpage address where it can be reviewed.</li> </ul>	<p>635-655</p>

**4.5.2 Selected County BMPs and Strategies**

The County will utilize the following BMPs to address the MS4 General Permit MCM #5 permit conditions.

***BMP #5.1 – Stafford County Virginia Stormwater Management Program***

As a State Water Control Board-approved local authority for VSMP, Stafford County relies on implementation of these programs to meet the MS4 General Permit conditions associated with MCM #5 regarding plan review and approval, inspection during construction, development and implementation of a site-specific SWPPP and ensuring controls are implemented to control both the quality and quantity of post-development stormwater runoff. The legal authority for administration of the VSMP program is contained in the County Code of Ordinances Chapter 21.5 Stormwater Management. As a Tidewater locality, the County regulates land disturbance activities on projects equal to or larger than 2,500 square feet while requiring development and implementation of pollution prevention plans on construction activities regulated under the Virginia Stormwater Management Act and Regulation.

The responsible parties of proposed land disturbing activities are required to submit site plans for review and approval by DEQ-certified plan reviewers. Site plan applications and checklists for grading plans and commercial site plans are maintained on the Department of Planning and Zoning website (<https://staffordcountyva.gov/488/Application-Forms>). Pollution Prevention Plan requirements, which are part of the VSMP required Stormwater Pollution Prevention Plan, are evaluated using the Stafford County Stormwater Management (SWM) Design Manual. As part of the plan approval process, a Maintenance Agreement for Stormwater Management System must be executed between the private property owner and the Stafford County Board of Supervisors and recorded with the Clerk of Circuit Court. In addition, a long-term maintenance plan must be developed and attached to the maintenance agreement. Current maintenance agreement applications are maintained on the Department of Planning and Zoning website.

During active construction, inspections are held concurrently with the VESCP inspections identified in BMP #4.1 with the results being recorded in the Infor Inspection and Facility Database System as well as being provided to the responsible party.

The County's progressive enforcement for addressing non-compliance is outlined in its Stafford County VSMP Compliance and Enforcement Policy and Procedures with the County utilizing a standardized Notice to Comply template, when appropriate. County records are maintained on the County's Asset Management System in accordance with the Stafford County Stormwater Recordkeeping and Reporting Policy Procedures.

Upon project completion, DPW-EP adds new SWM facilities into an in-house excel spreadsheet in order to maintain up-to-date list of SWM facilities and associated information for post-development SWM facility inspections identified in BMP #5.2 and BMP #5.3. The spreadsheet is designed to be a working document, meaning that it is constantly being updated to include the most current list of, and information pertaining to, SWM facilities.

### **Roles and Responsibilities**

- DPW-EP is responsible for the implementation of the County's VSMP including maintaining accurate, up-to-date SWM facility records.
- The County Attorney's office is responsible for assisting DPW-EP in enforcement of Chapter 21.5 of the Stafford County Code of Ordinances.
- IT is responsible for assisting DPW-EP with database and GIS management needs.

### **Necessary Reference Materials and Documents**

- DEQ VSMP Approval Notification Letter
- Stafford County Stormwater Management Design Manual
- Stafford County VSMP Compliance and Enforcement Policy and Procedures
- Stafford County Stormwater Recordkeeping and Reporting Policy and Procedures
- Inspection records maintained in the Infor Inspection and Facility Database System
- Approved plans and as-builts located on ONBASE Case File Records Repository
- Hard-copy plans and as-builts for historical projects not included on the ONBASE Case File Records Repository

### ***BMP #5.2 – County Owned/Operated Stormwater Management Facility Inspection and Maintenance***

The County has developed and implemented the County Owned/Operated SWM Facility Inspections and Maintenance Procedures (I&M Procedures). The I&M Procedures define the inspection schedules for County owned/operated SWM facilities and the procedures to ensure required maintenance is conducted. The I&M Procedures include operation and maintenance checklists and identify the responsible County department for each County SWM facility.

### **Roles and Responsibilities**

- DPW-EP is responsible for conducting SWM facility inspections and follow-ups as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures. DPW-EP is responsible for documenting SWM facility inspections and follow-ups in the County's Infor Asset Management System.
- DPU is responsible for conducting maintenance on DPU SWM facilities as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.

- DPW is responsible for conducting maintenance on County-owned/operated Regional SWM facilities as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.
- PRCF is responsible for conducting maintenance on County-owned/operated Regional SWM facilities as described in the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.

### **Necessary Reference Materials and Documents**

- County Owned/Operated Stormwater Management Facility Inspection and Maintenance Procedures

### ***BMP #5.3 – Private Stormwater Management Facility Inspection and Maintenance***

DPW-EP inspectors conduct on-site inspections on privately-owned SWM facilities over a two-year time period. The universe of privately-owned SWM facilities has been divided into 24 individual lists that provide monthly inspection schedules for DPW-EP inspectors and ensure that all facilities are inspected over the two-year time period. Construction records are available to the inspector either by hard-copy or, for SWM facilities brought on-line after 2018, digitally through the County’s ONBASE case files records repository.

Inspections are conducted using County-specific inspection checklists based on DEQ operations and maintenance checklists. Inspection records are entered into the County’s INFOR Inspection and Facility Database System as SW800 (Biennial Stormwater Inspections). SWM facility owners are provided a letter of inspection results that details the inspection findings and any required maintenance needs. A copy of the letter is placed in the ONBASE case files record repository. Follow-up inspections, when necessary, are documented in the INFOR Inspection and Facility Database System as SW801 inspections. Additional compliance and enforcement are conducted in accordance to the Stafford County VSMP Compliance and Enforcement Policy and Procedures.

### **Roles and Responsibilities**

- DPW-EP is responsible for maintaining an updated SWM facility database and an up-to-date map and outfall information table including updating the local SWM facility database.
- DPW-EP is responsible for the electronic reporting of the SWM facilities and BMPs using the DEQ Construction Stormwater Database for SWM facilities covered under a General VPDES Permit for Discharges of Stormwater from Construction Activities.
- DPW-EP is responsible for the inspection of privately-owned SWM facilities and for enforcing maintenance requirements so that SWM facilities function as designed.
- The County Attorney’s office is responsible for assisting DPW-EP in enforcement of Chapter 21.5 of the County Code of Ordinances.

### **Necessary Reference Materials and Documents**

- Inspection Procedures for Inspecting Privately Owned SWM Facilities
- Individual records maintained on the INFOR Inspection and Facility Database System and the ONBASE Case File Records Repository
- Stafford County VSMP Compliance and Enforcement Policy and Procedures

### **4.5.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 16 contains the dates and schedules specific to complying with the permit conditions associated with MCM #5 that are in the MS4 General Permit.

**Table 16: MS4 General Permit Compliance Dates Pertaining to MCM #5**

Due Date	Requirement
Variable, Continuous	The SWM facility database must be updated <b>no later than 30-days</b> after a new SWM facility is brought on-line, a new BMP is implemented to meet a TMDL load reduction as part of a County TMDL Action Plan or a previously-unknown existing SWM facility is discovered.
10/1/2019	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2018 and June 30, 2019 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2020	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2019 and June 30, 2020 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2021	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2020 and June 30, 2021 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2022	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2021 and June 30, 2022 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.
10/1/2023	The County must use the DEQ BMP Warehouse and associated reporting template to electronically report the SWM facilities and BMPs implemented between July 1, 2022 and June 30, 2023 to comply with the CPBA and for which coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.

**4.5.4 Annual Reporting Requirements**

*Note: Under the MS4 General Permit, tracking and reporting requirements apply to only projects that are served by the County’s MS4.*

The MS4 General Permit requires that the items specific to MCM #4 identified in Table 17 be reported as part of the MS4 Annual Report.

**Table 17. MS4 Annual Report Reporting Item Requirements Specific to MCM #5**

<b>MCM4 Required MS4 Annual Report Reporting Item</b>
The number of privately-owned stormwater management facilities inspected.
The number and type of enforcement actions initiated by the County to ensure long-term maintenance of privately-owned stormwater management facilities.
The total number of inspections conducted on stormwater management facilities owned or operated by the County.
A description of the significant maintenance, repair or retrofit activities, not including routine activities, performed on the stormwater management facilities to ensure that it continues to perform as designed.
A confirmation statement that the County submitted stormwater management facility information through the Virginia Construction Stormwater General Permit database for those land disturbing activities required to obtain coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities.
A confirmation statement that the County electronically reported BMPs using the DEQ BMP Warehouse and the date upon which the information was submitted.

**4.6 Minimum Control Measure 6 – Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the Permittee within the MS4 Service Area (MCM #6)**

MCM #6 defines the MS4 General Permit’s conditions and requirements for minimizing pollutant discharge associated with County facilities and operations. MCM #6 requires the County to develop and implement pollution prevention/good housekeeping procedures at County activities, develop stormwater pollution prevention plans for certain County high-priority facilities with a high potential for causing pollution, development and implementation of nutrient management plans at County facilities where nutrients are applied on an area greater than one contiguous acre and implement a stormwater training program for County employees and contractors.

**4.6.1 MS4 General Permit Compliance Requirements**

The MS4 General Permit contains numerous specific conditions. These conditions are summarized in Table 18.

**Table 18. Summary of MS4 General Permit Conditions for MCM #6**

<p><b>Summary of the MS4 General Permit MCM #6 Permit Conditions</b></p>	<p><b>Specific MS4 General Permit Language (Appendix 1 Line Number)</b></p>
<p>The County must maintain and implement written procedures for activities such as road, street and parking lot maintenance, equipment maintenance, and the application, storage and disposal of pesticides, herbicides and fertilizers at County facilities designed to:</p> <ul style="list-style-type: none"> <li>▪ Prevent illicit discharges</li> <li>▪ Ensure proper disposal of waste materials including landscape wastes</li> <li>▪ Prevent the discharge of wastewater or County vehicle wash water into the MS4 without separate VPDES permit authorization</li> <li>▪ Require implementation of best management practices (BMPs) when discharging water pumped from utility construction and maintenance activities</li> <li>▪ Minimize the pollutants in stormwater runoff from bulk storage</li> <li>▪ Prevent pollutant discharge into the MS4 from leaking automobiles and equipment</li> <li>▪ Ensure that the application of materials including fertilizers and pesticides is conducted in accordance with the manufacturer’s recommendations</li> </ul>	<p>674-689</p>
<p>The County must maintain a list of County high-priority facilities and denote if the high-priority facility has a high potential to discharge pollutants.</p>	<p>692-711</p>
<p>The County must maintain and implement a site-specific stormwater pollution prevention plan (SWPPP) at each County facility considered as a high-priority facility with a high potential of discharging pollutants in accordance with the MS4 General Permit.</p>	<p>712-727</p>
<p>No later than June 30 of each year, the County must annually review any high-priority facility owned or operated by the permittee for which a SWPPP has not been developed to determine if the facility has a high potential to discharge pollutants. If the facility is determined to be a high-priority facility with a high potential to discharge pollutants, the permittee shall develop a SWPPP no later than December 31 of that same year.</p>	<p>728-732</p>
<p>The County must review the contents of any site specific SWPPP no later than 30 days after any unauthorized discharge, release, or spill reported in accordance with Part III G to determine if additional measures are necessary to prevent future unauthorized discharges, releases, or spills. If necessary, the SWPPP shall be updated no later than 90 days after the unauthorized discharge.</p>	<p>733-736</p>
<p>The County must keep the maintained SWPPPs at each applicable high priority facility with the high potential to discharge pollutants and utilize the SWPPPs as part of the required on-site SWPPP training.</p>	<p>737-739</p>

Summary of the MS4 General Permit MCM #6 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Number)
The County must implement certified nutrient management plans on all County lands where nutrients are applied to a contiguous area greater than one acre.	743-747
The County must follow manufacturer’s recommendations for nutrients applied to achieve final stabilization of a land disturbing project.	
The County must not utilize urea or other forms of nitrogen or phosphorus as a deicing agent for parking lots roadways sidewalks or other paved surfaces.	751-752
The County must employ methods within its legal authority such as contract language, training, SOPs or other measures, to minimize the discharge of pollutants to the MS4 from contractors employed by the County.	753-756
<p>The County must develop and implement a written training program that ensures</p> <ul style="list-style-type: none"> <li>▪ Field personnel receive training regarding the recognition and reporting of illicit discharges no less than every 24 months</li> <li>▪ Employees involved in the maintenance of roads, streets and parking lots receive good housekeeping and pollution prevention training no less than every 24 months</li> <li>▪ Employees working in and around maintenance, public works and recreational facilities receive good housekeeping and pollution prevention training regarding those facilities no less than every 24 months</li> <li>▪ Employees and County-hired contractors who apply pesticides and herbicides are trained or certified in accordance with the Virginia Pesticide Control Act</li> <li>▪ Employees and County-hired contractors serving as plan reviewers, inspectors, program administrators and construction site operators obtain the appropriate DEQ Erosion and Sediment Control certifications</li> <li>▪ Employees and County-hired contractors implementing the VSMP obtain the appropriate DEQ Stormwater Management certifications</li> <li>▪ Employees whose duties include emergency response have been trained in spill response</li> </ul> <p>The County must use the written procedures regarding activity pollution prevention and good housekeeping in the MS4 General Permit required employee training program.</p> <p>The County must document the following each good housekeeping and pollution prevention event:</p> <ul style="list-style-type: none"> <li>▪ The date of the training event</li> <li>▪ The number of employees attending the training event</li> <li>▪ The objective of the training event</li> </ul>	757-782



Summary of the MS4 General Permit MCM #6 Permit Conditions	Specific MS4 General Permit Language (Appendix 1 Line Number)
<p>The MS4 Program Plan must include:</p> <ul style="list-style-type: none"> <li>▪ The written good housekeeping/pollution prevention procedures</li> <li>▪ A list of all County-owned high-priority facilities and whether each facility has a high potential to discharge pollutants</li> <li>▪ A list of lands for which NMPs are required that includes: <ul style="list-style-type: none"> <li>- The total acreage on which nutrients are applied</li> <li>- The date of the most recent NMP for each property</li> <li>- The location of each NMP</li> </ul> </li> <li>▪ A summary of the mechanisms the permittee uses to ensure contractors working on behalf of the County implements necessary good housekeeping, pollution prevention procedures and stormwater pollution plans</li> <li>▪ The written training plan</li> </ul>	786-798

**4.6.2 Selected County BMPs and Strategies**

The County will implement the following BMPs to address the MS4 General Permit MCM#6 permit conditions.

***BMP #6.1 – Pollution Prevention/Good Housekeeping for Municipal Operations***

The County has developed Pollution Prevention/Good Housekeeping for Municipal Operations Standard Operating Procedure (Pollution Prevention SOP). The Pollution Prevention SOP provides good housekeeping procedures for the following activities:

- Municipal Facilities
- Parking Lot Maintenance
- Vehicle/Equipment Maintenance
- Ground Maintenance
- Utility Maintenance

The SOPs include the specific County departments and authority figures responsible for implementing the good housekeeping procedures at each facility identified.

## **Roles and Responsibilities**

- DPW-EP is responsible for the overall coordination regarding Pollution Prevention SOP implementation across the County.
- F&R is responsible to implement the applicable Pollution Prevention SOPs as part of daily operations.
- PRCF is responsible to implement the applicable Pollution Prevention SOPs as part of daily operations.
- DPU is responsible to implement the appropriate Pollution Prevention SOPs as part of daily operations.
- DPW is responsible to implement the appropriate Pollution Prevention SOPs as part of daily operations.

## **Necessary Reference Materials and Documents**

### ***Pollution Prevention/Good Housekeeping for Municipal Operations Standard Operating Procedures BMP #6.2 – Stormwater Pollution Prevention Plans (SWPPP)***

The County has identified ten (10 ) high priority municipal facilities with the high potential to discharge pollutants and are located within the 2010 UA in its Stormwater Pollution Prevention Plan Implementation Final Report. The County has not not identified any high priority municipal facilities for which a SWPPP was not developed. Individual SWPPPs were created for each of the facilities that include:

- A site description including a site map identifying all outfalls, direction of stormwater flows, existing source controls, and receiving water bodies (when appropriate);
- A photo log of potential pollutant sources;
- A record of potential nonstormwater discharge;
- Applicable County SOPs to reduce/prevent pollutant discharges;
- An employee training schedule;
- Procedures and checklists for conducting annual comprehensive site compliance evaluations;
- A schedule for site specific source control inspections and maintenance; and
- Individual logs to record
  - Additional potential pollutant sources and recommended management practices
  - Additional non-stormwater discharges
  - Annual evaluation results and SPPPP revisions
  - Maintenance conducted
  - Spills, releases and discharges.

Original copies of the individual SWPPPs are housed in the Reference Library. Hard copies are maintained at each individual facility for ease in individual record keeping and documentation.

## **Roles and Responsibilities**

- DPW-EP is responsible for coordination with each individual high-priority County facility to ensure that SWPPPs are being implemented and the SWPPP document is being maintained.
- DPW-EP is responsible to coordinate annual review of any identified high priority County facilities for which a SWPPP has not been developed and implemented to determine the potential for pollutant discharge.
- PRCF is responsible for the day-to-day implementation and implementation of the SWPPPs including the annual evaluation and documentation of activities.

## **Necessary Reference Materials and Documents**

- Stormwater Pollution Prevention Plan Implementation Final Report
- Individual SWPPPs for High Priority County Facilities identified in Appendix 3.

### ***BMP #6.3 – Nutrient Management Plans (NMPs)***

The County has identified and developed NMPs for County locations where nutrients are applied on a contiguous area greater than one acre. The locations for which NMPs have been implemented are found in Appendix 4. PRCF implements the individual NMPs on County facilities, including maintaining all documentation required to demonstrate compliance. Original copies of the current NMPs are housed on the Reference Library. NMP hardcopies are maintained at the PRCF offices for ease in individual NMP record keeping and documentation.

NMPs must be reviewed and updated every three years by a nutrient planner certified by the Virginia Department of Conservation and Recreation.

### **Roles and Responsibilities**

- PRCF is responsible for implementation of the NMPs at the County facilities identified in Appendix 4. PRCF is also responsible for maintaining documentation required to demonstrate compliance with the NMPs.
- DPW-EP is responsible to ensure that NMPs are renewed and updated prior to their expiration date.

## **Necessary Reference Materials and Documents**

- Individual NMPs for County facilities identified in Appendix 4.

### ***BMP #6.4 – Pollution Prevention/Good Housekeeping for Municipal Operations Training***

The County developed the Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan to address training requirements in the MS4 General Permit. This training plan outlines the training requirements and schedules for employees regarding:

- Recognition and reporting of illicit discharges
- Good housekeeping and pollution prevention practices that are employed during road, street and parking lot maintenance
- Good housekeeping and pollution prevention practices that are employed in and around maintenance and public works facilities
- Obtaining proper certifications and training for employees and contractors who apply pesticides and herbicides
- Obtaining proper DEQ-certifications (ESC and SWM) for plan reviewers, inspectors, program administrators and construction site operators
- Good housekeeping and pollution prevention practices that are employed in and around recreational facilities
- Ensuring emergency response employees are trained in spill response

### **Roles and Responsibilities**

- DPW-EP is responsible for the overall coordination regarding SOP implementation across the County. DPW-EP is responsible for keeping current copies of DEQ-certifications of all employees or contractors who are responsible for plans review, site inspections and administration of the County's VESCP and VSMP.

- DPU is responsible to ensure that training is provided to DPU employees regarding the appropriate topics in accordance with the training schedule.
- DPW is responsible to ensure that training is provided to DPW employees regarding the appropriate topics in accordance with the training schedule.
- DPZ is responsible to ensure that training is provided to DPZ employees regarding the appropriate topics in accordance with the training schedule.
- F&R is responsible to ensure that training is provided to F&R employees regarding the appropriate topics in accordance with the training schedule.
- PRCF is responsible to ensure that training is provided to PRFC employees regarding the appropriate topics in accordance with the training schedule.
- SO is responsible to ensure that training is provided to SO employees regarding the appropriate topics in accordance with the training schedule.

Departments who apply pesticides and herbicides are responsible for keeping current copies of Virginia Department of Agriculture and Consumer Services (VDACS) Pesticide and Herbicide Applicator certifications of all employees or contractors who apply pesticides and herbicides for the County. Copies of the certifications should be made available to DPW-EP upon request.

In addition, all Departments are responsible for completing and submitting to DPW-EP a Training Attendance Form (available from DPW-EP) that includes the date of the training session, the trainer, the topics covered and the names of the employees who attend the training.

**Necessary Reference Materials and Documents**

- Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan

***BMP #6.5 – Contractor Language***

Individual County Departments work with the County Purchasing Department to ensure that necessary language regarding environmental laws, regulations, certifications and SOPs are incorporated into County contracts.

**Roles and Responsibilities**

- DPW-EP is responsible for coordinating with individual County Departments, the County Attorney’s Office and the County Purchasing Department to ensure necessary stormwater-related contract language is included in contracting documents.

**Necessary Reference Materials and Documents**

- N/A

**4.6.3 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 19 contains the dates and schedules specific to complying with the permit conditions associated with MCM #6 that are in the MS4 General Permit.

**Table 19. MS4 General Permit Compliance Dates Pertaining to MCM #6**

<b>Due Date</b>	<b>Requirement</b>
6/30/19	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/19	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/20	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/20	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/21	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/21	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/22	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/22	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.
6/30/23	The County must review any high-priority County facility for which a SWPPP has not been developed to determine if the high-priority facility has a high-potential to discharge pollutants.
12/31/23	The County must have completed development a SWPPP for any facility identified in the high-priority facility review for which it has been determined has a high-potential to discharge pollutants.

**4.6.4 Annual Reporting Requirements**

*Note: Under the MS4 General Permit, tracking and reporting requirements apply to only projects that are served by the County’s MS4.*

The MS4 General Permit requires that the items specific to MCM #6 identified in Table 20 be reported as part of the MS4 Annual Report.

**Table 20. MS4 Annual Report Reporting Item Requirements Specific to MCM #6**

<b>MCM #6 Required MS4 Annual Report Reporting Item</b>
A summary of any SOPs developed or modified during the reporting period
A summary of any new SWPPPs developed during the reporting period
A summary of any new turf and landscape NMP that includes: <ul style="list-style-type: none"> <li>▪ Location of each land area</li> <li>▪ Total acreage of each land area</li> <li>▪ Date of the approved NMP</li> </ul>
A list of the conducted training events including: <ul style="list-style-type: none"> <li>▪ Date of each training event</li> <li>▪ Number of employees attending each training event</li> <li>▪ Objective of each training event</li> </ul>

## CHAPTER 5. ASSURING COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD (TMDL) SPECIAL CONDITIONS

DEQ evaluates Virginia waterbodies (i.e., streams, reservoirs and estuaries) on a biennial basis as part of the 305(b)/303(d) Water Quality Assessment process. Individual waterbodies are categorized based on whether they meet the State-adopted water quality standards. Those that do not meet the water quality standards are considered impaired. A subset of the impaired waterbodies undergoes a more thorough evaluation involving long-term monitoring and computer modeling known as a Total Maximum Daily Load (TMDL) study. Each TMDL study identifies source (pollutant) that is causing the waterbody impairment and calculates the maximum pollutant load that can be introduced into the waterbody without causing the impairment. The allowable pollutant load is then divided up between non-regulated non-point dischargers such as undeveloped lands and agriculture and regulated point source discharges including MS4s. The MS4 General Permit Part II contains two (2) Special Conditions which are applicable to County MS4 discharges:

- Chesapeake Bay TMDL Special Condition (MS4 General Permit Line 814 – 928)
- Local TMDL Special Condition (MS4 General Permit Line 929 – 1003)

The County is required to address applicable MS4 General Permit Special Permit conditions through development and implementation of action plans for each applicable TMDL. TMDL action plans identify the means and methods that the County will utilize to meet the Special Conditions pertaining to the pollutant load.

### 5.1 Chesapeake Bay TMDL for Nitrogen, Phosphorus, and Sediment

The Chesapeake Bay TMDL Special Condition requires that the County develop and maintain a Chesapeake Bay TMDL Action Plan that addresses nitrogen, phosphorus, and sediment (i.e., pollutants of concern or POC) from:

- Transitional Sources
- New Sources
- Nutrient Application on County Facilities
- Existing Sources

The County submitted its original Phase I Chesapeake Bay TMDL Action Plan to DEQ on June 30, 2015 and submitted an updated version on June 30, 2016. The Phase I TMDL Action Plan described the County's means and methods for complying with the 2013 MS4 General Permit Chesapeake Bay TMDL Special Condition. A copy of the Phase I Chesapeake Bay TMDL Action Plan is available in the Reference Library.

The County is required to develop and implement a Phase II Chesapeake Bay TMDL Action Plan to DEQ by October 30, 2019, which defines the means and methods by which the County will comply with the current MS4 General Permit. The Phase II Chesapeake Bay TMDL Action Plan will include the BMPs and strategies selected by the County, as well as identify the responsible departments, necessary materials and documents and other information necessary to comply with the Chesapeake Bay TMDL Special Condition. Upon development, public comment and submittal to DEQ, the Phase II TMDL Action Plan will be available in the Reference Library.

#### 5.1.1 Specifically Identified MS4 General Permit Compliance Dates and Schedules

The following compliance items regarding the Chesapeake Bay TMDL Special Condition are required to be met during the MS4 General Permit reporting cycle (Table 21):

**Table 21. MS4 General Permit Compliance Dates Pertaining to the Chesapeake Bay TMDL Special Condition**

<b>Due Date</b>	<b>Compliance Item</b>
Prior to 10/30/19	Provide an opportunity for the public to comment on the additional BMPs proposed to meet the required POC reductions for no less than 15-days
10/30/19	Submit an updated Phase II Chesapeake Bay TMDL Action Plan
10/30/23	Reduce the POC load from Existing Sources served by the County MS4 within the 2010 UA by at least 40% of the L2 Scoping Run (Defined in the Phase II TMDL Chesapeake Bay Action Plan)
10/30/23	Offset 40% of the increased POC loads from new sources that initiated construction between July 1, 2009 and June 30, 2014 that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.
10/30/23	Offset the increased POC loads from new sources that initiated construction after July 1, 2014 that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.

### 5.1.2 Annual Reporting Requirements

The County’s MS4 Annual Report to DEQ must include the items regarding the Chesapeake Bay TMDL Action Plan identified in Table 22.

**Table 22. MS4 Annual Report Reporting Item Requirements Specific to the Chesapeake Bay TMDL Special Condition**

<b>MS4 Annual Report Required Chesapeake Bay TMDL Action Plan Items</b>
A list of BMPs implemented during the reporting period but not reported to the DEQ BMP warehouse as part of VSMP implementation.
If credits were obtained, a statement that credits were acquired during the reporting period to meet all or a portion of the required POC reductions identified in the Phase II Chesapeake Bay Action Plan.
The progress, using the final design efficiency of the BMPs, toward meeting the required cumulative reductions for each of the POC – nitrogen, phosphorus and sediment.
A list of BMPs that are planned to be implemented during the next reporting period.

## 5.2 Local TMDLs

Numerous receiving waters including stream, rivers, reservoirs and estuaries have been identified as impaired for not meeting its specified designated uses as specified in Virginia’s Water Quality Standards. For many of the receiving waters that are considered impaired, DEQ has developed local TMDLs to restore and maintain water quality in order ensure that the specified designated uses are met. The MS4 General Permit has integrated the TMDL requirements into the Local TMDL Special Condition and are based upon the source of the local receiving water impairment and the TMDL publication date.

### 5.2.1 Local TMDLs Applicable to the County MS4

For the County, there are three (3) applicable TMDLs for which it must comply with the MS4 General Permit Local TMDL Special Condition:



- Bacterial TMDL for the Tidal Freshwater Rappahannock River Watershed which was approved by EPA on May 5, 2008;
- Bacteria TMDL Development for Tributaries to the Potomac River Located within Prince William and Stafford Counties, which was approved by EPA on September 26, 2013; and
- TMDLs of Polychlorinated Biphenyls (PCBs) for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia, which was approved by EPA on October 31, 2007.

#### **5.2.1.1 Bacteria TMDL for the Tidal Freshwater Rappahannock River Watershed**

The County developed the Bacteria TMDL Action Plan, dated June 30, 2016 and approved by DEQ on December 2, 2016 to address the Bacteria TMDL for the Tidal Freshwater Rappahannock River Watershed. A copy of the approved TMDL Action Plan is available in the Reference Library.

The County is required to update the Bacteria TMDL Action Plan by May 1, 2020 to define the means and methods by which the County will comply with the Local TMDL Special Condition in the current MS4 General Permit. The updated Bacteria TMDL Action Plan will include the BMPs and strategies selected by the County, as well as identify the responsible Departments, necessary materials and documents, annual reporting requirements and other information necessary to comply with the Local TMDL Special Condition for bacteria. Upon development, the updated Bacteria TMDL Action Plan will be available in the Reference Library.

#### **5.2.3.2 TMDLs of PCBs for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia**

The County is required to update the existing PCB TMDL Action Plan by May 1, 2020 to define the means and methods by which the County will comply with the Local TMDL Special Condition. The PCB TMDL Action Plan will include the BMPs and strategies selected by the County, as well as identify the responsible Departments, necessary materials and documents, annual reporting requirements and other information necessary to comply with the Local TMDL Special Condition for bacteria. Upon development, the updated PCB TMDL Action Plan will be available in the Reference Library.

#### **5.2.3.3 Bacteria TMDL Development for Tributaries to the Potomac River Located within Prince William and Stafford Counties**

The County is required to develop a TMDL Action Plan to address the Bacteria TMDL Development for Tributaries to the Potomac River, Located within Prince William and Stafford Counties. As the TMDL was developed after July 1, 2013, the TMDL Action Plan will be the initial County document regarding Bacteria TMDL for the Tributaries to the Potomac River Located within Prince William and Stafford Counties.

The new TMDL Action Plan will define the means and methods by which the County will comply with the Local TMDL Special Condition and will include the BMPs and strategies selected by the County, as well as identify the responsible Departments, necessary materials and documents and other information necessary. Upon development, the TMDL Action Plan will be available in the Reference Library.

### **5.2.2 Specifically Identified MS4 General Permit Compliance Dates and Schedules**

Table 23 contains applicable MS4 General Permit compliance dates regarding the development and modification of County local TMDL Action Plans.

**Table 23. MS4 General Permit Compliance Dates Pertaining to the Local TMDL Special Condition**

Due Date	Compliance Item
5/1/2020	The County must update the previously approved Bacterial TMDL Action Plan for the Bacterial TMDL for the Tidal Freshwater Rappahannock River Watershed to meet the conditions of the MS4 General Permit Local TMDL Special Condition. Prior to submission to DEQ, the County must provide a minimum of 15-days for the public to provide comment on the proposed TMDL Action Plan.
5/1/2020	The County must update the PCB TMDL Action Plan for the TMDLs of PCBs for Tidal Portions of the Potomac and Anacostia Rivers in the District of Columbia, Maryland, and Virginia to meet the conditions of the MS4 General Permit Local TMDL Special Condition. Prior to submission to DEQ, the County must provide a minimum of 15-days for the public to provide comment on the proposed TMDL Action Plan.
5/1/2021	The County must develop and implement a TMDL Action for the Bacteria TMDL Development for Tributaries to the Potomac River, Located within Prince William and Stafford Counties. Prior to submission to DEQ, the County must provide a minimum of 15-days for the public to provide comment on the proposed TMDL Action Plan.

**5.2.3 Annual Reporting Requirements**

The County’s MS4 Annual Report to DEQ must include the items regarding local TMDL Action Plan implementation identified in Table 24.

**Table 24. MS4 Annual Reporting Requirements Associated with the Local TMDL Special Condition**

MS4 Annual Report Required Local TMDL Action Plan Items
A summary of action conducted to implement each TMDL Action Plan.

## CHAPTER 6. MS4 PROGRAM PLAN MEASURABLE GOALS

The MS4 General Permit requires that the County:

- Identify the measurable goal by which each BMP or strategy will be evaluated;
- Review the County’s program implementation of BMPs and strategies to determine the MS4 program’s effectiveness; and
- Identify any necessary changes in the County’s program implementation.

For review and evaluation, the County will utilize the measurable goals identified in Table 25 to evaluate the effectiveness of the County program and determine whether changes to the program are required.

**Table 25. Measurable Goals for Determining MS4 Program Effectiveness**

MCM	BMP #	Measurable Goals
1	BMP #1.1	The County will identify three high-priority stormwater issues for meeting the goal of educating the public.
		The County will use a minimum of two (2) strategies listed in the MS4 General Permit Table 1 annually to communicate to the public the high-priority identified high priority issues.
2	BMP #2.1	The County will maintain an up-to-date website that provides access to, and the ability to provide comment on, MS4 Program information including the MS4 Program Plan, MS4 Annual Reports, TMDL Action Plans and public involvement and participation opportunities.
		The County will continue to provide mechanisms for the public to report complaints regarding potential illicit discharges, improper disposal or spills to the MS4; complaints regarding land disturbing activities or other potential stormwater pollution concerns.
	BMP #2.2	The County will annually implement a minimum of four (4) public involvement activities selected from at least MS4 General Permit Table 2 categories.
3	BMP #3.1	The County will maintain MS4 outfall and SWM Facility/BMP records in accordance with County policies and procedures.
		The County will provide DEQ the required MS4 map and outfall information table as required during PY01 and within 14-days of DEQ-request throughout the permit cycle.
	BMP #3.2	The County will notify MS4 operators of any newly constructed or identified physical interconnections.
	BMP #3.3	The County will implement the IDDE SOPs, including conducting annual dry weather MS4 outfall screening, to continue to identify and eliminate illicit discharges into the MS4.

MCM	MCM #1	Measurable Goals
4	BMP #4.1	The County will implement a VESCP that is consistent with the Virginia Erosion and Sediment Control Law and the Virginia Erosion and Sediment Control Regulations.
		The County VESCP will be administered by a DEQ-certified administrator.
		VESCP plan review and approval will be conducted by DEQ-certified plan reviewers.
		VESCP inspections will be conducted by DEQ-certified inspectors.
5	BMP #5.1	The County will implement a VSMP that is consistent with the Virginia Stormwater Management Act and Regulation.
	BMP #5.2	The County will inspect County-owned SWM facilities and BMPs on an annual basis.
		The County will maintain County-owned SWM facilities and BMPs in accordance with the County Owned/Operated SWM Facility Inspection and Maintenance Procedures.
BMP #5.3	Privately-owned SWM facilities will be inspected on a two-year rotational basis.	
6	BMP #6.1	The County will implement the Pollution Prevention SOPs as part of its overall daily operations throughout the MS4 Service Area.
	BMP #6.2	The County will implement and maintain SWPPPs on high-priority municipal facilities located within the MS4 Services Area.
	BMP #6.3	The County will implement and maintain NMPs on County facilities located within the MS4 Service Area where nutrients are applied to greater than one contiguous acre.
	BMP #6.4	The County will conduct training on the schedule provided in the Pollution Prevention/Good Housekeeping for Municipal Operations Training Plan.
	BMP #6.5	The County will include appropriate language in contractual documents to ensure that necessary permits and certifications are obtained and that required pollution prevention efforts are implemented.

## CHAPTER 7. RECORD OF MS4 PROGRAM PLAN REVISIONS

Revisions to the MS4 Program Plan are expected throughout the live of the MS4 General Permit as part of the iterative process to reduce pollutant loading and protect water quality to the MEP. The County must summarize revisions to the MS4 Program Plan as part of the MS4 Annual Report. The Reference Library contains an excel spreadsheet to assist DPW-EP in tracking and documenting modifications to the MS4 Program Plan. The spreadsheet provides for the recording of the following information:

- Date of Revision
- MS4 Program Plan
  - Chapter
  - Page Number
- Revision Description
- Revision Effective Date

The County should annually incorporate MS4 Program Plan updates into an updated MS4 Program Plan version in conjunction with development of its MS4 Annual Report.

## APPENDICES

1. VPDES General Permit for Stormwater Discharges from Small MS4s
2. Stafford County Reference Library
3. High-Priority County Facilities with Stormwater Pollution Prevention Plans
4. County Facilities with Nutrient Management Plans