MINNESOTA POLLUTION CONTROL AGENCY
520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 Part 2 Permit Application

Authorization to discharge stormwater associated with small Municipal Separate Storm Sewer System (MS4)

Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: Submitting this application confirms your intent to receive authorization to discharge stormwater under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) MS4 General Permit (MNR040000). This application is due within 150 days from the issuance date of the MS4 General Permit (MNR040000). Throughout this application there are text fields with a typical maximum limit of four lines. If you need to provide information in a text field that exceeds the maximum limit, please submit an attachment(s) with supplemental information that is labeled with the corresponding field number (e.g., *9.J.*).

Submittal: This application form and any associated documents (i.e., total maximum daily load (TMDL) application, any supplemental information) must be submitted electronically. To submit this form electronically, open the form using Internet Explorer Web browser or Adobe Acrobat Reader in order for the submit button to work properly. (If you do not have Acrobat Reader, you can download a free version at https://get.adobe.com/reader/.) Send the form to the Minnesota Pollution Control Agency (MPCA) by clicking the submit button at the end of the form (a "send email" window should open with the form attached), you can click on "Send" and then close the form. If you do not see a "send email", save the form to your computer and attach the form to an email message, using "MS4 Part 2 Permit Application" as the subject line to ms4permitprogram.pca@state.mn.us.

Review/Public Notice process: The MPCA will review the application for completeness. Incomplete applications will be returned. If the MPCA determines the application is complete, the MPCA will make a preliminary determination to issue permit coverage and place the application on public notice for 30 days. Once the applicant addresses any applicable comments or hearing requests, the MPCA will make a final determination to issue permit coverage to the applicant.

Please note, this application is intended to provide information about an applicant's existing SWPPP. An applicant that receives permit coverage is responsible for complying with all new applicable requirements set forth in the MS4 General Permit (MNR040000) by deadlines specified in Appendix B of the reissued permit.

Questions: If you have any questions, need additional information, contact MPCA staff. To find the staff assigned to your MS4, refer to the https://stormwater.pca.state.mn.us/index.php?title=MS4_staff_contact_information_and_staff_assignments; or see the staff contact information on the MPCA's MS4 webpage at https://www.pca.state.mn.us/water/municipal-stormwater-ms4.

Note: All questions with an asterisk(*) are **required** fields, and the form will not submit without the fields completed.

General contact information

1. **MS4 Owner** (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: 1.A. City of Elko New Market *County: 1.B. Scott
(City, county, municipality, government agency or other entity)

*Mailing address: 1.C. 601 Main Street

*City: 1.D. Elko New Market *State: 1.E. MN *Zip code: 1.F. 55054

2. **MS4 General contact** (with SWPPP implementation responsibility)

*Last name: 2.A. Terry *First name: 2.B. Tom
(Department head, MS4 coordinator, consultant, etc.)

*Title: 2.C. City Administrator

*Mailing address: 2.D. 601 Main Street

*City: 2.E. Elko New Market *State: 2.F. MN *Zip code: 2.G. 55054

*Phone (including area code): 2.H. (952) 461-2777 *Email: 2.I. tterry@ci.enm.mn.us

3. **Preparer information** (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: 3.A. Leichty First name: 3.B. Lanol
(Department head, MS4 coordinator, consultant, etc.)

Title: 3.C. MS4 Coordinator Organization: 3.D. Bolton & Menk

Mailing address: 3.E. 12224 Nicollet Avenue

City: 3.F. Burnsville State: 3.G. MN Zip code: 3.H. 55337

Phone (including area code): 3.I. (952) 890-0509 Email: 3.J. lanile@bolton-menk.com

4. **Certification** (All fields are required)

☒ *Yes - *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 ensure that qualified personnel properly gathered and evaluated the information submitted.*

I certify that 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 civil and criminal penalties.

I have read, understood, and accepted all terms and conditions of the NPDES/SDS MS4 General Permit.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing/signing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

*Signature: 4.A. Tom Terry
(This document has been electronically signed)

*Title: 4.B. City Administrator *Date: 4.C. 04/14/2021

*Mailing address: 4.D. 601 Main Street

*City: 4.E. Elko New Market *State: 4.F. MN *Zip code: 4.G. 55054

*Phone (including area code): 4.H. (952) 461-2777 *Email: 4.I. tterry@ci.enm.mn.us

***Note:** The application will not be processed without certification.*

*5. **Which type of MS4 do you represent?** (Check one)

5.A. ☒ City
5.B. ☐ County
5.C. ☐ Corrections
5.D. ☐ Education
5.E. ☐ Healthcare
5.F. ☐ Township
5.G. ☐ Transportation (i.e., Minnesota Department of Transportation [MnDOT])
5.H. ☐ Watershed District

*6. **Permit item 12.3:** Do you have any partnerships with another regulated small MS4(s) to satisfy one or more requirements of the General Permit?

☐ Yes
☒ No (skip to Q8)

7. **If yes in Q6, provide a description of the partnership(s): (Maximum 10 lines of text)**

MCM 1: Public education and outreach

*8. **Permit item 16.3:** Do you distribute educational materials or equivalent outreach focused on at least two (2) specifically selected stormwater-related issues of high priority? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (skip to Q11)

9. **If yes in Q8, what are your high-priority topics?** (Check all that apply)

9.A. ☐ Specific TMDL reduction targets
9.B. ☐ Changing local business practices
9.C. ☒ Promoting adoption of residential best management practices (BMPs)
9.D. ☐ Lake improvements through lake associations
9.E. ☐ Household chemicals
9.F. ☒ Yard waste
9.G. ☐ Construction activities
9.H. ☐ Post-construction activities
9.I. ☐ Other (describe below):
9.J.

Additional information for checked items (optional):
9.K.

10. **If yes in Q8, how do you educate the public about stormwater-related issues?** (Check all that apply)

10.A. ☐ Brochure
10.B. ☒ Newsletter
10.C. ☐ Utility bill insert
10.D. ☐ Newspaper ad
10.E. ☐ Radio ad
10.F. ☐ Television ad
10.G. ☐ Cable access channel
10.H. ☐ Website
10.I. ☐ Stormwater-related event
10.J. ☐ Other (describe below):
10.K.

Additional information for checked items (optional):
10.L.

*11. **Permit item 16.4:** At least once each calendar year, do you distribute educational outreach focused on illicit discharge recognition and reporting illicit discharges? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (skip to Q13)

12. **If yes in Q11, how do you educate the public about illicit discharge recognition and reporting?** (Check all that apply)

12.A. ☐ Brochure
12.B. ☒ Newsletter
12.C. ☐ Utility bill insert

12.D. ☐ Newspaper ad
12.E. ☐ Radio ad
12.F. ☐ Television ad
12.G. ☐ Cable access channel
12.H. ☐ Website
12.I. ☐ Stormwater-related event
12.J. ☐ Other (describe below):
12.K.

Additional information for checked items (optional):
12.L.

If you represent a city or township, please answer questions 13-16; ***if you do not*** *represent a city or township, skip to question 17.*

13. **Permit item 16.5:** At least once each calendar year, do you distribute educational materials or equivalent outreach to residents, businesses, commercial facilities, and institutions, focused on deicing salt use? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
☒ Yes
☐ No (skip to Q15)

14. **If yes in Q13, what does your education or outreach cover?** (Check all that apply)
14.A. ☒ The impacts of salt use on receiving waters
14.B. ☒ Methods to reduce salt use
14.C. ☐ Proper storage of salt or other deicing materials
14.D. ☐ Other (describe below):
14.E.

Additional information for checked items (optional):
14.F.

15. **Permit item 16.6:** At least once each calendar year, do you distribute educational materials or equivalent outreach focused on pet waste? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
☒ Yes
☐ No (skip to Q17)

16. **If yes in Q15, what do your educational materials or equivalent outreach on pet waste include?** (Check all that apply)
16.A. ☒ Impacts of pet waste on receiving waters
16.B. ☒ Proper management of pet waste
16.C. ☐ Any existing regulatory mechanism(s) for pet waste
16.D. ☐ Other (describe below):
16.E.

Additional information for checked items (optional):
16.F.

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*17. **Permit item 16.7:** Do you have an education and outreach plan?
☒ Yes
☐ No (skip to Q19)

18. **If yes in Q17, which components does your education and outreach plan include?** (Check all that apply)

18.A. ☒ Target audience(s) ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)*** If checked, specify your target audiences:

18.A.1. ☒ Residents
18.A.2. ☐ Businesses
18.A.3. ☐ Commercial facilities
18.A.4. ☐ Institutions
18.A.5. ☒ Local organizations
18.A.6. ☐ Low income residents
18.A.7. ☐ People of color
18.A.8. ☐ Non-native English speaking residents
18.A.9. ☐ Other (describe below):
18.A.10.

18.B. ☒ Name or position title of responsible person(s) for overall plan implementation.
18.B.1. If checked, specify the name(s) or position title(s):
City Engineer

18.C. ☐ Specific activities and schedules to reach each target audience.
18.C.1. If checked, provide any additional information (optional):

18.D. ☐ A description of any coordination with and/or use of stormwater education and outreach programs implemented by other entities, if applicable.
18.D.1. If checked, provide any additional information (optional):

*19. **Permit item 16.8:** Do you document information relating to MCM 1?
☒ Yes
☐ No (skip to Q21)

20. **If yes in Q19,** what do you document? (Check all that apply)

20.A. ☒ A description of all specific stormwater-related issues you identified in item 16.3
20.B. ☒ All information required under your education and outreach plan in item 16.7
20.C. ☒ Activities held, including dates, to reach each target audience
20.D. ☒ Quantities and descriptions of educational materials distributed, including dates distributed
20.E. ☒ Estimated audience (e.g., number of participants, viewers, readers, listeners, etc.) for each completed education and outreach activity ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

*21. **Permit item 12.4:** Who is responsible for implementation of this MCM? List name(s) or position title(s):

MS4 Coordinator

22. **Provide any additional information about your current education and outreach program that you would like to share (optional): (Maximum 10 lines of text)**

MCM 2: Public participation/involvement

*23. **Permit item 17.3:** Do you provide a minimum of one (1) annual opportunity for the public to provide input on the adequacy of the SWPPP?

☒ Yes
☐ No (skip to Q25)

24. **If yes in Q23, describe the opportunity(ies):**

An opportunity is provided at a City Council meeting each year.

*25. **Permit item 17.4:** Do you provide access to the SWPPP Document, annual reports, and other documentation that supports or describes the SWPPP (e.g., regulatory mechanism(s), etc.) for public review, upon request?

☒ Yes
☐ No (skip to Q27)

26. **If yes in Q25, how can the public access this information?** (Check all that apply)

26.A. ☒ Hardcopy upon request
26.B. ☒ Our website
26.C. ☐ Available at public event
26.D. ☐ Other (describe below):
26.E.

*27. **Permit item 17.5:** Do you consider oral and written input regarding the SWPPP submitted by the public?

☒ Yes
☐ No

*28. **Permit item 17.6:** Each calendar year, do you provide a minimum of one (1) public involvement activity that includes a pollution prevention or water quality theme? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes
☒ No (skip to Q30)

29. **If yes in Q28, what are the themes of your public involvement activity/activities?** (Check all that apply)

29.A. ☐ Rain barrel distribution event
29.B. ☐ Rain garden workshop
29.C. ☐ Cleanup event
29.D. ☐ Storm drain stenciling

29.E. ☐ Volunteer water quality monitoring
29.F. ☐ Adopt a storm drain program
29.G. ☐ Household hazardous waste collection day
29.H. ☐ Other (describe below):
29.I.

Additional information for checked items (optional):
29.J.

*30. **Permit item 17.7:** Do you document information relating to MCM 2?
☒ Yes
☐ No (skip to Q32)

31. **If yes in Q30, what do you document?** (Check all that apply)
31.A. ☒ All relevant written input submitted by persons regarding the SWPPP
31.B. ☐ All of your responses to written input received regarding the SWPPP, including any modifications made to the SWPPP as a result of the written input received
31.C. ☒ Date(s), location(s), and estimated number of participants at events held for purposes of compliance with permit item 17.3
31.D. ☒ Notices provided to the public of any events scheduled to meet permit item 17.3, including any electronic correspondence (e.g., website, email distribution lists, notices, etc.)
31.E. ☐ Date(s), location(s), description of activities, and estimated number of participants at events held for the purpose of compliance with permit item 17.6 ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

*32. **Permit item 12.4:** Who is responsible for implementation of this MCM? List name(s) or position title(s):
MS4 Coordinator

33. **Provide any additional information about your current public participation/involvement program that you would like to share (optional): (Maximum 10 lines of text)**

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

*34. **Permit item 18.3:** Do you maintain a storm sewer system map?
☒ Yes
☐ No (skip to Q36)

35. **If yes in Q34, which of the following does your storm sewer map include?** (Check all that apply)
35.A. ☒ All pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes
35.B. ☒ Outfalls, including a unique identification (ID) number, and an associated geographic coordinate
35.C. ☒ Structural stormwater BMPs that are part of your small MS4
35.D. ☒ All receiving waters

*36. **Permit item 18.4:** Do you have a regulatory mechanism(s) that prohibits non-stormwater discharges into your MS4?

☒ Yes

☐ No (skip to Q39)

37. **If yes in Q36, what does your regulatory mechanism(s) consist of?** (Check all that apply)

37.A. ☐ Contract language

37.B. ☒ Ordinance

37.C. ☐ Permits

37.D. ☐ Standards

37.E. ☐ Written policies

37.F. ☐ Operational plans

37.G. ☐ Legal agreements

37.H. ☐ Other mechanism(s) (describe below):

37.I.

38. **If yes in Q36,** provide a website address to the regulatory mechanism(s). If the regulatory mechanism is not available online, briefly describe how a copy of the regulatory mechanism can be obtained**:**

https://codelibrary.amlegal.com/codes/elkonewmarketmn/latest/elkonewmarket_mn/0-0-0-3879

If you represent a **city, township, or county** please answer question 39. ***If you do not*** *represent a city, township, or county skip to question 42.*

39. **Permit item 18.5:** Do you have a regulatory mechanism(s) that requires owners or custodians of pets to remove and properly dispose of feces from permittee owned land areas? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☒ No

If you represent a **city or township**, please answer questions 40-41. ***If you do not*** *represent a city or township, skip to question 42.*

40. **Permit item 18.6:** Do you have a regulatory mechanism(s) that requires proper salt storage at commercial, institutional, and non-NPDES permitted industrial facilities? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☒ No (Skip to Q42)

41. **If yes in Q40,** what does your regulatory mechanism(s) require? (Check all that apply)

41.A. ☐ Designated salt storage areas must be covered or indoors

41.B. ☐ Designated salt storage areas must be located on an impervious surface

41.C. ☐ Implementation of practices to reduce exposure when transferring material in designated salt storage areas (e.g., sweeping, diversions, and containment)

41.D. ☐ Other (describe below):

41.E.

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*42. **Permit item 18.7:** Do you incorporate illicit discharge detection into all inspection and maintenance activities conducted in permit items 21.9, 21.10, and 21.11?

☒ Yes

☐ No (Skip to Q44)

43. **If yes in Q42**: where feasible, do you conduct illicit discharge inspections during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation)?

☒ Yes

☐ No

*44. **Permit item 18.8:** At least once each calendar year, do you train all field staff in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (Skip to Q47)

45. **If yes in Q44, which field staff do you train?** (Check all that apply)

45.A. ☐ Police
45.B. ☐ Fire department
45.C. ☒ Public works
45.D. ☐ Parks staff
45.E. ☐ Other (describe below):
45.F.

46. **If yes in Q44, how do you train staff?** (Check all that apply)

46.A. ☒ Videos
46.B. ☐ In-person presentations
46.C. ☐ Webinars
46.D. ☒ Training documents
46.E. ☐ Emails
46.F. ☐ Other (describe below):
46.G.

*47. **Permit item 18.9:** Do you ensure that individuals receive training commensurate with their responsibilities as they relate to your IDDE program? Individuals includes, but is not limited to, individuals responsible for investigating, locating, eliminating illicit discharges, and/or enforcement. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (Skip to Q50)

48. **If yes in Q47, how are these individuals trained?** (Check all that apply)

48.A. ☒ Videos
48.B. ☐ In-person presentations
48.C. ☐ Webinars
48.D. ☒ Training documents
48.E. ☐ Emails
48.F. ☐ Other (describe below):
48.G.

49. **If yes in Q47, do previously trained individuals attend a refresher-training every three (3) calendar years following the initial training?**

☒ Yes
☐ No

*50. **Permit item 18.10:** Do you maintain a written or mapped inventory of priority areas you identify as having a higher likelihood for illicit discharges? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes
☒ No

*51. **Permit item 18.11:** To the extent allowable under state or local law, do you conduct additional illicit discharge inspections in priority areas?

☐ Yes

☒ No (Skip to Q53)

52. **If yes in Q51,** how often do you conduct illicit discharge inspections in priority areas**:**

*53. **Permit item 18.12:** Do you have written procedures for investigating, locating, and eliminating the source of illicit discharges? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes

☐ No (Skip to Q55)

54. **If yes in Q53, what do your procedures include? Check all that apply:** ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

54.A. ☐ A timeframe in which you will investigate a reported illicit discharge

54.A.1. If checked, describe:

54.B. ☒ Use of visual inspections to detect and track the source of an illicit discharge

54.C. ☒ Tools to investigate and locate an illicit discharge

If checked, what tools do you use? (Check all that apply)

54.C.1. ☒ Mobile cameras

54.C.2. ☐ Collecting and analyzing water samples

54.C.3. ☒ Smoke testing

54.C.4. ☒ Dye testing

54.C.5. ☐ Other (describe below):

54.C.6

54.D ☒ Cleanup methods to remove an illicit discharge or spill:

54.D.1. If checked, describe:

The IDDE Program has a Response Procedures section that describes actions to take for spill clean-up.

54.E ☒ Name or position title of responsible person(s) for investigating, locating, and eliminating an illicit discharge

54.E.1. If checked, specify the name(s) or position title(s):

Public Works Director

*55. **Permit item 18.13:** Do you have written procedures for responding to spills, including emergency response procedures to prevent spills from entering the MS4?

☒ Yes

☐ No (Skip to Q57)

56. **If yes in Q55, do your written procedures include the immediate notification of the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (Metro area), if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061?**

☒ Yes

☐ No

*57. **Permit item 18.14:** Do you maintain written enforcement response procedures (ERPs) to compel compliance with your regulatory mechanism(s) in Section 18? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (Skip to Q60)

58. **If yes in Q57, which of the following enforcement tools are available to you?** (Check all that apply)

58.A. ☒ Verbal warning
58.B. ☒ Notice of violation
58.C. ☒ Fine
58.D. ☒ Criminal action
58.E. ☒ Civil penalty
58.F. ☐ Other (describe below):
58.G.

59. **If yes in Q57, do your ERPs include the following?** (Check all that apply)

59.A. ☐ Timeframes to complete corrective actions
59.B. ☐ Name or position title of responsible person(s) for conducting enforcement

*60. **Permit item 18.15:** Do you document information relating to MCM 3?

☒ Yes
☐ No (Skip to Q62)

61. **If yes in Q60, what do you document?** (Check all that apply)

61.A. ☒ Date(s) and location(s) of IDDE inspections conducted in accordance with permit items 18.7 and 18.11
61.B. ☒ Reports of alleged illicit discharges received, including date(s) of the report(s), and any follow-up action(s) you take
61.C. ☒ Date(s) of discovery of all illicit discharges
61.D. ☒ Identification of outfalls, or other areas, where illicit discharges have been discovered
61.E. ☒ Sources (including a description and the responsible party) of illicit discharges (if known)
61.F. ☒ Action(s) you take, including date(s), to address discovered illicit discharges

*62. **Permit item 18.16:** Do you document training relating to permit item 18.8 and 18.9?

☒ Yes
☐ No (Skip to Q64)

63. **If yes in Q62, what training information do you document?** (Check all that apply)

63.A. ☒ General subject matter covered
63.B. ☒ Names and departments of individuals in attendance
(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)
63.C. ☒ Date of each event

*64. **Permit item 18.17:** Do you document enforcement conducted pursuant to the ERPs in item 18.14, including verbal warnings?

☒ Yes
☐ No (Skip to Q66)

65. **If yes in Q64, what do you document relating to ERPs for MCM 3?** (Check all that apply)

65.A. ☒ Name of the person responsible for violating the terms and conditions of your regulatory mechanism(s)
65.B. ☒ Date(s) and location(s) of the observed violation(s)
65.C. ☒ Description of the violation(s)
65.D. ☒ Corrective action(s) (including completion schedule) that you issued
65.E. ☒ Referrals to other regulatory organizations (if any)
65.F. ☒ Date(s) violation(s) resolved

*66. **Permit item 12.4:** Who is responsible for implementation of this MCM? List name(s) or position title(s):
Public Works Department

67. **Provide any additional information about your current illicit discharge detection and elimination program that you would like to share (optional): (Maximum 10 lines of text)**

MCM 4: Construction site stormwater runoff control

*68. **Permit item 19.3:** Do you have a regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls?

☒ Yes
☐ No (skip to Q73)

69. **If yes in Q68, what does your regulatory mechanism(s) consist of?** (Check all that apply)

69.A. ☐ Contract language
69.B. ☒ Ordinance
69.C. ☐ Permits
69.D. ☐ Standards
69.E. ☐ Written policies
69.F. ☐ Operational plans
69.G. ☐ Legal agreements
69.H. ☐ Other mechanism(s) (describe below):
69.I.

70. **If yes in Q68, provide a website address to the regulatory mechanism(s). If the regulatory mechanism is not available online, briefly describe how a copy of the regulatory mechanism can be obtained:**

https://codelibrary.amlegal.com/codes/elkonewmarketmn/latest/elkonewmarket_mn/0-0-0-6152

71. **If yes in Q68, is your regulatory mechanism(s) at least as stringent as the MPCA's most current Construction Stormwater General Permit (MNR100001) for erosion, sediment, and waste controls by incorporating the Construction Stormwater General Permit by reference, or by incorporating all items in Q72?**

☒ Yes (skip to Q73)
☐ No

72. **If no in Q71, which of the following requirements are incorporated into your regulatory mechanism(s)?** (Check all that apply)

72.A. Erosion prevention practices:

72.A.1. ☐ Before work begins, owner(s)/operator(s) must delineate the location of areas not to be disturbed.

72.A.2. ☐ Owner(s)/operator(s) must minimize the need for disturbance of portions of the project with steep slopes. When steep slopes must be disturbed, owner(s)/operator(s) must use techniques such as phasing and stabilization practices designed for steep slopes (e.g., slope draining and terracing).

72.A.3. ☐ Owner(s)/operator(s) must stabilize all exposed soil areas, including stockpiles. Stabilization must be initiated immediately to limit soil erosion when construction activity has permanently or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed no later than 14 calendar days after the construction activity has ceased. Stabilization is not required on constructed base components of roads, parking lots and similar surfaces. Stabilization is not required on temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) but owner(s)/operator(s) must provide sediment controls at the base of the stockpile.

72.A.4. ☐ For Public Waters that the Minnesota Department of Natural Resources (DNR) has promulgated "work in water restrictions" during specified fish spawning time frames, owner(s)/operator(s) must complete stabilization of all exposed soil areas within 200 feet of the water's edge, and that drain to these waters, within 24 hours during the restriction period.

72.A.5. ☐ Owner(s)/operator(s) must stabilize the normal wetted perimeter of the last 200 linear feet of temporary or permanent drainage ditches or swales that drain water from the site within 24 hours after connecting to a surface water or property edge. Owner(s)/operator(s) must complete stabilization of the remaining portions of temporary or permanent ditches or swales within 14 calendar days after connecting to a surface water or property edge and construction in that portion of the ditch temporarily or permanently ceases.

72.A.6. ☐ Temporary or permanent ditches or swales that are being used as a sediment containment system during construction (with properly designed rock-ditch checks, bio rolls, silt dikes, etc.) do not need to be stabilized. Owner(s)/operator(s) must stabilize these areas within 24 hours after their use as a sediment containment system ceases.

72.A.7. ☐ Owner(s)/operator(s) must not use mulch, hydromulch, tackifier, polyacrylamide or similar erosion prevention practices within any portion of the normal wetted perimeter of a temporary or permanent drainage ditch or swale section with a continuous slope of greater than two percent.

72.A.8. ☐ Owner(s)/operator(s) must provide temporary or permanent energy dissipation at all pipe outlets within 24 hours after connection to a surface water or permanent stormwater treatment system.

72.A.9. ☐ Owner(s)/operator(s) must not disturb more land (i.e., phasing) than can be effectively inspected and maintained.

72.B. Sediment control practices:

72.B.1. ☐ Owner(s)/operator(s) must establish sediment control BMPs on all down gradient perimeters of the site and downgradient areas of the site that drain to any surface water, including curb and gutter systems. Owner(s)/operator(s) must locate sediment control practices upgradient of any buffer zones. Owner(s)/operator(s) must install sediment control practices before any upgradient land-disturbing activities begin and must keep the sediment control practices in place until they establish permanent cover.

72.B.2. ☐ If the downgradient sediment controls are overloaded, based on frequent failure or excessive maintenance requirements, owner(s)/operator(s) must install additional upgradient sediment control practices or redundant BMPs to eliminate the overloading and amend the site plans to identify these additional practices.

72.B.3. ☐ Temporary or permanent drainage ditches and sediment basins designed as part of a sediment containment system (e.g., ditches with rock-check dams) require sediment control practices only as appropriate for site conditions.

72.B.4. ☐ A floating silt curtain placed in the water is not a sediment control BMP to satisfy perimeter control requirements in this part except when working on a shoreline or below the waterline. Immediately after the short term construction activity (e.g. installation of rip rap along the shoreline) in that area is complete, owner(s)/operator(s) must install an upland perimeter control practice if exposed soils still drain to a surface water.

72.B.5. ☐ Owner(s)/operator(s) must re-install all sediment control practices adjusted or removed to accommodate short-term activities such as clearing or grubbing, or passage of vehicles, immediately after the short-term activity is completed. Owner(s)/operator(s) must re-install sediment control practices before the next precipitation event even if the short-term activity is not complete.

72.B.6. ☐ Owner(s)/operator(s) must protect all storm drain inlets using appropriate BMPs during construction until they establish permanent cover on all areas with potential for discharging to the inlet.

72.B.7. ☐ Owner(s)/operator(s) may remove inlet protection for a particular inlet if a specific safety concern (e.g., street flooding/freezing) is identified by owner(s)/operator(s) or the jurisdictional authority (e.g., city/county/township/MnDOT engineer). Owner(s)/operator(s) must document the need for removal in the site plans.

72.B.8. ☐ Owner(s)/operator(s) must provide silt fence or other effective sediment controls at the base of stockpiles on the downgradient perimeter.

72.B.9. ☐ Owner(s)/operator(s) must locate stockpiles outside of natural buffers or surface waters, including stormwater conveyances such as curb and gutter systems unless there is a bypass in place for the stormwater.

72.B.10. ☐ Owner(s)/operator(s) must install a vehicle tracking BMP to minimize the track out of sediment from the construction site or onto paved roads within the site.

72.B.11. ☐ Owner(s)/operator(s) must use street sweeping if vehicle tracking BMPs are not adequate to prevent sediment tracking onto the street.

72.B.12. ☐ In any areas of the site where final vegetative stabilization will occur, owner(s)/operator(s) must restrict vehicle and equipment use to minimize soil compaction.

72.B.13. ☐ Owner(s)/operator(s) must preserve topsoil on the site, unless infeasible.

72.B.14. ☐ Owner(s)/operator(s) must direct discharges from BMPs to vegetated areas unless infeasible.

72.B.15. ☐ Owner(s)/operator(s) must preserve a 50 foot natural buffer or, if a buffer is infeasible on the site, provide redundant (double) perimeter sediment controls when a surface water is located within 50 feet of the project's earth disturbances and stormwater flows to the surface water. Owner(s)/operator(s) must install

perimeter sediment controls at least 5 feet apart unless limited by lack of available space. Natural buffers are not required adjacent to road ditches, judicial ditches, county ditches, stormwater conveyance channels, storm drain inlets, and sediment basins. If preserving the buffer is infeasible, owner(s)/operator(s) must document the reasons in the site plans. Sheet piling is a redundant perimeter control if installed in a manner that retains all stormwater.

72.B.16. ☐ Owner(s)/operator(s) must use polymers, flocculants, or other sedimentation treatment chemicals in accordance with accepted engineering practices, dosing specifications and sediment removal design specifications provided by the manufacturer or supplier. Owner(s)/operator(s) must use conventional erosion and sediment controls prior to chemical addition and must direct treated stormwater to a sediment control system for filtration or settlement of the floc prior to discharge.

72.C. Dewatering and basin draining:

72.C.1. ☐ Owner(s)/operator(s) must discharge turbid or sediment-laden waters related to dewatering or basin draining (e.g., pumped discharges, trench/ditch cuts for drainage) to a temporary or permanent sediment basin on the project site unless infeasible. Owner(s)/operator(s) may dewater to surface waters if they visually check to ensure adequate treatment has been obtained and nuisance conditions (see Minn. R. 7050.0210, subp. 2) will not result from the discharge. If owner(s)/operator(s) cannot discharge the water to a sedimentation basin prior to entering a surface water, owner(s)/operator(s) must treat it with appropriate BMPs such that the discharge does not adversely affect the surface water or downstream properties.

72.C.2. ☐ If owner(s)/operator(s) must discharge water that contains oil or grease, owner(s)/operator(s) must use an oil-water separator or suitable filtration device (e.g. cartridge filters, absorbents pads) prior to discharge.

72.C.3. ☐ Owner(s)/operator(s) must discharge all water from dewatering or basin-draining activities in a manner that does not cause erosion or scour in the immediate vicinity of discharge points or inundation of wetlands in the immediate vicinity of discharge points that causes significant adverse impact to the wetland.

72.C.4. ☐ If owner(s)/operator(s) use filters with backwash water, they must haul the backwash water away for disposal, return the backwash water to the beginning of the treatment process, or incorporate the backwash water into the site in a manner that does not cause erosion.

72.D. Inspection and maintenance:

72.D.1. ☐ Owner(s)/operator(s) must ensure that a trained person will inspect the entire construction site at least once every seven (7) days during active construction and within 24 hours after a rainfall event greater than one-half inch in 24 hours.

72.D.2. ☐ Owner(s)/operator(s) must inspect and maintain all permanent stormwater treatment BMPs.

72.D.3. ☐ Owner(s)/operator(s) must inspect all erosion prevention and sediment control BMPs and Pollution Prevention Management Measures to ensure integrity and effectiveness. Owner(s)/operator(s) must repair, replace, or supplement all nonfunctional BMPs with functional BMPs by the end of the next business day after discovery unless another time frame is specified below. Owner(s)/operator(s) may take additional time if field conditions prevent access to the area.

72.D.4. ☐ During each inspection, owner(s)/operator(s) must inspect surface waters, including drainage ditches and conveyance systems but not curb and gutter systems, for evidence of erosion and sediment deposition. Owner(s)/operator(s) must remove all deltas and sediment deposited in surface waters, including drainage ways, catch basins, and other drainage systems and restabilize the areas where sediment removal results in exposed soil. Owner(s)/operator(s) must complete removal and stabilization within seven (7) calendar days of discovery unless precluded by legal, regulatory, or physical access constraints. Owner(s)/operator(s) must use all reasonable efforts to obtain access. If precluded, removal and stabilization must take place within seven (7) calendar days of obtaining access. Owner(s)/operator(s) are responsible for contacting all local, regional, state and federal authorities and receiving any applicable permits, prior to conducting any work in surface waters.

72.D.5. ☐ Owner(s)/operator(s) must inspect construction site vehicle exit locations, streets and curb and gutter systems within and adjacent to the project for sedimentation from erosion or tracked sediment from vehicles. Owner(s)/operator(s) must remove sediment from all paved surfaces within one (1) calendar day of discovery or, if applicable, within a shorter time to avoid a safety hazard to users of public streets.

72.D.6. ☐ Owner(s)/operator(s) must repair, replace, or supplement all perimeter control devices when they become nonfunctional or the sediment reaches one-half of the height of the device.

72.D.7. ☐ Owner(s)/operator(s) must drain temporary and permanent sedimentation basins and remove the sediment when the depth of sediment collected in the basin reaches one-half of the storage volume.

72.D.8. ☐ Owner(s)/operator(s) must ensure that at least one individual present on the site (or available to the project site in three (3) calendar days) is trained in the job duties of overseeing the implementation of, revising and/or amending the site plans and performing inspections for the project.

72.D.9. ☐ Owner(s)/operator(s) may adjust the inspection schedule as follows:

a. inspections of areas with permanent cover can be reduced to once per month, even if construction activity continues on other portions of the site; or
b. where construction sites have permanent cover on all exposed soil areas and no construction activity is occurring anywhere on the site, inspections can be reduced to once per month and, after 12 months, may be suspended completely until construction activity resumes. The MPCA may require inspections to resume if conditions warrant; or

c. where construction activity has been suspended due to frozen ground conditions, inspections may be suspended. Inspections must resume within 24 hours of runoff occurring, or upon resuming construction, whichever comes first.

72.D.10 ☐ Owner(s)/operator(s) must record all inspections and maintenance activities within 24 hours of being conducted and these records must be retained with the site plans. These records must include:

a. date and time of inspections; and

b. name of person(s) conducting inspections; and

c. accurate findings of inspections, including the specific location where corrective actions are needed; and

d. corrective actions taken (including dates, times, and party completing maintenance activities); and

e. date of all rainfall events greater than one-half inch in 24 hours, and the amount of rainfall for each event. Owner(s)/operator(s) must obtain rainfall amounts by either a properly maintained rain gauge installed onsite, a weather station that is within one (1) mile of owner(s)/operator(s)r location, or a weather reporting system that provides site specific rainfall data from radar summaries; and

f. if owner(s)/operator(s) observe a discharge during the inspection, they must record and should photograph and describe the location of the discharge (i.e., color, odor, settled or suspended solids, oil sheen, and other obvious indicators of pollutants); and

g. any amendments to the site plans proposed as a result of the inspection must be documented within seven (7) calendar days.

72.E. Inspection and maintenance:

72.E.1. ☐ Owner(s)/operator(s) must place building products and landscape materials under cover (e.g., plastic sheeting or temporary roofs) or protect them by similarly effective means designed to minimize contact with stormwater. Owner(s)/operator(s) are not required to cover or protect products which are either not a source of contamination to stormwater or are designed to be exposed to stormwater.

72.E.2. ☐ Owner(s)/operator(s) must place pesticides, fertilizers and treatment chemicals under cover (e.g., plastic sheeting or temporary roofs) or protect them by similarly effective means designed to minimize contact with stormwater.

72.E.3. ☐ Owner(s)/operator(s) must store hazardous materials and toxic waste, (including oil, diesel fuel, gasoline, hydraulic fluids, paint solvents, petroleum-based products, wood preservatives, additives, curing compounds, and acids) in sealed containers to prevent spills, leaks or other discharge. Storage and disposal of hazardous waste materials must be in compliance with Minn. R. ch. 7045 including secondary containment as applicable.

72.E.4. ☐ Owner(s)/operator(s) must properly store, collect, and dispose of solid waste in compliance with Minn. R. ch. 7035.

72.E.5. ☐ Owner(s)/operator(s) must position portable toilets so they are secure and will not tip or be knocked over. Owner(s)/operator(s) must dispose of sanitary waste in accordance with Minn. R. ch. 7041.

72.E.6. ☐ Owner(s)/operator(s) must take reasonable steps to prevent the discharge of spilled or leaked chemicals, including fuel, from any area where chemicals or fuel will be loaded or unloaded including the use of drip pans or absorbents unless infeasible. Owner(s)/operator(s) must ensure adequate supplies are available at all times to clean up discharged materials and that an appropriate disposal method is available for recovered spilled materials. Owner(s)/operator(s) must report and clean up spills immediately as required by Minn. Stat. § 115.061, using dry clean up measures where possible.

72.E.7. ☐ Owner(s)/operator(s) must limit vehicle exterior washing and equipment to a defined area of the site. Owner(s)/operator(s) must contain runoff from the washing area in a sediment basin or other similarly effective controls and must dispose of waste from the washing activity properly. Owner(s)/operator(s) must properly use and store soaps, detergents, or solvents.

72.E.8. ☐ Owner(s)/operator(s) must provide effective containment for all liquid and solid wastes generated by washout operations (e.g., concrete, stucco, paint, form release oils, curing compounds and other construction materials) related to the construction activity. Owner(s)/operator(s) must prevent liquid and solid washout wastes from contacting the ground and must design the containment so it does not result in runoff from the washout operations or areas. Owner(s)/operator(s) must properly dispose of liquid and solid wastes in compliance with Minn. R. ch. 7035. Owner(s)/operator(s) must install a sign indicating the location of the washout facility.

72.F. Temporary sediment basins:

72.F.1. ☐ Where ten (10) or more acres of disturbed soil drain to a common location, owner(s)/operator(s) must provide a temporary sediment basin to provide treatment of the runoff before it leaves the construction site or enters surface waters. Owner(s)/operator(s) may convert a temporary sediment basin to a permanent basin after construction is complete. The temporary basin is no longer required when permanent cover has reduced the acreage of disturbed soil to less than ten (10) acres draining to a common location.

72.F.2. ☐ The temporary basin must provide live storage for a calculated volume of runoff from a two (2)-year, 24-hour storm from each acre drained to the basin or 1,800 cubic feet of live storage per acre drained, whichever is greater.

72.F.3. ☐ Where owner(s)/operator(s) have not calculated the two (2)-year, 24-hour storm runoff amount, the temporary sediment basin must provide 3,600 cubic feet of live storage per acre of the basin's drainage area.

72.F.4. ☐ Owner(s)/operator(s) must design basin outlets to prevent short-circuiting and the discharge of floating debris.

72.F.5. ☐ Owner(s)/operator(s) must design the outlet structure to withdraw water from the surface to minimize the discharge of pollutants. Owner(s)/operator(s) may temporarily suspend the use of a surface withdrawal mechanism during frozen conditions. The basin must include a stabilized emergency overflow to prevent failure of pond integrity.

72.F.6. ☐ Owner(s)/operator(s) must provide energy dissipation for the basin outlet within 24 hours after connection to a surface water.

72.F.7. ☐ Owner(s)/operator(s) must locate temporary basins outside of surface waters and any required buffer zones.

72.F.8. ☐ Owner(s)/operator(s) must construct temporary basins prior to disturbing (10) or more acres of soil draining to a common location.

72.F.9. ☐ Where a temporary sediment basin meeting the requirements of this part is infeasible, owner(s)/operator(s) must install effective sediment controls such as smaller sediment basins and/or sediment traps, silt fences, vegetative buffer strips or any appropriate combination of measures as dictated by individual site conditions. In determining whether installing a sediment basin is infeasible, owner(s)/operator(s) must consider public safety and may consider factors such as site soils, slope, and available area on-site. Owner(s)/operator(s) must document this determination of infeasibility in the site plans.

72.G. Termination conditions:

72.G.1. ☐ Owner(s)/operator(s) must complete all construction activity and must install permanent cover over all areas. Vegetative cover must consist of a uniform perennial vegetation with a density of 70 percent of its expected final growth. Vegetation is not required where the function of a specific area dictates no vegetation, such as impervious surfaces or the base of a sand filter.

72.G.2. ☐ Owner(s)/operator(s) must clean the permanent stormwater treatment system of any accumulated sediment and must ensure the system meets all applicable requirements and is operating as designed.

72.F.3. ☐ Owner(s)/operator(s) must remove all sediment from conveyance systems.

72.G.4. ☐ Owner(s)/operator(s) must remove all temporary synthetic erosion prevention and sediment control BMPs. Owner(s)/operator(s) may leave BMPs designed to decompose on-site in place.

72.G.5. ☐ For residential construction only, permit coverage terminates on individual lots if the structure(s) are finished and temporary erosion prevention and downgradient perimeter control is complete and the residence sells to the homeowner.

72.G.6. ☐ For construction projects on agricultural land (e.g., pipelines across cropland), owner(s)/operator(s) must return the disturbed land to its preconstruction agricultural use.

72.H. If applicable, additional requirements for discharges to special and impaired waters:

72.H.1. ☐ Owner(s)/operator(s) must immediately initiate stabilization of exposed soil areas, and complete the stabilization within seven (7) calendar days after the construction activity in that portion of the site temporarily or permanently ceases.

72.H.2. ☐ Owner(s)/operator(s) must provide a temporary sediment basin for common drainage locations that serve an area with five (5) or more acres disturbed at one time.

72.H.3. ☐ Owner(s)/operator(s) must include an undisturbed buffer zone of not less than 100 linear feet from a special water (not including tributaries) and must maintain this buffer zone at all times, both during construction and as a permanent feature post construction, except where a water crossing or other encroachment is necessary to complete the project. Owner(s)/operator(s) must fully document the circumstance and reasons the buffer encroachment is necessary in the site plans and include restoration activities. Owner(s)/operator(s) must minimize all potential water quality, scenic and other environmental impacts of these exceptions by the use of additional or redundant (double) BMPs and must document this in the site plans for the project.

72.H.4. ☐ Owner(s)/operator(s) must conduct routine site inspections once every three (3) days for projects that discharge to prohibited waters.

*73. **Permit item 19.5:** Does your regulatory mechanism(s) require that owners and operators of construction activity develop site plans that must be submitted to you for review and confirmation that regulatory mechanism(s) requirements have been met, prior to the start of construction activity?

☒ Yes
☐ No

*74. **Permit item 19.6:** Do you have written procedures for site plan reviews to ensure compliance with requirements of the regulatory mechanism(s)? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (Skip to Q76)

75. **If yes in Q74, do your procedures include the following?** (Check all that apply)

75.A. ☐ Written notification to owners and operators of the need to apply for and obtain coverage under the CSW Permit.

75.B. ☒ Use of a written checklist, consistent with the requirements of the regulatory mechanism(s), to document the adequacy of each site plan required.

*76. **Permit item 19.7:** Do you have written procedures for conducting site inspections to determine compliance with your regulatory mechanism(s)?

☒ Yes

☐ No

*77. **Permit item 19.8:** Do you maintain written procedures for identifying high-priority and low-priority sites for inspection? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☒ No (Skip to Q79)

78. **If yes in Q77, do your procedures include the following?** (Check all that apply)

78.A. ☐ A detailed explanation describing how sites will be categorized as either high-priority or low-priority.

If checked, how do you prioritize sites for inspection? (Check all that apply)

78.A.1. ☐ Site topography

78.A.2. ☐ Soil characteristics

78.A.3. ☐ Types of receiving water(s)

78.A.4. ☐ Stage of construction

78.A.5. ☐ Compliance history

78.A.6. ☐ Weather conditions

78.A.7. ☐ Citizen complaints

78.A.8. ☐ Project size

78.A.9. ☐ Other (describe below):

78.A.10.

78.B. ☐ A frequency at which you will conduct inspections for high-priority sites.

If checked, how often will you inspect high-priority sites? (Check only one)

78.B.1. ☐ More than once every seven (7) days

78.B.2. ☐ Once every seven (7) days

78.B.3. ☐ Once every 14 days

78.B.4. ☐ Once every 21 days

78.B.5. ☐ Once every 30 days

78.B.6. ☐ Other (describe below):

78.B.7.

78.C. ☐ A frequency at which you will conduct inspections for low-priority sites.

If checked, how often will you inspect low-priority sites? (Check only one)

78.C.1. ☐ More than once every seven (7) days

78.C.2. ☐ Once every seven (7) days

78.C.3. ☐ Once every 14 days

78.C.4. ☐ Once every 21 days

78.C.5. ☐ Once every 30 days

78.C.6. ☐ Other (describe below):

78.C.7.

78.D. ☐ The name(s) of individual(s) or position title(s) responsible for conducting site inspections:

*79. **Permit item 19.9:** Do you use a written checklist to document each site inspection when determining compliance with your regulatory mechanism(s)? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes

☐ No (Skip to Q82)

80. **If yes in Q79, are the following items incorporated in your written checklist?** (Check all that apply)

80.A. ☒ Stabilization of exposed soils (including stockpiles)

80.B. ☒ Stabilization of ditch and swale bottoms

80.C. ☒ Sediment control BMPs on all downgradient perimeters of the project and upgradient of buffer zones

80.D. ☒ Storm drain inlet protection

80.E. ☒ Energy dissipation at pipe outlets

80.F. ☒ Vehicle tracking BMPs

80.G. ☒ Preservation of a 50 foot natural buffer or redundant sediment controls where stormwater flows to a surface water within 50 feet of disturbed soils

80.H. ☒ Owner/operator of construction activity self-inspection records

80.I. ☒ Containment for all liquid and solid wastes generated by washout operations (e.g., concrete, stucco, paint, form release oils, curing compounds, and other construction materials)

80.J. ☒ BMPs maintained and functional

81. **Provide any additional information on your process to document site inspections (optional):**

*82. **Permit item 19.10:** Do you have written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted to you by the public?

☐ Yes

☒ No (Skip to Q84)

83. **If yes in Q82, please provide your procedures or a description of your procedures (e.g., how the public may submit concerns, typical timeframe for you to investigate reports):**

*84. **Permit item 19.11:** Do individuals receive training commensurate with their responsibilities as they relate to your Construction Site Stormwater Runoff Control program? Individuals includes, but is not limited to, individuals responsible for conducting site plan reviews, site inspections, and/or enforcement.

☒ Yes

☐ No (Skip to Q87)

85. **If yes in Q84, do previously trained individuals attend a refresher-training every three (3) calendar years following the initial training?** ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No

86. **If yes in Q84, what training do your staff who perform site inspections receive?** (Check all that apply)

86.A. ☒ University of Minnesota Erosion and Stormwater Management Certification Program
86.B. ☐ Qualified Compliance Inspector of Stormwater
86.C. ☐ Minnesota Laborers Training Center Stormwater Pollution Prevention Plan Installer or Supervisor
86.D. ☐ Minnesota Utility Contractors Association Erosion Control Training
86.E. ☐ Certified Professional in Erosion and Sediment Control
86.F. ☐ Certified Professional in Stormwater Quality
86.G. ☐ Certified Erosion Sediment and Storm Water Inspector
86.H. ☐ Other (describe below):
86.I.

*87. **Permit item 19.12:** Do you maintain written ERPs to compel compliance with your regulatory mechanism(s) in Section 19? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (Skip to Q89)

88. **If yes in Q87, which enforcement tools are included in your ERPs?** (Check all that apply)

88.A. ☒ Verbal warning
88.B. ☒ Notice of violation
88.C. ☒ Administrative order
88.D. ☒ Stop work order
88.E. ☒ Fine
88.F. ☒ Forfeit of security bond money
88.G. ☒ Withholding of certificate of occupancy
88.H. ☒ Criminal action
88.I. ☒ Civil penalty
88.J. ☐ Other (describe below):
88.K.

*89. **Please specify name or position title of responsible person(s) for conducting enforcement:**

Public Works Department

*90. **Permit item 19.13:** Do you document each site plan review you conduct?

☒ Yes
☐ No (Skip to Q92)

91. **If yes in Q90, what do you document in your site plan review process?** (Check all that apply)

91.A. ☒ Project name
91.B. ☒ Location
91.C. ☒ Total acreage to be disturbed
91.D. ☒ Owner and operator of the proposed construction activity
91.E. ☒ Proof of notification to obtain coverage under the CSW Permit or proof of coverage under the CSW Permit ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
91.F. ☒ Any stormwater related comments and supporting completed checklist, to determine project approval or denial ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

*92. **Permit item 19.14:** Do you document training related to permit item 19.11?
☒ Yes
☐ No (Skip to Q94)

93. **If yes in Q92, what do you document?** (Check all that apply)
93.A. ☒ General subject matter covered
93.B. ☒ Name(s) and departments of individuals in attendance
(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)
93.C. ☒ Date of each event

*94. **Permit item 19.15:** Do you document enforcement conducted pursuant to your ERPs in item 19.12, including verbal warnings?
☒ Yes
☐ No (Skip to Q96)

95. **If yes in Q94, what do you document relating to ERPs for MCM 4?** (Check all that apply)
95.A. ☒ Name of the person responsible for violating the terms and conditions of your regulatory mechanism(s)
95.B. ☒ Date(s) and location(s) of the observed violation(s)
95.C. ☒ Description of the violation(s)
95.D. ☒ Corrective action(s) (including completion schedule) that you issued
95.E. ☒ Referrals to other regulatory organizations (if any)
95.F. ☒ Date(s) violation(s) resolved

*96. **Permit item 12.4: Who is responsible for implementation of this MCM? List name(s) or position title(s):**
City Engineer

97. **Provide any additional information about your current construction site stormwater runoff control program that you would like to share (optional): (Maximum 10 lines of text)**

MCM 5: Post-construction stormwater management

*98. **Permit item 20.3:** Do you have a post-construction stormwater management regulatory mechanism(s)?
☒ Yes
☐ No (skip to Q102)

99. **If yes in Q98, what does your regulatory mechanism(s) consist of?** (Check all that apply)
99.A. ☐ Contract language
99.B. ☒ Ordinance
99.C. ☐ Permits
99.D. ☐ Standards
99.E. ☐ Written policies
99.F. ☐ Operational plans
99.G. ☐ Legal agreements
99.H. ☐ Other mechanism(s) (describe below):
99.I.

100. **If yes in Q98, provide a website address to the regulatory mechanism(s). If the regulatory mechanism is not available online, briefly describe how a copy of the regulatory mechanism can be obtained:**
https://codelibrary.amlegal.com/codes/elkonewmarketmn/latest/elkonewmarket_mn/0-0-0-6031

101. **If yes in Q98, which of the following requirements are incorporated into your regulatory mechanism?** (Check all that apply)

101.A. ☒ **Permit item 20.4:** You must require owners of construction activity to submit site plans with post-construction stormwater management BMPs designed with accepted engineering practices to you for review and confirmation that regulatory mechanism(s) requirements have been met, prior to start of construction activity.

101.B. ☐ **Permit item 20.5:** You must require owners of construction activity to treat the water quality volume on any project where the sum of the new impervious surface and the fully reconstructed impervious surface equals one or more acres. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

101.C. ☐ **Permit item 20.6:** For construction activity (excluding linear projects), the water quality volume must be calculated as one (1) inch times the sum of the new and the fully reconstructed impervious surface. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

101.D. ☐ **Permit item 20.7:** For linear projects, the water quality volume must be calculated as the larger of one (1) inch times the new impervious surface or one-half (0.5) inch times the sum of the new and the fully reconstructed impervious surface. Where the entire water quality volume cannot be treated within the existing right-of-way, a reasonable attempt to obtain additional right-of-way, easement, or other permission to treat the stormwater during the project planning process must be made. Volume reduction practices must be considered first, as described in item 20.8. Volume reduction practices are not required if the practices cannot be provided cost effectively. If additional right-of-way, easements, or other permission cannot be obtained, owners of construction activity must maximize the treatment of the water quality volume prior to discharge from the MS4. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

101.E. ☒ **Permit item 20.8:** Volume reduction practices (e.g., infiltration or other) to retain the water quality volume on-site must be considered first when designing the permanent stormwater treatment system. This permit does not consider wet sedimentation basins and filtration systems to be volume reduction practices. If this permit prohibits infiltration as described in item 20.9, other volume reduction practices, a wet sedimentation basin, or filtration basin may be considered.

101.F. ☒ **Permit item 20.9:** Infiltration systems must be prohibited when the system would be constructed in areas:

a. That receive discharges from vehicle fueling and maintenance areas, regardless of the amount of new and fully reconstructed impervious surface. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
b. Where high levels of contaminants in soil or groundwater may be mobilized by the infiltrating stormwater. To make this determination, the owners and/or operators of construction activity must complete the MPCA's site screening assessment checklist, which is available in the Minnesota Stormwater Manual, or conduct their own assessment. The assessment must be retained with the site plans. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
c. Where soil infiltration rates are more than 8.3 inches per hour unless soils are amended to slow the infiltration rate below 8.3 inches per hour. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
d. With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
e. Of predominately Hydrologic Soil Group D (clay) soils. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
f. In an Emergency Response Area (ERA) within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, Subp. 13, classified as high or very high vulnerability as defined by the Minnesota Department of Health. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
g. In an ERA within a DWSMA classified as moderate vulnerability unless you perform or approve a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
h. Outside of an ERA within a DWSMA classified as high or very high vulnerability unless you perform or approve a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
i. Within 1,000 feet up-gradient or 100 feet down gradient of active karst features. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

j. That receive stormwater runoff from these types of entities regulated under NPDES for industrial stormwater: automobile salvage yards; scrap recycling and waste recycling facilities; hazardous waste treatment, storage, or disposal facilities; or air transportation facilities that conduct deicing activities.

101.G. ☐ **Permit item 20.10:** For non-linear projects, where the water quality volume cannot cost effectively be treated on the site of the original construction activity, you must identify, or may require owners of the construction activity to identify, locations where off-site treatment projects can be completed. If the entire water quality volume is not addressed on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment and, at a minimum, ensure the requirements of permit items 20.11 through 20.14 are met.

101.H. ☐ **Permit item 20.11:** You must ensure off-site treatment project areas are selected in the following order of preference:

a. Locations that yield benefits to the same receiving water that receives runoff from the original construction activity
b. Locations within the same DNR catchment area as the original construction activity
c. Locations in the next adjacent DNR catchment area up-stream
d. Locations anywhere within your jurisdiction

101.I. ☐ **Permit item 20.12:** Off-site treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet this requirement.

101.J. ☐ **Permit item 20.13:** Off-site treatment projects must be completed no later than 24 months after the start of the original construction activity. If you determine that more time is needed to complete the treatment project, you must provide the reason(s) and schedule(s) for completing the project in the annual report.

101.K. ☐ **Permit item 20.14:** If you receive payment from the owner of a construction activity for off-site treatment, you must apply any such payment received to a public stormwater project, and all projects must comply with permit items 20.11 through 20.13.

101.L. ☒ **Permit item 20.15:** You must include the establishment of legal mechanism(s) between you and owners of structural stormwater BMPs not owned or operated by you, that have been constructed to meet the requirements in Section 20. The legal mechanism(s) must include provisions that, at a minimum:

a. Allow you to conduct inspections of structural stormwater BMPs not owned or operated by you, perform necessary maintenance, and assess costs for those structural stormwater BMPs when you determine the owner of that structural stormwater BMP has not ensured proper function.
b. Are designed to preserve your right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by you, when those responsibilities are legally transferred to another party.
c. Are designed to protect/preserve structural stormwater BMPs. If structural stormwater BMPs change, causing decreased effectiveness, new, repaired, or improved structural stormwater BMPs must be implemented to provide equivalent treatment to the original BMP.

*102. **Permit item 20.16:** Do you maintain a written or mapped inventory of structural stormwater BMPs that you do not own or operate that meet all of the following criteria? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

a. The structural stormwater BMP includes an executed legal mechanism(s) between you and owners responsible for the long-term maintenance, as required in item 20.15; and
b. The structural stormwater BMP was implemented on or after August 1, 2013.

☒ Yes
☐ No

*103. **Permit item 20.17:** Do you to have written procedures for site plan reviews to ensure compliance with requirements of your regulatory mechanism(s)?

☒ Yes
☐ No

*104. **Permit item 20.18:** Do individuals receive training commensurate with their responsibilities as they relate to your Post-Construction Stormwater Management program? Individuals include, but is not limited to, individuals responsible for conducting site plan reviews and/or enforcement.

☒ Yes
☐ No (Skip to Q106)

105. **If yes in Q104,** do previously trained individuals attend a refresher training every three (3) calendar years following the initial training? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No

*106. **Permit item 20.19:** Do you maintain written ERPs to compel compliance with your regulatory mechanism(s) required in Section 20? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes
☐ No (Skip to Q108)

107. **If yes in Q106, what enforcement tools are included in your ERPs?** (Check all that apply)

107.A. ☒ Verbal warning
107.B. ☒ Notice of violation
107.C. ☒ Administrative order
107.D. ☒ Fine
107.E. ☒ Criminal action
107.F. ☒ Civil penalty
107.G. ☐ Other (describe below):
107.H.

*108. **Please specify name or position title of responsible person(s) for conducting enforcement:**
City Engineer

*109. **Permit item 20.20:** Do you document each site plan review you conduct?

☒ Yes
☐ No (Skip to Q111)

110. **If yes in Q109, what do you document in your site plan review process?** (Check all that apply)

110.A. ☒ Supporting documentation used to determine compliance, including any calculations for the permanent stormwater treatment system.
110.B. ☐ The water quality volume that will be treated through volume reduction practices compared to the total water quality volume required to be treated. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
110.C. ☐ Documentation associated with off-site treatment projects you authorize, including rationale to support the location of permanent stormwater treatment projects in accordance with items 20.10 and 20.11. ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
110.D. ☐ Payments received and used in accordance with permit item 20.14.
110.E. ☐ All legal mechanisms drafted in accordance with permit item 20.15, including date(s) of the agreement(s) and name(s) of all responsible parties involved.

*111. **Permit item 20.21:** Do you document training related to your Post-Construction Stormwater Management program?

☒ Yes
☐ No (Skip to Q113)

112. **If yes in Q111, what are you documenting?** (Check all that apply)

112.A. ☒ General subject matter covered
112.B. ☒ Names and departments of individuals in attendance ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
112.C. ☒ The date of each event

*113. **Permit item 20.22:** Do you document enforcement conducted pursuant to your ERPs in item 20.19, including verbal warnings?

☒ Yes
☐ No (Skip to Q115)

114. If yes in Q113, what do you document relating to ERPs for MCM 5? (Check all that apply)

114.A. ☒ The name of the person responsible for violating the terms and conditions of your regulatory mechanism(s)
114.B. ☒ The date(s) and location(s) of the observed violation(s)
114.C. ☒ A description of the violation(s)
114.D. ☒ Corrective action(s) issued
114.E. ☒ Referrals to other regulatory organizations
114.F. ☒ The date(s) violation(s) are resolved

*115. **Permit item 12.4:** Who is responsible for implementation of this MCM? List name(s) or position title(s):
City Engineer

116. **Provide any additional information about your current post-construction stormwater management program that you would like to share (optional): (Maximum 10 lines of text)**

MCM 6: Pollution prevention/Good housekeeping for municipal operations

*117. **Permit item 21.3:** Do you maintain a written or mapped inventory of your owned/operated facilities that contribute pollutants to stormwater discharges?
☒ Yes
☐ No (skip to Q119)

118. **If yes in Q117, which of the following facilities do you own and/or operate?** (Check all that apply)
118.A. ☐ Composting
118.B. ☒ Equipment storage and maintenance
118.C. ☐ Hazardous waste disposal
118.D. ☐ Hazardous waste handling and transfer
118.E. ☐ Landfill(s)
118.F. ☐ Solid waste handling and transfer
118.G. ☒ Park(s)
118.H. ☐ Pesticide storage
118.I. ☒ Public parking lot(s)
118.J. ☐ Public golf course(s)
118.K. ☐ Public swimming pool(s)
118.L. ☒ Public works yard(s)
118.M. ☐ Recycling
118.N. ☒ Salt storage
118.O. ☒ Snow storage
118.P. ☒ Vehicle storage and maintenance (e.g., fueling and washing) yard(s)
118.Q. ☒ Materials storage yard(s)
118.R. ☒ Other (describe below):
118.S. Municipal Property, City Trails, Lift Stations & City Wells

*119. **Permit item 21.4:** Do you implement BMPs to prevent or reduce pollutants in stormwater discharges from municipal operations?
☒ Yes
☐ No (Skip to Q121)

120. **If yes in Q119, provide additional information on the BMPs you implement to address stormwater discharges from municipal operations (e.g., waste disposal, management of stockpiles, road maintenance):**

Management of stockpiles

*121. **Permit item 21.5:** Do you implement BMPs at your owned/operated salt storage areas? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☒ Yes

☐ No (Skip to Q123)

122. **If yes in Q121, what BMPs do you have in place at salt storage areas?** (Check all that apply)

122.A. ☒ Salt is covered or stored indoors

122.B. ☒ Salt stored on an impervious surface

122.C. ☐ Implementation of practices to reduce exposure when transferring material from salt storage areas

122.D. ☐ Other (describe below):

122.E.

*123. **Permit item 21.6:** Do you implement a written snow and ice management policy for individuals that perform winter maintenance activities for you? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☒ No (Skip to Q125)

124. **If yes in Q123, what practices and procedures for snow and ice control operations are included?** (Check all that apply)

124.A. ☐ Plowing or other snow removal practices

124.B. ☐ Sand use

124.C. ☐ Application of deicing compounds

124.D. ☐ Other (describe below):

124.E.

*125. **Permit item 21.7:** Each calendar year, do all individuals that perform winter maintenance activities for you receive training? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☒ No (Skip to Q127)

126. **If yes in Q125, what does the winter maintenance training include?** (Check all that apply)

126.A. ☐ The importance of protecting water quality

126.B. ☐ BMPs to minimize the use of deicers

126.C. ☐ Tools and resources to assist in winter maintenance (e.g., deicing application rate guidelines, calibration charts, Smart Salting Assessment Tool)

126.D. ☐ Other (describe below):

126.E.

*127. **Permit item 21.8:** Do you maintain written procedures for determining TSS and total phosphorus (TP) treatment effectiveness of all owned/operated ponds constructed and used for the collection and treatment of stormwater?

☒ Yes

☐ No

*128. **Permit item 21.9:** Do you inspect structural stormwater BMPs (excluding stormwater ponds, which are under a separate schedule) each calendar year to determine structural integrity, proper function, and maintenance needs (excluding structural stormwater BMPs where the inspection frequency has been adjusted)?

☒ Yes
☐ No

*129. **Do you have a different inspection frequency (i.e., more or less than each calendar year) for any of your structural stormwater BMPs?**

☐ Yes
☒ No (Skip to Q131)

130. **If yes in Q129, what led to your adjusted inspection frequency?** (Check all that apply)

130.A. ☐ Complaints received or patterns of maintenance indicated a greater frequency was necessary.
130.B. ☐ Determined maintenance or sediment removal was not required after completion of the first two calendar year inspections.
130.C. ☐ Other (describe below):
130.D.

*131. **Permit item 21.10:** Do you inspect all ponds and outfalls (excluding underground outfalls) each permit term in order to determine structural integrity, proper function, and maintenance needs?

☒ Yes
☐ No (Skip to Q133)

132. **If yes in Q131,** describe the frequency of inspections:

Pond and outfall inspections are done once every 5 years.

*133. **Permit item 21.12:** Do you implement a stormwater management training program commensurate with individual's responsibilities as they relate to your SWPPP, including reporting and assessment activities? Training materials can be from the U.S. Environmental Protection Agency (EPA), state and regional agencies, or other organizations as appropriate to meet this requirement.

☒ Yes
☐ No (Skip to Q135)

134. **If yes in Q133, what does your stormwater management training program include?** (Check all that apply)

134.A. ☒ The importance of protecting water quality.
134.B. ☐ Cover the requirements of the permit relevant to the responsibilities of the individual.
134.C. ☐ A schedule that establishes initial training for individuals, including new and/or seasonal employees, and recurring training intervals to address changes in procedures, practices, techniques, or requirements.
134.D. ☐ Other (describe below):
134.E.

134.F. Additional information for checked items (optional):

*135. **Permit item 21.13:** Do you document information associated with the operations and maintenance program?

☒ Yes
☐ No (Skip to Q137)

136. **If yes in Q135, what are you documenting?** (Check all that apply)

136.A. ☒ Date(s) and description of findings, including whether or not an illicit discharge is detected, for all inspections conducted in accordance with items 21.9 and 21.10.
136.B. ☒ Any adjustments to inspection frequency as authorized in item 21.9.
136.C. ☒ Date(s) and a description of maintenance conducted as a result of inspection findings, including whether or not an illicit discharge is detected.

136.D. ☒ Schedule(s) for maintenance of structural stormwater BMPs and outfalls when necessary maintenance cannot be completed within one year of discovery ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

136.E. ☐ Stormwater management training events, including general subject matter covered, names and departments of individuals in attendance, and date of each event.

*137. **Permit item 21.14:** Do you document pond sediment excavation and removal activities?

☒ Yes

☐ No (Skip to Q139)

138. **If yes in Q137, what pond sediment excavation and removal activity information is documented?** (Check all that apply)

138.A. ☒ A unique ID number and geographic coordinate of each stormwater pond from which sediment is removed.

138.B. ☒ The volume (e.g., cubic yards) of sediment removed from each stormwater pond.

138.C. ☒ Results from any testing of sediment from each removal activity.

138.D. ☒ Location(s) of final disposal of sediment from each stormwater pond.

138.E. Additional information for checked items (optional):

*139. **Permit item 12.4:** Who is responsible for implementation of this MCM? List name(s) or position title(s).

MS4 Coordinator and/or Public Works Department

140. **Provide any additional information about your current pollution prevention/good housekeeping for municipal operations program that you would like to share (optional): (Maximum 10 lines of text)**

Discharges to Impaired Waters with an EPA-Approved TMDL that Includes an Applicable Waste Load Allocation (WLA)

To determine if you have an applicable WLA(s), please reference the MPCA's MS4 Permit TMDL Application Form webpage at https://stormwater.pca.state.mn.us/index.php?title=Guidance_for_completing_the_MS4_Permit_TMDL_Application_Form.

*141. **Permit item 22.3:** Do you have an applicable WLA where a reduction in pollutant loading is required for bacteria?

☒ Yes

☐ No (Skip to Q146)

142. **If yes in Q141, do you maintain a written or mapped inventory of potential areas and sources of bacteria (e.g., dense populations of waterfowl or other bird, dog parks)? *(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☒ No (Skip to Q145)

143. **If yes in Q142, do you maintain a written plan to prioritize reduction activities to address the areas and sources identified in the inventory? The written plan must include BMPs you will implement over the permit term.** ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☐ No (Skip to Q145)

144. **If yes in Q143, which of the following are included in your written plan?** (Check all that apply)

144.A. ☐ Water quality monitoring to determine areas of high bacteria loading.

144.B. ☐ Installation of pet waste pick-up bags in parks and open spaces.

144.C. ☐ Elimination of over-spray irrigation at permittee land owned areas.

144.D. ☐ Removal of organic matter via street sweeping.
144.E. ☐ Implementation of infiltration structural stormwater BMPs.
144.F. ☐ Management of areas that attract dense populations of waterfowl (e.g., riparian plantings).
144.G. ☐ Other (describe below):
144.H.

145. **Permit item 12.9:** If yes in Q141, who is or will be responsible for implementation of this required component (i.e., inventory, plan, and BMP implementation)? List name(s) or position title(s):
MS4 Coordinator and/or City Engineer

*146. **Permit item 22.5:** Do you have an applicable WLA where a reduction in pollutant loading is required for chloride?
☒ Yes
☐ No (Skip to Q151)

147. **If yes in Q146, do you document the amount of deicer applied each winter maintenance season to all your owned/operated surfaces? *(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
☐ Yes
☒ No

148. **If yes in Q146, each calendar year do you conduct an assessment of your winter maintenance operations to reduce the amount of deicing salt applied to your owned/operated surfaces and determine current and future opportunities to improve BMPs? You may use the MPCA's Smart Salting Assessment Tool or other available resources and methods to complete this assessment. The assessment must be documented. *(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***
☐ Yes
☒ No (Skip to Q150)

149. **If yes in Q148, what does your winter maintenance operations assessment include?** (Check all that apply)
149.A. ☐ Operational changes such as pre-wetting, pre-treating the salt stockpile, increasing plowing prior to deicing, monitoring of road surface temperature, etc.
149.B. ☐ Implementation of new or modified equipment providing pre-wetting, or other capability for minimizing salt use.
149.C. ☐ Regular calibration of equipment.
149.D. ☐ Optimizing mechanical removal to reduce use of deicers.
149.E. ☐ Designation of no salt and/or low salt zones.
149.F. ☐ Other (describe below):
149.G.

149.H. Additional information for checked items (optional):

150. **Permit item 12.9: If yes in Q146, who is or will be responsible for implementation of this required component (i.e., documenting deicer applied and winter maintenance operations assessment)? List name(s) or position title(s):**
Public Works Department

*151. **Permit item 22.7:** Do you have an applicable WLA where a reduction in pollutant loading is required for temperature?
☐ Yes
☒ No (Skip to Q155)

152. If yes in Q151, do you maintain a written plan that identifies specific activities you will implement to reduce thermal loading during the permit term? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes

☐ No (Skip to Q154)

153. **If yes in Q152, what activities does the plan include?** (Check all that apply)

153.A. ☐ Implementation of infiltration BMPs such as bioinfiltration practices

153.B. ☐ Disconnection and/or reduction of impervious surfaces

153.C. ☐ Retrofitting existing structural stormwater BMPs

153.D. ☐ Improvement of riparian vegetation

153.E. ☐ Other (describe below):

153.F.

153.G. Provide any additional information about your written plan (optional):

154. **Permit item 12.9: If yes in Q151, who is or will be responsible for implementation of this required component? List name(s) or position title(s):**

*155. **Permit item 12.8:** Do you have an applicable WLA(s) for oxygen demand, nitrate, TSS, or TP?

☒ Yes - If yes, you **must complete** the corresponding tabs in the *MS4 Permit TMDL Application* (available on the MPCA's website at https://stormwater.pca.state.mn.us/index.php?title=Guidance_for_completing_the_MS4_Permit_TMDL_Application_Form) and submit it with this application.

☐ No

Alum or Ferric Chloride Phosphorus Treatment Systems

*156. **Permit Section 23:** Do you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your MS4?

☐ Yes - If yes, complete questions 157-173 as directed.

☒ No (Skip to Q174)

157. Provide the geographic coordinates of the alum or ferric chloride phosphorus treatment system, in decimal degrees. (Approximate centroid of treatment system within five-foot accuracy):

157.A. Latitude: _____

157.B. Longitude: _____

158. **Who is responsible for the operation of the treatment system? List name(s) or position title(s):**

159.A. **Provide the date the system first became operational (mm/dd/yyyy):** _____

For question 159.B-G, provide information for calendar year 2020.

159.B. **For each month, provide the number of days the system was operational:**

159.B.1. January: _____
159.B.2. February: _____
159.B.3. March: _____
159.B.4. April: _____
159.B.5. May: _____
159.B.6. June: _____
159.B.7. July: _____
159.B.8. August: _____
159.B.9. September: _____
159.B.10. October: _____
159.B.11. November: _____
159.B.12. December: _____

159.C. **What chemical(s) was used for treatment:**

159.C.1. ☐ Alum
159.C.2. ☐ Ferric Chloride

159.D. **Provide the number of gallons of water treated:** _____

159.E. **Provide the number of gallons of alum or ferric chloride treatment used:** _____

159.F. **Provide the calculated pounds of phosphorous removed:** _____

159.G. **Describe any performance issue(s) and the corrective action(s), including the date(s) when corrective action(s) were taken:**

160. **Permit item 23.3: Which of the following requirements are you meeting?** (Check all that apply)

160.A. ☐ Your treatment system is for the treatment of phosphorus in stormwater. Non-stormwater discharges must not be treated by this system.
160.B. ☐ Your treatment system is contained within the conveyances and structural stormwater BMPs of the MS4. The utilized conveyances and structural stormwater BMPs do not include any receiving waters.
160.C. ☐ Phosphorus treatment systems utilizing chemicals other than alum or ferric chloride receive written approval from the MPCA.
160.D. ☐ In-lake phosphorus treatment activities are not authorized.

161. **Permit item 23.3: Which of the following design parameters does your treatment system include?** (Check all that apply)

161.A. ☐ The treatment system is constructed in a manner that diverts the stormwater flow to be treated from the main conveyance system.
161.B. ☐ A high flow bypass is part of the inlet design.
161.C. ☐ A flocculent storage/settling area is incorporated into the design, and adequate maintenance access is provided (minimum of eight feet wide) for the removal of accumulated sediment.

162. **Permit item 23.5:** Do you have a designated person perform visual monitoring of the treatment system for proper performance at least once every seven (7) days, and within 24 hours after a rainfall event greater than 2.5 inches in 24 hours?

☐ Yes
☐ No (Skip to Q164)

163. **If yes in Q162, please list the name(s) of the individual(s) or position title(s):**

164. **Permit item 23.5:** Following visual monitoring which occurs within 24 hours after a rainfall event, do you conduct the next visual monitoring of your system seven (7) days after that rainfall event?

☐ Yes
☐ No

165. **Permit item 23.6:** Does your treatment system utilize three (3) benchmark monitoring stations? Table 1 in Appendix A in the permit must be used for the parameters, units of measure, and frequency of measurement for each station.

☐ Yes
☐ No

166. **Permit item 23.7:** Do you collect grab samples or flow-weighted 24-hour composite samples at your treatment system?

☐ Yes
☐ No

167. **Permit item 23.8:** Are your treatment system samples, excluding potential of hydrogen (pH) samples, analyzed by a laboratory certified by the Minnesota Department of Health and/or the MPCA?

☐ Yes
☐ No

168. **Which of the following do your sample tests include?** (Check all that apply)

168.A. ☐ Sample preservation and test procedures for the analysis of pollutants that conform to 40 CFR Part 136 and Minn. R. 7041.3200.

168.B. ☐ Detection limits for dissolved phosphorus, dissolved aluminum, and dissolved iron that are a minimum of 6 micrograms per liter (µg/L), 10 µg/L, and 20 µg/L, respectively.

168.C ☐ pH that is measured within 15 minutes of sample collection using calibrated and maintained equipment.

169. **Permit item 23.9:** In the following situation(s) do you perform corrective action(s) and immediately notify the Minnesota Department of Public Safety Duty Officer? (Check all that apply)

169.A. ☐ The pH of the discharged water is not within the range of 6.0 and 9.0.

169.B. ☐ Indications of toxicity or measurements exceeding water quality standards which could endanger human health, public drinking water supplies, or the environment.

169.C. ☐ A spill or discharge or alteration resulting in water pollution, as defined in Minn. Stat. § 115.01, subd. 13, of alum or ferric chloride.

170. **Permit item 23.13:** Do you conduct site-specific jar testing using typical and representative water samples in accordance with the most current approved version of ASTM D2035? ***(Note: All or some of this item is a new permit requirement. Compliance with new requirements is required within 12 months after receiving permit coverage.)***

☐ Yes
☐ No

171. **Permit item 23.14:** Do you have baseline concentrations of the following parameters in the influent and receiving waters at your treatment system location? (Check all that apply)

171.A. ☐ Aluminum or iron

171.B. ☐ Phosphorus

172. **Permit item 23.15:** Do you have the following system parameters and how each was determined at your treatment system location? (Check all that apply)

172.A. ☐ Flocculant settling velocity

172.B. ☐ Minimum required retention time

172.C. ☐ Rate of diversion of stormwater into the system

172.D. ☐ The flow rate from the discharge of the outlet structure

172.E. ☐ Range of expected dosing rates

173. **Permit item 23.16:** Have you developed the following site-specific procedures? (Check all that apply)

173.A. ☐ Procedures for the installation, operation and maintenance of all pumps, generators, control systems, and other equipment.

173.B. ☐ Specific parameters for determining when the solids must be removed from the system and how the solids will be handled and disposed of.

173.C. ☐ Procedures for cleaning up and/or containing a spill of each chemical stored on site.

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Additional information

174. **Provide any additional information about your current Stormwater Pollution Prevention Program (SWPPP) that you would like to share (optional): (Maximum 30 lines of text)**

Since this will be the first permit cycle for the City of Elko New Market to track applicable TMDLs, the City intends to perform TMDL compliance planning in the first year to provide direction, reduce overlapping or wasteful effort, promote innovation, establish requirements and schedule, and facilitate decision making. Planning will include an evaluation of baseline year and current conditions to establish wasteload reduction achieved to date, potential measures to be implemented to achieve compliance with wasteload allocation, and schedule to implement potential measures. The City does not plan to achieve any reductions this permit cycle.

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