

- i. No later than 180 days prior to the expiration date of this permit, distribute appropriate information to target audiences identified pursuant to S5.B.1.a., and
- ii. No later than two years from the effective date of this permit, publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Keep a record of all calls received and of all follow-up actions taken in accordance with S5.B.3.c.ii. through iv above; include a summary in the annual report.
- e. Permittees shall adopt and implement procedures for program evaluation and assessment, including tracking the number and type of spills or illicit discharges identified; inspections made; and any feedback received from public education efforts. A summary of this information shall be included in the Permittees' annual reports.
- f. Permittees shall provide adequate training to all those staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges including spills, improper disposal, and illicit connections.
- g. Permittees shall provide training to all municipal field staff that as part of their normal job responsibilities might come into contact with or otherwise observe an illicit discharge or illicit connection to the MS4. Permittees shall also train office personnel who might receive initial reports of illicit discharges. Training shall include how to identify a spill, an improper disposal, or an illicit connection to the MS4 and proper procedures for reporting the illicit discharge.

4. Construction Site Stormwater Runoff Control

All Permittees shall develop, implement and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that disturb one acre or more, and from construction projects of less than one acre that are part of a common plan of development or sale.

Public and private projects, including projects proposed by the Permittee's own departments and agencies, shall comply with these requirements. The Permittee shall determine a process for ensuring proper project review, inspection, and compliance by its own departments and agencies.

The minimum performance measures are:

- a. No later than three years from the effective date of this permit, all Permittees shall develop and adopt an ordinance or other regulatory mechanism to require erosion and sediment controls, and other construction-phase stormwater pollution controls at new development and redevelopment projects. The ordinance or other regulatory mechanism shall include sanctions to ensure compliance. The ordinance or other regulatory mechanism shall have an effective date of no later than three years after the effective date of this permit.
- i. The ordinance or other regulatory mechanism shall apply, at a minimum, to construction sites disturbing greater than or equal to one acre and to

construction projects of less than one acre that are part of a common plan of development or sale. Pursuant to S5.A.2., in adopting this ordinance or other regulatory mechanism, existing local requirements to apply stormwater controls at smaller sites, or at lower thresholds than required pursuant to S4.B.4.a.ii., shall be retained.

- ii. The ordinance or other regulatory mechanism shall require construction operators to adhere, at a minimum, to the requirements of Appendix 1, Core Element #2, including preparation of *Construction Stormwater Pollution Prevention Plans* (Construction SWPPPs) and application of BMPs as necessary to protect water quality, reduce the discharge of pollutants to the MEP, and satisfy state AKART requirements.
 - All Permittees shall adopt requirements for construction site operators to implement appropriate erosion and sediment control BMPs.
 - All Permittees shall adopt requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.
 - Permittees shall document how the requirements of the ordinance or other regulatory mechanism protect water quality, reduce the discharge of pollutants to the MEP, and satisfy state AKART requirements. Documentation shall include:
 - How stormwater BMPs were selected;
 - The pollutant removal expected from the selected BMPs;
 - The technical basis which supports the performance claims for the selected BMPs; and
 - How the selected BMPs will comply with applicable state water quality standards and satisfy the state requirement to apply AKART prior to discharge. Permittees who choose to use the BMP selection, design, installation, operation and maintenance standards in the *Stormwater Management Manual for Eastern Washington* (2004), or another technical stormwater manual approved by Ecology, may cite this reference as the sole documentation that the ordinance or regulatory mechanism is protecting water quality, reducing the discharge of pollutants to the MEP, and satisfying state AKART requirements.
 - iii. The ordinance or other regulatory mechanism shall include appropriate, escalating enforcement procedures and actions.
- iv. The Permittee shall develop an enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism.

- v. The ordinance shall include a provision for access by qualified personnel to inspect construction-phase stormwater BMPs on private properties that discharge to the MS4.
- b. No later than four years from the effective date of this permit, all Permittees shall adopt and implement procedures for site plan review which incorporate consideration of potential water quality impacts.
- i. Prior to construction, Permittees shall review Construction SWPPPs for, at a minimum, all construction sites that disturb one acre or more, or are less than one acre and are part of a common plan of development or sale, to ensure that the plans are complete pursuant to the requirements of Appendix 1, Core Element #2. The Construction SWPPP review shall be performed by qualified personnel and shall be performed in coordination with S5.B.5.b.i. review of *Stormwater Site Plans*.
 - To comply with this provision, Permittees shall keep records of all projects disturbing more than one acre, and all projects of any size that are part of a common plan of development or sale that is greater than one acre, that are approved after the effective date of this permit. Permittees shall keep records of these projects for five years or until construction is completed, whichever is longer.
 - If the Permittee chooses to allow construction sites to apply the “Erosivity Waiver” in Appendix 1, Core Element #2, the Permittee is not required to review Construction SWPPPs for individual sites applying the waiver.
 - ii. Permittees shall provide adequate training for all staff involved in permitting, planning, and review to carry out these provisions. The training records to be kept include dates, activities or course descriptions, and names and positions of staff in attendance.
- c. No later than four years from the effective date of this permit, all Permittees shall adopt and implement procedures for site inspection and enforcement of construction stormwater pollution control measures.
- i. Each Permittee shall adopt a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records.
- ii. Permittees shall provide adequate training for all staff involved in plan review, field inspection and enforcement to carry out the provisions of this SWMP component. The training records to be kept include dates, activities or course descriptions, and names and positions of staff in attendance.
- iii. All new construction sites that disturb one acre or more, or are part of a common plan of development or sale shall be inspected at least once by qualified personnel.

- To comply with this provision, Permittees shall keep records of all projects disturbing more than one acre, and all projects of any size that are part of a common plan of development or sale that is greater than one acre, that are approved after the effective date of this permit.
 - Permittees shall keep project records for five years or until construction is completed, whichever is longer.
 - Compliance with this inspection requirement will be determined by the Permittee having and maintaining records of an inspection program that is designed to inspect all sites, and by the Permittee achieving an inspection rate of at least 95% of the sites.
- d. From the effective date of this permit, all Permittees shall provide information to construction site operators about training available on how to install and maintain effective erosion and sediment controls and how to comply with the requirements of Appendix 1 and apply the BMPs described in Chapter 7 of the *Stormwater Management Manual for Eastern Washington (2004)*, or another technical stormwater manual approved by Ecology.

Permittees shall keep copies of information provided to construction site operators; and, if information is distributed to a large number of design professionals at once, the dates of the mailings and lists of recipients.

- e. All Permittees shall adopt and implement procedures for receipt and consideration of information submitted by the public. This includes, but is not *limited* to, publicly listing and publicizing a hotline or other telephone number for public reporting of spills and other illicit discharges pursuant to S5.B.3.d.ii. above.
- f. If the Permittee chooses to allow construction sites to apply the “Erosivity Waiver” in Appendix 1, Core Element #2, the Permittee shall keep a record of all construction sites that provide notice to the Permittee of their intention to apply the waiver. The Permittee shall investigate complaints about these sites in the same manner as it will investigate complaints about sites that have submitted Construction SWPPPs for review pursuant to S5.B.5.b.i. above.

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

All Permittees shall develop, implement and enforce a program to address post-construction stormwater runoff to the MS4 from new development and redevelopment projects that disturb one acre or more, and from projects of less than one acre that are part of a common plan of development or sale. The program shall ensure that controls to prevent or minimize water quality impacts are in place.

Public and private projects, including projects proposed by the Permittee’s own departments and agencies, shall comply with these requirements. The Permittee shall determine a process for ensuring proper project review, inspection, and compliance by its own departments and agencies.

