

For brevity, only a few of the permit sections are shown below, specifically, those that directly relate to what is being done in Margaretta Township regarding Storm Water.

**NPDES Permit No.: OHQ000003**

**Issuance Date: Sept 11, 2014**

**Effective Date: Sept 11, 2014**

**Expiration Date: Sept 10, 2019**

**OHIO ENVIRONMENTAL PROTECTION AGENCY AUTHORIZATION FOR SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS TO DISCHARGE STORM WATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**PART I. COVERAGE UNDER THIS PERMIT**

**A. Permit Area**

This permit covers the State of Ohio.

**B. Eligibility**

1. All small municipal separate storm sewer systems (MS4s) unless the director of Ohio EPA has given written notification to an MS4 that coverage under this general permit is inappropriate.

2. This permit authorizes discharges of storm water from small MS4s, as defined in Part VI of this permit.

You are authorized to discharge under the terms and conditions of this general permit if you:

- a. Operate a small MS4 within the permit area described in Part I.A of this permit,
- b. Are not a large or a medium MS4 as defined in Part VI of this permit, and
- c. Submit a Notice of Intent (NOI) in accordance with Part II of this permit, and
- d. Are located fully or partially within an urbanized area as determined by the latest Decennial

Census by the Bureau of Census, or

- e. Are designated for permit authorization by Ohio EPA.

3. The following are types of authorized discharges:

a. Storm water discharges. This permit authorizes storm water discharges to surface waters of the State from the small MS4s identified in Part I.B.2, except as excluded in Part I.C.

b. Non-storm water discharges. You are authorized to discharge the following non-storm water sources provided that Ohio EPA has not determined, and notified you in writing, these sources are substantial contributors of pollutants to your MS4: waterline flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.); uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; de-chlorinated swimming pool discharges; street wash water; and discharges or flows from fire-fighting activities.

### **C. Limitations on Coverage**

This permit does not authorize:

1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are:

a. In compliance with a separate National Pollutant Discharge Elimination System (NPDES) permit,

or

b. Determined by Ohio EPA not to be a substantial contributor of pollutants to surface waters of the State.

2. Storm water discharges associated with industrial activity as defined in 40 CFR '122.26(b)(14)(i)-(ix) and (xi) that are not in compliance with a separate in force NPDES permit.

3. Storm water discharges associated with construction activity as defined in 40 CFR '122.26(b)(14)(x) or 40 CFR '122.26(b)(15) that are not in compliance with a separate in force NPDES permit.

4. Storm water discharges currently covered under another permit.

5. Discharges that would cause or contribute to in-stream exceedances of water quality standards. Ohio EPA may require additional actions or an application for an individual permit or alternative general permit if an MS4 is determined to cause an in-stream exceedance of water quality standards.

6. Discharges of any pollutant into any water for which a Total Maximum Daily Load (TMDL) has been approved by U.S. EPA (this information can be obtained from Ohio EPA) unless your discharge is consistent with that TMDL. This eligibility condition applies at the time you submit an NOI for coverage. For discharges that cannot comply with TMDL requirements under this permit, you will be instructed by Ohio EPA to apply for an individual or other applicable general NPDES permit.

7. Discharges that do not comply with Ohio EPA's anti-degradation policy for water quality standards.

#### **D. Obtaining Authorization**

1. To be authorized to discharge storm water from small MS4s, you shall submit a completed NOI form, application fee and your Storm Water Management Program (SWMP) in accordance with the deadlines presented in Part II.A of this permit. To renew coverage you shall only submit a completed NOI form and application fee.

2. Your NOI, to be completed on a form furnished by Ohio EPA, shall be signed and dated in accordance with Part V.G of this permit.

3. Until notified in writing by Ohio EPA, dischargers who submit an NOI in accordance with the requirements of this permit are not covered by this permit. The Agency may deny coverage under this permit and require submittal of an application for an individual NPDES permit or alternative general permit based on a review of the NOI or other information (see Part V.Q).

4. Where an operator is added or removed after submittal of an NOI under Part II of this permit, a new NOI shall be submitted in accordance with Part II prior to the change.

#### **6 Minimum Control Measures**

The six minimum control measures that shall be included in your SWMP (Storm Water Management Plan) are:

1. Public Education and Outreach on Storm Water Impacts (Margaretta complies by distributing fliers and documents developed by Erie County)
2. Public Involvement/Participation (Margaretta complies by posting information on the Township web page, Facebook, and township hall bulletin board. Public advertisements in the local newspaper (Sandusky Register)

3. Illicit Discharge Detection and Elimination (Margaretta complies by completing the area survey to develop a storm water map during dry weather. Any unordinary water flow, odors, or visible debris was/is cause for concern)
4. Construction site storm water run-off control (Margaretta complies by working with Erie County to develop and enforce appropriate ordinances and resolutions regarding construction site storm water runoff)
5. Post-Construction Storm Water Management in New Development and Redevelopment (Margaretta complies by working with Erie County to develop and enforce appropriate ordinances and resolutions)
6. Pollution Prevention/Good Housekeeping for Municipal Operations (Margaretta complies by developing and implementing a plan for each Township property, including inspections, etc.)

## **PART V. STANDARD PERMIT CONDITIONS**

### **A. Duty to Comply**

You shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of ORC 6111 and is grounds for enforcement action.

Ohio law imposes penalties and fines for persons who knowingly make false statements or knowingly swear or affirm the truth of a false statement previously made.

## **PART VI. DEFINITIONS**

All definitions contained in Section 502 of the Act and 40 CFR 122 shall apply to this permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided, but in the event of a conflict, the definition found in the Statute or Regulation takes precedence.

Please see the following web site for Federal and State laws related to Ohio EPA's Division of Surface Water: <http://epa.ohio.gov/dsw/dswrules.aspx>

Please see the following web site for Storm Water Program forms and other guidance documents associated with this general permit:  
<http://epa.ohio.gov/dsw/storm/index.aspx>

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters of the State. BMPs also include treatment

requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

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

Control Measure as used in this permit refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to surface waters of the State.

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Director means the director of the Ohio Environmental Protection Agency.

Discharge, when used without a qualifier, refers to a discharge of a pollutant@ as defined at 40 CFR 122.2.

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

Illicit Discharge is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire-fighting activities.

Large MS4 means all municipal separate storm sewer systems that are located in an incorporated place with a population of two hundred fifty thousand or more as determined by the 1990 census by the United States bureau of census.

Larger Common Plan of Development or Sale means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

Medium MS4 means all municipal separate storm sewer systems that are located in an incorporated place with a population of one hundred thousand or more, but less than two hundred fifty thousand as determined by the 1990 census by the United States bureau of census.

MEP is an acronym for "Maximum Extent Practicable," the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA '402(p). A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 means municipal separate storm sewer system which means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

- Owned or operated by the federal government, state, municipality, township, county, district, or other public body (created by or pursuant to state or federal law) including special district under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under section 208 of the act that discharges into surface waters of the state; and
- Designed or used for collecting or conveying solely storm water, which is not a combined sewer, and which is not a part of a publicly owned treatment works.

NOI is an acronym for a Notice of Intent@ which means the mechanism used to register@ for coverage under a general permit.

Non-traditional MS4 means systems similar to separate storm sewer systems in municipalities, such as systems at military bases, hospitals, public universities or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewer systems in very discrete areas such as individual buildings.

Off-Lot Home Sewage Treatment System (HSTS) means a system designed to treat home sewage on-site and discharges treated wastewater off-lot.

Ohio EPA means the Ohio Environmental Protection Agency.

On-Lot Home Sewage Treatment System (HSTS) means a system designed to treat home sewage on-lot with no discharges leaving the lot.

Outfall from an MS4 means a point source at the point where a municipal separate storm sewer discharges to surface waters of the State and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances that connect segments of the same stream or other surface waters of the state and are used to convey waters of the state.

Small MS4 means all municipal separate storm sewer systems that are neither a large MS4 nor a medium MS4.

Storm Water is defined at 40 CFR 122.26(b)(13) and means storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

Surface Waters of the State means all streams, lakes, reservoirs, ponds, marshes, wetlands, or other waterways which are situated wholly or partly within the boundaries of the State, except those private waters which do not combine or affect a junction with a surface water. Waters defined as sewerage systems, treatment works, or disposal systems in Section 6111.01 of the ORC are not included.

SWMP is an acronym for Storm Water Management Program.

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

You@ and Your@ as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the village, the county, the township, the flood control district, the university, etc.).