

**Roeland Park, Kansas**

**Stormwater Management Plan**

**January 1, 2021 through January 31, 2024**



Federal Permit No. KSR041030

Submitted in Compliance with Kansas Permit No. M-MO35-SU01

Date: January 1, 2021

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## SECTION 1: INTRODUCTION

This document is a Stormwater Management Plan (SMP, or the “Plan”) created to help reduce the discharge of pollutants in stormwater runoff from the Municipal Separate Storm Sewer System (MS4) within regulated areas of Roeland Park, Kansas (Map of permitted area included in Appendix A). It outlines stormwater program activities, monitoring requirements, reporting requirements, and responsible parties for implementing this work.

This plan was prepared in compliance with Kansas Permit Number M-MO35-SU01 (hereinafter “the permit”) issued to the City by the Kansas Department of Health and Environment (KDHE) to fulfill requirements of the Clean Water Act.

Permit Effective Date: October 1, 2019

Permit Expiration Date: September 30, 2024

The SMP is designed to:

1. Reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP),
2. Implement the Six (6) Minimum Control Measures as listed in Part I Section C of the permit,
  - a. The Six Minimum Control Measures are:
    - i. Public Education and Outreach,
    - ii. Public Participation and Involvement,
    - iii. Illicit Discharge Detection and Elimination,
    - iv. Construction Site Stormwater Runoff Control,
    - v. Post-Construction Stormwater Management in New Development and Redevelopment Projects, and,
    - vi. Pollution Prevention/Good Housekeeping for Municipal Operations.
3. Implement Best Management Practices (BMPs) to reduce to the MEP the discharge of the Total Maximum Daily Load (TMDL) regulated pollutants from the MS4 to the watershed of the impaired stream and/or lake as listed in the Permit.
4. And, satisfy the requirements of the permit, the Clean Water Act, and the Kansas surface water quality statutes and regulations.

Implementation of BMPs consistent with the provisions of the SMP document and this permit constitutes compliance with the standard of reducing pollutants to the Maximum Extent Practicable.

Overall responsibility for coordination of activities outlined in this Plan, and for reporting will be by the City of Roeland Park and submitting all documents (Stormwater Management Plan (and updates) and Annual Report) to KDHE.

## SECTION 2: PROGRAM ADMINISTRATION

This section addresses the individual responsible for ensuring the program compliance with the MS4 permit and the municipal staff responsibilities for various aspects of implementation.

Overall responsibility for coordination of activities outlined in this Plan is the Public Works Director. Other key staff listed below are responsible for documenting BMP activities and reporting the outcomes to the Public Works Director.

Department	Title	Name	Phone
Public Works	Public Works Director	Donnie Scharff	913-722-5435
Public Works	City Engineer	Lamp Rynearson	816-361-0440
Administration	Assistant Administrator and Finance Director		913-722-2600
Neighborhood Services	Building Official	John Jacobson	913-722-2600
City Hall	City Clerk	Kelly Nielsen	913-722-2600

- The Public Works Director is responsible for ensuring compliance of the permit and reporting compliance with the BMP's listed in Pollution Prevention/Good Housekeeping for Municipal Operations and other various places in each section of this plan.
- The City Engineer provides support by administering and reporting on all aspects of the MS4 permit requirements including the six minimum control measures. Construction plan reviews
- The Assistant Administrator is responsible for the City's webpage and tracking and reporting public education and outreach efforts through the City's newsletter or social media platforms.
- The Building Official is responsible for document compliance with the BMPs listed under Construction Site Stormwater Runoff Control & Post-Construction Stormwater Management in New Development and Redevelopment. Enforcement actions conducted are also documented. The City Engineer provides support on some aspects of these BMP's as well.

### Partnerships

- The Johnson County Stormwater Management Program (JCSMP) manages funds generated through a 1/10th of one percent sales tax collected throughout the entire County for the purposes of stormwater management. Every year, a percentage of these funds are dedicated to providing assistance to the cities within Johnson County who hold a NPDES MS4 permits. In particular, the JCSMP coordinates some efforts for best management practices for Minimum Control Measures (MCM) 1 and 2, but also assist with MCMs 3-6. This coordinated approach through this partnership has proven to be cost effective and reduces redundancy. The County is responsible for providing a template for the annual report and the SMP template (this is delivered to the Public Works and the City Engineer at the beginning of each year).

## SECTION 3: SIX MINIMUM CONTROL MEASURES

This section describes the six minimum water quality protection control measures that are required by all MS4 permits. They include the following:

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

### **3.1 MINIMUM CONTROL MEASURE 1 (MCM 1) - PUBLIC EDUCATION AND OUTREACH**

#### **Description**

MCM 1 consists of implementing a public education program to inform individuals, businesses, and organizations about the impacts of stormwater discharges on surface water quality and how they can help reduce pollutants in stormwater runoff. This may include distribution of educational materials to the community and/or conducting outreach activities.

#### **Benefit**

An informed public increases awareness of water quality issues in both residents and businesses, creates opportunities for the public to take direct action to improve the health and sustainability of their community, and builds support for program goals making initiatives more effective.

#### **Compliance**

Compliance with the public education and outreach minimum control measure requires implementation of BMPs in Part I., Section C.1 of the Permit for a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The minimum point total requirement increases to 7 points beginning in year 2023.

A table containing the BMP summary, the measurable goal, the implementation schedule, and points per activity is included in Appendix B: Table 1.

A description of each planned BMP is included in the table below. Additional information and examples are provided after the table.

**Table 3.1. Planned BMPs to meet MCM 1 requirements.**

BMP ID	BMP Summary	Responsible Staff	Points per year			
			2021	2022	2023	2024
P Ed & 0 - 01	Maintain a stormwater webpage for the permittee.	Public Works Director (PWD) & Admin			3	2
P Ed & 0 - 02	Distribute 3,282 educational materials (either flyers, brochures, catalog mailings, handouts, or e-mails) addressing various pertinent stormwater public education topics.	PWD & Admin	2	2	2	2
P Ed & 0 - 05	Post the municipality's MS4 permit and SMP document on either the stormwater web page or the municipal webpage.	Admin	1	1	1	1
P Ed & 0 - 06	Provide either a stormwater telephone hotline or web based or text message method for public reporting of illicit discharges.	Admin	2	2	2	2
P Ed & 0 - 08	Provide stormwater education for students at a school campus within K-12 (those grades present at the campus) within the permittee's jurisdiction or within 30 miles from this permit area.  Alternately, funding stormwater BMP installations and/or field trips at the school campus will qualify.	PWD & JCSMP	3	3	3	3
Total points per year			8	8	11	11

### P Ed & 0 – 01, 05

For 2021-2022, the City's stormwater webpage will consist of posting the 2021-2024 SMP, the annual report and a method to comment on the report or plan. The comments are emailed to the Administration Department and the Public Works Director.

For 2023-2024, the City's stormwater webpage will include educational topics and links for additional information on water quality and stormwater pollution. The City's source for webpage content will be the County and MARC.

The City's Assistant Administrator and Finance Director (Jennifer Jones-Lacy) is the contact for updates and changes to the webpage. The webpage is updated annually (March) with the recent annual report and a current SMP plan.

### P Ed & 0 – 06

Illicit discharges can be reported on the city's webpage by clicking on 'HOW DO I?' >> Submit >> Stormwater pollution dumping reports.

## **P Ed & 0 – 02**

A minimum of 2 educational messages each year will be distributed to residents through the City's Newsletter. The newspaper is mailed to approximately 6800 residents six times a year. The newsletter is also available on the City's webpage. This goal measurement is set by the number of housing units in Roeland Park that is reported by the US Census (3,282 housing units reported in 2010).

The Public Works Director is responsible for providing the content to educate residents on the impact stormwater discharges have on water bodies and actions citizens, businesses and other local organizations can take to reduce the discharge of pollutants to stormwater. Resources for topics include MARC and the County. The Administration Department is in charge of the newsletter and will be in charge of keeping this documentation and supplying to Public Works.

In addition, the partnership with Johnson County covers this requirement. The County includes stormwater and pollution ads in the Johnson County Quarterly Magazine covering specific topics. The magazine is mailed to approximately 2,500 recipients in Roeland Park for each mailer.

## **P Ed & 0 – 08**

The City partners with Johnson County Stormwater Management Program, Johnson County K-State Extension, Friends of the KAW and the Stone Lion Puppet Theater to provide public education and outreach through print media, presentations, events and classroom instruction. The City's elementary class typically attends an event at the Stone Lion Puppet Theater in the fall.

## 3.2 MINIMUM CONTROL MEASURE 2 (MCM 2) - PUBLIC INVOLVEMENT & PARTICIPATION

### Description

This minimum control consists of creating opportunities for individuals and organizations to provide public comment and recommendations regarding BMPs and measurable goals and participate in the development and implementation of BMPs to reduce the contamination of stormwater. This program must also comply with state and local public notice requirements.

### Benefit

The goal of the stormwater management plan is to improve water quality in local lakes and rivers, which provides benefits to the entire community. As such, the community deserves to have an opportunity to voice opinions on the content of the plan. Further, input into decisions builds support for and ownership in outcomes. MCM 2 also provides opportunity to the community to participate in activities, such as park or stream bank clean-up events, that help to remove pollutants from the MS4.

### Compliance

Compliance with the public involvement and participation minimum control measure requires implementation of BMPs in Part I., Section C.2 of the Permit for a minimum of 3 points total on an annual basis for each calendar year 2021 and 2022. The minimum point total requirement increases to 6 points beginning in year 2023.

A table containing the BMP summary, the measurable goal, the implementation schedule, and points per activity is included in Appendix B: Table 2.

A description of each planned BMP is included in the table below. Additional information and examples are provided after the table.

**Table 3-2. Planned BMPs to meet MCM 2 requirements**

BMP ID	BMP Summary	Responsible Staff	Points per year			
			2021	2022	2023	2024
P I/P - 03	Hold park or stream bank clean-up events for public volunteers to aid municipal staff in removing trash, debris, or pollutant sources from the selected clean-up area.	PWD & JCSMP	3	3	3	3
P I/P - 06	Establish a program to encourage residents to install stormwater treatment best management practices on their property.	PWD & JCSMP	2	2	2	2
P I/P -10	Establish a program to employ (either paid or unpaid) high school or college age environmental interns in an environmental related program, for 8 weeks, including but not limited to either the wastewater utility , stormwater utility, potable water utility or solid waste utility	PWD	2	2	2	2
	Total points per year		7	7	7	7

### **P I/P – 03**

There are no defined streams within City limits; therefore, the City teams up with the County, MARC, Bridging the Gap or other nearby communities to achieve this goal. Documentation will be a Sign Up / Attendance sheet and a description of the activity.

For example:

- JCSMP sponsors a variety of BMP's on behalf of all MS4 permitted cities in Johnson County.
- Bridging the Gap (BTG) provided public education about the adverse impacts of stormwater runoff and water pollution by hosting 8 stream cleanups in Johnson County watersheds with an established high priority Total Maximum Daily Loads.
- Turkey Creek holds a large cleanup event on Clean a Stream Day in April.
- MARC WEQ Committee will support the City by providing brochures, online social media, lend out their water quality items (banners, games), give out pet waste bags and containers, storm inlet markers etc. They are a great resource. The committee holds quarterly meetings. The city's on call engineer attends and participates on behalf of City.

### **P I/P – 06**

This goal is achieved through the Homeowner BMP Cost Share Program. The JCSMP provides funding to cities to match up to 50% percent of practices that a resident can implement on their property to reduce the effects of stormwater.

### **P I/P – 10**

An internship program is underway in the Public Works department. Internships must be provided for at least 8 weeks each year and receive the same training as regular Public Works / City staff receive.

\*In the event that funding is unavailable for any of these BMP's, modifications to the BMP's will be made and supplied to KDHE for review. See Modification section.

### **3.3 MINIMUM CONTROL MEASURE 3 (MCM 3) - ILLICIT DISCHARGE DETECTION AND ELIMINATION**

#### **Description**

This minimum control consists of developing, implementing, and enforcing a program to detect and eliminate illicit wastewater discharges or other non-stormwater discharges into the storm sewer system. KDHE requires this program to include, at a minimum:

- Developing a storm sewer system map of the permitted MS4 showing the location of all outfalls, either pipes or open channel drainage, and showing the names and locations of all streams or lakes that receive discharges from those outfalls.
- Enacting and enforcing an ordinance or resolutions to prohibit non-stormwater discharges into the storm sewer system. The City of Roeland Park passed pollution prevention regulations Ordinance No. 791 to regulate unlawful discharges into streams and the storm drain system.
- Informing public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
- Developing and implementing a plan to detect and address prohibited non-stormwater discharges.

#### **Benefit**

Direct discharges of waste streams can present significant localized impacts to both public health and the environment. Developing legal, technical, and educational means to eliminate illicit discharges provides direct benefits to water quality, the environment, and public health.

#### **Compliance**

Compliance with the illicit discharge detection and elimination minimum control measure requires implementation of BMPs in Part I., Section C.3 of the Permit for a minimum of 5 points total on an annual basis for each calendar year 2021 and 2022. The minimum point total requirement increases to 7 points beginning in year 2023.

A table containing the BMP summary, the measurable goal, the implementation schedule, and points per activity is included in Appendix B: Table 3.

A description of each planned BMP is included in the table below. Additional information and examples are provided after the table.

**Table 3-3. Planned BMPs to meet MCM 3 requirements**

BMP ID	BMP Summary	Responsible Staff	Points per year			
			2021	2022	2023	2024
ID D & E - 03	Develop a spill response plan and, if appropriate, coordinate emergency response with other agencies or organizations.	PWD	3	2	2	2
ID D & E - 07	Implement a Household Hazardous Waste Collection Program (HHWCP) or document others have implemented such a program to provide such service to all property owners or residents located within the permit area.	PWD & JCSMP	3	3	3	3
ID D & E - 09	Provide a contribution to area recycle programs or programs (such as household hazardous waste disposal facilities, e-cycle facilities, paper shred facilities, pharmaceutical disposal facilities etc.) designed to properly dispose of types of waste or materials which have previously been discarded to or adjacent to either the MS4, streams, or lakes within or adjacent to the permittee's permit area. The area program must be within 30 miles from this permit area.	PWD, City Clerk	2	2	2	2
	Total points per year		8	7	7	7

#### **ID D & E - 03**

Starting in 2021, the City will adopt a spill response plan in consultation with Consolidated Fire District No. 2.

#### **ID D & E - 07**

This is achieved through the partnership with Johnson County.

#### **ID D & E - 09**

The City and surrounding municipalities team up each year to hold a city wide shredding event (The cost is about \$700/year). The City Clerk is responsible for coordinating this event.

### **3.4 MINIMUM CONTROL MEASURE 4 (MCM 4) - CONSTRUCTION SITE STORMWATER RUNOFF CONTROL**

#### **Description**

This minimum control includes developing, implementing, and enforcing a program to reduce pollutants in any stormwater runoff to the MS4 for construction sites disturbing one acre or more, including areas that are less than one acre but are part of a larger common plan for development that disturbs one or more acre. KDHE requires this program to include:

- Where permittees have the authority to do so, ordinances or resolutions shall be enacted to require erosion and sediment controls, as well as sanctions to ensure compliance. The City passed erosion and sediment control regulations with Ordinance 809 in 2007 to regulate runoff pollution from active construction sites disturbing more than one acre.
- Requirements for construction site owners or operators to implement erosion and sediment control BMPs.
- Requirements for construction site owners or operators to control waste at construction sites that are likely to cause adverse impacts to water quality.
- Procedures for site plan review which incorporate consideration of potential water quality impacts.
- Procedures for receipt and consideration of information submitted by the public.
- Procedures for site inspection and enforcement of control measures.

#### **Benefit**

If left uncontrolled, land disturbance activities can generate significant loads of sediment which can impact both adjoining properties and downstream water bodies. Fortunately, effective controls are easy and cost-effective to implement.

#### **Compliance**

Compliance with the construction site stormwater runoff control minimum control measure requires implementation of BMPs in Part I., Section C.4 of the Permit for a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The minimum point total requirement increases to 6 points beginning in year 2023.

A table containing the BMP summary, the measurable goal, the implementation schedule, and points per activity is included in Appendix B: Table 4.

A description of each planned BMP is included in the table below. Additional information and examples are provided after the table.

**Table 3-4. Planned BMPs to meet MCM 4 requirements**

BMP ID	BMP Summary	Responsible Staff	Points per year			
			2021	2022	2023	2024
CS SR C - 01	Implement a requirement for a Soil Erosion and Sediment Control(SESC) Plan for any Land Disturbance sites which are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	PWD	3	2	2	2
CS SR C - 02	Develop and adopt a design manual for erosion and sediment control BMPs which are required to be used on sites which will be disturbed and are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	PWD	3	2	2	2
CS SR C - 03	Provide access to at least one training class for contractors, developers or others involved with land disturbance projects which provides training on requirements for a Stormwater Pollution Prevention Plan (SWP2 Plan) and implementation of appropriate BMPs.	JCSMP	3	3	3	3
CS SR C - 05	Establish effective requirements for construction sites to control wastes. Develop through ordinance or other enforceable means requirements for construction site operators or owners to control wastes. At a minimum control shall be imposed to prevent entry into the MS4 for the following wastes: discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.	Neighborhood Services	3	2	2	2
CS SR C - 07	Acquire or develop a software tracking system to track inspections and related tasks	Neighborhood Services	1	1	1	1
	Total points per year		13	10	10	10

The overall success of MCM 4 will be measured through the implementation and enforcement for the Erosion and Sedimentation Control Standards and Stormwater Management Ordinance 809. Activities completed in MCM 4 will be reported for the annual report and effectiveness will be measured by tracking the following: Plans reviewed, inspection and results, enforcement actions, complaints received and training opportunities.

### CS SR C – 01, 02

These BMP's are achieved through City Ordinances 791 and 809.

Required ESC plans are typically for City's reconstruction projects and handled by Public Works.

**CS SR C – 03**

The City of Roeland Park requires all contractors to be licensed through the Johnson County Contractor Licensing Program where training is provided. This BMP is achieved through the City's partnership with the County.

**CS SR C – 05**

This BMP is achieved through Ordinance 809, specifically in Section 15-503 of the Municipal Code.

**CS SR C – 07**

This BMP is achieved through the City's electronic building permit software.

### **3.5 MINIMUM CONTROL MEASURE 5 (MCM 5) - POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT**

#### **Description**

This minimum control requires the development, implementation, and enforcement of a program to address post-construction stormwater runoff controls from both new development and redevelopment sites after development sites disturbing one acre or more, including projects that are less than one acre but are part of a larger common plan for development that disturbs one or more acre. KDHE requires the program to include:

- For permittees that have the authority, ordinances or resolutions to address post-construction runoff from new development and redevelopment projects to the extent allowable under state and local law.
- BMPs to prevent or minimize adverse water quality impacts.
- Strategies which include a combination of structural and/or non-structural BMPs appropriate for the municipality.
- Means to ensure adequate long-term operation and maintenance of BMPs.

#### **Benefit**

Conversion of native landscape to developed landscape increases both the volume of runoff and pollutant loads in stormwater. The consequences can include erosion, flooding, and pollution, impacting both downstream property owners and public infrastructure. Stormwater controls included in development sites can help reduce impacts and costs to both private property owners and the public.

#### **Compliance**

Compliance with the post-construction stormwater management in new development and redevelopment minimum control measure requires implementation of BMPs in Part I., Section C.5 of the Permit for a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The minimum point total requirement increases to 6 points beginning in year 2023.

A table containing the BMP summary, the measurable goal, the implementation schedule, and points per activity is included in Appendix B: Table 5.

A description of each planned BMP is included in the table below. Additional information and examples are provided after the table.

**Table 3-5. Planned BMPs to meet MCM 5 requirements**

BMP ID	BMP Summary	Responsible Staff	Points			
			2021	2022	2023	2024
P-C SM - 01	Develop and adopt a custom design manual for Post-Construction Stormwater Management which specifies various structural BMPs required for new development and re-development construction sites which are greater than 1 acre or for where there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more. Alternatively, adopt and implement the APWA 5600 Stormwater Design Criteria and the MARC/APWA BMP Manual.	PWD	6	5	5	5
P-C SM - 05	Develop and implement a program for inspection of permittee owned structural BMPs which includes implementation of needed maintenance to ensure long-term operation of the BMPs	Neighborhood Services	3	2	2	2
Total points per year			9	7	7	7

The overall success of MCM 5 will be measured through the implementation and enforcement of Ordinance 809.

Activities completed in MCM 4 will be reported to the Public Works Director for the annual report and effectiveness will be measured by tracking the following: Inspection findings and any enforcement actions with follow-up inspections.

#### **P-C SM – 01**

The City's Ordinance 809, specifically Municipal Code Section 15-504 covers this BMP.

#### **P-C SM – 05**

The City's Ordinance 809, specifically Municipal Code Section 15-515 covers this BMP.

### 3.6 MINIMUM CONTROL MEASURE 6 (MCM 6) - POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

#### Description

MCM 6 requires the development and implementation of an operation and maintenance and training program to reduce and prevent stormwater pollution from public facility operations such as park and open space maintenance, fleet and building maintenance, new construction and land disturbance, and stormwater system maintenance.

#### Benefit

Leading by example on public facilities and projects provides an opportunity to demonstrate and teach proper techniques to other landowners, and it is available on a routine and ongoing basis.

#### Compliance

Compliance with the post-construction stormwater management in new development and redevelopment minimum control measure requires implementation of BMPs in Part I., Section C.5 of the Permit for a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The minimum point total requirement increases to 6 points beginning in year 2023.

A table containing the BMP summary, the measurable goal, the implementation schedule, and points per activity is included in Appendix B: Table 6.

A description of each planned BMP is included in the table below. Additional information and examples are provided after the table.

**Table 3-6. Planned BMPs to meet MCM 6 requirements.**

BMP ID	BMP Summary	Responsible Staff	Points			
			2021	2022	2023	2024
PP/GH-04	Implement a program, with guidance to municipal staff or third-party contractors, to ensure any municipal vehicle or other mechanical equipment washing is conducted in a manner which ensures the wash water is disposed of in the sanitary sewer or otherwise receives proper treatment prior to discharge to the environment.	PWD	2	1	1	1
PP/GH-05	Implement a program for street sweeping in which the street sweepings are collected and disposed of properly or recycled/reused if possible.	PWD	3	2	2	2
PP/GH-06	Develop an employee training program to ensure permittee's staff understand what actions they can take in the workplace to minimize stormwater pollution.	PWD	1	1	1	1
PP/GH-08	Develop, implement and keep updated an online storm sewer map accessible to the public.	PWD	3	2	2	2
	Total points per year		9	6	6	6

#### **PP/G H – 04, 06**

The Good Housekeeping for Municipal Facilities Stormwater Pollution Prevention Program addresses both BMPs. Facility inspections are done quarterly with a copy of each inspection and employee training logs kept inside the binder at the facility.

The following videos are available for checkout from MARC. If you would like to use these videos for any staff training or public education session, contact: Watershed Planner, 816-701-8233.

- Storm Warnings: Stormwater Pollution Prevention – Everyday Best Management Practices
- Ground Control: Stormwater Pollution Prevention for Construction Sites
- Stormwater Pollution Prevention: A Drop in the Bucket
- Rain Check: Stormwater Pollution Prevention for MS4s
- IDDE (Illicit Discharge Detection and Elimination)- A Grate Concern

#### **PP/G H – 05**

This BMP is achieved through the City's Street Sweeping Program.

#### **PP/G H - 08**

Posted to webpage as of 2021.

## SECTION 4: TOTAL MAXIMUM DAILY LOAD (TMDL) REGULATED POLLUTANTS

This section requirement is not applicable to this permit. No action is required at this time for TMDL BMP's and Surface Watering Monitoring as there are no identified TMDLs impacting streams within or adjacent to the municipality.

### TMDL Best Management Practices (BMPs)

Compliance is not required; however, the City already implements the following BMPs.

**Table 4-1. Planned BMPs to meet TMDL requirements.**

BMP ID	BMP Summary	Points			
		2021	2022	2023	2024
TMDL -01	Install pet waste stations which include a glove/bag dispenser with signage and waste can to encourage pet waste disposal at parks, trails, rest areas or other public lands owned by the permittee.	1	1	1	1

### TMDL -01

This BMP is achieved through Public Works.

## SECTION 5: WATER QUALITY MONITORING FOR TMDL ASSESSMENTS

This section requirement is not applicable to this permit. No action is required at this time for TMDL BMP's and Surface Watering Monitoring as there are no identified TMDLs impacting streams within or adjacent to the municipality.

Success in achieving reductions in bacteria, nutrients, and sediment will be assessed by directly monitoring in-stream concentrations and evaluating pollutant concentration trends across the permit period. The monitoring program is conducted by the Johnson County Stormwater Management Program on behalf of the cities within Johnson County.

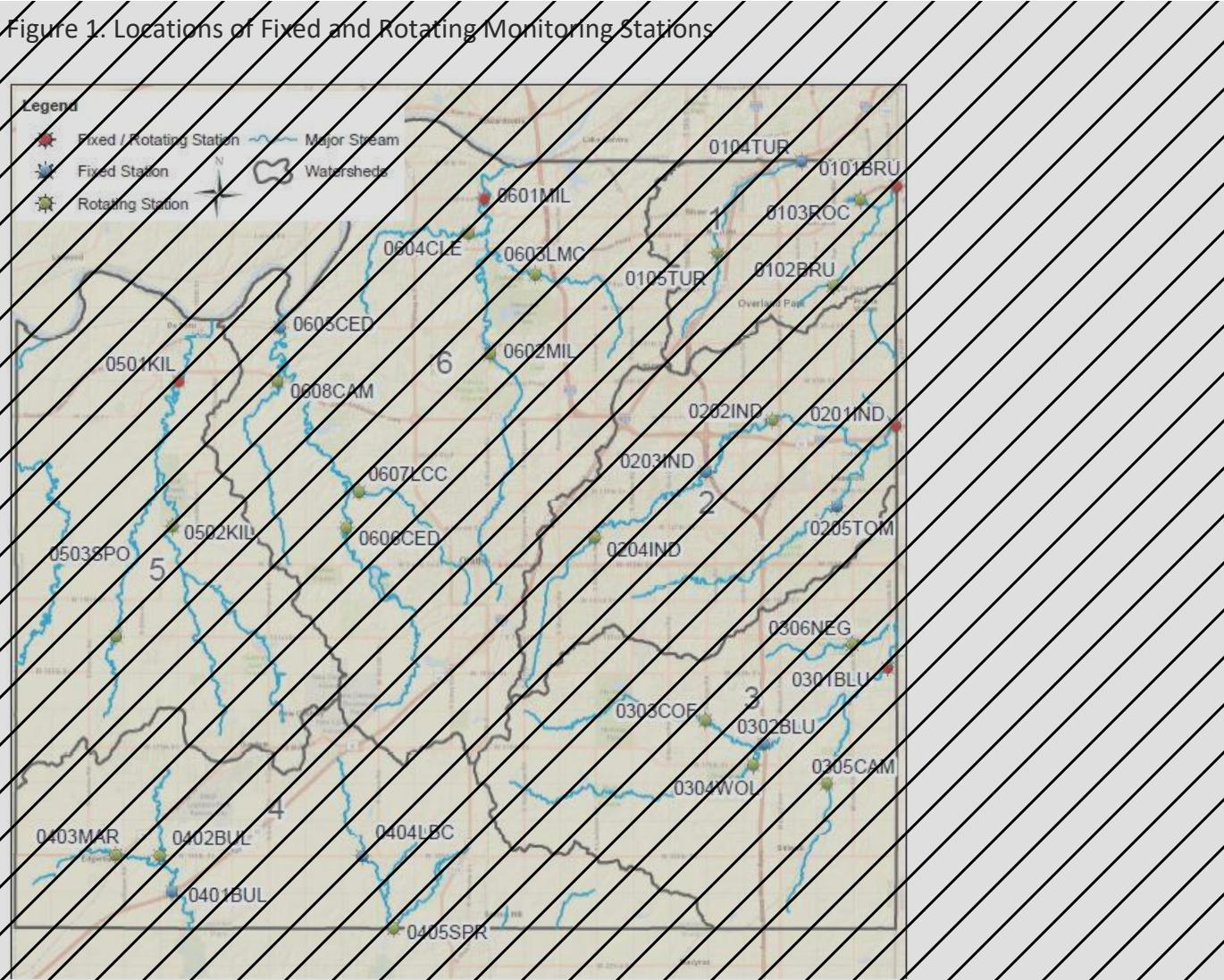
Beginning in 2019, the Johnson County Stormwater Management Program implemented a rotational monitoring approach for all watersheds within the County with the objectives of:

1. Measuring effectiveness of BMPs implemented through the City's Permit and Stormwater Management Plan;
2. Evaluating MS4 discharge impacts to receiving waters;
3. Investigating relative contribution of sources of specific pollutants causing designated use impairment, including nutrients, pathogens, sediment or other applicable parameters related to stormwater from areas serviced by the MS4; and
4. Gather data to inform future program decisions and prioritization of activities related to the protection of water quality.

The monitoring program consists of both rotating and fixed monitoring stations (Table 8 and Figure 1). Rotating stations will be monitored within the rotational year. The rotational year occurs on a five-year recurrence interval and is basin specific. Fixed monitoring stations will be monitored on an ongoing basis independent of the rotational year.

**Table 5-1. Monitoring station locations and rotational monitoring year.**

Watershed Organization Grouping (Basin)	EDMR_Code	Monitoring Location	Site ID	Site Type	Rotational Monitoring Year
2	SW034A6	Indian Creek at Marty St.	0202IND	rotating	2019
2	SW035A6	Indian Creek at Switzer Rd.	0203IND	fixed	2019
2	SW036A6	Indian Creek at Blackbob Rd.	0204IND	rotating	2019
2	SW037A6	Indian Creek at State Line Rd.	0202IND	fixed	2019
2	SW038A6	Tomahawk Creek at Roe Ave.	0205TOM	fixed	2019
6	SW002A6	Camp Creek at 95th St.	0608CAM	rotating	2020
6	SW007C6	Cedar Creek at 127th St.	0606CED	rotating	2020
6	SW008A6	Cedar Creek at 83rd St.	0605CED	fixed	2020
6	SW009A6	Clear Creek at Woodland Dr.	0604CLE	rotating	2020
6	SW010A6	Little Cedar Creek at 119th St.	0607LCC	rotating	2020
6	SW011A6	Little Mill Creek at Tomahawk Golf Course	0603LMC	rotating	2020
6	SW012A6	Mill Creek at Johnson Dr.	0601MIL	fixed	2020
6	SW007A6	Mill Creek at 87th Ln.	0602MIL	rotating	2020
3	SW014A6	Blue River at Kenpeth Rd.	0301BLU	fixed	2021
3	SW015A6	Camp Branch at 183rd St.	0305CAM	rotating	2021
3	SW016A6	Coffee Creek at Switzer Rd.	0303COF	rotating	2021
3	SW017A6	Negro Creek at Mission Rd.	0306NEG	rotating	2021
3	SW018A6	Wolf Creek at 179th St.	0304WOL	rotating	2021
3	SW019A6	Blue River at Hwy 69	0302BLU	fixed	2021
1	SW020A6	Brush Creek at State Line Rd.	0101BRU	fixed	2022
1	SW021A6	Brush Creek at Roe Ave.	0102BRU	rotating	2022
1	SW022A6	Rock Creek at Mission Rd.	0103ROC	rotating	2022
1	SW023A6	Turkey Creek at Lamar Ave.	0104TUR	fixed	2022
1	SW024A6	Turkey Creek at 67th St.	0105TUR	rotating	2022
4	SW025A6	Bull Creek at 199th St.	0402BUL	rotating	2023
4	SW005B6	Bull Creek at Interstate 35	0401BUL	fixed	2023
4	SW027A6	Little Bull Creek at 199th St.	0404LBC	fixed	2023
4	SW028A6	Martin Creek at Hwy 56	0403MAR	rotating	2023
4	SW029A6	Spring Creek at 215th St.	0405SPR	rotating	2023
5	SW030A6	Captain Creek at 103rd St.	0504CAP	rotating	2023
5	SW001A6	Kill Creek at 95th St.	0501KIL	fixed	2023
5	SW032A6	Kill Creek at 127th St.	0502KIL	rotating	2023
5	SW033A6	Spoon Creek at 151st St.	0503SPO	rotating	2023



### Water Quality Monitoring Protocol

Water quality samples will be collected from all fixed monitoring stations, as well as monitoring stations in the rotational basin, a minimum of six times per year between April and September regardless of streamflow conditions (Table 9). Additionally, water quality samples will be collected from rotational basins (fixed and rotational monitoring sites) during a minimum of three storm events per year between April and September. Storm events are defined as the streamflow conditions that generally correspond to a rainfall event that is greater than or equal 0.25 inches.

Water quality samples are collected as grab samples and pH, Dissolved Oxygen, Temperature, and Specific Conductance measurements are collected in the field at the time of sampling. Other information that is collected in the field at the time of sample collection includes rainfall, streamflow, stream level, and stream velocity.

~~Samples are analyzed at the Johnson County Wastewater Laboratory. Samples are analyzed for Total Phosphorus as P (mg/L), Ortho-Phosphorus as P (mg/L), Total Kjeldahl Nitrogen (mg/L), Nitrate plus Nitrite as N (mg/L), Total Suspended Solids (mg/L), Turbidity (NTU), and E. Coli bacteria (MPN).~~

~~Johnson County shall report data for water quality monitoring annually to KDHE and an annual report describing water quality conditions and including all data collected will be provided to the City.~~

## SECTION 6: PERMIT COMPLIANCE ACTIVITIES AND SCHEDULES

### Year 2019:

- Annual report for 2018 submitted to KDHE by February 28, 2019

### Year 2020:

- Annual report for 2019 submitted to KDHE by February 28, 2020

### Year 2021:

- Updated Stormwater Management Plan submitted to KDHE by February 28, 2021
- Annual report for 2020 submitted to KDHE by February 28, 2021
- The City must implement sufficient listed BMPs to achieve minimum point requirements for 2021.

### Year 2022:

- Annual report for 2021 submitted to KDHE by February 28, 2022
- The City must implement sufficient listed BMPs to achieve minimum point requirements for 2022.

### Year 2023:

- Annual report for 2022 submitted to KDHE by February 28, 2023
- Provide report (in PDF format) on effectiveness of source controls and structural BMPs to attenuate pollutant discharge and achieve the measurable goals as well as a summary of water quality data from stream monitoring sites. The report must be submitted to KDHE with the 2022 Annual Report by February 28, 2023.
- The City must implement sufficient listed BMPs to achieve minimum point requirements for 2023.

### Year 2024:

- Annual report for 2023 submitted to KDHE by February 28, 2024
- The City must implement sufficient listed BMPs to achieve minimum point requirements for 2023.

## SECTION 7: MODIFICATIONS TO THE STORMWATER MANAGEMENT PLAN

This SMP will be evaluated annually and modifications to the Plan, if any, will be submitted with the annual report.

For minor BMPs modifications/replacement: Within 60 days of a determination by the permittee or date of written notification from KDHE, the permittee shall modify the BMP if modifications are needed to maintain a program in compliance with this permit.

For major BMP modifications/replacement: These major modifications are defined as ones which normally take more than 60 days to construct and/or implement. Within 60 days of a determination by the permittee or date of notification from KDHE, the permittee shall provide a plan and schedule for the update/replacement of the BMP. The plan and schedule are subject to KDHE approval.

# APPENDIX A – BMP Summary & Responsibility

**X** = Save documentation for BMP in the City's MS4 Directory

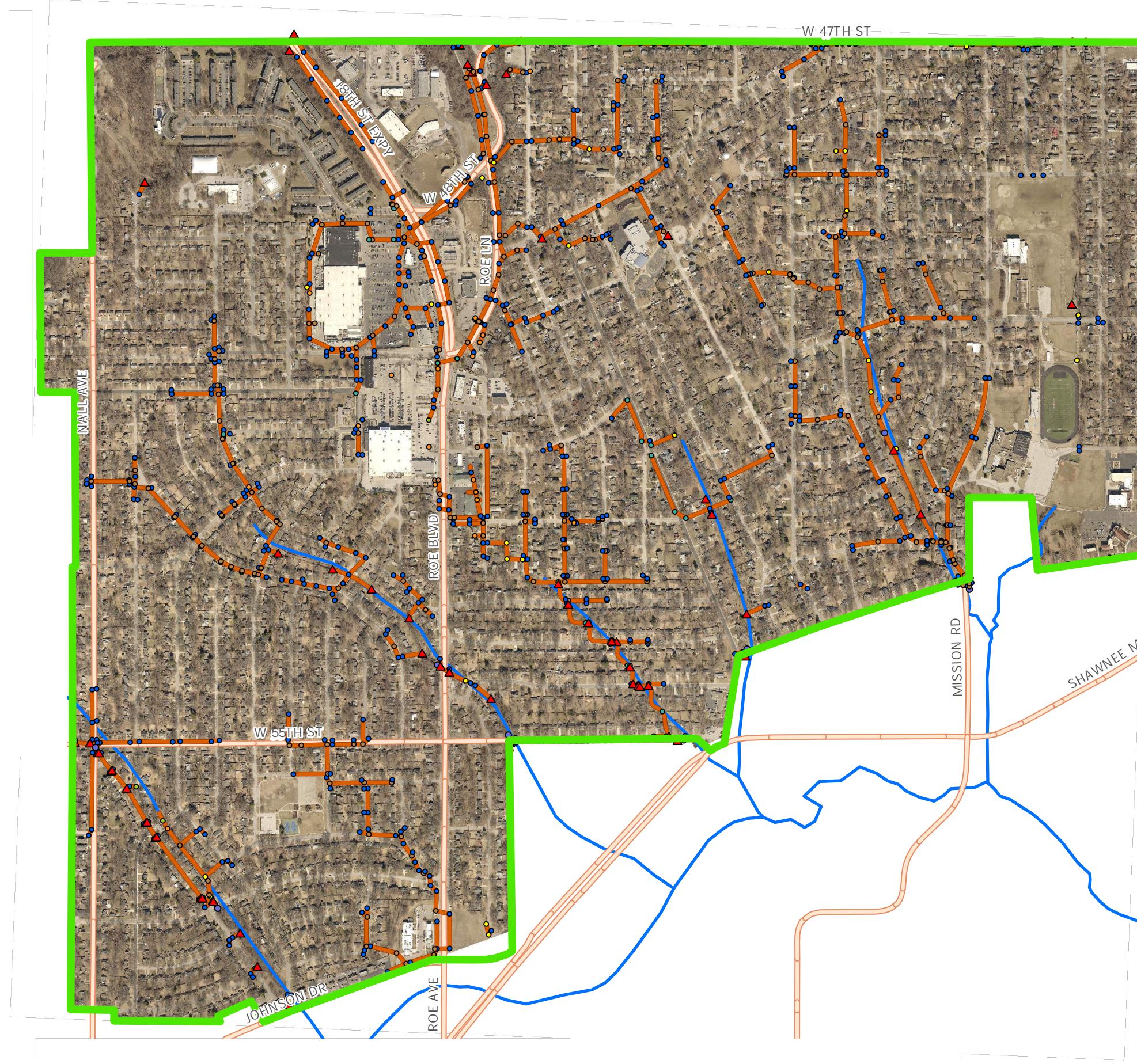
**Stored at PW** = Items not required for annual report but needs to be accessible for possible KDHE Auditing purposes

**Stored with Building Permits** = Items not required for annual report but needs to be accessible for possible KDHE Auditing purposes

BMP ID	BMP Summary	When?	Place in MS4 Folder	Responsible Staff
P Ed & 0 - 01	Maintain a stormwater webpage for the permittee.	2023. Start planning in 2022.		Donnie Scharff & Jennifer Jones Lacy
P Ed & 0 - 02	Distribute 3,282 educational materials (either flyers, brochures, catalog mailings, handouts, or e-mails) addressing various pertinent stormwater public education topics.	Spring or Summer	X	Donnie Scharff & Jennifer Jones Lacy
P Ed & 0 - 05	Post the municipality's MS4 permit and SMP document on either the stormwater web page or the municipal webpage.	End of March		Jennifer Jones Lacy
P Ed & 0 - 06	Provide either a stormwater telephone hotline or web based or text message method for public reporting of illicit discharges.	End of March		Jennifer Jones Lacy
P Ed & 0 - 08	Provide stormwater education for students at a school campus within K-12 (those grades present at the campus) within the permittee's jurisdiction or within 30 miles from this permit area. Alternately, funding stormwater BMP installations and/or field trips at the school campus will qualify.	Typically this is completed in September. Na		JCSMP
P I/P - 03	Hold park or stream bank clean-up events for public volunteers to aid municipal staff in removing trash, debris, or pollutant sources from the selected clean-up area.	No documentation required unless the City has events. No documentation required for events held by JCSMP	X	Donnie Scharff & & JCSMP
P I/P - 06	Establish a program to encourage residents to install stormwater treatment best management practices on their property.	Keep all applications submitted.	X	Donnie Scharff & & JCSMP
P I/P - 10	Establish a program to employ (either paid or unpaid) high school or college age environmental interns in an environmental related program, for 8 weeks, including but not limited to either the wastewater utility , stormwater utility, potable water utility or solid waste utility	Document the program intent, dates of employment and training records annually with report. Keep documentation at Public Works Facility.	X	Donnie Scharff
ID D & E - 03	Develop a spill response plan and, if appropriate, coordinate emergency response with other agencies or organizations.	See Roeland Park's Stormwater Pollution Prevention Plan for Municipal Facilities held at Public Works Facility. Work with Fire District No. 2.	Stored at PW	Donnie Scharff
ID D & E - 07	Implement a Household Hazardous Waste Collection Program (HHWCP) or document others have implemented such a program to provide such service to all property owners or residents located within the permit area.	No action required.		JCSMP
ID D & E - 09	Provide a contribution to area recycle programs or programs (such as household hazardous waste disposal facilities, e-cycle facilities, paper shred facilities, pharmaceutical disposal facilities etc.) designed to properly dispose of types of waste or materials which have previously been discarded to or adjacent to either the MS4, streams, or lakes within or adjacent to the permittee's permit area. The area program must be within 30 miles from this permit area.	Shredding recycling event. Keep a record of who participated and receipt of the cost.	X	Kelley Nielsen
CS SR C - 01	Implement a requirement for a Soil Erosion and Sediment Control(ESC) Plan for any land disturbance sites which are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	Established through Ordinance 809. See City Clerk for municipal code As needed. Typically Donnie will be responsible for a ESC plan for City reconstruction projects.	Stored at PW	Donnie Scharff
CS SR C - 02	Develop and adopt a design manual for erosion and sediment control BMPs which are required to be used on sites which will be disturbed and are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	No action required. Established through Ordinance 809. See City Clerk for municipal cod. Also, a SWPPP is required through KS NOI applications.		Donnie Scharff

BMP ID	BMP Summary	When?	Place in MS4 Folder	Responsible Staff
CS SR C - 03	Provide access to at least one training class for contractors, developers or others involved with land disturbance projects which provides training on requirements for a Stormwater Pollution Prevention Plan (SWP2 Plan) and implementation of appropriate BMPs.	No action required. The County has a training program for contractors.		JCSMP
CS SR C - 05	Establish effective requirements for construction sites to control wastes. Develop through ordinance or other enforceable means requirements for construction site operators or owners to control wastes. At a minimum control shall be imposed to prevent entry into the MS4 for the following wastes: discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.	Document the inspection findings and any enforcement actions with followup inspections.	Stored with Building Permits	John Jacobson
CS SR C - 07	Acquire or develop a software tracking system to track inspections and related tasks	Maintain inspection records with the building permits.	Stored with Building Permits	John Jacobson
P-C SM - 01	Develop and adopt a custom design manual for Post-Construction Stormwater Management which specifies various structural BMPs required for new development and re-development construction sites which are greater than 1 acre or for where there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more. Alternatively, adopt and implement the APWA 5600 Stormwater Design Criteria and the MARC/APWA BMP Manual.	No action required. Established through Ordinance 809, Section 15-504 of Municipal Code. See City Clerk for municipal code		Donnie Scharff
P-C SM - 05	Develop and implement a program for inspection of permittee owned structural BMPs which includes implementation of needed maintenance to ensure long-term operation of the BMPs	Document the inspection findings and any enforcement actions with followup inspections. Established through Ordinance 809. See City Clerk for municipal code	Stored with Building Permits	John Jacobson
P P/G H - 04	Implement a program, with guidance to municipal staff or third-party contractors, to ensure any municipal vehicle or other mechanical equipment washing is conducted in a manner which ensures the wash water is disposed of in the sanitary sewer or otherwise receives proper treatment prior to discharge to the environment.	See Roeland Park's Stormwater Pollution Prevention Plan for Municipal Facilities. Quarterly Inspections kept at the Public Works Facility.	Stored at PW	Donnie Scharff
P P/G H - 05	Implement a program for street sweeping in which the street sweepings are collected and disposed of properly or recycled/reused if possible.	Annually during months of October and November. Copy of disposal receipt kept.	X	Donnie Scharff
P P/G H - 06	Develop an employee training program to ensure permittee's staff understand what actions they can take in the workplace to minimize stormwater pollution.	Annually during winter.	X	Donnie Scharff
P P/G H - 08	Develop, implement and keep updated an online storm sewer map accessible to the public.	Annually request a map through AIMS		Johnson County AIMS

# APPENDIX B – Map



## Legend

- City Limits
- Major Roads
- NHD Streams
- Storm Sewer Network

## Structure Type

- Area Inlet
- Curb Inlet
- Detention System
- Drop Inlet
- End Section
- Grate Inlet
- Junction Box
- Manhole
- Other
- RCB End

Roel and Park Storm Drainage Map

# APPENDIX C - Permit

Division of Environment  
Curtis State Office Building  
1000 SW Jackson St., Suite 400  
Topeka, KS 66612-1367



Phone: 785-296-1535  
Fax: 785-559-4264  
[www.kdheks.gov](http://www.kdheks.gov)

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Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

September 16, 2019

Roeland Park, City of  
Jose Leon  
4600 W 51st Street  
Roeland Park, KS 66205

RE: Kansas Water Pollution Control  
Permit No. M-MO35-SU01  
Roeland Park Municipal Separate Storm Sewer System

Dear Permittee:

You have fulfilled all the filing requirements for a Kansas Water Pollution Control Permit and Authorization to Discharge under the National Pollutant Discharge Elimination System (NPDES). We are pleased to forward your new permit. While it is permissible to make as many copies as needed for monitoring and reporting purposes, you need to retain the original permit for your files.

We suggest you carefully read the terms and conditions of your permit and understand these terms and conditions are enforceable under both State and Federal law.

Please note the reporting paragraph on page 2 of your permit. If required, all discharge monitoring reports are to be processed by the eDMR software program. If KDHE has not contacted you concerning the use of the eDMR software program, please contact Debbie Mendenhall at 785.296.5561 or [Deborah.Mendenhall@ks.gov](mailto:Deborah.Mendenhall@ks.gov). If this requirement applies to your facility, please share this permit with your certified operator and laboratory.

Any additional reports shall be submitted to the Kansas Department of Health and Environment, Bureau of Water-TSS, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

If you have any questions concerning this permit, contact Michael Beezhold at (785) 296-5513.

Sincerely,

A handwritten signature in black ink that reads "Thomas C. Stiles".

Thomas C Stiles  
Director, Bureau of Water

pc: NE - District  
RW- Permit File



KANSAS WATER POLLUTION CONTROL  
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT  
AND AUTHORIZATION TO DISCHARGE UNDER  
THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to the provisions of Kansas Statutes Annotated 65-164 and 65-165, the Federal Water Pollution Control Act as amended, 33 U.S.C. 1251 et seq., the "Act",

Permittee: Roeland Park, City of

Permittee's Address: 4600 W. 51st Street  
Roeland Park, Kansas 66205

Drainage Basin: Missouri River

is hereby authorized to discharge stormwater from the municipal separate storm sewer system (MS4) as described herein in accordance with the limitations, conditions and requirements set forth in this permit.

This permit is effective October 1, 2019, supersedes the previously issued MS4 general permit M-MO35-SU01 and expires September 30, 2024.

**PERMIT AREA AND AUTHORIZED DISCHARGES**

This permit covers all areas within the permittee's MS4 jurisdiction which are also located in the urbanized area as defined by the 2010 U.S. Census (the Permit Area). The Permit Area may change based upon areas incorporated into or removed from the permittee's jurisdictional area during the term of this permit.

This permit authorizes the discharge of all existing or new stormwater point source discharges from the Municipal Separate Storm Sewer System (MS4) located within the Permit Area. New stormwater discharges are those which are created and/or incorporated into the permittee's MS4 during the term of this permit.

  
Secretary, Kansas Department of Health and Environment

September 17, 2019  
Date

**PART I. STORMWATER MANAGEMENT PROGRAM (SMP) DOCUMENT REQUIREMENTS**

**A. Current Stormwater Management Program**

The permittee shall continue to implement and enforce the current Stormwater Management Program (SMP), as documented in the SMP document, until an updated SMP is implemented. Revised or modified surface water monitoring may be implemented in 2019 as allowed and if so required by this permit.

Any updated SMP shall be designed to:

1. Reduce the discharge of pollutants from the municipal separate storm sewer system (MS4) to the Maximum Extent Practicable (MEP),
2. Continue to implement the six minimum control measures as listed in PART I Section C,
3. Satisfy the requirements of this permit, the Clean Water Act and Kansas surface water quality statutes and regulations.

Implementation of Best Management Practices (BMPs) consistent with the provisions of the SMP document and this permit constitutes compliance with the standard of reducing pollutants to the Maximum Extent Practicable.

**B. Updated Stormwater Management Program document**

The SMP shall be updated and submitted to KDHE between January 1 and February 28 of 2021 (submitted with the Annual Report and the updated SMP must be effective in 2021). As this permit imposes additional requirements for implementation of BMPs and/or surface water monitoring [see PART II. Total Maximum Daily Load (TMDL) Best Management Practices and Surface Water Monitoring] beyond what the previous permit imposed, the current SMP shall be modified with the SMP document updated to include the additional requirements imposed by this permit. Some specific requirements for updating the SMP document are addressed in PART I Section D. "Total Maximum Daily Load (TMDL) Regulated Pollutants." Additionally, to comply with new EPA regulations [National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System General Permit Remand Rule (Remand Rule)], as finalized and effective January 9, 2017, this permit must include requirements in clear, specific, and measurable terms. Tables of BMPs are listed along with point values, and the permittee must implement sufficient listed BMPs to achieve minimum point requirements for each year beginning in 2021. The Remand Rule was published on December 9, 2016 in the Federal Register, Vol. 81, No. 237 beginning on page 89320.

This rule clarifies that terms and conditions must be expressed in terms which are "clear, specific, and measurable." The permit requirements must be enforceable and must provide a set of performance expectations and schedules readily understood by the permittee, the public, and the permitting authority alike. To provide as much flexibility to the permittee in implementing their stormwater management program in compliance with this permit and the Remand Rule, KDHE has elected to establish a point system and a list of various BMPs, tasks, or other conditions with associated point values to be tallied and demonstrate compliance with the total point requirement for each of the Six Minimum Control Measures and TMDL BMPs when required.

Modification of the SMP is permitted as the need arises. Modifications can be accomplished with any of the following methods:

1. Normally the SMP document is updated near the end of the calendar year and submitted to KDHE for review along with the annual report which is due after the first of the calendar year but before the 28<sup>th</sup> of February. In this case the permittee can begin implementation of the new SMP as soon as they have submitted the SMP to KDHE. The permittee is required to implement the SMP, which was most recently submitted to KDHE along with the annual report, throughout the entire year and may continue to implement the updated SMP until subsequently modified. The updated SMP as submitted must be approved by KDHE. If KDHE finds the SMP is not approvable, requirements for modification and resubmittal will be addressed to the permittee.
2. If it becomes necessary to modify the SMP at some time other than when the annual report is submitted to KDHE, the permittee may make the modifications to the SMP document and submit the SMP document to KDHE for approval. The permittee shall not begin implementation of the modified SMP until after KDHE has provided approval. KDHE may provide full approval of the modified SMP, or may provide conditional approval, may require revision of the modified SMP document and resubmission for subsequent review or may elect to not approve the modified SMP.
3. KDHE may require the permittee to modify the SMP at any time, requirements for modification and resubmittal will be addressed to the permittee.

#### C. Six Minimum Control Measures

The Permittee shall continue to review, update and implement BMPs with measurable goals for each of the six minimum control measures. The six minimum control measures and requirements are as follows:

##### 1. Public Education and Outreach

The permittee shall continue to implement a public education program which includes distribution of educational materials to the community or conducting equivalent outreach activities which address the impacts of stormwater discharges on water bodies and the steps the public can take to reduce pollutants in stormwater runoff.

- a. The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The point total requirement increases to 7 points for each calendar year beginning in 2023. The following table lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or forum can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing a Public Education and Outreach program as required above, the permittee must implement sufficient listed BMPs in the table below to qualify for the required number of points.

BMP Summary	Measurable Goal	Implementation Time Schedule etc.	Points
Lbmp P Ed & O - 01	Maintain a stormwater webpage for the permittee.	Maintain the webpage with up to date information with all links effective and valid information. Check all links and update website as necessary on a minimum monthly basis. Document monthly checks in log book and indicate changes with logged summaries.	<p>The webpage must be available throughout the year once it is posted and initially made available. In the initial year posted it must be available for a minimum of 3 months to qualify for the points. In subsequent calendar years the points may be claimed if the webpage has been maintained throughout the twelve months.</p> <p>3 points may be claimed in the first year implemented, and 2 points may be claimed for each successive year the webpage is maintained available.</p>
Lbmp P Ed & O - 02	Distribute flyers addressing various pertinent stormwater public education topics.	Number of flyers distributed in a year shall equal or exceed the most recent U.S. Census Bureau decennial housing units value for the permit area. The applicable U.S. Census housing units value shall be documented, and the number of flyers distributed shall also be documented. This information and copies of the flyers shall be retained on file.	<p>The fliers are to be distributed in at least two separate batches, ideally in separate seasons (either winter, spring, summer or fall). However, the required number of flyers must be distributed in a single calendar year and the points may be claimed for that year.</p> <p>2 points may be claimed in a year in which the required number of flyers are distributed.</p>
Lbmp P Ed & O - 03	Provide either training or educational materials to permittee identified businesses at high risk of contributing to stormwater pollution. Such businesses can include food service, auto service, disaster response and janitorial services. The training or educational materials	Training or educational materials must be provided, within the year, to at least five separate businesses if the population of the municipality is greater than 10,000, or three businesses if the population of the municipality is	<p>The required amount of training or distribution of educational materials must occur within the year for which points are claimed.</p> <p>2 points may be claimed in any year in which the required amount of training or distribution of educational material occurs.</p>

shall address best management practices they can employ to minimize or avoid adverse stormwater impacts due to their operations.	between 3,000 and 9,999, or two businesses if the population of the municipality is less than 3,000.		
<b>Lbmp P Ed &amp; O - 04</b>	Apply notification, placard or stencil, on stormwater inlets to provide a message similar to "No Dumping - Drains to River"	Apply this notification on at least 30% of all known stormwater inlets in the MS4.	2 points may be claimed in years when the required number of inlets (30%) receive placards or stencils or in subsequent years when 50% of all known stormwater inlets in the MS4 bear the placard or stencil.
<b>Lbmp P Ed &amp; O - 05</b>	Post the municipality's MS4 permit and SMP document on either the stormwater web page or the municipal webpage.	The two documents must be posted for at least six months of the year to claim one point.	1 point may be claimed for posting each year (minimum of at least six months).
<b>Lbmp P Ed &amp; O - 06</b>	Provide either a stormwater telephone hotline or web based or text message method for public reporting of illicit discharges.	Respond to all reported complaints within 10 days and, if found valid, resolve or establish a schedule for resolution within 20 days. Actual resolution may take more than 20 days, but the schedule for resolution must be finalized and the efforts to implement resolution must begin within 20 days following receipt of complaint. Document complaints and response/resolution process for all	2 points may be claimed for each year the hotline / reporting system is maintained and available. An additional point may be claimed for each illicit discharge resolved in the year.

	<p>complaints received in the year.</p> <p>Resolution of an illicit discharge can include, but is not limited to; elimination of the discharge; on-site treatment to allow discharge to the MS4 (normally requires an NPDES permit); redirecting the discharge to a location that the discharge is not considered illicit, i.e., sanitary sewer or to holding tanks to allow the waste to be hauled off for appropriate treatment, reuse/recycle or disposal.</p>		
<b>Bmp P Ed &amp; O - 07</b>	<p>Send educational material annually to at least four groups, including each of the following types: Residents, Businesses/Institutions, Commercial entities/Developers, and Industrial facilities.</p>	<p>Identify and educate at least 4 groups/entities from the listed types annually developing topics that are group specific and address activities and or pollutants of concern.</p>	<p>All the requirements for sending educational material to the various groups must occur in a single year to qualify for the points in that year.</p> <p>3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.</p>
<b>Bmp P Ed &amp; O - 08</b>	<p>Provide stormwater education for a class of students within K-12 within the permittee's jurisdiction.</p>	<p>Provide or fund a speaker which attends the selected grade level for at least 10% of schools in the permittee's jurisdiction within the year.</p>	<p>All the required number of classes for the selected grade level must be educated by the speaker(s) in a single year to qualify for the points in that year.</p> <p>3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.</p>
<b>Bmp P Ed &amp; O - 09</b>	<p>Operate an information booth at a large public event, (such as a sports event, fair, or music festival) where at least</p>	<p>Provide information about stormwater topics of current interest.</p>	<p>At least one event shall have the booth staffed by the permittee for at least 50% of the</p> <p>2 points may be claimed each year this BMP is implemented in compliance with the specified requirements.</p>

an estimated 3,000 or more individuals attend.		days the event occurs.	
<b>Lbmp P Ed &amp; O - 10</b>	Provide either training or educational materials to lawn/turf care service entities addressing best management practices they can employ to minimize or avoid adverse stormwater impacts due to their operations.	Training or educational materials must be provided, within the year, to at least five lawn/turf care service entities or at least 20% of the lawn care service entities located in the municipality whichever is least.	The required amount of training or distribution of educational materials must occur within the year for which points are claimed.
<b>Lbmp P Ed &amp; O - 11</b>	Adopt a public education program to reduce littering.	Install and/or maintain signs to discourage littering. Signs are to be located in areas where littering has been a problem.	Credit can be claimed for any year in which signs are installed and in place for greater than six months or in cases where signs have previously been installed in any year where the signs remain posted for the full year.
<b>Lbmp P Ed &amp; O - 12</b>	Create a stormwater information brochure to provide to the public at public meetings and/or hearings	Have multiple copies of the brochure available during at least 10 meetings or hearings open to the public during the year. Provide the brochures to the public at no charge.	The brochures shall address stormwater topics of concern.
<b>Lbmp P Ed &amp; O - 13</b>	Operate an adopt a highway program to utilize public volunteers to clean road right-of-ways.	The volunteers shall clean at least a two-mile segment of road either within the permit area or adjacent to the permit area.	The road right-of-way shall be cleaned at least once per year. Points may be claimed for any year in which cleaning has occurred.

BMP P Ed & O - 14			
Hold a media campaign addressing various pertinent stormwater public education topics.	Estimated media exposure during prime-time broadcasting for the duration of the campaign shall be 10 times the most recent U.S. Census Bureau decennial population value for the permit area. The date, time, and estimated media exposure for each spot broadcast shall be documented and kept on file along with the applicable U.S. Census population value.	The media campaign shall be run within the year for which points are claimed. A new media campaign shall be run for each year points are claimed.	2 points may be claimed in a year in which the media campaign meeting the minimum exposure rate is conducted.

- b. Documentation of compliance with the goal and implementation time - schedule must be maintained on file to claim the associated points. Permittee is responsible for implementing adequate BMPs to comply with the Public Education and Outreach requirements of this permit and be able to claim at least the required number of points in the calendar years as specified above. Extent of compliance, i.e., equal or exceed the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.
- c. The permittee is not limited to implementation of the BMPs listed in the above table. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the table may be documented and counted toward the required annual point total.

## 2. Public Involvement/Participation

The permittee shall continue to implement a public involvement and participation program to solicit public comments and recommendations regarding the BMPs and measurable goals utilized by the permittee to comply with the permit. The permittee shall comply with State and local public notice requirements when implementing a public involvement and participation program.

- a. The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of **3** points total on an annual basis for each calendar year 2021 and 2022. The point total requirement increases to **6** points for each calendar year beginning in 2023. The following table lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or public forums can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing a Public Involvement/Participation program as required above, the permittee must implement sufficient listed BMPs in the table below to qualify for the required number of points.

BMP Summary	Measurable Goal *	Implementation Time Schedule etc.	Points
<b>Lbmp P I/P - 01</b>	Provide public notice of the hearing/forum, invite local news media, either newspaper, radio or TV, and document the hearing with attendance sign-in sheet and minutes of the hearing which include public comments and responses.	Retain copies of the notices to public, invitations to attend, attendance sign-in sheets, and minutes. Points may be claimed in year which hearing is held.	2 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
<b>Lbmp P I/P - 02</b>	Host the citizens advisory committee meetings twice yearly and receive comments and guidance from the committee regarding the SMP. Retain on file copies of the attendance list and minutes of the meetings.	The citizens advisory committee must hold at least two meetings in the year which points are claimed.	3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
<b>Lbmp P I/P - 03</b>	Clean an area which must be equal to or greater than one acre or alternately at least 200 yards of streambank.	At least one such clean-up activity must occur in the year for which points are claimed.	3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
<b>Lbmp P I/P - 04</b>	Provide training or distribute training materials to the group participants at least once annually..	At least one such training activity or distribution of training materials must be provided to the group in the year for which points are claimed.	2 points may be claimed each year this BMP is implemented in compliance with the specified requirements.

appropriate municipal staff.			
<b>Bmp P I/P - 05</b>	Provide at least two events for residents to engage in cleanup activities and improve water quality in the municipality.	Provide at least two events in streams, streamside parks, areas adjacent to public waterways, and/or other green infrastructure/water resources. These events can be any of the following: Environmental restoration events, stream cleanups, tree plantings, or stream monitoring.	At least two events in compliance with the stated goals must be conducted within the year for which points are claimed.  3 points may be claimed each year this BMP is implemented in compliance with the specified requirements.
<b>Bmp P I/P - 06</b>	Establish a program to encourage residents to install stormwater treatment best management practices on their property.	Encouragement can include funding, grants, and other financial incentives, trainings and or giveaways. Stormwater treatment BMPs can include: rain barrels, rain gardens, native plantings, native trees, cisterns and vegetated swales. Record participation numbers annually.	One or more of the listed methods of encouragement must be implemented in the year for which points are claimed.  2 points may be claimed each year this BMP is implemented in compliance with the specified requirements, with the addition of 1 additional point (for a total of 3 points in the year) each year that participation increases 10% from the previous year.
<b>Bmp P I/P - 07</b>	Enact either an ordinance, a resolution, or other enforceable requirement that requires pet owners or their keepers to immediately and properly dispose of their pet's solid waste deposited at parks or rest areas owned by the permittee.	The ordinance or resolution or other enforceable measure shall be enacted, and signs posted informing the public of their obligation at the park.	In the year the Measurable Goal requirement is implemented the point may be claimed and for each year thereafter.  1 point may be claimed for the year in which the Measurable Goal requirements are enacted, and 1 points may be claimed for each subsequent year the Measurable Goal requirements remain in effect.

<b>Bmp P I/P - 08</b>	<p>Provide a monetary donation to a scholarship fund for students pursuing a degree in an environmental program which would qualify them to work in a field which can result in water pollution control.</p>	<p>A \$500 contribution in a year is the minimum acceptable amount to achieve this goal.</p>	<p>The donation must be made in the year the points are claimed.</p>	<p>2 points may be claimed each year this BMP goal is achieved.</p>
<b>Bmp P I/P - 09</b>	<p>Distribute stormwater educational materials to the public within this permit area.</p> <p>Alternately, the permittee may provide stormwater educational materials, e.g. brochures, flyers, or pamphlets. These materials may address various stormwater topics. For this alternative these materials may be provided to other nearby municipalities for distribution to the public. The nearby municipalities must be within 30 miles from this permit area.</p>	<p>The educational materials, for each topic, which are distributed or supplied must have a value of at least \$50. Topics may be anything related to stormwater including but not limited to clean-up guidance following flooding, discouraging littering, explaining and discouraging illicit discharges to the storm sewers, guidance on constructed BMPs for home owners (rain gardens, rain barrels, etc.) guidance on area household hazardous waste receiving centers, and guidance on area recycling programs.</p>	<p>For educational materials distributed or provided to nearby municipalities each year points may be claimed when materials are provided with equal or greater value as required for each separate topic.</p>	<p>1 point may be claimed per topic addressed in compliance with the requirements, up to a total of 5 points/topics.</p>

- b. Documentation of compliance with the goal and implementation time - schedule must be maintained on file to claim the associated points. Permittee is responsible for implementing adequate BMPs to comply with the Public Involvement/Participation requirements of this permit and be able to claim at least the required number of points in the calendar years as specified above. Extent of compliance, i.e., equal or exceed the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.
- c. The permittee is not limited to implementation of the BMPs listed in the above table. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the table may be documented and counted toward the required annual point total.

### 3. Illicit Discharge Detection and Elimination

The permittee shall:

- a. Continue to implement and enforce a program to detect and eliminate illicit discharges into the MS4.
- b. Maintain a storm sewer system map of the permittee's MS4, showing the location of all outfalls, either pipes or open channel drainage, showing the names and location of all streams or lakes receiving discharges from those outfalls. A copy of the map shall be submitted to KDHE with the annual report if requested by KDHE. This map may be submitted as a PDF file(s) on a compact disk (CD) or a digital versatile disk (DVD).
- c. Implement and enforce an ordinance or resolution to prohibit non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions. A copy of the ordinance or resolution shall be submitted to KDHE with the annual report if requested by KDHE.
- d. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
- e. Develop and implement a plan to detect/inspect for and address prohibited non-stormwater discharges, including illegal dumping, to the storm sewer system. The plan must include efforts to identify and evaluate dry weather MS4 discharges to detect and eliminate any associated illicit discharge. Unless identified by either the permittee or KDHE as a significant source of pollutants to waters of the state, several types of non-stormwater flow are not normally prohibited from entering the Municipal Separate Storm Sewer System:

Discharges which are not necessarily prohibited include:

- I. Water line flushing
- II. Diverted stream flows
- III. Rising ground waters
- IV. Uncontaminated groundwater infiltration as defined under 40 CFR 35.2005(20) to separate storm sewers
- V. Uncontaminated pumped groundwater
- VI. Contaminated groundwater if authorized by KDHE and approved by the municipality
- VII. Discharges from potable water sources
- VIII. Foundation drains
- IX. Air conditioning condensation
- X. Irrigation waters
- XI. Springs
- XII. Water from crawl space pumps

- XIII. Footing drains
- XIV. Lawn watering
- XV. Individual residential car washing
- XVI. Occasional not-for-profit car wash activities
- XVII. Flows from riparian habitats and wetlands
- XVIII. Dechlorinated swimming pool discharges excluding filter backwash
- XIX. Street wash water (excluding street sweepings which have been removed from the street)
- XX. Discharges or flows from firefighting activities
- XXI. Heat pump discharge waters (residential only)
- XXII. Treated wastewater meeting requirements of an NPDES permit
- XXIII. Sump pump drains
- XXIV. Other discharges determined not to be a significant source of pollutants to waters of the state, a public health hazard or a nuisance.

f. The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 5 points total on an annual basis for calendar years 2021 and 2022. The point total requirement increases to 7 points for calendar year 2023. The following table lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings or public forums; a single public hearing or public forums can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing an Illicit Discharge Detection and Elimination program as required above, the permittee must implement sufficient listed BMPs in the table below to qualify for the required number of points.

BMP Summary	Measurable Goal	Implementation Time Schedule	Points
BMP I D D & E - 01	Provide public notice of the hearing/forum, invite local news media (either newspaper, radio or TV), and document the	Retain copies of the notices to public, invitations to attend, attendance sign-in sheets, and	2 points may be claimed for any year a hearing/forum is held.

methods of disposal or reuse of substances and/or materials.	hearing with attendance sign-in sheet and minutes of the hearing which include questions/comments from the attendees and answers/comments from the permittee staff.	minutes. Hearing must be held in year for which points are claimed.	
<b>Libmp I D D &amp; E - 02</b>	Redirect the wastewater generated by the facility to the municipal wastewater treatment collection system for proper treatment and disposal.	For each failed or failing on-site system which is abandoned, and the wastewater is redirected to the municipal wastewater treatment system, the permittee may claim points in the year the system is initially connected into the municipal wastewater treatment system.	3 points for each abandoned system in the year it is abandoned.
<b>Libmp I D D &amp; E - 03</b>	The plan shall include, at a minimum, explanation of appropriate spill response activities for spills associated with vehicle accidents, at grade or above ground storage tanks, and vehicle fluids from mechanical equipment such as construction equipment, cars, or trucks. The written plan shall be maintained on file.	The plan may be implemented in any year and points claimed for the initial implementation or for each year the plan remains effective.	3 points may be claimed in the year initially implemented, and 2 points may be claimed for each successive year the plan remains effective.
<b>Libmp I D D &amp; E - 04</b>	When at least 5% of the known MS4 outfalls are inspected and for which at least one outfall was identified as discharging (entirely or	The evaluation of a group of at least 5% of the known MS4 outfalls may be completed all in one year or may occur in up to two	1 point may be claimed in the year when a total of at least 5% of the known MS4 outfalls are finally inspected, and 2

<p>and evaluate the ones which have dry weather discharges. Evaluate the water quality of the dry weather discharges to recognize non-stormwater contributions and trace the source of any illicit discharge.</p>	<p>partially) flow from an illicit discharge, the allotted points may be claimed in the year when the illicit discharge is eliminated. Document the MS4 outfalls inspected, the outfalls with dry weather discharges and the MS4 outfalls associated with illicit discharges.</p>	<p>consecutive years and a point can be claimed. The larger number of points may be claimed only for the year in which the illicit discharge(s), associated with this group of evaluated outfalls is/are eliminated.</p>	<p>additional points may be claimed in which the illicit discharge(s), associated with this group of evaluated outfalls is/are eliminated.</p>
<p><b>Lbmp I D D &amp; E - 05</b></p> <p>Distribute a letter (or flier) and/or e-mail along with a press release from a municipal official with the intent of reaching every resident and business in the MS4 permit area. The distributed documents shall provide information on how to avoid illicit discharges to the MS4, i.e., proper disposal methods for common substances or materials often discharged illicitly. Provide a link to the municipal website where applicable ordinances and disposal guidance are posted.</p>	<p>The letter (or flier) and/or e-mail along with the press release shall highlight the requirements for proper disposal of wastes and disposal methods. Copies of these documents shall be retained on file along with the distribution mailing lists to document distribution to the target area (minimum MS4 permit area) to avoid illicit discharges to the MS4. Provide a link to the municipal website where applicable ordinances and disposal guidance are posted.</p>	<p>The distribution of these various documents, letter (or flier) and/or e-mail along with the press release, shall all occur in the same month. Permittee may claim these points in the year these documents are distributed.</p>	<p>2 points</p>
<p><b>Lbmp I D D &amp; E - 06</b></p> <p>Inspect, by televising pipelines or direct visualization of open channel drainage, 5% of the MS4 system within the permit area all conducted within a 12-month period to aid in identifying illicit discharges as well as evaluate the condition of the storm sewer lines/drainage channels-ditches. If in a year 30% of the</p>	<p>Generate a summary report of the inspection including the number of linear feet televised, number of linear feet visually inspected, condition comments, illicit discharges identified and the results of efforts to eliminate illicit discharges, e.g., discharge line disconnected and</p>	<p>The inspection process can occur in a single calendar year or may be conducted over a period extending from one year into the succeeding year. Points may be claimed in the year when the televised and/or visual inspection of this portion of the MS4</p>	<p>3 points may be claimed for inspection of 5% of the MS4 system, alternately if 30% of the MS4 system is inspected 5 points may be claimed.</p>

MS4 system is inspected a higher point value may be claimed.	redirected to the sanitary sewer or discharge practice terminated.	system (either 5% or 30%) is completed.	
<b>Ibmp I D D &amp; E - 07</b>  Implement a Household Hazardous Waste Collection Program (HHWCP) or document others have implemented such a program to provide such service to all property owners or residents located within the permit area.	Document the residents and property owners within the MS4 permit area were able to dispose of such wastes at the HHWCP during a calendar year. Retain this documentation on file.	The property owners or residents located within the permit area must be able to dispose of waste accepted by the HHWCP throughout a calendar year. Points may be claimed for any such year.	3 points may be claimed for any year in which this BMP was implemented in compliance with the requirements.
<b>Ibmp I D D &amp; E - 08</b>  Implement a program to increase the reliability of sanitary sewer pump stations above the minimum standard design requirements.	<p>A pump station shall be upgraded to include the following:</p> <ul style="list-style-type: none"> <li>➤ A dedicated on-site standby generator shall be installed (with automatic transfer switch) for use when main line power fails.</li> <li>➤ A dialer system, or telemetry system, or connection to a SCADA system shall be installed to provide real time or nearly real time notification of failures at the pump station which can potentially lead to sanitary sewer overflow.</li> <li>➤ The permittee shall purchase and maintain for immediate operation a</li> </ul>	<p>In the year all improvements, as listed under measurable goals, are installed and ready for operation the points may be initially claimed and in subsequent years these improvements remain operational points may be claimed.</p>	<p>5 points may be claimed (for each pump station upgraded in compliance with this BMP) in the first year the improvements, as listed under measurable goals, are installed and ready for operation, 4 points may be claimed for (for each pump station upgraded in compliance with this BMP) each successive year the improvements, as listed under measurable goals, remain operational.</p>

	<p>trailer mounted motor driven sewage pump for use when the pump station fails to operate. The motor driven pump shall be sized to pump at a rate at least equal to the firm pumping capacity of any sanitary sewer pump station the permittee claims points for under this BMP.</p> <p>The pump station shall be modified to facilitate the connection of the trailer mounted pump discharge to the force main and convenient installation of the suction line from the trailer mounted pump into the wet well.</p>		
<b>Ibmp I D D &amp; E - 09</b>	<p>Provide a contribution to area recycle programs or programs designed to properly dispose of waste or materials which have previously been discarded to or adjacent to either the MS4, streams, or lakes within or adjacent to the permittee's permit area. The area program must be within 30 miles from this permit area.</p>	<p>The contributions may be made to programs which take tires, automotive fluids, batteries, or other wastes for which there is any documentation such wastes have been discarded as addressed under the BMP summary. The contributions must total a minimum of \$500 in the year points are claimed. The contributions can be monetary or can be in the form of goods and/or services with an agreed specified</p>	<p>The total value of donation in a minimum amount of \$500 must be made in the year points are claimed.</p> <p>2 points may be claimed each year this BMP goal is achieved.</p>

	value. Contributions may be made to area household hazardous waste programs, private recycle/reuse facilities or civic/volunteer organizations assisting in recycle.		
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- g. Documentation of compliance with the goal and implementation time - schedule must be maintained on file to claim the associated points. Permittee is responsible for implementing adequate BMPs to comply with the Illicit Discharge Detection and Elimination requirements of this permit and be able to claim at least the required number of points in the calendar years as specified above. Extent of compliance, i.e., equal or exceed the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.
- h. The permittee is not limited to implementation of the BMPs listed in the above table. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the table may be documented and counted toward the required annual point total.

#### 4. Construction Site Stormwater Runoff Control

The permittee shall continue to maintain a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of pollutant discharge associated with stormwater from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include, at a minimum, all the following:

- a. Maintain and enforce an ordinance or resolution, if the permittee has the authority to do so, to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State and local law. A copy of the ordinance or resolution shall be submitted to KDHE with the annual report if requested by KDHE.
- b. Maintain requirements for construction site owners or operators to implement appropriate erosion and sediment control best management practices.
- c. Maintain requirements for construction site owners or operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that are likely to cause adverse impacts to water quality.
- d. Maintain procedures for site plan review which incorporate consideration of potential water quality impacts.
- e. Maintain procedures for receipt and consideration of information submitted by the public.
- f. Maintain procedures for site inspection and enforcement of control measures.
- g. The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The point total requirement increases to 6

points for each calendar year beginning in 2023. The following table lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing a Construction Site Stormwater Runoff Control program as required above, the permittee must implement sufficient listed BMPs in the table below to qualify for the required number of points.

BMP Summary	Measurable Goal	Implementation Time Schedule etc.	Points
<b>Lbmp C S S R C - 01</b>	Implement a requirement for a Soil Erosion and Sediment Control (SESC) Plan for any land Disturbance sites which are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	Enact a regulatory ordinance, or other enforceable measure that requires an SESC Plan for all developments disturbing sites which are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.	Points may be claimed in the year the ordinance/enforceable requirement first becomes effective, and for each full calendar year thereafter for which the ordinance/enforceable requirement remains effective.
<b>Lbmp C S S R C - 02</b>	Develop and adopt a design manual for erosion and sediment control BMPs which are required to be used on sites which will be disturbed and are either equal to or greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale	Require implementation of BMPs in compliance with the design manual on all sites which meet the disturbed area standard as specified in the BMP Summary.	Points may be claimed for the year which the manual is initially adopted and implemented, and a reduced number of points may be claimed for subsequent years in which the manual remains implemented.

that in total disturbs one acre or more.			
<b>Bmp C S S R C - 03</b>	<p>Provide at least one training class for contractors, developers or others involved with land disturbance projects which provides training on requirements for a Stormwater Pollution Prevention Plan (SWP2 Plan) and implementation of appropriate BMPs.</p>	<p>This training class must address all local requirements for a SWP2 Plan, requirements for implementation of BMPs and address the requirements for permits.</p>	<p>Points may be claimed for the year in which the training class is held.</p> <p>3 points</p>
<b>Bmp C S S R C - 04</b>	<p>Develop a site plan review process which considers potential water quality impacts which may occur during construction as well as post construction impacts.</p>	<p>Review process must have written guidance for the reviewer. Issuance of a building permit or approval to start construction may not be provided until the site plan has successfully passed the review process either based on the initial site plan submittal or has been modified to comply with requirements identified during the review process. Measures must be included to enforce the installation of water quality BMPs included in the site plan.</p>	<p>Points may be claimed in the year the review process is initially developed and implemented. Also points may be claimed in each subsequent year the review process continues to be implemented.</p> <p>3 points may be claimed in the year the review process is initially developed and implemented, 2 points may be claimed for each successive year the review process continues to be implemented.</p>
<b>Bmp C S S R C - 05</b>	<p>Establish effective requirements for construction sites to control wastes. Develop through ordinance or other enforceable means requirements for construction site Operators or owners to control wastes. At a minimum control shall be imposed to prevent</p>	<p>Enact ordinance or other effective means to achieve control of wastes at construction sites.</p>	<p>Points may be claimed in the year of enactment. Also points may be claimed in each subsequent year the method of effective control of construction site waste remains in effect.</p> <p>3 points may be claimed in the year of enactment, 2 points may be claimed for each successive year the method of effective control of construction site waste remains in effect.</p>

<p>entry into the MS4 for the following wastes:</p> <ul style="list-style-type: none"> <li>➤ discarded building materials</li> <li>➤ concrete</li> <li>➤ Truck washout</li> <li>➤ chemicals,</li> <li>➤ litter, and</li> <li>➤ sanitary waste</li> </ul>			
<p><b>Bmp C S S R C - 06</b></p> <p>Develop written procedures for inspection of construction sites. Develop a Stormwater Construction Site Inspection Guide for use by municipal inspectors.</p>	<p>The procedures document must address the administrative aspects associated with required inspections of construction sites, the issuance of inspection reports, notices of violations, and enforcement actions. The Inspection Guide must provide inspectors guidance on how to conduct a construction site stormwater inspection, the required procedures, and guidance on acceptable conditions of various BMPs employed on such sites, enforcement actions and/or reference of cases for enforcement by other municipal staff, guidance on photo log of the inspection and inspection checklists for use by the inspector.</p>	<p>Development of the written procedures and the Inspection Guide can occur in any year. Initial implementation can allow points to be claimed in that year and continued implementation can allow points to be claimed in subsequent years.</p>	<p>3 points may be claimed in the year of initial development, 2 points may be claimed for each successive year the written procedures and inspection guide continue to be utilized.</p>
<p><b>Bmp C S S R C - 07</b></p> <p>Acquire or develop a software tracking system to track inspections and related tasks.</p>	<p>The tracking system must allow for scheduling inspections and follow-up activities such as re-inspections, mailing notices or reports, etc.</p>	<p>A point can be claimed in the initial year the software tracking system is implemented and each year thereafter it is utilized.</p>	<p>1 point may be claimed for any year the software is initially utilized, and 1 point may be claimed for each successive year the software is utilized.</p>

- h. Documentation of compliance with the goal and implementation time - schedule must be maintained on file to claim the associated points. Permittee is responsible for implementing adequate BMPs to comply with the Construction Site Stormwater Runoff Control requirements of this permit and be able to claim at least the required number of points in the calendar years as specified above. Extent of compliance, i.e., equal or exceed the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.
- i. The permittee is not limited to implementation of the BMPs listed in the above table. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the table may be documented and counted toward the required annual point total.

5. Post-Construction Stormwater Management in New Development and Redevelopment Projects

The permittee shall continue to maintain a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must include, at a minimum, all the following:

- a. Maintain a requirement for BMPs to prevent or minimize adverse water quality impacts.
- b. Maintain strategies which include a combination of structural and/or non-structural BMPs appropriate for the municipality.
- c. Maintain and enforce an ordinance or resolution, if the permittee has the authority to do so, to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law.
- d. Ensure adequate long-term operation and maintenance of structural BMPs.
- e. The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 5 points total on an annual basis for each calendar year 2021 and 2022. The point total requirement increases to 7 points for each calendar year beginning in 2023. The following table lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing a Post-Construction Stormwater Management in New Development and Redevelopment Projects program as required above, the permittee must implement sufficient listed BMPs in the table below to qualify for the required number of points.

BMP Summary	Measurable Goal	Implementation Time Schedule etc.	Points
<p><b>BMP P-C S M - 01</b></p> <p>Develop and adopt a design manual for Post-Construction Stormwater Management which specifies various structural BMPs which are required for new development and re-development construction sites which are greater than 1 acre or for which there is construction activity disturbing less than one acre which is part of a larger common plan of development or sale that in total disturbs one acre or more.</p>	<p>The design manual shall impose requirements to achieve at least one of the following standards:</p> <ul style="list-style-type: none"> <li>➤ Capture, at least, the first 0.5 inches of precipitation on the development/re-development site and utilize methods to prevent discharge off-site, including but not limited to: <ul style="list-style-type: none"> <li>• retain on-site</li> <li>• infiltrate</li> <li>• evaporate</li> <li>• transpire or</li> <li>• beneficially reuse</li> </ul> </li> <li>➤ Through implementation of appropriate BMP(s) reduce the peak stormwater flow rate to a value equal to or less than the rate which would be experienced on the site prior to the development/re-development project based upon modeling a standard storm event, e.g. 1.0 inch - 6-hour event assuming saturated soil conditions.</li> </ul>	<p>Development of the design manual can occur in any year. Initial implementation can allow points to be claimed in that year and continued implementation can allow points to be claimed in subsequent years.</p>	<p>4 points may be claimed in the year of initial implementation</p> <p>3 points may be claimed for each successive year compliance with the design manual is required.</p>

	<ul style="list-style-type: none"> <li>➤ Other sizing or detention standards generally accepted by design engineers as adequate for the permittee's local.</li> </ul> <p>Measures must be included to enforce the installation of the various structural BMPs required by the manual.</p>		
<b>Ibmp P-C S M - 02</b>	<p>Develop a list of post-construction structural or non-structural BMPs which are required to be incorporated in any development/re-development project. The list must include guidance regarding the BMPs which must be incorporated in various projects as determined appropriate by the permittee. The list is to be provided to entities involved with the design of projects prior to site plan review by the permittee.</p>	<p>Development and implementation of the list and guidance is necessary to claim points in the first year. The list of required BMPs must be enforceable through ordinance or other means.</p>	<p>Development of the list and guidance can occur in any year. Initial implementation can allow points to be claimed in that year and continued implementation can allow points to be claimed in subsequent years.</p> <p>3 points may be claimed in the year of initial implementation</p> <p>2 points may be claimed for each successive year the list is maintained and implemented.</p>
<b>Ibmp P-C S M - 03</b>	<p>Develop and implement a program to ensure adequate long-term cleaning, operation and maintenance of all municipally owned or operated post-construction structural stormwater BMP facilities. The program shall address several different types of these BMP systems. The systems, which are addressed, shall include any type</p>	<p>The program shall be detailed in a written document and made available to all pertinent maintenance staff.</p>	<p>Development of the program can occur in any year. Initial implementation can allow points to be claimed in that year and continued implementation can allow points to be claimed in subsequent years.</p> <p>3 points may be claimed in the year of initial implementation</p> <p>2 points may be claimed for each successive year the program is maintained and utilized.</p>

<p>of post-construction structural BMP system, contained in the MS4. These shall include, if so present, at a minimum the following:</p> <ul style="list-style-type: none"> <li>➤ detention ponds</li> <li>➤ retention ponds</li> <li>➤ grass swales</li> <li>➤ pervious paving systems</li> <li>➤ wetlands</li> <li>➤ vegetative filter strips</li> <li>➤ manufactured stormwater treatment devices (swirl separators, screens, etc.)</li> <li>➤ drop inlet-catch basin</li> </ul>			
<p><b>Ibmp P-C S M - 04</b></p> <p>Develop a master plan or comprehensive development plan which establishes zoning and development standards with establishment of both structural and non-structural BMPs intended to avoid or minimize adverse water quality impacts post-construction.</p>	<p>Runoff problems can be addressed efficiently with sound planning procedures. This master or comprehensive development plan must include, if not already implemented, a zoning ordinance, a stream buffer ordinance, site plan development requirements which include minimizing the increase of impervious surfaces and maximization/preservation of open space. The plan must also impose requirements for new development or re-development projects to utilize stormwater retention or detention BMPs and vegetative BMPs (such as grassy swales, filter strips, artificial wetlands, and rain gardens).</p>	<p>After <u>all</u> aspects are implemented including final implementation of the master or comprehensive development plan, along with enactment of the required ordinances points for implementation of this BMP can initially be claimed.</p>	<p>5 points may be claimed in the year all aspects are initially implemented, 2 points may be claimed for each successive year all aspects continue to be implemented.</p>

<p><b>Bmp P-C S M - 05</b></p> <p>Develop and implement a program for inspection of permittee owned structural BMPs which includes implementation of needed maintenance to ensure long-term operation of the BMPs</p>	<p>The program shall require inspection of at least 10% of the structural BMPs on an annual basis.</p> <p>Identified maintenance activities shall be completed:</p> <ol style="list-style-type: none"> <li>1. in the same year of inspection or</li> <li>2. completed as dictated by the permittee's maintenance/O&amp;M plan</li> <li>3. or a written plan for completion of the necessary maintenance shall be completed in the same year of inspection with the objective for completion of the maintenance activity within 18 months.</li> </ol>	<p>The program shall be developed and implemented within a single year.</p>	<p>3 points may be claimed in the year the program is initially developed and implemented, 2 points may be claimed for each successive year the program continues to be implemented.</p>
<p><b>Bmp P-C S M - 06</b></p> <p>Develop and implement a program for inspection of known privately owned structural BMPs which includes providing the owner of the BMPs an inspection report which specifies needed maintenance to ensure long-term operation of the BMPs.</p>	<p>The program shall require inspection of at least 10% of the known privately owned structural BMPs on an annual basis.</p> <p>Identified maintenance activities shall be completed in the same year of inspection or a written plan for completion of the necessary maintenance shall be completed in the same year of inspection with the objective for completion of the maintenance activity within 18 months.</p>	<p>The program shall be developed and implemented within a single year.</p>	<p>3 points may be claimed in the year the program is initially developed and implemented, 2 points may be claimed for each successive year the program continues to be implemented.</p>

f. Documentation of compliance with the goal and implementation time - schedule must be maintained on file to claim the associated points. Permittee is responsible for implementing adequate BMPs to comply with the Post-Construction Stormwater management in New Development and Redevelopment Projects requirements of this permit and be able to claim at least the required number of points in the calendar years as specified above. Extent of compliance, i.e., equal or exceed the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.

g. The permittee is not limited to implementation of the BMPs listed in the above table. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the table may be documented and counted toward the required annual point total.

#### 6. Pollution Prevention/Good Housekeeping for Municipal Operations

The permittee shall continue to implement an operation and maintenance program that includes employee training to prevent and reduce stormwater pollution from municipal operations activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.

a. The implementation of BMPs for this minimum control measure must result in accumulation of a minimum of 4 points total on an annual basis for each calendar year 2021 and 2022. The point total requirement increases to 6 points for each calendar year beginning in 2023. The following table lists various BMPs, measurable goals, and the required timing-period or implementation-schedule to qualify for the points in the year.

In cases where the permittee is already implementing a BMP which qualifies for points, they may continue implementation of the BMP and earn the listed points as allowed for the first year of implementation under this permit as well as subsequent years.

Multiple BMPs involve holding public hearings; a single public hearing can be held which addresses multiple topics and points claimed for all of the multiple BMPs implemented.

In addition to implementing a Pollution Prevention/Good Housekeeping for Municipal Operations program as required above, the permittee must implement sufficient listed BMPs in the table below to qualify for the required number of points.

BMP Summary	Measurable Goal	Implementation Time Schedule etc.	Points
BMP P P/G H - 01			3 points may be claimed in the year the screening device or method is initially implemented, 2 points may be claimed for each successive year the
Install a screening device or method at a single municipal storm sewer outfall or on the storm sewer line immediately upstream of the outfall to reduce the discharge of floatables or other	The screening device or method is required to remove objects that exceed at least 1½ inches in size. The device or method must be capable of continuous operation during stormwater discharges.	Volume or weight of the material shall be documented for either each discharge event or on a quarterly basis.	

objects to receiving waters.	<p>An emergency bypass or overflow line can be included to avoid surcharging/flooding in the event the screening device or method fails to operate properly at any time.</p> <p>A log of the material captured and prevented from discharge to the receiving water shall be maintained.</p>		screening device or method continues to be implemented.
<b>Libmp P P/G H - 02</b>	<p><b>A log</b> of the materials directed to recycle shall be maintained. Entries in the log shall record either weight or volume of recycle materials removed from the containers and transported to the recycle facility as well as the date of transport.</p>	<p>Recycle containers shall be available for staff use all days of the year in which points are claimed.</p>	<p>3 points may be claimed in the year recycle containers are made available for municipal staff use and the recycle program is initially implemented, <b>2</b> points may be claimed for each successive year the recycle program continues to be implemented.</p>
<b>Libmp P P/G H - 03</b>	<p>Develop a guidance document for municipal staff which apply pesticides. The guidance shall require any municipal staff, who apply restricted use pesticides, to have a commercial applicator certification from the Kansas Department of Agriculture if required by that Department.</p>	<p>Require staff which apply pesticides to use such pesticides in compliance with the guidance document. The guidance document must require use of pesticides in compliance with the label instructions.</p>	<p>The guidance document must be finalized and implemented in the year which points are initially claimed.</p> <p>2 points may be claimed in the year the guidance document is finalized and implemented, 1 point may be claimed for each successive year the guidance document continues to be implemented.</p>

<p><b>Lbmp P P/G H - 04</b></p> <p>Implement a program, with guidance to municipal staff, to ensure any municipal vehicle or other mechanical equipment washing is conducted in a manner which ensures the wash water is disposed of in the sanitary sewer or otherwise receives proper treatment prior to discharge to the environment.</p>	<p>Maintain proper wash facilities for municipal staff to wash vehicles and/or equipment or implement a program which includes guidance to municipal staff to take vehicles and/or equipment to commercial wash facilities, either of which ensures the wash water is conveyed to the sanitary sewer, or otherwise receives proper treatment prior to discharge to the environment, and not discharged untreated to the MS4 or directly to the environment.</p>	<p>The guidance document must be finalized and implemented in the year which points are initially claimed.</p>	<p>2 points may be claimed in the year the guidance document is finalized and implemented, 1 point may be claimed for each successive year the guidance document continues to be implemented.</p>
<p><b>Lbmp P P/G H - 05</b></p> <p>Implement a program for street sweeping in which the street sweepings are collected and disposed of properly or recycled/reused if possible.</p>	<p>All paved streets which can be swept shall be listed in the schedule for street sweeping. A log shall be maintained listing the street segments which are swept and, dates of sweeping and where the street sweepings are disposed or where the material was sent to be recycled and or reused.</p>	<p>At least 10% of the streets which are listed in the street sweeping schedule must be swept at least once in a year to claim points for the year.</p> <p>In years when street sweeping equipment is purchased for use by the permittee additional points may be claimed.</p>	<p>3 points may be claimed in the year at least 10% of the listed streets are swept and street sweeping equipment is purchased, 2 points may be claimed for each year at least 10% of the listed streets are swept.</p>
<p><b>Lbmp P P/G H - 06</b></p> <p>Develop an employee training program to ensure permittee's staff understand what actions they can take in the workplace to minimize stormwater pollution.</p>	<p>Provide guidance documents in the form of fact sheets, flyers or e-mails to staff to coach them in appropriate actions they can take while working to minimize stormwater pollution. Retain copies of these guidance documents and a log of when the guidance was distributed to staff</p>	<p>For each year in which staff receive guidance documents on two separate dates points may be claimed for the year.</p>	<p>In years when guidance documents are provided on two separate dates 1 point may be claimed.</p>

	with an indication of which staff received the various documents. Provide appropriate guidance documents to staff a minimum of twice per year.		
<b>Lbmp P P/G H - 07</b>	<p>Implement a program to inspect stormwater inlets to identify illicit discharges and clean drop inlets of accumulated debris.</p> <p>Inspect at least 10% of all inlets annually. For any inlets which have evidence of dumped paint, oil or other substances which are considered illicit discharges follow up with efforts to educate individuals near the impacted inlet about illicit discharges.</p> <p>For inlets which have any accumulation of debris, remove the debris for proper disposal.</p>	<p>For each year in which staff inspect at least 10% of all stormwater inlets points may be claimed.</p>	<p>In years when staff inspect at least 10 % of all stormwater inlets and remove accumulated debris <b>2</b> points may be claimed.</p>
<b>Lbmp P P/G H - 08</b>	<p>Develop, implement and keep updated an online storm sewer map accessible to the public.</p> <p>Map shall cover the entire MS4 within the permit area and include all the MS4 lines both pipe and open drainage (i.e. ditches) and shall also illustrate all impaired waterways (i.e. 303(d) listed and TMDL listed streams/rivers) with an indication of the listed impairment.</p>	<p>For each year in which the map is posted online points may be claimed. In the first year the map is posted it must be posted for at least six months for points to be claimed.</p>	<p>3 points may be claimed in the first year, <b>2</b> points may be claimed for each year thereafter for which the map remains posted.</p>
<b>Lbmp P P/G H - 09</b>	<p>Identify permittee owned facilities, open space and buildings that can be retrofitted for stormwater BMPs.</p> <p>Retrofit projects can include: green infrastructure, catchment improvements, Pollutant of Concern targeted BMPs, and native plant restoration projects.</p>	<p>The site(s) must be retrofitted with stormwater BMPs as listed in the measurable goals. Points can be awarded in the first year the BMPs are installed and begin operation and points</p>	<p>1 point may be claimed in the first year for each site retrofitted (up to two sites/points maximum, <b>2</b> points may be claimed for each year at least two sites continue</p>

		may be claimed for each year the retrofitted BMPs continue to be operated.	to operate all of the retrofitted BMPs which were installed.
Lbmp P P/G H - 10	The wetland shall include a water surface area of at least 1/4 acre or equivalent submerged surface area for submerged wetlands.	Points may be claimed in the year the wetland is constructed and in subsequent years the wetland remains in operation.	2 points may be claimed for the year in which the wetland is constructed, 1 point may be claimed for each subsequent year the wetland remains in operation.
Lbmp P P/G H - 11	The canopy or covered area shall be large enough to allow normal load-out and cleanup of spilled de-icing materials, without mixing with precipitation and resulting in contaminated runoff from the site, during and immediately following load out operations.	Points may be claimed in the initial year of construction and in subsequent years the canopy/covered area remains in operation.	3 points may be claimed for the year in which the canopy/covered area is constructed, 2 points may be claimed for each subsequent year the canopy/covered area remains in operation.

b. Documentation of compliance with the goal and implementation time - schedule must be maintained on file to claim the associated points. Permittee is responsible for implementing adequate BMPs to comply with the Pollution Prevention/Good Housekeeping for Municipal Operations requirements of this permit and be able to claim at least the required number of points in the calendar years as specified above. Extent of compliance, i.e., equal or exceed the required annual point total or failure to reach the required annual point total, must be reported in the Annual Report.

c. The permittee is not limited to implementation of the BMPs listed in the above table. Several other BMPs may be implemented, however, only implementation of the BMPs listed in the table may be documented and counted toward the required annual point total.

Guidance useful in implementing the six minimum control measures can be obtained from the Online Water Library (OWL) of the Center for Watershed Protection. A list of url links to helpful guidance documents, including OWL, can be found on the KDHE Municipal Stormwater Program website at the following url:

[http://www.kdheks.gov/muni/download/MS4\\_NPDES\\_Permit\\_helpful\\_guidance.pdf](http://www.kdheks.gov/muni/download/MS4_NPDES_Permit_helpful_guidance.pdf)

Document titled "MS4 NPDES Permit Helpful Guidance and/or Resources"

**D. Total Maximum Daily Load (TMDL) Regulated Pollutants**

This PART I - Section D requirement is not applicable to this permit. No action is required at this time for Total Maximum Daily Load (TMDL) Regulated Pollutants as there are no identified TMDL impacted streams within or adjacent to the municipality which justify implementing actions under this section.

**PART II. TOTAL MAXIMUM DAILY LOAD (TMDL) BEST MANAGEMENT PRACTICES AND SURFACE WATER MONITORING**

This Part II requirement is not applicable to this permit. No action is required at this time for Total Maximum Daily Load (TMDL) Best Management Practices and Surface Water Monitoring as there are no identified TMDLs impacting streams within or adjacent to the municipality.

**PART III. MONITORING INDUSTRIAL STORMWATER DISCHARGES:**

This PART III requirement is not applicable to Phase II permittees. No action is required at this time for Monitoring Industrial Stormwater Discharges.

**PART IV. PERMIT COMPLIANCE ACTIVITIES AND SCHEDULES**

**A. Year 2019:**

The required update to the stormwater management program (SMP) document, as required in PART I B. Updated Stormwater Management Program document, should be considered in 2019 and planning initiated for allocating time and effort to complete this task to update the SMP document prior to the submission deadline in 2021.

The Annual Report for calendar year 2018 must be submitted to KDHE between January 1 and February 28, 2019.

**B. Year 2020:**

Any remaining tasks necessary to complete the update of the SMP should be completed in 2020.

The Annual Report for calendar year 2019 must be submitted to KDHE between January 1 and February 28, 2020.

**C. Year 2021:**

The updated SMP document must be submitted to KDHE with the 2020 Annual Report between January 1 and February 28, 2021.

The permittee must implement sufficient listed BMPs to achieve minimum point requirements for each year beginning in 2021.

The Annual Report for calendar year 2020 must be submitted to KDHE between January 1 and February 28, 2021.

D. Year 2022:

The permittee must implement sufficient listed BMPs to achieve minimum point requirements for each year.

The Annual Report for calendar year 2021 must be submitted to KDHE between January 1 and February 28, 2022.

E. Year 2023

The permittee must implement sufficient listed BMPs to achieve minimum point requirements for each year. The point total requirements increase this year.

By February 28, 2023, provide a report (in PDF format) on effectiveness of source controls and structural BMPs to attenuate pollutant discharge and achieve the measurable goals. This report must be submitted to KDHE along with the Annual Report for 2022.

The Annual Report for calendar year 2022 must be submitted to KDHE between January 1 and February 28, 2023.

F. Year 2024

The permittee must implement sufficient listed BMPs to achieve minimum point requirements for each year.

The Annual Report for calendar year 2023 must be submitted to KDHE between January 1 and February 28, 2024.

**PART V. REPORTING**

The permittee shall submit a calendar year annual report to KDHE by February 28 of each year. The annual report shall be submitted to KDHE in the form specified by KDHE. Normally an annual report template (Basic Report) is posted on the KDHE website in the last three months of each year. The report template can be downloaded and completed. The completed annual report along with attachments or other documents which need to be submitted in association with the annual report shall all be submitted in PDF file formats to KDHE on a standard compact disk (CD) or digital versatile disk (DVD). The initial report under this permit is due February 28, 2020 for calendar year 2019. Once KDHE has implemented the KEIMS web-based system, all documents submitted will be required to be uploaded through the KEIMS program. KDHE will provide notification to the permittee when reporting via the KEIMS system is required. The annual report shall cover the activities during the previous calendar year and must include:

- A. Provide the status of compliance with permit conditions, an assessment of the appropriateness of the implemented Best Management Practices, progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable, and the measurable goals (with an indication of the progress toward meeting the goals) for each of the six minimum control measures.
- B. Provide results of information collected and analyzed, (for example test results, surveys, or public comments/input) during the annual reporting period. This may include monitoring data used to assess the success of best management practices with respect to reduction in pollutant discharge. Include an interpretation of the information which addresses success or failure of the portion of the program for which the information applies.

- C. Provide a summary of the stormwater activities that were scheduled to be undertaken during the previous calendar year and the status of these activities.
- D. Provide a summary of the stormwater activities which are scheduled to be undertaken during the next calendar year (including an implementation schedule).
- E. Provide a map showing changes in the permittee's Permit Area if the Permit Area has changed within the year.
- F. Provide a description of significant changes in any of the BMPs.
- G. Provide copies of any ordinances or resolutions which were updated in the last year and are associated with the SMP.
- H. Provide a list of other parties (such as other municipalities or consultants), which are responsible for implementing any of the program areas of the Stormwater Management Program.

**STANDARD CONDITIONS FOR  
KANSAS WATER POLLUTION CONTROL AND  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MS4 PERMITS**

1. Representative Sampling and Monitoring Report Submittals:

- A. Samples and measurements taken as required herein shall be representative of the quality of the monitored water. Test results shall be recorded for the day the samples were taken. All samples shall normally be taken at the locations designated by the permittee in the Stormwater Management Plan according to the requirements of this permit. In the event samples must be obtained from a location different than that designated in the Stormwater Management Plan the annual report shall indicate the change of location and provide the justification therefore.
- B. Monitoring results shall be recorded and reported on forms acceptable to the Division and provided in the annual report. Signed and certified copies of the annual report prepared in accordance with KAR 28-16-59, and all other reports required herein, shall be sent by U.S. mail to:

Kansas Department of Health & Environment  
Bureau of Water-Municipal Programs Section  
1000 SW Jackson Street, Suite 420  
Topeka, KS 66612-1367

2. Definitions:

- A. A "grab sample" is an individual sample collected in less than 15 minutes. A "composite sample" is a combination of individual samples in which the volume of each individual sample is proportional to the flow, or the sample frequency is proportioned to the flow rate over the sample period, or the sample frequency is proportional to time.
- B. The terms "Director", "Division", and "Department" refer to the Director, Division of Environment, Kansas Department of Health and Environment, respectively.
- C. "Severe property damage" means substantial physical damage to property, damage to the treatment/control facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a diversion.

3. Duty to Mitigate: The permittee shall take all reasonable steps to minimize or prevent any damage to the environment or hazard to human health from any discharge in violation of this permit.

4. Test Procedures: All analyses required by this permit shall conform to the requirements of 40 CFR Part 136, unless otherwise specified, and shall be conducted in a laboratory accredited by the Department. For each measurement or sample, the permittee shall record the exact place, date, and time of measuring/sampling; the date and time of the analyses, the analytical techniques or methods used, minimum detection or reportable level, and the individual(s) who performed the measuring/sampling and analysis and, the results. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved procedures, the results shall be included in the Monitoring Report form required in 1.B. above. Such increased frequencies shall also be indicated.

5. Change in Discharge: All stormwater discharges shall be in compliance with the conditions of the permit. Modification or expansion of the storm sewer system is allowed. All new storm sewer segments and outfalls constructed after the effective date of the permit, which are located within the permit area, are authorized under the permit and must comply with the permit conditions.

6. Proper Operations and Maintenance: The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the requirements of this permit and Kansas and Federal law.

7. **Incident Reporting:** The permittee shall report any unanticipated significant incidents which would be expected to result in non-compliance with the permit requirements within 24 hours from the time the permittee became aware of the incident. A written submission shall be provided within 5 days of the time the permittee became aware of the incident. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.  
  
For an anticipated incident or any planned changes or activities in the permitted control/treatment facility that may result in noncompliance with the permit requirements, the permittee shall submit written notice, if possible, at least ten days before the date of the event.
8. **Removed Substances:** Solids, sludges, debris, or other pollutants removed in the course of control/treatment of stormwater shall be utilized or disposed of in a manner acceptable to the Division.
9. **Right of Entry:** The permittee shall allow authorized representatives of the Division of Environment or the Environmental Protection Agency upon the presentation of credentials, to enter upon the permittee's premises where a stormwater discharge or source is located, or in which are located any records required by this permit, and at reasonable times, to have access to and copy any records required by this permit, to inspect any facilities, monitoring equipment or monitoring method required in this permit, and to sample any stormwater discharges from or influents into the stormwater control/treatment facilities.
10. **Transfer of Ownership:** The permittee shall notify the succeeding owner or controlling person of the existence of this permit by certified letter, a copy of which shall be forwarded to the Division. The succeeding owner shall secure a new permit. This permit is not transferable to any person except after notice and approval by the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.
11. **Records Retention:** Unless otherwise specified, all records and information resulting from the monitoring activities required by this permit, including all records of analyses and calibration and maintenance of instruments and recordings from continuous monitoring instruments, shall be retained for a minimum of 3 years, or longer if requested by the Division.
12. **Availability of Records:** Except for data determined to be confidential under 33 USC Section 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Treated and raw stormwater data shall not be considered confidential. Knowingly making any false statement on any such report or tampering with equipment to falsify data may result in the imposition of criminal penalties as provided for in 33 USC Section 1319 and KSA 65-170c.
13. **Permit Modifications and Terminations:** As provided by KAR 28-16-62, after notice and opportunity for a hearing, this permit may be modified, suspended or revoked or terminated in whole or in part during its term for cause as provided, but not limited to those set forth in KAR 28-16-62 and KAR 28-16-28b through g. The permittee shall furnish to the Director, within a reasonable amount of time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request, copies of all records required to be kept by this permit. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
14. **Administrative, Civil and Criminal Liability:** The permittee shall comply with all requirements of this permit. Nothing in this permit shall be construed to relieve the permittee from administrative, civil or criminal penalties for noncompliance as provided for in KSA 65-161 *et seq.*, and 33 USC Section 1319.
15. **Oil and Hazardous Substance Liability:** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under 33 USC Section 1321 or KSA 65-164 *et seq.* A permittee shall promptly notify the Division by telephone upon discovering crude oil or any petroleum derivative in its storm sewer system or stormwater control/treatment facilities.

16. Property Rights: The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights nor any infringements of or violation of federal, state or local laws or regulations.
17. Severability: The provisions of this permit are severable. If any provision of this permit or any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected thereby.
18. Removal from Service: The permittee shall inform the Division at least three months before any control/treatment unit, or any other part of the control/treatment facility permitted by this permit is to be removed from service and shall make arrangements acceptable to the Division to decommission the facility or part of the facility being removed from service such that the public health and waters of the state are protected.
19. Duty to Reapply: A permit holder wishing to continue any activity regulated by this permit after the expiration date, must apply for a new permit at least 180 days prior to expiration of the permit.