

CITY OF LAKE LOTAWANA

4.0 PROPOSED STORM WATER MANAGEMENT PROGRAM (SWMP)

4.1 Commercial and Residential Areas

This subsection of the application describes a proposed management program to control pollutants in storm water runoff from commercial and residential areas.

4.1.1 Structural Controls

4.1.1.1 Regional Detention Basins

The list of regional detention basins is as follows:

1. Foxberry Development
2. Barber Rock Quarry
3. Gate 2 Stalling Property

Additional regional detention basins are planned for construction as the following locations.

1. Lone Summit Development
2. Village by the Lake

Regional detention basins are designed in accordance with criteria and standards of the Public Works Department (PW). Current practice is to out-source construction to private contractors. New regional detention basins will be seeded with native grasses. The Water Pollution Control Department (WPC) and Community Improvement District has assumed responsibility for maintenance of regional detention basins. Maintenance includes, but is not limited to, a) mowing, b) litter removal, c) maintenance of the inlet and outlet structures, d) sediment removal and e) mosquito control.

4.1.1.2 Other Structural Controls

In addition to the regional detention basins designed and constructed by the City, PW requires the construction of detention basin to handle the storm water runoff from areas of new development, such as subdivisions. City Code will requires any detention facility designed and constructed as a part of a development plan to remain as designed and not altered unless an alternate plan is developed, constructed and approved by the PW Director. City Code will further require the owner to be responsible for maintaining detention facilities in good working order, removing obstructions, and cleaning and mowing as appropriate.

4.1.2 Land Use, Zoning and New Development

The City of Lake Lotawana Planning and Zoning Department is responsible for administering matters that deal with land use, zoning, new development and the Planning Commission. Additionally, the Planning and Zoning Department is implementing a data base utilizing a GIS. The Planning and Zoning Department also administers building permits and provides inspections.

The Department of Public Works (PW) also participates in matters relating to new development by providing inspection of infrastructures and plan review to determine appropriate detention/retention facilities for storm water. PW also utilizes GIS for management of information regarding the storm sewer system.

Part 2 NPDES application guidance documents suggest a forum for public participation. In March, 1993, the C.I.D. agreed to become one of the public bodies to allow for public participation regarding storm water matters.

The Board of Aldermen meetings, held in the open approximately one (1) time per month, could also be considered a public participation forum. Specific Council rules, however, will prevail which may not always provide the same latitude of public participation that otherwise could be provided on an agenda specific Commission basis.

Staffs of Planning and Zoning and PW would normally be available to the Commission or Aldermen on public hearing/public participation matters.

4.1.2,1 Geographic Information System (GIS)

GIS is simply defined as a computer system capable of holding and using data describing places on the earth's surface. A GIS database is composed of many different layers of geographic data and descriptive data that can be spatially linked and used in virtually any combination for a specific geographical area. The value of GIS is its ability to analyze the descriptive data and then link that data to a specific geographical area. The GIS database contains spatial data and descriptive data about the City of Lake Lotawana. Data about storm water runoff and the storm sewer system will be an integral part of the GIS database.

The storm water portion of the database will include geographical data that contains watersheds, sub-sheds, creeks and streams, including storm sewers, culverts and bridges. Descriptive data that could be linked to GIS include location, pipe sizes, length, pipe type, condition, age, flow capacity and required flow capacity. This data would be combined with other base descriptive data that will allow the GIS to assist in the best management practice for storm water runoff. The GIS will assist in analyzing problem areas and allow identification of the parts of the system that may need to be evaluated.

Following are some of the specifics that could be contained in the GIS that would assist in the best management of storm water runoff. The data could be referenced to storm water systems currently in microfilm form. Structures, such as junction boxes, catch basins, field inlets and box culverts, could be entered

into the system with information relating to size, type of construction, age, and capacity. Linked data for both sanitary and storm sewer systems could include maintenance records, trouble spots, drainage, complaint locations, retention basins and proposed improvements. Once these records are established, they will be periodically updated with new private development plans and City construction projects added to the database. It is also possible to include storm water quality monitoring locations and locations of potential problems, such as septic tank failures, potential industrial polluters, and potential hazardous waste spill locations. Also to be included will be the 100 year flood plain areas.

The City's GIS is in the early stages of development. The database is being developed, and the capabilities of the system will evolve as the database development progresses. This will give the ability to monitor the overall impact of storm water runoff in the City while detailed data is being developed on the specifics of the physical system. The overall view will also assist in establishing the priorities for the development of the detailed system information.

The GIS will help the City to keep current with the best management practices for storm water runoff and analyze the storm sewer system, its needs and water quality.

4.1.3 Public Streets, Roads and Highways

The City's Public Works (PW) Department is responsible for select capital improvement projects, such as building streets, sidewalks, curbs and retaining walls.

In addition to capital improvements, the PW Department maintains public streets and alleys. This maintenance includes, but is not limited to:

1. street sweeping
2. street painting
3. sign painting and installation
4. street paving
5. street and crack sealing
6. snow removal

The Department maintains about 24 lane miles of public streets. The paving program typically uses asphalt for street overlay. PW performs crack sealing but no longer uses slurry seal mix for street sealing. If slurry seal is needed, the work is outsourced to private contractors.

Beyond the street maintenance and construction activity, the Department provides fleet maintenance on vehicles and equipment.

The Water Pollution Control Department (WPC) is responsible for storm sewer maintenance, including catch basin cleaning. For a description of WPC's storm sewer maintenance activities, see subsection 4.1.7. Maintenance of drainage

ditches is the property owner's responsibility, but PW clean roadside ditch on a request basis.

4.1.3.1 Capital Improvement Construction

In order to reduce the potential for pollutants to enter Lake Lotawana, the PW Department will write and implement procedures that will conform to regulations. Depending on the scope of the activity, PW will employ best management practices (BMP) in its programs and projects. BMP includes, but is not limited to, the following:

1. Putting tarps on dump trucks to minimize fugitive dust emissions.
2. Conformance to erosion regulations
 - a) use of fabric baffles
 - b) use of straw bales
 - c) use of buffer zone or construction sediment reduction corridor to remove dirt from being carried to the streets
3. Personnel training and instruction on the proper use and maintenance of equipment.
4. Concrete trucks will not be allowed to wash-up the concrete chute into drainage ditches, gutters and sewers.
5. Emphasis of environment control and project management will be deployed during activity around or near creeks, rivers, streams, ponds, and lakes.
6. Graded areas to be covered reasonably soon will the proper aggregate or sod, or seeded and protected with straw or mulch.

4.1.3.2 Snow Removal

The snow removal process involves the plowing of snow from the streets. the process also allows for the application of sand and salt.

Each year, approximately October, the sand and salt spreaders will be calibrated and certified to regulate the application of sand and salt. Typical application rates are 200 to 1,000 pounds of sand/salt mix per lane mile of road. PW is experimenting with new deicing material that may allow use of less material. Each operator will be annually instructed on the operation of the spreader unit, including flap settings to ensure that deicer material stays on the roadway surface. Liquid calcium chloride is also added to the sand/salt mix at a rate of 10-12 gallons/ton when temperatures are at or below 20 degrees F.

Since deicing salts are the main source of pollutants in runoff of urban snow melt, the PW management, during the life of the Permit, will explore or study

ways to minimize application rates of sand/salt mix, or use alternative deicing materials.

4.1.3.3 Salt/Sand Storage

PW typically prescribes 1,5 tons of salt and 2,5 tons of sand to be kept in inventory for the snow removal season. A shed to cover the salt pile and help protect the MS4.

4.1.3.4 Paving and Sealing

This maintenance activity includes the use of rock, oil, asphaltic aggregates and emulsion. PW personnel will be trained and instructed on proper usage of equipment and application rates and techniques. All equipment will be calibrated annually and frequently inspected to assure effective delivery of service.

Paving and sealing activity will cases during a rain or an imminent threat of rain. Polluted runoff due to rainfall associated with this activity can be treated with absorbent materials. Disposal of any absorbent materials shall comply with proper environmental regulations. PW will instruct operating personnel to prevent aggregates from entering the MS4. Dust, dirt and waste materials generated or captured as a result of this activity shall be appropriately collected and disposed of in compliance with environmental regulations.

Equipment leaks or product spills will warrant and effect containment and clean up practices. Disposal or recycling shall occur in conformance with environmentally acceptable standards.

4.1.3.5 Painting (& Striping) of Streets

The City of Lake Lotawana SWMP proposes that all cautions be used in handling inventories of paints and thinners. Latex paint is now used in place of oil-based paint, precluding the need for solvent paint thinners. Absorbent materials are kept available at the inventory site. the material hauled will be appropriately safeguarded during transit and application. Absorbent materials will be on hand to use with any leaks or spills. the PW Department will clean up small spills or call an environmental contractor if the spill is large or threatens the environment.

Equipment cleanup will follow BMP with emphasis on recycling. PW will try to judge the amount of materials to be used on a daily basis and only transport the amount expected to be needed to the job site. Personnel will be properly instructed on the intended and appropriate use of equipment and material.

As with the crack sealing and paving program, the painting and striping of streets program will cease during a rain or the imminent threat of rain.

4.1.3.6 Trash and Litter

As trash, litter and debris are found on public sites and right-of-way and in creeks, it will be picked up and disposed of in a sanitary landfill. Areas of significant littering will be referred to the City's Community Service Officer for investigation and possible code enforcement.

Detention basins may become the recipient of trash and debris after a rain event. WPC is responsible for mowing and turf maintenance of regional detention basins. As this debris is discovered, it will be properly bagged and taken to designated sites to be hauled to a sanitary landfill.

4.1.3.7 Street Sweeping

Proper and frequent street sweeping is expected to reduce pollutants to the MS4. Street sweepers are equipped with spray bars to dampen the sweeping lanes to remove dust. The captured material is transported to an approved landfill. C.I.D. endeavors to sweep throughout the City at least once per year. Sweeping is also conducted on a complaint basis and where observed to be needed, such as where land disturbance activities result in mud on the street. Staff will be maintaining a record keeping system of miles swept and hours spent.

4.1.3.8 Equipment Maintenance

Equipment used by PW and other City agencies may experience leaks of oil, antifreeze, transmission fluid, etc. As such, periodic equipment checks will be made to effect corrective action upon discovery. Leaks will be appropriately cleaned up, and disposal practices shall comply with environmental regulations.

Vehicle and equipment wash water will not be allowed to flow to the MS4. PW typically takes vehicles to a commercial car wash. Parking lots will be inspected periodically to gather and dispose of and litter.

Inventories of oils, hydraulic fluids, and antifreeze will be appropriately stored and safeguarded to control any leaks or spills from entering the MS4. Used oil products are collected and used in oil burning furnace for the maintenance shop.

4.1.4 Flood Management Projects

The City of Lake Lotawana participates in the Federal Insurance Program whereby the City manages its flood ways, thereby making possible flood insurance for its citizens. The flood plains are managed by the Public Works Department (PW), which follows the Flood Plain Development ordinance adopted by the Board of Aldermen and approved by the Federal Emergency Management Agency. The Flood Plain Development ordinance was amended in 2006 to require new construction to be elevated to at least two feet above the base flood elevation.

The City has received approval in the Federal Insurance Program's Community Rating System.

The designs of flood management projects are reviewed by PW. Water Quality considerations are an integral part of the design and construction of City flood management projects such as regional detention basins.

4.1.5 Pesticides, Herbicides and Fertilizers

This subsection of the SWMP provides a description of programs proposed to minimize storm water discharges associated with application of pesticides, herbicides and fertilizer. Both municipal and non-municipal application and handling of these chemicals are addressed.

4.1.5.1 Non-municipal Applications

The City proposes to primarily use an educational approach to encourage the public to reduce to the maximum extent practicable, pollutants in discharges from municipal separate storm sewers associated with the application of pesticides, herbicides and fertilizers. The City has an on-going public education program which has evolved since our MS4 permit application was first submitted. The methods used to educate the public may change in the future from what is here described, but public education will continue to be essential components of the SWMP.

The City and Home Owners Association has Lotawana clean up days for cleanup of yard debris and chemicals, paint and junk properly disposed of twice a year. City publications will continue to fulfill an important role in our public education efforts on pesticides, herbicides and fertilizers as well as other topics of concern to storm water management.

Representatives from WPC have been involved in speaking to classes in local schools about water pollution control and wastewater treatment subjects. Sewer District #1 Waste Treatment Facilities are also provided to school groups. WPC plans to continue informational efforts involving area schools and to include storm water topics.

The City also plan to use the Internet for public education. Copies of pertinent Public Works web pages which encourage responsible use of fertilizers, pesticides and herbicides are enclosed for updating. WPC's website also addresses other topics important to preventing water pollution.

The City periodically holds "open house" events where citizens can visit with representatives of City departments and obtain information on City services. This provides another opportunity to distribute literature on storm water pollution prevention topics and inform the public with educational displays.

In addition to public education efforts, WPC is prepared to investigate complaints and reports of spills, dumping and improper disposal of pesticides, herbicides, fertilizers or other materials into storm sewers. As discussed in our Part 2 application in Section 010 Legal Authority, Article 15 of Chapter 215. of City Code provides authority for enforcement of the prohibition against polluting storm water with such material. Where deemed appropriate, Public Works may distribute door hangers in the area where illegal dumping has occurred to inform local residents about prohibited activities and to give a telephone number to call for more information.

Another important element of our program for minimizing storm water contamination with pesticides, herbicides and fertilizers is our household hazardous waste (HHW) collection program. City of Lake Lotawana is a party to an inter-municipal agreement with Jackson County, Missouri, for participation in Kansas City's Regional HHW program. Lotawana residents may take unwanted pesticides and other hazardous chemicals to Jackson County Regional HHW Center for safe disposal, free of charge. In addition, various City departments have cooperated in the staging of several highly successful mobile HHW collection events in Lotawana. Providing an environmentally acceptable, accessible means for disposing of unwanted pesticides, herbicides, fertilizers, and other household chemicals helps to prevent improper disposal practices that could contaminate storm water.

The Missouri Pesticide Use Act and the rules promulgated thereunder dictate the certification and training requirements for applicators of restricted use pesticides, so designated by the U.S. Environmental Protection Agency (EPA) in accordance with the Federal Insecticide, Fungicide and Rodenticide Act. The Missouri Department of Agriculture, Bureau of Pesticide Control, enforces the requirements of the Missouri Pesticide Use Act, which also regulates the storage and disposal of pesticides and pesticide containers. The City has no plans to duplicate the certification program or training programs for restricted use pesticide applicators administered by the State.

4.1.5.2 Municipal Applications

City Departments involved in pesticide, herbicide or fertilizer application consist primarily of the Public Works Department and the Community Service Officer. The Public Works Department has responsibility for turf maintenance at city parks, right-of- ways and other publicly owned green space.

The only herbicide currently in the Public Works Department's inventory is a small quantity of Stomp out, a non-selective herbicide. Application procedures are consistent with the manufacturer's recommendations and label directions.

Right-of-way maintenance for the most part consists of mowing. As a general practice, an effort is made to keep grass clippings out of storm drains. Where possible, the mower discharge chute is positioned away from sidewalks, curbs and streets or, where necessary, clippings are swept up to minimize washing into

storm drains.

The Public Works Department uses pesticides for mosquito control, both fogging agents and larvicides. The pesticides currently used for this purpose by the Public Works Department are not restricted use pesticides. Application procedures are consistent with the manufacturers' recommendations and label directions. A summary of the Public Works Department mosquito control program and MSDS and product label information are provided.

4.1.6 Storm Sewer Maintenance

Throughout the life of the NPDES permit, WPC staff will evaluate the level of maintenance service provided. Subject to this analysis from time to time and an adequate funding level, the Department may request additional personnel and equipment. Elsewhere in this section, the SWMP prescribes the plan for public education. It is believed that a good steady state maintenance approach to the MS4, combined with, "waste minimization/pollution prevention" public education and enforcement of storm water regulations and erosion control (both described under legal authority), that, indeed, pollution to the City of Lake Lotawana MS4 will be reduced.

4.1.6.1 Sewer Construction

Except for minor repair projects, construction is typically outsourced to private contractors.

The exact amounts of construction activity will most likely vary and, of course, be subject to an adequate funding level. The actual year by year decisions will be subject to sufficient revenue and policy making by the Lake Lotawana Board of Aldermen.

During the tactical planning of construction services, consideration will be given to not only the quantity of storm water to be transported or conveyed to the receiving stream, but also to storm water quality. For example, where appropriate, grassy swales can be provided, instead of pipe or ditching, which will retard flow velocities and capture nutrients and sediments. In addition, swales are easier to maintain and mow by the property owner than grassy ditches.

With this philosophy employed in the construction activity along with compliance with erosion control regulations, it is anticipated that a reduction in sediment pollution to the MS4 will transpire.

4.2 Illicit Discharges

This subsection of the application describes a proposed management program to detect and remove (or require the discharger to the MS4 to obtain a separate State operating permit) illicit discharges and improper disposal into the storm sewer.

4.2.1

Inspection and Enforcement

Section 215.010 of Article 15. Municipal Separate Storm Sewer System Regulations of the Code of the City of Lake Lotawana, a copy of which is provided with this updated application, prohibits illicit discharge to the MS4. Section 215.010 of the storm sewer system regulations addresses spills, dumping and disposal of materials other than storm water. Enforcement authority is contained in Section 215.010 of Article 15.

Section 215.010 identifies de minimis non-storm water discharges which are not prohibited by the City from discharging to the MS4 unless specifically identified by the Public Works Director as needing to be controlled or prohibited. These de minimis discharges include the following: water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration to separate storm sewers; uncontaminated pumped ground water; discharges from potable water sources; foundation drains, air conditioning condensation, irrigation water and springs; water from crawl space pumps, footing drains, lawn watering and individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water and runoff from fire fighting.

The ordinance provides the authority for the Public Works Director to prohibit or control any individual discharge or category of discharges listed as de minimis if deemed necessary. The Director may also require notification to be made to Public Works prior to discharge from water line flushing, swimming pool discharge, street wash water or other non-storm water discharges in order to determine whether such discharges may be sources of pollutants to waters of the State or to stream that are tributary to waters of the State. Public Works plans to take into account the location of such discharges in determining potential impacts, and to prohibit discharge or require controls if deemed necessary to protect water quality.

In general, Public Works approach with regard to enforcement of the illicit discharge prohibition will initially be an educational one. It is hoped that public education efforts described elsewhere in this section will serve to reduce illicit discharges to the MS4. Upon identification of a source of illicit discharge, in most cases the initial action will be to inform the responsible party of the ordinance prohibiting such discharge and to request corrective action. Detection of a repeat offense may result in enforcement action against the responsible party.

Staff of the Public Works Environmental Compliance Administration and Surveillance and Analysis staff respond to complaints and other reports of illicit discharges, spills and dumping. Field crews of Sewer Maintenance Division report observations regarding potential illicit discharges, which are then investigated by appropriate Public Works personnel.

Investigation and response to complaints regarding surfacing discharges from

septic systems may involve personnel from Health Department and Public Works since these Departments all share some responsibility for regulating septic systems. Investigation is generally made on a complaint basis. Public Works may evaluate a malfunctioning system to determine appropriate controls.

4.2.2 Field Screening

Dry weather field screening will be conducted during the term of the permit for the MS4. Proposed start-up will be the summer following issuance of the permit. During the spring, summer and fall all coves are sampled for contamination. The test are PH, DO, Temp., Fecal, Ecoli and ammonia on a monthly basis. Information obtained during field screening activities would be referred to Public Works for appropriate action.

Dry weather field screening will be conducted by City Personnel, and the proposed program described above may be modified. For example, samples may be analyzed by the Lake Lotawana Sewer District #1 Facilities laboratory or a contract laboratory rather than utilizing Hach test kits.

4.2.3 Investigation of Potential Illicit Discharges

As indicated in subsection 4.2.2 above, dry weather field screening to be conducted during the term of the permit for the MS4 will be directed at identifying sources of illicit discharge is detected. Public Works proposes to determine locations of storm sewers targeted for investigation based on results of ongoing field screening to be conducted during the term of the permit and based on other information that becomes available that indicates a reasonable potential for illicit discharges. Inspections of priority industrial dischargers may provide evidence of illicit discharge. Public Works will attempt to tailor investigative methods (inspection, sampling, dye-testing or televising) and sample parameters based on the nature of the suspected source and conditions at the site.

4.2.4 Spill Response and Prevention

This subsection of the application discusses spill response activities of the City and spill prevention and control at industrial facilities.

4.2.4.1 Spill Response by City Personnel

The Municipal Separate Storm Sewer Regulations contained in Article 15, Chapter 215. of City Code prohibit any person from causing pollution of any waters conveyed by a municipal separate storm sewer or waters of the State. The ordinance also prohibits any person from dumping or disposing of any material or substance other than storm water into a municipal separate storm sewer. Article 15 grants the Public Works Director the authority to arrange for remediation action to be taken and to recover the costs from the responsible party.

Spill response commonly involves coordination between the Fire Department and Public Works and the Police Department as well as other City personnel may sometimes be involved as well. The Incident Command System is used in spill response. Public Works is to be notified when a spill has entered, or threatens to enter, a storm sewer or waterway or conveyances tributary to sewer or waterway. Notification regarding petroleum product spills of fifty gallons or more and regarding other hazardous material spills is given to the Missouri Department of Natural Resources (MDNR) and other agencies, if warranted, in accordance with standard operating procedures.

The doctrine of spill containment is in force, unless safety considerations dictate otherwise. Fire equipment and Public Works vehicles used in spill response are equipped with spill containment materials such oil dry and absorbent socks. Public Works vacuum trucks can also be used in spill cleanup. If the extent of hazardous material release is beyond the capabilities of the City Fire and Public Works Department to contain, assistance is requested from outside agencies or resources. If necessary, the City's Emergency Operations Plan is also activated.

Following cleanup, spilled material mixed with containment materials is typically placed in drums or bags and left in the custody of the party responsible for the spill for final disposal. If the responsible party is unknown or unable, the City may be able to provide disposal, depending on the nature of the spilled material. If no, EPA assistance may be requested.

A written spill report is completed regarding hazardous material spills.

Fire Department personnel have received Hazardous Materials Response Training to the Operational Level with 32 hours of training from the university of Missouri. Public Works spill responders have received a 40 or more hours of training in hazardous materials incident response.

4.2.5 Public Awareness and Reporting Program

The City has an on-going public education program which has evolved since our MS4 permit application was first submitted. The methods used to educate the public may change in the future from what is here described, but public education will continue to be an essential component of the SWMP.

City publications fulfill an important roll in our public education efforts.

The City periodically holds "open house" events where citizens can visit with representatives of City departments and obtain information on City services. This provides another opportunity to distribute literature on storm water pollution prevention topics and inform the public with educational displays.

Door hangers are another educational tool that may be used to promote, publicize and facilitate public reporting of the presence of illicit discharges or

water quality impacts associated with discharges from municipal separate storm sewers. Where deemed appropriate, Public Works may distribute door hangers in the area where an illicit discharge has occurred. Door hangers may be used to inform local residents about prohibited activities and to give them a telephone number to call for more information or to report incidents.

4.2.6 Infiltration of Seepage

WPC's Sewer Maintenance Division is responsible for the upkeep and maintenance of sanitary sewers and manholes. Public Works Storm Water Division is responsible for maintenance of the municipal separate storm sewer system.

In addition to installing and repairing sewer lines, Sewer Maintenance Division performs sewer line preventative maintenance and provides response services on the sewer system. The Division also participates in the enforcement of the Sewer Use Regulations. The closed circuit televising unit is used to detect areas of inflow and infiltration. If exfiltration is detected entering a storm water conveyance, Public Works responds aggressively to make the necessary repairs. Sanitary sewer televising may be initiated through complaint or routine operation and maintenance. Sanitary sewers are televised to locate areas where repairs are needed to correct problems.

Smoke testing in sanitary sewer lines is also used to determine inflow and to delineate where exfiltration can occur. In this operation, a smoke bomb is placed in a manhole, and any escaping smoke will locate a breakage that would allow exfiltration to occur,

Televising and smoke testing of sewer lines are done as a part of routine operation and maintenance as well as in response to complaints and in investigations of potential problems.

4.3 Waste Handling Sites

Public Works operates Lake Lotawana's Sewer District #1 Waste Treatment Facilities, publicly owned treatment works for domestic and industrial wastewater. The NPDES permit for Lake Lotawana Sewer District #1 Waste Treatment Facilities regulates discharge of storm water associated with industrial activity. Public Works will abide by the monitoring and other provisions of the NPDES permit.

4.3.1 Control Measures

Article 15 of Chapter 210 of the Code of the City of Lake Lotawana provides a broad range of options for imposing control measures on industrial storm water discharges. Some examples are listed below.

- * The Public Works Director may require industrial users to conduct

- self-monitoring and reporting of storm water discharges and to provide copies of reports submitted to the State.
- * The Director may require industrial users to submit and implement pollution prevention and spill control plans.
- * The Director may require industrial users to implement Best Management Practices (BMPs).
- * The Director may require industrial users to obtain permits or may issue orders or other control mechanisms regulating the contribution of pollutants from and the quality of industrial discharges. Requirements imposed by the City may be as stringent as or more stringent than requirements set forth in a State operating permit issued to the industrial user.
- * Industrial users are required to notify Public Works immediately in the event of a spill or discharge of significant materials to the MS4.

Public Works will evaluate which control measures are most appropriate for priority industrial facilities based on field investigations and other information that becomes available during the term of the permit for the MS4. Public Works may require industries to conduct self-monitoring to supplement sampling and analyses conducted by Public Works and contract laboratories. Follow-up inspections may be conducted where needed to verify the installation of required controls (e.g., secondary containment) or implement of required pollution prevention practices.

4.4 Construction Site

The erosion control ordinance discussed in Section 1.0 of this application is incorporated into the Public Works Manual for the City of Lake Lotawana. Erosion control requirements apply to any permitted building site where earth materials are disturbed. Plan reviews on permitted building sites include erosion control parameters. Prior to approval of drawings for building sites, erosion control is reviewed, and any needed erosion control facilities will be required on the final plans. These must be designed in accordance with the provisions outlined in the Public Works Manual.

The erosion control ordinance was subject to public review and comment, having been discussed at a public hearing of the City Planning Commission and submitted for review to the local Building Association. This is one of the processes by which education of construction site operators on erosion control requirements has been accomplished. Continuing guidance will be provided by PW as needed. At the City's request, MDNR's Outreach and Assistance Center (formerly known as the Technical Assistance Program) conducted an Erosion Control workshop in September, 2001, at the Blue River Community College campus in Independence. Local construction site contractors were invited to attend. Similar workshops may be held in the future.

City personnel inspect the permitted building sites within the City. The erosion control plan is a part of the building plan documents and is subject to inspection and enforcement along with all other building specifications. It should be noted that the City enforces its erosion control and MS4 ordinances but does not accept responsibility for enforcement of State-issued Land Disturbance permits. The City hopes to work in partnership with MDNR in addressing construction site concerns.

4.5 Implementation

As indicated in preceding sections of the proposed SWMP description, some of the components of the proposed SWMP have already been implemented. Other components will be phased in during the term of the permit for the MS4. Some pilot studies may also be undertaken. All components of the SWMP, including the legal authority, are subject to modification. As the program matures and additional data and information are collected, or as changes occur, various aspects of the SWMP may need to be modified to improve the effectiveness of the program.

Notwithstanding any other provision to the contrary, nothing in this application or elsewhere in the City's storm water management program shall be deemed to be a legally binding commitment under the Clean Water Act, 33 U.S.C. 1251 et seq., the Missouri Clean Water Law, Section 644.006 et seq., RSMo, and applicable regulations (40 CFR Parts 122, 123 and 124 and 10 CSR 20-6.200), as may be amended from time to time, for the City to undertake storm water management activities beyond the minimum otherwise required by these laws and regulations. Nevertheless, the City maintains its discretionary authority to undertake storm water management activities beyond the minimum required.