



City of Salem, Virginia

Municipal Separate Storm Sewer System Program Plan

For
General Permit No. VAR040010
During
Permit Year 2024 - 2025

From November 1, 2023, until October 31, 2028, in accordance with the VAR04 General Permit the City of Salem is authorized to discharge stormwater and authorized non-stormwater discharges described in 9VAC25-890-20 D from the small municipal separate storm sewer system into surface waters within the boundaries of the Commonwealth of Virginia consistent with 9VAC25-890-40.

May 31, 2024

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ACRONYMS

BMP	Best Management Practice
DCR	Virginia Department of Conservation and Recreation
DEQ	Virginia Department of Environmental Quality, “the department”
CUA	Census Urbanized Area/Census Urban Area
CVC	Clean Valley Council
ESC	Erosion and Sediment Control
HUC	Hydrologic Unit Code
MEP	Maximum Extent Practicable
MCM	Minimum Control Measure
MS4	Municipal Separate Storm Sewer System
NMP	Nutrient Management Plan
POC	Pollutants of Concern
PCB	Polychlorinated biphenyl
SLAF	Stormwater Local Assistance Fund
SWM	Stormwater Management
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
VPDES	VAR04 General Virginia Pollutant Discharge Elimination System Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems
VCACS	Virginia Department of Agriculture and Consumer Services
VESCP	Virginia Erosion and Sediment Control Program
VSMA	Virginia Stormwater Management Act
VSMP	Virginia Stormwater Management Program
WLA	Waste Load Allocation

DEFINITIONS

"Annual practice" means a nonstructural best management practice such as street or storm drain cleaning that reduces pollution for one compliance year upon implementation.

"Best management practice" means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

"Chesapeake Bay TMDL Pollutants of concern" or "POC" means total nitrogen and total phosphorus.

"Chesapeake Bay Preservation Act land-disturbing activity" means a land-disturbing activity including clearing, grading, or excavation that results in a land disturbance equal to or greater than 2,500 square feet and less than one acre in all areas of jurisdictions designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations (9VAC25-830) adopted pursuant to the Chesapeake Bay Preservation Act.

"Chesapeake Bay Watershed" means all land areas draining to the following Virginia river basins: Potomac River Basin, James River Basin, Rappahannock River Basin, Chesapeake Bay and its small coastal basins, and York River Basin.

"Construction activity" means any clearing, grading or excavation associated with large construction activity or associated with small construction activity.

"Date brought online" means the date when the City determines that a new stormwater management facility is properly functioning.

"Discharge," when used without qualification, means the discharge of a pollutant.

"Drainage area" means a land area, water area, or both from which runoff flows to a common point.

"Ecosystem restoration projects" means practices implemented to reestablish and maintain natural systems that prevent, reduce, or remediate pollutant loadings. Examples of ecosystem restoration projects include stream restoration, shoreline restoration, land-use conversion, and reforestation.

"Existing sources" means pervious and impervious urban land uses served by the MS4 as of June 30, 2009.

"High-priority facilities" means facilities owned or operated by the City with drainage to any permitted MS4 that actively engage in one or more of the following activities: (i) composting; (ii) equipment storage, cleaning, and maintenance; (iii) long-term bulk materials storage; (iv) pesticide, herbicide, and fertilizer storage; (v) recycling; (vi) anti-icing and deicing agent storage, handling, and transfer; (vii) solid waste handling and transfer, and (viii) City owned or operated vehicle washing, maintenance, and salvage." Hydrologic Unit Code" means a watershed unit established in the most recent version of Virginia's 6th Order National Watershed Boundary Dataset.

"Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges resulting from firefighting activities (Discharges or flows from firefighting activities need only be addressed where they are identified as significant sources of pollutants to surface waters.), water line flushing, landscape irrigation, diverted stream flows, rising groundwaters, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, street wash water, noncommercial fundraising car washes if the washing uses only biodegradable, phosphate-free, water-based cleaners; or other activities generating discharges identified by the department as not requiring VPDES authorization.

"Impervious cover" means a surface composed of material that significantly impedes or prevents natural infiltration of water into soil.

"Land disturbance" or "land-disturbing activity" means a manmade change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation, except that the term shall not include the following potential activities:

- Land-disturbing activities that disturb less than 2,500 square feet in all areas of the jurisdictions designated as subject to the Chesapeake Bay Preservation Act or activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance;
- Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance;
- Land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, DEQ shall be advised of the disturbance within seven days of commencing the land-disturbing activity, and compliance with the administrative requirements within 30 days of commencing the land-disturbing activity.

"Municipal separate storm sewer system" means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains.

"MS4 Program Plan" means the completed registration statement and all approved additions, changes and modifications detailing the comprehensive program implemented by the operator under this state permit to reduce the pollutants in the stormwater discharged from its municipal separate storm sewer system (MS4) that has been submitted and accepted by DEQ.

"MS4 regulated service area" or "service area" means for Phase II permittees, the drainage area served by the permittee's MS4 that is located within the 2020 census urban areas with a population of at least 50,000 or the 2000 and 2010 decennial censuses urbanized area as determined by the Bureau of the Census. MS4 regulated service area may also be referred to as "served by the MS4" as it pertains to the tables in Part II.A of this permit.

"New sources" means pervious and impervious urban land uses served by the MS4 developed or redeveloped on or after July 1, 2009.

"Outfall" means, when used in reference to municipal separate storm sewers, a point source at the point where a MS4 discharges to surface waters and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other surface waters and are used to convey surface waters.

"Physically interconnected" means that one MS4 is connected to a second MS4 in such a manner that it allows for direct discharges to the second system.

"Pollutants of concern" means pollutants specifically identified in a U.S. Environmental Protection Agency approved total maximum daily load report as causing a water quality impairment.

"Public" means, for the purpose of this Program Plan, the citizens of the City of Salem or the population who attends or is employed by the City of Salem.

"Point of discharge" means a location at which concentrated stormwater runoff is released.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

"Stormwater management plan" means a document(s) containing material for describing methods for complying with the requirements of the Virginia Stormwater Management Program.

"Total maximum daily load" means the sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs.

"Traditional MS4 permittee" or "traditional permittee" means a local government that operates a regulated MS4 under the authority of a county board of supervisors, a city council, or a town council.

"Transitional sources" means regulated land disturbing activities that are temporary in nature and discharge through the MS4.

"Wasteload allocation" or "wasteload" means the portion of receiving surface water's loading or assimilative capacity allocated to one of its existing or future point sources of pollution. WLAs are a type of water quality-based effluent limitation.

"Watershed" means a defined land area drained by a river or stream, karst system, or system of connecting rivers or streams such that all surface water within the area flows through a single outlet.

1.0 MS4 PROGRAM PLAN

The City of Salem (City) Program Plan when implemented constitutes compliance with the standard of reducing pollutants to the maximum extent practicable (MEP) of the VAR04 General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4s), referred to in the remainder of this Plan as the General Permit.

1.1 Minimum Control Measures

The General Permit requires the Program Plan to include Best Management Practices (BMP) to address the requirements of six minimum control measures (MCMs) described in Part I.E of the General Permit.

The MCMs are summarized as:

- MCM 1: Public Education and Outreach on Stormwater Impacts
- MCM 2: Public Involvement and Participation
- MCM 3: Illicit Discharge Detection and Elimination
- MCM 4: Construction Site Stormwater Runoff Control
- MCM 5: Post-construction Stormwater Management
- MCM 6: Pollution Prevention/Good Housekeeping for Operations

Section 3.0 of this Program Plan includes BMPs developed to explicitly address the General Permit requirements for each MCM. The title of each BMP is followed with a reference to the corresponding permit section. Each BMP included in the Program Plan is intended to specifically address permit requirements and includes the following information described in Part I.C of the General Permit:

- The roles and responsibilities of each of the City's divisions and departments in the implementation of the requirements of the permit tasked with ensuring that the permit requirements are met (Part I.C.1.a);
- If the City utilizes another entity to implement portions of the MS4 Program, a copy of the written agreement. The description of each party's roles and responsibilities, including any written agreements with third parties, shall be updated as necessary (Part I.C.1.b);
- For each MCM in Part I.E, the following information shall be included (Part I.C.1.c):
 - Each specific requirement as listed in Part I.E for each MCM (Part I.C.1.c.(1));
 - A description of the BMPs or strategies that the City anticipates will be implemented to demonstrate compliance with the permit conditions in Part I.E (Part I.C.1.c.(2));
 - All standard operating procedures or policies necessary to implement the BMPs (Part I.C.1.c.(3));
 - The measurable goal by which each BMP or strategy will be evaluated (Part I.C.1.c.(4)); and
 - The persons, positions, or departments responsible for implementing each BMP or strategy (Part I.C.1.c.(5)); and
- A list of documents incorporated by reference including the version and date of the document being incorporated (Part I.C.1.d).

1.2 Special Conditions for TMDLs (Part II A, B & C)

The City is not located within the Chesapeake Bay Watershed and therefore is not subject to the Special Conditions for the Chesapeake Bay TMDL.

In accordance with Table 1, BMPs are also provided to ensure the City determines if a wasteload allocation (WLA) has been assigned to the City within an approved TMDL during the reporting year and to provide public opportunity for participation in development of new TMDL Action Plans and revisions to existing TMDL Action Plans.

The City of Salem is subject to the Special Conditions of the Roanoke River PCB TMDL, the Roanoke River E. Coli TMDL, and the Roanoke River Benthic-Macroinvertebrate Bioassessment TMDL (Sediment TMDL) that require an update to the previously developed local TMDL Action Plan on the progress made toward achieving local TMDL action plan goals and the anticipated end date by which the City will meet the sediment wasteload allocation in accordance with the deadline provided Table 1.

No additional TMDLs have been approved by the EPA between July 1, 2018, and June 30, 2023, applicable to the City of Salem; therefore, the City of Salem is not required to develop or implement any TMDL action plans beyond those previously discussed.

1.3 Roles and Responsibilities (Part I.C.1.a & b)

Each BMP lists the individual(s) responsible for implementation. At the City of Salem, the Engineering Department implements the MS4 Program Plan, and the City Manager is the signatory authority in accordance with Part IV.K. The City of Salem uses the Clean Valley Council annually to assist with implementation of portions of the MS4 Program Plan. The City of Salem is the ESC and VSMP plan approving authority.

1.4 Program Modifications (Part I.C.3 & 4)

The City shall update the MS4 program plan to meet the requirements of this permit no later than six months (May 1, 2024) after the effective date of this permit unless otherwise specified in another permit condition (Part I.C.3) and shall post the most up-to-date version of MS4 program plan on the City's website or location where the MS4 program plan can be obtained as required by Part I.E.2 within 30 days (June 1, 2024) of updating the MS4 program plan (Part I.C.4). Revisions to the MS4 program plan are expected throughout the life of this permit as part of the iterative process to reduce pollutant loading and protect water quality to the MEP. As such, revisions made in accordance with this permit as a result of the iterative process do not require modification of this permit. The City shall summarize revisions to the MS4 program plan as part of the annual report.

1.5 List of Reference Materials (Part I.C.1.d)

The list of documentation below is incorporated into the Program Plan via reference along with any associated maps and forms, where applicable. All necessary documents for implementation are retained on file for a minimum of 3 years and are available upon request.

- Illicit Discharge Detection and Elimination Manual, June 2014 (Revised November 2020)
- Good Housekeeping and Pollution Prevention Manual, October 2014 (Revised November 2020)
- Post-Construction Stormwater Management Inspection & Maintenance Manual, September 2015 (Revised November 2020)
- Nutrient Management Plans
- Construction Oversight Program, July 2016
- Roanoke River PCB TMDL Action Plan, April 2020
- Roanoke River Sediment TMDL Action Plan, April 2020
- Roanoke River Bacteria TMDL Action Plan, April 2020
- Outfall Information Table
- SWM Facility Tracking Database

1.6 Annual Reporting (Part I.D)

This Program Plan includes requirements to satisfy annual reporting of the General Permit:

- The City shall submit an annual report to the department no later than October 1 of each year in a method, (i.e., how the City must submit) and format (i.e., how the report shall be laid out) as specified by the department; the required content of the annual report is specified in Part I.E and Part II.B. The report shall cover the previous year from July 1 to June 30 (Part I.D.1). Following notification from the department of the start date for the required electronic submission of annual reports, as provided for in 9VAC25-31-1020, such forms and reports submitted after that date shall be electronically submitted to the department in compliance with this section and 9VAC25-31-1020. There shall be at least a three-month notice provided between the notification from the department and the date after which such forms and reports must be submitted electronically.
- The annual report shall include the following general information (Part I.D.3):
 - The City, system name, and permit number (Part I.D.3.a);
 - The reporting period for which the annual report is being submitted (Part I.D.3.b);
 - A signed certification as per Part IV.K (Part I.D.3.c);
 - Each annual reporting item as specified in an MCM in Part I.E (Part I.D.3.d); and
 - An evaluation of the MS4 Program implementation, including a review of each MCM, to determine the MS4 Program's effectiveness and whether or not changes to the MS4 Program plan are necessary (Part I.D.3.e).
- When applicable, the City shall include a status report on the implementation of the local TMDL action plans in accordance with Part II.B including any revisions to the plan (Part I.D.5).

For the purposes of this permit, the MS4 program plan, and annual report reports shall be maintained as separate documents and submitted to the department as required by this permit as separate documents (Part I.D.6).

2.0 SCHEDULE

Some of the BMPs require Program documents or actions to address permit requirements. Table 1 lists some of these documents and actions with dates critical for assuring compliance with the General Permit. Table 1 is intended to assist with Program Plan implementation.

Table 1: Schedule for Program Implementation.		
Annual Schedule		
BMP / Regulation	Necessary Action	Timeline*
6.5 / Part I.E.6.k	Review and Update SWPPP After an Unauthorized Discharge, Release or Spill Reported, if Applicable	30 Days (Review), and 90 Days (Update)
6.6 / Part I.E.6.s	Develop Nutrient Management Plans for City-Owned or Operated New Construction Projects Where Nutrients will be Applied to Greater than 1 Contiguous Acre	6 Months After Final Stabilization
6.6 / Part I.E.6.u	Nutrient Management Plans Submitted to DCR	30 Days Prior to Expiration
SC3.1 / Part II.B.7	Notify DEQ in Writing of a Previously Unidentified Significant Source of PCBs within the MS4 Area	30 Days of Discovery
2.2 / Part I.E.2.d	Implement Four Public Involvement and Participation Activities	June 30
6.5 / Part I.E.6.k	Annually Review High-Priority Facilities without SWPPPs and Develop SWPPP if Required, Maintain a List of High-Priority Facilities	June 30 (Review) and December 31 (Develop)
3.1 / Part I.E.3.a.(5)	Update MS4 Map, Information Table, and Check for Any Approved TMDLs	October 1
3.4 / Part III.B, D, & E	Report BMPs Implemented and Inspected Using DEQ BMP Warehouse	October 1
1.6 & CB-SC.2 / Part I.D	Submit Annual Report	October 1
2.1 / Part I.E.2.b.(3)	Post Annual Report on the Stormwater Webpage	November 1 (30 Days After October 1)

Permit Cycle Schedule		
BMP/ Regulation	Necessary Action	Timeline*
9VAC25-890-30	Submit Registration Statement	Completed (October 1, 2023)
2.1 / Part I.E.2.b	Update and Maintain a Stormwater Webpage	Completed February 1, 2024 (3 months)
6.6 / Part I.E.6.u	Nutrient Management Plans Expired on 11/1/2023 submitted to DCR	Completed May 1, 2024 (6 months)
1.4 / Part 1.C.3	Update the MS4 Program Plan	Completed May 1, 2024 (6 months)
1.4 & 2.1 / Part 1.C.3	Post an Updated MS4 Program Plan on Storwmater Webpage	Completed June 1, 2024 (30 days after 6 months)
6.5 / Part I.E.6.g	Identify Any New High-Priority Facilities within Expanded 2020 CUA	November 1, 2024 (12 months)
6.6 / Part I.E.6.q	Identify Areas within Expanded 2020 CUA Requiring Nutrient Management Plans	November 1, 2024 (12 months)
SC1.1, SC1.2 & SC2.1 & SC2.2 / Part II.B.2.a	Update Roanoke River PCB, Roanoke River E. Coli, and Roanoke River Sediment TMDL Action Plan as Applicable / Public Comment Period Prior to Submittal to DEQ	May 1, 2025 / 15 days (18 months)
6.4 / Part I.E.6.d	Conduct GHPP/IDDE Training	June 30, 2024 (Once per 24 months)
3.1 / Part I.E.3.a.(1)	Update MS4 Map	November 1, 2025 (24 months)
3.1 / Part I.E.3.a.(3)	Submit GIS Geodatabase or Shapefiles of Outfalls and MS4 Area with Attribute Tables	November 1, 2025 (24 months)
6.1 / Part I.E.6.b.(1)(a)	Update Anti-icing and Deicing GHPP Procedures	November 1, 2025 (24 months)

Permit Cycle Schedule		
BMP / Regulation	Necessary Action	Timeline*
3.2 / Part II.B.2.b	Develop and Initiate Implementation of TMDLs Approved by EPA on or after July 1, 2018, and Prior to October 31, 2023, in which a WLA has been Allocated / Public Comment Period Prior to Submittal to DEQ	Not Applicable May 1, 2026 / 15 days (30 months)
SC2.1 / Part II.B.6.d	Submit to DEQ an Update on the Progress Made Toward Achieving Local Sediment, Phosphorus and Nitrogen TMDL Action Plan Goals and Anticipated End Dates / Public Comment Period Prior to Submittal to DEQ	November 1, 2026 / 15 days (36 months)
6.6 / Part I.E.6.r	Develop and Implement Nutrient Management Plans on Areas within the Expanded 2020 CUA.	November 1, 2026 (36 months)
6.6 / Part I.E.6.u	No Nutrient Management Plans Expired	November 1, 2026 (36 months)
6.1 / Part I.E.6.b.(2)	Update Renovation and Significant Exterior Maintenance GHPP Procedures	November 1, 2026 (36 months)
6.5 / Part I.E.6.h	Develop and Implement New High Priority Facility SWPPP(s), if Applicable	November 1, 2026 (36 months)
3.3 / Part II.C.1	Develop and Maintain Written Inspection and Maintenance Procedures for Ecosystem Restoration Projects	Not Applicable November 1, 2026 (36 months)
6.4 / Part I.E.6.d	Conduct GHPP/IDDE Training	June 30, 2026 (Once per 24 months)
3.3 / Part II.C.2	Inspect Ecosystem Restoration Projects Implemented as Part of a Current TMDL Action Plan	Not Applicable November 1, 2028 (once every 60 months)

*Not bolded text indicates schedule item is complete or not applicable. **Bolded** text indicates the schedule item is not complete or is completed continuously throughout the permit cycle.

3.0 PROGRAM PLAN BEST MANAGEMENT PRACTICES

This Section includes the BMPs that the City will implement to meet the requirements for each MCM and the applicable Special Conditions described in the General Permit.

BMP 1.1 Public Education and Outreach Program (Part I.E.1)

Description: The City shall implement a public education and outreach program designed to (Part I.E.1.a):

- Increase the public's knowledge of how to reduce stormwater pollution, placing priority on reducing impacts to impaired waters and other local water pollution concerns;
- Increase the public's knowledge of hazards associated with illegal discharges and improper disposal of waste, including pertinent legal implications; and
- Implement a diverse program with strategies that are targeted toward individuals or groups most likely to have significant stormwater impacts.

The City shall identify no fewer than three high-priority stormwater issues to meet the goal of educating the public in accordance with Part I.E.1.a. High-priority issues may include the following examples: TMDL pollutants of concern, pet wastes, local receiving water impairments, high-quality receiving waters, litter control, BMP maintenance, anti-icing and deicing agent application, planned green infrastructure redevelopment, planned ecosystem restoration projects, and illicit discharges from commercial sites (Part I.E.1.b). The high-priority public education and outreach program, as a whole, shall (Part I.E.1.c):

- Clearly identify the high-priority stormwater issues (Part I.E.1.c.(1));
- Explain the importance of the high-priority stormwater issues (Part I.E.1.c.(2));
- Include measures or actions the public can take to minimize the impact of the high-priority stormwater issues (Part I.E.1.c.(3)); and
- Provide a contact and telephone number, website, or location where the public can find out more information (Part I.E.1.c.(4)).

The City shall use two or more of the strategies listed in Table 2 per year to communicate to the target audience the identified high-priority stormwater issues including how to reduce stormwater pollution (Part I.E.1.d).

The City may coordinate its public education and outreach efforts with other MS4 permittees; however, each permittee shall be individually responsible for meeting all of its state permit requirements (Part I.E.1.e).

Salem partners with the Clean Valley Council (CVC) to assist in the implementation of the City's Public Education and Outreach and Public Participation and Involvement MCMs. The CVC organizes and implements dozens of programs, curriculum, events, festivals, conferences, etc. throughout the year.

The City may identify staff and students as part of the target audience for education and outreach strategies; however, staff shall not be the majority of the target audience (Part I.E.1.f.(5)). Staff training required for Good Housekeeping and Pollution Prevention does not qualify as a strategy for public education and outreach (Part I.E.1.f.(6)).

Table 2: Strategies for Public Education and Outreach	
Strategies	Examples (not meant to be all inclusive or limiting)
Traditional written materials	Informational brochures, newsletters, fact sheets, utility bill inserts, or recreational guides for targeted groups of citizens
Alternative materials	Bumper stickers, refrigerator magnets, t-shirts, or drink koozies
Signage	Temporary or permanent signage in public places or facilities, vehicle signage, billboards, or storm drain stenciling
Media materials	Information disseminated through electronic media, radio, televisions, movie theater, newspaper, or GIS story maps
Speaking engagements	Presentations to school, church, industry, trade, special interest, or community groups
Curriculum materials	Materials developed for school-aged children, students at local colleges or universities, or extension classes offered to local citizens
Training materials	Materials developed to disseminate during workshops offered to local citizens, trade organization, or industrial officials
Public education activities	Booth at community fair, demonstration of stormwater control projects, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, or watershed walks
Public meetings	Public meetings on proposed community stormwater management retrofits, green infrastructure redevelopment, ecosystem restoration projects, TMDL development, [climate change's effects on stormwater management, voluntary residential low impact development, or other stormwater issues

A summary of The City's anticipated Public Education and Outreach Activities for the permit year is in Table 3.

Table 3: Anticipated Public Education & Outreach Activities for 2024 – 2025 Permit Year				
#	High Priority Stormwater Issue	Strategy	Communication	Anticipated Time Period
1	Public education on stormwater impacts	Curriculum	Events	July 1 – June 30
2	Education on impacts of bacteria & sediment on stormwater	Curriculum	Events	July 1 – June 30
3	Pollution Prevention	Media Materials	Social Media Postings	July 1 – June 30

Below is a list of high-priority stormwater issues the City will communicate to the public as part of the public education and outreach program (Part I.E.1.f.(1)).

High Priority Stormwater Issue No. 1: Public education on stormwater impacts

Rationale (Part I.E.1.f.(2)): This issue was selected based on the results of the public survey that indicate a strong need for increased effectiveness of public education efforts.

Target Audience (Part I.E.1.f.(3)): The City's public audience is approximately 25,862 residents.

Strategy to Communicate High Priority Stormwater Message (Part I.E.1.f.(7)): CVC will implement one of the strategies listed in Table 2 in order to educate the public audience on stormwater impacts.

Relevant Message (Part I.E.1.f.(7)): To address goals of the Program and concerns stemming from the survey results, the relevant message will include:

- Information regarding the City's stormwater program
- Steps that can be taken to reduce stormwater pollution
- Knowledge of hazards associated with illegal discharges and improper disposal of waste, including pertinent legal implications
- Information for reporting a potential illicit discharge
- Information regarding TMDL pollutants of concern, specifically polychlorinated biphenyls (PCBs) and sediment.
- Methods to identify, eliminate, and reduce potential discharges of pollutants into the MS4.

Time Period (Part I.E.1.f.(8)): The implemented strategy will occur within the permit year.

Measurable Goal (Part I.E.1.i.(7)): The implementation of the strategy that may include metrics on the event such as the number of attendants, example of brochures distributed, etc.

High Priority Stormwater Issue No. 2: Education on impacts of bacteria and sediment on stormwater

Rationale (Part I.E.1.f.(2)): Salem is in the Upper Roanoke River Watershed TMDL and has been assigned a waste load allocation for bacteria (E. coli) and sediment. Selection of these issues are also consistent with survey respondents who ranked "too much bacteria in waterways" as their top stormwater pollution concern.

Target Audience (Part I.E.1.f.(3)): The City's public audience is approximately 25,862 residents.

Strategy to Communicate High Priority Stormwater Message (Part I.E.1.f.(7)): CVC will implement one of the strategies listed in Table 2 in order to educate the public audience on stormwater impacts.

Relevant Message (Part I.E.1.f.(7)): To address goals of the Program and concerns stemming from the survey results, the relevant message will include:

- General information about stormwater runoff (where it drains, pollutants, etc.)
- Explanation of the Roanoke River E. Coli and sediment TMDLs and the City's Action Plans

Time Period (Part I.E.1.f.(8)): The implemented strategy will occur within the permit year.

Measurable Goal (Part I.E.1.i.(7)): The implementation of the strategy that may include metrics on the event such as the number of attendants, example of brochures distributed, etc.

High Priority Stormwater Issue No. 3: Pollution Prevention

Rationale (Part I.E.1.f.(2)): This issue was selected based on the results of the public survey that indicate 67% of respondents do not know that stormwater runoff is discharged directly to surface waters.

Target Audience (Part I.E.1.f.(3)): The City's public audience is approximately 25,862 residents.

Strategy to Communicate High Priority Stormwater Message (Part I.E.1.f.(7)): CVC will implement one of the strategies listed in Table 2 in order to educate the public audience on stormwater impacts.

Relevant Message (Part I.E.1.f.(7)): Information on pollution prevention and effects to waterways.

Time Period (Part I.E.1.f.(8)): The implemented strategy will occur within the permit year.

Measurable Goal (Part I.E.1.i.(7)): The implementation of the strategy that may include metrics on the event such as the number of attendants, example of brochures distributed, etc.

Necessary documentation for implementation: CVC report and supporting documentation.

Responsible individual for implementation: Stormwater Manager

Measurable goal: Outreach will be conducted a minimum of once a year to the public audience for each water quality issue identified.

BMP 2.1 Webpage Dedicated to MS4 Program & Stormwater Pollution Prevention (Part I.E.2)

Description: The City shall develop and implement procedures for the following (Part I.E.2.a):

- The public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns (Part I.E.2.a.(1));
- The public to provide comments on the City's MS4 Program plan (Part I.E.2.a.(2));
- Responding to public comments received on the MS4 Program plan or complaints (Part I.E.2.a.(3)); and
- Maintaining documentation of public comments received on the MS4 Program and associated MS4 Program plan and The City's response (Part I.E.2.a.(4)).

Procedures for Public Comments or Complaints concerning the MS4 Program Plan

When public comment or complaints are received concerning the MS4 Program plan via either email or telephone, to either an employee or the Stormwater Manager, the Stormwater Manager will respond to the comment or complaint from the public within a reasonable amount of time. The public input or complaint and the Stormwater Manager's response will be maintained electronically along with other MS4 related documentation to be reported in the annual report.

No later than three months (February 1, 2024), the City shall update and maintain the webpage dedicated to the MS4 Program and stormwater pollution prevention (Part I.E.2.b). The following will be maintained on the City's Stormwater webpage:

- The effective MS4 permit and coverage letter (Part I.E.2.b.(1));
- The most current MS4 Program plan or location where the MS4 Program plan can be obtained (Part I.E.2.b.(2));
- The annual report for each year of the term covered by this permit no later than 30 days after submittal to the department (Part I.E.2.b.(3)); and
- Methods for how the public can provide comments on The City's MS4 Program plan in accordance with Part I.E.2.a.(2).

Webpage address: <https://salemva.gov/Departments/Community-Development/Stormwater-Information>

Necessary documentation for implementation: (1) Public input received on the MS4 Program and the City's associated responses, if applicable; (2) Effective MS4 Permit and coverage letter; (3) The City's most current MS4 Program Plan; and (4) The City's MS4 Annual Reports within permit cycle.

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The City shall continue to provide mechanisms on the webpage for public input and reporting illicit discharges or complaints. The current Program Plan will be posted on the webpage. Annual reports will be posted on the webpage within 30 days of submittal (November 1) to DEQ each year.

Measurable goal: Effectiveness will be determined by the webpage including: (1) effective MS4 permit and coverage letter; (2) latest MS4 Program Plan; (3) all annual reports developed within the permit cycle no later than 30 days after submittal to the department; (4) a mechanism for the public to report potential illicit discharges, improper disposal, or spills, complaints regarding land disturbing activities, or other potential pollution concerns; (5) methods for public input on the City's MS4 Program Plan and other documents that require a public comment period; (6) responding to public input; and (7) maintaining public input received and the City's responses.

BMP 2.2 Public Involvement and Participation (Part I.E.2)

Description: The City will implement no fewer than four activities per year for two or more of the categories listed in Table 4 to provide an opportunity for public involvement to improve water quality and support local restoration and clean-up projects (Part I.E.2.c).

- The City may coordinate the public involvement opportunities listed in Table 4 with other MS4 permittees; however, each permittee shall be individually responsible for meeting all of the permit requirements (Part I.E.2.e).
- The City may also include staff in public participation events; however, the activity cannot solely include or be limited to staff participants with stormwater, groundskeeping, and maintenance duties in order for an event to qualify as a public participation event (Part I.E.2.f).
- Staff training required in accordance with Part I.E.6.d does not qualify as a public participation event unless the training activity solicits participation from target audiences beyond staff or contractors with stormwater, groundskeeping, and maintenance duties (Part I.E.2.g).

Table 4: Public Involvement Opportunities	
Public Involvement Opportunity Categories	Examples (provided as example & are not meant to be all inclusive or limiting)
Monitoring	Establish or support citizen monitoring group
Restoration	Stream, watershed, shoreline, beach, or park clean-up day, adopt-a-waterway program, tree plantings, and riparian buffer plantings.
Public education activities	Booth at community fair, demonstration of stormwater control projects, climate change's effects on stormwater management, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, or watershed walks.
Public meetings	Public meetings on proposed community stormwater management retrofits, green infrastructure redevelopment, ecosystem restoration projects, TMDL development, voluntary residential low impact development, climate change's effects on stormwater management, or other stormwater issues
Disposal or collection events	Household hazardous chemicals collection, vehicle fluids collection
Pollution prevention	Adopt-a-storm drain program, implement a storm drain marking program, promote use of residential stormwater BMPs, implement pet waste stations in public areas, adopt-a-street program.

Table 5 provides the anticipated activities for the permit reporting year including (Part I.E.2.h.(3)):

- A description of the public involvement activities to be implemented by the City;
- The anticipated time period the activities will occur; and
- A metric for each activity to determine if the activity is beneficial to water quality. An example of metrics may include the weight of trash collected from a stream cleanup, the number of participants in a hazardous waste collection event.

Table 5: Anticipated Public Involvement Activities for 2024 – 2025 Permit Reporting Year

Category	Activity Description	Anticipated Time Period for the Activity to Occur	Metric to Determine Benefit to Water Quality
Restoration	Waterways Cleanup	July 1 – June 30	Number of participants
Restoration	Clean Valley Day	July 1 – June 30	Tons of trash collected
Educational	Earth Summit	July 1 – June 30	Number of attendees
Educational	Stream School	July 1 – June 30	Number of attendees

Necessary documentation for implementation: (1) A description of public involvement activities to be implemented; (2) Anticipated time period the activities will occur; and (3) Metric for each activity to determine if the activity is beneficial to water quality.

Responsible individual for implementation: Stormwater Manager

Implementation schedule: Public participation will be conducted a minimum of four times a year at the anticipated times indicated in Table 5.

Measurable goal: Effectiveness will be determined by the selected metric for each activity.

BMP 3.1 Storm Sewer Map and Outfall Information Table (Part I.E.3)

Description: The City shall develop and maintain an accurate MS4 map and information table as follows (Part I.E.3.a):

- An updated map of the MS4 owned or operated by the City within MS4 regulated service area no later than 24 months (November 1, 2025) after the permit effective date that includes, at a minimum (Part I.E.3.a.(1)):
 - MS4 outfalls discharging to surface waters, except as follows (Part I.E.3.a.(1)(a)):
 - In cases where the outfall is located outside of the City's legal responsibility, the City may elect to map the known point of discharge location closest to the actual outfall; and
 - In cases where the MS4 outfall discharges to receiving water channelized underground, the City may elect to map the point downstream at which the receiving water emerges above ground as an outfall discharge location. If there are multiple outfalls discharging to an underground channelized receiving water, the map shall identify that an outfall discharge location represents more than one outfall. This is an option the City may choose to use and recognizes the difficulties in accessing outfalls to underground channelized stream conveyances for purposes of mapping, screening, or monitoring.
 - A unique identifier for each mapped item required in Part I.E.3 (Part I.E.3.a.(1)(b));
 - The name and location of receiving waters to which the MS4 outfall or point of discharge discharges (Part I.E.3.a.(1)(c));
 - MS4 regulated service area (Part I.E.3.a.(1)(d)); and
 - Stormwater management facilities owned or operated by the City (Part I.E.3.a.(1)(e)).
- The City shall maintain an outfall information table associated with the MS4 map that includes the following information for each outfall or point of discharge for those cases in which the City elects to map the known point of discharge in accordance with Part I.E.3.a.(1)(a). The outfall information table may be maintained as a shapefile attribute table. The outfall information table shall contain the following (Part I.E.3.a.(2)):
 - A unique identifier as specified on the MS4 map (Part I.E.3.a.(2)(a));
 - The latitude and longitude of the outfall or point of discharge (Part I.E.3.a.(2)(b));
 - The estimated regulated acreage draining to the outfall or point of discharge (Part I.E.3.a.(2)(c));
 - The name of the receiving water (Part I.E.3.a.(2)(d));
 - The 6th Order Hydrologic Unit Code of the receiving water (Part I.E.3.a.(2)(e));
 - An indication as to whether the receiving water is listed as impaired in the Virginia 2022 305(b)/303(d) Water Quality Assessment Integrated Report (Part I.E.3.a.(2)(f)); and
 - The name of any EPA approved TMDLs for which the City is assigned a wasteload allocation (Part I.E.3.a.(2)(g)).
- No later than 24 months (November 1, 2025) after permit issuance, the City shall submit to DEQ a format file geodatabase or two shapefiles that contain at a minimum (Part I.E.3.a(3)):
 - A point feature class or shapefile for outfalls with an attribute table containing outfall data elements required in accordance with Part I.E.3.a.(2) (Part I.E.3.a.(3)(a)); and

- A polygon feature class or shapefile for the MS4 service area as required in accordance with Part I.E.3.a.(1)(d) with an attribute table containing the following information (Part I.E.3.a.(3)(b)):
 - MS4 operator name;
 - MS4 permit number (VAR04); and
 - MS4 service area total acreage rounded to the nearest hundredth.
- All file geodatabase feature classes or shapefiles shall be submitted in the following data format standards (Part I.E.3.a.(4)):
 - Point data in NAD83 or WGS84 decimal degrees global positional system coordinates (Part I.E.3.a.(4)(a));
 - Data projected in Virginia Lambert Conformal Conic format (Part I.E.3.a.(4)(b));
 - Outfall location accuracy shall be represented in decimal degrees rounded to at least the fifth decimal place for latitude and longitude to ensure point location accuracy (e.g., 37.61741, -78.15279) (Part I.E.3.a.(4)(c)); and
 - Metadata that shall provide a description of each feature class or shapefile dataset, units of measure as applicable, coordinate system, and projection (Part I.E.3.a.(4)(d)).
- No later than October 1 of each year, the City shall update the MS4 map and outfall information table to include any new outfalls constructed or approved or both during the immediate preceding reporting period (Part I.E.3.a.(5)).
- The City shall provide written notification to any downstream adjacent MS4 of any known physical interconnection established or discovered after the effective date of this permit (Part I.E.3.a.(6)).

Table 6: List of Interconnected MS4 Regulated Area(s)

Virginia Department of Transportation	Roanoke City
Veteran's Administration	
Roanoke County	

Necessary documentation for implementation: (1) Storm sewer system map; (2) Outfall Information Table; and (3) GIS compatible geodatabase or shapefiles of MS4 map; and (4) If applicable, written notification of physical interconnections to the downstream MS4.

Responsible individual for implementation: Stormwater Manager and City Engineer

Implementation schedule: The MS4 map and information table will be updated annually at the end of each reporting year. Any new MS4 interconnections will be notified upon discovery.

Measurable goals: Effectiveness will be determined by maintaining an up-to-date map of the storm sewer map and outfall information table and by submitting the GIS-compatible geodatabase or shapefiles of the storm sewer map; and notifying any discovered interconnected MS4s.

BMP 3.2 Prohibit Non-Stormwater Discharges (Part 1.E.3.b)

Description: The City shall prohibit, through ordinance, policy, standard operating procedures, or other legal mechanism, to the extent allowable under federal, state, or local law, regulations, or ordinances, unauthorized non-stormwater discharges into the MS4. Non-stormwater discharges or flows identified in 9VAC25-890-20 D.3 shall only be addressed if they are identified by the City as a significant contributor of pollutants discharging to the MS4. Flows that have been identified by the department as de minimis discharges are not significant sources of pollutants to surface water (Part I.E.3.b).

The City will prohibit non-stormwater discharges into the storm sewer system through language provided within the City's Stormwater Ordinance and reiterated in the Standard Operating Procedures, each of which provide methods and procedures for reporting and corrective and disciplinary action.

For effective prohibition of non-stormwater discharges from contractors operating within the jurisdictional boundaries, refer to BMP 6.2.

Necessary documentation for implementation: (1) Chapter 30, Article V of the City Code; (2) A list of any violations and summary of actions taken by the City; and (3) Completed IDDE Follow-up information.

Responsible individual for implementation: Stormwater Manager and Fire Chief

Implementation schedule: Implementation of Chapter 30, Article V of the City Code and Standard Operating Procedures will continue.

Measurable goal: Effectiveness will be based on implementation of the inspections, surveillance, monitoring, and enforcement procedures. Effectiveness will be based on the progression of elimination of reported or observed non-stormwater discharges.

BMP 3.3 Implement Illicit Discharge Detection and Elimination Procedures (Part I.E.3.c)

Description: The City shall maintain, implement, and enforce illicit discharge detection and elimination (IDDE) written procedures designed to detect, identify, and address unauthorized non-stormwater discharges, including illegal dumping, to the MS4 to effectively eliminate the unauthorized discharge. Written procedures shall include (Part I.E.3.c):

- A description of the legal authorities, policies, standard operating procedures, or other legal mechanisms available to the City to eliminate identified sources of ongoing illicit discharges including procedures for using legal enforcement authorities (Part I.E.3.c.(1)).
- Dry weather field screening protocols to detect, identify, and eliminate illicit discharges to the MS4. The protocol shall include (Part I.E.3.c.(2)):
 - A prioritized schedule of field screening activities and rationale for prioritization determined by the City based on such criteria as age of the infrastructure, land use, historical illegal discharges, dumping or cross connections (Part I.E.3.c.(2)(a));
 - If the total number of MS4 outfalls is equal to or less than 50, a schedule to screen all outfalls annually (Part I.E.3.c.(2)(b));
 - If the total number of MS4 outfalls is greater than 50, a schedule to screen a minimum of 50 outfalls annually such that no more than 50% are screened in the previous 12-month period. The 50% criteria is not applicable if all outfalls have been screened in the previous three years (Part I.E.3.c.(2)(c));
 - The City may adopt a risk-based approach to dry weather screening identifying observation points based upon illicit discharge risks upstream of an outfall. Observation points may include points of interconnection, manholes, points of discharge, conveyances, or inlets suspected to have a high likelihood of receiving illicit discharges (Part I.E.3.c.(2)(d));
 - Each observation point screened may be counted as one outfall screening activity equivalent and counted towards the requirements of Part I.E.3.c.(2)(b) or Part I.E.3.c.(2)(c); however, at least 50% of the minimum annual screening events must include outfall screening (Part I.E.3.c.(2)(e));
 - Illicit discharges reported by the public and subsequent investigations may not be counted as screening events; however, once the resolution of the investigation and the date the investigation was closed has been documented, an observation point may be established for future screening events (Part I.E.3.c.(2)(f)); and
 - A checklist or mechanism to track the following information for dry weather screening events (Part I.E.3.c.(2)(g)):
 - The unique identifier for the outfall or observation point;
 - Time since the last precipitation event;
 - The estimated quantity of the last precipitation event;
 - Site descriptions (e.g., conveyance type and dominant watershed land uses);
 - Observed indicators of possible illicit discharge events, such as floatables, deposits, stains, and vegetative conditions (e.g., dying or dead vegetation, excessive vegetative growth);
 - Whether or not a discharge was observed;
 - If a discharge was observed, the estimated discharge and visual characteristics of the discharge (e.g., odor, color, clarity) and the physical condition of the outfall; and
 - For observation points, the location, downstream outfall unique identifier, and risk factors or rationale for establishing the observation point.

- A timeframe upon which to conduct an investigation to identify and locate the source of any observed unauthorized non-stormwater discharge. Priority of investigations shall be given to discharges of sanitary sewage and those believed to be a risk to human health and public safety. Discharges authorized under a separate VPDES or state permit require no further action under this permit (Part I.E.3.c.(3)).
- Methodologies to determine the source of all illicit discharges. If the City is unable to identify the source of an illicit discharge within six months of beginning the investigation then the City shall document that the source remains unidentified. If the observed discharge is intermittent, the City shall document that attempts to observe the discharge flowing were unsuccessful (Part I.E.3.c.(4)).
- Methodologies for conducting a follow-up investigation for illicit discharges that are continuous or that the City expects to occur more frequently than a one-time discharge to verify that the discharge has been eliminated except as provided for in Part I.E.3.c.(4). (Part I.E.3.c.(5)).
- A mechanism to track all illicit discharge investigations to document the following (Part I.E.3.c.(6)):
 - The dates that the illicit discharge was initially observed, reported, or both (Part I.E.3.c.(6)(a));
 - The results of the investigation, including the source, if identified (Part I.E.3.c.(6)(b));
 - Any follow-up to the investigation (Part I.E.3.c.(6)(c));
 - Resolution of the investigation (Part I.E.3.c.(6)(d)); and
 - The date that the investigation was closed (Part I.E.3.c.(6)(e)).

The IDDE procedures described in Part I.E.3.c, the MS4 map and outfall information table are incorporated into the MS4 Program plan by reference. The map shall be made available to the department within 14 days upon request.

Necessary documentation for implementation: (1) Illicit Discharge Detection and Elimination (IDDE) Manual; (2) Outfall information table; (3) MS4 map; (4) Outfall screening field forms; and (5) Findings and Follow Up Form.

Responsible individual for implementation: Stormwater Manager and City Engineer

Implementation schedule: Annual outfall screening, as described in The City's IDDE Program Manual that includes the schedules, mechanisms, and procedures described in this BMP and the General Permit.

Measurable goals: Effectiveness will be determined by maintaining, implementing, and enforcing illicit discharge detection and elimination (IDDE) written procedures.

BMP 4.1 ESC Compliance for Land Disturbing Activities (Part I.E.4)

Description: The City shall utilize its legal authority, such as ordinances, permits, orders, specific contract language, and interjurisdictional agreements, to address discharges entering the MS4 from regulated construction site stormwater runoff. The City shall control construction site stormwater runoff as follows (Part I.E.4.a):

- The City has adopted a Virginia Erosion and Sediment Control Program (VESCP) and shall implement the VESCP consistent with the Virginia Erosion and Sediment Control Law (§ 62.1- 44.15:51 et seq. of the Code of Virginia) and Virginia Erosion and Sediment Control Regulations (9VAC25-840).

The City shall require implementation of appropriate controls to prevent nonstormwater discharges to the MS4, such as wastewater, concrete washout, fuels and oils, and other illicit discharges identified during land disturbing activity inspections. The discharge of nonstormwater discharges other than those identified in 9VAC25-890-20 D through the MS4 is not authorized by this state permit (Part I.E.4.b).

Employees and contractors serving as plan reviewers, inspectors, program administrators, and construction site operators shall obtain the appropriate certifications as required under the Virginia Erosion and Sediment Control Law and its attendant regulations (Part I.E.4.c).

Regulated land disturbance activity in the City of Salem is subject to Chapter 30, Article III of the City Ordinance (Erosion and Sediment Control). Regulated land disturbance activities are those that result in the disturbance of 5,000 square feet or greater.

The Ordinance provides for the following:

- A description of the legal authorities utilized to ensure compliance with Part I.E.4. for erosion and sediment control and construction site stormwater runoff control such as ordinances, permits, orders, specific contract language, policies, and interjurisdictional agreements (Part I.E.4.d.(4));
- Written inspection procedures to ensure VESCP requirements are maintained in accordance with 9VAC25-840-90 A and onsite erosion and sediment controls are properly implemented in accordance with 9VAC25-840-60 B;(Part I.E.4.d.(5);
- Written procedures for requiring VESCP compliance through corrective action or enforcement action in accordance with § 62.1-44.15:58 of the Code of Virginia (Part I.E.4.d.(7)); and
- The roles and responsibilities of each of The City's departments, divisions, or subdivisions in implementing the erosion and sediment control and construction site stormwater runoff control requirements in Part I.E.4. (Part I.E.4.d.(9)).

Section 30-92 of Article III requires a land disturbance permit from the City prior to engaging in land disturbance activity that is conditioned on an approved erosion and sediment control plan or an agreement in lieu of a plan in accordance with the Erosion and Sediment Control Law (§62.1-44.15:51 et. seq. of the Code of Virginia). Plans shall be compliant with the minimum standards identified in 9VAC25- 840-40 of the Erosion and Sediment Control Regulations.

Section 30-90 of Article III provides legal authority for the City to conduct inspections with an inspector holding an ESC Inspector's Certification from DEQ. Inspections will be conducted:

- Upon initial installation of erosion and sediment controls;
- At least once during every two-week period;
- Within 48 hours of any runoff-producing storm event; and
- Upon completion of the project and prior to the release of any applicable performance bonds.

The City's Construction Oversight Program includes the Guidance for Land Disturbance Activities document (available upon request) which describes the documentation and inspection procedures used to perform land disturbance inspections. Documentation used during inspections include the VESP-approved ESC Plans and City inspection checklists.

Section 30-90 of Article III also provides legal authority for the City to require compliance with the approved plan and require changes to an approved plan when an inspection finds that the approved plan is inadequate. Orders that the City uses to ensure compliance include "Notice of Violation" and "Stop-Work" Letters. If the non-compliance is not resolved, or escalates, then the City's ordinance specifies that legal action and conditions that the City may pursue including fines, court orders, or misdemeanor charges.

Necessary documentation for implementation: (1) Chapter 30, Article III of the City Code; (2) ESC Plan(s) approved by the City, include procedures and documents used in plan review (e.g. checklists); (3) Documentation of ESC Inspector Certification; (4) Completed ESC Inspection Forms for each regulated project; and (5) Total number of inspections conducted, number of enforcement actions implemented, and the type of enforcement actions implemented.

Roles and responsible individual for implementation: Stormwater Manager and City Engineer

Implementation schedule: The implementation of this BMP will be on-going with all regulated land disturbing activities within the jurisdiction.

Measurable goals: Effectiveness will be determined by the implementation of the procedures, review, inspection, and enforcement described in the City Code. A measurable component is the number of enforcement actions (notice to comply or stop-work orders).

BMP 5.1 Compliance to Post-Construction Stormwater Management Regulation (Part 1.E.5)

Description: The City shall address post-construction stormwater runoff that enters the MS4 from the following land disturbing activities by implementing a post-construction stormwater runoff management program as follows (Part I.E.5.a):

- The City shall implement the VSMP consistent with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and VSMP Regulations (9VAC25-870) as well as maintain an inspection and maintenance program in accordance with Part I.E.5.b (Part I.E.5.a.(1)).

The City shall implement an inspection and maintenance program for those stormwater management facilities owned or operated by the City as follows (Part I.E.5.b):

- Within six months (May 1, 2024) of the permit effective date, the City shall develop and maintain written inspection and maintenance procedures in order to ensure adequate long-term operation and maintenance of its stormwater management facilities. The City may use inspection and maintenance specifications available from the Virginia Stormwater BMP Clearinghouse or inspection and maintenance plans developed in accordance with the department's Stormwater Local Assistance Fund (SLAF) guidelines (Part I.E.5.b.(1));
- Employees and contractors implementing the stormwater program shall obtain the appropriate certifications as required under the Virginia Stormwater Management Act and its attendant regulations (Part I.E.5.b.(2));
- The City shall inspect stormwater management facilities owned or operated by the City no less frequently than once per year. The City may choose to implement an alternative schedule to inspect these stormwater management facilities based on facility type and expected maintenance needs provided that the alternative schedule and rationale is included in the MS4 Program plan. The alternative inspection frequency shall be no less often than once per five years (Part I.E.5.b.(3)); and
- If during the inspection of the stormwater management facility conducted in accordance with Part I.E.5.b.(2), it is determined that maintenance is required, the City shall conduct the maintenance in accordance with the written procedures developed under Part I.E.5.b.(1) (Part I.E.5.b.(4)).

The City shall implement an inspection and enforcement program for stormwater management facilities not owned by the City (i.e., privately owned) that includes (Part I.E.5.c.(1)):

- An inspection frequency of no less than once per five years for all privately- owned stormwater management facilities that discharge into the MS4 (Part I.E.5.c.(1)(a)); and
- Adequate long-term operation and maintenance by the owner of the stormwater management facility by requiring the owner to develop and record a maintenance agreement, including an inspection schedule to the extent allowable under state or local law or other legal mechanism (Part I.E.5.c.(1)(b));
- Utilize its legal authority for enforcement of the maintenance responsibilities in accordance with 9VAC25-870-112 if maintenance is neglected by the owner (Part I.E.5.c.(2));
- The City may develop and implement a progressive compliance and enforcement strategy provided that the strategy is included in the MS4 program plan (Part I.E.5.c.(3)); and
- The City may utilize the inspection reports provided by the owner of a stormwater management facility as part of an inspection and enforcement program in accordance with 9VAC25-870-114 C (Part I.E.5.c.(4)).

The City shall include in the MS4 Program Plan the following (Part I.E.5.(d)):

- Since the City implements a VSMP, the City shall have: (Part I.E.5.d.(1))
 - A copy of the VSMP approval letter issued by the department (Part I.E.5.d.1(a)).
 - Written inspection procedures and all associated documents utilized in the inspection of privately owned stormwater management facilities (Part I.E.5.d.1(b)).
 - Written procedures for compliance and enforcement of inspection and maintenance requirements for privately owned stormwater management facilities (Part I.E.5.d.1(c)).
- A description of the legal authorities utilized to ensure compliance with Part I.E.5.a for post-construction stormwater runoff control such as ordinances, permits, orders, specific contract language, and interjurisdictional agreements (Part I.E.5.d.(3));
- Written inspection and maintenance procedures and other associated template documents utilized during inspection and maintenance of stormwater management facilities owned or operated by the City (Part I.E.5.d.(4)); and
- The roles and responsibilities of each of the City's departments, divisions, or subdivisions in implementing the post-construction stormwater runoff control program (Part I.E.5.d.(5)).

The City will ensure post-construction stormwater management (SWM) for all regulated land disturbing activities over 5,000 square feet through plan approval in accordance with the City Ordinances for Erosion and Sediment Control and Stormwater Management. Approval from the City will ensure the SWM plan has been prepared per the VSMP Regulations that, in part, require that stormwater runoff controls:

- Are designed and installed in accordance with the appropriate water quality and water quantity design criteria as required in Part II (9VAC25-870-40 et seq.) of 9VAC25-870; and
- Have an inspection and maintenance plan.

The City enforces stormwater maintenance and inspections as outlined in the Construction Oversight Manual and as specified in the City Ordinance Section 30-150 through 30-161 (Part I.E.5.d.(3)). Written procedures and all associated documents used in the inspection of stormwater management facilities, and for compliance and enforcement of inspection and maintenance requirements for privately owned stormwater management facilities (Part I.E.5.d.(b) & (c)).

The City will extract and retain a copy of SWM facility inspection and maintenance plans from the approved stormwater management plan for proposed stormwater management facilities to be used with the implementation of BMP 5.1.

The City will perform long-term operations and maintenance of all stormwater facilities utilizing the inspection and maintenance plans obtained from implementation of BMP 5.1. Where inspection and maintenance plans are not available from approved SWM plans, the City will utilize BMP-specific inspection and maintenance instruction from the Virginia Stormwater Management Handbook or the City Post-Construction Stormwater Manual. Inspections will be performed either:

- As dictated on the schedule provided on the inspection and maintenance plans; or
- A minimum of once annually, whichever are the more frequent criteria.

Inspections will be performed using the best management practice (BMP) inspection and maintenance checklist, corresponding with the type of BMP, as provided in either the City Post-Construction Stormwater Manual or the latest edition of the Virginia Stormwater Management Handbook. The checklists provide lists of potential issues and methods to address the issue. Necessary maintenance identified during inspections will be conducted in a timely manner or depending on the complexity of the

maintenance which may result in an alternative schedule indicated on the SWM Facility Tracking Database.

Necessary documentation for implementation: (1) City approved SWM Plans and Calculations (maintained on active construction sites); (2) Material used for plan review (e.g. checklists, BMP Clearinghouse Standards and Specifications); (3) SWM Facility Inspection and Maintenance Plans for approved projects with SWM facilities; and (4) Proof of records for inspection and maintenance agreements.

Responsible individual for implementation: Stormwater Manager and City Engineer

Implementation schedule: The implementation of this BMP will be ongoing with all regulated land disturbing activities.

Measurable goals: Effectiveness will be measured by the implementation of the inspection and maintenance program on post-construction stormwater management facilities. Quantifiable goal may be measured by: (1) all regulated land disturbance activities having a City approved SWM Plan; and (2) all stormwater management facilities with recorded inspection and maintenance plans and/or agreements, where applicable.

BMP 6.1 Pollution Prevention Procedures for Operations & Maintenance Activities (Part 1.E.6)

Description: The City shall maintain and implement written good housekeeping procedures for those activities listed in Part I.E.6.b at facilities owned or operated by the City designed to meet the following objectives (Part I.E.6.a):

- Prevent illicit discharges (Part I.E.6.a.(1));
- Ensure City staff or contractors properly dispose of waste materials, including landscape wastes and prevent waste materials from entering the MS4 (Part I.E.6.a.(2));
- Prevent the discharge of wastewater or wash water not authorized in accordance with 9VAC25-890-20 D.3.u, into the MS4 without authorization under a separate VPDES permit (Part I.E.6.a.(3)); and
- Minimize the pollutants in stormwater runoff (Part I.E.6.a.(4)).

The City shall develop and implement written good housekeeping procedures that meet the objectives established in Part I.E.6.a for the following activities (Part I.E.6.b):

- Road, street, sidewalk, and parking lot maintenance and cleaning (Part I.E.6.b.(1)):
 - If applying anti-icing and deicing agents, within 24 months (November 1, 2025) of permit issuance, the City shall update and implement procedures in accordance with Part I.E to include implementation of best management practices for anti-icing and deicing agent application, transport, and storage (Part I.E.6.b.(1)(a));
 - Procedures developed in accordance with Part I.E shall prohibit the application of any anti-icing or deicing agent containing urea or other forms of nitrogen or phosphorus (Part I.E.6.b.(1)(b));
- Renovation and significant exterior maintenance activities (e.g., painting, roof resealing, and HVAC coil cleaning) not covered under a separate VSMP construction general permit. The City shall develop and implement procedures no later than 36 months (November 1, 2026) after permit issuance (Part I.E.6.b.(2));
- Discharging water pumped from construction and maintenance activities not covered by another permit covering such activities (Part I.E.6.b.(3));
- Temporary storage of landscaping materials (Part I.E.6.b.(4));
- Maintenance of the City owned or operated vehicles and equipment (i.e., prevent pollutant discharges from leaking the City owned vehicles and equipment) (Part I.E.6.b.(5));
- Application of materials, including pesticides and herbicides shall not exceed manufacturer's recommendations (Part I.E.6.b.(6)); and
- Application of fertilizer shall not exceed maximum application rates established by applicable nutrient management plans. For areas not covered under nutrient management plans where fertilizer is applied, application rates shall not exceed manufacturer's recommendations (Part I.E.6.b.(7)).

A list of written good housekeeping procedures for the operations and maintenance activities as required by Part I.E.6.a and b are included in the Good Housekeeping and Pollution Prevention Program Manual incorporated by reference (Part I.E.6.x.(1)).

Necessary documentation for implementation: (1) Good Housekeeping/Pollution Prevention Program Manual; (2) SWPPPs; (3) Training documentation; and (4) Completed Comprehensive Evaluation forms.

Responsible individual for implementation: Stormwater Manager

Implementation schedule: Training will be provided once every 24 months, and facility evaluations will be performed with the schedule described in BMP 6.2. No later than June 30 of each year, the City will annually review any high-priority facility owned or operated by the City for which a SWPPP has not been developed to determine if the facility has a high potential to discharge potential pollutants. If the facility is determined to be a high priority facility with a high potential to discharge pollutants, the City will develop a SWPPP no later than December 31 of that same year.

Measurable goals: Effectiveness will be measured by the implementation of a Facility-specific Stormwater Pollution Prevention Plan (SWPPP) as described in BMP 6.5, evaluated with a facility compliance evaluation as described for the measure of effectiveness for BMP 6.1, and the Pollution Prevention training described in BMP 6.4.

BMP 6.2 Contractor Safeguards, Measures and Procedures (Part I.E.6.c)

Description: The City shall require through the use of contract language, training, written procedures, or other measures within The City's legal authority that contractors employed by the City and engaging in activities described in Part I.E.6.b follow established good housekeeping procedures and use appropriate control measures to minimize the discharge of pollutants to the MS4.

The City will use contract language and/or references to the Good Housekeeping and Pollution Prevention Manual to require contractors to use appropriate control measures and procedures for stormwater discharges, when applicable. The contract language and/or references to the City Good Housekeeping and Pollution Prevention Manual will allow the City to stop-work, address the problem, and recoup cost for the remedy from the contractor. Contractors implementing the stormwater program shall obtain the appropriate certifications as required under the Virginia Stormwater Management Act (VSMA) and its attendant regulations.

The contract language described in this BMP is not intended for regulated land disturbing activity addressed with BMPs 4.1, 5.1, and 6.1.

Necessary documentation for implementation: (1) Good Housekeeping and Pollution Prevention Manual and/or (2) Contract Language

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The City will continue to use contract language and/or references to the City Good Housekeeping and Pollution Prevention Manual to ensure contractors engaging in activities with the potential to discharge pollutants use appropriate control measures to minimize the discharge of pollutants to the MS4.

Measurable goals: Effectiveness will be measured Good Housekeeping and Pollution Prevention procedures and/or signed contracts.

BMP 6.3 Contractor Certification for Pesticide Application (Part I.E.6.d.(6))

Description: Employees and contractors hired by the City who apply pesticides and herbicides are trained or certified in accordance with the Virginia Pesticide Control Act (§ 3.2-3900 et seq. of the Code of Virginia). Certification by the Virginia Department of Agriculture and Consumer Services (VDACS) Pesticide and Herbicide Applicator program shall constitute compliance with this requirement. Contracts for the application of pesticide and herbicides executed after the effective date of this permit shall require contractor certification (Part I.E.6.d.(6)).

Necessary documentation for implementation: (1) Contract language; and/or (2) Proof of certifications

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The City will continue to ensure contractor and/or staff certifications for the application of pesticides and herbicides.

Measurable goal: Effectiveness will be measured by all signed contracts executed for pesticide and herbicide application and/or City staff will maintain their certifications.

BMP 6.4 Employee Good Housekeeping/Pollution Prevention Training Plan (Part I.E.6.d)

Description: The written procedures established in accordance with Part I.E.6.a and b shall be utilized as part of the employee training program, and the City shall develop a written training plan for applicable field personnel that ensures the following (Part I.E.6.d):

- Applicable field personnel shall receive training in the prevention, recognition, and elimination of illicit discharges no less often than once per 24 months (Part I.E.6.d.(1));
- Employees performing road, street, sidewalk, and parking lot maintenance shall receive training in good housekeeping procedures required under Part I.E.6.b.(1) no less often than once per 24 months (Part I.E.6.d.(2));
- Employees working in and around facility maintenance, public works, or recreational facilities shall receive training in applicable Part I.E.6.a and b good housekeeping procedures required no less often than once per 24 months (Part I.E.6.d.(3));
- Employees working in and around high-priority facilities with a stormwater pollution prevention plan (SWPPP) shall receive training in applicable site specific SWPPP procedures no less often than once per 24 months (Part I.E.6.d.(4));
- Employees whose duties include emergency spill control and response shall be trained in spill control and response. Emergency responders, such as firefighters and law-enforcement officers, trained on the handling of spill control and response as part of a larger emergency response training shall satisfy this training requirement and be documented in the training plan (Part I.E.6.d.(5)); and
- Employees and contractors hired by the City who apply pesticides and herbicides shall be trained and certified in accordance with the Virginia Pesticide Control Act (§ 3.2-3900 et seq. of the Code of Virginia). Certification by the Virginia Department of Agriculture and Consumer Services (VDACS) Pesticide and Herbicide Applicator program shall constitute compliance with this requirement. Contracts for the application of pesticide and herbicides executed after the effective date of this permit shall require contractor certification (Part I.E.6.d.(6)).

The City shall maintain documentation of each training activity conducted by the City to fulfill the requirements of Part I.E.6.d for a minimum of three years after the training activity completion. The documentation shall include the following information (Part I.E.6.e):

- The date when applicable employees have completed the training activity (Part I.E.6.e.(1));
- The number of employees who have completed the training activity (Part I.E.6.e.(2)); and
- The training objectives and good housekeeping procedures required under Part I.E.6.a covered by training activity (Part I.E.6.e.(3)).

The City may fulfill the training requirements in Part I.E.6.m, in total or in part, through regional training programs involving two or more MS4 permittees; however, the City shall remain responsible for ensuring compliance with the training requirements (Part I.E.6.f).

The City will incorporate a written training plan into its Good Housekeeping/Pollution Prevention and IDDE Program Manuals, including a schedule of training events. The Program Manuals will serve as the training material and include Appendices to document training and list relevant staff.

The City trains the applicable employees with in-person Good Housekeeping and Pollution Prevention training, and documents the training with a roster.

Necessary documentation for implementation: (1) Training documentation or appropriate certifications for employees; (2) IDDE Manual; and (3) Good Housekeeping/Pollution Prevention Program Manual.

Responsible individual for implementation: Stormwater Manager

Implementation schedule: Training for illicit discharge and good housekeeping will occur no less than every 24 months. Certifications will be maintained, and proof of certification updated as appropriate.

Measurable goals: Effectiveness will be determined by the training occurring no less than every 24 months, and proof of certifications updated as appropriate.

BMP 6.5 Stormwater Pollution Prevention Plan (Part 1.E.6.g)

Description: Within 12 months (November 1, 2024) the City shall identify any new high-priority facilities located in expanded 2020 census urban areas with a population of at least 50,000 (Part I.E.6.g); and within 36 months (November 1, 2026) the City shall implement SWPPPs for high-priority facilities meeting the conditions of Part I.E.6.i and which are located in expanded 2020 census urban areas with a population of at least 50,000 (Part I.E.6.h).

The City shall maintain and implement a site-specific SWPPP for each high priority facility as defined in 9VAC25-890-1 that does not have or require separate VPDES permit coverage, and which any of the following materials or activities occur and are expected to have exposure to stormwater resulting from rain, snow, snowmelt or runoff (Part I.E.6.i):

- Areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater (Part I.E.6.i.(1));
- Materials or residuals on the ground or in stormwater inlets from spills or leaks (Part I.E.6.i.(2));
- Material handling equipment (Part I.E.6.i.(3));
- Materials or products that would be expected to be mobilized in stormwater runoff during loading or unloading or transporting activities (e.g., rock, salt, fill dirt) (Part I.E.6.i.(4));
- Materials or products stored outdoors (except final products intended for outside use where exposure to stormwater does not result in the discharge of pollutants) (Part I.E.6.i.(5));
- Materials or products that would be expected to be mobilized in stormwater runoff contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers (Part I.E.6.i.(6));
- Waste material except waste in covered, nonleaking containers (e.g., dumpsters) (Part I.E.6.i.(7));
- Application or disposal of process wastewater (unless otherwise permitted) (Part I.E.6.i.(8)); or
- Particulate matter or visible deposits of residuals from roof stacks, vents or both not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater runoff (Part I.E.6.i.(9)).

Each SWPPP as required in Part I.E.6.g shall include the following (Part I.E.6.j):

- A site description that includes a site map identifying all outfalls, direction of stormwater flows, existing source controls, and receiving water bodies (Part I.E.6.j.(1));
- A description and checklist of the potential pollutants and pollutant sources (Part I.E.6.j.(2));
- A description of all potential non-stormwater discharges (Part I.E.6.j.(3));
- A description of all structural control measures, such as stormwater management facilities and other pollutant source controls, applicable to SWPPP implementation (e.g., permeable pavement or oil-water separators that discharge to sanitary sewer are not applicable to the SWPPP), such as oil-water separators, and inlet protection designed to address potential pollutants and pollutant sources at risk of being discharged to the MS4 (Part I.E.6.j.(4));
- A maintenance schedule for all stormwater management facilities and other pollutant source controls applicable to SWPPP implementation described in Part I.E.6.h.(4) (Part I.E.6.j.(5));
- Site specific written procedures designed to reduce and prevent pollutant discharge that incorporate by reference applicable good housekeeping procedures required under Part I.E.6.a and b (Part I.E.6.j.(6));
- A description of the applicable training as required in Part I.E.6.d.(4) (Part I.E.6.j.(7));

- An inspection frequency of no less often than once per year and maintenance requirements for site specific source controls. The date of each inspection and associated findings and follow-up shall be logged in each SWPPP (Part I.E.6.j.(8));
- A log of each unauthorized discharge, release, or spill incident reported in accordance with Part IV G including the following information (Part I.E.6.j.(9)):
 - Date of incident;
 - Material discharged, released, or spilled; and
 - Estimated quantity discharged, released, or spilled.
- A log of modifications to the SWPPP made as the result of any unauthorized discharge, release, or spill in accordance Part I.E.6.j or changes in facility activities and operation requiring SWPPP modification (Part I.E.6.j.(10)); and
- The point of contact for SWPPP implementation (Part I.E.6.j.(11)).

No later than June 30 of each year, the City shall annually review any high-priority facility owned or operated by the City for which an SWPPP has not been developed to determine if the facility meets any of the conditions described in Part I.E.6.g. If the facility is determined to need an SWPPP, the City shall develop an SWPPP meeting the requirements of Part I.E.6.h no later than December 31 of that same year. The City shall maintain a list of all high-priority facilities owned or operated by the City not required to maintain an SWPPP in accordance with Part I.E.6.g and this list shall be available upon request (Part I.E.6.k).

The City shall review the contents of any site-specific SWPPP no later than 30 days after any unauthorized discharge, release, or spill reported in accordance with Part IV.G to determine if additional measures are necessary to prevent future unauthorized discharges, releases, or spills. If necessary, the SWPPP shall be updated no later than 90 days after the unauthorized discharge (Part I.E.6.l).

The SWPPP shall be kept at the high-priority facility and utilized as part of employee SWPPP training required in Part I.E.6.d(4). The SWPPP and associated documents may be maintained as a hard copy or electronically as long as the documents are available to employees at the applicable site (Part I.E.6.m).

If activities change at a facility such that the facility no longer meets the definition of a high-priority facility, the City may remove the facility from the list of high-priority facilities with a high potential to discharge pollutants (Part I.E.6.n).

If activities change at a facility such that the facility no longer meets the criteria requiring SWPPP coverage as described in Part I.E.6.g, the City may remove the facility from the list of high-priority facilities that require SWPPP coverage (Part I.E.6.o).

The City will not apply any deicing agent containing urea or other forms of nitrogen or phosphorus to parking lots, roadways, and sidewalks, or other paved surfaces (Part I.E.6.b.(1)(b)).

The SWPPP will provide instructions for updates, as necessary, to reflect changes, modifications to operations and maintenance procedures, or shortcomings resulting in a reportable spill. Inspection forms will be completed in accordance with the prescribed schedule within the SWPPP and maintained on file with the Stormwater Manager.

The City shall provide a list of all high-priority facilities owned or operated by the City required to maintain a SWPPP in accordance with Part I.E.6.g that includes the facility name, facility location, and the location of the SWPPP hardcopy or electronic document being maintained. The SWPPP for each high-priority facility shall be incorporated by reference (Part I.E.6.x.(2)).

Table 7: List of High Priority Facilities		
High Priority Facility	Address	Location of SWPPP
Street and General Maintenance Facility	1228 Indiana Street	1228 Indiana Street
Water Department	1010 Tidewater Street	1010 Tidewater Street

Necessary documentation for implementation: (1) Good Housekeeping and Pollution Prevention Manual; (2) SWPPP's; (3) Annual comprehensive site compliance evaluation forms; and (4) Identification of High Priority Facilities report.

Responsible individual for implementation: Stormwater Manager.

Implementation schedule: By June 30th every year the City will review its properties to determine if the facilities meet the criteria of a high priority facility and develop a SWPPP by December 31 of the same permit year. The City will also review its properties to determine if the properties no longer meet the criteria of a high priority facility. The City will review the SWPPP no later than 30 days after an unauthorized discharge, release or spill reported in accordance with Part IV.G to determine if additional measures are necessary to prevent future unauthorized discharges, releases, or spills. The SWPPP shall be updated no later than 90 days after the unauthorized discharge. The annual comprehensive compliance evaluation will be completed once per year.

Measurable goals: Effectiveness will be measured by the completed annual comprehensive compliance evaluation once per year; a review of the SWPPP within 30 days after an unauthorized discharge, release or spill reported; and an update to the SWPPP within 90 days after an unauthorized discharge. In addition, effectiveness will be measured by the review of the City's properties to determine if the properties meet the criteria of a high priority facility and a SWPPP is developed, or no longer meet the criteria of a high priority facility.

BMP 6.6 Turf and Landscape Management (Part I.E.6.p)

Description: The City shall maintain and implement turf and landscape nutrient management plans that have been developed by a certified turf and landscape nutrient management planner in accordance with § 10.1-104.2 of the Code of Virginia on all lands owned or operated by the City where nutrients are applied to a contiguous area greater than one acre (Part I.E.6.p).

Within 12 months of permit coverage, the City shall identify contiguous areas greater than one acre located in expanded 2020 census urban areas with population of at least 50,000 and within the City's MS4 service area requiring turf and landscape nutrient management plans (Part I.E.6.q).

Within 36 months of permit coverage, the City shall implement turf and landscape nutrient management plans on contiguous areas greater than one acre located in expanded 2020 census urban areas with a population of least 50,000 and within the City's MS4 service area (Part I.E.6.r).

If nutrients are being applied to achieve final stabilization of a land disturbance project, application shall follow the manufacturer's recommendations. For newly established turf where nutrients are applied to a contiguous area greater than one acre, the City shall implement a nutrient management plan no later than six months after the site achieves final stabilization (Part I.E.6.s).

Nutrient management plans developed in accordance with Part I.E.6.n shall be submitted to the Department of Conservation and Recreation (DCR) for approval (Part I.E.6.t). Fertilizer application records will be maintained with each application using the application record provided in the NMP.

Nutrient management plans that are expired as of the effective date of this permit shall be submitted to DCR for renewal within six months (May 1, 2024) after the effective date of this permit. Thereafter, all nutrient management plans shall be submitted to DCR at least 30 days prior to nutrient management plan expiration. Within 36 months (November 1, 2026) of permit coverage, no nutrient management plans maintained by the City in accordance with Part I.E.6.n shall be expired due to DCR documented noncompliance with 4VAC50-85-130 provided to the City (Part I.E.6.u).

Nutrient management plans may be maintained as a hard copy or electronically as long as the documents are available to employees at the applicable site (Part I.E.6.v).

The City shall provide a list of locations for which turf and landscape nutrient management plans are required in accordance with Part I.E.6.p and s, including the following information (Part I.E.6.x.(3)):

- The total acreage covered by each nutrient management plan (Part I.E.6.x.(3)(a));
- The DCR approval date and expiration date for each nutrient management plan (Part I.E.6.x.(3)(b)); and
- The location of the nutrient management plan hardcopy or electronic document being maintained (Part I.E.6.x.(3)).

Table 8: List of Lands where Nutrient Management Plans are Required

Property Name	Total Area (ac.)	DCR Approval Date	Expiration Date	Location of NMPs
City of Salem (Municipal)	12.29	4/10/2024	4/15/2027	1228 Indiana Street Salem, VA 24153
City of Salem	37.13	9/01/2022	9/01/2025	1228 Indiana Street Salem, VA 24153
Salem Golf Course	35	7/01/2021	7/01/2026	1228 Indiana Street Salem, VA 24153
Salem Memorial Stadium	2.4	4/10/2024	4/15/2027	1228 Indiana Street Salem, VA 24153
City of Salem Part 1 – Parks	27.31	7/15/2021	7/15/2024	1228 Indiana Street Salem, VA 24153

Necessary documentation for implementation: (1) Nutrient Management Plans; and (2) Completed Fertilizer Application Record.

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The NMPs will continue to be updated and modified as needed. Fertilizer application records will be maintained with each application.

Measurable goals: Effectiveness will be measured by the implementation of the NMPs through completion of the application record and periodic updates to the NMPs to make necessary adjustments based on soil conditions.

3.2 SPECIAL CONDITIONS FOR LOCAL TMDLS

Description: The City shall develop and maintain a local TMDL action plan designed to reduce loadings for pollutants of concern if the City discharges the pollutants of concern to an impaired water for which a TMDL has been approved by the U.S. Environmental Protection Agency (EPA) as described below (Part II.B.2):

- For TMDLs approved by EPA prior to July 1, 2018, and in which an individual or aggregate wasteload has been allocated to the city, the city shall develop and initiate or update as applicable the local TMDL action plans to meet the conditions of Part II.B.4, B.6, B.7, and B.8, as applicable, no later than 18 months (May 1, 2025) after the permit effective date and continue implementation of the action plan; Updated action plans shall include (Part II.B.2.a):
 - An evaluation of the results achieved by the previous action plan (Part II.B.2.a.(1)); and
 - Any adaptive management strategies incorporated into updated action plans based on action plan evaluation (Part II.B.2.a.(2)).
- For TMDLs approved by EPA on or after July 1, 2018, and prior to October 31, 2023, and in which an individual or aggregate wasteload has been allocated to the City, the City shall develop and initiate implementation of action plans to meet the conditions of Part II.B.4, B.5, B.6, B.7, and B.8, as applicable no later than 30 months (May 1, 2026) after the permit effective date (Part II.B.2.b). The City shall complete implementation of the TMDL action plans as determined by the schedule. TMDL action plans may be implemented in multiple phases over more than one permit cycle using the adaptive iterative approach provided adequate progress is achieved in the implementation of BMPs designed to reduce pollutant discharges in a manner that is consistent with the assumptions and requirements of the applicable TMDL (Part II.B.3).

The City shall complete implementation of the TMDL action plans as determined by the schedule. TMDL action plans may be implemented in multiple phases over more than one permit cycle using the adaptive iterative approach provided adequate progress is achieved in the implementation of BMPs designed to reduce pollutant discharges in a manner that is consistent with the assumptions and requirements of the applicable TMDL (Part II.B.3).

Each local TMDL action plan developed by the City shall include the following (Part II.B.4):

- The TMDL project name (Part II.B.4.a);
- The EPA approval date of the TMDL (Part II.B.4.b);
- The wasteload allocated to the City (individually or in aggregate), and the corresponding percent reduction, if applicable (Part II.B.4.c);
- Identification of the significant sources of the pollutants of concern discharging to the MS4 that are not covered under a separate VPDES permit. For the purposes of this requirement, a significant source of pollutants of concern means a discharge where the expected pollutant loading is greater than the average pollutant loading for the land use identified in the TMDL (Part II.B.4.d);
- The BMPs designed to reduce the pollutants of concern in accordance with Parts II.B.5, B.6, B.7, and B.8 (Part II.B.4.e);
- Any calculations required in accordance with Part II.B.5, B.6, B.7, or B.8 (Part II.B.4.f);
- For action plans developed in accordance with Part II.B.5, B.6, and B.8, an outreach strategy to enhance the public's education (including employees) on methods to eliminate and reduce discharges of the pollutants (Part II.B.4.g); and

- A schedule of anticipated actions planned for implementation during this permit term (Part II.B.4.h).

Prior to submittal of the action plan required in Part II.B.2, the City shall provide an opportunity for public comment for no fewer than 15 days on the proposal to meet the local TMDL action plan requirements (Part II.B.9).

The MS4 program plan as required by Part I.B of this permit shall incorporate each local TMDL action plan. Local TMDL action plans may be incorporated by reference into the MS4 program plan provided that the program plan includes the date of the most recent local TMDL action plan and identification of the location where a copy of the local TMDL action plan may be obtained (Part II.B.9).

For each reporting period, each annual report shall include a summary of actions conducted to implement each local TMDL action plan (Part II.B.9).

BMP SC1.1 Local Bacteria TMDL Action Plans (Part II.B.5)

Description: The City is a traditional permittee, therefore, the City shall select and implement at least three of the strategies listed in Table 9 designed to reduce the load of bacteria to the MS4. Selection of the strategies shall correspond to sources identified in Part II.B.4.d (Part II.B.5.a).

Table 9: Strategies for Bacteria Reduction Stormwater Control/Management Strategy	
Source	Strategies (provided as an example and not meant to be all inclusive or limiting)
Domestic pets (dogs and cats)	<p>Provide signage to pick up dog waste, providing pet waste bags and disposal containers.</p> <p>Adopt and enforce pet waste ordinances or policies, or leash laws or policies.</p> <p>Place dog parks away from environmentally sensitive areas.</p> <p>Maintain dog parks by removing disposed of pet waste bags and cleaning up other sources of bacteria.</p> <p>Protect riparian buffers and provide unmanicured vegetative buffers along streams to dissuade stream access.</p>
Urban wildlife	<p>Educate the public on how to reduce food sources accessible to urban wildlife (e.g., manage restaurant dumpsters and grease traps, residential garbage, feed pets indoors).</p> <p>Install storm drain inlet or outlet controls.</p> <p>Clean out storm drains to remove waste from wildlife.</p> <p>Implement and enforce urban trash management practices.</p> <p>Implement rooftop disconnection programs or site designs that minimize connections to reduce bacteria from rooftops.</p> <p>Implement a program for removing animal carcasses from roadways and properly disposing of the same (either through proper storage or through transport to a licensed facility).</p>
Illicit connections or illicit discharges to the MS4	<p>Implement an enhanced dry weather screening and illicit discharge, detection, and elimination program beyond the requirements of Part I E 3 to identify and remove illicit connections and identify leaking sanitary sewer lines infiltrating to the MS4 and implement repairs.</p> <p>Implement a program to identify potentially failing septic systems.</p> <p>Educate the public on how to determine whether their septic system is failing.</p> <p>Implement septic tank inspection and maintenance program.</p> <p>Implement an educational program beyond any requirements in Part I.E.1 though Part I.E.6 to explain to citizens why they should not dump materials into the MS4.</p>

Source	Strategies (provided as an example and not meant to be all inclusive or limiting)
Dry weather urban flows (irrigations, car washing, powerwashing, etc.)	<p>Implement public education programs to reduce dry weather flows from storm sewers related to lawn and park irrigation practices, car washing, powerwashing and other nonstormwater flows.</p> <p>Provide irrigation controller rebates.</p> <p>Implement and enforce ordinances or policies related to outdoor water waste.</p> <p>Inspect commercial trash areas, grease traps, washdown practices, and enforce corresponding ordinances or policies.</p>
Birds (Canadian geese, gulls, pigeons, etc.)	<p>Identify areas with high bird populations and evaluate deterrents, population controls, habitat modifications and other measures that may reduce bird-associated bacteria loading.</p> <p>Prohibit feeding of birds.</p>
Other sources	<p>Enhance maintenance of stormwater management facilities owned or operated by the City.</p> <p>Enhance requirements for third parties to maintain stormwater management facilities.</p> <p>Develop BMPs for locating, transporting, and maintaining portable toilets used on City-owned sites. Educate third parties that use portable toilets on BMPs for use.</p> <p>Provide public education on appropriate recreational vehicle dumping practices.</p>

Necessary documentation for implementation: (1) Roanoke River Bacteria TMDL Action Plan; and (2) Program Plan.

Responsible individual for implementation: Stormwater Manager

Implementation schedule: Update the Roanoke River Bacteria TMDL Action Plan no later than 18 months (May 1, 2025) after the permit effective date and continue implementation of the action plan.

Measurable goal: Effectiveness will be determined by the consideration of public comments; and the selection of cost effective BMPs and outreach strategies to enhance the public's education.

BMP SC1.2 Local Bacteria TMDL Action Plan Implementation (Part II.B.5)

Description: The City has selected the following three strategies from the list in Table 10 to further reduce the load of bacteria to the MS4 and improve the water quality of the local waterways:

- Provide signage to pick up dog waste, providing pet waste bags and disposal containers.
- Implement and enforce ordinances or policies related to outdoor water waste.
- Educate the public on sewer backup prevention and actions taken if they happen.

These strategies will be included in the annual MS4 Program Plan update and implementation will be reported during the annual MS4 reporting process.

Necessary documentation for implementation: Roanoke River Bacteria TMDL Action Plan

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The Roanoke River Bacteria TMDL Action Plan schedule shown in Table 10 will be updated in 18 months (May 1, 2025).

Table 10: Roanoke River Bacteria TMDL Action Plan Implementation		
Timeframe	Strategies	Method
Completed and ongoing	Provide signage to pick up dog waste, providing pet waste bags and disposal containers	Post signage and provide disposal containers and waste bags.
Completed and ongoing	Implement and enforce ordinances or policies related to outdoor water waste.	See Section 4.1.8 of this report
Completed and ongoing	Educate the public on sewer backup prevention and actions taken if the sewer overflows.	https://salemva.gov/Departments/Water-Sewer-Dept/Wastewater-Operations/Sewer-Backups-and-Overflows
Completed and ongoing	Implement an educational program beyond any requirements in Part I E 1 though E 6 to explain to citizens why they should not dump materials into the MS4.	Enhanced Public Education and Outreach and Public Participation within the watershed through partnership with the Clean Valley Council

Measurable goal: Effectiveness will be determined by the implementation of the actions in the schedule.

BMP SC2.1 Sediment TMDL Action Plan (Part II.B.6)

Description: For local sediment TMDLs (Part II.B.6):

- The City shall reduce the loads associated with sediment through implementation of one or more of the following (Part II.B.6.a):
 - One or more of the BMPs from the Virginia Stormwater BMP Clearinghouse listed in 9VAC25-870-65 or other approved BMPs found on the Virginia Stormwater BMP Clearinghouse website (Part II.B.6.a.(1));
 - One or more BMPs approved by the Chesapeake Bay Program. Pollutant load reductions generated by annual practices, such as street and storm drain cleaning, shall only be applied to the compliance year in which the annual practice was implemented (Part II.B.6.a.(2)); or
 - Land disturbance thresholds lower than Virginia's regulatory requirements for erosion and sediment control and post development stormwater management (Part II.B.6.a.(3)).
- The City may meet the local TMDL requirements for sediment through BMPs implemented or sediment credits acquired. BMPs implemented and nutrient and sediment credits acquired to meet the requirements of the Chesapeake Bay TMDL in Part II.A may also be utilized to meet local TMDL requirements as long as the BMPs are implemented or the credits are generated in the watershed for which local water quality is impaired (Part II.B.6.b).
- The City shall calculate the anticipated load reduction achieved from each BMP and include the calculations in the action plan required in Part II.B.4.f (Part II.B.6.c).
- No later than 36 months (November 1, 2026) after the effective date of this permit, the City shall submit to the department an update on the progress made toward achieving Accotink Creek Sediment TMDL action plan goals and the anticipated end dates by which the City will meet each wasteload allocation for sediment. The proposed end date may be developed in accordance with Part II.B.3 (Part II.B.6.d).

Necessary documentation for implementation: Roanoke River Sediment TMDL Action Plans

Responsible individual for implementation: Stormwater Manager

Implementation schedule: An update on the progress of the Roanoke River Sediment TMDL Action Plan will be submitted no later than 36 months (November 1, 2026) after the effective date of this permit.

Measurable goal: Effectiveness will be determined by the consideration of public comments; and the selection of cost effective BMPs supported by model quantification to achieve the required pollutant reductions and outreach strategies to enhance the public's education.

BMP SC2.2 Sediment TMDL Action Plan Implementation (Part II.B.6)

Description: The City is currently updating the Sediment TMDL Action Plan. The City currently proposes using the lane mile approach from 2016 Expert Panel Report. However, this will be revised. The information in Table 11 indicates the mileage required to be swept annually per street sweeping practice in order to meet the sediment reduction required (793.55 tons/year or 1,587,100 lbs./year) for future sediment loads towards achieving the WLA.

Table 11: Estimate of Sediment Removal by Sweeping Using the Lane Mile Approach

Salem TSS TMDL WLA Reduction Scenarios				Approx. Min. Lane Miles or Acres/Yr.	Approx. Min. Lane Miles or Acres to Sweep per Pass
Practice	Street Cleaning Practices Available for Credit	Description*	Passes/Yr.		
TSS					
Advanced Sweeping Technology	SCP-1	2 passes per week	100	0.21	5,814
	SCP-2	1 pass per week	50	0.16	7,631
	SCP-3	1 pass per 2 weeks	25	0.11	11,099
	SCP-4	1 pass every 4 weeks	10	0.06	20,348
	SCP-5	1 pass every 8 weeks	6	0.04	30,522
	SCP-6	1 pass every 12 weeks	4	0.02	61,043
	SCP-7	Seasonal scenario 1 or 2	15	0.07	17,441
	SCP-8	Seasonal scenario 3 or 4	20	0.1	12,209
Mechanical Broom	SCP-9	2 passes per week	100	0.01	122,085
	SCP-10	1 pass per week	50	0.005	244,170
	SCP-11	1 pass every 4 weeks	10	0.001	1,220,847
*Seasonal scenarios are defined as follows:					
S1: Spring - One pass every week from March to April. Monthly otherwise.					
S2: Spring - One pass every other week from March to April. Monthly otherwise.					
S3: Spring and fall - One pass every week (March to April, October to November) Monthly otherwise.					
S4: Spring and fall - One pass every other week during the season. Monthly otherwise.					

Notes:

(1) The standard street cleaning unit is the number of curb miles swept. One impervious acre is equivalent to one curb-lane mile swept assuming swept on one side only.

(2) Acres of parking lot swept are converted to lane miles using one acre = one curb lane mile.

(3) Loading Rates associated with urban impervious cover in the Chesapeake Bay Watershed.

Average TN Load 15.5 lbs/ac/yr

Average TP Load 1.93 lbs/ac/yr

Average TSS Load 1,300 lbs/ac/yr

Necessary documentation for implementation: Roanoke River Sediment TMDL Action Plan

Responsible individual for implementation: Stormwater Manager

Implementation schedule: Salem will revise the Roanoke River Sediment TMDL Action Plan schedule shown in Table 12 in 18 months (May 1, 2025).

Table 12: Roanoke River Sediment TMDL Implementation			
Step	General Description	Measurable Goal	Completion Date
1	Research additional credits to decrease the required reduction and select a street sweeping scenario to implement	Coordination with DEQ to be able to take additional credit for the implementation of Salem's MS4 Program. Evaluate a credit for the reduced land disturbance threshold written in Salem's ordinance. Determine lane miles swept potential of City streets. Select a street sweeping scenario to implement.	June 30, 2021
2	Tracking documentation	Develop necessary documentation per expert panel report.	June 30, 2022
3	Staff training	Develop sweeping training materials and implement training.	June 30, 2023
4	Program evaluation	Assess numerical progress towards meeting the WLA over the permit cycle. Re-evaluate Street Sweeping Program.	June 30, 2024

Measurable goal: Effectiveness will be determined by the implementation of the actions in the schedule.

BMP SC2.3 PCB TMDL Action Plan (Part II.B.7)

Description: For Polychlorinated biphenyl (PCB) TMDLs:

For each PCB TMDL action plan, the City shall include an inventory of potentially significant sources of PCBs owned or operated by the City that drains to the MS4 that includes the following information (Part II.B.7.a):

- Location of the potential source (Part II.B.7.a.(1));
- Whether or not the potential source is from current site activities or activities previously conducted at the site that have been terminated (i.e., legacy activities) (Part II.B.7.a.(2)); and
- A description of any measures being implemented or to be implemented to prevent exposure to stormwater and the discharge of PCBs from the site (Part II.B.7.a.(3)).

If at any time during the term of this permit, the City discovers a previously unidentified significant source of PCBs within the City's MS4 regulated service area, the City shall notify DEQ in writing within 30 days of discovery (Part II.B.7.b).

As part of its annual reporting requirements, the City shall submit results of any action plan PCB monitoring or product testing conducted and any adaptive management strategies that have been incorporated into the updated action plan based upon monitoring or product testing results if the City has elected to perform monitoring or product testing or both (Part II.B.7.c).

Necessary documentation for implementation: Roanoke River PCB TMDL Action Plan

Responsible individual for implementation: Stormwater Manager

Implementation schedule: Update the Roanoke River PCB TMDL Action Plan no later than 18 months (May 1, 2025) after the permit effective date and continue implementation of the action plan.

Measurable goal: Effectiveness will be determined by the consideration of public comments; and the selection of cost effective BMPs supported by model quantification to achieve the required pollutant reductions and outreach strategies to enhance the public's education.

BMP SC2.3 PCB TMDL Action Plan Implementation (Part II.B.7)

Description: The City will implement a step annually per the schedule in the Roanoke River PCB TMDL Action Plan.

Necessary documentation for implementation: Roanoke River PCB TMDL Action Plan

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The Roanoke River PCB TMDL Action Plan schedule in Table 13 will be updated in 18 months (May 1, 2025).

Table 13: Roanoke River PCB TMDL Action Plan Implementation		
Strategies	Method	Timeframe
Identification of significant sources of PCBs	Assessment of City Properties	Completed
Site-specific SWPPPs for City owned properties with the potential to discharge PCBs	SWPPP developed, implemented, and maintained for the Streets Facility	Completed and ongoing
MS4 Program MCMs developed to address and minimize PCBs	MCMs 1 - 4 and 6 and City Ordinances developed and implemented to specifically address and minimize PCBs	Completed and ongoing
New discoveries previously unidentified significant sources of PCBs reported, if found	Notification to DEQ in writing within 30 days of discovery, if found	Ongoing

Measurable goal: Effectiveness will be determined by the implementation of the actions in the schedule.

3.3 Ecosystem Restoration Projects

Description: Inspection and maintenance of ecosystem restoration projects used for TMDL compliance (Part II.C). Currently, the City does not have any ecosystem restoration BMPs; therefore, inspections are not required.

Within 36 months (November 1, 2026) of permit issuance City shall develop and maintain written inspection and maintenance procedures in order to ensure adequate long-term operation and maintenance of ecosystem restoration projects as defined in 9VAC25-890-1 and implemented as part of a TMDL action plan developed in accordance with Part II A, B, or both. City may utilize inspection and maintenance protocols developed by the Chesapeake Bay Program or inspection and maintenance plans developed in accordance with the department's Stormwater Local Assistance Fund (SLAF) guidelines (Part II.C.1).

If the City implements an ecosystem restoration project, the City shall inspect ecosystem restoration projects owned or operated by City and implemented as part of a current TMDL action plan developed in accordance with Part II.A or Part II.B no less than once every 60 months (Part II.C.2).

Necessary documentation for implementation: Post Construction Stormwater Management Inspection and Maintenance Manual

Responsible individual for implementation: Stormwater Manager

Implementation schedule: The Post Construction Stormwater Management Inspection and Maintenance Manual will be updated within 36 months (November 1, 2026). Currently, the City does not have any ecosystem restoration BMPs; therefore, inspections are not required.

Measurable goal: Effectiveness will be measured by the update of the Post Construction Stormwater Management Inspection and Maintenance Manual.

3.4 DEQ BMP Warehouse Reporting

Description: No later than October 1 of each year the City shall electronically report new BMPs implemented and inspected as applicable between July 1 and June 30 of each year using the DEQ BMP Warehouse (Part III.B).

The City shall use the associated reporting template for stormwater management facilities not reported in accordance with Part III.B.5, including stormwater management facilities installed to control post-development stormwater runoff from land disturbing activities less than one acre in accordance with the Chesapeake Bay Preservation Area Designation and Management Regulations (9VAC25-830), if applicable, and for which a General VPDES Permit for Discharges of Stormwater from Construction Activities was not required (Part III.B.1).

The City shall use the DEQ BMP Warehouse to report BMPs that were not reported in accordance with Part III.B.1 or B.5 and were implemented as part of a TMDL action plan to achieve nitrogen, phosphorus, and total suspended solids reductions in accordance with Part II.A or B (Part III.B.2).

The City shall use the DEQ BMP Warehouse to report:

- any BMPs that were not reported in accordance with Part III.B.1, B.2, or B.5 (Part III.B.3).
- the most recent inspection date for BMPs in accordance with Part I.E.5.b or 5.c, or in accordance with Part II.C and the most recent associated TMDL action plan (Part III.B.4).

The City shall use the DEQ Construction Stormwater Database or other application as specified by the department to report each stormwater management facility installed after July 1, 2014, to address the control of post-construction runoff from land disturbing activities for which the City is required to obtain a General VPDES Permit for Discharges of Stormwater from Construction Activities (Part III.B.5).

The following information for each new BMP reported in accordance with Part III.B.1, B.2, B.3, or B.5 shall be reported to the DEQ BMP Warehouse as applicable (Part III.C):

- The BMP type (Part III.C.1);
- The BMPs location as decimal degree latitude and longitude (Part III.C.2);
- The acres treated by the BMP, including total acres and impervious acres (Part III.C.3);
- The date the BMP was brought online (MM/YYYY). If the date brought online is not known, the City shall use 06/2005 (Part III.C.4);
- The 6th Order Hydrologic Unit Code in which the BMP is located (Part III.C.5);
- Whether the BMP is owned or operated by the City or privately owned (Part III.C.6);
- Whether or not the BMP is part of The City's Chesapeake Bay TMDL action plan required in Part II.A or local TMDL action plan required in Part II B, or both (Part III.C.7);
- If the BMP is privately owned, whether a maintenance agreement exists (Part III.C.8);
- The date of The City's most recent inspection of the BMP (Part III.C.9); and
- Any other information specific to the BMP type required by the DEQ BMP Warehouse (e.g., linear feet of stream restoration) (Part III.C.1).

No later than October 1 of each year, the City shall electronically report the most recent inspection date for any existing BMP that was previously reported and re-inspected between July 1 and June 30 using the

BMP Warehouse. If an existing BMP has not been previously reported, the BMP shall be reported as new in accordance with Part III.B and Part III.C (Part III.D).

No later than October 1 of each year the DEQ BMP Warehouse shall be updated if an existing BMP is discovered between July 1 and June 30 that was not previously reported to the DEQ BMP Warehouse (Part III.E).

Necessary documentation for implementation: SWM Facility Tracking Database

Responsible individual for implementation: Stormwater Manager

Implementation schedule: No later than October 1 of each year, the City shall electronically report the most recent inspection date for any existing BMP that was previously reported and re-inspected between July 1 and June 30 using the BMP Warehouse.

Measurable goal: Effectiveness will be measured by the annually reported information by October 1 each year.

Appendix A: VSMP Approval Letter



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Molly Joseph Ward
Secretary of Natural Resources

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David K. Paylor
Director

(804) 698-4020
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March 30, 2015

Charles E. Van Allman Jr., City Engineer
25 E. Main ST
Salem, VA

Dear Mr. Van Allman:

The Department of Environmental Quality (DEQ) staff has reviewed Salem's VSMP ordinance adopted in May of 2014. Based on this review of Salem's VSMP ordinance and the changes to the Virginia Stormwater Management Program Regulations and Virginia Stormwater Management Act, DEQ staff recommends 2 revisions outlined below in order for the City of Salem's VSMP ordinance to be consistent with the VSMP regulations and Act. These two comments were also reflected in the VSMP Local Ordinance Checklist completed by DEQ staff on April 17, 2014.

1. DEQ staff recommends that Salem amend the grandfathering language in Section 30-145 C to be consistent with the language in Section 9VAC25-870-48 as follows:

9VAC25-870-48. Grandfathering.

A. Any land-disturbing activity shall be considered grandfathered by the City and shall be subject to the Part II C technical criteria of this chapter provided:

1. A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, preliminary or final site plan, or any document determined by the locality to be equivalent thereto (i) was approved by the City prior to July 1, 2012, (ii) provided a layout as defined in 9VAC25-870-10, (iii) will comply with the Part II C technical criteria of this chapter, and (iv) has not been subsequently modified or amended in a manner resulting in an increase in the amount of phosphorus leaving each point of discharge, and such that there is no increase in the volume or rate of runoff;

2. A state permit has not been issued prior to July 1, 2014; and

3. Land disturbance did not commence prior to July 1, 2014.

B. City, state, and federal projects shall be considered grandfathered by the VSMP authority and shall be subject to the Part II C technical criteria of this chapter provided:

1. *There has been an obligation of City, state, or federal funding, in whole or in part, prior to July 1, 2012, or the department has approved a stormwater management plan prior to July 1, 2012.*
 2. *A state permit has not been issued prior to July 1, 2014; and*
 3. *Land disturbance did not commence prior to July 1, 2014.*
 - C. Land disturbing activities grandfathered under subsections A and B of this section shall remain subject to the Part II C technical criteria of this chapter for one additional state permit cycle. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the board.*
 - D. In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical criteria of Part II C.*
 - E. Nothing in this section shall preclude an operator from constructing to a more stringent standard at his discretion.*
2. To address Section 62.1-44.15:28.7 of the revised Stormwater Management Act, DEQ staff recommends that Salem amend Section 30-141 A to add a phrase as follows:

In section 30-141 A, line 3, after the word “developments,” add “including those developed under subsequent owners...” The new sentence would now read: Individual lots in new residential, commercial, or industrial developments, including those developed under subsequent owners, shall not be considered separate land-disturbing activities.

Please note that this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.* If you have questions about these recommended amendments or wish to provide any additional information or to discuss this matter further, please feel free to contact Elizabeth Abe at Elizabeth.abe@deq.virginia.gov or myself, Joan Salvati at Joan.Salvati@deq.virginia.gov.

Sincerely,



Joan Salvati, Manager
Office of Local Government Programs

C: Elizabeth Abe, DEQ Blue Ridge Regional Office
Shawn Smith, DEQ Central Office

