



Nebraska DEQ

PO Box 98922, Lincoln,

NE68509-8922

Return Receipt Request

The Honorable Mike Fahey
Mayor of the City of Omaha
1819 Farnam Street
Omaha, NE 68183

Date 9/30/08

Permit # NE 0133698 / IIS 73881

Enclosed is:

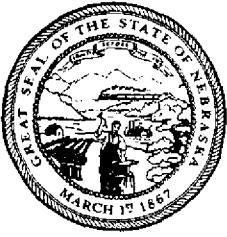
- NPDES Permit
- NPP Permit
- NPDES/NPP Permit
- Signatory Authorization Form to be returned to Sharon Brunke at DEQ if there is change to the form enclosed.

A copy of the permit shall be routed to the facility contact person who is responsible for retaining the NPDES facility records.

Questions regarding the permit or monitoring reports should be directed to the DEQ compliance specialist indicated below:

- Brett Anderson 402-595-1766
- John Flint 308-632-0544
- John Schauer 402-471-4205
- Reuel Anderson 402-471-2936
- Tom Newton 402-471-4209
- Terry Johnson 402-370-4425
- Cay Ewoldt 402-471-2023

c: Marty Grate, Environmental Control Manager



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Michael J. Linder

Director

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1200 'N' Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

website: www.deq.state.ne.us

Authorization to Discharge Under the National Pollutant Discharge Elimination System (NPDES)

This NPDES permit is issued in compliance with the provisions of the Federal Water Pollution Control Act (33 U.S.C. Secs. 1251 *et. seq.* as amended to date), the Nebraska Environmental Protection Act (Neb. Rev. Stat. Secs. 81-1501 *et. seq.* as amended to date), and the Rules and Regulations promulgated pursuant to these Acts. The municipal separate storm sewer system (MS4) identified in this permit is authorized to discharge storm water and other authorized flows, and is subject to the limitations, requirements, prohibitions and conditions set forth herein. This permit regulates and controls the release of pollutants in the discharges authorized herein. This permit does not relieve Permittees of other duties and responsibilities under the Nebraska Environmental Protection Act, as amended, or established by regulations promulgated pursuant thereto.

NPDES Permit No.: **NE0133698**

IIS File No.: **73881**

Permittee: **City of Omaha, Nebraska**

Coverage: **All discharges from the Omaha MS4 system that discharge to waters of the State, including any MS4 discharges that may reach waters of the State through intermediate drainage ways or conduits.**

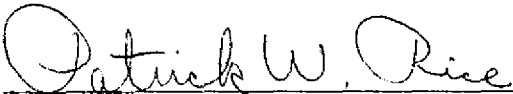
Receiving Water: **Papillion Creek, Missouri River and several tributaries**

Effective Date: **October 1, 2008**

Expiration Date: **September 30, 2013**

Pursuant to the Delegation Memorandum dated January 12, 1999 and signed by the Director, the undersigned hereby executes this document on the behalf of the Director.

Signed this 30TH day of September, 2008



Patrick W. Rice
Assistant Director

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Appendix A: City of Omaha - Storm Water Management Plan

Part I: Discharges Authorized under this Permit

A. Permit Area

This permit covers all areas within the corporate boundaries of the City of Omaha, served by or otherwise contributing to discharges into the Municipal Separate Storm Sewer System (MS4), including all areas that are incorporated in the City during the effective term of the permit.

Discharges from Combined Sewer Systems are not covered under this permit. Combined Sewer Overflow (CSO) discharges are covered under the NPDES permit (NE0133680).

B. Authorized Discharges

This permit authorizes point-source discharges of municipal storm water and other authorized flows from the MS4. The discharges provided coverage under this permit are limited to the following:

1. Municipal storm water that originates from within the coverage area;
2. Storm water from areas outside the coverage area that flows into and through the MS4;
3. Storm water discharges associated with industrial activity as defined in 40 CFR 122.26 (b)(14) and Title 119, Chapter 10 that are authorized under a separate NPDES permit or that are in-compliance with the No Exposure Certification requirements;
4. Non-Storm water discharges that are either:
 - a. authorized under a separate NPDES permit;
 - b. being addressed in accordance with either the Illicit Discharge Identification procedures set forth in the City's Storm Water Management Plan; or
 - c. other *Allowable Non-Storm water Discharges and flows* as identified in the following list: water line flushing, lawn watering, landscape irrigation, irrigation water, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, springs, water from crawl space pumps, footing drains, sump pumps, uncontaminated heat pumps, individual residential vehicle washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges (0.019 ppm or less concentration of Chlorine), street wash water, discharges or flows from fire fighting activities and other similar discharges determined by the Department not to be significant pollutant sources.

C. Limitations on Authorization

This permit shall not authorize the discharge of pollutants by any party that is required to obtain coverage under a separate NPDES permit in accordance with Title 119, Chapter 2 002.

D. Compliance to the Maximum Extent Practicable

Pursuant to state regulation Title 119, Chapter 10 004.02D and federal regulation 40 CFR 122.26(d)(2)(iv). This permit requires implementation of control measures and other management practices to reduce pollutants in storm water discharges to the maximum extent practicable. Narrative effluent limitations (a narrative description of the program elements and measurable Best Management Practices (BMP) goals) requiring implementation of BMPs will be used to reduce pollutants and protect water quality to the maximum extent practicable. Program elements will include management practices, control techniques, and system design and engineering methods and such other provisions that are appropriate.

Part II: Resource Requirements

A. Legal Authority

The Permittee shall by statute, ordinance or contract:

1. Control the contribution of pollutants and the quality of storm water discharged from sites of industrial activity and construction activity.
2. Prohibit illicit discharges to the MS4;
3. Control the discharge of spills, dumping, or disposal of materials other than storm water to the MS4;
4. Require compliance with conditions in ordinances, permits, contracts or orders; and
5. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with the conditions of this permit.
6. Enforce compliance as necessary.

B. Storm Water Management Program Resources

The Permittee shall provide adequate program resources (i.e., fiscal support, staff, equipment, support capabilities, etc.) to implement the requirements set forth in this permit.

Part III: Storm Water Management Plan (SWMP)

SWMP Requirements and Schedules of Compliance

The SWMP provides an approach over the next permit period to address Total Maximum Daily Load (TMDL) pollutants of concern, comply with approved TMDLs, and to reduce the discharge of other pollutants to the maximum extent practicable. The detailed SWMP Requirements and Schedule of Compliance are included in Appendix A. The SWMP approach includes the following major program components:

1. Public Education and Outreach
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post Construction Runoff Control
6. Pollution Prevention and Good Housekeeping
7. Industrial Facilities
8. Storm Water Monitoring Plan

The City of Omaha will continue to maintain and improve implemented components of their previous SWMP unless NDEQ approves a City requested change to an ongoing program component.

TMDLs are addressed by the following SWMP program elements in Appendix A:

- Element 1: Public Education and Outreach: 1.B, 1.C, 1.D, 1.F, and 1.H
- Element 3: Illicit Discharge Detection and Elimination: 3B
- Element 4: Construction Site Runoff Control: 4C
- Element 5: Post-Construction Runoff Control: 5F

Part IV: Monitoring Requirements

A. Dry Weather Discharge Screening and Monitoring

A dry-weather, field-screening program shall continue to detect and eliminate illicit discharges to the MS4. The field screening procedures shall be consistent with those set forth in 40 CFR 122.26(d)(1)(iv)(D) and Title 119, Chapter 10 and shall include physical characteristic examinations. If the field screening indicates the potential presence of pollution, additional monitoring and investigation shall be conducted to determine the source(s) of the discharge.

B. Wet Weather and BMP Assessment Monitoring

The Permittee shall continue to conduct a wet weather monitoring program to assess the effectiveness of BMP control measures and to facilitate future SWMP planning. The Department may approve alternate monitoring schedules with alternative monitoring site or schedule being provided to the NDEQ in written form. This program is described in detail in Appendix A, Element 8 Monitoring Program.

C. Coordination of Information

The City and NDEQ shall share and coordinate monitoring data. Data collected by other governmental entities can be used by the City to help assess the effectiveness of BMP's.

Part V: Reporting Requirements

Annual Report

The Permittee shall submit an annual report no later than April 1 of each year (90 days past the start of the Permittee's fiscal year). The annual report will at a minimum include:

1. The status of implementing the components of the SWMP that are established as permit conditions;
2. Proposed changes to the SWMP programs that are established as a permit condition;
3. A summary of data, including all monitoring and quantitative data, that is accumulated throughout the reporting year including wet weather monitoring information as follows:
 - i. Rainfall event, flow, and pollutant concentration summary information;
 - ii. Calculated estimates of the pollutant masses discharged on both an event and an annual basis;
 - iii. The Event Mean Concentrations (EMC's) from the Municipal Separate Storm Sewer Area;
 - iv. Identification of any water quality improvements or degradation recognized; and
 - v. A summary of any conclusions concerning SWMP revisions or BMP practices that were drawn from the monitoring.
4. A summary of annual expenditures during the previous year;
5. A summary describing the number and nature of enforcement actions, inspections, and public education programs.

Part VI: Amendments Procedures and Requirements

1. Either the Department or the municipality entity may propose amendments to the SWMP, monitoring requirements and reporting requirements. Amendments may be proposed either formally or informally. Proposed amendments shall not be implemented without agreement from both the City and the Department.
2. Any such amendments must comply with the applicable federal requirements set forth in 40 CFR Parts 122.26(d)(2), 122.42(c), and 122.42(d), and in NDEQ Title 119, Chapter 10 002.12K2.

Amendments that are mutually applicable shall be implemented in accordance with written Department approval.

Part VII: Standard Conditions that Apply to NPDES and NPP Permits

These general conditions are applicable to all NPDES and NPP permits. These conditions shall not preempt any more stringent requirements found elsewhere in this permit.

A. General Conditions

1. Information Available

All permit applications, fact sheets, permits, discharge data, monitoring reports, and any public comments concerning such shall be available to the public for inspection and copying, unless such information about methods or processes is entitled to protection as trade secrets of the owner or operator under Neb. Rev. Stat. §81-1527, (Reissue 1999) and NDEQ Title 115, Chapter 4.

2. Duty to Comply

All authorized discharges shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

The permittee shall comply with all conditions of this permit. Failure to comply with these conditions may be grounds for administrative action or enforcement proceedings including injunctive relief and civil or criminal penalties.

The filing of a request by the permittee for a permit modification, revocation and re-issuance, termination or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize, prevent or correct any adverse impact to the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as required by the NDEQ to determine the nature and impact of the noncompliant discharge.

4. Permit Actions

This permit may be modified, suspended, revoked or reissued, in part or in whole, in accordance with the regulations set forth in NDEQ Title 119, Chapter 24. In addition, this permit may be modified, revoked and reissued to incorporate standards or limitations issued pursuant to Sections 301(b)(b)(c), 301(b)(b)(d), 304(b)(b), 307(a)(b), or 405(d) of the Clean Water Act and Public Law 100-4 (i.e., industrial categorical standards and municipal sludge regulations).

5. Land Application of Wastewater Effluent

The permittee shall be permitted to discharge treated wastewater effluent by means of land application in accordance with the regulations and standards set forth in NDEQ Title 119, Chapter 12 002.

6. Toxic Pollutants

The permittee shall not discharge pollutants to waters of the state that cause a violation of the standards

established in NDEQ Titles 117, 118 or 119. All discharges to surface waters of the state shall be free of toxic (acute or chronic) substances which alone or in combination with other substances, create conditions unsuitable for aquatic life outside the appropriate mixing zone.

7. Oil and Hazardous Substances/Spill Notification

Nothing in this permit shall preclude the initiation of any legal action or relieve the permittee from any responsibilities, liabilities or penalties under Section 311 of the Clean Water Act. The permittee shall conform to the provisions set forth in NDEQ Title 126, *Rules and Regulations Pertaining to the Management of Wastes*. If the permittee knows, or has reason to believe, that oil or hazardous substances were released at the facility and could enter waters of the state or any of the outfall discharges authorized in this permit, the permittee shall immediately notify the Department of a release of oil or hazardous substances. During Department office hours (i.e., 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays), notification shall be made to the Nebraska Department of Environmental Quality at telephone numbers (402) 471-2186 or (877) 253-2603 (toll free). When NDEQ cannot be contacted, the permittee shall report to the Nebraska State Patrol for referral to the NDEQ Emergency Response Team at telephone number (402) 471-4545. It shall be the permittee's responsibility to maintain current telephone numbers necessary to carry out the notification requirements set forth in this paragraph.

8. Property Rights

The issuance of this permit does not convey any property rights of any sort or any exclusive privileges nor does it authorize any damage to private property or any invasion of personal rights nor any infringement of federal, state or local laws or regulations.

9. Severability

If any provision of this permit is held invalid, the remainder of this permit shall not be affected.

10. Other Rules and Regulations Liability

The issuance of this permit in no way relieves the obligation of the permittee to comply with other rules and regulations of the Department.

11. Inspection and Entry

The permittee shall allow the Director or his authorized representative, upon the presentation of his identification and at a reasonable time:

- a. to enter upon the permittee's premises where a regulated facility or activity is located or conducted, or records are required to be kept under the terms and conditions of the permit,
- b. to have access to and copy any records required to be kept under the terms and conditions of the permit,
- c. to inspect any facilities, equipment (including monitoring and control), practices or operations regulated or required in the permit, and
- d. to sample or monitor any substances or parameters at any location.

12. Penalties

Each violation of the terms and conditions of this permit may result in the initiation of criminal and/or civil actions. Civil penalties can result in fines of up to \$10,000.00 per day per violation (Neb. Rev. Stat. §81-1508, as amended to date). Each criminal penalty for willful or negligent violations of this permit may result in penalties of \$10,000.00 per day per violation or by imprisonment. Violations may also result in federal prosecution.

B. Management Requirements

1. Duty to Provide Information

The permittee shall furnish to the Department within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit; or to determine compliance with this permit. The permittee shall also furnish to

the Department upon request, copies of records retained as a requirement of this permit.

2. Duty to Reapply

The permittee shall apply for a re-issuance of this permit, if an activity regulated by this permit is to be continued after the expiration date of this permit. The application shall be submitted at least 180 days before the expiration of this permit on an application form supplied by the Department, as set forth in NDEQ Title 119, Chapter 5 002.

3. Signatory Requirements

All reports and applications required by this permit or submitted to maintain compliance with this permit, shall be signed and certified as set forth in this section.

- a. Permit applications shall be signed by a certifying official who meets the following criteria:
 - i) for a corporation: by a principal executive officer of at least the level of vice-president,
 - ii) for a partnership or sole proprietorship: by a general partner or the proprietor, respectively, or
 - iii) for a municipality, state, federal or other public facility: by either a principal executive officer or highest ranking elected official.
- b. Discharge monitoring reports and other information shall be signed by the certifying official or by an authorized representative.
- c. The certifying official designates an authorized representative. The authorized representative is responsible for the overall operation of the facility (i.e., the WWTF Operator, the City Manager, the Public Utilities Superintendent or similar person).
- d. Any change in the signatories shall be submitted to the Department, in writing, within 30 days after the change.
- e. Certification. All applications, reports and information submitted as a requirement of this permit, shall contain the following certification statement:

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

C. Monitoring and Records

1. Representative Sampling

Samples and measurements taken as required within this permit shall be representative of the discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. Monitoring points shall not be changed without notification to the Department and with the written approval of the Director.

- a. Composite sampling shall be conducted in one of the following manners:
 - i) continuous discharge - a minimum of one discrete aliquot collected every three hours,
 - ii) less than 24 hours - a minimum of hourly discrete aliquots or a continuously drawn sample shall be collected during the discharge, or
 - iii) batch discharge - a minimum of three discrete aliquots shall be collected during each discharge.
- b. Composite samples shall be collected in one of the following manners:
 - i) the volume of each aliquot must be proportional to either the waste stream flow at the time of sampling or the total waste stream flow since collection of the previous aliquot,

- ii) a number of equal volume aliquots taken at varying time intervals in proportion to flow,
- iii) a sample continuously collected in proportion to flow, and

iv) where flow proportional sampling is infeasible or nonrepresentative of the pollutant loadings, the Department may approve the use of time composite samples.

- c. Grab samples shall consist of a single aliquot collected over a time period not exceeding 15 minutes.
- d. All sample preservation techniques shall conform to the methods adopted in NDEQ Title 119, Chapter 21 006 unless:
 - i) in the case of sludge samples, alternative techniques are specified in 40 CFR, Part 503, or
 - ii) other procedures are specified in this permit.

2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be used to insure the accuracy and reliability of measurements. The devices shall be installed, calibrated and maintained to insure the accuracy of the measurements. The accepted capability shall be consistent with the type of that device. Devices selected shall be capable of measuring flows with a maximum deviation of +/- 10%. The amount of deviation shall be from the true discharge rates throughout the range of expected discharge volumes. Guidance can be obtained from the following references for the selection, installation, calibration and operation of acceptable flow measurement devices:

- a. "Water Management Manual," U. S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 2001, 327 pp. Available from the National Technical Information Services (NTIS)
- b. "NPDES Compliance Inspection Manual," U. S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Publication EPA 300-B-94-014 September 1994. This document is available from the National Technical Information Services (NTIS).

3. Test Procedures

Test procedures used for monitoring required by this permit shall conform to the methods adopted in NDEQ Title 119, Chapter 21 006 unless:

- a. in the case of sludge samples, alternative techniques are specified in 40 CFR, Part 503, or
- b. other procedures are specified in this permit.

4. Averaging of Measurements

Averages shall be calculated as an arithmetic mean except:

- a. bacterial counts which shall be calculated as a geometric mean, or
- b. where otherwise specified by the Department.

5. Retention of Records

The permittee shall retain records of all monitoring activities for a period of at least three years (except five years for biosolids data) as set forth in NDEQ Title 119, Chapter 14 001.02. The types of records that must be retained include, but are not limited to:

- a. calibration and maintenance records,
- b. original strip chart recordings,
- c. copies of all reports required by this permit,
- d. monitoring records and information, and
- e. electronically readable data.

The permittee shall retain records of monitoring required by this permit that are related to biosolids use and disposal for a period of five years or longer, as required in NDEQ Titles 119, Chapter 14.

6. Record Contents

As set forth in NDEQ Title 119, Chapter 14, records of sampling or monitoring information shall include:

Issued Effective: October 1, 2008

- a. the date(s), exact place, time and methods of sampling or measurements,
- b. the name(s) of the individual(s) who performed the sampling or measurements,
- c. the date(s) the analyses were performed,
- d. the individual(s) who performed the analyses,
- e. the analytical techniques or methods used,
- f. the results of such analyses, and
- g. laboratory data, bench sheets and other required information.

D. Reporting Requirements

1. Immediate Notification

- a. NPP permittees shall report immediately to the publicly owned treatment works (POTW), any discharge to the POTW that may result in a violation of NDEQ Title 119, Chapter 26.
- b. All permittees shall report immediately to the NDEQ:
 - i) discharges of oil or hazardous substances which threaten waters of the state or public health and welfare, and
 - ii) discharges causing in-stream toxicity (i.e., a fish kill) or an immediate threat to human health.

Initial notification may be verbal. A written noncompliance notification shall be submitted as set forth in Part VII.D.4 of this permit.

2. Test Procedures

Test procedures used for monitoring required by this permit, shall conform to the methods adopted in NDEQ Title 119, Chapter 27 unless:

- a. In the case of biosolids samples, alternative techniques are specified in the NDEQ Title 119, Chapter 14; or
- b. Other procedures are specified in this permit.

3. 24-Hour Reporting

As set forth in NDEQ Title 119, Chapter 14, the permittee shall report to the NDEQ, within 24 hours of becoming aware of:

- a. any noncompliance which may endanger the environment or human health or welfare,
- b. any unanticipated bypass,
- c. all upsets,
- d. any discharge to a POTW that causes a violation of the prohibited discharge standards, or
- e. any noncompliance of an effluent limitation in this permit.

Initial notification may be verbal. A written noncompliance notification shall be submitted as set forth in Part VII.D.4 of this permit.

As set forth in NDEQ Title 119, Chapter 26, if sampling performed by an industrial user (NPP permittee) indicates a permit effluent violation, the permittee shall notify the Department and the city within 24 hours of becoming aware of the violation. The permittee shall resample and have it analyzed. The results of the resampling analysis shall be submitted to the Department and the city within 30 days after becoming aware of the violation.

4. Written Noncompliance Notification

- a. The permittee shall submit a written noncompliance report to the NDEQ:
 - i) within five days of becoming aware of any noncompliance with the:
 - (a) NPP effluent limitations or requirements set forth in this permit, or
 - (b) NPDES toxic pollutant effluent limitations or requirements set forth in this permit.
 - ii) within seven days of becoming aware of any other noncompliance with the NPDES requirements

and/or effluent limitations set forth in this permit.

- b. The written notification shall be submitted on a noncompliance form supplied by the Department and shall include:
 - i) a description of the discharge and cause of noncompliance,
 - ii) the period of noncompliance, including exact dates and times, or if not corrected, the anticipated time the noncompliance is expected to continue, and
 - iii) the steps taken to reduce, eliminate and prevent the reoccurrence of the noncompliance.

The submittal of a written noncompliance report does not relieve the permittee of any liability from enforcement proceedings that may result from the violation of permit or regulatory requirements.

5. Quarterly Discharge Monitoring Reports (DMRs)

The permittee shall report the monitoring results required by this permit on a DMR form supplied or approved by the Department. Monitoring results shall be submitted on a quarterly basis using the reporting schedule set forth below, unless otherwise specified in this permit or by the Department.

Monitoring Quarters	DMR Reporting Deadlines
January - March	April 28
April - June	July 28
July - September	October 28
October - December	January 28

If the permittee monitors any pollutant more frequently than required by this permit, using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted on the DMR. The frequency of the analysis shall also be reported on the DMR.

6. Changes in Discharge

Any facility expansion, production increases or process modifications which will result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants must be reported by the permittee 180 days prior to the expansion, increases or modifications, either by amending his original application or by submitting a new application. This permit may be modified or revoked and reissued as a result of this notification to maintain compliance with applicable state or federal regulations.

7. Changes in Toxic Discharges from Manufacturing, Commercial, Mining and Silvicultural Facilities

Permittees discharging from manufacturing, commercial, mining and silvicultural facilities shall report to the Department:

- a. if any toxic pollutant not limited in this permit is discharged from any NPDES outfall as a result of any activity that will or has occurred and results in its routine or frequent discharge. The Department shall be informed if that discharge exceeds the following notification levels:
 - i) 100 micrograms per liter (0.1 mg/L) for any toxic pollutant,
 - ii) 200 micrograms per liter for acrolein and acrylonitrile (0.2 mg/L),
 - iii) 500 micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol (0.5 mg/L),
 - iv) 1000 micrograms per liter for antimony (1 mg/L),
 - v) five times the maximum concentration value reported for that pollutant in the permit application or
 - vi) an alternative level established by the Director, and
- b. if any toxic pollutant not limited in this permit is discharged from an NPDES outfall as a result of any activity that will or has occurred and results in its nonroutine discharge. The Department shall be informed if that discharge exceeds the following notification levels:
 - i) 500 micrograms per liter (0.5 mg/L) for any toxic pollutant,
 - ii) 1000 micrograms for antimony (1 mg/L),
 - iii) ten times the maximum concentration value reported for that pollutant in the permit application,

or

iv) an alternative level established by the Director.

8. Changes in Sludge Quality

The permittee shall provide written notice to the Department of any alteration or addition that results in a significant change in the permittee's sludge use or disposal practices. This permit may be modified or revoked and reissued as a result of this notification to maintain compliance with applicable state or federal regulations.

9. Changes of Loadings to Publicly Owned Treatment Work (POTW)

POTW's shall notify the Department of the following:

- a. any new introduction of pollutants from dischargers subject to the categorical pretreatment discharge limitations set forth in NDEQ Title 119, Chapter 27, and
- b. any substantial change in the volume or character of pollutants being introduced into the POTW.

Notification shall be made 180 days in advance whenever possible. Information on the quantity and quality of new discharges and their anticipated impact on the POTW shall be included.

10. Transfers

The permittee shall notify the Department at least 30 days prior to the proposed transfer of ownership of this permit or the permitted facility to another party. The Department may modify or revoke and reissue this permit as set forth in NDEQ Title 119, Chapter 24.

11. Compliance Schedules

The permittee shall submit a written report of compliance or noncompliance with any compliance schedule established in this permit. The written report shall be submitted within 14 days following all deadlines established in the compliance schedule. If compliance has not been achieved, the report shall include an alternative completion date, an explanation of the cause of the noncompliance and an explanation of the steps being taken to ensure future compliance. The submission of this report does not ensure the Department's acceptance of alternative compliance dates nor does it preclude the Department from initiating enforcement proceedings based upon the reported noncompliance.

E. Operation and Maintenance

1. Proper Operation and Maintenance

The permittee shall, at all times, maintain in good working order and operate as efficiently as possible, any facilities or systems of control installed by the permittee in order to achieve compliance with the terms and conditions of this permit. This would include, but not be limited to, effective performance based on designed facility removals, effective management, adequate operator staffing and training, adequate laboratory and process controls, and adequate funding which reflects proper user fee schedules.

2. Treatment System Failure and Upset

An upset is an affirmative defense to an enforcement action brought for noncompliance with technology-based permit effluent limitations if the permittee can demonstrate, through properly signed, operating logs or other relevant evidence, that:

- a. an upset occurred and the specific cause was identified,
- b. that the facility was properly operated and maintained at such time,
- c. the Department was notified within 24 hours of the permittee becoming aware of the upset, and
- d. the permittee took action to reduce, eliminate and prevent a reoccurrence of upset, including minimizing adverse impact to waters of the state.

3. Bypassing

Any diversion from or bypass of the treatment facilities is prohibited, unless:

- a. It is unavoidable to prevent loss of life, personal injury or severe property damage;
 - i) No feasible alternative exists, i.e., auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime;
 - ii) The permittee submits notice to the Department within 24 hours of becoming aware of the bypass or if the bypass is anticipated or should have been anticipated, the Department is notified at least ten days prior to the bypass; and
 - iii) The bypass is conducted under conditions determined to be necessary by the Director to minimize any adverse effects.
- b. If the bypass is needed for regular preventative maintenance for which back-up equipment should be provided, the bypass will not be allowed. When a bypass occurs, the burden is on the permittee to demonstrate compliance with item "a" above.
- c. Additionally, NPP permittees shall report any bypasses to the POTW. Unanticipated bypasses shall be reported immediately and anticipated bypasses shall be reported at least ten days in advance.
- d. All NPDES permittees shall notify the general public that a bypass of the treatment system is occurring. The public notification shall include:
 - i) Location of the bypass;
 - ii) The date the bypass started;
 - iii) Anticipated length of time the bypass will occur; and
 - iv) An estimate of the total volume of wastewater bypassed.

4. Removed Substances

Solids, sludge, filter backwash or other pollutants removed in the course of treatment or control of wastewater shall be disposed of at a site and in a manner approved by the Nebraska Department of Environmental Quality. The disposal of nonhazardous industrial sludges shall conform to the standards established in or to the regulations established pursuant to 40 CFR, Part 257. The disposal of sludge shall conform to the standards established in or to the regulations established pursuant to 40 CFR, Part 503. If solids are disposed of in a licensed sanitary landfill, the disposal of solids shall conform to the standards established in NDEQ Title 132. Publicly owned treatment works shall dispose of sewage sludge in a manner that protects public health and the environment from any adverse effects which may occur from toxic pollutants as defined in Section 307 of the Clean Water Act. This permit may be modified or revoked and reissued to incorporate regulatory limitations established pursuant to 40 CFR, Part 503.

F. Definitions

Aliquot: An individual sample having a minimum volume of 100 milliliters that is collected either manually or in an automatic sampling device.

Authorized Representative: Individual or position designated the authorization to submit reports, notifications, or other information requested by the Director on behalf of the Owner under the circumstances that the authorization is made in writing by the Owner, the authorization specifies the individual or position who is duly authorized, and the authorization is submitted to the Director.

Best Management Practice (BMP): Schedules of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the state." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Biweekly: Once every other week.

Bimonthly: Once every other month.

Bypass: The intentional diversion of waste streams from any portion of a treatment facility.

Certifying Official

- For a corporation. By a Responsible Corporate Officer, which means:
 - A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
 - The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- For a partnership or sole proprietorship: By a general partner or proprietor, respectively.
- For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes
 - The chief executive officer of the agency, or;
 - A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Combined Sewer System (CSS): Is a wastewater collection system owned by a State or municipality which conveys sanitary wastewaters and storm water through a single-pipe to a publicly owned treatment works treatment plant.

Common Plan of Development or Sale: A contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

Construction Activity: Includes Large Construction Activity and Small Construction Activity. This includes a land disturbance, equaling to one acre or more, that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated Storm Water runoff, leading to soil erosion and movement of sediment into Waters of the State or urban drainage systems. Construction Activity also includes the disturbance of less than one acre of total land area that is a part of a larger Common Plan of Development or Sale if the larger common plan will ultimately disturb one (1) acre or more. All areas of Support Activity are also included.

Coverage: A Permittee status of compliant operation under the terms and conditions of this general permit once a Discharge Authorization Number has been obtained until that authorization is terminated.

Daily Average: An effluent limitation that cannot be exceeded and is calculated by averaging the monitoring results for any given pollutant parameter obtained during a 24-hour day.

Department: Nebraska Department of Environmental Quality.

Director: The Director of the Nebraska Department of Environmental Quality.

Discharge Authorization Number: A specific authorization number (NER11xxxx) issued to a specific Permittee that meets the application requirements for Coverage under this general permit.

Erosion Prevention: Measures employed to prevent sediment from moving from its existing location including but not limited to: soil stabilization practices, mulch, nettings, blankets and temporary or permanent vegetative cover.

Final Stabilization: Condition where all soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a minimum density of 70 percent of the native background vegetative cover has been established on all non-Imperious Surfaces and areas not covered by permanent

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structures unless equivalent permanent stabilization (such as riprap, gabions, or geotextiles) measures have been employed.

Impervious Surface: A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to flow off the surface in greater quantities and at an increased rate of flow than prior to development (such as streets, sidewalks, parking lots, roofs, and in some cases highly compacted soil).

Industrial Discharge: Wastewater that originates from an industrial process and / or is noncontact cooling water and / or is boiler blowdown.

Industrial Facility: Includes, but is not limited to, industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past. For the purposes of this permit, the term "Industrial Facility" does not apply to municipal facilities, which are included in the definition for "Municipal Facility". Municipal Facilities may still be required to be covered by a state NPDES permit.

Industrial User: A source of indirect discharge that does not constitute a discharge pollutant under Section 402 of the Clean Water Act.

Large Construction Activity: Is the clearing, grading and excavating resulting in a land disturbance that will disturb equal to or greater than five acres of land or will disturb less than five acres of total land area but is part of a Larger Common Plan of Development or Sale that will ultimately disturb equal to or greater than five acres. Large Construction Activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.

Municipal Facility: Means public facilities related to municipal operations and uses such as parks, golf courses, open spaces, maintenance facilities, storage areas, landfills, wastewater treatment plants, streets, and storm drains.

Municipal Separate Storm Sewer: A conveyance or system of conveyances including but not limited to roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels designed or used for collecting or conveying storm water.

Municipal Separate Storm Sewer System (MS4): All separate storm sewers that are defined as "large", "medium", or "small" municipal storm sewer systems pursuant to Title 119 Chapter 1 or designated under Title 119, Chapter 10.

Monthly Average: Is an effluent limitation that cannot be exceeded. It is calculated by averaging any given pollutant parameter monitoring results obtained during a calendar month.

National Pollutant Discharge Elimination System (NPDES): Program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under Nebraska Title 119 *Rules and Regulations Pertaining to the Issuance of Permits Under the National Pollutant Discharge Elimination System*.

Notice of Termination (CSW-NOT): Notice to terminate coverage under the construction storm water permit after construction is completed, the site has undergone final stabilization, and maintenance agreements for all permanent facilities have been established, in accordance with all applicable conditions of this permit.

Operator: Person (often the general contractor) designated by the Owner, who has day-to-day operational control and/or the ability to modify project plans and specifications related to the SWPPP. The person shall be knowledgeable in those areas of the permit for which the Operator is responsible.

Outfall: A point source where a facility and/or municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting to municipal separate storm sewers, pipes tunnels, or other conveyances which connect segments of the same stream or other waters of the State and are used to convey waters of the State.

Owner: Person or party possessing the title of the land on which the construction activities will occur; or if the Construction Activity is for a lease holder, the party or individual identified as the lease holder; or the contracting government agency responsible for the Construction Activity.

Permittee: Person(s), firm, or governmental agency or other institution that signs the application submitted to the Department and is responsible for compliance with the terms and conditions of this permit.

Passive Discharge: A discharge from a POTW that occurs in the absence of an affirmative action and is not authorized by the NPDES permit (e.g. discharges due to a leaking valve, discharges from an overflow structure) and / or is a discharge from an overflow structure not designed as part of the POTW (e.g. discharges resulting from lagoon berm / dike breaches).

Publicly Owned Treatment Works (POTW): A treatment works as defined by Section 212 of the Clean Water Act (Public Law 100-4) which is owned by the state or municipality, excluding any sewers or other conveyances not leading to a facility providing treatment.

Receiving Waters: A general term used to describe all Waters of the State.

Responsible Corporate Officer: means the Owner or Operator meeting either of the following conditions: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Sediment Control: Methods employed to prevent sediment from leaving the construction site after it has eroded from its existing location. Sediment Control practices include, but not limited to, silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, and temporary or permanent sedimentation basins.

Semiannually: Twice every year

Significant Industrial User (SIU): All industrial users subject to Categorical Pretreatment Standards or any industrial user that, unless exempted under Chapter 1, Section 105 of NDEQ Title 119, discharges an average of 25,000 gallons per day or more of process wastewater to the POTW; or contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any National Pretreatment Standard or requirement.

Silvicultural Discharges: Any discernible, confined, and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in connection with silvicultural activities and from which pollutants are discharged into Waters of the State. The term does not include nonpoint source silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, and road construction and maintenance from which there is natural runoff during precipitation events.

Small Construction Activity: Is the clearing, grading, and excavation that result in land disturbance of equal to or greater than one acre and less than five acres including disturbance of less than one acre of total land area that is part of a larger Common Plan of Development or Sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. Small Construction Activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

Spill Prevention Control and Countermeasure (SPCC): Federal regulation set forth in 40 CFR 112 requiring a SPCC Plan to be developed for facilities that store fuels and hazardous substances that meet

the following criteria:

- Above ground fuel storage with the capacity for at least 660 gallons.
- Two or more above ground fuel storage tanks with the capacity for at least 1,320 gallons.
- Below ground fuel storage tanks with the capacity for at least 42,000 gallons.

Stabilized: Exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, wood fiber blanket, established grass bed, or other material that prevents erosion from occurring.

Storm Water: Storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Pollution Prevention Plan (SWPPP): A plan for Storm Water discharge that includes Erosion Prevention measures and Sediment Controls that, when implemented, will decrease soil erosion on a parcel of land and decrease off-site, non-point source pollution.

Support Activity: Associated Construction Activity that is directly related to the construction site (such as concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) required to have NPDES permit Coverage for discharges of Storm Water that may be located on site or in a remote location, but is not a commercial operation serving multiple unrelated construction projects by different operators nor operates beyond the completion of the Construction Activity at the last construction project it supports.

Temporary Erosion Protection: Methods employed to temporarily prevent erosion during the construction sequence or while Final Stabilization is being established. Examples of Temporary Erosion Protection include; straw, mulch, wood chips, and erosion netting.

Thirty (30)-Day Average: Is an effluent limitation that cannot be exceeded. It is calculated by averaging any given pollutant parameter monitoring results obtained during a calendar month.

Total Maximum Daily Load (TMDL): The sum of the individual wasteload allocations (WLAs) for point sources and load (Load Allocations) for nonpoint sources and natural background levels for a specific pollutant. The Department establishes TMDLs that are expressed in terms of either mass per unit of time, relative level of toxicity, or other appropriate measure.

Total Toxic Organics (TTO): The summation of all quantifiable values greater than 0.01 milligrams per liter (mg/l) for toxic organic compounds that may be identified elsewhere in this permit. (If this term has application in this permit, the list of toxic organic compounds will be identified, typically in the Limitations and Monitoring Section(s) and/or in an additional Appendix to this permit.)

Toxic Pollutant: Pollutants or combination of pollutants, including disease causing agents, after discharge and upon exposure, ingestion, inhalation, or assimilation into an organism, either directly from the environment or indirectly by ingestion through food chains will, on the basis of information available to the Department, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunction (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring.

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

Volatile Organic Compounds (VOC): The summation of all quantifiable values greater than 0.01 milligrams per liter (mg/l) for volatile, toxic organic compounds that may be identified elsewhere in this permit. (See the definition for Total Toxic Organics above. In many instances, VOCs are defined as the volatile fraction of the TTO parameter. If the term "VOC" has application in this permit, the list of toxic organic compounds will be identified, typically in the Limitations and Monitoring Section(s) and/or in an additional Appendix to this permit.)

Waters of the State: All waters within the jurisdiction of this state including all streams, lakes, ponds, impounding reservoirs, marshes, wetlands, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, situated wholly or partly within or bordering upon the state.

Weekly Average: Is an effluent limitation that cannot be exceeded. It is calculated by averaging any given

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pollutant parameter monitoring results obtained during a fixed calendar week. The permittee may start their week on any weekday but the weekday must remain fixed. The Department approval is required for any change of the starting day.

"X" Day Average: An effluent limitation defined as the maximum allowable "X" day average of consecutive monitoring results during any monitoring period where "X" is a number in the range of one to seven days.

G. Abbreviations

BMP: Best Management Practice(s)

CFR: Code of Federal Regulations

CSO: Combined Sewer Overflow

CSW: Construction Storm Water

CSW-NOI: Notice of Intent

CSW-NOT: Notice of Termination

kg/Day: Kilograms per Day

MGD: Million Gallons per Day

mg/L: Milligrams per Liter

NOI: Notice of Intent

NDEQ: Nebraska Department of Environmental Quality

NDEQ Title 115: *Rules of Practice and Procedure*

NDEQ Title 117: *Nebraska Surface Water Quality Standards*

NDEQ Title 118: *Ground Water Quality Standards and Use Classification*

NDEQ Title 119: *Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System*

NDEQ Title 126: *Rules and Regulations Pertaining to the Management of Wastes*

NDEQ Title 132: *Integrated Solid Waste Management Regulations*

NPDES: National Pollutant Discharge Elimination System

NPP: Nebraska Pretreatment Program

POTW: Publicly Owned Treatment Works

SPCC: Spill Prevention, Control, and Countermeasures

SWMP: Storm Water Management Plan

SWPPP: Storm Water Pollution Prevention Plan

TMDL: Total Maximum Daily Load

µg/L: Micrograms per Liter

WWTF: Wastewater Treatment Facility

Appendix A: City of Omaha - Storm Water Management Plan

Measurable goals listed in the Storm Water Management Plan are target goals on which progress will be reported on in the annual report.

#1: Public Education & Outreach

BMP #	SWMP Element Description	Measurable Commitments & Implementation Schedule
1.A	Distribute informational brochures on the proper disposal of household hazardous wastes and the availability of the Household Hazardous Waste facility.	Year 1 – 5: Print and distribute brochures. Include the following in Annual Report: <ul style="list-style-type: none"> the quantity of waste received at the drop-off facility; a summary list of the distribution outlets used for brochures; an estimate of the brochures distributed each year.
1.B	Issue public service announcements related to storm water protection on local TV, radio or print outlets which will address TMDL pollutants of concern.	Year 1 – 5: A summary of the activities will be included in the Annual Report.
1.C	Continue existing drain marking program to improve public awareness concerning illegal dumping utilizing volunteer services (Boy Scouts) which will address TMDL pollutants of concern.	Year 1 – 5: Mark approximately 1,000 inlets annually and include a summary in the Annual Report.
1.D	Hold a Sediment and Erosion Control Seminar for the developers, builders, engineers, vendors, and graders which will address TMDL pollutants of concern.	Year 1 – 5: Annual Sediment and Erosion Control Seminar. Include a summary of the approximate number of participants in Annual Report.
1.E	Schedule outreach events with industry trade organizations to educate the regulated community regarding Omaha's Industrial Permitting Program.	Year 1 – 2: Industrial Permit Outreach. Include a summary of the number of events and approximate number of participants in Annual Report.
1.F	Work collaboratively with other community organizations to develop a campaign aimed at picking up pet waste which will address TMDL pollutants of concern.	Year 1: Develop outreach material and partnerships. Year 2 - 5: Distribute information. Provide an estimate of number of brochures distributed and activities targeted.
1.G	Develop materials and displays associated with BMP demonstration projects installed with Storm water Management Program Plan funds from NDEQ.	Year 1 -5: Provide a narrative and examples of materials developed in annual report.
1.H	Develop a City Storm water Program Web Site, including but not limited to storm water related information and provide educational information targeted for residents, children, and industries which will address TMDL pollutants of concern.	Year 1-5: Develop, operate and maintain a City Storm water Web site. Include a narrative in the Annual Report describing the functions of the website.

2: Public Participation and Involvement

BMP #	SWMP Element Description	Measurable Commitments & Implementation Schedule
2.A	Operate a storm water hotline and web based complaint system for Watershed (general information, complaints, reports of illegal dumping, etc.).	Years 1 - 5: Maintain system operation and include summary of received calls/emails in the Annual Report.
2.B	Participate in organizing and hold open houses on Papillion Creek Watershed Plan activities.	Years 1 - 5: A summary of activities will be included in the Annual Report.
2.C	Continue to implement a stream Cleanup Day. Utilize Keep Omaha Beautiful to identify stream segments in need of cleanup and recruit volunteers from the local area, public groups, and representatives from local area business and developments.	Years 1 - 5: Conduct one clean-up day each year. A summary of the clean-up day activities will be included in the Annual Report.
2.D	Provide tours of UndertheSink, household hazardous waste facility, for schools and neighborhood organizations to learn about the proper way to manage household chemicals and about storm water treatment systems installed at the site.	Year 1 - 5: Provide a summary of the tours conducted on an annual basis for the annual report. Document when BMPs are installed and included in the tour.
2.E	Hold World O! Water Festival focused on elementary school aged children to celebrate Clean Water and engage in water quality related activities.	Year 1-5: Hold event annually. Report estimated number of participants in Annual Report.
2.F	Participate in community organizations, conferences, workshops, and web casts related to water quality and storm water management.	Year 1- 5: Report number of staff attending, dates, location, and description of events.

3: Illicit Discharge Detection and Elimination

BMP #	SWMP Element Description	Measurable Commitments & Implementation Schedule
3.A	Perform dry-weather inspections including Physical Characteristics Examinations of storm water outfalls 72' or grater and any outfalls with documented complaints.	Year 1 – 5: Inspect and record observations. Included a count of outfalls inspected in the Annual Report.
3.B	Investigate and seek resolution concerning any dry weather discharges potentially impacted by sources by notifying the source that they must discontinue discharging, and initiate enforcement action consistent with adopted ordinance which will address TMDL pollutants of concern. Any source that the applicant feels constitutes an immediate health or safety threat will be reported immediately to the NDEQ.	Year 1 – 5: The following information will be included in the Annual Report: <ul style="list-style-type: none"> • the number of potential process or wastewater sources found; • the number of above resolved at local level; and • the identity of any referred and/or unresolved discharge sources.
3.C	Dry weather inspection of storm water outfalls, including smaller outlets and those that discharge to lesser tributaries or other storm conduits, in response to suspect conditions and or/complaints.	Year 1 – 5: Inspect and record observations. Included a count for outfalls inspected in the Annual Report.
3.C	Enforce existing City codes prohibiting illicit discharge connections to storm sewers.	Year 1 -5: Summarize code violations and enforcement actions taken in annual report.
3.D	Maintain and prevent instances of sanitary sewer leakage into MS4 or waters of the state.	Year 1 -5: Summarize investigations of leakage and actions taken in Annual Report.
3.E	Maintain and update a sewer map of major storm water outfalls and identify the names of respective receiving waters.	Years 1 - 5: Map will be maintained electronically on City GIS.
3.G	Prevent, contain and respond to spills to the MS4. Review, as necessary, interdepartmental SOPs with respects to spills, dumping and illegal disposal that impacts the MS4.	Year 1-5: Summarize number of reports of spills and actions taken in Annual Report. Identify City Department SOP and review date in Annual Report.

4: Construction Site Runoff Control

BMP #	SWMP Element Description	Measurable Commitments & Implementation Schedule
4.A	Maintain the construction site inspection and reporting web site and continue to make enhancements.	Year 1-5: Include a narrative in the annual report about major web site upgrades and the date implemented.
4.B	Maintain a construction site inspection program that includes procedures for reporting, resolving deficiencies, and taking appropriate enforcement action consistent with adopted ordinances.	Years 1-5: The Annual Report will contain the following information relative to this commitment: 1) the number of inspections conducted in each of the following size categories: < 5 acres and > 5 acres 2) the number of sites receiving enforcement actions.
4.C	Maintain regulations and design specifications for controlling erosion, sediment loss, and other TMDL pollutants of concern from construction sites that disturb areas of 1 acre or more.	Year 1 -5: Provide a narrative description of any changes implemented in the City's sediment and erosion control regulations or design specifications in the annual report.
4.D	Maintain a program for performing review of Grading Permit applications to ensure compliance with applicable regulations and design specifications.	Year 1 -5: Summarize the number of grading permit issued on an annual basis.

5: Post-construction Runoff Control

BMP #	SWMP Element Description	Measurable Commitments & Implementation Schedule
5.A	Develop a guidance document for Post Construction Storm water Management Plan.	Year 1: Draft guidance document for Post Construction Storm water Management Plan. Year 2-5: Revise as necessary.
5.B	Participate with other City Departments to prepare an Environmental Element of City of Omaha Master Plan and include applicable storm water management provisions.	Year 1-5: Summarize progress in annual report. Year 5: Present the Environmental Element to City Planning Board and Omaha City Council for their consideration to adopt into the Omaha Master Plan.
5.C	Develop a database of existing structural BMPs (private and public) that reduce the impact of urbanization on storm water run-off and improve water quality and enhance other amenities and activities such as green space, parks and recreation, urban planning, aesthetics, and public safety.	Year 2: Coordinate with engineering firms and the NRD to identify existing BMPs and their location. Year 3: Develop a database and GIS map of BMPs.
5.D	Inspect annually and maintain (as necessary) City owned storm water BMP structures.	Year 1 -5: List BMPs inspected and summarize maintenance activity in Annual Report.
5.E	Revise storm water BMP maintenance and inspection plan as needed.	Year 1-5: Review maintenance plan annually and include new structures. Make revisions as necessary. Report revisions and new structures in Annual Report.
5.F	Implement strategies, which include a combination of structural and or non-structural BMPs appropriate for the watershed, which will address TMDL pollutants of concern. Evaluate these strategies and implement changes as necessary to improve water quality and address TMDL pollutants of concern.	Year 1 -5: Summarize strategies, findings, and any changes in the Annual Report.

6: Pollution Prevention/Good Housekeeping for Municipal Operations

BMP #	SWMP Element Description	Measurable Commitments & Implementation Schedule
6.A	Maintain Storm water Pollution Prevention Plans (SWPPP) for all City maintenance facilities to identify BMPs implemented. Review SWPPP annually and update as necessary. If facilities can certify no exposure, review annually to verify no exposure condition exists and document that a SWPPP is not required. Inspect all facilities annually.	Year 1 -5: Review logs of SWPPP updates and inspections. Report dates in annual report.
6.B	Inspect storm sewer conduits, channels and catch basins and remove and properly dispose of sediment and debris as needed to maintain an efficient system within permitted area.	Year 1 - 5: Report maintenance activities in the Annual Report.
6.C	Training will be provided for employees to prevent pollutant runoff from municipal operations at City maintenance facilities that are required to have a SPCC plan.	Years 1 – 5: Provide training annually for employees and include summary in Annual Report of when training was held and number of attendees.
6.D	Provide for street cleaning in the following areas: <ul style="list-style-type: none"> • Residential • Business • Major streets • Other areas in conjunction with special projects 	Year 1 – 5: Summarize street cleaning activities in annual report.
6.F	City staff that applies pesticides will be trained in a certification program that complies with FIFRA regulations.	Year 1 -5: Report total number of City Staff certified each year in the Annual Report.
6.G	The City will continue to minimize pesticide and fertilizer use on publically maintained properties.	Year 1 -5: Summarize efforts in Annual Reports.

7: Industrial Facilities

7.A	Issue City of Omaha Industrial Storm water Permits. Permits to be issued to specific sectors to maximize effectiveness of education and outreach activities and utilize staff resources efficiently.	Year 1: Develop priority system based on industrial sector for targeting industries to issue City of Omaha Industrial Storm water Permits Year 2- 5: Issue permits Report number of permits issued and industrial sector/SIC in Annual Report.
7.B	Inspect 20% of facilities per year issued City of Omaha Industrial Storm water Permits, taking appropriate enforcement action consistent with adopted ordinances.	Year 1 -5: Summarize number of facilities issued permits, number of facilities inspected, and number of enforcement actions in Annual Report.
7.C	Implement a permit tracking system.	Year 2: Implement a GIS based tracking system for permits, inspections, and compliance. Develop automated summary to be included in Annual Report. Year 3 – 5: Include summary in Annual Report
7.D	Review City of Omaha Industrial Storm water Permit for consistency with Federal and State NPDES Industrial Storm water Permit.	Year 1 – 5: Summarize updates to City of Omaha Industrial Storm water Permits in Annual Report.

#8: Storm Water Monitoring Plan

SWMP Element #	SWMP Element Description	Measurable Commitments & Implementation Schedule
8.A	<p>Conduct in-stream water quality monitoring of named creeks in the Papillion Creek Watershed. Collect samples from at least 4 sites located in the Papillion Creek Watershed. Samples will be collected from May through August one day a week and analyzed for the following parameters: BOD5, TSS, ammonia nitrogen, nitrate-nitrogen, total nitrogen, soluble and total phosphorus, turbidity, pH, E coli, and Physical Characteristic Examinations. The purpose of the monitoring will be to evaluate the effectiveness of storm water management practices in the City of Omaha as it relates to TMDL pollutants of concern.</p> <p>List of potential sites: 170 and Highway 36 (Big Papio) 77th and L Street (Big Papio) 76th and L Street (Little Papio) Ft. Crook Road – USGS station (Papillion Creek)</p>	<p>Year 1 - 5: Conduct monitoring The following information shall be included in the Annual Activity Report:</p> <ul style="list-style-type: none"> • The monitoring data; • A summary report on the findings relative to SWMP efforts; • Any modifications of monitoring locations or procedures.
8.B	<p>Develop an assessment monitoring plan for demonstration BMPs. Evaluate the effectiveness of the selected BMPs to treat storm water for the TMDL pollutants of concern and other water quality benefits. Consider implementation of refinements to the BMPs, which would improve their effectiveness.</p> <p>One aspect of the monitoring plan will include the collection stream samples on the segment that runs through Orchard Park to establish baseline conditions for BMP assessment purposes.</p> <p>Additionally, the plan will address how the City proposed to use stream samples collected in dry weather and wet weather, as described in 8.A above, to estimate the pollutant masses discharged on an event basis and an annual basis.</p>	<p>Year 1 – 2: Visually document and monitor the installation of the demonstration BMPs. Installation is expected to be complete by the end of Year 2. Provide a narrative to report progress in Annual Report.</p> <p>Year 2: Develop the BMP assessment monitoring plan and submit to NDEQ for approval as an attachment to the Annual Report.</p> <p>Years 3 - 5: Conduct monitoring. The following information shall be included in the Annual Activity Report:</p> <ol style="list-style-type: none"> 1) the location of the monitoring site 2) the intensity and duration of the storm event monitored; 3) the timing of sampling in comparison to the occurrence of the storm event and to the discharge of peak storm water flows; 4) the monitoring data; and 5) a summary report of any conclusions concerning BMP practices that can be drawn from the monitoring,