

## 1 Coverage under this Permit

### 1.1 Permit Area

- 1.1.1 This permit covers discharges into receiving waters of the United States which includes both Regulated and Non-regulated municipal separate storm sewer systems.

### 1.2 Coverage

- 1.2.1 This permit authorizes discharges of stormwater from NDOT's municipal separate storm sewer system (MS4) for all NDOT highways in Nevada (excluding Indian Lands), as defined in 40 Code of Federal Regulations (CFR) §122.26. NDOT is authorized to discharge in accordance with the terms and conditions of this permit. To enable NDOT to implement a uniform storm water program, this NPDES Permit will cover storm water discharges from all NDOT highways, properties, activities and facilities throughout the State, except as excluded in Section 1.3.

- 1.2.2 The following are types of authorized discharges:

- 1.2.2.1 *Stormwater discharges.* This permit authorizes stormwater discharges to waters of the United States from NDOT's MS4 identified in Section 1.2.1, except as excluded in Section 1.3.

- 1.2.2.2 *Non-stormwater discharges.* NDOT is authorized to discharge the following non-stormwater sources provided that the Nevada Division of Environmental Protection (NDEP) has not determined these sources to be substantial contributors of pollutants to NDOT's MS4:

- Water line flushing
- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration (infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.)
- Discharges from potable water sources
- Foundation drains
- Footing drains
- Air conditioning condensate
- Irrigation water (to include lawn watering and landscape irrigation)
- Springs
- Water from crawl space pumps
- Flows from riparian habitats and wetlands
- Street wash water
- Discharges or flows from fire fighting activities

### **1.3 Limitations on Coverage**

- 1.3.1 This permit does not cover the following:
  - 1.3.1.1 Discharges of non-stormwater, whether or not mixed with stormwater, unless such non-stormwater discharges are:
    - 1.3.1.1.1 Currently covered under a separate National Pollutant Discharge Elimination System (NPDES) permit, or
    - 1.3.1.1.2 Included in 1.2.2.2, or
    - 1.3.1.1.3 Determined not to be a substantial contributor of pollutants to waters of the U.S. by NDEP.
  - 1.3.1.2 Stormwater discharges currently covered under another permit.
  - 1.3.1.3 Discharges that do not comply with the Nevada's anti-degradation policy for water quality standards.
- 1.3.2 Stormwater discharges associated with industrial activity as defined in 40 CFR §122.26(b)(14)(i)-(ix) and (xi) are identified and permitted through a separate NPDES General Industrial Activity permit.
- 1.3.3 Stormwater discharges associated with construction activity as defined in 40 CFR §122.26(b)(14)(x) or 40 CFR §122.26(b)(15) are identified and permitted through a separate NPDES General Construction Activity permit.
- 1.3.4 If it is determined that NDOT's discharges cause or contribute to instream exceedances of water quality standards, NDEP may require corrective action or an application for a separate individual permit or alternative.
- 1.3.5 NDOT shall comply with all applicable Federal, State, or local laws, regulations, or ordinances.

### **1.4 Annual Fee**

- 1.4.1 NDOT shall remit an annual review and services fee in accordance with Nevada Administrative Code 445A.232 starting July 1, 2004 and every year thereafter until the permit is terminated.