

## **2.3 Where to Submit**

- 2.3.1 NDOT is to submit the application, or other form of written correspondence requesting permit coverage, signed in accordance with the signatory requirements of Section 6.7 of this permit, to NDEP at the following address:

Stormwater Coordinator  
Bureau of Water Pollution Control  
Nevada Division of Environmental Protection  
333 West Nye Lane  
Carson City, NV 89706-0851

## **2.4 Permittees under a Single Permit**

- 2.4.1 NDOT may partner with other permitted MS4s to develop and implement NDOT's SWMP. The description of NDOT's SWMP must clearly describe which permittee is responsible for implementing each of the control measures.

## **3 Special Conditions**

### **3.1 Discharges to Water Quality Impaired Waters**

- 3.1.1 *Applicability:* Based upon Nevada's year 2002-303(d) list and subsequent updates, NDOT must evaluate whether stormwater discharge from any part of the MS4 significantly contributes directly or indirectly to the listing of a waterbody on the 303(d) list (i.e., impaired waterbody). If NDOT has a discharge meeting this criterion, NDOT must comply with the results of Part 3.1.2; if NDOT does not have discharges meeting this criterion, Part 3.1 does not apply.
- 3.1.2 If NDOT has "303(d)" discharges described above, NDOT must also determine whether a TMDL has been developed and approved by NDEP for the listed waterbody. If there is a TMDL, NDOT must comply with Part 3.1.3; if no TMDL has been approved, NDOT must comply with Part 3.1.4.
- 3.1.3 When a TMDL has been established as described in paragraph 3.1.2, NDOT must notify NDEP if the TMDL includes a wasteload allocation applicable to stormwater discharges covered by this permit.
- 3.1.3.1 *Consistency with Total Maximum Daily Load (TMDL) Allocations.* If a TMDL is approved for any waterbody into which NDOT discharges, NDOT must:
- 3.1.3.1.1 Determine and report whether the approved TMDL is for a pollutant likely to be found in stormwater discharges from NDOT's MS4;

- 3.1.3.1.2 Determine and report whether the TMDL includes a pollutant load allocation (LA) or other performance requirements specifically for stormwater discharge from NDOT's MS4;
  - 3.1.3.1.3 Determine and report whether the TMDL addresses a flow regime likely to occur during periods of stormwater discharge;
  - 3.1.3.1.4 After the determinations above have been made and if it is found that NDOT's MS4 must implement specific LA provisions under the TMDL, assess whether the LAs are being met through implementation of existing stormwater control measures or if additional control measures are necessary;
  - 3.1.3.1.5 Document all control measures currently being implemented or planned to be implemented. Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the LA will be met;
  - 3.1.3.1.6 Describe a monitoring program to determine whether the stormwater controls are adequate to meet the LA; and,
  - 3.1.3.1.7 If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions, and an analysis that demonstrates the overall effectiveness.
- 3.1.4 When a TMDL has not been established as described in paragraph 3.1.2, NDOT must include a section in the annual report describing the condition for which the water has been listed, evaluating possible BMPs that might practicably be implemented, examining whether these BMPs would have a substantial effect on achieving compliance, and identifying any BMPs that are selected for implementation.
- 3.1.5 The SWMP shall identify additional BMPs, if appropriate, to help achieve the TMDL for Waters of the U.S. and shall be submitted in accordance with section 4.1.2.
- 3.1.6 A report of the findings in this section shall be included in the SWMP and shall be submitted to the Division for approval no later than one (1) year after the effective date of this permit.

## 3.2 Discharges to Clear Creek

- 3.2.1 NDOT shall develop a separate Clear Creek Master Storm Water Management Program (CCSWMP). The CCSWMP must be developed, implemented, and enforced to reduce the discharge of pollutants to the maximum extent practicable (MEP), to protect water quality, and to satisfy the

appropriate water quality requirements of the Clean Water Act. The CCSWMP shall include the following:

- 3.2.1.1 A detailed description of best management practices that will be implemented;
- 3.2.1.2 A detailed description of sediment controls for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of a construction area.
- 3.2.1.3 A detailed description of control techniques used to the MEP to ensure no illicit discharge of pollutants into Clear Creek;
- 3.2.1.4 A detailed description of system design and engineering methods used to protect Clear Creek from the illicit discharge of pollutants;
- 3.2.1.5 A schedule of implementation for all short term and long term activities describing program development, implementation and maintenance;
- 3.2.1.6 A monitoring program to ensure the overall quality and health of Clear Creek;
- 3.2.1.7 A listing and tracking program for all industrial facilities that have the potential to discharge a pollutant into Clear Creek;
- 3.2.1.8 An inspection program that ensures no illicit discharges of pollutants into Clear Creek;
- 3.2.1.9 And such other provisions as the permitting authority determines appropriate for the control of such pollutants.
- 3.2.2 The CCSWMP shall be submitted to the Division for approval no later than one (1) year after the effective date of this permit.
- 3.2.3 NDOT may partner with other MS4s to develop and implement the CCSWMP.

### **3.3 Discharges into Sanitary Sewer Systems**

- 3.3.1 For discharges into facilities treating domestic sewage, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, that are not owned or operated by NDOT, the following shall be provided:
  - 3.3.1.1 Written and signed confirmation from each facility authorizing the discharge of pollutants into the facility system; and,
  - 3.3.1.2 A report of all authorizations is submitted to NDEP, no later than one (1) year after the effective date of this permit.