

SECTION 12.0

REPORTING

12.1 Overview

This section describes how NDOT will report to NDEP as required in the Permit. The section is organized as follows:

- Section 12.2 introduces NDOT's SWMP review process.
- Section 12.3 describes the Annual Report.

12.2 Reviewing and Updating Storm Water Management Program

[4.11.1 NDOT must complete an annual review of the SWMP in conjunction with preparation of the annual report.

[5.3.2 Each year, NDOT shall review the program defined under section 4 of this permit, and report to NDEP on the status of the program, whether NDOT has identified any modifications, and the plans for implementing those modifications.]

[4.11.2 NDOT may change the SWMP during the life of the permit in accordance with the following procedures:

[4.11.2.1 Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to NDEP.

[4.11.2.2 Requests for changes replacing an ineffective, unfeasible, or inappropriate BMP specifically identified in the SWMP with an alternate BMP may be submitted to NDEP for approval at any time. If request is denied, NDEP will send NDOT a written response giving a reason for the decision NDOT's modification requests must include the following:]

[4.11.2.2.1 An analysis of why the BMP is ineffective, infeasible (including cost prohibitive), or otherwise should be revised or replaced, and]

[4.11.2.2.2 An analysis of why the replacement BMP is expected to be more effective, feasible, or appropriate than the BMP to be replaced.]

The review of the storm water program is an important element in the SWMP. NDOT will review the SWMP annually. The review will evaluate the program elements and implementation status of the measurable goals. Additionally, the review will evaluate the appropriateness and effectiveness of BMPs. Should NDOT seek to replace an ineffective BMP, NDOT will provide an analysis of both the ineffective BMP and replacement BMP. Prior to BMP replacement NDOT must acquire NDEP approval. Other changes (excluding subtractions or replacements) can be made at any time provided NDOT has submitted written notification to NDEP. NDOT will identify and document any modifications to the SWMP. The review will facilitate the compilation of the Annual Report which will be submitted to NDEP per the Permit requirements.

12.3 Annual Report

[5.3.1 Beginning one year after the submission of the SWMP, NDOT must submit annual reports to NDEP by October 1 of each year of the permit term. Each annual report shall cover the period beginning July of the previous year through June of the current year.]

[4.5.2.3.3 Upon approval of the submitted plan, NDOT shall implement the plan to develop a Public Education Program. The Public Education Program Progress Report on the progress made on the public education program development will be made as part of the Annual Report each year. A proposed Public Education Program will be submitted with the Annual Report. The Public Education Program shall be submitted with the Annual Report.]

[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]

[5.3.3 At a minimum the Annual Report shall include:]

[5.3.3.1 Status of NDOT's compliance with permit conditions;]

[5.3.3.2 An assessment of the appropriateness of the identified BMPs, and revisions to previous assessments, if appropriate;]

[5.3.3.3 Progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP;]

[5.3.3.4 Status of the achievement of measurable goals;]

[5.3.3.5 Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP, a description of any identified improvements to or degradation in water quality attributable to the program, and a description of any identified effects on attainment of water quality standards attributable to the program;]

[5.3.3.6 A summary of the stormwater activities NDOT plans to undertake during the next reporting cycle (including an implementation schedule and a fiscal analysis);]

[5.3.3.7 Changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;]

[5.3.3.8 Notice that NDOT is relying on another government entity to satisfy some of the permit obligations, as applicable; and]

[5.3.3.9 Estimated reductions in loadings of pollutants from discharges of municipal storm sewer constituents from municipal storm sewer systems expected as the result of the municipal stormwater quality management program. The assessment shall also identify known impacts of stormwater controls on ground water.]

[5.3.4 A summary of inspections performed and enforcement activity taken during the report cycle.]

[5.3.5 A summary of public education and outreach activity performed during the report cycle.]

[5.3.6 Annual expenditures for the reporting period, with a breakdown for the major elements of the Stormwater Management Program, and the budget for the year following each annual report.]

[5.3.7 An original signed copy of all reports and plans required herein shall be submitted to the NDEP]

The Annual Report is a tool for evaluating the implementation progress of the SWMP. The Annual Report will effectively review the SWMP, evaluate the required elements, and identify any necessary modifications. The Annual Report will include the following:

- Permit compliance status
- Evaluation of selected BMPs appropriateness
- Progress towards reducing pollutant to the MEP
- Achievement status of measurable goals
- Monitoring data review
- NDOT storm water activities for next reporting cycle
- Modifications to this SWMP

- NDOT's coordination with other MS4s
- Expected pollutant load reduction resulting from the SWMP
- Inspection and enforcement summary
- Summary of public outreach and education activities
- Annual expenditures for reporting period
- Original signed copy of all report and plans required by the Permit submitted to NDEP

NDOT's Environmental Services will be responsible for submitting an Annual Report to NDEP by October 1 of each year of the Permit term one year after the submission of this SWMP.