

# **City of Chandler Manual on Stormwater Quality Protection**



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# Section 1

## Introduction

This manual has been prepared to address stormwater quality concerns in the City of Chandler. The EPA has concluded that polluted stormwater runoff is a major factor in the declining quality of our nation's waters. Stormwater is runoff and surface flows generated from precipitation events. Common pollutants found in stormwater may include, but are not limited to pesticides, fertilizers, litter, pet waste, petroleum products, automotive fluids, paints, solvents, yard waste, sediment, chemicals, metals, materials and wastes associated with construction activities.

The City of Chandler stormwater collection system manages stormwater to prevent flooding and land erosion and is completely separate from the sanitary sewer system. The sanitary sewer system delivers wastewater from homes and businesses to a wastewater treatment facility where the wastewater is treated and either reused or recharged to groundwater. Stormwater runoff collected in stormwater collection systems is generally not treated before it infiltrates to groundwater or is discharged to Waters of the United States and, as such, it is very important to minimize pollutants that may contaminate stormwater flows.

### 1.1 Purpose

The purpose of this manual is to provide for the health, safety and general welfare of the citizens of Chandler by establishing procedures and practices that will prevent or minimize, to the maximum extent practicable, the discharge of pollutants to City right-of-way or a stormwater collection system. This manual is intended to set forth City of Chandler requirements relating to preventing non-stormwater discharges during construction activity, not a comprehensive recitation of all other regulatory requirements that may apply to construction activity.

### 1.2 Definitions

**ADEQ** – means Arizona Department of Environmental Quality.

**AZPDES** – means Arizona Pollutant Discharge Elimination System

**BMP's or Best Management Practices** – means any methods, techniques, procedures or practices that may prevent or reduce the discharge of pollutants to City right-of-way or a stormwater collection system. Best management practices may include, but are not limited to; employee training, public outreach, recordkeeping, waste management, schedules of activities, prohibited practices, maintenance practices, good housekeeping practices, sediment and erosion control, structural practices, chemical storage, disposal practices, and any other processes that may control runoff, leaks, spills, or waste that may be discharged.

**City Right-of-Way** – means property either owned or maintained by the City of Chandler or an easement that is intended for traffic movements, utilities, drainage and other public uses.

**Construction Activity** – means activity that involves land development including clearing, grading, excavating, disturbing of land and any activities associated with the construction of both commercial and residential structures.

**Direct Connection** – means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, or concentrated animal feeding operation that may connect to City right-of-way or a stormwater collection system.

**Discharge** – means any addition of pollutants or combination of pollutants that may combine with stormwater runoff or other flows and have the potential to enter City right-of-way or a stormwater collection system.

**EPA** – means United States Environmental Protection Agency.

**ESCP or Erosion and Sediment Control Plan** - means an area site plan or map included in the SWPPP satisfying the provisions of the AZPDES General Permit for Discharge from Construction Activities identifying, among other things, the direction of stormwater flow on the site where construction activity will occur, the area that will be graded or otherwise disturbed during construction activity, site slopes after completion of grading, storage areas, the location of any onsite or nearby water bodies or stormwater collection systems and areas where soil stabilization will occur.

**Illicit Connection** – means any direct or indirect connection or conveyance, whether on the surface or subsurface, which, may cause or allow a non-stormwater discharge.

**Indirect Connection** – means using, leaking, storing, spilling, dumping, allowing or disposing of pollutants, which may reasonably come into contact with stormwater or other surface flows and enter City right-of-way or a stormwater collection system.

**Non-stormwater Discharge** – means any discharge to City right-of-way or a stormwater collection system that is not composed entirely of stormwater.

**NOI** - means the Notice of Intent form to be submitted to the EPA or ADEQ prior to the start of certain construction activities.

**NPDES** – means National Pollutant Discharge Elimination System.

**Person** – means any human being, any governmental or political subdivision or public agency, any public or private corporation, any partnership, any firm, association or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing or any other legal entity.

**Pollutant** – means any solid, liquid, or gaseous substances that may have an adverse impact on human health, the environment or may alter the chemical, physical or biological properties of water or contribute to a violation of any federal, state or local water quality standard or a condition of any permit issued to the City. Pollutants include, but are not limited to solid waste, sewage, petroleum based products, pesticides, herbicides, fertilizers, sediment (dirt, sand, mud, rock, etc.), paints, solvents, household or industrial cleaners, biological materials, radioactive materials, chemical wastes, abandoned or discarded objects, toxic wastes, pathogens, litter, incinerator residue, industrial, municipal and agricultural wastes, acids, bases, swimming pool water, pet waste, green waste, construction waste, automotive fluids or other substances that may

pose an imminent and substantial danger to public health and welfare or to the environment.

***Significant Materials or Sediment*** – means any solid, liquid or gaseous substance other than stormwater that causes or may cause or contribute to the violation of a water quality standard pursuant to Article 2, Title 49, *Arizona Revised Statutes* or the provisions of any permit issued to the City of Chandler.

***SWPPP or Stormwater Pollution Prevention Plan (SWPPP)*** – means a written plan that meets the requirements of the AZPDES General Permit for Discharge from Construction Activities that identifies and describes potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from construction activity and identifies and describes best management practices that will be implemented and maintained to prevent and/or reduce discharges of pollutants to City right-of-way or stormwater collection systems.

***Stormwater*** - means runoff, surface flows and drainage that is comprised solely of any form of precipitation.

***Stormwater Collection System*** – means all or any part of any publicly or privately owned system or structure designed or utilized to receive, collect, detain, retain, or convey stormwater and any direct connection to such system or structure. Such a system may include, but is not limited to swales, curbs, gutters, ditches, channels, parks, pipes, watercourses, drywells, culverts, storm drains, catch basins, retention or detention areas, spillways, scuppers, pump stations and common areas.

***Waters of the United States*** – means all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce. Such “waters” include, but are not limited to; navigable waters, interstate waters, wetlands, lakes, rivers, intermittent streams, and tributaries of waters identified above.

## **Section 2**

### **Non-Stormwater Discharges**

As set forth in Section 45-8, Code of the City of Chandler, and subject only to the exceptions set forth in Section 45-8.1 thereof, no person shall cause or allow a non-stormwater discharge to City right-of-way or a stormwater collection system. This prohibition includes, without limitation, non-stormwater discharges caused by illicit connections, including direct connections and indirect connections.

Fugitive dust and sediment generated from construction activities through erosion, wind and vehicle trackout also have the potential to combine with stormwater to create non-stormwater discharges. Implementation of dust control measures that minimize fugitive dust and sediment generated from construction activities will reduce the amount of sediment deposited into stormwater collection systems.

## **Section 3**

### **Construction Site Stormwater Runoff Control**

#### **3.1 Submission of NOI**

All persons who are required to operate pursuant to a NPDES or AZPDES permit for construction activity (generally those persons engaged in construction activities that will disturb more than one acre (43,560 square feet) of land or less than one acre if part of a larger common plan of development) shall, prior to receiving a grading permit, provide a copy of an NOI (including authorization number) processed by the EPA or ADEQ for that construction activity, to the City of Chandler Planning and Development Department.

#### **3.2 Review of ESCP**

All persons required to submit a NOI pursuant to Section 3.1 above shall also submit an ESCP to the City of Chandler Planning and Development Department for review. A grading permit will not be issued until the Planning and Development Department reviews an ESCP for the area subject to the grading permit for compliance with applicable requirements.

#### **3.3 Dust Control Permit**

All persons required to obtain a dust control permit from the Maricopa County Air Quality Department (generally those persons covered by Maricopa County Air Pollution Control Rule 200, Section 305) who disturb 0.10 acres (4,356 square feet) or greater, shall provide a copy of such permit for review during a pre-construction meeting or upon request by the City.

#### **3.4 Notice**

The City of Chandler Public Works inspector assigned to the construction site shall be notified of the intent to commence construction activities no less than twenty-four (24) hours prior to actual commencement of construction activities.

#### **3.5 Posting**

A sign or other notice shall be posted near the main entrance of the construction site with the following information: AZPDES authorization number for the project or copy of the Notice of Intent if an authorization number has not yet been assigned; name and telephone number of a local office or on-site contact person; a description of the type of construction project; and the location of the SWPPP if the site is inactive or if the site does not have an on-site location to store the SWPPP, and the name and telephone number of a contact person for accessing the SWPPP.

### **3.6 Compliance with Applicable Law**

All persons engaging in construction activities shall comply with applicable law and all permits issued including, without limitation, implementing and maintaining site specific BMP's as described in the SWPPP or elsewhere to prevent significant materials or sediment from entering City right-of-way or a stormwater collection system. Periodic site inspections conducted at the frequency set forth in the SWPPP to ensure that BMP's are operating correctly and have not been damaged or determined to be ineffective, shall be documented through completion of inspection logs or reports.

### **3.7 Checklists and References**

Planning and Development Department staff may develop and utilize checklists consistent with this manual to implement the provisions of this manual. Planning and Development staff may also provide citations to potentially applicable reference material and current regulatory contact information to persons attempting to comply with this manual or other non-stormwater discharge regulation requirements.

## **Section 4**

### **Post Construction Stormwater Management**

Upon completion of construction activities covered by this manual, the owner of the premises on which such construction activities occurred shall either directly or indirectly ensure that all necessary controls are in place and properly maintained to prevent non-stormwater discharges. Such controls include but are not limited to:

- 1) inspecting and verifying that the proper design, construction and usage of approved materials associated with all stormwater collection systems are per approved plans;
- 2) conducting necessary maintenance to ensure that all components of the stormwater collection systems function properly, including maintenance and stabilization of areas prone to or subject to erosion; and
- 3) correcting any deficiencies that are found pursuant to either a City of Chandler or self-inspection.

## **Section 5**

### **Cleanup and Reporting**

#### **5.1 Cleanup**

As soon as any person has actual or constructive knowledge of any non-stormwater discharge from his or her property, he or she shall promptly undertake all necessary steps to discover the source and the extent of discharge, and proceed with the appropriate cleanup.

#### **5.2 Notice**

In addition to any other regulatory notice requirements that may apply, any person who has actual or constructive knowledge of any non-stormwater discharge from his or her property, which may result in significant materials or sediment entering into a City right-of-way, stormwater collection system or other property owned by the City, shall report such discharge as follows:

- 1) if an imminent and substantial danger to public health and welfare or to the environment exists, immediately contact emergency assistance (911). If assistance is needed for the removal of hazardous waste, contact the City of Chandler Environmental Management office; and
- 2) for discharges of significant materials or sediment to City right-of-way, City stormwater collection systems or other property owned by the City not involving an imminent and substantial danger to public health and welfare or to the environment, contact the City of Chandler Streets Division of the Public Works Department by telephone within twenty-four (24) hours.

A follow-up written report shall be provided to the City of Chandler Environmental Management office, and to the City of Chandler Streets Division of the Public Works Department, within three (3) business days of the discharge. The written report may be submitted via mail, fax, or in person and shall identify the location, source of discharge and pollutant(s), extent of discharge, pollutant(s) discharged and all measures taken to mitigate the discharge. Additionally, if the discharge includes hazardous waste, the report shall detail the method of disposal and disposal facility receiving the waste material. The report shall also identify all practices that were implemented to prevent similar discharges in the future.

## **Section 6**

### **Enforcement**

The provisions of this manual shall be enforced in the same manner as the provisions of Chapter 45, Code of the City of Chandler, are enforced. Violation of the provisions of this manual, or the provisions of Chapter 45, Code of the City of Chandler, shall be deemed to constitute a nuisance.