State of Wisconsin
Department of Natural Resources
dnr.wi.gov

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**Notice of Intent to Apply for Coverage Under MS4 General Permit**
**WPDES Permit No. WI-S050075**

Form 3400-NNN (R 2/06) 

NOTICE: This application form is authorized by section 283.37, Wis. Stats., and Chapters NR 151 and 216, Wis. Adm. Code. Personally identifiable information on this form may be used for other program purposes and may be made available to requestors under Wisconsin's Public Records laws and be posted on the Department's internet site.

**Instructions:** Complete the following for all permit applications. If additional space is needed to respond to a question, attach additional pages. Provide descriptions below that explain the program activities that you expect to develop and implement to comply with the Municipal Separate Storm Sewer System (MS4) general permit (http://dnr.wi.gov/org/water/wm/nps/stormwater/muni.htm). Section 3 of the MS4 general permit contains the compliance schedules that direct when the individual program activities need to be developed and submitted to the Department for review. The detailed programs that are developed and submitted to the Department for review may deviate from the program activities described below if necessary. The descriptions provided below are necessary for the Department to verify that the municipality's program activities comply with the permit.

## Section I: Applicant Information

| Name of Municipality | | | |
|---|---|---|---|
| **CITY OF BELOIT** | | | |
| Mailing Address<br>**555 WILLOWBROOK ROAD** | City<br>**BELOIT** | State<br>**WI** | Postal Code<br>**53511** |
| County(s) in which Applicant is located<br>**ROCK** | Type of Municipality: (check one)<br>☐ County ☒ City ☐ Village ☐ Town ☐ Other (specify) | | |

## Section II: Local Contact Information (check one):

| Name of Municipal Contact Person<br>**EDWIN GANSER** | | Title<br>**DIRECTOR OF WATER RESOURCES** | |
|---|---|---|---|
| Mailing Address<br>**555 WILLOWBROOK ROAD** | City<br>**BELOIT** | State<br>**WI** | Postal Code<br>**53511** |
| E-mail address<br>**GanserE@ci.beloit.wi.us** | Telephone Number (include area code)<br>**608-364-2888 extension 3015** | Fax Number (include area code)<br>**608-364-2879** | |

## Section III: Water Quality Concerns

| Yes | No | |
|---|---|---|
| ☒ | ☐ | Does any part of the MS4 discharge to an outstanding resource water (ORW) or exceptional resource water (ERW) listed under s. NR 102.10 or 102.11, Wis. Adm. Code? (An unofficial list of ORWs and ERWs may be found on the Department's Internet site at: http://dnr.wi.gov/org/water/wm/wqs/ ) |
| ☒ | ☐ | Does any part of the MS4 discharge to an impaired waterbody listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC § 1313(d)(1)(C)? (A list of Wisconsin impaired waterbodies may be found on the Department's Internet site at: http://dnr.wi.gov/org/water/wm/wqs/303d/303d.html ) |

## Section IV: Area and Population Within the MS4

| Yes | No | |
|---|---|---|
| ☒ | ☐ | Is the MS4 within an "Urbanized Area" as defined by U.S. EPA? (See http://www.epa.gov/npdes/pubs/fact2-2.pdf) |

If no, skip the rest of this section and continue to Section V. If yes, estimate the area served by and the population within the MS4 in an Urbanized Area (UA).
(Urbanized Area maps are available on the EPA web site at: http://cfpub1.epa.gov/npdes/stormwater/urbanmaps.cfm)

| Total municipal area (in square miles): | Total municipal population (in year 2000): |
|---|---|
| 17.5 | 35,918 |
| MS4 service area within Urbanized Area (in square miles): | Municipal population within Urbanized Area (in year 2000): |
| 17.5 | 35,918 |

## Section V: Potential Permit Exemption

| Yes | No | |
|---|---|---|
| | | Section NR 216.023, Wis. Adm. Code, allows certain MS4s that have less than 1000 people residing in an urbanized area to be waived from having to obtain municipal storm water permit coverage. |
| ☐ | ☒ | Do you believe that the MS4 may be eligible for this potential exemption? |

## Section VI: Summary of Municipal Storm Water Program Activities

Describe the programs or activities the municipality is doing or will do to comply with the requirements of the MS4 general permit. Attach additional pages if necessary.

### A. Public Education and Outreach

Describe the public education and outreach program activities that the municipality will implement to comply with section 2.1 of the MS4 general permit.

The City of Beloit plans on implementing a Storm Water Utility on or about January, 2007. The Utility will then expand its Public Education and Outreach Plan. This Plan willl be completed by the end of 2007 for full implementation in 2008. The Plan will fulfill the requirements as set forth in the MS4 General Permit Requirements:

1. Solid Waste Collectors, Operations Inspectors, Water Resources staff and other City personnel currently monitor the storm sewer system for illicit discharges.

2. Various ordinances already address prohibited discharges. Educational brochures have been developed and distributed. A new Storm Water Utility Ordinance is likely to comprehensively address requirements.

3. Composting practices have been promoted. Yard waste pickup program established to compost material. Public notices have been issued to reduce lawn fertilizer and chemical runoff.

4. Expanded plan will need to further address shoreline protection, promotion of residential storm water runoff on-site infiltration, and additional construction site and C&I storm water control. Included will be appropriate ordinance language.

### B. Public Involvement and Participation

Describe the public involvement and participation program activities that the municipality will promote to comply with section 2.2 of the MS4 general permit.

A Storm Water Advisory Committee was utilized to provide public input on creation of Storm Water Utility. Ongoing public input will be faciliated through existing and additional committees, public hearings, neighborhood workshops, etc.

### C. Illicit Discharge Detection & Elimination

Describe the illicit discharge detection and elimination program authority and activities that the municipality will develop and implement to comply with section 2.3 of the MS4 general permit.

1. Authority provided through Storm Water Utility Ordinance; to be developed in or before 1st quarter of 2007.

2. In January of 2000 27 storm sewer lines of 36" diameter or larger were identified. Within 3 years each site will be evaluated. The city will then determine if there are similar sites within a basin. Then basins will be established for monitoring.

3. Dry weather visual inspections will be completed twice per year at each major basin. 36" or larger select lines will be checked randomly throughout the year.

4. Field analysis using the Hach "Surface Water Test Kit" in addtion with COD analysis will be analyzed at least annually on each identified basin.

5. Spills and cleanup efforts will be handled according to the City's Emergency Spill Response Program established in 2000 and last updated in 2006.

6. Existing commercial inspections will be expanded to ensure that interceptors, roof drains, floor drains are properly connected and maintained and no cross connections exist. Any dye testing of storm water facilities will be reported in advance to the Department.

### D. Construction Site Pollution Control

Describe the construction site pollutant control program authority and activities that the municipality will develop and implement to comply with section 2.4 of the MS4 general permit.

Authority and program detailed in City Ordinance Chapter 19, section 8 (enclosed).

## E. Post-Construction Site Storm Water Management

Describe the post-construction storm water management program authority and activities that the municipality will develop and implement to comply with section 2.5 of the MS4 general permit.

Post construction sites will be evaluated within 90 days of completed project. Storm Water and/or Chapter 19

Ordinances will be expanded to include requirements of model ordinance of NR 152 Appendix B.

## F. Pollution Prevention

Describe the pollution prevention program activities that the municipality will implement to comply with section 2.6 of the MS4 general permit.

1. Routine inspection and maintenance for storm water facilities shall be established by the end of 2007.

2. DPW to continue with street sweeping schedule and disposal methods and proper management of grass clipping, etc.

3. Esablish BMPs for municipal garages, storage and other sources of pollution by the end of 2007.

## Section VII: Certification

Certification: I hereby certify that I am an authorized representative of the municipality that is the subject of this application for general permit coverage, and that the information provided is true and complete, to the best of my knowledge. I understand that Wisconsin law provides severe penalties for submitting false information.

| Authorized Representative Name | Title | |
|---|---|---|
| **David M. Botts, P.E.** | **PUBLIC WORKS DIRECTOR** | |
| Signature: David M. Botts | | Date Signed: 06-13-06 |
| E-mail address: **BottsD@ci.beloit.wi.us** | Telephone Number (include area code): **608-364-6693** | Fax Number (include area code): **608-364-6609** |

Return this completed form to:

Wisconsin Department of Natural Resources
Storm Water Program – WT/2
PO Box 7921
Madison, WI 53707-7921

TABLE INSET:

| Closed Cup Flash Point of Materials | Industries Engaged in Storage for Resale | | Industries Engaged in Utilization or Manufacture, with Storage as Ancillary Use | |
|---|---|---|---|---|
| | Above Ground | Below Ground | Above Ground | Below Ground |
| Less than 105° F | Unrestricted [1] | Unrestricted | Unrestricted [1] | Unrestricted |
| 105° F to 187° F | Unrestricted | Unrestricted | Unrestricted | Unrestricted |
| Greater than 185° F | Unrestricted | Unrestricted | Unrestricted | Unrestricted |

Note : When flammable gases are stored, utilized, or manufactured and measured in cubic feet, the quantity in cubic feet (at standard temperature and pressure) permitted shall not exceed 30 times the quantities as listed above.

[1] Except that within 300 feet of an M-2 district Boundary, no more than 50,000 gallons per 100 linear feet running along the district boundary shall be permitted.

## 8.9 CONSTRUCTION SITE EROSION CONTROL . (Cr. #2980, 3-4-02)

8.9.1 FOREWORD. The intent of this section is to require use of best management practices to reduce the amount of sediment and other pollutants resulting from land disturbing construction activities on sites that are not regulated by the Wisconsin Department of Commerce in sections COMM 21.125 and COMM 50.115, Wisconsin Administrative Code. This section is consistent with statewide site performance standards for new development and redevelopment contained in subchapters III and IV of chapter NR 151, Wisconsin Administrative Code.

8.9.2 AUTHORITY. This section is adopted under the authority granted by §62.234, Wis. Stats.

8.9.3 FINDINGS. The City Council of the City of Beloit finds that runoff from land disturbing construction activity carries a significant amount of sediment and other pollutants to the waters of the state and this city.

8.9.4 PURPOSE. It is the purpose of this section to preserve natural resources, to protect the quality of the waters of the state and the City of Beloit and to protect and promote the health, safety and welfare of the people, to the extent practicable, by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land disturbing construction activity to waters of the state.

8.9.5 APPLICABILITY AND JURISDICTION.

a. Applicability . This section applies to the following land disturbing construction activities except as provided under subsection b.

1. A construction site, which has 5 or more acres of land disturbing construction activity where bids are first advertised, or contracts signed where no bids are advertised, on or after the effective date of this section. (March 13, 2002)

2. Grading, or otherwise removing topsoil from the bank of any navigable stream, lake or other body of navigable water where the area exposed by the grading or removal will exceed 10,000 square feet, where bids are first advertised, or contracts signed where no bids are advertised, on or after the effective date of this section. For this paragraph, "bank", as defined in section NR

340.02(2), Wisconsin Administrative Code means the land surface abutting the bed of any navigable waterway which, either prior to any project or alteration of land contours or as a result of the proposed project or alteration, slopes or drains without complete interruption into the waterway.

Note : Under §30.19(1)(c), Wis. Stats., a permit from the Wisconsin Department of Natural Resources is required for this activity.

3. A construction site, which has one or more acres of land disturbing construction activity where bids are first advertised, or contracts signed where no bids are advertised, on or after March 10, 2003.

Note : The Wisconsin Department of Commerce is drafting chapter COMM 65, which would replace the erosion control provisions of chapter COMM 50.115. The 5-acre and 1-acre land disturbance thresholds are consistent with state and federal laws regarding applicability of construction site erosion control permits.

b. Exemptions . This section does not apply to the following:

1. Land disturbing construction activity otherwise regulated by the Wisconsin Department of Commerce under sections COMM 21.125 and COMM 50.115, Wisconsin Administrative Code.

2. A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under chapter 40, Code of Federal Regulations, part 122, for land disturbing construction activity.

c. Jurisdiction . This section applies to land disturbing construction activity on construction sites located within the boundaries and jurisdiction of the City of Beloit.

8.9.6 DEFINITIONS.

a. Agricultural land use includes use of land for planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock, including sod farms and tree nurseries, but does not include the construction of buildings or facilities used for agriculture.

b. Best management practice or BMP means a structural or nonstructural practice, technique or measure, facility, system of practices or device that reduces soil, sediment or pollutants carried in runoff to waters of the state to a level compatible with the pollution control requirements of this section.

c. Construction site means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan.

d. Erosion means the detachment and movement of soil, sediment particles or rock fragments by water, wind, ice or gravity.

e. Erosion and sediment control plan means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.

f. Final stabilization means that all land disturbing construction activities at the construction site have been completed and that a uniform perennial vegetative cover has been established, with a density of at least 70 percent of the cover, for the unpaved areas and areas not covered by permanent structures, or employment of equivalent permanent stabilization measures.

g. Land disturbing construction activity means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or nonvegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities, but does not include agricultural land uses, silviculture activities or routine maintenance for projectsites that involve under 5 acres of land disturbance that is performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.

h. Landowner means any person holding fee title, an easement or other interest in property, which allows a person to undertake land disturbing construction activity on the property.

i. MEP or maximum extent practicable means a level of implementing best management practices in order to achieve a performance standard specified in this section which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in how performance standards are met and may vary based on the performance standard and site conditions.

j. Pollutant has the meaning in §283.01(13), Wis. Stats.

k. Pollution has the meaning in §281.01(10), Wis. Stats.

l. Runoff means stormwater or precipitation including rain, snow or ice melt that moves on the land surface via sheet or channelized flow.

m. Sediment means settleable soil, rock fragments and other solids carried in runoff.

n. Separate storm sewer means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

1. Is designed or used for collecting water or conveying runoff.
2. Is not part of a combined sewer system.
3. Is not draining to a stormwater treatment device or system.
4. Discharges directly or indirectly to waters of the state.

o. Site means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.

p. This section means section 8.9 of the zoning code.

q. Technical standard means an established minimum criterion for planning, performance, design, operation or maintenance for a BMP.

r. Waters of the state has the meaning in §283.01(20), Wis. Stats.

8.9.7 BEST MANAGEMENT PRACTICES (BMPs): DESIGN CRITERIA, STANDARDS, SPECIFICATIONS AND MAINTENANCE.

a. Design Criteria, Standards And Specifications . All BMPs required to comply with this section shall meet the design criteria, standards and specifications based on any of the following unless otherwise approved by the Building Inspector:

1. Accepted design criteria, standards and specifications identified in the Wisconsin Construction Site Best Management Practice Handbook, WDNR Pub. WR-222 November 1993 Revision.

2. Other design guidance and technical standards identified, developed or disseminated by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wisconsin Administrative Code.

b. Maintenance . The landowner throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this section until the site has undergone final stabilization.

8.9.8 CONTROL OF EROSION AND POLLUTANTS DURING LAND DISTURBING CONSTRUCTION ACTIVITY.

a. Responsible Party . The landowner shall be responsible for complying with this section.

b. Erosion And Other Pollutant Control Requirements . A written plan to reduce sediment and the pollutants identified in subsection c. from entering waters of the state, or separate storm sewers connecting to waters of the state, shall be developed in accordance with section 8.9.10 and implemented at each construction site.

1. The plan shall utilize best management practices that are designed, installed or applied and maintained throughout the duration of land disturbing construction activities until the construction site has undergone final stabilization.

2. Best management practices, by design, shall reduce sediment carried in runoff that enters waters of the state or enters a separate storm sewer connecting to waters of the state to the maximum extent practicable.

(a) The goal is to develop and implement BMPs that, by design, reduce the average annual sediment load carried in runoff by 80 percent, as compared to no sediment or erosion controls throughout the duration of the construction project. Erosion and sediment control BMPs may be used alone or in combination to meet this requirement. Credit toward meeting the sediment reduction goal may be given for limiting the duration or area, or both, of land disturbing construction activity.

(b) If BMPs cannot be designed to reduce the average annual sediment load by 80 percent, the plan shall include a written and site-specific explanation as to why the 80 percent reduction goal is not attained.

(c) Where appropriate, sediment controls shall be implemented to do all of the following to the maximum extent practicable:

(1) Prevent tracking of sediment from the construction site onto roads and other paved surfaces.

(2) Prevent the discharge of sediment as part of site de-watering.

(3) Prevent sediment from entering a separate storm sewer.

3. Where appropriate, the use, storage and disposal of chemicals, cement and other compounds and materials used on the construction site shall be managed to prevent their entrance into waters of the state or into a separate storm sewer connecting to waters of the state. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings, are not prohibited by this paragraph.

c. Location . The BMPs required to comply with this section may be located on or off the construction site but shall be installed before runoff enters waters of the state or a separate storm sewer connecting to waters of the state.

d. Regional Treatment Exclusion . Runoff within a non-navigable drainage way that

flows into a BMP is not required to meet the performance standards of this section. The discharge of runoff from such a BMP or after a series of such BMPs is subject to this section.

8.9.9 PERMIT: APPLICATION, FEES, PROCEDURES AND ISSUANCE.

a. Application and Fees . No landowner may commence a land disturbing construction activity subject to this section without receiving prior approval of an erosion and sediment control plan for the site and a permit from the Building Inspector. At least one landowner controlling or using the site and desiring to undertake a land disturbing construction activity subject to this section shall submit an application for a permit and an erosion and sediment control plan and pay an application fee of $50 to the Building Inspector. By submitting an application, the applicant is authorizing the Building Inspector to enter the site to obtain information required for the review of the erosion and sediment control plan.

b. Permit Duration . Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Building Inspector may extend the period one or more times for up to an additional 180 days. The Building Inspector may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this section.

c. Surety Bond . As a condition of approval and issuance of the permit, the Building Inspector may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved erosion control plan and any permit conditions.

d. Permit Conditions . All permits shall require the landowner to:

1. Notify the Building Inspector within 48 hours of commencing any land disturbing construction activity.

2. Notify the Building Inspector of completion of any BMPs within 14 days after their installation.

3. Obtain permission in writing from the Building Inspector prior to modifying the erosion and sediment control plan.

4. Install all BMPs as identified in the approved erosion and sediment control plan.

5. Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.

6. Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in a site erosion control log.

7. Inspect the BMPs after each rain of 0.5 inches or more and at least once each week, make needed repairs and document the findings of the inspections in a site erosion control log with the date of inspection and the name of the person conducting the inspection.

8. Allow the Building Inspector to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan.

9. Keep a copy of the erosion and sediment control plan at the construction site.

8.9.10 EROSION AND SEDIMENT CONTROL PLAN, STATEMENT, AND REVIEW.

a. Erosion and Sediment Control Plan .

1. An erosion and sediment control plan shall be prepared and submitted to the Building Inspector.

2. The erosion and sediment control plan shall be designed to meet the performance standards, technical standards and other requirements of this section.

3. The erosion and sediment control plan shall address pollution caused by soil erosion and sedimentation during construction and up to final stabilization of the site. The erosion and sediment control plan shall include, at a minimum, the following items:

(a) Description of the site and the nature of the construction activity, including representation of the limits of land disturbance on a United States Geological Service 7.5 minute series topographic map.

(b) Description of the intended sequence of major activities, which disturb soils for major portions of the site, such as grubbing, excavation or grading.

(c) Estimates of the total area of the site and the total area of the site that is expected to be disturbed by construction activities.

(d) Estimates, including calculations, if any, of the runoff coefficient of the site before and after construction activities are completed.

(e) Calculations to show the expected percent reduction in the average annual sediment load carried in runoff as compared to no sediment or erosion controls.

(f) Existing data describing the surface soil as well as subsoils.

(g) Depth to groundwater, as indicated by natural resources conservation service soil information where available, except when permanent infiltration systems are used, the depth to groundwater shall be as outlined in subsection 4.

(h) Name of the immediate receiving water named on the appropriate United States Geological Service 7.5 minute series topographic map.

4. If permanent infiltration systems are used, the erosion and sediment control plan shall require appropriate on-site testing to be conducted to determine if seasonal high water is within 5 feet of the bottom of the proposed practice. If permanent infiltration structures are used and there is a municipal well within 400 feet, or a nonpublic well within 100 feet, the groundwater flow shall be identified in accordance with the provisions specified in either chapter NR 110 or 214, Wisconsin Administrative Code.

5. The erosion and sediment control plan shall include a site map. The site map shall include the following items and shall be at a scale not greater than 100 feet per inch and at a contour interval not to exceed 5 feet.

(a) Existing topography, vegetative cover, natural and engineered drainage systems, roads and surface waters. Lakes, streams, wetlands, channels, ditches and other watercourses on and immediately adjacent to the site shall be shown. Any identified 100-year floodplains, flood fringes and floodways shall also be shown.

(b) Boundaries of the construction site.

(c) Drainage patterns and approximate slopes anticipated after major grading activities.

(d) Areas of soil disturbance.

(e) Location of major structural and nonstructural controls identified in the plan.

(f) Location of areas where stabilization practices will be employed.

(g) Areas which will be vegetated following construction.

(h) Wetlands, area extent of wetland acreage on the site and locations where stormwater is discharged to a surface water or wetland.

(i) Locations of all surface waters and wetlands within one mile of the construction site.

(j) Alphanumeric or equivalent grid overlying the entire construction site map.

6. Each erosion and sediment control plan shall include a description of appropriate controls and measures that will be performed at the site to prevent pollutants from reaching waters of the state. The plan shall be at the same scale as the site map under subsection 5., and shall clearly show the site changes. The plan shall clearly describe the appropriate control measures for each major activity and the timing during the construction process that the measures will be implemented. The description of erosioncontrols shall include, when appropriate, the following minimum requirements:

(a) Description of interim and permanent stabilization practices, including a practice implementation schedule. Site plans shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.

(b) Description of structural practices to divert flow away from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the Building Inspector, structural measures shall be installed on upland soils.

(c) Management of overland flow at all sites, unless otherwise controlled by outfall controls.

(d) Trapping of sediment in channelized flow.

(e) Staging construction to limit bare areas subject to erosion.

(f) Protection of downslope drainage inlets where they occur.

(g) Minimization of tracking at all sites.

(h) Clean up of off-site sediment deposits.

(i) Proper disposal of building and waste materials at all sites.

(j) Stabilization of drainage ways.

(k) Control of soil erosion from dirt stockpiles.

(l) Installation of permanent stabilization practices as soon as possible after final grading.

(m) Minimization of dust to the maximum extent practicable.

7. The erosion and sediment control plan shall require that velocity dissipation