

**Attachment 21: Updated MS4 Program
Plan**

MS4 Program Plan

**For the
Town of Ashland, Virginia**

June 30, 2015, Update

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SECTION 1
MS4 PROGRAM PLAN

1.1 General

A. The Town's MS4 Program Plan is hereby updated for the 2013 General Permit. As part of the update, the following items are included in this document, incorporated by reference, or will be developed during the permit cycle if applicable:

- a. A list of the applicable legal authorities such as ordinance, state and other permits, orders, specific contract language, and interjurisdictional agreements to ensure compliance with the minimum control measure in Section II of the 2013 MS4 General Permit related to post-construction stormwater management in new development and development on prior developed lands;
- b. Written policies and procedures utilized to ensure that stormwater management facilities are designed and installed in accordance with Section II B 5 b of the 2013 MS4 General Permit;
- c. Written inspection policies and procedures utilized in conducting inspections;
- d. Written procedures for inspection, compliance and enforcement to ensure maintenance is conducted on private stormwater facilities to ensure long-term operation in accordance with approved design;
- e. Written procedures for inspection and maintenance of Town-owned stormwater management facilities;
- f. The roles and responsibilities of each of the Town's departments, divisions, or subdivisions in implementing the minimum control measure in Section II related to post-construction stormwater management in new development and development on prior developed lands.

B. Documents for BMP Implementation

1. The following is a list of existing policies, ordinances, schedules, inspection forms, and written procedures necessary for BMP implementation:

- a. Environmental Protection Ordinance, Chapter 4.1
 - i. Stormwater Management Ordinance, Chapter 4.1, Article II
 - ii. Chesapeake Bay Preservation Areas
 - iii. Water Quality Protection
 - iv. Municipal Separate Storm Sewer System (addresses illicit discharges)
- b. Erosion and Sediment Control Ordinance, Chapter 5
- c. Subdivision of Land Ordinance, Chapter 17
- d. Zoning Ordinance, Chapter 21
- e. Agreement in Lieu of Erosion and Sediment Control Plan for single family residential construction
- f. Agreement in Lieu of Water Quality Plan for single family residential construction
- g. Erosion and Sediment Control Inspection Report
- h. Erosion and Sediment Control Bonds/Letters of Credit
- i. Land Disturbing Permit
- j. BMP Maintenance Agreement

2. The Town of Ashland Department of Public Works is responsible for implementing the BMPs.

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1.2 Seven Minimum Control Measures Required by MS4 Phase II

The seven minimum control measures included in this MS4 Program Plan, are as follows:

- A. Public Education and Outreach on Storm Water Impacts
- B. Public Involvement/Participation
- C. Illicit Discharge Detection and Elimination
- D. Construction Site Storm Water Runoff Control
- E. Post-Construction Storm Water Management in New Development and Redevelopment
- F. Pollution Prevention/Good Housekeeping for Municipal Operations
- G. Mechumps Creek TMDL for E. coli

In addition, the Town will also address the following items as part of this Program Plan.

- H. Mechumps Creek TMDL Action Plan
- I. Chesapeake Bay TMDL Action Plan

This section details how the town of Ashland will address these minimum control measures and describes BMPs, measurable goals and target dates.

A. Public Education and Outreach on Storm Water Impacts

1. For this minimum control measure, the Town of Ashland currently implements the following programs:
 - a. Distributes information regarding proper erosion and sediment control measures. This information is given to contractors at the pre-construction meeting required by the Town.
 - b. Holds public information sessions, and runs ads in the local newspaper to update the public on current projects in the town. The Town post announcements on the Town website and social media sites. Some sessions are also run on the Town government television station. In addition to airing some of the information sessions on the local government television station, slides and public service announcements are also aired. These public education tools have been and will continue to be utilized to publicize information regarding storm water related projects or information.
 - c. Maintains Stormwater Management page on its website. This Stormwater Management page includes information on the Town's MS4 permit, non-point source pollution and how residents can minimize stormwater pollution. It also contains contact information, hotlines, links to DEQ and EPA websites, and allows residents to download educational brochures.
 - d. Maintains a formal public education program, which consists of three parts:

- The Town's government television station runs four informative slides per year about water quality in general, and storm water specifically. These slides are aired frequently throughout the day on the public access channel.
 - The Town circulates flyers regarding stormwater related topics around the Town Hall, Town Police Station, Library, Visitors Center and other public locations.
 - The town posts information on its website and social media that raises awareness regarding stormwater management issues.
2. In addition to the programs currently in place, the Town of Ashland plans to implement the following programs:
- a. The Town will continue to update its website and maintain the most current information on stormwater management.
 - b. The Town will continue its public education program, and augment as necessary. This program will consist of:
 - Continuing to circulate flyers at the Town Hall, Town Police Station, Library, Visitors Center, targeted businesses, and/or other public locations. These flyers address the following: disposing of pet-waste, applying lawn-chemicals, washing cars, changing motor-oil and proper disposal of used motor oil, disposing leftover paint and household chemicals, and illicit discharges. To reduce the amount of paper used, the Town will rely more on social media and its website to distribute such information.
 - Each quarter, post on the website and social media articles on how homeowners and business owners may prevent stormwater pollution
 - Continue training program for the Street Crew, the Deputy Zoning Administrator, and Ashland Police Department to identify illicit discharge, and what to do if they do detect illicit discharge.
 - Incorporate a training program for the Street Crew on good housekeeping for pollution prevention.
 - Include on the Town's website information for property owners in Chesapeake Bay Preservation Areas on the Town's requirements for septic tank maintenance.
 - c. The Town and Randolph-Macon College (RMC) are continuing to collaborate on a stream restoration project for Mechumps Creek. Phase 1 of the project was completed, and Phase 2 is ready for construction as soon as funding becomes available. Mechumps Creek was degraded due to historically uncontrolled stormwater runoff. This project provides opportunities to educate the public on detrimental effects of increased runoff due to lack of stormwater controls. The Town and RMC will make announcements, write articles, make presentations, encourage local press interest, etc., with regard to the project.
 - d. Public Schools in the Town of Ashland are run by Hanover County. The County is implementing a "Watershed Education for Students" program. The County coordinates with the Hanover/Caroline Soil and Water Conservation Service to provide a meaningful watershed experience for Hanover County Students. The Town supports this effort, and will participate with the County.
 - e. Provide public education for high-priority water quality issues as detailed in the Town of Ashland MS4 Public Education and Outreach Plan.
3. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
<p>Year 1 2013-2014</p>	<ul style="list-style-type: none"> ○ Stormwater management page on web site will be updated, and will describe BMP inspection and maintenance program. ○ Articles on stormwater pollution prevention Town website and social media. ○ Continue to collaborate with RMC on Mechumps Creek Restoration project. Continue to publicize the project. ○ Air 4 seasonal slides on the Town's public television station. ○ Post information on Town's website regarding maintenance requirements for owner of septic tanks in CBPAs. ○ Update MS4 Program Plan to include additional education requirements outlined in the July 1, 2013, MS4 General Permit. ○ 200 flyers distributed.
<p>Year 2 2014-2015</p>	<ul style="list-style-type: none"> ○ Identify at least three high-priority water quality issues, that contribute to the discharge of stormwater (e.g., Chesapeake Bay nutrients, pet wastes and local bacteria TMDLs, high-quality receiving waters, and illicit discharges from commercial sites) and a rationale for the selection of the three high-priority water quality issues; ○ Identify and estimate the population size of the target audience or audiences who is most likely to have significant impacts for each high-priority water quality issue; ○ Develop relevant message or messages and associated educational and outreach materials (e.g., various media such as printed materials, billboard and mass transit advertisements, signage at select locations, radio advertisements, television advertisements, websites, and social media) for message distribution to the selected target audiences while considering the viewpoints and concerns of the target audiences including minorities, disadvantaged audiences, and minors; ○ Provide for public participation during public education and outreach program development; ○ Conduct sufficient education and outreach activities designed to reach an equivalent 20% of each high-priority issue target audience. ○ Review and adjust target audiences and messages including educational materials and delivery mechanisms to reach target audiences in order to address any observed weaknesses or shortcomings. ○ 200 flyers distributed. ○ Air 4 seasonal slides on the Town's public television station. ○ Articles on stormwater pollution prevention on Town website and social media. At least one each quarter. ○ Continue to collaborate with RMC on Mechumps Creek Restoration project. Continue to publicize the project.

Compliance Period	Measurable Goals
	<ul style="list-style-type: none"> ○ Continue to educate property owners in CBPAs of the Town's requirements for septic tank maintenance.
Year 3 2015-2016	<ul style="list-style-type: none"> ○ Target an area of approximately 20% of residences in the Town to distribute flyer regarding proper pet waste disposal. Continue to post information regarding pet waste disposal on the Town's website, TV station and social media pages. ○ Target an area of approximately 20% of residences, apartment complex owners or rental agents, and homeowner association presidents in the Town to distribute flyer regarding environmentally friendly yard care. Continue to post information regarding lawn/yard care on the Town's website, TV station and social media pages. Meet with homeowner associations if appropriate. ○ Target 25% of restaurants to distribute flyer regarding proper disposal of cooking waste. Continue to post information regarding disposal of kitchen waste on the Town's website, TV station and social media pages. ○ Target all auto parts stores to distribute flyer regarding proper disposal of automotive fluids. Continue to post information regarding disposal of automotive fluids on the Town's website, TV station and social media pages. ○ Air 4 seasonal slides on the Town's public television station. ○ Articles on stormwater pollution prevention on Town website and social media. At least one each quarter. ○ Continue to collaborate with RMC on Mechumps Creek Restoration project. Continue to publicize the project. ○ Continue to educate property owners in CBPAs of the Town's requirements for septic tank maintenance.
Year 4 2016-2017	<ul style="list-style-type: none"> ○ To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> ○ To be updated during 2016-2017 Compliance Period

B. Public Involvement/Participation

1. For this minimum control measure, the Town of Ashland currently implements the following programs:
 - a. Coordinates with Randolph Macon College (RMC) to implement a stream pick-up program. The program consists of volunteers who walk streams and pick up litter at least once per year. This often also includes a public awareness exhibit of trash collected from streams.
 - b. Partners with Randolph Macon College by providing opportunities for to students to participate in Town projects. Opportunities have included:
 - i. Internships to assist with the Town's stormwater program, which has included, but not limited to, locating stormwater outfalls.
 - ii. A hydrologic study to assess a major stream in the Town.

- iii. Preliminary investigation to implement a stream restoration project in Town.
- iv. Professors and students sampling for stream water quality.
- v. Town Staff attends (as part of expert panel) end of semester presentations for class projects.
- vi. Town staff makes presentations on stormwater regulations and programs to classes.

Town communicates with the Chair of the Environmental Studies Program, Charles Gowan (804-752-7293) on monthly basis to identify new opportunities for the Town to collaborate with the College on stormwater and environmental projects.

- c. Coordinates with organizations such as the Boy Scouts to implement stormwater management projects. In the past this has included affixing markers on many stormwater inlets around town. These markers indicate that stormwater entering the inlet drains to the Chesapeake Bay. The purpose of these markers is to raise public awareness of the fate of stormwater, and to discourage dumping into stormwater inlets. Other civic groups have done stream and street pick-ups to raise awareness of littering, and constructed bridges along the restored portion of Mechumps Creek for pedestrian access to view the creek.
2. In addition to the programs currently in place, the Town of Ashland plans to implement the following programs:
- a. Continue to provide stormwater education through schools that exposes the message not only to students but to their parents as well. This may include partnering with educators and experts to develop storm water-related curricula for the classroom.
 - b. Continue to update the Town's MS4 Program Plan and Annual Reports and make them available on the Town's website. Announce the availability of the MS4 Program Plan and request public comments on the Ashland's public television station, the Town website and social media pages. Address comments as they are submitted. In annual report, include the comments received and a narrative of how the Town addressed them.
 - c. Provide for public participation during public education and outreach program development;
3. Additional vehicles for public involvement/participation that may be implemented as part of this program include:
- a. Town staff may make presentations to elementary, middle or high school classes on the Town's stormwater program.
 - b. Partner with local organizations such as:
 - i. VDOT – Designated as a Phase II permittee, VDOT must complete a department-wide storm water program. In addition, the department maintains an area headquarters within the Town. This affords ample opportunity for partnership in regards to the timely implementation of BMPs within the Town.
 - ii. Market Ashland Partnership (M.A.P.)
 - iii. Hanover Association of Businesses
 - iv. The Ashland/Hanover Citizens for Responsible Growth
 - v. Soil Conservation District
 - vi. Hanover County Public Schools – The Town may sponsor a poster contest about the environment and/or storm water.
 - vii. Departments of Forestry, and Fish and Game, to aid in involving the public on water quality issues within the Town of Ashland

viii. Boy Scouts, youth groups and other non-profit organizations may be contacted to aid in completing some program requirements.

4. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
Year 1 2013-2014	<ul style="list-style-type: none"> ○ Notices of public meetings in at least two different print media. ○ Conduct at least one stream pick-up program. ○ Continue communication and collaboration with Randolph Macon College (RMC). ○ Continue to update MS4 Program Plan on the Town website for public comment. ○ Update MS4 Program Plan to include additional Public Outreach requirements outlined in the July 1, 2013, MS4 General Permit.
Year 2 2014-2015	<ul style="list-style-type: none"> ○ Continue communication and collaboration with Randolph Macon College (RMC). ○ Work with volunteer group to mark or stencil stormwater inlets. ○ Establish contact with Elementary schools ○ Provide for public participation during public education and outreach program development;
Year 3 2015-2016	<ul style="list-style-type: none"> ○ Continue communication and collaboration with Randolph Macon College (RMC). ○ Work with volunteer group to mark or stencil stormwater inlets. ○ Make presentations on Stormwater Pollution Prevention to Elementary school classes. ○ Provide Elementary Schools with educational material for Stormwater Pollution Prevention. ○ Provide for the Town's Chesapeake Bay TMDL Action Plan.
Year 4 2016-2017	<ul style="list-style-type: none"> ○ To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> ○ To be updated during 2016-2017 Compliance Period

C. Illicit Discharge Detection and Elimination

Illicit discharges are discharges to municipal separate storm sewers that are not composed entirely of storm water except the following as stated in Section 4.1-502(b) of the Town Code:

- (1) Water line flushing;
- (2) Landscape irrigation;
- (3) Diverting stream flows or rising groundwater;
- (4) Infiltration of uncontaminated groundwater;
- (5) Public safety activities, including but not limited to, law enforcement and fire suppression;

- (6) Well-point dewatering or pumping of uncontaminated ground water from potable water sources, foundation drains, irrigation waters, springs, or water from crawl spaces or footing drains;
- (7) Air conditioning condensation;
- (8) Watering and maintenance with landscaping chemicals in accordance with manufacturer's recommendations;
- (9) Individual residential car washing;
- (10) Flows from riparian habitats or wetlands;
- (11) Swimming pool discharges that have been de-chlorinated or are free of other disinfecting agents;
- (12) Street washing;
- (13) Any activity authorized by a valid Virginia Pollutant Discharge Elimination System (VPDES) permit or Virginia Pollution Abatement (VPA) permit; or
- (14) Any other water source not containing sewage, industrial wastes or other wastes.

Illicit discharges are a problem because, unlike wastewater, which flows to a wastewater treatment plant, stormwater generally flows to waterways without any additional treatment. Illicit discharges often include pathogens, nutrients, surfactants, and various toxic pollutants.

Examples of illicit discharges include: sanitary sewer cross-connections, dumping used motor oil into the storm drain, or business owners washing inappropriate material into the system.

1. For this minimum control measure, the Town of Ashland currently implements the following programs:
 - a. The Town has a storm sewer map. The map consists of an AutoCAD drawing that shows natural streams within the Town limits, all major outfalls to the streams, and most of the storm sewer system in the Town. The map also includes location of a number stormwater management BMPs and other surface water features. The Town continually updates this map as new structures are added or additional information is found on structures. The map includes the following data: size, type, and condition of outfall to stream. The Town uses this map as a tool to assist in-screening storm drainage system for illicit discharges. Major outfalls are defined by the State Water Control Board as discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than a circular pipe which is associated with a drainage area of more than 50 acres); or municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), with an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more). The Town has been working to make this map compatible with the Town's GIS system. During the data collection for this mapping, stream inspections were performed by walking 100% of the streams in Town (at least once), and storm sewers were mapped using GPS.
 - b. The Town also has a site plan database for recently submitted plans.
 - c. The Town currently partners with Hanover County to maintain a sanitary sewer maintenance program that identifies improper discharges and illegal dumping. This program is run by Hanover County, which owns all of the sanitary sewer system within the Town of Ashland.
 - d. The following chapters of the Town of Ashland's Municipal Code address this measure:

- o Chapter 4.1: *Environmental Protection* – This chapter outlines parameters governed by the Chesapeake Bay Preservation Area Ordinance (CBPO) as well as the Town’s water quality protection plan. The CBPO established requirements for septic tank inspections. It also outlines the enforcement and penalties associated with noncompliance of this chapter. In 2007, the Town added Article VI, “Municipal Separate Storm Sewer System (MS-4) Management Program”, which establishes prohibitions associated with discharges to a storm sewer system as well as penalties for violations.
 - o Chapter 17: *Subdivision of Land* – The portions of this chapter that are relevant to illicit discharge include: Article II, Divisions 1 and 2 discuss approval of plats and standards. Both of these articles cover the suitability of the land, as well as drainage and flooding and other hazards associated with the design of subdivisions.
 - e. As part of the public education and outreach measure, the Town has developed brochures to inform public employees, business and the general public of hazards and reporting procedures associated with illegal discharges, and measures to take when illegal discharges are detected.
 - f. The Town inspects all outfalls annually.
 - g. Trains staff in identifying and eliminating illicit discharge in accordance with Town’s Stormwater Pollution Prevention Employee Training Plan.
2. In addition to the programs currently in place, the Town of Ashland plans to implement the following programs:
- a. Investigate illicit connections to the storm drain system in older portions of Town. Recordkeeping and code enforcement may not have been equivalent to today’s standards when these residences and businesses were first built, or undocumented modifications might have been made since construction. Older areas will be prioritized for targeted investigation, such as through dry weather screening at outfalls. Older parts of the storm drain system may also be monitored for deteriorating and required repairs or replacement.
 - b. Flush and TV monitor selected storm sewer pipes in Town.
 - c. Continue to update (when appropriate) education and outreach material that deals with illicit discharge. Updates may include information about recycling household hazardous material such as paints, solvents, automotive fluids, pesticides, etc.
 - d. The Town developed and will continue to implement, and update (when appropriate) written procedures to detect, identify, and address unauthorized non-stormwater discharges, including illegal dumping, to the Town’s MS4. These procedures include a written dry weather field screening methodologies to detect and eliminate illicit discharges to the MS4 that include field observations and field screening monitoring and that provide:
 - o A prioritized schedule;
 - o The minimum number of field screening activities the Town will complete annually;
 - o Methodologies to collect the general information such as time since the last rain, the quantity of the last rain, site descriptions, estimated discharge rate and visual observations;
 - o A time frame upon which to conduct an investigation or investigations to identify and locate the source of any observed continuous or intermittent non-stormwater discharge;
 - o Methodologies to determine the source of all illicit discharges;

- o Mechanisms to eliminate identified sources of illicit discharges;
- o Methods for conducting a follow-up investigation; and
- o A mechanism to track all investigations.

3. Additional vehicles for illicit discharge detection and elimination that may be implemented as part of this program include:
- a. Continue to coordinate with Hanover County to document a sanitary sewer inspection and maintenance program.

4. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
Year 1 2013-2014	<ul style="list-style-type: none"> o Continue to update the storm sewer map so that it is current: showing the storm sewer system within the Town limits and reflecting requirements in the current MS4 General Permit. o Update the Town's program to detect and eliminate unauthorized non-stormwater discharges (illicit discharges) to be in compliance with the current MS4 General Permit. o Update (when appropriate) and circulate 100 flyers dedicated to eliminating illicit/unauthorized non-stormwater discharges to the general public and/or targeted businesses. Post fliers on Town website and social media.
Year 2 2014-2015	<ul style="list-style-type: none"> o Circulate 100 flyers dedicated to eliminating illicit/unauthorized non-stormwater discharges to the general public and/or targeted businesses. o Begin implementing the procedures to detect, identify, and address unauthorized non-stormwater discharges, including illegal dumping as outlined in the updated "unauthorized non-stormwater discharge detection and elimination procedures". Keep records and report as specified. o Inspect the Town's MS4 outfalls as outlined in the updated "unauthorized non-stormwater discharge detection and elimination procedures." Keep records and report as specified.
Year 3 2015-2016	<ul style="list-style-type: none"> o Continue implementing the procedures to detect, identify, and address unauthorized non-stormwater discharges, including illegal dumping as outlined in the updated "unauthorized non-stormwater discharge detection and elimination procedures". Keep records and report as specified. o Inspect the Town's MS4 outfalls as outlined in the updated "unauthorized non-stormwater discharge detection and elimination procedures." Keep records and report as specified.
Year 4 2016-2017	<ul style="list-style-type: none"> o To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> o To be updated during 2016-2017 Compliance Period

D. Construction Site Storm Water Runoff Control

1. For this minimum control measure, the Town of Ashland currently implements the following programs:
 - a. The following chapters of the Town of Ashland Municipal Code address this measure and can be found in Section 6:
 - Chapter 4.1 – Environmental Protection
 - Chapter 5 – Erosion and Sediment Control (updated in 2007). Requirements for erosion and sediment controls as well as sanctions to ensure compliance. Requirements for construction site operators to implement appropriate erosion and sediment control BMPs. Procedures for site plan review. Procedures for site inspection. Continue to formally document regulated land disturbing activities and submit the following information for the reporting period with the annual report: (the following information is currently being gathered as part of Chapter 5)
 - a. Total number of regulated land disturbing activities; and
 - b. Total disturbed acreage.
 - Chapter 17 – Subdivision of Land
 - Chapter 21 – Zoning
 - b. The above referenced chapters include requirements for site plan review, erosion and sediment control construction techniques and inspections, post-construction inspections and record drawings, as well as penalties for non-compliance.
 - c. The Town has a site plan checklist that includes stormwater management requirements that must be met to get an approved site plan. In addition, Town staff meets with parties that are preparing to develop a site. Information on stormwater management requirements is provided to the developer.
2. The Town will implement a VSMP General Construction Permit inspection program in accordance with State requirements beginning at the start of year 2.
3. The Town will implement items listed section in Section II B.4.e. This section states: *MS4 Program requirements. The operator's MS4 Program Plan shall include: (1) A description of the legal authorities utilized to ensure compliance with the minimum control measure in Section II related to construction site stormwater runoff control such as ordinances, permits, orders, specific contract language, and interjurisdictional agreements; (2) Written plan review procedures and all associated documents utilized in plan review; (3) For the MS4 operators who obtain department-approved standards and specifications, a copy of the current standards and specifications; (4) Written inspection procedures and all associated documents utilized during inspection including the inspection schedule; (5) Written procedures for compliance and enforcement, including a progressive compliance and enforcement strategy, where appropriate; and (6) The roles and responsibilities of each of the operator's departments, divisions, or subdivisions in implementing the minimum control measure in Section II related to construction site stormwater runoff control. If the operator utilizes another entity to implement portions of the MS4 Program Plan, a copy of the written agreement must be retained in the MS4 Program Plan. The description of each party's roles and responsibilities, including any written agreements with third parties, shall be updated as necessary.*

4. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
Year 1 2013-2014	<ul style="list-style-type: none"> ○ Implement VSMP General Construction Permit inspection program. ○ Maintain a consistent E&S Program in accordance with DEQ.
Year 2 2014-2015	<ul style="list-style-type: none"> ○ Maintain a consistent E&S Program in accordance with DEQ. ○ Maintain VSMP General Construction Permit inspection program. ○ Address items required under Section II B.4.e of the 2013 MS4 General Permit
Year 3 2015-2016	<ul style="list-style-type: none"> ○ Maintain a consistent E&S Program in accordance with DEQ. ○ Maintain VSMP General Construction Permit inspection program.
Year 4 2016-2017	<ul style="list-style-type: none"> ○ To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> ○ To be updated during 2016-2017 Compliance Period

E. Post-Construction Storm Water Management in New Development and Redevelopment

1. For this minimum control measure, the Town of Ashland currently implements the following programs:

- a. The following chapters of the Town of Ashland's Municipal Code address this measure:
 - Chapter 4.1 – Environmental Protection – This Chapter outlines the requirements for post construction stormwater management BMPs for new development and redevelopment. These requirements are consistent with the Chesapeake Bay Preservation Act and the Virginia Department of Environmental Quality's requirements.
 - Chapter 5 – Erosion and Sediment Control
 - Chapter 17 – Subdivision of Land
 - Chapter 21 – Zoning
- b. The requirement for having a BMP maintenance agreement is specified in the Town's permit application process. This maintenance agreement includes an inspection schedule for structural BMPs.
- c. The Town has a tracking database for permanent BMPs installed in the Town, which includes the following information:
 - Type of BMP;
 - Geographic location (Hydrologic Unit Code);
 - Water body the BMP is discharging to;
 - Number of acres treated;
 - Date of the last BMP inspected;
 - How often the BMP is to be maintained (annually, every three years, etc.); and
 - Problems found or associated with the inspections, and the remedies taken or planned for the problems.
- d. The Town has hired additional staff to provide resources to enforce BMP inspections.

- e. The Town currently operates a street sweeping program with a program to formally document the hours and/or miles of sweeping completed on a weekly basis. The Town also quantifies the amount of sweepings by measuring the volume of material in the street sweeper hopper.
2. In addition to the programs currently in place, the Town of Ashland plans to implement the following programs:
- a. The Town is developing a geospatial data base linked to its GIS track BMPs, inspection requirements, and maintenance.
 - b. Continue to enforce the BMP inspection and maintenance program. The Town's BMP database includes information on BMP inspections. The Town contacts BMP owners who have not submitted the required inspection documentation, and we are requesting inspections be performed and documentation be sent to us. The Town has an inspection checklist to be used for performing BMP inspections.
 - c. Continue to keep street sweeping records.
 - d. For new development and redevelopment, the Town continues to encourage innovative site designs, which reduce imperviousness, and encourage smaller-scale low impact development (LID) practices.
 - e. Update the Town's policy in accordance with the VSMP regulations.
 - f. For Town owned stormwater management facilities, the Town will provide for adequate long-term operation and maintenance of its stormwater management facilities in accordance with written inspection and maintenance procedures outlined in the Town's BMP Standard Operating Procedures document.

3. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
Year 1 2013-2014	<ul style="list-style-type: none"> o Continue tracking existing BMPs and enforcing inspection requirements. o Update street sweeping form to include volumes collected. o Encourage low impact development (LID), and request operations and maintenance plans from developers. o Develop "Town's BMP Standard Operating Procedures" document detailing long-term operations and maintenance (O&M) plans for all Town owned BMPs. The plans will include schedule for maintenance of each facility.
Year 2 2014-2015	<ul style="list-style-type: none"> o Continue tracking existing BMPs and enforcing inspection requirements. o Catalog operations and maintenance plans for LIDs to distribute to developers. o Inspect Town owned BMPs in accordance with the "Town's BMP Standard Operating Procedures". Perform maintenance as needed.
Year 3 2015-2016	<ul style="list-style-type: none"> o Continue tracking existing BMPs and enforcing inspection requirements. o Complete maintenance of Town owned BMPs.
Year 4 2016-2017	<ul style="list-style-type: none"> o To be updated during 2015-2016 Compliance Period

Compliance Period	Measurable Goals
Year 5 2017-2018	<ul style="list-style-type: none"> o To be updated during 2016-2017 Compliance Period

F. Pollution Prevention/Good Housekeeping for Municipal Operations

1. The Town of Ashland maintains eleven facilities within the program area. These facilities include the following: the Town Hall, Town Hall Public Works Annex (former Fire Station), Town Police Station, Town maintenance facility, and five recreational parks. For this minimum control measure, the Town of Ashland currently implements the following programs:
 - a. An Environmental Compliance Manual (ECM) provides specific instructions as to how to store, transfer, dispose or otherwise manage potentially hazardous and non-hazardous waste. The ECM covers waste materials management procedures for every activity associated with the following: Maintenance Shop Facility, Roadside Development/Landscape Facility, Fuel Storage and Dispensing Facility, Traffic Engineering Warehouse Facility, Hazardous Waste Storage Building Facility, Office Supplies Management Toner Storage Area, and Highway Chemical Storage/Handling Area.

The intent of the ECM is to provide a safe work place and a protected environment by:

 - Training site personnel
 - Identifying people who will provide help and information
 - Identifying waste generating activities
 - Teaching special handling methods
 - Providing special storage requirements
 - Explaining how to manage spills
 - Preparing for site inspections and audits
 - Showing how to keep good records
 - b. The Town currently operates a street sweeping program. The Town keeps track of the hours and/or miles of sweeping completed on a weekly basis, and the volume of debris collected.
 - c. The Town collects leaves throughout leaf season, and brush throughout the year. Leaves and brush are composed or chipped into mulch for reuse.
 - d. The Town has two salt/material storage buildings to prevent stored salts and other materials from running off into surface water. One storage building contains only salt, the other a sand salt mix.
 - e. The Town has a vehicle washing facility. Town vehicles are cleaned in this facility.
2. In addition to the programs currently in place, the Town of Ashland plans to implement the following programs:
 - a. Continue to update program to keep records of the maintenance program activities at the Town Maintenance Facility.
 - b. The Town will identify all municipal high-priority facilities. These high-priority facilities will include: (i) composting facilities, (ii) equipment storage and maintenance facilities, (iii) materials storage yards, (iv) pesticide storage facilities, (v) public works yards, (vi) recycling facilities, (vii) salt storage facilities, (viii) solid waste handling and transfer facilities, and (ix) vehicle storage and maintenance yards.

- c. The Town will identify which of the municipal high-priority facilities have a high potential of discharging pollutants. The facilities that have a high potential for discharging pollutants are those facilities identified in subsection “b” above and which any of the following materials or activities occur and are expected to have exposure to stormwater resulting from rain, snow, snowmelt or runoff:
- Areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater;
 - Materials or residuals on the ground or in stormwater inlets from spills or leaks;
 - Material handling equipment (except adequately maintained vehicles);
 - Materials or products that would be expected to be mobilized in stormwater runoff during loading/unloading or transporting activities (e.g., rock, salt, fill dirt);
 - Materials or products stored outdoors (except final products intended for outside use where exposure to stormwater does not result in the discharge of pollutants);
 - Materials or products that would be expected to be mobilized in stormwater runoff contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers;
 - Waste material except waste in covered, non-leaking containers (e.g., dumpsters);
 - Application or disposal of process wastewater (unless otherwise permitted); or
 - Particulate matter or visible deposits of residuals from roof stacks, vents or both not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater runoff.
- d. Turf and landscape management. The Town will identify all applicable lands where nutrients are applied to a contiguous area of more than one acre. A latitude and longitude shall be provided for each such piece of land and reported in the annual report.
- e. Training Schedule and Program.
- The Town will conduct training for employees. The training requirements may be fulfilled, in total or in part, through regional training programs involving two or more MS4 localities provided. Training is not required if the topic is not applicable to the Town’s operations. Non-applicable topics include:
 - Emergency response is handled outside the Town by Hanover County.
 - Water and sanitary sewer facilities are handled by Hanover County.
 - The Town will determine and document the applicable employees or positions to receive each type of training.
 - The Town will develop an annual written training plan including a schedule of training events that ensures implementation of the training requirements as follows:
 - Provide biennial training to applicable field personnel in the recognition and reporting of illicit discharges.
 - Provide biennial training to applicable employees in good housekeeping and pollution prevention practices that are to be employed during road, street, and parking lot maintenance.
 - Provide biennial training to applicable employees in good housekeeping and pollution prevention practices that are to be employed in and around maintenance and public works facilities.
 - Ensure that employees, and require that contractors, who apply pesticides and herbicides are properly trained or certified in accordance with the Virginia Pesticide Control Act (§ [3.2-3900](#) et seq. of the Code of Virginia).

- o Ensure that employees and contractors serving as plan reviewers, inspectors, program administrators, and construction site operators obtain the appropriate certifications as required under the Virginia Erosion and Sediment Control Law and its attendant regulations.
 - o Ensure that applicable employees obtain the appropriate certifications as required under the Virginia Erosion and Sediment Control Law and its attendant regulations.
 - o Provide biennial training to applicable employees in good housekeeping and pollution prevention practices that are to be employed in and around recreational facilities.
 - o Keep documentation on each training event including the training date, the number of employees attending the training, and the objective of the training event for a period of three years after each training event.
- f. The Town will implement items required under Section II B.6.a. this section states: *...the operator shall develop and implement written procedures designed to minimize or prevent pollutant discharge from: (i) daily operations such as road, street, and parking lot maintenance; (ii) equipment maintenance; and (iii) the application, storage, transport, and disposal of pesticides, herbicides, and fertilizers. The written procedures shall be utilized as part of the employee training. At a minimum, the written procedures shall be designed to:*
- (1) Prevent illicit discharges;
 - (2) Ensure the proper disposal of waste materials, including landscape wastes;
 - (3) Prevent the discharge of municipal vehicle wash water into the MS4 without authorization under a separate VPDES permit;
 - (4) Prevent the discharge of wastewater into the MS4 without authorization under a separate VPDES permit;
 - (5) Require implementation of best management practices when discharging water pumped from utility construction and maintenance activities;
 - (6) Minimize the pollutants in stormwater runoff from bulk storage areas (e.g., salt storage, topsoil stockpiles) through the use of best management practices;
 - (7) Prevent pollutant discharge into the MS4 from leaking municipal automobiles and equipment; and
 - (8) Ensure that the application of materials, including fertilizers and pesticides, is conducted in accordance with the manufacturer's recommendations.

3. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
Year 1 2013-2014	<ul style="list-style-type: none"> o Identify Town high-priority facilities using list above. o Identify which of the municipal high-priority facilities have a high potential of discharging pollutants. o Identify applicable lands where nutrients are applied to a contiguous area of more than one acre. A latitude and longitude will be provided for each such piece of land and reported in the annual report. o Determine and document the applicable employees or positions to receive each type of training. o Develop an annual written training plan including a schedule of training events that ensures implementation of the training requirements as noted above.

Year 2 2014-2015	<ul style="list-style-type: none"> o Continue program to keep records of the maintenance program activities at the Town Maintenance Facility. o Continue training staff as outlined in the Town's Employee Training Plan. o Address items required under Section II B.6.a of the 2013 MS4 General Permit
Year 3 2015-2016	<ul style="list-style-type: none"> o Continue program to keep records of the maintenance program activities at the Town Maintenance Facility. o Continue training staff as outlined in the Town's Employee Training Plan.
Year 4 2016-2017	<ul style="list-style-type: none"> o To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> o To be updated during 2016-2017 Compliance Period

G. Mechumps Creek TMDL for E. coli

1. The Virginia Department of Environmental Quality (DEQ) assigned a Total Maximum Daily Load (TMDL) of 3.08×10^{13} cfu/yr and a non-point source Load Allocation (LA) of 2.98×10^{13} cfu/yr for E. coli bacteria to Mechumps Creek. This TMDL and LA were established in a document entitled "Bacteria TMDL for Mechumps Creek, Hanover County, Virginia – Submitted by Virginia Department of Environmental Quality – October 2004 (Revised)." This section was added to the Town of Ashland's MS4 Program Plan to include measurable goals, schedules, and strategies to address the Total Maximum Daily Load (TMDL) Load Allocation (LA).
2. The following are measurable goals, schedules, strategies, and other best management practices (BMPs) the Town currently uses or plans to implement to assure consistency with the approved TMDL:
 - a. The following items, which are applicable to reducing the E. Coli, are currently in place in the Town of Ashland:
 - i. Program to educate pet owners about picking up pet waste.
 - ii. Provide pet waste bags and receptacles at parks and other locations around Ashland.
 - iii. Municipal Separate Storm Sewer System (MS-4) Management Program Ordinance addresses illicit discharges
 - iv. Street Sweeping
 - v. Leaf and Brush Collecting
 - vi. The Town performs dry weather monitoring for detecting illicit discharges.
 - vii. The Town performs TV monitoring of storm sewers to detect cross connections
 - viii. Hanover County Department of Public Utilities (which owns water and sanitary sewer utilities in Ashland) has been repairing and lining sanitary sewers in the Town to prevent inflow and infiltration (I&I), as well as leaking sanitary sewer lines.
 - ix. The Ashland Police Department regularly disbands homeless camps along Mechumps Creek. The homeless people, who camp along the creek, dispose of human and solid waste in the creek.

- b. The Town continues to evaluate these existing ordinances, BMPs, programs, policies, plans, and procedures regularly to determine their effectiveness in reducing E. coli bacteria in Mechumps Creek. The evaluation will identify weakness or limitation in reducing E. coli bacteria in a manner consistent with the TMDL.
 - c. After each evaluation, the Town will develop a schedule to implement procedures and strategies that address weaknesses in the program. The schedule may include, but not be limited to, timetables to update existing ordinances and other legal authorities within two years, BMPs, policies, plans, procedures and contracts that will better address E. coli in Mechumps Creek. Eliminating the source of E. coli will be the priority wherever possible.
 - d. The Town will implement these schedules to the best of its ability.
3. The Town of Ashland continues its education and awareness campaign in its public education and outreach program to clean up pet waste and discourage illicit discharge of any kind, particularly when in contains E. coli bacteria.
4. The Town of Ashland participates as a stakeholder in the development of an implementation plan developed to address the E. coli TMDL for Mechumps Creek. The Town will incorporate applicable BMPs (or those of equivalent design and efficiency) identified in the TMDL implementation plan in its MS4 Program Plan.
5. The Town has developed and implements outfall reconnaissance procedures to identify potential sources of the E. coli bacteria from anthropogenic activities. The Town will conduct future reconnaissance in accordance with the following:
 - a. Inspect the Town's MS4 outfalls as outlined in the updated "unauthorized non-stormwater discharge detection and elimination procedures." Keep records and report as specified.
6. The Town evaluates Town owned properties for potential sources of E. coli bacteria. If there are sites that may be a likely source of E. coli bacteria, the Town will conduct a site review and characterize the runoff. The site review and runoff characterization will be performed in accordance with the following schedule:
 - a. As a part of the site review, the Town will collect a total of two samples from a representative outfall for each identified municipal property. One sample will be taken during each of the following six-month periods: October through March, and April through September.
 - b. All collected samples will be grab samples and collected within the first 30 minutes of a runoff producing event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the property. The required 72-hour storm event interval may also be waived where the Town documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. Samples will be analyzed in using only methods that have been approved under 40 CFR Part 136 of the State Code or the Environmental Protection Agency (EPA). If such an approved method does not exist, a method will be used which is consistent with the TMDL.

- c. For properties where there is found to be a discharge of E. coli bacteria, the Town will develop and implement a schedule to minimize the discharge.
7. The Town will conduct an annual characterization that estimates the volume of stormwater discharged, in cubic feet, and the quantity of E. coli bacteria discharged by the MS4.
 8. As part of the annual evaluation, the Town will update its MS4 Program Plan to include any new information regarding the TMDL in order to ensure consistency with the TMDL.
 9. Along with other MS4 reporting requirements, the Town will include the following with each annual report:
 - a. Copies of any updates to the MS4 Program Plan completed during the reporting cycle and any new information regarding the TMDL in order to evaluate its ability to assure the consistency of its discharge with the assumptions of the TMDL WLA.
 - b. The estimate of the volume of stormwater discharged, in cubic feet, and the quantity of E. coli bacteria discharged by the Town's MS4.

10. Measurable goals and target dates are listed in the chart below:

Compliance Period	Measurable Goals
Year 1 2013-2014	<ul style="list-style-type: none"> o Update MS4 Program with new information on TMDL, if necessary. o Continue public education program about picking up after pets. o Continue investigating sources of E. coli bacteria.
Year 2 2014-2015	<ul style="list-style-type: none"> o Update MS4 Program with new information on TMDL, if necessary. o Continue public education program about picking up after pets. o Continue investigating sources of E. coli bacteria. o Estimate volume of stormwater and the quantity of E. coli discharged to Mechumps Creek.
Year 3 2015-2016	<ul style="list-style-type: none"> o Update MS4 Program with new information on TMDL, if necessary. o Continue public education program about picking up after pets. o Continue investigating sources of E. coli bacteria. o Estimate volume of stormwater and the quantity of E. coli discharged to Mechumps Creek.
Year 4 2016-2017	<ul style="list-style-type: none"> o To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> o To be updated during 2016-2017 Compliance Period

H. Mechumps Creek TMDL Action Plan

1. The Town will develop a TMDL Action Plan in accordance with Section I B of the 2013 MS4 General Permit.
 - a. The Town will maintain an updated MS4 Program Plan that includes a specific TMDL Action Plan for e. coli for Mechumps Creek. The TMDL Action Plan will identify the best management practices and other interim milestone activities to be implemented during the remaining terms of the state permit.
 - i. The Town will update the MS4 Program Plans to address any new or modified requirements established under this special condition in the 2013 MS4 General permit for this TMDL.
 - ii. The Town will update the MS4 Program Plan to incorporate approvable TMDL Action Plans that identify the best management practices and other interim milestone activities that will be implemented during the remaining term of this permit for this TMDL.
 - iii. Unless specifically denied in writing by DEQ, this TMDL Action Plans and updates developed in accordance with this section become effective and enforceable 90 days after the date received by DEQ.
 - b. The Town will:
 - i. Develop and maintain a list of its legal authorities such as ordinances, state and other permits, orders, specific contract language, and interjurisdictional agreements applicable to reducing the pollutant identified in each applicable WLA;
 - ii. Identify and maintain an updated list of all additional management practices, control techniques and system design and engineering methods, beyond those identified in Section II B of the 2013 MS4 General Permit, that have been implemented as part of the Town's MS4 Program Plan that are applicable to reducing the pollutant identified for this TMDL;
 - iii. Enhance its public education and outreach and employee training programs to also promote methods to eliminate and reduce discharges of the pollutants identified in the WLA;
 - iv. Assess all significant sources of pollutant(s) from facilities of concern owned or operated by the MS4 operator that are not covered under a separate VPDES permit and identify all municipal facilities that may be a significant source of the identified pollutant. For the purposes of this assessment, a significant source of pollutant(s) from a facility of concern means a discharge where the expected pollutant loading is greater than the average pollutant loading for the land use identified in the TMDL. (For example, a significant source of pollutant from a facility of concern for a bacteria TMDL would be expected to be greater at a dog park than at other recreational facilities where dogs are prohibited);
 - v. Develop and implement a method to assess TMDL Action Plans for their effectiveness in reducing the pollutants identified in the WLAs. The evaluation shall use any newly available information, representative and adequate water quality monitoring results, or modeling tools to estimate pollutant reductions for the pollutant or pollutants of concern from implementation of the MS4 Program Plan. Monitoring may include BMP, outfall, or in-stream monitoring, as appropriate, to estimate pollutant reductions. The Town may conduct monitoring, utilize existing data, establish partnerships, or collaborate with other MS4 operators or other third parties, as appropriate. This evaluation will include assessment of the facilities identified in Section I B.2.d of the MS4

General Permit. The methodology used for assessment will be described in the TMDL Action Plan.

- c. Analytical methods for any monitoring will be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the Environmental Protection Agency (EPA). Where an approved method does not exist, the Town will use a method consistent with the TMDL.
- d. At a minimum, the Town plans to participate as a stakeholder in the development of any TMDL implementation plans applicable to its discharge. The Town may incorporate applicable best management practices identified in the TMDL implementation plan in the MS4 Program Plan or may choose to implement BMPs of equivalent design and efficiency provided that the rationale for any substituted BMP is provided and the substituted BMP is consistent with the assumptions and requirements of the TMDL WLA.
- e. Annual reporting requirements:
 - i. The Town will submit the required TMDL Action Plans with the appropriate annual report and in accordance with the associated schedule identified in 2013 MS4 General Permit.
 - ii. On an annual basis, the Town will report on the implementation of the TMDL Action Plans and associated evaluation including the results of any monitoring conducted as part of the evaluation.
- f. The Town will identify the best management practices and other steps that will be implemented during the next state permit term as part of the Town's reapplication for coverage as required under Section III M of the 2013 MS4 General Permit.
- g. For planning purposes, the Town will include an estimated end date for achieving the applicable wasteload allocations as part of its reapplication package due in accordance with Section III M of the 2013 MS4 General Permit.

2. Measurable goals and target dates are listed in the chart below:

Year 2 2014-2015	<ul style="list-style-type: none"> o Develop TMDL Action Plan for e. coli bacteria in Mechumps Creek.
Year 3 2015-2016	<ul style="list-style-type: none"> o Submit TMDL Action Plan to DEQ for review and approval. o Implement TMDL Action Plan within 90 days of submittal to DEQ. o Report to DEQ as required.
Year 4 2016-2017	<ul style="list-style-type: none"> o Report to DEQ as required. o To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> o Report to DEQ as required. o To be updated during 2016-2017 Compliance Period

I. Chesapeake Bay TMDL Action Plan

- 1. The Town will develop a TMDL Action Plan in accordance with Section I C of the 2013 MS4 General Permit.
 - a. Chesapeake Bay TMDL planning.
 - i. The Town will develop and submit to DEQ for its review and acceptance an approvable Chesapeake Bay TMDL Action Plan. Unless specifically denied in writing by DEQ, this plan becomes

effective and enforceable 90 days after the date received by DEQ.
The plan will include:

- 1) A review of the current MS4 program implemented as a requirement of the 2013 MS4 General Permit including a review of the existing legal authorities and the Town's ability to ensure compliance with this special condition;
- 2) The identification of any new or modified legal authorities such as ordinances, state and other permits, orders, specific contract language, and interjurisdictional agreements implemented or needing to be implemented to meet the requirements of this special condition;
- 3) The means and methods that will be utilized to address discharges into the MS4 from new sources;
- 4) An estimate of the annual Pollutants of Concern (POC) loads discharged from the existing sources as of June 30, 2009, based on the 2009 progress run. The Town will utilize the applicable versions of Tables 2 a-d in Section I C.2 of the MS4 General Permit based on the James and York River basins to which the MS4 discharges by multiplying the total existing acres served by the MS4 on June 30, 2009, and the 2009 Edge of Stream (EOS) loading rate.
- 5) A determination of the total pollutant load reductions necessary to reduce the annual POC loads from existing sources utilizing the applicable versions of Tables 3 a-d in Section I C.2 of the MS4 General Permit based on the James and York River basins to which the MS4 discharges. This will be calculated by multiplying the total existing acres served by the MS4 by the first permit cycle required reduction in loading rate. For the purposes of this determination, the Town will utilize the existing acres identified by the 2000 U.S. Census Bureau urbanized area and served by the MS4.
- 6) The means and methods, such as management practices and retrofit programs that will be utilized to meet the required reductions included in Section I C.2a(5) of the 2013 MS4 General Permit, and a schedule to achieve those reductions. The schedule will include annual benchmarks to demonstrate the ongoing progress in meeting the reductions;
- 7) The means and methods to offset the increased loads from new sources initiating construction between July 1, 2009, and June 30, 2014, that disturb one acre or greater as a result of the utilization of an average land cover condition greater than 16% impervious cover for the design of post-development stormwater management facilities. The Town will utilize Table 4 in Section I C.2 of the MS4 General Permit to develop the equivalent pollutant load for nitrogen

and total suspended solids. The Town will offset 5.0% of the calculated increased load from these new sources during the permit cycle.

- 8) The means and methods to offset the increased loads from projects as grandfathered in accordance with [9VAC25-870-48](#), that disturb one acre or greater that begin construction after July 1, 2014, where the project utilizes an average land cover condition greater than 16% impervious cover in the design of post-development stormwater management facilities. The Town will utilize Table 4 in Section I C.2 of the MS4 General Permit to develop the equivalent pollutant load for nitrogen and total suspended solids.
 - 9) The Town will address any modification to the TMDL or watershed implementation plan that occurs during the term of the 2013 MS4 General Permit as part of its permit reapplication and not during the term of this state permit.
 - 10) A list of future projects and associated acreage that qualify as grandfathered in accordance with [9VAC25-870-48](#);
 - 11) An estimate of the expected costs to implement the requirements of this special condition during the state permit cycle; and
 - 12) An opportunity for receipt and consideration of public comment regarding the draft Chesapeake Bay TMDL Action Plan.
- ii. As part of development of the Chesapeake Bay TMDL Action Plan, the Town may consider:
- 1) Implementation of BMPs on unregulated lands provided any necessary baseline reduction is not included toward meeting the required reduction in this permit;
 - 2) Utilization of stream restoration projects, provided that the credit applied to the required POC load reduction is prorated based on the ratio of regulated urban acres to total drainage acres upstream of the restored area;
 - 3) Establishment of a memorandum of understanding (MOU) with other MS4 operators that discharge to the same or adjacent eight digit hydrologic unit within the same basin to implement BMPs collectively. The MOU shall include a mechanism for dividing the POC reductions created by BMP implementation between the cooperative MS4s;
 - 4) Utilization of any pollutant trading or offset program in accordance with §§ [62.1-44.19:20](#) through [62.1-44.19:23](#) of the Code of Virginia, governing trading and offsetting;
 - 5) A more stringent average land cover condition based on less than 16% impervious cover for new sources initiating construction between July 1, 2009, and June 30, 2014, and all grandfathered projects where allowed by law; and

- 6) Any BMPs installed after June 30, 2009, as part of a retrofit program may be applied towards meeting the required load reductions provided any necessary baseline reductions are not included.
- b. Chesapeake Bay TMDL Action Plan implementation. The Town will implement the TMDL Action Plan according to the schedule therein. Compliance with this requirement represents adequate progress for this state permit term towards achieving TMDL wasteload allocations consistent with the assumptions and requirements of the TMDL. For the purposes of this permit, the implementation of the following represents implementation to the maximum extent practicable and demonstrates adequate progress:
 - i. Implementation of nutrient management plans in accordance with the schedule identified in the minimum control measure in Section II of the 2013 MS4 General Permit related to pollution prevention/good housekeeping for municipal operations;
 - ii. Implementation of the minimum control measure in Section II of the 2013 MS4 General Permit related to construction site stormwater runoff control in accordance with this state permit shall address discharges from transitional sources;
 - iii. Implementation of the means and methods to address discharges from new sources in accordance with the minimum control measure in Section II of the 2013 MS4 General Permit related to post-construction stormwater management in new development and development of prior developed lands and in order to offset 5.0% of the total increase in POC loads between July 1, 2009, and June 30, 2014. Increases in the POC load from grandfathered projects initiating construction after July 1, 2014, must be offset prior to completion of the project; and
 - iv. Implementation of means and methods sufficient to meet the required reductions of POC loads from existing sources in accordance with the Chesapeake Bay TMDL Action Plan.
- c. Annual reporting requirements.
 - i. In accordance with Table 1 of the 2013 MS4 General Permit, the town will submit the Chesapeake Bay Action Plan with the appropriate annual report.
 - ii. Each subsequent annual report will include a list of control measures implemented during the reporting period and the cumulative progress toward meeting the compliance targets for nitrogen, phosphorus, and total suspended solids.
 - iii. Each subsequent annual report will include a list of control measures, in an electronic format provided by the department, that were implemented during the reporting cycle and the estimated reduction achieved by the control. For stormwater management controls, the report will include the information required in Section II B.5e of the 2013 MS4 General Permit and will include whether an

- existing stormwater management control was retrofitted, and if so, the existing stormwater management control type retrofit used.
- iv. Each annual report will include a list of control measures that are expected to be implemented during the next reporting period and the expected progress toward meeting the compliance targets for nitrogen, phosphorus, and total suspended solids.
- d. The Town will include the following as part of its reapplication package due in accordance with Section III M of the 2013 MS4 General Permit:
- i. Documentation that sufficient control measures have been implemented to meet the compliance target identified in this special condition. If temporary credits or offsets have been purchased in order to meet the compliance target, the list of temporary reductions utilized to meet the required reduction in this state permit and a schedule of implementation to ensure the permanent reduction must be provided; and
 - ii. A draft second phase Chesapeake Bay TMDL Action Plan designed to reduce the existing pollutant load as follows:
 - 1) The existing pollutant of concern loads by an additional seven times the required reductions in loading rates using the applicable Table 3 of the 2013 MS4 General Permit for sources included in the 2000 U.S. Census Bureau urbanized areas;
 - 2) The existing pollutant of concerns loads by an additional eight times the required reductions in loading rates using the applicable Table 3 of the 2013 MS4 General Permit for expanded sources identified in the U.S. Census Bureau 2010 urbanized areas;
 - 3) An additional 35% reduction in new sources developed between 2009 and 2014 and for which the land use cover condition was greater than 16%; and
 - 4) Accounts for any modifications to the applicable loading rate provided to the Town as a result of TMDL modification.

2. Measurable goals and target dates are listed in the chart below:

Year 2 2014-2015	<ul style="list-style-type: none"> o Develop TMDL Action Plan for the Chesapeake Bay
Year 3 2015-2016	<ul style="list-style-type: none"> o Submit TMDL Action Plan to DEQ for review and approval. o Implement TMDL Action Plan within 90 days of submittal to DEQ. o Report to DEQ as required.
Year 4 2016-2017	<ul style="list-style-type: none"> o Report to DEQ as required. o To be updated during 2015-2016 Compliance Period
Year 5 2017-2018	<ul style="list-style-type: none"> o Report to DEQ as required. o To be updated during 2016-2017 Compliance Period

SECTION 2
PERFORMANCE SCHEDULE

2.1 Evaluation of Program

The Town of Ashland is required to evaluate and assess its own storm water management program.

A. Evaluation

1. The Town of Ashland will evaluate program compliance, the appropriateness of the identified best management practices, and progress towards achieving the identified measurable goals. In addition, the Town will perform a self-evaluation in accordance with EPA guidance once every 5 years. The next evaluation is scheduled for 2018.

B. Annual Reports

2. The Town of Ashland must submit reports to the Department of Environmental Quality in accordance with the schedule required in the regulations. The reports will include:
 - a. The status of compliance with permit conditions, an assessment of the appropriateness of the identified best management practices and progress towards achieving the identified measurable goals for each of the control measures;
 - b. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
 - c. A summary of the storm water activities the Town plans to undertake during the next reporting cycle;
 - d. A change in any identified best management practices or measurable goals for any of the minimum control measures;
 - e. Notice that the Town is relying on another government entity to satisfy some of the permit obligations (if applicable), and
 - f. The approval status of any qualifying local programs (if appropriate), or the progress towards achieving full approval of these programs.

2.2 Monitoring

Storm water discharges and BMPs are not required to be monitored for this permit.

2.3 Duty to Reapply

If the Town of Ashland wishes to continue an activity regulated by this permit after the expiration date of this permit, the Town must submit a new registration statement at least 90 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Virginia State Water Control Board. The Board will not grant permission for registration statements to be submitted later than the expiration date of the existing permit.