

Permit Type: Municipal Separate Storm Sewer Systems

Permit No. NV0021911

Nevada Division of Environmental Protection

AUTHORIZATION TO DISCHARGE

In compliance with the provisions of the Clean Water Act, as amended, 33 U.S.C. 1251 et. seq. (CWA), and Chapter 445A of the Nevada Revised Statutes (NRS),

**LAS VEGAS VALLEY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)
PERMITTEES**

**600 GRAND CENTRAL PARKWAY SUITE 300
LAS VEGAS, NV - 89166**

is authorized to discharge from a facility located at:

**LAS VEGAS VALLEY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)
LAS VEGAS VALLEY MS4 PERMITTEES IN CLARK COUNTY, LAS VEGAS, NV - 89166**

**LATITUDE: 36.171860, LONGITUDE: -115.160614
TOWNSHIP: T20S, RANGE: R61E, SECTION: S33**

to receiving waters named:

WATERS OF THE UNITED STATES

in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Sections A, B, and C hereof.

This permit shall become effective on February 05, 2024.

This permit and the authorization to discharge shall expire at midnight, February 04, 2029.

Signed this 5th day of February 2024.



**Kathryn Foxworthy
Staff II Associate Engineer
Bureau of Water Pollution Control**

SECTION A

A.1. INTRODUCTION

A.1.1. The Cities of Henderson, Las Vegas, and North Las Vegas, Clark County, and the Clark County Regional Flood Control District (Permittees) are authorized to discharge stormwater and authorized non-stormwater discharges, as defined herein, from the MS4, which consists of their municipal separate storm sewer systems located in the Las Vegas Valley (as shown in Exhibit 1), to waters of the United States. This permit does not apply to Nellis Air Force Base, NDOT MS4 jurisdiction within Las Vegas Valley, or to any areas outside Las Vegas Valley, including Boulder City, Laughlin, Mesquite, Ivanpah Valley, or portions of North Las Vegas and any other incorporated or unincorporated areas located outside the Las Vegas Valley.

A.2. EFFLUENT LIMITATIONS AND CONDITIONS

- A.2.1.** There shall be no discharge from the facility except as authorized by this permit.
- A.2.2.** There shall be no discharge of substances that would cause or contribute to an exceedance of water quality standards.
- A.2.3.** During the period beginning on the effective date of this permit, and lasting until the permit expires, the Permittee is authorized to:

Discharge stormwater and authorized non-stormwater discharges from the Permittees' MS4, as defined in Title 40 of the Code of Federal Regulations (CFR) §122.26.

Effluent samples and measurements taken in compliance with the monitoring requirements specified below shall be identified in the Monitoring Plan.

Samples and measurements taken in compliance with the monitoring requirements specified below shall be taken at:

Sample Location	Location Type	Location Name
MS4	Sum	LAS VEGAS VALLEY MS4

A.2.4. The discharge shall be limited and monitored by the Permittee as specified below. As applicable, exceptions to standard language in this permit are identified and authorized in the Special Approvals / Conditions table:

A.3. Schedule of Compliance: The Permittee shall implement and comply with the provisions of the schedule of compliance after approval by the Nevada Division of Environmental Protection (Division), including in said implementation and compliance, any additions or modifications, which the Division may make in approving the schedule of compliance. All compliance deliverables shall be addressed to the attention of the Bureau of Water Pollution Control.

A.3.1 The Permittee shall achieve compliance with the effluent limitations upon issuance of the permit.

SOC – Schedule of Compliance Table

Item #	Description	Due Date
1	Submit a revised draft of the Stormwater Management Plan per Section B.5.1. for Division review no later than one (1) year from the issue date of this permit.	2/5/2025

SA – Special Approvals / Conditions Table

Item #	Description
1	The annual reporting period shall be for the fiscal year (FY), July 1 to June 30. Annual Reports shall be due November 1 following each FY reporting period.
2	The Permittees shall submit a final revised Stormwater Management Plan (SWMP) to the Division no later than six (6) months after the Permittees receive comments from the Division.
3	If any report, plan, or other submittal required by this permit cannot be submitted on or before the due date, the Permittees shall notify the Division within a reasonable time under the circumstances, which shall be no less than 72 hours of the Permittees' knowledge of the delay. The Permittees may then request in writing an extension of the submittal deadline and provide an explanation of the reason for the delay and any measures that will be taken to mitigate the delay. The Division shall notify the Permittees in writing of its decision regarding the extension request.
4	The Permittees will be notified of the Division's comments in writing and either the Permittees or the Division may request a meeting to discuss said comments. For any report, plan, or other submittal required by this permit, the Permittees shall address the Division comments.
5	All notifications and written documents required by this permit shall be submitted to the Division, Bureau of Water Pollution Control, Stormwater Branch Supervisor.
6	The following sections do not apply to this Permit: C.1.1, C.1.2, C.1.3, C.1.4, C.1.6, C.2, C.3, C.5, C.6, C.7-third sentence, C.8, C.9, C.16.6, C.25-second sentence, C.28 except for terms used in this Permit.
7	In addition to Section A.2.: If it is determined that the Permittees' discharge(s) cause or contribute to an instream exceedance of water quality standards, the Division may require corrective action.
8	In addition to Section C.21 Duty to Comply: Each Permittee is responsible for its own compliance with this permit, but not for any noncompliance of another Permittee. No Permittee shall be held liable for the violation of this permit by another Permittee.
9	In addition to Section C.25 Reapplication: If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect.

DLV– Deliverable Schedule for Reports, Plans, and Other Submittals

Item #	Description	Interval	First Scheduled Due Date
1	Annual Report	Annually	11/1/2024
2	Annual fiscal analysis to include allocated resources, expenditures, and staff resources.	Annually	11/1/2024
3	Stormwater Monitoring Plan per Section B.6.1.	Annually	8/5/2025

SECTION B (Revised November 2023)

Site specific requirements, which prevail in the case of any inconsistency with the requirements in Section A, are on the following pages:

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- B. Municipal Separate Storm Sewer Systems (MS4)**
- B.1. Permit Area**
- B.1.1.** See Section A.1.1 and Exhibit 1.
- B.2. Authorized Discharges**
- B.2.1.** This permit authorizes stormwater discharges and the non-stormwater discharges identified in Section B.2.2 to waters of the United States from the Permittees' MS4. This permit does not allow discharges listed in Section B.3.
- B.2.2.** The following are authorized discharges:
- B.2.2.1. Stormwater discharges.** This permit authorizes stormwater discharges (including pollutants) to waters of the United States from the Permittees' MS4.
- B.2.2.2. Non-stormwater discharges.** The Permittees are authorized to discharge water (including pollutants) from the following non-stormwater sources provided that the Division has not determined these sources to be substantial contributors of pollutants to waters of the United States:
- B.2.2.2.1.** Water line flushing during testing or fire hydrant testing not requiring a separate permit;
- B.2.2.2.2.** Diverted stream flows;
- B.2.2.2.3.** Springs or rising groundwaters;
- B.2.2.2.4.** Uncontaminated groundwater;
- B.2.2.2.5.** Potable water sources;
- B.2.2.2.6.** Foundation and/or footing drains;
- B.2.2.2.7.** Air conditioning condensate;
- B.2.2.2.8.** Irrigation water from lawns and landscaping;
- B.2.2.2.9.** Water from crawl space pumps;
- B.2.2.2.10.** Flows from riparian habitats and wetlands;
- B.2.2.2.11.** De-chlorinated swimming pool water;
- B.2.2.2.12.** Individual residential car washing;
- B.2.2.2.13.** Street wash water;
- B.2.2.2.14.** Discharges or flows from firefighting activities, including training activities;
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- B.2.2.2.15.** Dewatering water not requiring a separate permit;
- B.2.2.2.16.** Discharges from sources required to be covered under a separate National Pollution Discharge Elimination System (NPDES) permit that pass through the Permittees' MS4; and
- B.2.2.2.17.** Other discharges not determined to be a substantial contributor of pollutants to waters of the United States by the Division.
- B.3. Non-authorized Discharges**
- B.3.1.** The following discharges are not authorized by this permit:
- B.3.1.1.** Discharges of non-stormwater, whether or not mixed with stormwater, unless such non-stormwater discharges are included in Section B.2.2.2. of this permit:
- B.3.2.** If it is determined that the Permittees' discharge(s) cause or contribute to an instream exceedance of water quality standards, the Division may require corrective action.
- B.4. Discharges to Water Quality Impaired Waters**
- B.4.1. Impaired Waters - Nevada 303(d) List of Impaired Waters**
- B.4.1.1.** The Permittees must evaluate annually whether stormwater discharges from any part of its MS4 causes or contributes to the listing of a waterbody on the current Nevada 303(d) List of Impaired Waters if the water is a water of the United States. If the Permittees have discharges meeting this criterion, or if there is a Total Maximum Daily Load (TMDL) on receiving waters, the Permittees shall comply with Section B.4.2.
- B.4.1.2.** Annually, the Permittees shall determine whether the MS4 discharges to a water of the United States on the current Nevada 303(d) List of Impaired Waters. If a water is listed, the Permittees shall include a section in the Annual Report describing the parameter(s) for which the water(s) was listed and evaluating whether discharges authorized by this permit caused or contributed to the listing. If so, the Annual Report shall consider Best Management Practices (BMPs) that might practicably be implemented, examining whether these BMPs would make a substantial improvement on water quality, and identifying any BMPs that are selected for implementation.
- B.4.2. Total Maximum Daily Load**
- B.4.2.1.** If the Permittees' stormwater discharges cause or contribute to the listing of a waterbody on the current Nevada 303(d) List of Impaired Waters as described above, the Permittees must also determine whether a Total Maximum Daily Load (TMDL) has been developed and approved by the Division for the listed waterbody. If there is an approved TMDL, the Permittees must comply with Section B.4.2.2. If no TMDL has been approved, the Permittees must then comply with Section B.4.2.3.
- B.4.2.2.** If a TMDL is approved for any waterbody into which the Permittees discharge, the Permittees must:
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- B.4.2.2.1.** Determine and report whether the approved TMDL applies to stormwater discharges from the Permittees' MS4;
 - B.4.2.2.2.** Determine and report whether the TMDL includes a pollutant wasteload allocation (WLA) or other performance requirements specifically for stormwater discharge from the Permittees' MS4;
 - B.4.2.2.3.** Determine and report whether the TMDL addresses a flow regime likely to occur during periods of stormwater discharge;
 - B.4.2.2.4.** Assess whether applicable WLAs are being met through implementation of existing stormwater control measures and evaluate whether additional or modified control measures are necessary;
 - B.4.2.2.5.** Document all control measures currently being implemented or planned to be implemented to be consistent with an applicable WLA. Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the WLA will be met;
 - B.4.2.2.6.** Describe a monitoring program to determine whether the stormwater controls are adequate to meet the WLA; and,
 - B.4.2.2.7.** If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions, and an analysis that demonstrates the overall effectiveness.
- B.4.2.3.** When a TMDL has not been established as described in Section B.4.2.2., the Permittees must include a section in the Annual Report describing the condition for which the water has been listed and considering whether stormwater discharges authorized by this permit caused or contributed to the listing. If so, the Annual Report must include a section evaluating possible BMPs that might practicably be implemented, examining whether these BMPs would have a substantial effect on achieving compliance, and identifying any BMPs that are selected for implementation.

B.5. Stormwater Management Program (SWMP)

B.5.1. SWMP Revision

- B.5.1.1.** Upon issuance of this permit, the Permittees shall review its existing SWMP to determine whether its current programs require revision to meet the requirements of this permit. The Permittees' implementation of the approved SWMP will be considered adequate to reduce the discharge of pollutants from the Permittees' MS4 to the maximum extent practicable (MEP) to protect the quality of waters of the United States
 - B.5.1.2.** The revised SWMP will be subject to Division review and approval and the public notice steps outlined below in this Section, after which the SWMP will be formally incorporated as terms and conditions of this permit.
 - B.5.1.3.** The Permittees may continue to implement and enforce their SWMP pending approval of an updated SWMP;
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- B.5.1.4.** The Permittees may partner with other MS4s in the region to develop and implement the SWMP. The description of the Permittees' SWMP must clearly describe which Permittee is responsible for implementing each of the BMPs.
- B.5.1.5.** The Permittees shall review, revise as necessary, and submit an updated SWMP to the Division for its review and approval.
- B.5.1.5.1.** The Permittees shall submit a revised draft of the SWMP to the Division for approval no later than one year from the effective date of this permit. The Division will review the draft SWMP to ensure it meets the minimum requirements of the permit and may require additional information from the Permittees to ensure the SWMP meets the permit requirements.
- B.5.1.5.2.** The Permittees shall submit a final revised SWMP to the Division for approval no later than six (6) months after receiving comments from the Division on the revised draft of the SWMP.
- B.5.1.5.3.** Before the final revision of the SWMP is submitted for final approval to the Division, the SWMP shall be made available for public comment for a minimum of thirty (30) days; the Permittees will respond to significant public comments; and the Permittees shall hold a public meeting in accordance with NAC 445A.67558 ; and
- B.5.1.5.4.** The Permittees shall compile any comments received as part of the process in Section B.5.1.5.3., describe the actions taken concerning the public comments and include this information in the updated SWMP;
- B.5.1.5.5.** Within thirty (30) days after the revised SWMP has been submitted to the Division, the Permittees shall make the revised SWMP available to the public on their websites.
- B.5.1.6.** The updated SWMP shall present a review of legal authority to ensure adequate authority to implement the requirements of this permit and the updated SWMP. Where necessary, additional ordinances or other regulatory mechanisms shall be submitted to the governing boards and councils for their adoption.
- B.5.1.7.** The updated SWMP shall identify existing BMPs and any new BMPs that the Permittees or another entity will implement;
- B.5.1.8.** The updated SWMP shall identify the measurable goals for the new BMPs, as appropriate, including the months and years in which the Permittees will undertake required actions;
- B.5.1.9.** The updated SWMP shall provide information explaining how and why the Permittees selected each new BMP and measurable goals for the SWMP;
- B.5.1.9.1.** Implementation of new and existing BMPs consistent with the provisions required by this permit and approved by the Division constitutes compliance with the standard of reducing pollutants to the MEP;
- B.5.1.10.** The scope and coverage of the updated SWMP shall extend at least to the parts of the Las Vegas Valley which are or could reasonably be urbanized within the time covered by the permit;
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- B.5.1.11.** The updated SWMP shall include a description of the staff and resources available to implement the program elements;
- B.5.1.12.** A separate updated SWMP, or one or more joint SWMPs, may be submitted by each Permittee;
- B.5.1.13.** The updated SWMP may impose controls on a system-wide basis, a watershed basis, a jurisdictional basis, on individual outfalls, on identified activities, or on another appropriate basis;
- B.5.1.14.** The updated SWMP shall describe any new priorities for implementing BMPs and shall be based on Public Outreach and Education; Illicit Discharge and Detection; Industrial Facility Monitoring and Control; Post-Construction BMP Program for New Development and Significant Redevelopment, and a Construction Site BMP Program;
- B.5.1.15.** The updated SWMP shall incorporate the BMPs identified in this permit; and
- B.5.1.16.** Pending submittal and approval of the updated SWMP, the Permittees shall continue to implement any existing BMPs required by this permit. Upon approval of an updated SWMP, the Permittees shall implement any new BMPs required by this permit in accordance with the schedule in the SWMP.
- B.5.2. Source Identification**
- B.5.2.1.** The updated SWMP shall provide updated maps of the Permittees' MS4s, including the locations of any major outfalls that discharge to waters of the United States that was not reported in the previous SWMP.
- B.5.3. Characterization Data**
- B.5.3.1.** The updated SWMP shall evaluate characterization data previously submitted and include additional data collected in the same manner and evaluate whether existing data collection programs should be modified to improve characterization of stormwater discharges, effects of BMPs, or ambient water quality. This information shall be submitted for approval as part of the annual monitoring plan required in Section B.6.1.
- B.5.4. Public Outreach and Education**
- B.5.4.1.** The updated SWMP covering the duration of this permit shall describe public outreach and education efforts to reduce the discharge of pollutants to the MEP;
- B.5.4.2.** The updated SWMP shall contain information about the different types of educational material distributed during public outreach events;
- B.5.4.3.** The updated SWMP shall describe educational activities, public information activities, and other appropriate activities;
- B.5.4.4.** The updated SWMP shall describe how the Permittees will inform developers, contractors, operators, and agency staff about upcoming educational and training workshops on construction site erosion and sediment control and construction
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materials management sponsored by industry groups, professional organizations, industrial facilities, and public agencies; and

B.5.4.5. The updated SWMP shall describe how the Permittees will inform architects, engineers, municipal development personnel, and local government officials on water quality problems associated with urban runoff and the requirements for meeting NPDES laws and program goals for properly managing the quality of urban runoff.

B.5.5. MS4 Maintenance Activities

B.5.5.1. The updated SWMP shall include a description of structural and source control measures expected to reduce pollutants from stormwater runoff from commercial and residential areas that are discharged into the MS4. This section shall also discuss the basis for the expected reduction of pollutant loads and a proposed schedule for implementing such controls. At a minimum, the description shall include:

B.5.5.1.1. A description of maintenance activities and a maintenance schedule to reduce pollutants in discharges from MS4s;

B.5.5.1.2. A description of practices for operating and maintaining public streets, roads, and highways and procedures for reducing the impact on receiving waters of discharges from the MS4s;

B.5.5.1.3. A description of a program to as necessary evaluate, monitor, and reduce pollutants in runoff from operating or closed municipal landfills or other treatment, storage, or disposal facilities for municipal waste; and

B.5.5.1.4. A description of a program to evaluate, and as necessary, reduce pollutants in discharges from MS4s associated with the application of pesticides, herbicides, and fertilizer.

B.5.6. Post-Construction Program for New Development and Significant Redevelopment Projects

B.5.6.1. The Permittees shall develop a Post-Construction BMP Program for new development and significant redevelopment (NDSR) projects that is suited for the unique hydrologic, hydrogeologic, and regional conditions of the Las Vegas Valley. The program shall focus on planning procedures consistent with the goals identified in Section B.5.6.2.

B.5.6.2. The Post-Construction Program shall have the following goals:

B.5.6.2.1. To prevent stormwater discharges from post-construction projects from causing or contributing to downstream exceedances of water quality standards of selenium to the MEP;

B.5.6.2.2. To promote antidegradation of ambient water quality by reducing the discharge of pollutants in stormwater causing or contributing to any degradation identified by the Division's antidegradation program; and

B.5.6.2.3. To promote the reuse of stormwater for municipal water supply through return

flow credits.

B.5.6.3. The Post-Construction Program shall address at a minimum the following elements:

B.5.6.3.1. Describe how the Permittees will review and enhance the SWMP post-construction program requirements in a manner appropriate for the unique hydrologic, hydrogeologic, and regional conditions and needs of the Las Vegas Valley. The review shall address the following elements:

B.5.6.3.1.1. Describe how the Permittees will develop, implement, and enforce a program, that includes educational outreach to address post-construction urban runoff from NDSR projects that disturb areas greater than or equal to 1 acre, including projects less than 1 acre that are part of a larger common plan of development, that discharge into the MS4 by ensuring that NDSR projects are complying to the MEP with the requirements of this program;

B.5.6.3.1.2. Describe how the Permittees will develop low-impact development (LID) measures that will remain in effect after construction is complete and are effective and appropriate for the Las Vegas Valley and its environment. The program will outline the selected LID measures found effective and appropriate for the Las Vegas Valley along with a summary and schedule for implementation in the MS4;

B.5.6.3.1.3. Describe how the Permittees will develop any additional structural and non-structural BMPs that will remain in effect after construction is complete and are effective and appropriate for Las Vegas Valley and its environment. The program will outline the selected BMP measures found effective and appropriate for the Las Vegas Valley along with a summary and schedule for implementation in the MS4;

B.5.6.3.1.4. Describe procedures to assure that future regional flood management projects assess the impacts on the water quality of receiving water bodies and that existing structural flood control devices have been evaluated to determine if retrofitting the device to provide additional pollutant removal from stormwater is feasible and appropriate;

B.5.6.3.1.5. Describe how the Permittees will develop and implement an ordinance or other regulatory mechanism to address urban stormwater runoff from NDSR projects;

B.5.6.3.1.6. Describe how the Permittees will develop and implement an inventory and tracking system for post-construction structural stormwater BMPs. The inventory and tracking system shall use at a minimum the following items: project name, project location, project acreage, BMP type and description, inspection date and summary, and any corrective actions undertaken;

B.5.6.3.1.7. Describe how the Permittees will inspect and enforce the proper installation and long-term maintenance of post-construction structural stormwater BMPs; and

B.5.6.3.1.8. Describe how the Permittees will update its MS4 maps to show areas of NDSR, including any new stormwater major infrastructure that was constructed to serve these areas.

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- B.5.6.3.2.** All NDSR projects submitted to the permitting authorities subsequent to program implementation as identified in Section B.5.1.2 that fall into one of the following categories shall be subject to one or more of the SWMP design standards developed in accordance with Section B.5.6.4.:
- B.5.6.3.2.1.** Residential subdivisions five (5) acres or greater in size;
 - B.5.6.3.2.2.** Single-family residences subject to local ordinances governing hillside development;
 - B.5.6.3.2.3.** 100,000 square foot commercial and industrial developments;
 - B.5.6.3.2.4.** Automotive repair shops (with Standard Industrial Classification (SIC) codes 5013, 7532, 7533, 7534, 7537, 7538, and 7539);
 - B.5.6.3.2.5.** Retail gasoline outlets disturbing greater than one (1) acre;
 - B.5.6.3.2.6.** Restaurants disturbing greater than one (1) acre;
 - B.5.6.3.2.7.** Parking lots greater than one (1) acre potentially exposed to urban runoff; and
 - B.5.6.3.2.8.** Any other NDSR projects the Permittees deem necessary to be included in this Section.
- B.5.6.4. Design Standards.** The post-construction program shall describe how NDSR projects specified in the previous section will implement the design standards outlined in this section. Subject to Section B.5.6.4.5., the design standards program shall address at minimum the following criteria:
- B.5.6.4.1. Peak-Urban Runoff Discharge Rates.** Describe how the Permittees will develop design standards for peak-urban runoff from NDSR projects that will provide protection against downstream erosion;
 - B.5.6.4.2. Site Design BMPs.** Describe how the Post-Construction Program will develop and implement site design BMPs in the site layout during the design and approval process to meet the goals of this program identified in Section B.5.6.2.;
 - B.5.6.4.3. Source Control BMPs.** The Post-Construction Program shall describe how source control BMPs will be implemented. The design standards program shall include the following source control BMPs that are consistent with the goals of this program:
 - B.5.6.4.3.1.** Slopes and channel design or protection to minimize erosion;
 - B.5.6.4.3.2.** Properly designed outdoor material storage areas; and
 - B.5.6.4.3.3.** Properly designed trash storage areas.
 - B.5.6.4.4. Treatment Control BMPs.** The post-construction program shall describe how treatment control BMPs will be developed and implemented. "Treatment control BMPs" and "treat" refer to any onsite or offsite process that provides for infiltration or detention of stormwater or that removes pollutants through any physical, chemical, or biological process. The design standards program shall
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describe in sufficient detail how the Permittees will size treatment control BMPs using accepted hydrologic engineering quantitative methods and the following design criteria:

- B.5.6.4.4.1. Volumetric Treatment Control BMP design criteria.** The post-construction program shall describe how the Permittees will design volume-based BMPs to treat stormwater discharges from projects listed in Section B.5.6.3.2. The Permittees shall use one of the following conditions to develop the volumetric treatment control BMP design criteria:
- B.5.6.4.4.1.1.** Historical rainfall records for the Las Vegas Valley to determine the maximized capture stormwater volume for the area for the 24-hour event using the formula recommended in Urban Runoff Quality Management, Water Environment Federation Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
- B.5.6.4.4.1.2.** The volume of annual runoff based on unit basin storage water quality volume, to achieve at least 80% of volume treatment by the method recommended in hydrology manuals, textbooks, or similar technical publications; or
- B.5.6.4.4.1.3.** An alternative treatment design criterion, appropriate for the unique hydrologic, hydrogeologic, and regional conditions of the Las Vegas Valley. Any alternative design criteria shall be submitted to the Division with sufficient technical data to establish the appropriateness of the alternative treatment design criteria.
- B.5.6.4.4.2. Flow-Based BMP design criteria.** The post-construction program shall describe how the Permittees will design flow-based BMPs to treat stormwater discharges from projects listed in Section B.5.6.3.2. The Permittees shall use one of the following conditions to develop flow-based BMP design criteria:
- B.5.6.4.4.2.1.** Historical rainfall data for the Las Vegas Valley to determine the maximum flow rate of runoff from rainfall per hour, for each hour of a storm event; or
- B.5.6.4.4.2.2.** The maximum flow rate of runoff produced by the 80th percentile hourly rainfall intensity (for each hour of the storm event), as determined from the local historical rainfall record; or
- B.5.6.4.4.2.3.** The maximum flow rate of runoff for each hour of a storm event, as determined from the local historical rainfall record that achieves approximately the same reduction in pollutant loads and flows as achieved by mitigation of the 80th percentile hourly rainfall intensity; or
- B.5.6.4.4.2.4.** An alternative treatment design criterion, appropriate for the unique hydrologic, hydrogeologic and regional conditions of the Las Vegas Valley. Any alternative design criteria shall be submitted to the Division with sufficient technical data to establish the appropriateness of the alternative treatment design criteria.
- B.5.6.4.5.** If the Permittees will not use some or all of the design standards described in this section, the Permittees shall provide justification using documentation and engineering analyses and propose reasonable alternatives that are appropriate for the unique hydrologic, hydrogeologic, and regional conditions in Las Vegas Valley.

B.5.6.5. Effect of the Post-Construction Program on Water Quality Standards and Drinking Water Supply

B.5.6.5.1. The Permittees shall provide a written evaluation whether the criteria developed as part of the post-construction program will tend to cause or contribute to elevated levels of selenium in surface waters within Las Vegas Valley, including an exceedance of the water quality standards for selenium in identified washes, and shall submit the evaluation to the Division as part of the post-construction program; and

B.5.6.5.2. The Permittees shall provide a written evaluation whether the criteria developed as part of the post-construction program will tend to reduce or degrade the contribution of stormwater to the water supplies provided by the Colorado River.

B.5.6.5.3. If any criteria developed under the post-construction program in accordance with the provisions of this permit would have a reasonable potential of causing or contributing to any water quality or water quantity impairment, or violates Nevada law, they shall be rescinded, and the Permittees shall determine whether alternate criteria can be implemented without causing water quality or water quantity impairments or violating Nevada law.

B.5.7. Illicit Discharge and Detection

B.5.7.1. The updated SWMP shall include a description of a program, including a schedule, to detect and remove illicit discharges and improper disposal into the MS4. The program shall include:

B.5.7.1.1. A description of a program, including inspections, to implement and enforce an ordinance, orders, or similar means to prevent all types of illicit discharges to the MS4. Non-stormwater discharges, as defined in Section B.2.2.2., shall only be addressed where such discharges are identified by the Permittees as substantial contributors of pollutants to the Permittees' MS4;

B.5.7.1.2. A description of procedures to conduct on-going field screening activities during the life of this permit, including areas or locations that will be evaluated by such field screens;

B.5.7.1.3. Field screening protocol to investigate dry weather flows that would indicate when an illicit discharge may be present, and when follow-up investigation will be required;

B.5.7.1.4. A description of procedures to be followed to investigate portions of the MS4 that, based on the results of the field screen, or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-stormwater;

B.5.7.1.5. A description of procedures to prevent, contain, and respond to spills that may discharge into the MS4;

B.5.7.1.6. A description of a program to facilitate public reporting of the presence of illicit discharges or water quality impacts associated with discharges from MS4s;

B.5.7.1.7. A description of educational activities, public information activities, and other

appropriate activities to facilitate the proper management and disposal of used oil and toxic materials; and

B.5.7.1.8. An assessment of whether the procedures otherwise implemented in response to this section are sufficient to identify instances of exfiltration from the sanitary sewer to the storm sewers, and if not, a description of additional activities to be undertaken to control exfiltration.

B.5.8. Industrial Facility Monitoring and Control

B.5.8.1. The updated SWMP shall include a description of a program to monitor and control pollutants in stormwater discharges to MS4s from municipal landfills, hazardous waste treatment, disposal and recovery facilities, industrial facilities that are subject to section 313 of title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), and industrial facilities that the municipal permit applicant determines are contributing a substantial pollutant loading to the MS4. The program shall include the following components:

B.5.8.1.1. Identify priorities and procedures for inspections; and

B.5.8.1.2. Establish and implement control measures for such discharges;

B.5.8.1.3. Each permittee shall develop and maintain an inventory of the facilities identified in Section B.5.8.1. The inventory shall list the facilities by specific categories (e.g. restaurants, municipal maintenance yards, etc.) and list the minimum inspection frequency for each category of facilities;

B.5.8.1.4. Each Permittee shall provide a list of the inventoried facilities to the Division by November 1, 202X. Each year thereafter for the life of this permit, each Permittee shall provide to the Division by November 1 of that year, an updated list of the facilities inventoried during that year; and

B.5.8.1.5. Describe a monitoring program for effects of stormwater discharges associated with the industrial facilities identified in this section on waters of the United States, to be implemented during the term of the permit in accordance with the monitoring programs defined in Section B.5.

B.5.9. Construction Site BMP Program

B.5.9.1. The updated SWMP shall include a description of a program to implement and maintain structural and non-structural BMPs to reduce pollutants in stormwater runoff from construction sites to the MS4, which shall include:

B.5.9.1.1. A description of procedures for notifying developers and operators of properties of one (1) acre or more (and less than one acre if part of a larger plan of development) of requirements applicable to stormwater runoff;

B.5.9.1.2. A description of nonstructural and structural BMPs to be utilized for construction sites;

B.5.9.1.3. A description of appropriate educational and training measures for construction site operators; and

B.5.9.1.4. A description of a procedure to check for coverage under the Division's General Construction Permit for construction activity.

B.5.10. Inspection of Construction Sites

B.5.10.1. Each permittee shall conduct construction site inspections for compliance with its local ordinances (grading, stormwater, etc.) and permits (construction, grading, etc.);

B.5.10.2. Each permittee shall inspect at least monthly, all construction sites within its jurisdiction meeting the following criteria:

B.5.10.2.1. All sites disturbing 100 acres or more in size at one time;

B.5.10.2.2. All sites disturbing one (1) acre or more that are tributary to a CWA section 303(d) water body segment impaired for sediment or turbidity; and

B.5.10.2.3. Sites determined by the permittees as a significant threat to water quality. In evaluating threat to water quality, the following factors shall be considered:

B.5.10.2.3.1. Soil erosion potential;

B.5.10.2.3.2. Site slope;

B.5.10.2.3.3. Project size and type;

B.5.10.2.3.4. Sensitivity of receiving water bodies;

B.5.10.2.3.5. Proximity to receiving water bodies;

B.5.10.2.3.6. Proximity to water bodies 303(d) listed for turbidity and sediment;

B.5.10.2.3.7. Non-storm water discharges;

B.5.10.2.3.8. Past record of non-compliance by the construction site operators; and

B.5.10.2.3.9. Any other relevant factors.

B.5.10.2.4. All other construction sites of greater than one (1) acre not listed in Section B.5.10.2. shall be inspected at least two (2) times for the duration of ground disturbance activities;

B.5.10.3. Based upon site inspection findings, each permittee shall implement all follow-up actions (i.e., re-inspection or enforcement) necessary to comply with this Permit;

B.5.10.4. Inspections of construction sites shall include, but not be limited to:

B.5.10.4.1. Assessment of compliance with Permittee ordinances and permits related to urban runoff, including the implementation and maintenance of designated minimum BMPs;

B.5.10.4.2. Assessment of BMP effectiveness;

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- B.5.10.4.3.** Visual observations for non-stormwater discharges and potential illicit connections;
- B.5.10.4.4.** Education and outreach on stormwater pollution prevention, as needed; and
- B.5.10.4.5.** Creation of a written or electronic inspection report.
- B.5.10.5.** The permittees shall track the number of inspections for the inventoried construction sites throughout the reporting period to verify that the sites are inspected at the minimum frequencies required. This information shall be included in the Annual Report.
- B.5.11. **Sharing Responsibility****
- B.5.11.1.** The Permittees may either share responsibility or assign responsibility to one or more Permittees, and may implement BMPs individually, as a group, or through consultants. The SWMP shall include a description of how responsibility to implement BMPs is being shared or assigned. Each Permittee is responsible for its own compliance with this Permit, but not for any noncompliance of another Permittee. No Permittee shall be held liable for the violation of this Permit by another Permittee.
- B.5.12. **Reviewing and Updating Stormwater Management Programs****
- B.5.12.1.** After submittal and approval of the updated SWMP, the Permittees must complete an annual review of the SWMP in conjunction with preparation of the Annual Report required under Section B.6.3.
- B.5.12.2.** The Permittees may change the SWMP during the life of the permit in accordance with the following procedures:
- B.5.12.2.1.** Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP may be made at any time upon written notification to the Division;
- B.5.12.2.2.** Requests for changes replacing an ineffective, unfeasible, or inappropriate BMP specifically identified in the SWMP with an alternate BMP may be submitted to the Division for approval at any time. If the request is denied, the Division will send the Permittees a written response within 90 days giving a reason for its decision. The Permittees modification requests must include the following:
- B.5.12.2.2.1.** An analysis of why the BMP is ineffective, infeasible (including cost prohibitive), or otherwise should be revised or replaced, and
- B.5.12.2.2.2.** An analysis of why the replacement BMP is expected to be more effective, feasible, or appropriate than the BMP to be replaced.
- B.5.13. **Responsibility for Stormwater Management Program (SWMP) Implementation in New Areas****
- B.5.13.1.** The Permittees must implement the SWMP on all new areas added to the Permittees portion of the MS4 (or for which the Permittees become responsible
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for implementation of stormwater quality controls) not later than one (1) year from addition of the new areas; and

B.5.13.2. Information on all new annexed areas and any resulting updates required for the SWMP must be included in the Annual Report.

B.5.14. Measurable Goals

B.5.14.1. The Permittees shall submit, within the SWMP, to the Division, narrative and/or numerical measurable goals for tracking the development or implementation of each program element and shall include for each measurable goal the following:

B.5.14.1.1. A description of the activity or BMP to be conducted or completed;

B.5.14.1.2. Identification of which program element, if any, the measurable goal applies to;

B.5.14.1.3. The dates, including the month and year, in which the Permittees will begin and achieve each measurable goal. If the activity is to be continuous, the Permittees shall state so;

B.5.14.1.4. Annual milestones for measurable goals that span more than a single year;

B.5.14.1.5. The rationale for how and why the Permittees selected each measurable goal; and

B.5.14.1.6. Table or charts to summarize the measurable goals, annual milestones, and completion dates.

B.5.14.2. The Permittees shall provide the title(s) of the position(s) within the Permittees' Stormwater Division responsible for implementing and coordinating each program element.

B.5.14.3. The Permittees shall describe any proposed programs, if applicable, that the Permittees may implement during the life of this permit to require additional controls on a system wide basis, a watershed basis, a jurisdictional basis, or on individual outfalls.

B.5.14.4. The Permittees may partner with other permitted MS4s to develop and implement all or part of the Permittees' SWMP.

B.5.14.5. If collaborating with other MS4 permittees, the Permittees' SWMP shall describe which Permittee is responsible for implementing each of the control measures.

B.5.14.6. Pending submittal of the SWMP, the Permittees shall continue to implement and maintain current BMPs detailed in the Permittees' current approved SWMP.

B.5.14.7. The Division may notify the Permittees of the need to modify the SWMP document to be consistent with the Permit, in which case the Permittees shall have sixty (60) days to submit a schedule to update the document to the Division.

B.5.15. Legal Authority

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- B.5.15.1.** The Permittees shall provide the legal authority to control discharges to its MS4. To demonstrate adequate legal authority, the Permittees shall:
- B.5.15.1.1.** Provide the specific reference to statute, ordinance, interagency agreements, order, or similar means that authorizes or enables the Permittees to:
- B.5.15.1.1.1.** Prohibit illicit discharges to its MS4;
- B.5.15.1.1.2.** Control the discharge to its MS4 of spills, releases, dumping, or disposal of materials other than stormwater;
- B.5.15.1.1.3.** Permittees establish civil, administrative, and criminal penalties for violations of applicable regulatory requirements; and
- B.5.15.1.1.4.** Carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with permit conditions including the prohibition of illicit discharges to the MS4.
- B.5.16.** The Permittees shall provide written notice to the Division of any formal proposal to modify the Permittee's stormwater ordinance that would prevent the Permittee from complying with this Permit. Before any regulation or statute is modified, the Division shall have thirty (30) days to review and comment on the proposed modification.
- B.6. Monitoring, Recordkeeping, and Annual Report**
- B.6.1. Stormwater Monitoring**
- B.6.1.1.** The Permittee shall submit a revised stormwater monitoring plan to the Division for review for this permit within eighteen (18) months of the issuance of this permit. In developing the plan, the Permittees shall evaluate and update (as necessary) how monitoring may assist in making decisions about program compliance and the appropriateness of identified measurable goals.
- B.6.1.1.1.** Before the final revised plan is submitted to the Division for approval, the plan shall be made available for public comment for a minimum of thirty (30) days. The permittees shall respond to significant public comments and the Permittees shall hold a public meeting in accordance with NAC 445A.67558; and
- B.6.1.1.2.** The Permittees shall compile any comments received as part of the process in Section B.6.1.1.2., describe the actions taken in response to the public comments, and include this information in the revised stormwater monitoring plan.
- B.6.1.2. Permittees.** When the Permittees conduct monitoring at the Permittees' MS4, the Permittees are required to comply with the following:
- B.6.1.2.1.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. This requirement does not prevent Permittees from analyzing or reporting samples that are representative of a limited situation (e.g., concentration at peak flow);
- B.6.1.2.2.** Test procedures for the analysis of pollutants shall conform to regulations (40 CFR, Part 136) published pursuant to Section 304(h) of the CWA, unless other
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procedures are approved by the Division.

B.6.1.2.3. Records of monitoring information shall include:

B.6.1.2.3.1. The date, exact place, and time of sampling or measurements;

B.6.1.2.3.2. The names(s) of the individual(s) who performed the sampling or measurements;

B.6.1.2.3.3. The date(s) analyses were performed;

B.6.1.2.3.4. The name(s) of the individual(s) who performed the analyses;

B.6.1.2.3.5. The analytical techniques or methods used; and

B.6.1.2.3.6. The results of such analyses.

B.6.1.2.4. Analyses shall be performed by a State of Nevada-certified laboratory. Laboratory reports shall be provided if requested by the Division.

B.6.1.2.5. If the Permittees perform stormwater monitoring more frequently than required by the stormwater monitoring plan the results of such monitoring shall be reported in the Annual Report.

B.6.2. Recordkeeping

B.6.2.1. The Permittees must retain records of all monitoring information, including: all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the termination date of this permit. This period may be extended at the direction of the Division at any time.

B.6.2.2. The Permittees must submit the records to the Division only when specifically asked to do so. The Permittees must retain a copy of the SWMP required by this permit (including a copy of the permit language) at a location accessible to the Division. The Permittees must make the records, including a copy of the SWMP, available to the public if requested to do so in writing.

B.6.2.3. For public requests of records, the Permittees may impose a reasonable fee for personnel time and copying expenses.

B.6.3. Annual Report

B.6.3.1. Permittees shall submit an Annual Report to the Division by November 1 of each year of this permit term. Each Annual Report shall cover the period beginning July 1 of the previous year through June 30 of the current year.

B.6.3.2. Each year, Permittees shall review the SWMP defined under Section B.5. of this permit, and report to the Division on the status of the program, whether Permittees have identified any modifications, and the plans for implementing those modifications.

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- B.6.3.3.** At a minimum the Annual Report shall include:
- B.6.3.3.1.** Status of the Permittees' compliance with permit conditions;
 - B.6.3.3.2.** An assessment of the appropriateness of the identified BMPs, and any revisions to previous assessments if appropriate;
 - B.6.3.3.3.** Progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP;
 - B.6.3.3.4.** Status of the achievement of measurable goals;
 - B.6.3.3.5.** Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP, a description of any identified improvements to or degradation in water quality attributable to the program, and a description of any identified effects on attainment of water quality standards attributable to the program;
 - B.6.3.3.6.** A summary of the stormwater activities the Permittees plan to undertake during the next reporting cycle (including an implementation schedule and a fiscal analysis);
 - B.6.3.3.7.** Changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;
 - B.6.3.3.8.** Notice that the Permittees are relying on another government entity to satisfy some of the permit obligations (if applicable);
 - B.6.3.3.9.** Estimated reductions in loadings of pollutants from discharges of municipal storm sewer constituents from MS4s expected as the result of the municipal stormwater quality management program. The assessment shall also identify known impacts of stormwater controls on groundwater;
 - B.6.3.3.10.** A summary of inspections performed, and enforcement activity taken during the report cycle; and
 - B.6.3.3.11.** Annual expenditures for the reporting period, with a breakdown for the major elements of the SWMP, and the budget for the year following each Annual Report.
 - B.6.3.3.12.** The information required by the following permit sections:
 - B.6.3.3.12.1.** As stated in section B.4.1.2.: Annually, the Permittees shall determine whether the MS4 discharges to a water of the United States on the 303(d) List. If a water is listed, the Permittees shall include a section in the Annual Report describing the parameter(s) for which the water(s) was listed and evaluating whether discharges authorized by this permit caused or contributed to the listing. If so, the Annual Report shall consider Best Management Practices (BMPs) that might practicably be implemented, examining whether these BMPs would make a substantial improvement on water quality, and identifying any BMPs that are selected for implementation.
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- B.6.3.3.12.2.** As stated in section B.4.2.3.: When a TMDL has not been established as described in Section B.4.2.2., the Permittees must include a section in the Annual Report describing the condition for which the water has been listed and considering whether stormwater discharges authorized by this permit caused or contributed to the listing. If so, the Annual Report must include a section evaluating possible BMPs that might practicably be implemented, examining whether these BMPs would have a substantial effect on achieving compliance, and identifying any BMPs that are selected for implementation.
- B.6.3.3.12.3.** As stated in section B.5.10.5: The Permittees shall track the number of inspections for the inventoried construction sites throughout the reporting period to verify that the sites are inspected at the minimum frequencies required. This information shall be included in the Annual Report.
- B.6.3.3.12.4.** As stated in section B.5.13.2.: Information on all new annexed areas and any resulting updates required to the SWMP must be included in the Annual Report.
- B.6.3.3.12.5.** As stated in B.6.1.2.5.: If the Permittees perform stormwater monitoring more frequently than required by the stormwater monitoring plan the results of such monitoring shall be reported in the Annual Report.
- B.6.3.3.13.** A table that lists sections B.6.3.3.1 – B.6.3.3.12.5 and the pages in the Annual Report where those items can be found (see Attachment A for a template).
- B.6.3.4.** An original signed copy of all reports and plans required herein shall be submitted to the Division at the following address:
- Stormwater Coordinator
Bureau of Water Pollution Control
Nevada Division of Environmental Protection
901 S. Stewart St., Suite 4001
Carson City, NV 89701**
- B.6.4.** Electronic reporting will be required by December 21, 2025, or sooner as the Division's electronic reporting system becomes available and active. Electronic reporting is required by the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule.
- B.6.5. Changes to the Permit**
- B.6.5.1.** Changes to the permit may be requested by the Division or Permittees and shall be made in writing, set forth the timeframe for the Permittees to develop the changes, and offer the Division or Permittees the opportunity to propose alternative program changes to meet the objective of the requested modification. If the Division or Permittees do not agree to the requested changes, changes may be made in accordance with Nevada Administrative Code (NAC) 445A.261 and NAC 445A.263.
- B.6.5.2.** Consistent with B.6.5.1, the Division may request and require changes to the SWMP, as needed to:
- B.6.5.2.1.** Address newly identified impacts on receiving water quality caused, or contributed to, by discharges from the MS4; or
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B.6.5.2.2. Include more stringent requirements necessary to comply with new federal or State statutory or regulatory requirements.

B.7. Section B Definitions

B.7.1. Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States BMPs also include treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

B.7.2. Control Measure means any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

B.7.3. Discharge means any addition of a pollutant or pollutants to waters of the United States.

B.7.4. Illicit Connection means any man-made conveyance connecting an illicit discharge directly to an MS4.

B.7.5. Illicit Discharge means any discharge to an MS4 that is not entirely composed of stormwater, except discharges authorized under an NPDES permit and discharges resulting from firefighting activities.

B.7.6. Inactive mine means sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

B.7.7. MEP is an acronym for Maximum Extent Practicable, the technology-based discharge standard for MS4 to reduce pollutants in stormwater discharges.

B.7.8. Municipal Separate Storm Sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying stormwater; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

B.7.9. Outfalls defined:

B.7.9.1. Outfall means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting municipal separate storm

sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

- B.7.9.2. Major municipal separate storm sewer outfall** (or major outfall) means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of thirty-six (36) inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than fifty (50) acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of twelve (12) inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of two (2) acres or more).
- B.7.10. Qualified Person** means a person knowledgeable in the principles and practice of erosion and sediment controls and who possesses the skills to assess conditions at the site that could impact stormwater quality and the effectiveness of the BMPs selected to control the quality of the stormwater discharges.
- B.7.11. Stormwater** means stormwater runoff, snowmelt runoff, and surface runoff and drainage.
- B.7.12. Stormwater Management Program (SWMP)** refers to a comprehensive program to manage the quality of stormwater discharged from the MS4.

SECTION C (Revised January 2022)**C.1. MONITORING AND REPORTING:**

C.1.1. Schedule: Discharge Monitoring Reports (DMRs) shall be received by the 28th day of the month following the third month of each quarter (reporting period). Quarterly and annual reporting periods are based on the standard annual cycle, January 1 through December 31.

C.1.1.1 If required, all Annual, Biosolids Monitoring Report (BMR), Pretreatment, Salinity Control, and Whole Effluent Toxicity Testing (WET) annual reports are due as defined in the Deliverable Table (DLV).

C.1.1.2 An original signed copy of these, and all other reports required herein, shall be submitted to the State at the following address:

**Nevada Division of Environmental Protection
Bureau of Water Pollution Control
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701**

C.1.2. Annual Report: The fourth quarter report shall contain plots of concentration (y-axis) versus date (x-axis) for each analyzed constituent identified in the Discharge Limitations Tables. The plots shall include data from the preceding five years, if available. Plotting is not required for any constituent that has routinely been below the detection limit or if less than three data points exist (due to permit sampling requirements). Any data point from the current year that is greater than the limits identified in the applicable tables and conditions above must be explained by a narrative.

Once reporting through the Nevada NetDMR system has been performed for a continuous five year period annual plots are no longer required.

C.1.3. Reporting: Monitoring results obtained in accordance to the requirements of the permit, supporting laboratory data, and supporting documents shall be submitted through the Nevada NetDMR system. <https://netdmr.ndep.nv.gov/netdmr/public/home.htm>

C.1.4. Sampling and measurements: Samples and measurements taken shall be representative of the volume and nature of the monitored discharge and must comply with any Division approved sampling plan as required by the Discharge Limitations Tables in the permit. Analyses shall be performed by a Nevada Certified Laboratory. Lab results must accompany the DMR. If no discharge occurs during the reporting period, "no discharge" shall be indicated on the submitted DMR.

C.1.4.1. If it is believed that a sample and/or test result is not representative of the monitored discharge, it is incumbent on the Permittee, immediately after the Permittee becomes aware, to re-sample and/or re-test the required parameter. An explanation shall be included in the DMR along with a request to disregard the bad sample. All lab results of all samples taken must be submitted with the DMR.

C.1.5. Recording the Results: For each measurement or sample taken pursuant to the requirements of this permit, the Permittee shall record the following information:

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- C.1.5.1. The exact place, date, time of sampling and the person who performed the sampling;
 - C.1.5.2. The dates the analyses were performed;
 - C.1.5.3. The person(s) who performed the analyses;
 - C.1.5.4. The analytical techniques or methods used; and
 - C.1.5.5. The results of all required analyses.
 - C.1.6. **Additional Monitoring by Permittee:** If the Permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated.
 - C.1.7. **Test Procedures:** Test procedures for the analysis of pollutants shall conform to regulations (40 CFR, Part 136) published pursuant to Section 304(h) of the Clean Water Act (CWA), under which such procedures may be required unless other procedures are approved by the Division. Other procedures used may be:
 - C.1.7.1. Selected from SW-846 test method series 1000 through 3500. This test method series shall only be used for determining solid waste characteristics, organic and inorganic preparation, and extraction;
 - C.1.7.2. Selected from 40 CFR 503, which establishes the general requirements, pollutant limits, management practices, and operational standards for the use or removal of sewage sludge to be applied on a land surface disposal site, or fired in a sewage sludge incinerator; or
 - C.1.7.3. An alternate test procedure approved by the Division, Bureau of Safe Drinking Water, Laboratory Certification Program.
 - C.1.7.4. All laboratory analyses conducted in accordance with this discharge permit must have detection levels at or below the permit limits.
 - C.1.7.5. All analytical results must be generated by analytical laboratories certified by the Nevada Laboratory Certification Program.
 - C.1.8. **Reporting Limits:** Unless otherwise approved by the Division, the approved method of testing selected for analysis must have reporting limits which are:
 - C.1.8.1. Half or less of the discharge limit; or, if there is no limit,
 - C.1.8.2. Half or less of the applicable water quality criteria; or, if there is no limit or criteria,
 - C.1.8.3. The lowest reasonably attainable reporting limit using an approved test method.
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- C.1.8.4.** This requirement does not apply if a water quality standard is lowered after the issuance of this permit; however, the Permittee shall review methods used and by letter notify the Division if the reporting limit will exceed the new criterion, and if so the Division may reopen the permit to impose new monitoring requirements.
- C.2. Operations and Maintenance (O&M) Manual:**
- C.2.1.** An O&M Manual shall be prepared and submitted to the Division for review and approval in accordance with the Division's Operations and Maintenance Manual guidance (WTS-2).
- C.2.2.** The Permittee shall inspect the site at the frequency prescribed in the O&M Manual.
- C.2.3.** The Permittee shall maintain an operations logbook (hardcopy or electronic) on-site as referenced in the O&M Manual.
- C.2.3.1.** The logbook shall include the name of the operator, date, time, and general condition of the facility.
- C.3. Planned changes:** The Permittee shall give notice to the Division as soon as possible of any planned physical alterations or additions to the permitted facility and receive approval prior to commencing construction. Notice is required only when the alteration or addition to a permitted facility:
- C.3.1.** May meet one of the criteria for determining whether a facility is a new source (40 CFR 122.29 (b));
- C.3.2.** Could significantly change the nature or increase the quantity of pollutants discharged; or
- C.3.3.** Results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- C.4. Anticipated Non-Compliance:** The Permittee shall give advance notice to the Division of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C.5. Change in Discharge/Noticing Requirements:** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions or treatment modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes in accordance with paragraph C.3. Any changes to the permitted treatment facility must comply with Nevada Administrative Code (NAC) 445A. The permit may be modified to specify and limit any pollutants not previously limited.
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- C.5.1 Publicly owned treatment works.** All POTWs must provide adequate notice (in the next DMR, at the latest) to the Division of the following:
- C.5.1.1.** Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; and
 - C.5.1.2.** Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - C.5.1.3.** For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
 - C.5.1.4.** Identify, in terms of character and volume of pollutants, any new Significant Industrial Users (SIUs) discharging into the POTW subject to Pretreatment Standards under section 307(b) of CWA and 40 CFR part 403.
- C.6. Facilities Operation-Proper Operation and Maintenance:** The Permittee shall at all times maintain in good working order and properly operate all treatment and control facilities, collection systems, and pump stations installed or used by the Permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance/quality control procedures.
- C.7. Adverse Impact – Duty to Mitigate:** The Permittee shall take all reasonable steps to minimize the impact of releases to the environment resulting from non-compliance with any permit limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge. The Permittee shall carry out such measures, as reasonable, to prevent significant adverse impacts on human health or the environment. If the monitoring program (as required by this permit) identifies exceedances of ambient water quality standards at the boundary of any approved mixing zone, the Permittee shall notify the Division of the exceedances and describe any mitigation measures being implemented as part of the quarterly monitoring report requirements.
- C.8. Non-compliance, Unauthorized Discharge, Bypass and Upset**
- C.8.1.** Any diversion, bypass, spill, overflow, upset, or discharge of treated or untreated wastewater from a permitted facility under the control of the Permittee is prohibited except as authorized by this permit. The Division considers these to be non-compliant events and may take enforcement action for a diversion, bypass, spill, overflow, upset or discharge of treated or untreated wastewater except as authorized by this permit. In the event the Permittee has knowledge that a diversion, bypass, spill, overflow, upset or discharge not authorized by this permit is probable or has occurred, the Permittee shall notify the Division.
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- C.8.2. Notification:** The Permittee is responsible for carrying out notification in the event of a diversion, bypass, spill, overflow, upset or discharge not authorized by this permit, or any other non-compliance which may endanger human health or the environment with the following schedule;
- C.8.2.1. Immediately:** Permittee shall be responsible for the timely notification of potentially impacted downstream users for the protection of human health and the environment;
- C.8.2.2. Spill Hotline:** Notifying the Division through the NDEP Spill Hotline, 1-888-331-6337, as soon as practicable after the dispatch of emergency respondents and mitigating actions and no later than twenty-four (24) hours from the time of discovery;
- C.8.2.3. 5-Day Report:** A written report shall be submitted to the Division within five (5) days of the discovery of a diversion, bypass, spill, overflow, upset, or other noncompliant event with a detailed description of the event including;
- C.8.2.3.1.** The period of noncompliance, including exact dates and times;
- C.8.2.3.2.** Exact location and estimated amount of discharge;
- C.8.2.3.3.** Flow path and any bodies of water which the discharge contacts;
- C.8.2.3.4.** The specific cause of the discharge; and
- C.8.2.3.5.** The corrective actions taken and anticipated time it is expected to continue.
- C.8.2.3.6.** Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- C.8.2.3.7.** For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combine sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.
- C.8.3.** The Permittee shall report all instances of noncompliance not reported under Section C.8. (Noncompliance, Unauthorized Discharge, Bypass and Upset) at the time monitoring reports are submitted. The reports shall contain the information listed in Section C.8. (Noncompliance, Unauthorized Discharge, Bypass and Upset).
- C.8.4. Bypass not exceeding limitations:** The Permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. The bypass must be scheduled such that required monitoring/sampling will occur during the bypass event (or extra sampling, if necessary) in order to ensure effluent limitations have been met. These bypasses are not subject to the provisions of the applicable Section of Section C.8. (Noncompliance, Unauthorized Discharge, Bypass and Upset including Prohibition of Bypass (C.8.6.)).
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- C.8.5. Anticipated bypass:** If the Permittee knows in advance of the need for a bypass, he or she shall submit prior notice, if possible, at least ten days before the date of bypass.
- C.8.6. Prohibition of Bypass:** Bypass is prohibited, and the Division may take enforcement action against a Permittee for bypass, unless:
- C.8.6.1.** Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (as defined in section C28 "Definitions");
- C.8.6.2.** There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- C.8.6.3.** The Permittee submitted notices as required under Section C.8. (Noncompliance, Unauthorized Discharge, Bypass and Upset).
- C.8.7. Approved Bypass:** The Division may approve an anticipated bypass, after considering its adverse effects, if the Division determines that it will meet the three conditions listed in Section C.8.6.
- C.8.8. Effect of an upset:** An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Section C.8 (Noncompliance, Unauthorized Discharge, Bypass and Upset: Conditions necessary for a demonstration of an upset) are met. In accordance with 40 CFR 122.41 (n)(2): No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- C.8.9. Conditions necessary for a demonstration of an upset:** A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:
- C.8.9.1.** An upset occurred and that the Permittee can identify the cause(s) of the upset;
- C.8.9.2.** The permitted facility was at the time of upset being properly operated;
- C.8.9.3.** The Permittee submitted notice of the upset as required under this Section; and
- C.8.9.4.** The Permittee complied with any remedial measures required under Section C.8. (Noncompliance, Unauthorized Discharge, Bypass and Upset).
- C.8.10. Enforcement:** In selecting the appropriate enforcement option, the Division shall consider whether or not the noncompliance was the result of an upset. The burden of proof is on the Permittee to establish that an upset occurred.
- C.9. Removed Substances:** Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be properly
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disposed as described in the Operations and Maintenance (O&M) Manual and the SWMP (Stormwater Management Plan) for the facility.

- C.10. Right of Entry and Inspection:** The Permittee shall allow the Administrator and/or his authorized representatives, upon the presentation of credentials, to:
- C.10.1.** Enter at reasonable times upon the Permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit;
 - C.10.2.** Have access to and copy any records required to be kept under the terms and conditions of this permit at reasonable times;
 - C.10.3.** Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required in this permit; and
 - C.10.4.** Perform any necessary sampling or monitoring to determine compliance with this permit at any location for any parameter.
- C.11. Transfer of Ownership or Control:** In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the Permittee shall notify the succeeding owner or controller of the existence of this permit, by letter, a copy of which shall be forwarded to the Division. This permit is not transferable to any person or entity except after notice to the Director and approval from the Division. The Division may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Clean Water Act (see §122.61; in some cases, modification or revocation and reissuance is mandatory.).
- C.12. Availability of Reports:** Except for data determined to be confidential under NRS 445A.665, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of the Division. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NRS 445A.710.
- C.13. Furnishing False Information and Tampering with Monitoring Devices:** Any person who intentionally or with criminal negligence makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained by the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the provisions of NRS 445A.300 to 445A.730, inclusive, or by any permit, rule, regulation or order issued pursuant thereto, is guilty of a gross misdemeanor and, upon conviction, shall be punished by a fine of not more than \$10,000, or by imprisonment, or both. (In accordance with 40 CFR 122.41 (j)(5): If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.) This penalty is in addition to any other penalties, civil or criminal, provided pursuant to NRS 445A.300 to 445A.730, inclusive.

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- C.14. Penalty for Violation of Permit Conditions:** NRS 445A.675 provides that any person who violates a permit condition is subject to administrative and judicial sanctions as outlined in NRS 445A.690 through 445A.705, inclusive.
- C.15. Permit Modification, Suspension or Revocation:** After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
- C.15.1.** Violation of any terms or conditions of this permit;
 - C.15.2.** Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
 - C.15.3.** A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - C.15.4.** A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
 - C.15.5.** Material and substantial alterations or additions to the permitted facility or activity;
 - C.15.6.** The Division has received new information;
 - C.15.7.** The standards or regulations have changed; or
 - C.15.8.** The Division has received notification that the permit will be transferred.
 - C.15.9.** The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- C.16. Minor Modifications:** With the consent of the Permittee and without public notice, the Division may make minor modifications in a permit to:
- C.16.1.** Correct typographical errors;
 - C.16.2.** Clarify permit language;
 - C.16.3.** Require more frequent monitoring or reporting;
 - C.16.4.** Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the permit and does not interfere with attainment of the final compliance date;
 - C.16.5.** Allow for change in ownership;
 - C.16.6.** Change the construction schedule for a new discharger provided that all equipment is installed and operational prior to discharge;
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- C.16.7.** Delete an outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits; or
- C.16.8.** Reallocate anIWLA (Individual Waste Load Allocation) as long as the Σ IWLA does not change in accordance with the TMDL as pertaining to the affected water body.
- C.17.** **Toxic Pollutants:** Notwithstanding Section C (Permit Modification, Suspension or Revocation), if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the CWA for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the Permittee so notified.
- C.18.** **Liability:** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State or local laws, regulations, or ordinances. However, except for any toxic effluent standards and prohibitions imposed under Section 307 of the CWA or toxic water quality standards set forth in NAC 445A.144, compliance with this permit constitutes compliance with CWA Sections 301, 302, 306, 307, 318, 403, 405(a) and (b), and with NRS 445A.300 through 445A.730, inclusive.
- C.19.** **Property Rights:** The issuance of this permit does not convey any property rights, in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- C.20.** **Severability:** The provisions of this permit are severable, and if any provision of this permit, or the application of any provisions of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- C.21.** **Duty to Comply:** The Permittee shall comply with all conditions of this permit. Any permit non-compliance constitutes a violation of the CWA and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
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- C.21.1** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
- C.22.** **Need to Halt or Reduce Activity Not a Defense:** It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this permit.
- C.23.** **Duty to Provide Information:** The Permittee shall furnish to the Division, within a reasonable time, any relevant information that the Division may request to determine
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whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

- C.24. Other information:** Where the Permittee becomes aware of failure to submit any relevant facts in a permit application or the submittal of incorrect information in a permit application or in any report to the Division, the Permittee shall promptly submit such facts or information.
- C.25. Reapplication:** If the Permittee desires to continue to discharge, he shall reapply not later than 180 days before this permit expires using the application forms then in use. The Permittee shall submit the sludge information listed in 40 CFR 501.15(a)(2) with the renewal application. The renewal application shall be accompanied by the fee required per NAC 445A.232.
- C.26. Signatures, Certification Required on Application and Reporting Forms:** All applications, reports, or information submitted to the Division shall be signed and certified by making the following certification. "I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful and deliberate violations."
- C.26.1.** All applications, reports or other information submitted to the Division shall be signed by one of the following:
- C.26.2.** A principal executive officer of the corporation (of at least the level of vice president) or his authorized representative who is responsible for the overall operation of the facility from which the discharge described in the application or reporting form originates;
- C.26.3.** A general partner of the partnership;
- C.26.4.** The proprietor of the sole proprietorship; or
- C.26.5.** A principal executive officer, ranking elected official or other authorized employee of the municipal, state or other public facility.
- C.27. Changes to Authorization:** If an authorization under Section C.26 (Signatures, Certification Required on Application and Reporting Forms) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section C.26 (Signatures, Certification Required on Application and Reporting Forms) must be submitted to the Division prior to or together with any reports, information, or applications to be signed by an authorized representative.
- C.28. Definitions:**

25-year, 24-hour storm event means a precipitation event with a probable recurrence interval of once in twenty-five years, as defined by the National Weather Service, NOAA Atlas 14, Volume 1, "Point Precipitation Frequency Estimates" found online at nws.noaa.gov, or equivalent regional or State rainfall probability information developed from this source.

100-year, 24-hour storm event means a precipitation event with a probable recurrence interval of once in one hundred years, as defined by the National Weather Service, NOAA Atlas 14, Volume 1, "Point Precipitation Frequency Estimates" found online at nws.noaa.gov or equivalent regional or State rainfall probability information developed from this source.

Acute Toxicity means the concentration that is lethal to 50 percent of the test organisms within 96 hours.

Agricultural land means land on which a food crop, a feed crop, or a fiber crop is grown. This includes rangeland and land used as pasture.

Agronomic rate means the whole sludge application rate (dry weight basis) designed: To provide the amount of nitrogen needed by the food crop, feed crop, fiber crop, cover crop, or vegetation grown on the land; and to minimize the amount of nitrogen that passes below the root zone of the crop or vegetation grown on the land to the groundwater.

Biosolids are non-hazardous sewage sludge or domestic septage.

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

CFR means Code of Federal Regulations.

Chronic precipitation event means a series of wet weather conditions that precludes reducing the volume of properly designed, constructed, operated, and maintained waste storage and/or treatment facilities and that total a volume in excess of the 25-year, 24-hour storm event.

Composite Sample (for flow-weighted measurements) sample means the arithmetic mean of no fewer than six individual measurements taken at equal time intervals for 24 hours, or for the duration of discharge, whichever is shorter.

Discrete sample means any individual sample collected in less than 15 minutes.

Feed crops means crops produced primarily for consumption by animals.

Food crops means crops consumed by humans. These include, but are not limited to, fruits, vegetables, and tobacco.

Grab sample means the same as discrete sample.

Land application means the spraying or spreading of sewage sludge onto the land

surface; the injection of sewage sludge below the land surface; or the incorporation of sewage sludge into the soil so that the sewage sludge can either condition the soil or fertilize crops or vegetation grown in the soil.

Land application area means land under the control of the Permittee, whether it is owned, rented, or leased, to which manure or process wastewater from the production area is or may be applied.

Manure means animal excrement and is defined to include bedding, compost, and raw materials or other materials commingled with animal excrement or set aside for disposal.

Process wastewater means water directly or indirectly used in the operation of the facility.

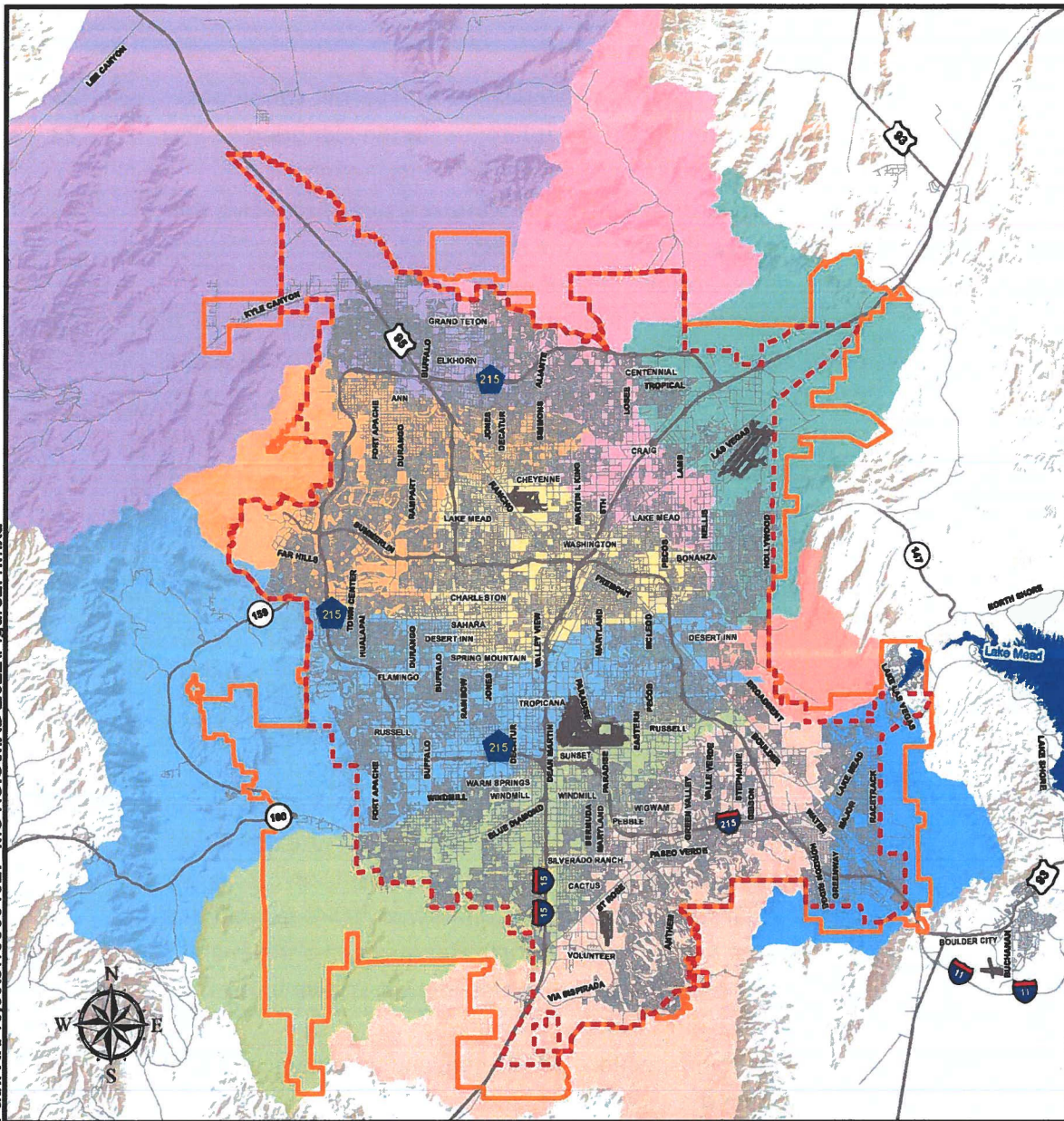
Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Sewage sludge means solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works.

Upset means an exceptional incident in which there is unintentional and temporary non-compliance with permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not excuse non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Vegetated buffer means a permanent strip of dense perennial vegetation established parallel to the contours of and perpendicular to, the dominant slope for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential pollutants leaving being released.

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Legend

- Ultimate Development Boundary Updated for the Las Vegas Valley MS4 Program (2018 MPU)
- Las Vegas Valley Disposal Boundary
- Airport
- Street
- Watersheds**
- C1
- CENTRAL

- DUCK CREEK
- FLAMINGO/TROPICANA
- GOWAN
- LOWER LAS VEGAS WASH
- LOWER NORTHERN
- PITTMAN
- RANGE WASH
- UPPER NORTHERN



Service Layer Credits: Sources: Esri, USGS, NOAA

**Exhibit 1
Area of Coverage**

Appendix A

Permit Section	Annual Report Item	Page(s)
B.6.3.3.1	Status of the Permittees' compliance with permit conditions;	23
B.6.3.3.2	An assessment of the appropriateness of the identified BMPs, and any revisions to previous assessments if appropriate;	23
B.6.3.3.3	Progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP;	23
B.6.3.3.4	Status of the achievement of measurable goals;	23
B.6.3.3.5	Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP, a description of any identified improvements to or degradation in water quality attributable to the program, and a description of any identified effects on attainment of water quality standards attributable to the program;	23
B.6.3.3.6	A summary of the stormwater activities the Permittees plan to undertake during the next reporting cycle (including an implementation schedule and a fiscal analysis);	23
B.6.3.3.7	Changes to the SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements;	23
B.6.3.3.8	Notice that the Permittees are relying on another government entity to satisfy some of the permit obligations (if applicable);	23
B.6.3.3.9	Estimated reductions in loadings of pollutants from discharges of municipal storm sewer constituents from MS4s expected as the result of the municipal stormwater quality management program. The assessment shall also identify known impacts of stormwater controls on groundwater;	23
B.6.3.3.10	A summary of inspections performed, and enforcement activity taken during the report cycle; and	23
B.6.3.3.11	Annual expenditures for the reporting period, with a breakdown for the major elements of the SWMP, and the budget for the year following each Annual Report.	23

B.6.3.3.12.1	Annually, the Permittees shall determine whether the MS4 discharges to a water of the United States on the Nevada 303(d) List for Impaired Waters. If a water is listed, the Permittees shall include a section in the Annual Report describing the parameter(s) for which the water(s) was listed and evaluating whether discharges authorized by this permit caused or contributed to the listing. If so, the Annual Report shall consider Best Management Practices (BMPs) that might practicably be implemented, examining whether these BMPs would make a substantial improvement on water quality, and identifying any BMPs that are selected for implementation.	23
B.6.3.3.12.2	When a TMDL has not been established as described in Section B.4.2.2., the Permittees must include a section in the Annual Report describing the condition for which the water has been listed and considering whether stormwater discharges authorized by this permit caused or contributed to the listing. If so, the Annual Report must include a section evaluating possible BMPs that might practicably be implemented, examining whether these BMPs would have a substantial effect on achieving compliance, and identifying any BMPs that are selected for implementation.	24
B.6.3.3.12.3	The Permittees shall track the number of inspections for the inventoried construction sites throughout the reporting period to verify that the sites are inspected at the minimum frequencies required. This information shall be included in the Annual Report.	24
B.6.3.3.12.4	Information on all new annexed areas and any resulting updates required to the SWMP must be included in the Annual Report.	24
B.6.3.3.12.5	If the Permittees perform stormwater monitoring more frequently than required by the stormwater monitoring plan the results of such monitoring shall be reported in the Annual Report.	24

