

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER PROTECTION BUREAU / STORM WATER PROGRAM
PO Box 200901 / Helena, MT / 59620-0901**

**APPLICATION FORM
For A New Authorization To Discharge Under The
GENERAL PERMIT FOR STORM WATER DISCHARGE ASSOCIATED WITH
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

IMPORTANT: Read the attached instructions before completing this form. All items in this application must be completed accurately and in their entirety or the application will be deemed incomplete (resulting in a delay of processing and the application being sent back). Please print or type. Please refer to the attached instructions for information about the required items. An original signature of the applicant is required. Attach additional pages as necessary. Responses must be self-explanatory and must not refer exclusively to attached maps, plans, or documents. The appropriate fees must accompany this application form. Do not submit these items separately. Mail this application form to the DEQ address above. Small MS4 permitting documents and related forms are available from the Storm Water Program at (406) 444-3080 or on the DEQ website at: <http://www.state.mt.us/wqinfo/MPDES/StormWater/SmallMS4.asp>.

1. Name and Type of Small MS4 Permit Applicant:

Small MS4 Name _____

Small MS4 Type: Federal _____ State _____ County _____ City/Town _____ Other: _____

County Small MS4 Located _____

2. Small MS4 Contact Person:

The contact person/position shall be the primary person/position responsible for implementing or coordinating the Storm Water Management Program. This person/position will be thoroughly familiar with the operation of the Small MS4 and with the facts reported in this application, and will be contacted by the Department as necessary. All correspondence, including subsequent annual fee invoices, will be sent to this person/position.

Name _____

Position Title _____

Mailing Address _____

City, State and Zip Code _____

Phone Number (_____) _____

Email Address _____

3. Small MS4 Description (narrative): _____

8. Is this application to be part of a Co-Permittee Application?

No _____ Yes _____ If yes, complete and attach Appendix A. Also, if yes then fill out the "receiving waters" and "fee" information in Appendix A, items "C" and "D" instead of items "5" and "6" above.

9. Resident population within your permitted Small MS4 area: _____

10. Approximate number of square miles within your permitted Small MS4 area: _____

11. Attachments:

For each of the six storm water minimum control measures (Public Education and Outreach, Public Participation and Involvement, Illicit Discharge Detection and Elimination, Construction Site Storm Water Runoff Control, Post-Construction Storm Water Management, and Pollution Prevention and Good Housekeeping for Municipal Operation), the following Attachments must be included with this application. Notes: See instructions for Small MS4s which have had prior permit authorizations; and, See Appendix A for additional requirements for Co-Permittee Applicants.)

- a. BMP Description:** A description of the BMPs that the MS4 will implement for each of the six storm water minimum control measures;
- b. BMP Measurable Goals:** Identification of the measurable goals for each of the BMPs including, as appropriate, the months and years in which the MS4 will undertake required actions, including interim milestones and the frequency of the action; and
- c. Responsible Entity:** If the applicant is not performing it themselves (see item 7 above), provide a narrative description of exactly what entity will be performing a portion of, or all of, the development, implementation, or enforcement of the Storm Water Management Program with respect to each of the six minimum control measures.

12. Storm Water Discharge Monitoring Data

If the applicant has any monitoring data for any storm water discharges (not receiving surface or ground waters) associated with their Small MS4, attach copies of the water quality data sheets to this application, including the following information:

- a. a narrative description of the sampling location (including assigned name if pertinent);
- b. the sampling location as shown on an attached map;
- c. date of sampling;
- d. analytical test method and laboratory used;
- e. name of party and individual who performed the sampling; and
- f. any indication of the size of the storm event sampled including when during this storm event sampling occurred.

13. Signature of Applicant:

Important Note: ARM 17.30.1323(1) requires:

"All permit applications must be signed as follows:

- (a) for a corporation, by a responsible corporate officer. A responsible corporate officer means:
 - (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
 - (ii) the manager of 1 or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) for a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- (c) for a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official. A principal executive officer of a federal agency includes:
 - (i) the chief executive officer of the agency; or
 - (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency."

"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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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 knowing violations."

Signature of Applicant **Date Signed**

Name (printed) **Title**

APPENDIX A CO-PERMITTEE APPLICATIONS

A. Co-Permittee Applicants:

List the names of all applicants which are to be co-permitted under a single General Permit authorization (use additional pages as needed). When using this appendix for the original seven urban areas (Billings, Bozeman, Butte, Great Falls, Helena, Kalispell, Missoula), always identify the city as #1, the county as #2, MDT as #3, and a university as #4 as applicable (if one of these parties is not participating in a Co-Permittee Application then do not use that number).

1. _____
2. _____
3. _____
4. _____
5. _____

B. Co-Permittee Responsibilities:

Storm Water Management Program Minimum Control Measure	Small MS4 Co-Permittee					
	1	2	3	4	5	6
1. Public Education and Outreach						
2. Public Participation and Involvement						
3. Illicit Discharge Detection and Elimination						
4. Construction Site Storm Water Runoff Control						
5. Post-Construction Storm Water Management						
6. Pollution Prevention and Good Housekeeping for Municipal Operations						
7. Other _____						

**INSTRUCTIONS
FOR
APPLICATION FORM
For Authorization To Discharge Under The
GENERAL PERMIT FOR STORM WATER DISCHARGE ASSOCIATED WITH
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

IMPORTANT: For the Department to determine this application to be complete, perform a review, and issue a General Permit authorization letter, all required items on this form must be completed. Responses must be self-explanatory and must not refer exclusively to attached maps, plans, or documents. The appropriate fees must accompany this Application Form. Do not submit these items separately. Mail this Application Form to the DEQ address stated on the Application Form. Small MS4 permitting documents and related forms are available from the Storm Water Program at (406) 444-3080 or on the DEQ website at <http://www.state.mt.us/wqinfo/MPDES/StormWater/SmallMS4.asp>.

SPECIFIC ITEM INSTRUCTIONS

- Item 1 - Name and Type of Small MS4 Permit Applicant:** Provide the Small MS4 name. Indicate what type of public entity the Small MS4 pertains to. Indicate the county.
- Item 2 - Contact Person:** Indicate the name, title, mailing address, city, state, zip code, the phone number, and the email address of the contact person for the Small MS4. The contact person shall be the primary person responsible for implementing or coordinating the Storm Water Management Program. This person will be thoroughly familiar with the operation of the Small MS4 and with the facts reported in this application, and will be contacted by the Department as necessary. All correspondences, including subsequent annual fee invoices, will be sent to this person or position. By listing this contact person on the signed application, the formal signatory stated in item 13 is thereby making this person a duly-authorized representative of the formal signatory.
- Item 3 - Small MS4 Description:** Provide a narrative description of the geographical location of the MS4, including city or town (this is especially important for systems at military bases and large education, hospital or prison complexes, and special districts and associations). Briefly describe the MS4. Indicate what the basic design of the MS4 includes such as subsurface pipes, open channel flow, and whether any significant portions of the MS4 discharge into ground water through engineered systems.
- Item 4 - Location Map:** A location map for the MS4 (hard copy only) must be submitted. The boundaries of permit coverage must be indicated. For permitting purposes, the map must be of sufficient detail so that the exact boundaries, by street or other demarcation, can be determined. The Department has urbanized area and city maps available on the website. Only Department-endorsed urbanized area maps shall be used for the Billings, Great Falls, and Missoula areas. It is up to the permittee to ascertain the accuracy of maps, especially with respect to political and jurisdictional boundaries.

The map must show the city, town, county, or district boundaries or service area, as applicable. Counties must also indicate the unincorporated area boundaries. For any MS4s that are partially within an urbanized area, the location map must show the urbanized area boundaries.

It is recommended to start with the portion of the USGS (U.S. Geological Survey) quadrangle map showing the MS4 area. You can then use the USGS map as a guide for preparing your location map, which will be more detailed. If alternative maps are used, they must be of sufficient scale so that individual property locations can be determined in relation to the urbanized area and the municipal boundaries. For less expansive Small MS4s (e.g., hospital districts), the map should be of an

appropriate scale to clearly indicate the property boundaries. Maps should be folded to 8½ x 11 inches for submittal with the application.

- Item 5 - Receiving Waters:** Identify all of the different named or perennial (include both) surface waters receiving storm water runoff from the Small MS4 by using the USGS topographic map. Under the fee rules in effect as of 2009, the number of named or perennial receiving surface waters must be determined for you to calculate the fees in item 6 below. "Surface waters" is defined in ARM 17.30.1102(32) as any waters on the earth's surface including, but not limited to, streams, lakes, ponds, and reservoirs, and irrigation and drainage systems discharging directly into a stream, lake, pond, reservoir, or other surface water. Waterbodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.
- Item 6 - Fees:** Indicate the application fee and annual fee amount by using the current ARM 17.30.201 (fee rules) in effect at the time of the application submittal. Also, indicate the check number for this payment. The check is to be made out to the Department of Environmental Quality. If you are a co-applicant as part of a Co-Permittee Application, you need not complete item #6. Instead your discharges and fees will be included in items C and D of Appendix A which then must be completed.
- Item 7 - Responsible Entity/Legal Agreement:** If another entity (municipality, county, etc.) will perform some portion of, or all of, the activities for the six minimum control measures in the development, implementation, and enforcement of your Storm Water Management Program, then you must check "yes" in item 7 of the application and ensure there is a written agreement between yourself and the entity performing this service or function. It is not necessary to file a Co-Permittee Application for this situation to exist. Under Attachment 11.c., you will need to attach information on this agreement with the alternate entity. The applicant needs to refer to ARM 17.30.1111(7) concerning the formal requirements for sharing responsibility in implementing a portion of, or all of, a minimum control measure.
- Item 8 - Co-Permittee Applications:** Two or more applicants may be permitted together as co-permittees under one General Permit authorization. If you check "yes" for this item #8, then each co-permittee must complete and submit their own three page Application Form and Appendix A with the application package.
- Item 9 - Population:** Indicate the resident number of people living within the permitted Small MS4 area. If your permitted Small MS4 area is less than the total area of your Small MS4, provide a reasonable estimate of the population within the permitted Small MS4 area.
- Item 10 - Geographical Area:** Indicate the approximate number of square miles in the permitted Small MS4 area. For Small MS4s under one square mile, approximate number of acres may be used.

Item 11 - Attachments: The following Attachments must be included with your application. If you are a co-applicant as part of a Co-Permittee Application, refer to Appendix A for additional requirements.

For Small MS4s which have had coverage under a prior permit authorization (such as since 2006) and permittees are rearranging their permit authorizations by adding or subtracting other co-permittees, much of the following “Attachment” information has already been developed and/or implemented. However, valid up-to-date application information (as required in ARM 17.30.1111(2)) would be necessary under the new permittee arrangement. Similarly, up-to-date Storm Water Management Program (SWMP) documentation is necessary. Consequently, when completing required information for this application, the following information must be provided, particularly with respect to SWMP components not implemented and still in development. SWMP documentation must be provided which is up-to-date under the new revised permittee arrangements.

The information in the application must be accurate at the time of submittal. Provide the best information you can at the time the application is submitted for the following Attachments.

- a. **Description of BMPs:** Provide a general description of the Best Management Practices that the permittee or another entity will implement for each of the six minimum control measures listed. The description must be detailed enough for the Department to determine the MS4 operator’s conceptual strategy for complying with each of the six minimum control measures in the development, implementation, and enforcement of a Storm Water Management Program.

In providing this description, the applicant or co-applicants need to consider water quality concerns, priorities, and goals specific to your city/county/agency. For example, if the effect of nutrient loading on local waterbodies is of particular concern to local citizens, address how the individual minimum control measure initiatives will be developed to address this concern. Jurisdictional restraints, industrial sectors of concern, related water quality initiatives, recreational uses affected by storm water pollution, etc. can also be considered. If specific water quality concerns have not been determined and addressed in certain areas, provide a discussion of how future priorities may be determined and incorporated into your Storm Water Management Program for each of the six minimum control measures.

In some cases, the applicant or co-applicants may already have BMPs and initiatives related to the six minimum control measures in place and functioning, that meet the requirements of the regulation. In this case, these can be described within this Attachment. If these BMPs or initiatives will be used to fulfill the permit requirement, then the description will be considered as a commitment to continue them. Measurable goals for these existing BMPs and initiatives that are already in place and committed to will not be needed, unless some existing BMPs and initiatives need to be improved, need to be further implemented, or need to be merged with new items.

- b. **Measurable Goals:** An identification of the measurable goals for each of the BMPs conceptually proposed in Attachment 11.a. must be provided. The measurable goals for each BMP within each of the six minimum control measures must include, as can be determined, a proposed schedule of when the Small MS4 will undertake the required action, including interim milestones and the frequency of the action. In general, goals and implementation dates for major BMPs must be addressed, at a minimum, for each year of the initial five years of permit coverage. As required annual reports will be based on the calendar year, measurable goals must also be based on the calendar year.

- c. **Responsible Entity:** In cases where a separate entity will perform one or more Storm Water Management Program area components on behalf of the permittee, a written agreement, such as an Intergovernmental Agreement (IGA) or other type of formal notification signed by representatives of both parties, must be developed and these records maintained by the permittee. This written agreement must confirm that the alternate entity commits to performing the specified activity(s) on behalf of the permittee. It must cover all Storm Water Management Program areas that will be implemented partly or entirely by the other entity. Keep in mind that the permittee is still legally responsible under the permit for ensuring implementation of the Storm Water Management Program areas. These written agreements are not required to be submitted with the application, although they may be at a future date or with an annual report. Also, the Department may ask to see these during a field inspection.

This Attachment 11.c. must include a narrative description of exactly what entity will be performing a portion of, or all of, the development, implementation, or enforcement of the Storm Water Management Program with respect to each of the six minimum control measures. In other words, it must provide a list of the agreements stated in the preceding paragraph. If you are not a co-applicant as part of a Co-Permittee Application, this Attachment must be used to fully indicate and describe this agreement. For applicants which are part of a Co-Permittee Application, Appendix A, item B, is intended to provide a matrix which summarizes these responsible entities. However, the Department would like some narrative elaboration on these arrangements for alternate responsible entities with respect to co-permittees, particularly if the alternate entity is only performing a portion the required actions, or there are multiple alternate responsible entities for the required actions, with respect to a particular minimum control measure.

Item 12- Storm Water Discharge Monitoring Data: In order for the applicant, and the Department, to optimally understand storm water quality issues associated with a given MS4, urban area, segments within this urban area, and in Montana generally, applicants must pull together any monitoring data for storm water discharges associated with their MS4 and submit this information with the application. This data should also be used, as applicable, in assisting applicants with developing BMPs for their Storm Water Management Program. Copies of water quality data sheets (lab reports) need to be submitted, as well as the other requested information in items 12.a-f.

Item 13 - Application Certification and Signature: The application must be signed to be considered complete. In all cases, it must be signed by an individual based on the requirements stated on the Application Form from ARM 17.30.1323(1). Based on this rule, for a city this is typically the mayor or city manager, for a county it is typically the county commission chairperson, and for others it is typically a top level official. Also, be aware that by signing this application, the formal signatory is authorizing the "contact person/position" to be the formal contact in all permit-related correspondence for this Small MS4. This authorization in the application by the formal signatory makes the "contact person/position" a "duly authorized representative" as provided for in ARM 17.30.1323(2). If the name of the contact person within this position changes in the future, the permittee must notify the Department in writing of the new person's name within this position, as provided for in ARM 17.30.1323(3).

APPENDIX A INSTRUCTIONS CO-PERMITTEE APPLICATION

Two or more co-applicants may submit a Co-Permittee Application, i.e., a single submittal that addresses all Storm Water Management Program minimum control measures for each applicant. These Program requirements, or portions of Program requirements, may be performed jointly with another entity, or solely by another entity. Each applicant must fill out their own three page Application Form and Appendix A. It is imperative that each co-applicant coordinate their application responses and submittal with other co-permittees, particularly with respect to who is responsible for what. The Attachments in item 11 may be jointly prepared, and the entire package jointly submitted. For filing purposes, one copy of the Attachments is required per applicant.

Item A - Co-Permittee Applicants: Indicate all of the Small MS4 entities that are applying as co-permittees. When using this appendix for the initial application due 3/10/03 from each of the seven urban areas (Billings, Bozeman, Butte, Great Falls, Helena, Kalispell, Missoula), always identify the city as #1, the county as #2, MDT as #3, and a university as #4 as applicable (if one of these parties is not participating in a Co-Permittee Application then do not use that number).

Item B - Co-Permittee Responsibilities: Indicate, for your MS4 only, which entities are responsible for carrying out which Storm Water Management Program minimum control measures. If more than one entity is responsible (for part of the entire minimum control measure listed), check all boxes that are applicable. The numbers assigned to the entities in Item A correspond to the numbers along the top of the table. Elaboration of exactly what entity is responsible for what portion of a minimum control measure for another entity must be clearly indicated in the Attachment in Item 11.c.

Item C - Receiving Waters: Identify all of the different named or perennial (include both) surface waters receiving storm water runoff from your particular co-permittee Small MS4 by using the USGS topographic map. Under the fee rules in effect as of 2009, the total number of named or perennial receiving surface waters must be determined for you to calculate the fees in item 6 below. "Surface waters" is defined in ARM 17.30.1102(32) as any waters on the earth's surface including, but not limited to, streams, lakes, ponds, and reservoirs, and irrigation and drainage systems discharging directly into a stream, lake, pond, reservoir, or other surface water. Waterbodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.

Item D - Fees: Indicate the application fee and annual fee amount by using the current ARM 17.30.201 (fee rules) in effect at the time of the application submittal. Based on the fee rules in effect as of 2009, the total number of different named or perennial (include both) receiving surface waters for all co-permittees combined must be determined for you to calculate the application fee and annual fee amounts, by multiplying this number times the respective application fee amount (\$1500) and annual fee amount (\$650). Also, as of 2009, the maximum number of discharges we can charge a fee for is five, even though the permit authorization may total more than five discharges. One payment for the application fee and first calendar year annual fee must be submitted with the application. Also, indicate the check number for this payment. The check is to be made out to the Department of Environmental Quality.

Item E - Annual Fee Payment Responsibility: Indicate which co-permittee (use the numbers above in Item A) is responsible for payment of annual fees. This co-permittee will be invoiced for each calendar year annual fee. First-year annual fees are submitted with the application, so the initial annual fee invoice sent out by the Department will be for the calendar year following the first calendar year of permit coverage under the General Permit. These invoices will be sent to the contact person/position identified on the application for the responsible co-permittee indicated under this item.