

# ANNUAL REPORT TO ODEQ FOR PHASE II STORMWATER PERMITTED MS4s

### **City of Claremore**

Name of Permitted MS4:	City of Claremore		
MS4 OKR04 Permit Number:	OKR040028		
ANNUAL REPORT Reporting Period:	January 1, 2020 to December 31, 2020		
ANNUAL REPORT Original Completion Date:	December 31 <sup>st</sup> , 2020		
ANNUAL REPORT Latest Revision Number:	1		
ANNUAL REPORT Latest Revision Date:	February 25 <sup>th,</sup> 2021		
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### **EXECUTIVE SUMMARY**

The City of Claremore herein submits this Annual Report to the Oklahoma Department of Environmental Quality (ODEQ) as a comprehensive summary of all activities accomplished during the ANNUAL REPORT period of record. This ANNUAL REPORT is required by Part V.C of the "ODEQ General Permit for Phase II Small Municipal Separate Storm Sewer System [MS4] Discharges within the State of Oklahoma", (OKR04). References are also made in this ANNUAL REPORT to the City of Claremore's Stormwater Management Program (SWMP) document. Contents of the SWMP are reviewed annually and revisions made as needed. The Sections of this Annual Report address all requirements in OKR04 Part V.C and within other parts of the OKR04 permit:

Section	Section Title
I	Certification Statement
II	Overview of the Stormwater Program Implementation
Ш	Compliance Status, BMP Assessment and Achievement Progress
IV	Results of Information and Data Used for Assessments
V	Stormwater Activities Planned During the Next Reporting Cycle
VI	Proposed Changes to the SWMP or Best Management Practices (BMPs)
VII	Additional BMPs Being Implemented To Address 303(d) Waters
VIII	Additional BMPs Being Implemented To Comply With TMDLs
IX	Agreement With Another Governmental Entity
Х	Progress Report For the 7 <sup>th</sup> MCM Construction Activities
ΧI	Information On All New Annexed Areas And Resulting SWMP Updates
XII	TMDL Implementation Reports, Status and Compliance Actions Taken
App. A	Letters of Commitment from Other Governmental Entities
Арр. В	Map of MS4 Boundary Changes During Reporting Cycle
App. C	TMDL Implementation Reports

Questions for local officials about this ANNUAL REPORT or Stormwater Program should be directed to the MS4 Contact Person listed on the cover page. Questions about the State's Phase II Stormwater Permit program should be directed to the ODEQ Water Quality Division.

#### I. CERTIFICATION STATEMENT

The following certification statement is required by OKRO4 Part VI.H.4. Requirements for who should sign the certification are specified in OKRO4 Part VI.H. For municipalities, the certification must be signed by either a principal executive officer or ranking elected official. Refer to OKRO4 Part VI.H for all signatory and certification requirements.

"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 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, Name, Title

-25-202

Date

John Feary, Claremore City Manager

Printed Name, Title

City Clerk

#### I. OVERVIEW OF THE STORMWATER PROGRAM IMPLEMENTATION:

The following is a brief overview of the past year's implementation activities. Additional details about each item are presented elsewhere in the Annual Report.

The City of Claremore is a member of the Metropolitan Environmental Trust (MET). The Claremore Recycle Center is operated by the MET and Rogers County Work Training Center personnel. Attached is the Letter of Agreement from the MET.

Claremore is also a member of Green Country Stormwater Alliance (GCSA) an INCOG Sponsored program. Attached is the Agreement and Scope of Work from INCOG.

Claremore also partners with Rogers County Conservation District (RCCD) for Stormwater Education and Stormwater stream monitoring and clean up.

The City of Claremore continues the program of recycling Fats Oil and Grease from homeowners. We placed a FOG Recycling Bin at 810 Ramm Road next to our Claremore/MET Recycling Center. Brooks Grease in Tulsa, Oklahoma picks up the FOG and recycles it.

Our MET Recycle Center also accepts clear, green and brown glass, cardboard, #1 and #2 Plastics, Aluminum, used motor oil, cooking oil, paper, phone books etc. Our center is manned five hours per day by Rogers County Work Training Center employees.

As required by OKR04, the City of Claremore evaluated the implementation of the Best Management Practices (BMPs) for each Minimum Control Measure (MCM) and assessed the overall compliance with the MCMs. The evaluation is that the City of Claremore is in compliance with the Stormwater Management Plan (SWMP) for all BMP implementation.

We distributed 88 FOG compliance letters to all restaurants residing in the within The City of Claremore compliance area. We continue to inspect restaurants and issue educational materials consisting of laminated posters and a newly revised BMP Plan for the kitchen staff. We also sent 72 flyers to residents.

We distributed Grass in the Streets fliers to 1910 citizens in our utility bill in one billing cycle. We also distributed notice of our Green Waste Disposal event to 13,766 citizens which included alternatives to green waste disposal.

We distributed Pet Waste fliers in one billing cycle to 29 citizens and gave 100 to the city animal shelter to distribute to new pet owners.

The City of Claremore's Household Pollutant Collection and Clean-up Day was postponed due the current Covid-19 pandemic.

Dumpster BMP implementation and inspections continue and are included with FOG and Automotive Shop inspections.

The City of Claremore has revised the Automotive Shops and Car Wash BMP and implemented an inspection schedule.

The City of Claremore sanitary sewer lines are serviced a minimum of once every six months and the trouble areas are serviced every three months.

Unique Screen Media played a 15 second Litter commercial and a 15 second Fats Oil and Grease commercial and a 15 second Grass in the Streets commercial that were aired at a minimum of two times before each feature film on all screens during 2020. The commercials played for 7,416 screenings with a total of 32,862 ticket sales. I spoke with the representative of Unique Screen Media and he informed me that ticket sales were down during the Covid pandemic and should hopefully increase in the coming year. We also have a 15 second Leaves in the Street commercial and a 15 Second Litter commercial that we cycle on screens between the others.

The City of Claremore has an effective and successful method for Claremore residents to report pollution, system maintenance, flooding issues, complaints and to make work order requests. The City of Claremore uses Civic Plus for website work order requests and GOVQA for phone and work order requests and also utilizes Social Media. All systems have proven to be successful for tracking work orders and verifying completion. In 2016 Claremore purchased the work order program MyGov. Work performed by the Street Department and the Water/Sewer Department are logged onto MyGov.

The City of Claremore utilized Green Country Stormwater Alliance (GCSA) and Rogers County Conservation District (RCCD) and The MET to help implement the Public Education and Public Participation MCMs. Public Education and participation was performed through brochures, handouts, display boards, creek cleanup events, stream monitoring by RCCD and Claremore High School Students, signage, utility bill mailers, Enviroscape Models through RCCD, school education programs, urban pollution prevention commercials that previews every movie at the Claremore Cinema 8 Movie Theatre and Newspaper articles.

The City of Claremore initiated a public education program targeting grass clippings and yard debris in storm sewers and streets through an article in the Claremore Daily Progress, movie commercials and utility bill inserts. When the City receives a complaint about grass or yard debris in the street or storm sewer system, the Inspector drives to the location and speaks with the citizen if they are present. If not, a Door Hanger is placed on the door informing the citizen of the violation with suggestions to correct the violation. This initiation was a good example of the effectiveness of Public Education and Public Participation MCMs working to decrease illicit discharges.

The City of Claremore has an ongoing program of cleaning catch basins and the debris is hauled to the Claremore landfill. The City also sweeps the streets of Claremore and the debris is hauled to the Claremore landfill. Since the inception of the program, the City of Claremore has tracked pollutant and debris removal related to these activities.

The City issues Erosion Control Permits for all construction activities within the City of Claremore.

The 2015 revision of the Stormwater Illicit Discharge Ordinance has a requirement for construction activities with a disturbed surface of less than one acre as well as one acre or larger. The review process of this permit serves as a checkpoint to ensure that no construction begins within the City of Claremore on large scale construction sites before a NOI has been submitted and an OKR10 Authorization to Discharge from ODEQ has been issued. No permit is issued without proper documentation obtained and developed first.

All construction sites are routinely inspected on a drive by basis. Onsite inspections are performed for sites that have Stormwater related issues or are too large for successful inspection by vehicle. All construction site complaints are inspected and addressed. Notice of Violations are issued to repeat offenders. Need to find numbers for this.

In 2019, the City of Claremore Public Infrastructure Department, street division maintained the streams and creeks for removal of debris, litter and overgrowth to prevent water from backing up and flooding.

**Table 1: Stormwater Program Overview** 

Annual Report Conditions	Activity Description		
Fiscal Year or Calendar Year	We compile program data on a Calendar Year basis.		
	We are a member of INCOG's Green Country Stormwater		
Governmental Entities Used	Alliance (GCSA).		
dovernmental Littitles osed	We are a member of the MET. The MET provides Recycling		
	and public education to the citizens.		
Consultants, Organizations Used	Rogers County Conservation District provided elementary		
Consultants, Organizations oseu	school education and volunteer stream monitoring.		
	The SWMP was reviewed while preparing this ANNUAL		
SWMP Review	REPORT, and only minor changes were made for the next		
	report cycle.		
Changes Planned for Next Year	Minor changes will be made to the SWMP or BMP list.		
	Stormwater fee pays for Stormwater Manager, BMPs and		
Program Funding Sources	most of program costs comes from Fund 11 from Public		
	Infrastructure Streets Department.		
	Dog Creek has an established TMDL for Enterococcus, E.coli,		
303(d) Impaired Waters	macroinvertebrate bio, fish bio assessments, oil and		
	grease pH and DO. New on 2018 303(d) list		

	Lake Claremore has an established TMDL for Chlorophyll a.			
	Cat Creek has an established TMDL for DO, Fish bio			
	assessments, Escherichia coli, Enterococcus, Sulfate,			
	Newly listed on 2018 303(d) list.			
	There were no TMDL watersheds within the MS4 that were			
TMDL Watersheds in MS4	finalized and required MS4 actions during this ANNUAL			
	REPORT cycle.			
Aquatic Resources of Concern (ARC) for Protected Species in	There are no ARC for protected species in this MS4 of			
MS4	OKR04.			
Outstanding Resource Waters (ORW) in MS4	There are no ORW waters within the MS4.			

#### **III.COMPLIANCE STATUS, BMP ASSESSMENT, AND ACHIEVEMENT PROGRESS:**

(Addresses OKR04 Part V.C.1.a)

The following is a summary of the assessment of the Stormwater program for the City of Claremore. This assessment addresses the specific Annual Report requirements in <u>OKR04 Part V.C.1.a</u>. Because Part V.C.1.a has 4 separate items in a single paragraph, each needing detailed information, they were broken out as separate items in this ANNUAL REPORT. The 4 items are:

- Item 1: Status of compliance with permit conditions (Table 2);
- Item 2: Assessment of the appropriateness of the BMPs (Table 3);
- Item 3: Progress of achieving goal of reducing pollutant discharges to the MEP (Table 4); and
- Item 4: Progress towards achieving the Measurable Goals (Table 3).

## III.A Item 1 in OKR04 Part V.C.1.a: "The <u>status</u> of your <u>compliance</u> with <u>permit</u> conditions..."

The following list of Permit Conditions is taken from OKR04. The "Permit Conditions" represent all major areas of permit requirements that must be addressed in OKR04 compliance. The items labeled "MCM" are the six Minimum Control Measures, plus the optional 7<sup>th</sup> MCM for local construction projects. The status assigned to each of these Permit Conditions in Table 2 below is general; each of the MCMs is addressed in greater detail in Table 3, assessing BMPs.

### **Table 2: Status of Compliance with Permit Conditions**

Permit Condition	Compliance Status	Future Actions Needed
Allowable Discharges	Reviewed list January 2020; no changes made.	Review annually or as needed.
Historic Preservation	No Section 106 Federal actions taken by MS4 this report cycle.	Will contact ODEQ if we are notified if any Section 106 reviews are needed.
Endangered Species / Aquatic Resources of Concern (ARC)	No part of the MS4 is within an ARC. No actions to protect endangered species were needed this report cycle.	Will contact ODEQ if MS4 is notified that actions must be taken to protect endangered species.
Co-Permittees	The City of Claremore is not a copermittee with another MS4.	No status change is expected.
Water Quality Standards (WQS)	The MS4 was not notified this report cycle of any WQS violations caused by Stormwater discharges.	Will contact ODEQ upon any notification to develop a strategy to protect WQS.
303(d) Impaired Waters	The MS4 performed enhanced BMPs as described in Table 3 below. No 303(d) parameter field or lab data was collected this report cycle	MS4 will continue to implement enhanced BMPs to address 303(d) impairment.
TMDL Compliance	There were no finalized TMDLs within the MS4 during this reporting cycle.	The MS4 will continue to request completed TMDL updates from ODEQ and seek assistance on compliance.
Outstanding Resource Waters (ORW)	The MS4 is not within an ORW watershed.	No status change is expected.
MCM-1: BMPs and Measurable Goals	Claremore has changed BMPs or Measurable Goals to include specific number of brochures to hand out.	Claremore has changed BMPs or Measurable Goals to include specific number of brochures to hand out.
MCM-2: BMPs and Measurable Goals	Implementation to fullest extent possible due to the Covid pandemic.	Continue implementation.
MCM-3: BMPs and Measurable Goals	100% successful implementation.	Continue implementation.
MCM-4: BMPs and Measurable Goals	100% successful implementation; 12 construction NOVs issued from June 2020 to December 2020.	Need to increase education of construction operators.
MCM-5: BMPs and Measurable Goals	Hard to find private LID within MS4. One LID parking lot in the MS4 and the city of encouraging more implementation of both public and private implementation of LID in future planning and projects.	Focus efforts and education to locate and encourage private establishment of LID. Begin assessing local codes for LID barriers.

Permit Condition	Compliance Status	Future Actions Needed
MCM-6: BMPs and Measurable Goals	100% successful implementation; 1 inspection at each city facility.	Prepare written procedures and educate city departments about Stormwater pollution.
MCM-7: Municipal Construction Projects	Claremore participates in MCM-7. Our SWP3 was accepted and approved by ODEQ.	No actions needed.
SWMP Updates	Minor changes were made to the SWMP. Additional changes will be made when the new permit is issued and TMDLs are implemented.	Reassess SWMP throughout year.
ODEQ Enforcement Actions Against MS4	None this reporting cycle.	No actions anticipated.
24 Hour Reporting of Pollution Events by MS4	10 SSO events and 1 illicit discharge event reported.	Will report episodes as needed.

[Section 2 Break here]

**III.B Item 2 in OKR04 Part V.C.1.a:** "...an <u>assessment</u> of the <u>appropriateness</u> of the identified best management practices [<u>BMPs</u>]...", and

Item 4 in OKR04 Part V.C.1.a: "...and progress toward achieving the measurable goals for each of the MCMs."

The following information in Table 3 assesses each Best Management Practice (BMP) for each of the six Minimum Control Measures (MCMs). Table 3 is divided into 6 sub-tables, one for each of the 6 MCMs. Also, included in the sub-tables below is an assessment of meeting each of the Measurable Goals (M.G.s) assigned to each BMP. The BMPs are taken from Appendix A of the City of Claremore's Stormwater Management Program (SWMP) document. Consult the SWMP for additional details about BMP implementation, responsible parties, implementation schedules, and procedures used to implement all BMPs.

#### Table 3: Assessment of BMPs and Measurable Goals

#### Table 3a: MCM-1. Public Education and Outreach

BMP Id. #1	MCM-1 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
1a.	Distribute Brochure to general public: Water quality Impacts from Urban Stormwater	Distribute 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1b.	Distribute Brochure to general public: Household chemical disposal options	Distribute 25 at local events and public buildings	Yes	None. Claremore conducts one H2P2 Event/year in the Spring for citizens to dispose of Household chemicals. Was not held due to COVID	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year

1c.	Distribute brochure to business owners: Chemical storage and disposal at businesses	Distribute 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1d.	Distribute brochure to Homeowners with on-site sewage disposal systems: Proper on-site Sewage disposal system maintenance.	Distribute 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1e.	Post an OSSF maintenance information page on the city website.	Obtain maintenance information form to include on city website.	Yes	Research. Claremore will place on Stormwater page of Claremore Web page.	When placed on web site citizens will have access to maintenance information.	All Year
1f.	Distribute <b>pet waste</b> brochures to general public	Obtain brochure, Distribute 25 at local events and public buildings	Yes	None. Claremore has Pet Waste fliers to be placed in City electric and water bills.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1g.	Place information on city website about bacteria discharge types and amounts from residential properties either as direct discharge or in runoff.	Research, Place on website, update as needed	Yes	None	Claremore Stormwater Web Page has bacteria types and standing floodwater and common symptoms.	All Year
1h.	Place information on city website about bacteria contamination from sewer overflows caused by fats, oils and grease disposal to sewer lines.	Research, Place on website, update as needed	Yes	None. Claremore has FOG around the City fliers to be placed in City electric and Water bills.	The BMPs will be placed on Stormwater Page. Enteric bacteria explained on Claremore Stormwater Web Page. Claremore has begun Restaurant FOG program and Automotive repair program. Claremore has FOG commercial	All Year

					played at the Theatre for 7416 screenings total of 32,862 ticket sales.	
1i.	Distribute brochure to general public-adults, and schools (5 <sup>th</sup> -12 <sup>th</sup> ): <b>How to become involved in Stormwater program</b>	Distribute 50 at local events and public buildings; schools	Yes	None. Claremore partners with Rogers County Conservation District (RCCD) for education and materials distribution.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1j.	Distribute brochure to general public, adults, and schools (5th-12th) Recycling and re-use benefits.	Distribute 50 at local events and public buildings; schools	Yes	None. Claremore has a MET Recycle center at 810 Ramm Road. Spring H2P2 Event.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1k.	Distribute brochure on grease trap/interceptors cleaning and maintenance.	Obtain brochure, 10 per year	Yes	None. Claremore has begun a FOG program for Restaurants.	Claremore has also begun an Automotive shop maintenance Program.	All Year
11.	Training of city staff and crews: <b>Water quality and</b> regulations	Annual in conjunction with MCM #6 requirement	Yes	None. Municipal Stormwater Pollution Prevention training DVD.	All Claremore electric, sanitation, water & sewer, street personnel required yearly training received in October 2020 and INCOG yearly training for stormwater staff.	Annually
1m.	Support regional agency- hosted seminar to be attended by municipal, public works staff, and the public	At least once during permit cycle	Yes	None	Help Host one event during permit cycle	Once per permit cycle
1n.	Discuss Phase II program in public city council meeting in conjunction with ODEQ's Annual Report	Present yearly with ODEQ Annual report	Yes	None	Stormwater personnel appeared before Council one time in October 2020.	Annually

10.	Support regional Stormwater website	Support INCOG's GCSA website	Yes	None	Access and Link to INCOG website is on Claremore Stormwater Page.	All Year
1p.	Sponsor and participate in clean-up Events	Once every year	No	Due to Covid the clean- up and H2P2 events were canceled.	In Spring at same time as annual H2P2 event, Claremore also offers all citizens a free dump day and sets up 4 sites in Claremore & Rogers County for citizens to haul their yard waste and unwanted household items. In Normal years this would have happened. Due to Covid pandemic events were canceled.	Annually
1q.	Create and set up display board at local events	Minimum once every year. Display board	(No)	Display board was not set up at the Rogers County State Fair.	Brochures and Project Wet education booklets and Stormwater notebooks were distributed, but it was determined the table was too small for the display board,	Annually
1r.	Post public awareness signs appropriately throughout the city.	Design, order and post 3 signs	Yes	3 signs posted in Claremore on Highways	Verdigris River, Dog Creek & Cat Creek Watershed signs were posted in 3 different places in Claremore	All Year
1s.	School Programs: Currently looking to restructure program in 2020.	1 per year	No	Due to Covid school was not in physical session.	Working with Claremore public schools to present Enviroscape to 5 <sup>th</sup> graders every year starting in 2021.	Annually
1t.	City to coordinate Volunteer Stream Monitoring Program with volunteers' performance to be reviewed annually.	Review performance Annually	Yes	None	Blue Thumb held a volunteer training session at RSU for stream monitoring education.	Annually
1u.	Storm drain marking: All newly installed Catch basin storm drain hoods will be stamped with placards to inform public not to pollute Stormwater.	Review inventory and placement of new annually	Yes	None	All drains in Claremore have been marked. All new drains are stamped when purchased. 3 replaced.	Annually

1v.	City sponsored volunteer stream and/or roadside cleanup events	At least 1 event per year	No	Events were canceled due to the Covid Pandemic	Events were canceled due to the Covid Pandemic	Annually
1w.	Promote and support household pollutant collection events	One event per year	No	Was not held due to the Covid Pandemic.	No H2P2 events were held due to the ongoing pandemic.	Annually
1x.	Promote use of and support Local Recycling Center	Report the types and amounts of recyclables collected	Yes	None	Claremore reports to State of Oklahoma & ODEQ Pretreatment & Stormwater Departments amounts recycled. The Metropolitan Environmental Trust provides recycling services for the City of Claremore.	Annually
1y.	Free Logo Items: purchase and distribute free items with water quality messages and logos to the general public, schools, and non-profit groups.	List contacts made and track number of items distributed every permit year.	No	No events were held due the ongoing Covid Pandemic.	Stormwater Pens, Notebooks, Letter Openers, Cups and Project Wet Booklets are normally distributed yearly.	Annually

### Table 3b: MCM-2. Public Involvement and Participation

BMP Id. #2	MCM-2 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
2a.	Public Meetings: comply with state and local public notice requirements.	All Public Meetings or as needed	Yes	None	All Public Meetings comply with state and local public notice requirements.	As Needed
2b.	Distribute brochure to general public-adults: water quality impacts from urban Stormwater.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year

2c.	Distribute brochure to general public-adults: Household chemical disposal options.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
2d.	Distribute brochure to general Public-adults: how to become involved in Stormwater program.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
2e.	Distribute brochure to general public, adults, and schools (5 <sup>th</sup> -12 <sup>th</sup> ): <b>Recycling</b> and re-use benefits.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
2f.	Support regional agency- hosted seminar to be attended by municipal, public works staff, and the public.	At least once during permit cycle.	Yes	None	Done prior to 2020	All Year
2g.	Discuss Phase II program in public city council meeting in conjunction with ODEQ's Annual Report.	Present yearly with ODEQ Annual report	Yes	None	Stormwater personnel appeared before Council one time in October 2020.	Annually
2h.	Support regional Stormwater website.	Support INCOG's GCSA website.	Yes	None	Access and Link to INCOG website is on Claremore Stormwater Page.	Annually
2i.	Sponsor and participate in clean-up Events.	Once every year	Yes	Canceled due to the Covid Pandemic	In Spring at same time as annual H2P2 event, Claremore also offers all citizens a free dump day and sets up 4 sites in Claremore & Rogers County for citizens to haul their yard waste and unwanted household items.	Annually
2j.	School Programs: Coordinate city organized school programs with the assistance from volunteer groups.	1 per year	Yes	Canceled due to the Covid pandemic.	We have arranged to do a program with all Claremore 5 <sup>th</sup> graders to teach them about watershed pollution after the pandemic has subsided.	Annually

2k.	City to coordinate volunteer	Review	Yes	None	Blue Thumb held a volunteer training session	Annually
	stream monitoring Program	performance			at RSU for stream monitoring education.	
	with volunteers'	Annually				
	performance to reviewed					
	annually.					
21.	City sponsored volunteer	At least 1 event per	Yes	Canceled due	Clean up event was cancelled due the Covid	Annually
	stream and/or roadside	year		to the Covid	Pandemic.	
	cleanup events.			pandemic		

### Table 3c: MCM-3. Illicit Discharge Detection and Elimination

BMP Id. #3	MCM-3 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
3a.	Distribute brochure to general public-adults: Household chemical disposal options	Distribute at least 25 at local events and public buildings	Yes	None	All Public Meetings comply with state and local public notice requirements.	All Year
3b.	Distribute brochure to business owners: Chemical storage and disposal at businesses	Distribute at least 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
3c.	Distribute brochure to general public, adults, and schools (5 <sup>th</sup> -12 <sup>th</sup> ): <b>Recycling and reuse benefits</b>	Distribute at least 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
3d.	Distribute brochure to Homeowners with on-site sewage disposal systems: Proper on-site Sewage disposal system maintenance.	Distribute at least 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	
3e.	Distribute pet waste brochures to general public	Quarterly mailer Distribute 25 at local	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724	All Year

		events and public buildings.			Ramm Road. Brochures were distributed at Rogers State Fair.	
3f.	Install and maintain "pooper- scooper" stations and signs in parks located near 303d impaired stream areas and Claremore Lake.	Research, Procure, Install	Yes	None	Claremore maintained dog bag stations at Claremore Cat Creek Dog Park. The city distributed 6000 doggie waste bags in 2020.	All Year
3g.	Place information on city website about bacteria discharge types and amounts from residential properties either as direct discharge or in runoff.	Research, Place on website, update as needed	Yes	None	Enteric bacteria explained on Claremore Stormwater Web Page.	All Year
3h.	Place information on city website about bacteria contamination from sewer overflows caused by fats, oils and grease disposal to sewer lines.	Research, Place on website, update as needed	Yes	None. Claremore has FOG around the City fliers to be placed in City electric and Water bills.	Enteric bacteria explained on Claremore Stormwater Web Page. Claremore has begun Restaurant FOG program and Automotive repair program. Claremore has FOG commercial played at the Theatre for 7,416 screenings total of 32,862 ticket sales.	All Year
3i.	Annual training of Sewer Dept. staff on timely reporting of sewer bypasses and upsets.	Hold Annual Training	Yes	None	All Sewer and Street Department personnel have been trained on reporting and importance of timely constraints.	Annually
3k.	Training for City staff and crews on data quality and data management. INCOG/GCSA sponsored	Annual Training.	Yes	None	Claremore Stormwater Department Personnel attended INCOG Training session in 2020.	Annually
31.	Training for city staff and crews: how to conduct inspections and how to monitor effectively.  INCOG/GCSA	Annual Training	Yes	None	Claremore Stormwater Department Personnel attended INCOG Training in 2020	Annually

3m.	Mapping: regional and local MS4 system maps	Continuously Updating	Yes	None	Flood Manager has developed a Claremore map of our DWFS Outfalls and is currently working on MS4 Storm Sewer and Sanitary Sewer Maps.	Continuous
3n.	Mapping: regional and local data/designate priority areas	Continuously Updating	Yes	None	Flood Manager has developed a Claremore map of our DWFS Outfalls and is currently working on MS4 Storm Sewer and Sanitary Sewer Maps.	Continuous
30.	Continue to update ordinance prohibiting illicit discharges	As needed	Yes	None	Claremore Illicit Discharge Ordinance was updated in November 2015. No deficiencies have been identified to be changes.	As Needed
3p.	Support regional agency- hosted seminar to be attended by municipal, public works staff, and the public	At least once during permit cycle	Yes	None	Help Host one event during permit cycle done prior do 2020	Once per Permit Cycle
3q.	Discuss Phase II program in public city council meeting in conjunction with ODEQ's Annual Report	Present yearly with ODEQ Annual report	Yes	None	Stormwater personnel appeared before Council one time in October 2020.	Annually
3r	Support regional Stormwater website	Support INCOG's GCSA website	Yes	None	Access and Link to INCOG website is on Claremore Stormwater Page.	All Year
3s.	Existing Data: collect local and regional pollution data/discharger data	Continuous, regional data coordinated by INCOG/GCSA. Local data collected during inspections and complaints	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 10 SSOs in 2020. In 2016 Claremore purchased MyGov Program Database for complaints and projects issued by citizens and other departments.	Continuous
3t.	Inspections: conduct MS4 inspections based on reported complaints	As needed	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 10 SSOs in 2020. In 2016 Claremore purchased MyGov	As Needed

					Program Database for complaints and projects issued by citizens and other departments.	
3u.	Inspections: Conduct MS4 inspections to trace sources	As Needed	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 10 SSOs in 2020. In 2016 Claremore purchased MyGov Program Database for complaints and projects issued by citizens and other departments.	As Needed
3v.	Enforcement: take appropriate action to abate source	As Needed	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 10 SSOs in 2020. In 2016 Claremore purchased MyGov Program Database for complaints and projects issued by citizens and other departments.	Annually
3w.	Clean up events: sponsor/participate in city wide event	At least one annual event	No	Canceled due to the Covid pandemic.	In Spring at same time as annual H2P2 event, Claremore also offers all citizens a free dump day and sets up 4 sites in Claremore & Rogers County for citizens to haul their yard waste and unwanted household items.	Annually
3x.	City to coordinate Regional stream Monitoring Program with volunteers' performance to be reviewed annually.		Yes	None	Claremore sponsors RCCD Senior Biology Department Walnut Creek stream monitor and clean up.	Annually
Зу.	Strom drain Marking: Catch basin storm drain hoods stamped with placards to inform public to "Dump no waste, Drains to River"	Review Performance Annually	Yes	None	All older storm drains in Claremore were marked last Permit Cycle by Stormwater Personnel and Rogers State University students. All new drains and catch basins are stamped by manufacturer.	Annually
3z.	Pollutant Collection: Promote use and support Local	1 Event Per year	Yes	None	Every Spring Claremore hosts a H2P2 for all Claremore and Rogers County citizens. Claremore is a member of the	Annually

	household pollutant collection events				MET and supports the H2P2 Permanent facility in Tulsa.	
3aa.	Recycling: Promote use of and support Local MET recycling centers	Report the types and amounts of recyclables collected	Yes	None	Claremore reports the yearly totals to the State of Oklahoma and ODEQ Pretreatment and Stormwater Departments.	Annually
3bb.	City sponsored stream and/or roadside cleanup events.	At least 1 event per year	Yes	Canceled due to the Covid pandemic.	Planning Department cleaned Owalla Road close to Railroad Tracks. RCCD & Claremore conduct steam monitoring & Cleanup at Walnut Creek twice per year.	Annually
3cc.	Dry Weather Field Screening inspections for illicit discharges	Research, implement and schedule	Yes	None	Claremore Personnel conducted DWFS on all Outfalls last Permit Cycle. When we receive a complaint we inspect for illicit discharge. We will be conducting DWFS on all Outfalls at least 1 time this Permit Cycle.	Annually & As Needed
3dd.	Camera inspection of sewer lines.	Inspection 500 lineal feet per year of lines 6" or greater in diameter.	Yes	None	Claremore cleaned approx. 79,740 Ft. of sewer lines and video inspected 32,215 Ft. in 2019.	Annually
3ee.	Address Lift Station inadequacies.	Asses the structure, function and capacity of sewer main lift stations	Yes	None	Oakwood III lift station upgrades: New generator and concrete pad as well as fencing, and two 20 HP pumps.	Annually & As Needed

3ff.	Spill response training in relation to Sanitary Sewer Systems	Annual training of spill response employees.	Yes	None	All Severn Trent personnel receive annual spill response training. Claremore Stormwater & Water Sewer & Street personnel receive spill response training.	Annually
3gg.	Make improvements to sanitary sewers	Repair and replace breaks in sewer lines and appurtenances. Report number repaired per year	Yes	None	42 manhole rehabbed.	Annually & As Needed
3hh.	Inspect grease traps/interceptors at local businesses.	Annually	Yes	None	Claremore began a FOG program for all Restaurants. BMPs, inspection forms, Dumpster Area BMPs written. Auto Body Repair Shops BMP and Car Wash BMP written.	Annually
3ii.	Distribute brochure on grease trap/interceptors cleaning and maintenance.	Obtain brochure, 10 per year	Yes	None	Claremore began a FOG program for all Restaurants and an inspection program for Auto Repair Shops & Dumpster Areas	Annually

### Table 3d: MCM-4. Construction Site Stormwater Runoff Control

BMP Id. #4	MCM-4 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
4a.	Distribute Brochure to Contractors, city/public work crews- Construction/erosion control BMPs	Distribute to contractors	Yes	None	All Contractors and City crews have been educated on erosion control and are aware of BMPs.	As Needed

4b.	Inspections: City inspection of active construction sites	At least once during construction	Yes	None	All construction sites within the City of Claremore have been inspected at least once during construction.	As Needed
4c.	Ordinance: Continue to implement and update ordinance requiring construction BMPs	Update as needed	Yes	None	Illicit Discharge Construction Ordinance was updated in November 2015. Claremore had not identified any needed changes as of today.	As Needed
4d.	Support regional agency-hosted seminar to be attended by municipal, public works staff, contractors and builders.	At least once during permit cycle	Yes	None	At least once during Permit Cycle. Claremore explained the OKR10 requirements to Rogers County Developers Association in August 2019.	Once Per Permit Cycle
4e.	Site Plan Review: incorporate water quality into pre- construction review of site plans	All site plans will be reviewed if disturbance is over 1 acre.	Yes	None	3 sites of over 1 acre were reviewed in 2019.	As Needed
4f.	Public information receipt: create a program to receive and consider information from the public	Citizen in action online reporting program	Yes	None	Claremore is utilizing a program MyGov that can be used by the public. We also have a Complaint program that citizens can directly email to	Continuous

					the appropriate department. Stormwater Department receives citizen phone call complaints.	
4g.	Developed city sediment & erosion control permit	Monitor BMP's for all construction sites	Yes	None	Claremore is utilizing a program MyGov that can be used by the public. We also have a Complaint program that citizens can directly email to the appropriate department. Stormwater Department receives citizen phone call complaints.	As Needed

### Table 3e: MCM-5. Post-Construction Management in New Development and Redevelopment

BMP Id. #5	MCM-5 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
5a.	Distribute brochure to Contractors, City/public work crews: Construction/erosion control BMPs	Distribute to contractors	Yes	None	Meetings have not been happening due to the Covid pandemic. Contractors are given copies of our	As Needed

					ordinance and best management practices when applying for sediment and erosion control permits.	
5b.	Distribute brochure to contractors, city/public work crews: Post construction/erosion control BMPs	Distribute to contractors	Yes	None	Meetings have not been happening due to the Covid pandemic. Contractors are given copies of our ordinance and best management practices when applying for sediment and erosion control permits.	As Needed
5c.	Inspections: City inspection of construction sites after completion	At least once after construction is completed	Yes	None	Claremore Public Infrastructure/ Stormwater Inspector inspects sites at minimum 1 time after construction is completed.	As Needed
5d.	Review local codes; identify barriers to LID; remove them and justify those not removed.	Strategy, code changes	Yes	None	Claremore Planning Personnel have currently built a manual to identify barriers to LID.	As Needed
5e.	Ordinance: continue to implement and update ordinance requiring post-	Update as needed	Yes	None	Claremore Post Construction Ordinance was updated in	As Needed

	construction BMPs as needed				November 2015 and we have not identified any new changes that need to be implemented as of yet.			
5f.	Support regional agency-hosted seminar to be attended by municipal, public works staff, contractors and builders	At least once during permit cycle	Yes	None	At least once during permit cycle. Stormwater Personnel met with Rogers County Homebuilders Association in August 2019 to inform builders and developers of OKR10 Permit requirements and Claremore Construction Ordinance requirements.	Once Cycle	Per	Permit

### Table 3f:MCM-6 Pollution Prevention/Good Housekeeping in MS4 Operations

ВМР	MCM-6 BMP	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate	Implementation
ld. #6	Description				Appropriateness of	Schedule
					the BMP	
6a.	Distribute Brochure	Distribute at local	Yes	None	All Electric,	Annually and Ad
	to City public works	training for city			Sanitation,	Needed
	crews, city staff:	crews and staff and			Water/Sewer,	
	Chemical storage	to new employees			Stormwater &	
	and disposal at city	during orientation			Street Department	
	operations				personnel were	
					trained in	

					Stormwater & Pollution Prevention	
6b.	Distribute Brochure to city public works crews, city staff: City good housekeeping options	Distribute at local training for city crews and staff	Yes	None	All Electric, Sanitation, Water/Sewer, Stormwater & Street Department personnel were trained in Stormwater & Pollution Prevention	Annually
6c.	Training for City staff and crews: Storage and disposal of chemicals at municipal operations	Annually	Yes	None	All Electric, Sanitation, Water/Sewer, Stormwater & Street Department personnel were trained in Stormwater & Pollution Prevention.	Annually
6d.	Training for City staff and crews: Water quality impacts and regulations	Annually	Yes	None	All Electric, Sanitation, Water/Sewer, Stormwater & Street Department personnel were trained in Stormwater & Pollution Prevention.	Annually
6e.	Training for city staff and crews: Stormwater and city activities	Annually	Yes	None	All Electric, Sanitation, Water/Sewer, Stormwater & Street Department personnel were trained in	Annually

					Stormwater & Pollution Prevention	
6f.	Inspections: Conduct MS4 inspections to track chronic sources	As Needed	Yes	None	All City facilities were inspected in 2020 a minimum of 1 time. Deficiencies were identified and addressed by City Personnel.	As Needed
6g.	Inspections: Good housekeeping inspections of city facilities	Annually	Yes	None	All City facilities were inspected in 2020 a minimum of 1 time. Deficiencies were identified and addressed by City Personnel.	Annually
6h.	Enforcement: Take appropriate action to abate source	As Necessary	Yes	None	All City facilities were inspected in 2020 a minimum of 1 time. Deficiencies were identified and addressed by City Personnel.	As Needed
6i.	MS4 O&M Program: Street Sweeping	Annually	Yes	None	Approximately 49,655 linear feet were swept with approximately 1034 cubic yards of sediment taken to Pecan Park and the old Claremore land fill.	Continuous
6j.	MS4 O&M Program: Catch basin cleaning and Repair	Repair or Replace	Yes	None	Catch Basins are maintained after rain events on an asneeded basis. With the following breakdown of MS4	Continuous

					areas cleaned: Hwy	Ī
					20 75', W. 8 <sup>th</sup> 350',	
					W 6 <sup>th</sup> 700', W.	
					Claremore St. 170',	
					W 9 <sup>th</sup> 650',	
					Oklahoma St. 900',	
					W. Strain 800', S.	
					Moore 100', Brooks	
					St. 1800', W. 10 <sup>th</sup>	
					1200', King Rd. 20',	
					Lowry Rd. 100',	
					Chambers 200' with	
					a total footage	
					cleaned of 49,655	
					and 1034 yards	
					dumped.	
6k.	MS4 O&M Program:		Yes	None	Catch Basins are	Continuous
	Program to	bags of litter			maintained after	
	promote and	cleaned up, Record			rain events on an as-	
	schedule litter	number of events			needed basis. With	
	control: litter crew,	per year, number of			the following	
	public litter clean up	participates and			breakdown of MS4	
	events	amount of litter			areas cleaned: Hwy	
		removed.			20 75', W. 8 <sup>th</sup> 350',	
					W 6 <sup>th</sup> 700', W.	
					Claremore St. 170', W 9 <sup>th</sup> 650'.	
					/	
					Oklahoma St. 900',	
					W. Strain 800', S.	
					Moore 100', Brooks St. 1800', W. 10 <sup>th</sup>	
					1200', King Rd. 20',	
					Lowry Rd. 100',	
					Chambers 200' with	
					a total footage	
					cleaned of 49,655	
					and 1034 yards	
					dumped.	
					uumpeu.	

61.	MS4 O&M Program: Program to maintain drainage channels and ditches-Barrow ditch Maintenance, Drainage channel maintenance.	Barrow ditch-Complaint driven by citizens. Document Work done per permit year	Yes	None	Catch Basins are maintained after rain events on an asneeded basis. With the following breakdown of MS4 areas cleaned: Hwy 20 75', W. 8th 350', W. 6th 700', W. Claremore St. 170', W. 9th 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10th 1200', King Rd. 20', Lowry Rd. 100', Chambers 200' with a total footage cleaned of 49,655 and 1034 yards dumped.	Continuous
6m.	MS4 O&M Maintenance program: maintenance of city Detention / Retention Ponds.	Visual inspections; maintenance as needed. (1)	Yes	None	Catch Basins are maintained after rain events on an asneeded basis. With the following breakdown of MS4 areas cleaned: Hwy 20 75', W. 8th 350', W 6th 700', W. Claremore St. 170', W 9th 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10th 1200', King Rd. 20',	As Needed

6n.	Clean up events: sponsor/participate	At least one annual event	Yes	None	Lowry Rd. 100', Chambers 200' with a total footage cleaned of 49,655 and 1034 yards dumped. Events were not held due to the Covid Pandemic. Claremore	Annually  As Needed
60.	Create signs for city work areas	Create and post signs or posters	res	None	Street/Sign Department	As Needed
бр.	Develop procedures to assess impacts on water quality from new flood management projects.	Strategy, guidance	Yes	None	FEMA has direct guidance that Claremore will follow about protecting the watercourse and floodwaters. It requires chemicals to be stored above the BFE and any fuel tanks and oil jugs need to be strapped and secured to prevent floating away during a flood. We have plans to update our floodplain ordinance.	Continuous
6q.	Assess existing flood management projects to see if additional protection is needed (per OKR04 Part III).	Strategy, guidance	Yes	None	FEMA has direct guidance that Claremore will follow about protecting the watercourse and floodwaters. It	Continuous

		requires chemicals	
		to be stored above	
		the BFE and any fuel	
		tanks and oil jugs	
		need to be strapped	
		and secured to	
		prevent floating	
		away during a flood.	
		We have plans to	
		update our	
		floodplain	
		ordinance.	

III.C Item 3 in OKR04 Part V.C.1.a: "...progress towards <u>achieving</u> the statutory <u>goal</u> of <u>reducing the discharge of pollutants</u> to the Maximum Extent Practicable (MEP)..."

The following narrative progress assessments in Section III.C are made using quantities of major program activities (Section III.C.1) and by using numerical data / statistical summaries from field measurements and/or sample analysis from sites within the MS4 that were made during this ANNUAL REPORT reporting cycle (Section III.C.2). All data used in the Section III.C assessments are found in Section IV, "Results of Information and Data Used for Assessments". The numerical field and lab data assessed in Section III.C.2 includes results and/or statistics from one or more of the following types of collections:

- 1. Dry Weather Field Screen (DWFS) visual inspections;
- 2. DWFS field measurements with test kits;
- 3. Source-tracking inspection visual inspections;
- 4. Source-tracking inspection test kit field measurements;
- Source-tracking lab analysis of collected samples;
- 6. Construction site visual inspections and/or test kit field measurements;
- 7. Citizen pollution report visual inspections, test kit measurements or sample lab analysis.
- 8. Third-party data of adequate quality and documentation collected within the MS4;

If available and of adequate quality and documentation, data collected from previous years (called historic or legacy data) can be used to compare with more recently collected data to show water quality changes and trends in water quality improvement. Use of historic data may be limited as there may not be sufficient MS4 data collected in past permit years, and third-party data from state-wide or regional water quality sampling programs may not exist or not be comparable.

#### **III.C.1** Assessment of Pollution Reduction Progress Using BMP Activity Data:

Approximately 49,655 linear feet were swept with approximately 1034 cubic yards of sediment taken to Pecan Park and old Claremore land fill.

We serviced, repaired and upgraded Oakwood III lift station with a new generator, concrete pad, fencing and two 20 HP pumps

Catch Basins are maintained after rain events on an as-needed basis.

Catch Basins are maintained after rain events on an as-needed basis. With the following breakdown of MS4 areas cleaned: Hwy 20 75', W. 8<sup>th</sup> 350', W 6<sup>th</sup> 700', W. Claremore St. 170', W 9<sup>th</sup> 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10<sup>th</sup> 1200', King Rd. 20', Lowry Rd. 100', Chambers

200' with a total footage cleaned of 49,655 and 1034 yards dumped.

42 Sewer manholes were rehabbed.

#### III.C.2 Assessment of Pollution Reduction Progress Using Field and Lab Data:

The Claremore MS4 over this ANNUAL REPORT reporting period did not obtain or collect any <u>field</u> <u>measurements</u>, <u>field test kits</u>, <u>visual observations made during inspections</u>, <u>and laboratory analysis</u> of samples collected during inspections and pollution investigations. Cite any quantitative data from Section IV.B (Field Measurement and Laboratory Data).

## II. RESULTS OF INFORMATION AND DATA USED FOR ASSESSMENTS: (Addresses OKR04 Part V.C.1.b)

OKR04 Part V.C.1.b requires submitting in the ANNUAL REPORT the "results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the SWMP at reducing the discharge of pollutants to the MEP". The MS4 is required to compile a variety of data, including BMP implementation data (such as numbers of pollution complaint investigations, storm drain cleanouts, spill cleanups, etc.), and to collect data and information during field screening inspections and enforcement actions (e.g., lab analysis of field samples).

Section III of this ANNUAL REPORT presents two types of assessments of pollution reduction using two types of data. Section III.C.1 assesses the BMP and MS4 program activity data presented in Section IV.A below. Section III.C.2 assesses the field measurement and laboratory data presented in Section IV.B below. The data presented below form the basis of the pollution reduction assessments in Section III.C.

### IV.A BMP and Program Activity Data:

The following table quantifies the BMP and program activities used in Section III.C.1 to assess pollution reduction in Stormwater discharges from the MS4 as required in OKR04 Part V.C.1.a. The City of Claremore compiles these data annually as part of documenting that BMP Measurable Goals are being met.

### Table 4: BMP and Program Activity Data

Pollutant-Reducing Program Activity \* | Measure of Pollutant Removal or Actions

Creek channel debris clearing	Catch Basins are maintained after rain events on an as-needed basis. Highway 88 ½ mile cleaned, Reavis Road 33', Highway 20 by QuikTrip 400', Canterbury Addition East side Detention Pond, Chickasaw Place 100', 17 <sup>th</sup> Street 600', Saddleback Detention Pond, Pizza Hut 600', QuikTrip Hwy 66 100', Chambers to RR track 2,000', Will Rogers to DuPont ¼ Mile, Reasor's 500'. 23 total cubic yards removed.
Cleanout of storm drain inlets	Catch Basins are maintained after rain events on an as-needed basis.
SSO responses and cleanup	10 SSO responded to and cleaned up.
Protection of salt/sand piles	Replaced torn tarps on one salt pile and one sand pile.
Storage of chemicals	All chemicals are stored inside the facilities.
Reduced pesticide/herbicide application	874 gallons of herbicide used and no fertilizers or pesticides were used.
Improvements to detention basins	All city detention basins cleared debris at outlets.
Catch Basin Cleaning and Repair	Catch Basins are maintained after rain events on an as-needed basis.
Citizen education & outreach	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair. Numbers were not collected but will be in 2021.
Television inspection of storm drain lines	Acquired new camera system for the storm sewer system at the end of 2020 and inspected 1,730 feet of lines in 2020 and will continue to do so in 2021.
Television inspection of sewer lines	32,215 feet of sewer lines inspected with a camera and 79,740 feet of lines cleaned. 42 manholes were rehabbed.
Inspect and repair sewer lift stations	Sewer life stations continued to be serviced and maintained and the Oakwood lift station was revamped and brought up to standard in accordance with the other lift stations.
Street sweeping debris removal	The distance for the street sweeping was not collected during the 2020 reporting year but will be for the 2021 annual report. The amount of debris removed on average per month was 3,860 cubic yards and taken to a permitted landfill.

<sup>\*</sup> Activity can be direct (e.g., street sweeping quantities) or indirect (e.g., number of inspections performed or enforcement actions taken).

### IV.B Field Measurement and Laboratory Data:

The following tables' present data collected from field measurements and lab analysis. These data were used in Section III.C.2 to assess pollution reduction in Stormwater discharges from the MS4 as required in OKR04 Part V.C.1.a. The City of Claremore compiles these types of data as part of their MS4 and facility inspection programs, and for documenting environmental conditions for possible enforcement actions.

### Table 4: Field and Laboratory Data

Claremore did not perform any	Data wil	start	being	collected	in
laboratory or field analytical this Permit	accordanc	e with	TMDL	requireme	nts
Cycle.	for 2021.				

## III. STORMWATER ACTIVITIES PLANNED DURING THE NEXT REPORTING CYCLE: (Addresses OKR04 Part V.C.1.c)

OKRO4 Part V.C.1.c requires the ANNUAL REPORT to have "a summary of the Stormwater activities you plan to undertake during the next reporting cycle (including an implementation schedule)". Changes to the City of Claremore's SWMP and BMPs are described in Section VI of this ANNUAL REPORT. Appendix A of the City of Claremore's SWMP contains the latest list of BMPs for each of the six Minimum Control Measures (MCMs). The Appendix A BMP list is updated annually, if needed, at the time of preparing the ANNUAL REPORT. Table 5 lists the program activities and BMPs to be implemented during the next period of record including the changes noted in Section VI.

Table 5: Stormwater Activities To Be Undertaken During the Next Period

BMP#	BMP Stormwater Program Activity	Implementation Schedule
Public Ed	ducation, Participation, Illicit Discharge	
	Working with RCCD to find a replacement for Billy B. Stormwater Concert.	Started a program to teach Claremore 5 <sup>th</sup> graders about pollution prevention.
	Claremore will continue movie commercials about pollution prevention and Stormwater and sewer issues to be shown on all movie screens a minimum of 2 times before every screening.	We will also be adding educational signage to our storm drain investigation trailer and two trash trucks.
	Claremore will continue placing fliers in quarterly electric and water billing cycles about pollution prevention and Stormwater and sewer issues.	New fliers will be designed within the year on an as needed basis.
	Claremore will perform DWFS every year of the Permit Cycle.	Data will be taken on 20% or more outfalls each year.
	Claremore will inspect all construction sites, including single lot homebuilders.	Construction sites with a sediment and erosion permit will be inspected at least once.
	Claremore will continue to educate public on littering.	Litter and recycling information will continue to be distributed in cooperation with the MET's education efforts.
	Claremore will continue to educate public on SSOs.	A new public info campaign on the trash trucks will be implemented within the next year.
	Claremore will continue to educate public on FOG Stormwater and sewer issues.	A new public info campaign on the trash trucks will be implemented within the next year.
	Claremore will continue stream, creek and easement cleanup.	This program will continue.

BMP#	BMP Stormwater Program Activity	Implementation Schedule
	Claremore will continue Lift Station, Sanitary Sewer and manhole rehab.	This program will continue.
	Claremore will continue street sweeping, catch basin cleaning.	This program will continue.

## IV. PROPOSED CHANGES TO SWMP AND BMPS FOR NEXT REPORTING CYCLE: (Addresses OKR04 Part V.C.1.d)

The City of Claremore will make the following changes to the Stormwater Management Program (SWMP) document, to be effective for the next ANNUAL REPORT Period of Record (reporting cycle):

Table 6: SWMP Changes To Be Made For the Next Reporting Cycle

SWMP Section	Change Made to Section	Reason for SWMP Change
	Claremore has not identified any changes	The SWMP has been reviewed in 2020 and
	to be made to the SWMP for the next	changes will be put into place to
	reporting cycle.	accommodate TMDL implementation.

The City of Claremore will make the following changes to its Best Management Practices (BMPs), to be effective for the next ANNUAL REPORT Period of Record (reporting cycle):

Table 7: BMP Changes To Be Made For the Next Reporting Cycle

BMP#	Description of BMP Change	Reason for BMP Change
	Claremore has not identified any changes to be made for BMPs for the next reporting cycle.	Changes will be made in accordance with the implementation of new TMDL requirements.

## VI. ADDITIONAL BMPS BEING IMPLEMENTED TO ADDRESS 303(D) WATERS: (Addresses OKR04 Part V.C.1.e)

During this present Annual Report period of record, the current 303(d) list for Oklahoma is dated 2014. The City of Claremore has the following waterbodies within its MS4 listed as impaired on the 2014 303(d) List:

Table 8: 303(d) Listed Waterbodies Within the MS4

Waterbody Name	Waterbody Id. (WBID)	303(d) Pollutants of Concern
Dog Creek	OK121500020360_00	Enterococcus, E.Coli, DO, Macroinvertebrate Bio
Dog Creek	OK121500040010_00	Oxygen, pH, Fish Bio assessments, Oil & Grease
Lake Claremore	OK121500040020_00	Chlorophyll a
Cat Creek	OK121500020390_00	Dissolved Oxygen (DO) Fish Bio assessments, Escherichia coli, Enterococcus Sulfate

As part of the development of the local Stormwater program, the City of Claremore determined the potential causes of pollution within the 303(d) watersheds that could be attributed to discharges from the MS4. Table 9 reflects the special 303(d)-focused BMPs that will be implemented to address the 303(d) impairments within the MS4. Monitoring of 303(d) waterbodies, if needed, is identified in Table 9 as a BMP. Since Appendix A of the SWMP contains all MS4 program BMPs, including the 303(d)-focused BMPs listed in Table 9, the BMP # identifiers are the same.

Table 9: 303(d) BMPs and Monitoring To Be Used For the Next Reporting Cycle

BMP #	BMP Description	Implementation Schedule
	Monitoring being performed is with RCCD and Claremore High School Biology class conducted twice per year in Spring and Autumn at Walnut Creek. New monitoring will also be implemented in accordance with new TMDL requirements.	Claremore will continue to use RCCD to monitor at the Walnut location. Claremore will implement new monitoring according to the new TMDL requirements.

# VII. ADDITIONAL BMPS BEING IMPLEMENTED TO COMPLY WITH TMDLS: (Addresses OKR04 Part V.C.1.f)

During this present Annual Report period of record, the latest list of finalized TMDLs for Oklahoma is dated 2014. The City of Claremore has the following waterbodies within its MS4 having one or more finalized TMDLs:

Table 10: Waterbodies Within the MS4 Having Finalized TMDLs

Waterbody Name	Waterbody Id. (WBID)	TMDL Pollutants of Concern
No established, finalized TMDLs have been established by EPA.	OK121500020360_00 OK121500020390_00	No TMDLs have been finalized at this time for the MS4.

As part of the development of the local Stormwater program, the City of Claremore determined the potential causes of pollution within its MS4 portion of all draft and final TMDL watersheds that could be attributed to discharges from the MS4. Table 11 reflects the special TMDL-focused BMPs that will be implemented to address the TMDL implementation requirements as specified within each TMDL document. Monitoring of TMDL waterbodies, if needed, is identified in Table 11 as a BMP. Since Appendix A of the SWMP contains all MS4 program BMPs, including the TMDL-focused BMPs listed in Table 11, the BMP # identifiers are the same.

At this time Claremore has no TMDL obligations because we do not have a finalized TMDL. Claremore will address the TMDL BMPs and Monitoring when we are issued a finalized TMDL.

Table 11: TMDL BMPs and Monitoring To Be Used For the Next Reporting Cycle

BMP #	BMP Description	Implementation Schedule
	New monitoring programs will be implemented for Dog and Cat creek as well as heightened education on pollution prevention when a TMDL is finalized and implemented.	New monitoring and education objective will begin with the new permit cycle.

# VIII. AGREEMENT WITH ANOTHER GOVERNMENTAL ENTITY: (Addresses OKR04 Part V.C.1.g)

The City of Claremore is a member of INCOG's Green Country Stormwater Alliance (GCSA). INCOG provides a number of technical support services to its members, most of which are not actual permit requirements. The INCOG GCSA services that are considered City of Claremore BMPs include:

- 1. Employee Training workshops on all OKR04-required employee training topics; and
- 2. Maintaining the GCSA regional website for all GCSA members.

The City of Claremore also relies upon the Rogers County Conservation District program to provide the following services which are considered BMPs by the City of Claremore:

1. Volunteer stream monitoring of one stream within the MS4; and

#### 2. Elementary School in-class education events.

The City of Claremore also relies upon The MET for Recycling and Recycling Education within the City of Claremore.

Appendix A of this ANNUAL REPORT contains the letters of support from INCOG, The MET and Rogers County Conservation District concerning their commitment to providing the services outlined above during the present ANNUAL REPORT period of record.

# IX. PROGRESS REPORT FOR THE 7<sup>TH</sup> MCM CONSTRUCTION ACTIVITIES: (Addresses OKR04 Part V.C.2)

The City of Claremore participated in the OKR04 Part VIII Optional Permit Requirements for Municipal Construction Activities (the "7<sup>th</sup> MCM"). The following information in Table 12 is required by OKR04 Part VIII.A to be submitted in the Annual Report for 7<sup>th</sup> MCM participants.

The City of Claremore participated in the 7 <sup>th</sup> MCM during this ANNUAL REPORT	Yes
report cycle.*	165

# Table 12: 7th MCM Activities Summary

7 <sup>th</sup> MCM Action	Number	Comments
Number of active construction sites currently covered under the 7 <sup>th</sup> MCM.	1	None
Number of construction projects started during the reporting period.	3	None
Number of construction projects that were completed during the reporting period.	2	None
Number of 7 <sup>th</sup> MCM construction sites that have reached final stabilization.	2	None

# X. TRANSFER OF OWNERSHIP OR OPERATIONAL AUTHORITY : (Addresses OKR04 Part IV.E)

The City of Claremore did not have any MS4 boundary changes during the ANNUAL REPORT reporting period which required additional or changes to responsibilities for implementation of Stormwater quality controls. OKR04 Part IV.E requires that, "Information on all new areas and any resulting updates required to the SWMP must be included in the Annual Report."

Appendix B contains an MS4 map.

# XI. TMDL IMPLEMENTATION REPORTS, STATUS AND COMPLIANCE ACTIONS: (Addresses OKR04 Part III.B)

OKRO4 Part III.B requires each permitted MS4 to comply with all requirements in TMDLs that have been established within their MS4s. When a TMDL has been prepared, if there are any Stormwater permitted MS4 areas within the TMDL watershed, the document specifies certain actions that must be taken by the MS4 to comply with the TMDL. In addition, if any Stormwater waste load allocation (WLA\_MS4) is calculated for an MS4, then the MS4 is required to adopt the numeric value as a Measurable Goal in the MS4's SWMP. Likewise, if the watershed has a Watershed Plan in lieu of a TMDL, then the MS4 must meet the requirements specified in the Watershed Plan, including adopting any numeric targets as Measurable Goals in the SWMP.

The City of Claremore had no TMDL obligations within any of its MS4 during this ANNUAL REPORT reporting cycle. Going forward as TMDL requirements are implemented the MS4 will adhere to the requirements set forth by the TMDL.

**APPENDIX A** 

**Letters of Commitment From Other Governmental Entities** 

November 17, 2020

#### INCOG Services To Green Country Stormwater Alliance (GCSA) Members

The following is a summary of INCOG services performed annually on behalf of its GCSA Members. The table identifies services as either general program support activities or Best Management Practices (BMPs) falling under one or more of DKR04's Minimum Control Measures (MCMs). This letter fulfills DKR04's Annual Report requirement in Part VI.C.1.1 to provide a "written agreement" with "another government entity" if the permittee is relying on them "to satisfy some of your permit obligitions". A copy of this agreement must also be kept with the MS4's SWMP per OKR04 Part V.A.5.

INCOG Activity	BMP or Support	Support Service Description
Co-host water quality and stormwater conferences	Support	Work with other agencies as co-host. Assist with conference planning, and give presentations on stormwater topics.
Employee training workshoos and virtual meetings	BMP	Organize and hold workshops and online virtual training on OKRD4-required training topics and MS4 technical priorities.
Education materials	Support	Develop, acquire and make available to GCSA members. Post downloadable files on GCSA website.
Technical assistance	Support	Research technical and permit issues important to GCSA members Report results via fact sheets, news bulletins and in workshops.
GCSA website	BMP	Annual updates of website materials on priority issues.
Guidance, Templates, Plans	Support:	Prepare technical guidance and temp ates for member support.  Research and develop TMOL-related Plans and guidance:
Educación outreach documents	Support	Prepare Workbooks, News Bulletins, Announcements, Fact Sheets, White Papers, and Newsletters on important stormwater topics.
Individual M54 assistance	Support	Upon request, meet with MS4 staff, city councils, county commissions and committees on OKRU4 and local issues.
Mapping and field inspections	Support	Prepare regional and MS4 maps and forms, train members on equipment use and sampling procedures, assist with inspections.
DKR04 permit compliance	Support	Assist MSAs with 5WMPs, NOIs, SOPs, Annual Reports, QA, permit requirements, DEQ Audits and enforcement issues.

#### OKR04 Part VII.H.4 Required Certification Statement:

If 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 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 talse information, including the possibility of fine and imprisonment for knowing violations.

2013 am	(1)(1) 12020
INCOG Executive Director	Date
DACIDE TACKETO	D402

#### ROGERS COUNTY CONSERVATION DISTRICT SERVICES TO CITY OF CLAREMORE

The following is a summary of services performed by Rogers County Conservation District (RCCD) on behalf of City of Claremore (COC). RCCD and COC desire and are authorized to work together to meet the conservation needs of the citizens of the City of Claremore. RCCD and COC agree to support each other In the following activities. Some activities have changed or not been performed due to the ongoing Covid pandemic.

RCCD Activity	Notes	Changes Due to Covid
Monitor Cat Creek	RCCD will monitor Cat Creek, North of Blue Starr Drive, twice annually.	All field trips have been canceled due to Covid. This will resume when allowed.
H20 Water Quality Education	RCCD will conduct H20 Water Quality Education programs for Claremore High School Biology students.	All field trips have been canceled due to Covid. This will resume when allowed.
	RCCD will host the "Billy B" Concert and H20 Program for 4th grade students from Claremore and Northeast Oklahoma.	"Billy B" concert has been discontinued. Other options were in the works but have not been finalized due to Covid. CoC is starting a new education program for 5th graders.
	RCCD will conduct H20 Water Quality activities following the "Billy B" Concert for approximately 1,000 students and teachers.	"Billy B" concert has been discontinued. Other options were in the works but have not been finalized due to Covid. CoC is starting a new education program for 5 <sup>th</sup> graders.
H20 Water Quality Education	CoC will provide support with H2C Water Quality activities following the "Billy B" Concert for approximately 1,000 students and teachers.	"Billy B" concert has been discontinued. Other options were in the works but have not been finalized due to Covid. CoC is starting a new education program for 5 <sup>th</sup> graders.
Funding	CCC will provide funds for "Billy B" Concert and H20 Water Quality Education program for 4th grade students.	Claremore will provide funds if needed for a new program to start up.

#### Certification Statement:

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered 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.

Robert Gibbs, RCCD Education Coordinator

Date



January 26, 2021

Ms. Julic Monnot City of Claramore, Oklahoma

Dear Ms. Monett.

Re: Stormwater Management Plan (SWMP) - Submittal for Phase II Small Municipal Separate Storm Sewer System Discharge permit (OKR64)

The Metropolitan Environmental Trust (The M.e.c.) will assist with your SWMP and regulatory compliance efforts in the following areas:

- Hest the M.e.t. regional websites [MetRecycle.com; RecycleThisTulsa.com; CompostEverything.net]
- 2. Produce educational material and provide public resources and educational outreach
- Manage and/or assist in specialty collection events
- Manage regional calls on pollutant services and souther program for the City of Tulsa's
   Household Pollutant Collection Facility (the only permanent facility in the area)

Specific Best Management Practices, BMPs, to support Public Educational and Public Participation:

- The public can obtain recycling, composting, and hazardous waste education, volunteer
  and disposal information through The M.e.t. website and social media.
- b. Primary education grades can learn about recycling through Vi.e., Education material and outreach, and The M.c.t. has a full time educator that is available to go to schools in-person or virtual for all the Tulsa County and Claremore area.
- c. The M.e.t. has a Bin Loan Program for schools and/or special events for recycling.
- d. The M.e.t. vets calls and cmails from the motro area on utilization of the pollutant collection facility.

The M.e.t. will manage its website, social media, educational outreaches, and special collection events. The City of Claremore, as one of the M.e.t. is beneficiaries, will provide funding in order for The M.e.t. to provide these types of services to its member governments.

Respectfully,

Bobby Schultz, Executive Director

Williams Torrer I - One West Touri Street - June 110 - Toland (200 - North Artist and All

# **APPENDIX B**

# **Map of MS4 Boundary Changes During Reporting Cycle**

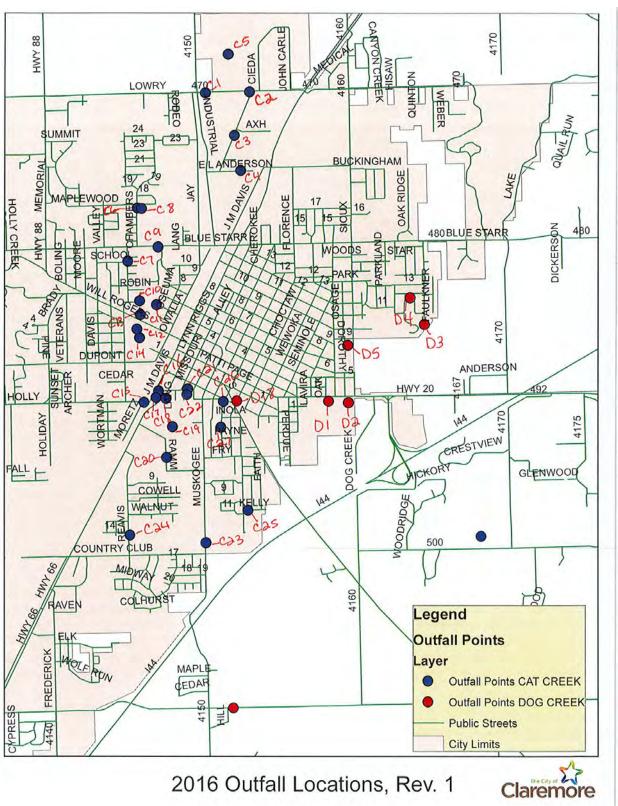
Claremore has not experienced any MS4 Boundary changes during the 2018 Reporting Cycle.

#### **Cat Creek Stormwater Outfalls**

- 1. Cat Creek crossing Lowry Road entering city limits (Outfall)
- 2. Drainage ditch from North Lowry (Outfall)
- 3. Drainage ditch West of Burgess Norton (Outfall)
- 4. Drainage ditch along John Burrows (Outfall)
- 5. Pryer Machine detention pond outfall
- 6. Chambers and 17<sup>th</sup> (Drainage access/Outfall)
- 7. Chambers Trail between Williams and School (Box)
- 8. Pecan Park, Northwest corner, drains neighborhood (Outfall)
- 9. Blue Starr and Cat Creek (Outfall under bridge)
- 10. Behind Reasors from West access Chambers Trail and Westwind
- 11. North of Reasors, behind 1007 N. A. Street (access road behind Reasors)
- 12. Will Rogers and Cat Creek Southwest (Outfall)
- 13. Will Rogers and Cat Creek Northeast (Outfall)
- 14. East of Trailer Park on Chambers & Strain, behind Nemar (outfall)
- 15. Drainage Ditch on Archer & Moretz RR Tracks(outfall)
- 16. Quik Trip outfall
- 17. Drainage ditch underneath JM Davis South of Cat Creek. Comes from south and south of Quik Trip. Right behind Claremore sign (outfall)
- 18. Family Dollar Center Radio Shack (outfall)
- 19. Pecan Grove Mobil Home Park behind Atwoods
- 20. Ramm Road between Streets and Public Works Bldg.
- 21. Park at Jordan & Cherokee, south outfall
- 22. Park at Jordan & Cherokee, north outfall
- 23. Muskogee Bridge
- 24. 14<sup>th</sup> and Reavis Road
- 25. Kelly Ct., east of Choctaw, just north of WWTP
- 26. Chickasaw between Jordan and Inola
- 27. Chickasaw between Inola and Payne

# **Dog Creek Stormwater Outfalls**

D1. Behind Woody's – Box underneath dead tree (outfall)
 D2 Behind Kum and Go on Highway 20
 D3 Creek at end of Faulkner
 D4 12<sup>th</sup> Street between Miller & Douglas (big box south of 12<sup>th</sup>)
 D5 East of Dorothy between 8 & 9<sup>th</sup> (behind trailer park)
 D6 Florence and Highway 88, big box along highway
 D7 Dog Creek and Flint Road (leaving)



# **APPENDIX C**

# **TMDL Implementation Reports**

https://www.deq.ok.gov/wp-content/uploads/water-division/Dog N Cat CreekTMDL.pdf

https://www.deq.ok.gov/wp-content/uploads/water-division/Arkansas-Verdigris-RiverBactTurbTMDLfinal2012.pdf

https://www.deq.ok.gov/wp-content/uploads/water-division/2018-Appendix-C-Final.pdf

OK121500020360\_00 Dog Creek Escherichia coli 09/27/2012 42580
OK121500020360\_00 Dog Creek Oxygen, Dissolved 11/03/2006 31658
OK121500020360\_00 Dog Creek Enterococcus 09/27/2012 42580
OK121500020390\_00 Cat Creek Oxygen, Dissolved 11/03/2006 31657
OK121500040020 00 Claremore Lake, Chlorophyll-a 09/24/2014 60900

# APPENDIX D

# MET RECYCLE CENTER COLLECTION REPORT

Year-End Reporting					
Period:	2014/2015	2015/2016	2017/2018	2018/2019	2019/2020
Aluminum, lbs.	3,139	3,147	9,888	6,350	8,080
E-Waste, lbs.			20,238	23,500	22,998
Plastics, lbs.	58,969	61,389	70,560	76,766	53,863
Glass, lbs.	104,706	140,205	90,296	159,664	106,148
Newspaper, lbs.	53,059	247,560	191,820	195,490	80,690
H.H. Batteries, lbs.	1,350	1,700	2,130	2,310	870
L.A. Batteries, lbs.	308	918	1,005	1,496	929
Office Paper/	444 522	242.660	100 730	150 440	112 000
Magazines, lbs.	111,522	213,660	199,720	159,440	112,880
Steel Cans/Scrap					
Metal, lbs.	22,310	23,940	27,465	25,060	20,580
Cardboard, lbs.	252,279	268,324	476,739	468,049	372,974
Phonebook, lbs.	24,128				
Oil, Gal	1,215	1,965	3,200	2,950	2,520
Oil Cooking, Gal		506	287	314	118
Antifreeze, Gal			0	0	0
TOTALS	632,985	963,314	1,093,348	1,121389	782,650

2020 Claremore Education Events					
			Number		
Event	Date	Notes	reached		
Sent out FOG letters To					
Restaurants	7/23/2020	Sent out FOG letters	30		
Sent out FOG letters To					
Restaurants	7/31/2020	Sent out FOG letters	62		
Litter flyers in utility bills	8/10/2020	Sent in Sept utility bills	1910		
Grass in the street flyer	8/10/2020	Sent in Sept utility bills	1732		
Return Nutrients to the soil	8/10/2020	Sent in Sept utility bills	1465		
Pet Waste	8/10/2020	Sent in Sept utility bills	29		
FOG Citizen info	8/10/2020	Sent in Sept utility bills	72		
City of Claremore Met Sanitary					
Sewer	8/10/2020	Sent in Sept utility bills	550		
Sent out FOG letters To					
Restaurants	8/11/2020	Sent out FOG letters	88		
Sent Auto inspection courtesy					
letters	8/17/2020	Sent out letters auto letters	51		
Lawn waste flyer (new flyer)	8/27/2020	Sent in Sept utility bills	4604		
Claremore County Fair (RCCD)	9/17-9/20/2020	RCCD booth education	2000		
		Blue Thumb water quality			
Blue Thumb Training at RSU	9/19/2020	training	8		
Facebook Post about Blue		Blue Thumb water quality			
Thumb	9/18/2020	training	6030		
MET Facebook tire and e-waste		MET partner Event tires and e-			
event Owasso	9/30/2020	waste	6030		
MET Facebook tire and e-waste		MET partner Event tires and e-			
event Zoo	10/6/2020	waste	6030		
Green Waste Days Utility Bill	40/0/0000	Claremore Green Waste			
Flyer	10/9/2020	Collection	6030		
Green Waste Days Utility Bill	10/10/2020	Claremore Green Waste	6030		
Flyer	10/19/2020	Collection	6030		
10 27-2020 Stormwater & Safety Training	10/27/2020	Annual DEQ Employee Training for Stormwater	22		
10 28-2020 Stormwater &	10/2//2020	Annual DEQ Employee Training	22		
Safety Training	10/28/2020	for Stormwater	49		
10 29-2020 Stormwater &	10/20/2020	Annual DEQ Employee Training	45		
Safety Training	10/29/2020	for Stormwater	53		
Halloween Candy & Info hand	20, 20, 2020	Handed out Stormwater Coloring			
out	10/31/2020	books in candy bags	250		
Green Waste Facebook Notice	10/31/2020	Green Waste Facebook Notice	6064		
Green waste racebook Notice	10/29/2020	Green waste racebook Notice	6064		

Green Waste Facebook Notice	11/4/2020	Green Waste Facebook Notice	6064
Green Waste Days Utility Bill	11/5-11/7 & 11/12-		
Flyer	11/14	Take green waste disposal days	300
Present to City Council	10/19/2020	Presented Stormwater Info	23
Presentation to City Council on			
Facebook	10/19/2020	Presentation on Facebook Live	6064
		Promition for Green Waste	
Claremore Daily Press Article	10/28 & 10/31	Disposal event	3800
Total			65,440

## **APPENDIX E**

# Claremore Illicit Discharge & Construction & Post Construction Ordinances

# **PCHAPTER 55: ILLICIT DISCHARGES**

#### Section

#### Stormwater Discharges

- 55.01 Scope
- 55.02 Definitions and abbreviations
- 55.03 Discharge requirements
- **55.04** Spills
- 55.05 Pavement wash waters
- 55.05A Prohibition of illicit connections
- 55.06 Construction activities
- <u>55.06A</u> Post-construction Stormwater impacts; minimization regulations and requirements; compliance procedures
  - 55.07 Watercourse protection
  - 55.07A Request for variance
  - 55.07B Monitoring of discharges
  - 55.08 Record keeping
  - 55.09 Reporting requirements
  - 55.10 Compliance monitoring requirements
  - 55.11 Requirements for Best Management Practices
  - 55.12 Inspections and sampling
  - 55.13 Administrative enforcement remedies
  - 55.14 Violations, injunction and criminal prosecution
  - 55.15 Confidential information

#### STORMWATER DISCHARGES

## **№ § 55.01 SCOPE.**

This chapter establishes methods to regulate the introduction of pollutants to the city's municipal separate storm sewer system and enables the city to comply with all applicable state and federal laws and regulations, including the federal Clean Water Act, 33 U.S.C. §§ 1251, et

seq., the Oklahoma Environmental Quality Act, 27A O.S. 2001, §§ 1-1-101, et seq., and Stormwater regulations contained in 40 CFR Part 122, EPA Administered Permit Programs: the National Pollutant Discharge Elimination System (NPDES). The objectives of this chapter shall permit the city to:

- (A) Regulate the contribution of pollutants into the municipal separate storm sewer system through the Stormwater discharges of any user;
- (B) Control the introduction into the municipal separate storm sewer system of spills, dumping, or the disposal of materials other than Stormwater;
  - (C) Prohibit illicit discharges into the municipal separate storm sewer system;
- (D) Carry out inspections, surveillance and monitoring procedures necessary to determine compliance and noncompliance with this chapter; and
- (E) Comply with its OPDES Municipal Storm Water Discharge Permit conditions and any other federal or state law or regulation pertaining to Stormwater quality. (Ord. 2007-25, passed 11-19-07)

#### § 55.02 DEFINITIONS AND ABBREVIATIONS.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACT or THE ACT. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §§ 1251, et seq.

**BEST MANAGEMENT PRACTICE** or **BMP**. The best available practices or devices that, when used singly or in combination, eliminate or reduce the contamination of surface waters, ground waters, or both. BMPs shall be divided into the following categories:

- (a) **NONSTRUCTURAL BEST MANAGEMENT PRACTICES.** Those which require modified or additional operational or behavior practices, such as sweeping a parking lot or having spill response equipment on site; and
- (b) Structural Best Management Practices. Those which require the construction of a structure or other physical modification on the site.
- *CITY.* The City of Claremore, Oklahoma, a municipal corporation, and its duly authorized officers, agents and employees.

**COMPOSITE SAMPLE.** A sample of Stormwater run-off, resulting from the combination of individual samples taken at selected intervals, based on an increment of either flow or time.

**DIRECTOR.** The Director of Public Infrastructure, or the person succeeding to this person's duties and functions, by whatever name known, or this person's duly authorized representative.

**DISCHARGE.** Any addition or introduction of any pollutant, Stormwater, or any other substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

**ENVIRONMENTAL PROTECTION AGENCY** or **EPA.** shall mean the United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Regional Water Management Division Director or other duly authorized official of the EPA.

**FLOATABLE.** Any buoyant or semi- buoyant, organic or inorganic, water-borne waste material such as litter, paper, Styrofoam, grass, leaf litter, cigarette butts and other debris.

*GARBAGE*. Trash, with reference to collections of pollutants at floatable collection sites.

*GRAB SAMPLE.* A sample of Stormwater run-off which is taken on a one-time basis, without regard to the flow and consideration of time.

*ILLICIT DISCHARGE.* Any intentional discharge to the municipal separate storm sewer system (MS4) that is not composed entirely of Stormwater, except discharges pursuant to § <u>55.04</u> of this chapter, or discharges resulting from fire fighting activities.

INDUSTRIAL ACTIVITY. Any activity which is directly related to manufacturing, processing or raw materials storage areas at an industrial facility. The term includes, but is not limited to, industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the industrial facility; sites where material handling activities are performed; refuse sites; sites used for the applications or disposal of process waste waters; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage or disposal; shipping and receiving areas; manufacturing buildings; storage areas, including tank farms, for raw materials, and intermediate and finished products.

*INDUSTRIAL FACILITY* or *INDUSTRY*. Any premises whose function is classified in the latest edition of the Standard Industrial Classification Manual, also known as the SIC code manual, prepared by the Executive Office of the President, Office of Management and Budget.

*MATERIAL HANDLING ACTIVITIES.* The storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, byproduct or waste product.

**MONITORING.** The performance of Stormwater flow measurements, Stormwater sampling, sample analysis, and like procedures necessary to determine compliance with Stormwater discharge activity.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM OR MS4.** A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains that are owned or operated by the city and are designed or used for collecting or conveying Stormwater.

*OPDES STORM WATER DISCHARGE PERMIT.* The most current "Multi-Sector General Permit for Storm Water Discharge Associated with Industrial Activities for the State of Oklahoma," or the most current "General Permit for Storm Water Discharge Associates with Construction Activities within the State of Oklahoma," with provisions under the Oklahoma Administrative Code (OAC), 252:606, incorporating by reference 40 CFR Part 122.26, as issued by the Oklahoma Department of Environmental Quality (ODEQ).

**OUTFALL.** A point source as defined in this chapter.

**OVERBURDEN.** Any material of any nature, consolidated or unconsolidated, that overlies a mineral deposit, excluding topsoil or similar naturally occurring surface material that are not disturbed by mining operation.

**PERSON.** An individual, partnership, co- partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their lawful representatives, agents or assignees. This definition shall include all federal, state, and local governments.

**POINT SOURCE.** Any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged.

**POLLUTANT.** Any dredge spoil, solid waste, incinerator residue, oil, grease, sewage, garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt,

agriculture waste, industrial waste, municipal waste and the characteristics of the wastewater including but not limited to, pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, and odor.

**PREMISES.** Any plot or tract of ground, regardless of size or plat, owned by a person or used by a person and any contiguous plots.

*SIGNIFICANT MATERIALS.* Any raw materials, fuels, materials such as solvents, detergents, and plastic pellets, finished materials such as metallic products, raw materials used in food processing or production, hazardous substances.

*SPILLS*. Any release that has negatively or has the potential to negatively impact the quality of water within, or discharges from the city's municipal separate storm sewer system (MS4) or causes damaging or deleterious effects to the city's MS4, including all structures or appurtenances, or creates any violation of this chapter.

**STORMWATER.** Any rainwater run-off, surface run-off, and drainage related to storm events or snow melt.

#### STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL

**ACTIVITY.** Stormwater from areas of industrial activity or areas where industrial activity has taken place in the past and significant materials remain and are exposed to Stormwater.

**USER.** Any source of direct or indirect discharge into the city's municipal separate storm sewer system (MS4).

(B) As used in this chapter the following abbreviations shall have the meanings given below:

BAT Best Available Technology

BMP Best Management Practices

BOD Biochemical Oxygen Demand

CFR Code of Federal Regulations

COD Chemical Oxygen Demand

EPA United States Environmental Protection Agency

gpd Gallons per Day

L Liter

mg Milligrams

mg/L Milligrams per Liter

MS4 Municipal Separate Storm Sewer System

OAC Oklahoma Administrative Code

NOI Notice of Intent

NOV Notice of Violation

NPDES National Pollutant Discharge Elimination System

ODEQ Oklahoma Department of Environmental Quality

OPDES Oklahoma Pollutant Discharge Elimination Discharge System (See Oklahoma Administrative Code (OAC), Title 252, Chapter 606, §§ 252:606-1-1 *et seq.*, as amended)

POTW Publicly Owned Treatment Works

RCRA Resource Conservation and Recovery Act of 1976 (Pub.L. 94580, Oct. 21, 1976, 90 Stat. 2795, as amended)

RQ Reportable Quantities

SARA Superfund Amendments and Reauthorization Act of 1986 (Pub.L. 99-499, Oct. 17, 1986, 100 Stat. 1613, as amended)

SWDA Solid Waste Disposal Act (Pub.L. 89-272, Title II, Oct. 20, 1965, 79 Stat. 997, 42 U.S.C. §§ 6901, *et seq.*, as amended)

TSD Treatment, Storage, and Disposal Facilities

TSS Total Suspended Solids

USC United States Code

(Ord. 2007-25, passed 11-19-07)

## **№ § 55.03 DISCHARGE REQUIREMENTS.**

- (A) Allowable discharges.
- (1) The following types of discharges shall not be prohibited discharges unless the Director determines that the type of discharge, whether singly or in combination with others, causes contamination of surface water, Stormwater or groundwater; causes overload or damage to the MS4 or has the potential to endanger public health and safety; or causes the city to violate its OPDES Municipal Storm Water Discharge Permit:
  - (a) Water line flushing;
  - (b) Landscape irrigation;
  - (c) Diverted stream flows;
  - (d) Rising ground waters;
  - (e) Residential building wash water without detergents;
  - (f) Uncontaminated pumped ground water;
  - (g) Uncontaminated ground water infiltration;
  - (h) Discharges from potable water sources;
  - (i) Foundation drains;
  - (j) Air conditioning condensate;
  - (k) Irrigation water;
  - (l) Springs;
  - (m) Water from crawl space pumps;
  - (n) Footing drains;
  - (o) Lawn watering;
  - (p) Individual residential car washing;
  - (q) De-chlorinated swimming pool discharges;
  - (r) Street wash water;
  - (s) Fire hydrant flushings;
  - (t) Non-commercial or charity car washes;
  - (u) Discharges from riparian areas and wetlands;
- (v) Discharges in compliance with a separate Oklahoma Pollutant Discharge Elimination System (OPDES) or National Pollutant Discharge Elimination System (NPDES) NPDES Permit;
- (w) Discharges or flows from emergency fire fighting activities provided that the Incident Commander, Fire Chief or other on-scene fire fighting official in charge makes an evaluation regarding potential releases of pollutants from the scene and summons the hazardous material team if pollutants are suspected. Discharges or flows from fire fighting training activities are not authorized by OKR04 as allowable discharges.
- (2) Dye testing shall be an allowable discharge, but shall require verbal notification to the Director prior to testing. The city shall be exempt from this requirement.
- (3) Any discharge that has a current NPDES discharge permit with the EPA or has a current OPDES discharge permit with the ODEQ shall be an allowable discharge, with the following exceptions:
- (a) A discharge that results in the city violating its OPDES Municipal Storm Water Discharge Permit;

- (b) A discharge the Director determines causes contamination of surface water, Stormwater or groundwater within the city; or
  - (c) A discharge that could block or damage the MS4.
- (4) Stormwater that is not associated with and/or intermingled with Stormwater that is associated with industrial activity required to obtain an "NPDES Stormwater Discharge Permit" as defined in 40 CFR Part 122, before the point source discharge to the municipal to the MS4, is an allowable discharge.
- (5) Any Stormwater that is associated with industrial activity and has had pollutants removed by structural or nonstructural BMPs to a level considered satisfactory by the Director is an allowable discharge.
  - (B) Prohibited discharges.
- (1) (a) No person shall discharge or cause to be discharged into the municipal storm water drainage system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than Stormwater. The commencement, conduct or continuance of any unlawful discharge is prohibited.
- (b) It is unlawful for any residence or business to allow drainage of a polluting substance or to allow drainage of water which may become a hazard into any street, alley or sidewalk. A polluting substance is one so defined under 82 O.S. § 926.1.
- (c) It shall be unlawful and a misdemeanor offense to discharge or allow the discharge of any of the following into the city's MS4:
- 1. All non-Stormwater except those classified as an allowable discharge in division (A) of this section;
- 2. Any Stormwater from any activity required to obtain an "NPDES Storm Water Discharge Permit" as defined in 40 CFR Part 122.26(b)(14), unless the discharge is authorized by a valid "NPDES Storm Water Discharge Permit";
- 3. Any spilled pollutants, unless it can be demonstrated that failure to allow the discharge will result in a greater imminent peril or hazard to the life, health, welfare, or safety of the public; or
- 4. Any material that is disposed of or dumped in such a manner that causes pollutants to be discharged.
- (2) It is a violation of this chapter for any person to place, store or locate any material in such a manner that causes pollutants to be transported by wind, rain or other atmospheric conditions into the city's MS4 or street, alley, sidewalk or pavement.
- (3) Any point source discharge into the city's MS4 or street, alley, sidewalk or pavement that either singly or in conjunction with other discharges causes the city to violate its OPDES Municipal Storm Water Discharge Permit shall be prohibited.
- (4) It shall be unlawful and a misdemeanor offense for any person to dispose of grass, dirt, leaves, trash or other pollutants into the city's MS4 or street, alley, sidewalk or pavement.
- (5) Allow an animal to defecate (without the owner, keeper or harboror removing the excreta deposited) on public or private property other than that of the owner or into the city's MS4 or street, alley, sidewalk or pavement.
- (6) No person shall deposit, drain or divert, whether directly or through an agent, into or upon any public highway, street, sidewalk, alley, parking lot, paving, drainage ditch, storm drain, sewer, gutter, creek, stream, river, lake, pond or lagoon, any oil or oily liquid with petroleum content, grease, water, or any mud, rotary mud, sand, salt water, sewer waste or industrial waste;

or in any manner permit by seepage, overflow or otherwise, any of such substances to escape from any property owned, leased or controlled by such person nor shall any person allow such substances to flow or be carried onto or upon any public highway, street, sidewalk, alley, parking lot, paving, drainage ditch, storm drain, sewer, gutter, creek, stream, river, lake, pond or lagoon within the city.

(7) Any illicit discharge, except those allowable pursuant to division (A)(1) of this section, shall be prohibited.

(Ord. 2007-25, passed 11-19-07; Am. Ord. 2015-29, passed 11-16-15) Penalty, see § <u>55.14</u> **§ 55.04 SPILLS.** 

Spills that have the potential to enter or have entered the city's MS4 shall be contained, and remediation activity shall be commenced, as soon as possible. In case of vehicle accident, all spillage shall be properly contained and cleaned and stored with accident vehicle. Any person identified as the source of any spill into the city's MS4 shall be required to remediate, remove and properly dispose of spilled materials. Remediation activities shall only be considered complete when the clean-up is deemed satisfactory by the Director. The required reporting or notification for such spills shall be completed as specified in § 55.09 of this chapter. (Ord. 2007-25, passed 11-19-07)

#### § 55.05 PAVEMENT WASH WATERS.

Discharges to the city's MS4 or upon any public highway, street, sidewalk, alley, parking lot, paving drainage ditch, storm drain, sewer, gutter, creek, stream, river, lake, pond or lagoon within the city, resulting from the cleaning of driveways, parking lots, and other paved surfaces shall be deemed allowable upon the fulfillment of the following requirements:

- (A) The person conducting the cleaning shall employ BMPs, including but not limited to absorbent materials, which prevent the discharge of pollutants into the city's storm sewer;
- (B) Prior to any washing, floatables shall be removed from the surface that is about to be cleaned:
- (C) The discharge shall not result in a violation of the city's OPDES Municipal Storm Water Discharge Permit; and
- (D) The discharge, based upon the determination of the Director, shall not cause contamination of surface water, Stormwater or groundwater within the city. (Ord. 2007-25, passed 11-19-07; Am. Ord. 2015-29, passed 11-16-15)

#### ■ § 55.05A PROHIBITION OF ILLICIT CONNECTIONS.

- (A) The construction, use, maintenance or continued existence of illicit connections to the Stormwater drainage system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (B) A person is considered to be in violation of this section if the person connects a line conveying sewage to the MS4, or allows such a connection to continue. (Ord. 2015-29, passed 11-16-15)

#### **№ § 55.06 CONSTRUCTION ACTIVITIES.**

- (A) General provisions.
- (1) General performance standards. Any person subject to a construction activity NPDES and/or OPDES Stormwater Discharge Permit shall comply with all provisions of such permit(s). Proof of compliance with said permit(s) may be required in a form acceptable to the Stormwater Manager and/or Stormwater Inspector prior to the allowing of discharges to the MS4. All construction activities including but not limited to the development, excavation,

clearing, grading, regrading, paving, land filling, berming and diking of land shall be conducted in such a manner as to minimize erosion and prevent the discharge of pollutants, including but not limited to rock, sand, soil, discarded building materials, concrete truck washout, chemicals, litter and sanitary waste into the city's Municipal Separate Storm Sewer System (MS4). Persons conducting the construction shall implement and maintain adequate structural and/or nonstructural BMPs for controlling erosion and preventing the discharge of pollutants to the MS4. The discharge shall not result in a violation of the city's OPDES Municipal Stormwater Discharge

Permit. The discharge, based upon the determination of the Stormwater Manager and/or Stormwater Inspector, shall not cause contamination of surface water, Stormwater or groundwater within the city. The discharge, based upon the determination of the Stormwater Manager and/or Stormwater Inspector, does not transport sediment into the city's MS4. All construction site Stormwater runoff control BMPs and post-construction Stormwater runoff BMPs shall comply with the current ODEQ OKR10 construction permit and the *City of Claremore Engineering Design Criteria and Standard Specifications*.

- (2) Responsible person. The person with overall responsibility of the construction, such as the general contractor, shall be jointly responsible with the person at whose direction the construction is being conducted for compliance with division (A)(1) of this section.
- (3) Record keeping. The person or persons responsible shall retain, and make available to the Stormwater Manager and/or Stormwater Inspector, for inspection and copying, all records and information required to be retained under this section or order issued hereunder. These records shall remain available for a period of at least three years after expiration of the applicable permit. This period shall be automatically extended for the duration of any litigation concerning compliance with this section, or where the person or persons responsible have been specifically notified of a longer retention period by the Stormwater Manager and/or Stormwater Inspector.
- (B) Construction. All construction activities, including the development, excavation, grading, regrading, paving, landfilling, berming, and diking of land shall be conducted in such a manner as to minimize erosion and prevent the discharge of pollutants, including but not limited to rock, sand, and soil into the city's MS4. Persons conducting the construction shall implement and maintain adequate structural and/or nonstructural BMPs for controlling the discharge of pollutants. In the case of ten acres or more draining to one discharge point, a sediment basin or adequate alternate measures shall be implemented. The adequacy of any BMP shall be based upon the fulfillment of the following requirements:
- (1) The discharge shall not result in a violation of the city's OPDES Municipal Storm Water Discharge Permit;
- (2) The discharge, based upon the determination of the Director, shall not cause contamination of surface water, Stormwater or groundwater within the city; and
- (3) The discharge, based upon the determination of the Director, does not transport sediment into the city's MS4.
  - (C) Erosion control.
- (1) Erosion control shall be provided during the construction phase on all construction sites as necessary to prevent impacts to offsite areas and/or public rights-of-way. The primary goal of erosion control and best management practices is to minimize erosion and sedimentation during construction activities until final grading, landscaping and storm sewer structures are in place. Best management practices include but are not limited to seeding, sodding, sprigging, silt fences, straw bale dikes, earth dikes or swales, temporary stream crossings, storm sewer inlet protection,

temporary sediment basins and stabilized construction entrances. Failure to provide sediment and erosion control protection can result in suspension of the earth change, Stormwater development and building permits. A violation of this section by the failure to comply with any of its requirements shall constitute an offense and any person or entity convicted thereof shall be punishable as set forth in Claremore Code. Provided, that each lot upon which such violation occurs shall constitute a separate offense; and each day on which a violation occurs or is allowed to remain shall constitute a separate offense. The imposition of criminal sections shall not prevent Claremore from taking any lawful action as is necessary to prevent or remedy a violation.

- (2) Sediment and Erosion Control Permit.
- (a) Unless specifically exempted, a Sediment and Erosion Control Permit, as defined and regulated by this section, shall be obtained from the Planning and Development Services Department for any construction activities causing land disturbance. The Sediment and Erosion Control Permit must be obtained prior to commencement of any construction activities including, but not limited to any development, excavation, clearing, grading, regrading, land filling, berming and diking of land.
- (b) *Exemptions*. A Sediment and Erosion Control Permit shall not be required for the following: customary and incidental routine grounds maintenance, landscaping, and home gardening: construction activities related to bona fide agricultural, ranching and farming operations which constitute the principal use of a tract of ground in the City of Claremore and are under the jurisdiction of the Oklahoma Department of Agriculture, Food, and Forestry; construction activities occurring at oil and gas exploration and production related industries and pipeline operations that are under the jurisdiction of the Oklahoma Corporation Commission (OCC); and construction activities occurring on Indian Country Lands (as defined in 18 U.S.C. § 1151).
- (c) Application for Sediment and Erosion Control Permit. For each Sediment and Erosion Control Permit a written application from the owner of the site, or his or her authorized representative, shall be provided to the Planning and Development Services Department in the form and with the content prescribed in this section, and shall be accompanied by a minimum of three copies of a Sediment and Erosion Control Plan with the content prescribed in this section, and the required Sediment and Erosion Control Permit fee as set forth in this section. The permit application shall include the following information:
- 1. Name, address and telephone number of the legal owner of the property for which the Sediment and Erosion Control Permit is requested;
- 2. Name, address and telephone number of applicant, if different from the property owner;
- 3. Name(s), address(es) and telephone number(s) of any and all contractors, subcontractors or persons actually doing the land disturbing or land filling activities;
- 4. Name(s), address(es) and telephone number(s) of the person(s) responsible for the preparation of any required vicinity map;
- 5. Name(s), address(es) and telephone number(s) of the person(s) responsible for preparation of the Sediment and Erosion Control Plan and any required reports;
- 6. Legal description of the site and the address of the site (if a valid address has been assigned and/or accepted by the city);
  - 7. Size of the construction site, measured in acres;
  - 8. Proposed start date of the project;

- 9. Proposed completion date of the project;
- 10. Date of the application; and
- 11. Signature(s) of the owner(s) of the site or an authorized representative.
- (d) Sediment and Erosion Control Plan requirements. These plans shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed construction activities on water resources, and the best management practices (BMPs) and other measures proposed to minimize soil erosion and prevent off-site sedimentation. All sediment and erosion control measures must be properly selected, installed and maintained in accordance with the manufacturer's specifications and good engineering practices. All construction activities including but not limited to the development excavation, clearing, grading, regrading, landfilling, berming and diking of land shall be performed in strict accordance with the approved plan.
- 1. For construction sites less than one acre that are not part of a larger common plan of development or sale that is one acre or more, the following information shall be included in any plan:
  - A. A project narrative describing the nature of the construction activity;
- B. A description of any surrounding watercourses, water bodies and other significant geographical features;
- C. Legal description of the site and the address of the site (if a valid address has been assigned and/or accepted by the City of Claremore);
- D. The name, address and telephone number of the owner and/or developer of the property where the land disturbing activity is proposed;
- E. A description of, and specifications for, sediment and erosion control measures to minimize on-site erosion and prevent off-site sedimentation during the construction process, including provisions to preserve topsoil and limit disturbance. Minimum control measures must include the proper installation and maintenance of silt screen around the perimeter of the construction site. The applicant may propose the use of any sediment and erosion control measures in a plan provided such measures are proven to be as or more effective than the measures contained in this section and the current *City of Claremore Engineering Design Criteria and Standard Specifications*;
- F. A chronological schedule describing when the sediment and erosion control measures will be implemented during the construction process;
- G. A description of temporary and permanent stabilization measures. The plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of site are stabilized. Stabilization practices may include but are not limited to the establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased except:
- i. Where the initiation of stabilization measures by the fourteenth day after construction activity temporarily or permanently ceased is precluded by adverse climatological conditions (i.e., snow, ice, heavy rains or drought) stabilization measures shall be initiated as soon as practicable; and

- ii. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site; and
- H. The Stormwater Manager and/or Stormwater Inspector may require any additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this section or the preservation of public health and safety.
  - 2. [Reserved].
- 3. For construction sites greater than or equal to one acre and for construction sites that are less than one acre if the construction site is part of a larger common plan of development or sale that is one acre or more, Sediment and Erosion Control Plans shall be prepared by or under the direction of a registered professional engineer licensed by the State of Oklahoma. Any required Sediment and Erosion Control Plans shall comply with good engineering practices and shall be approved and stamped by a registered professional engineer licensed by the state. In addition the following information shall be included in any plan:
  - A. A project narrative describing the nature of the construction activity;
- B. An attached vicinity map showing the location of the site in relationship to the surrounding area's watercourses, water bodies and other significant geographical features, roads and other significant structures, and showing suitable contours for the topography. An indication of the scale used (this map shall be at a scale no smaller than one inch = 100 feet) and an arrow indicating north shall be included on the map;
- C. Legal description of the site and the address of the site (if a valid address has been assigned and/or accepted by the city);
- D. The name, address and telephone number of the owner and/or developer of the property where the land disturbing activity is proposed;
- E. A chronological schedule and description of construction activities that disturb soils of the site (e.g., clearing, grubbing, excavation, grading, utilities and infrastructure installation);
- F. A description of, and specifications for, sediment and erosion control measures to minimize on-site erosion and prevent off-site sedimentation during the construction process, including provisions to preserve topsoil and limit disturbance. Minimum control measures include the proper installation and maintenance of silt screen around the perimeter of the construction site; the proper installation and maintenance of control measures around all storm sewer inlets; the proper installation and maintenance of controls to minimize erosion on all slopes greater than three horizontal to one vertical (3:1) where land disturbing activity is planned; and stabilized gravel construction site entrances/exits to prevent tracking or flowing of sediment onto public right-of-ways. The applicant may propose the use of any sediment and erosion control measures in a plan provided such measures are proven to be as or more effective than the measures contained in this section and the current *City of Claremore Engineering Design Criteria and Standard Specifications*;
- G. A chronological schedule describing when the sediment and erosion control measures will be implemented during the construction process;
- H. A description of temporary and permanent stabilization measures. The plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of site are stabilized. Stabilization practices may include but are not limited to the establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, solid stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation and

other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased except:

- i. Where the initiation of stabilization measures by the fourteenth day after construction activity temporarily or permanently ceased is precluded by adverse climatological conditions (i.e., snow, ice, heavy rains or drought) stabilization measures shall be initiated as soon as practicable; and
- ii. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site;
- I. A description of measures that will be installed during the construction process to control pollutants in Stormwater discharges that will occur after construction operations have been completed;
- J. A copy of all required state and federal Stormwater discharge permits (NPDES filed with EPA; OPDES filed with ODEQ) for the construction site shall be provided to the Planning and Development Services Department. If an OKR10 permit is required by ODEQ for Stormwater discharges from a construction site, then the following documents shall be provided to the Planning and Development Services Department:
  - i. A copy of the notice of intent submitted to ODEQ for the OKR10 permit;
- ii. A copy of all Stormwater pollution prevention plans developed for the construction site; and
- iii. A copy of the authorization to Discharge Stormwater Permit issued by ODEQ; and
- K. The Planning and Development Services Department may require any additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this section or the preservation of public health and safety.
- (e) *Permit application review*. The Planning and Development Services Department shall review each application for a Sediment and Erosion Control Permit to determine its conformance with the provisions of this section. Within 15 business days after receiving a complete application, the Planning and Development Services Department shall:
  - 1. Approve the permit application;
- 2. Approve the permit appli- cation subject to such reasonable conditions as may be necessary to secure substantially the objectives of this section, and issue the permit subject to these conditions; or
  - 3. Disapprove the permit application, indicating the reason(s) for disapproval.
- (f) *Permit disapproval*. If the Planning and Development Services Department determines that the Sediment and Erosion Control Plan does not meet the requirements of this section, then a Sediment and Erosion Control Permit shall not be issued. The Sediment and Erosion Control Plan must be resubmitted and must be approved by the Planning and Development Services Department before the land disturbance activity begins.
- (g) Conditions of approval. In granting any Sediment and Erosion Control Permit pursuant to this section, the Planning and Development Services Department may impose such conditions as may be reasonably necessary to prevent creation of a nuisance or unreasonable

hazard to persons or to a public or private property. Such conditions shall include (even if not specifically written in the permit), but need not be limited to:

- 1. The granting (or securing from others) and the recording in county land records of easements for drainage facilities, including the acceptance of their discharge on the property of others, and for the maintenance of slopes or erosion control facilities;
- 2. Adequate control of dust by watering, or other control methods acceptable to the Planning and Development Services Department, and in conformance with applicable air pollution ordinances;
- 3. Improvements of any existing grading ground surface or drainage condition on the site (not to exceed the area as proposed for work or development in the application) to meet the standards required under this section and the current *City of Claremore Engineering Design Criteria and Standard Specifications*; and
- 4. Sediment traps and basins located within a densely populated area or in the proximity of an elementary school, playground or other area where small children may congregate without adult supervision may be requested to install additional safety related devices.
- (h) *Permit authorization*. The issuance of a Sediment and Erosion Control Permit shall constitute an authorization to do only that work described in the permit, or shown on the approved Sediment and Erosion Control Plan and specifications, all in strict compliance with the requirements of this section, unless each and every modification or waiver is specifically listed and given specific approval by the Planning and Development Services Department.
- (i) *Permit duration*. The permittee shall fully perform and complete all of the work required in the sequence shown on the plans within the time limit specified in the permit. Permits issued under this section shall be valid for the period during which the proposed land disturbing or filling activities and soil storage takes place or is scheduled to take place, whichever is shorter, but in no event shall such a permit be valid for more than one year after cessation of construction activity.
- (j) Responsibility of permittee. The permittee shall maintain a copy of the Sediment and Erosion Control Permit, approved plans and reports required under the Sediment and Erosion Control Permit on the work site, or if unable to store on the work site, must be locally available for public inspection during all working hours. The permittee shall, at all times, be in conformity with the approved Sediment and Erosion Control Plan and also conform to the following:
- 1. *General*. Notwithstanding other conditions or provisions of the Sediment and Erosion Control Permit, or the minimum standards set forth in this section, the permittee is responsible for the prevention of damage to adjacent property. No person shall grade on land in any manner, or so close to the property line as to endanger or damage any adjoining public street, sidewalk, alley or any other public or private property without supporting and protecting such property from settling, cracking, erosion, sedimentation or other damage or personal injury which might result; and
- 2. *Public ways*. The permittee shall be responsible for the prompt removal of, and the correction of damages resulting from any soil, miscellaneous debris or other materials washed, spilled, tracked, dumped or otherwise deposited on public streets, highways, sidewalks or other public thoroughfare, incident to the construction activity, or during transit to and from the construction site.
- (k) *Liability*. The permittee is responsible for safely and legally completing the project. Neither the issuance of a Sediment and Erosion Control Permit under the provisions of this section, nor the compliance with the provisions hereto or with any condition imposed by the

city, shall relieve any person from responsibility for damage to persons or property resulting therefrom, or as otherwise imposed by law, nor impose any liability upon the city for damages to persons or property.

- (1) Action upon noncompliance.
- 1. In the event work does not conform to the Sediment and Erosion Control Permit or to the plans and specifications or to any conditions imposed by the city, notice to comply shall be given to the permittee in writing. The notice shall set forth a notification and compliance period of at least 15 days for the permittee to comply with the requirements of the notice, except that when an imminent hazard exists, the Planning and Development Services Department may require that corrective work begin immediately. The notification and compliance period will begin on the day the notice is mailed to the permittee or the day the notice is posted on the property that is not conforming to the permit requirements, except that when an imminent hazard exists, the Stormwater Manager and/or Stormwater Inspector may order an immediate summary abatement action to abate the violation. At the time of mailing of notice, the city shall obtain a receipt of mailing from the Postal Service, which receipt shall indicate the date of mailing and the name and address of the mailee. Said notice shall further advise that, should the permittee fail to comply with the requirements of the notice by the established deadline, the work necessary to achieve compliance may be done by the city or a designated contractor and the expense thereof shall be charged to the permittee. Issuance of a notice to comply shall not be a prerequisite to taking any other enforcement action.
- 2. If the city finds any existing conditions not as stated in the application or approved plans, the Stormwater Manager and/or Stormwater Inspector may issue a stop-work order requiring that all construction activities halt when a construction site is in violation of this section. The stop-work order may apply to all construction activity on the subject property which may be directly or indirectly related to site drainage and which is being performed pursuant to any permits, licenses, franchises or contracts issued or approved by the city. The stop-work order may order a work stoppage on all construction activity on buildings or structures and appurtenances thereto, including but not limited to building, electrical, plumbing, mechanical, street work, storm sewers, sanitary sewers, gas lines, and all utilities including but not limited to gas, electric, telephone and cable television. The Planning and Development Services Department may also suspend or revoke any Sediment and Erosion Control, site preparation, grading, erosion control, earth change, construction, or any other permit when any part of this section is violated.
- 3. The violation of any provision of this section, upon conviction, shall be punished by a fine not to exceed \$1,000 or 30 days in jail, or both, plus court costs as set by the city. Each day or any portion of a day during which any violation of this section shall continue shall constitute a separate offense.
- 4. Other actions described in the penalties and administrative remedies section of this chapter may be taken by the city, including but not limited to suspension of MS4 access, water supply severance, injunctive relief, abatement, remediation, and restoration of lands. The permittee shall be responsible for the costs incurred by the city. Failure to pay will result in the city seeking recovery of costs and damages pursuant to the conditions set forth in this chapter.
- (m) Changes to plans. All proposals to modify the approved Sediment and Erosion Control Plans must be submitted in writing to the Planning and Development Services Department. No grading or any type of work in connection with any proposed modification shall

be initiated without prior written approval of the Planning and Development Services Department.

- (n) *Inspection and supervision*. The city shall conduct construction site inspections upon receiving a complaint of violation of this section and as needed to evaluate compliance with this section. The permittee shall notify the Stormwater Manager and/or Stormwater Inspector when there are any departures from the approved Sediment and Erosion Control Plan and at the following stages:
  - 1. Upon completion of installation of perimeter sediment and erosion controls;
- 2. At least 24 hours but not more than 72 hours (exclusive of Saturdays, Sundays and holidays) prior to commencing initial grading or land disturbing activities;
- 3. When construction and land disturbing activities are halted for a period of 30 days or more;
- 4. At least 24 hours but not more than 72 hours (exclusive of Saturdays, Sundays and holidays) prior to when construction or land disturbing activities shall recommence after being halted for a period of 30 days or more;
- 5. Upon submitting a notice of termination to ODEQ in compliance with any OKR10 permit requirements; and
- 6. Upon completion of final grading, permanent drainage and erosion control facilities including established ground covers and planting, and all other work of the permit.
- (o) *Maintenance during and after construction*. For any property on which grading or other work has been done, pursuant to a Sediment and Erosion Control Permit granted under the provisions of this section, the permittee or owner or an agent of the owner shall inspect all sediment and erosion control measures and other protective measures identified in the Sediment and Erosion Control Plan at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater and shall maintain and repair all sediment and erosion control measures, graded surfaces and erosion control facilities, drainage structures or means and other protective devices, plantings, and ground cover installed while construction is active. After construction is complete, the owner or their agent shall continue to regularly inspect the vegetation until adequate turf establishment or other suitable vegetative cover is established. (Ord. 2007-25, passed 11-19-07; Am. Ord. 2015-29, passed 11-16-15)

# § 55.06A POST-CONSTRUCTION STORMWATER IMPACTS; MINIMIZATION REGULATIONS AND REQUIREMENTS; COMPLIANCE PROCEDURES.

- (A) The following post-construction Stormwater impact provisions are intended to encourage:
- (1) The purpose of this section is to address the design, construction, operation and maintenance requirements of Stormwater drainage systems within the city to reduce or eliminate post-development adverse Stormwater quality and quantity impacts to the Municipal Separate Stormwater System (MS4).
- (2) Development design, construction and post-construction operations and maintenance of Stormwater drainage systems shall be performed in such a manner so that adverse Stormwater quality and quantity impacts to the Stormwater drainage systems and receiving streams both on the subject property and on offsite properties are avoided, reduced or eliminated. Adverse Stormwater quality and quantity effects for the purposes of this section includes increased flood elevations, increased velocity of floodwaters, erosion, siltation, sedimentation, reduced base flow, pollution or degradation of water quality.
- (3) Stormwater drainage systems for the purposes of this section include any facility, structure, improvement, development, equipment, property or interest therein, including

structural and nonstructural elements, which are made, constructed, used or acquired for the purpose of collecting, containing, storing, conveying, filtering, treating, infiltrating and controlling Stormwater. This includes, but is not limited to detention facilities, retention facilities, sediment basins, ponds, lakes, engineered open channels, natural channels, floodplains, creeks, storm sewers, conduits, pipes, borrow ditches, swales, roadways, infiltration systems, rain gardens and bio-retention filters.

- (4) Every development shall be provided with a Stormwater drainage system designed by an engineer registered in the state, adequate to serve the development, and otherwise shall meet approval requirements of the officials having jurisdiction. The design shall meet this section and the *City of Claremore Engineering Design Criteria Manual* and other City of Claremore criteria and codes where applicable.
- (5) The Stormwater drainage system shall be designed so that property owners located downstream from and upstream from the development shall not be injuriously affected by the construction, operation or maintenance of such system.
  - (6) Proof of compliance.
- (a) If a proposed development will disturb an existing wetland, the developer shall provide to the city a written statement from the U.S. Army Corps of Engineers that the development plan fully complies with all applicable federal wetland regulations as established in the Federal Clean Water Act.
- (b) If the city obtains credible information regarding threatened or pending regulatory enforcement action related to an environmental condition of the property to be developed, or an environmental impact related to the development plan, then the Planning and Development Services Department may require the developer to provide to the city written statements from such governmental agencies as the city may designate as having related jurisdiction based upon the nature of the threatened enforcement action or environmental impact. Said statements shall verify that the development plan fully complies with environmental regulations within the jurisdiction of the writing agency. If the developer, after a diligent effort, is unable to obtain such written verifications from one or more of the designated agencies, the developer shall at least provide to the city a written verification from said agency that the city's approval of the development plan will not interfere with a threatened or pending environmental enforcement action of said agency. All required written statements shall be provided to the Planning and Development Services Department prior to the scheduling of the hearing for the project development plan.
- (7) Construction of the development including Stormwater drainage systems shall be performed in compliance with *City of Claremore Engineering Design Criteria* and other City of Claremore construction criteria and code requirements where applicable.
- (8) Operations responsibility of the development Stormwater drainage system shall be detailed in the covenants language on platted developments, on easement language for Stormwater drainage systems in dedicated easements, or shall be borne by the property owner for Stormwater drainage systems on private property.
- (9) Maintenance responsibility of the development Stormwater drainage system shall be detailed in the covenants language on platted developments, on easement language for Stormwater drainage systems in dedicated easements or shall be borne by the property owner for Stormwater drainage systems on private property.
- (10) In the event that the owner or responsible party fails to properly operate or maintain the Stormwater drainage system such that negative Stormwater quality or quantity impacts to

Stormwater drainage systems and/or receiving streams either on the subject property or on offsite properties occurs or is imminent, the city or its designated contractor may enter the property to perform required operations or maintenance, and the cost shall be paid by the owner of responsible party.

- (B) Allowing construction materials to spill onto public ways. No person shall place, spill or allow the flow of concrete or similar construction materials on any public road, alley, highway or sidewalk, except as may be required for the construction or the maintenance of the public road, street, highway or sidewalk.
  - (C) Construction debris.
    - (1) Construction debris shall not be allowed to blow off the site of origin.
- (2) Trash containers of sufficient size, but not less than four feet wide by four feet deep by four feet high, shall be located on each construction site no later than the time the rough plumbing is ready for inspection.
  - (D) Responsible person.
- (1) Any person with overall responsibility for the construction, such as the general contractor, shall be jointly responsible with the person at whose direction the construction is conducted, for purpose of compliance with divisions (A) through (C) of this section.
- (2) If construction on a particular site requires that a "Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the OPDES General Permit" be filed with the ODEQ, then the facility operator listed on the notice shall be responsible for compliance with divisions (A) through (C) of this section. (Ord. 2015-29, passed 11-16-15)

### **№ 55.07 WATERCOURSE PROTECTION.**

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation and other obstacles that would pollute, contaminate or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function or physical integrity of the watercourse. (Ord. 2007-25, passed 11-19-07)

# § 55.07A REQUEST FOR VARIANCE.

- (A) The City Council shall hear and render judgment on requests for variances from the requirements of this chapter.
- (B) The variance request must be received by the Planning and Development Services Department within 15 days from the date of the notice of violation.
- (C) The Planning and Development Services Department shall maintain a record of all actions involving a request for variance and shall report variance decisions to ODEQ and EPA upon request.
- (D) Upon consideration of the factors involved and the intent of this chapter, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter.
- (E) Any person or persons aggrieved by the decision of the City Council may appeal such decision in the courts of competent jurisdiction. (Ord. 2015-29, passed 11-16-15)
- **■§ 55.07B MONITORING OF DISCHARGES.**

- (A) The Stormwater Manager and/or Stormwater Inspector shall be permitted to enter facilities, premises, watercourses and waterways subject to regulation under this chapter for the purpose of observing, measuring, sampling, testing and inspecting as often as may be necessary to determine compliance with chapter. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
- (B) Facility operators shall allow the Stormwater Manager and/or Stormwater Inspector ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES or OPDES permit to discharge Stormwater, and the performance of any additional duties as defined by state and federal law. Any permits, pollution prevention plans, or other documents regarding a facility's Stormwater discharge shall be made available to the Stormwater Manager and/or Stormwater Inspector when requested.
- (C) The Stormwater Manager and/or Stormwater Inspector shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's Stormwater discharge.
- (D) The Stormwater Manager and/or Stormwater Inspector has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure Stormwater flow and quality shall be calibrated to ensure their accuracy.
- (E) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Stormwater Manager and/or Stormwater Inspector and shall not be replaced. The costs of clearing such access shall be borne by the operator.
- (F) Unreasonable delays in allowing the Stormwater Manager and/or Stormwater Inspector access to a permitted facility is a violation of a Stormwater Discharge Permit and of this chapter. A person who is the operator of a facility with a NPDES permit or an OPDES permit to discharge Stormwater associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this chapter.
- (G) If the Stormwater Manager and/or Stormwater Inspector has been refused access to any part of the premises from which Stormwater is discharged, and the city is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the city may seek issuance of a search warrant from any court of competent jurisdiction.

(Ord. 2015-29, passed 11-16-15)

#### **№ § 55.08 RECORD KEEPING.**

(A) *Duration*. Every person and industry shall retain and make available to the Director for inspection and copying, all records and information required to be retained under this chapter, or order issued hereunder. The person or industry shall retain these records for a period of no less than five years after an initial request by the Director. This retention period shall be automatically extended for the duration of any litigation concerning compliance with this

chapter, or where the industry or person has been specifically notified of a longer retention period by the Director.

(B) *Fraud and false statements*. Reports and other documents required to be submitted or maintained under this chapter, or order issued hereunder, shall be subject to the provisions of 18 U.S.C. § 1001, regarding fraud or false statements and the provisions of § 309c(4) of the Act, as amended, governing false statements, representations, or certification. (Ord. 2007-25, passed 11-19-07)

## § 55.09 REPORTING REQUIREMENTS.

- (A) Submission of correspondence. Any industry that performs an industrial activity that is required by 40 CFR Part 122.26 to obtain an "NPDES Storm Water Discharge Permit" from the EPA must submit a copy of that application and permit, as well as any written correspondence with any federal, state or local agency regarding the aforementioned permit, to the Director within 15 days of request.
- (B) Availability. Any permits, pollution prevention plans, or other documents regarding an industry's or construction site's OPDES Storm Water Discharge Permit shall be made available to the Director upon request.
- (C) *Spills*. Any person or industry shall, at the earliest possible time but, in any case, no later than one hour from discovery, orally report to the Director a spill, release, dumping, or other situation that has contributed or is likely to contribute pollutants into the MS4. This notification shall include the location, type, concentration and volume, if known, and corrective actions taken for each spill, release and the like. Written notification shall also be made to the Pretreatment/Stormwater Department of the city within five days of the discovery of the spill. If the spill is contained, notification to the Director shall be next business day. This notification shall include all the notification requirements specified within this section. These reporting requirements shall be in addition to and not in lieu of any other reporting requirements imposed under federal, state and local laws or regulations.
- (D) *Reports*. All persons or industrial facilities may be required to provide other reports deemed necessary by the Director to monitor, maintain and ensure compliance with this chapter. (Ord. 2007-25, passed 11-19-07)

# **■§ 55.10 COMPLIANCE MONITORING REQUIREMENTS.**

- (A) Stormwater sampling event criteria. When the Director requires that a sample of a storm event be obtained, the following criteria must be met:
  - (1) The depth of the rainfall must be greater than one-tenth inch or its equivalent;
- (2) The sample storm event must be preceded by at least 72 hours of less than one-tenth inch of rainfall; and
- (3) All point sources from the premises or industry required to sample must be sampled, unless otherwise specified.
- (B) *Sampling*. When the Director has reason to believe that any person or industrial facility is violating this chapter, the person or industrial facility may be required to obtain either a grab or composite sample and analyze any discharge, Stormwater, groundwater and/or sediment and provide a copy of the analysis to the Director for review.
- (C) *Illicit discharge sampling*. When the Director has cause to believe that any discharge is an illicit discharge, the Director may obtain either a grab or composite sample and analyze the discharge. If the Director determines that the discharge is an illicit discharge, then the Director may fully recover all cost of the sampling and analysis from the person or industrial facility. When the discharge is likely to contain illicit discharges on a recurring basis, the person

or industrial facility may be required by the Director to conduct monitoring activities at its expense.

- (D) *Chain-of-custody*. Upon completion of sample collections and documentation, a written record of the chain-of-custody must be completed. The chain-of-custody record is an accurate step-by- step documentation of the sampling path from origin through analysis. It must contain the following information:
  - (1) Name of the person(s) collecting the sample;
  - (2) Sample ID numbers;
  - (3) Date and time of sample collection;
  - (4) Location of sample collection;
- (5) Name(s) and signature(s) of all persons handling the sample in the field and in the laboratory;
  - (6) Type of sampling equipment used;
  - (7) Type of preservation; and
  - (8) Certification of sample authenticity.

A copy of the Chain-of-Custody will remain with all sample analyses sent to the City of Claremore for review.

- (E) Substitution of substantially identical effluents. When a person or industry is required to sample a storm event and that person or industry has two or more point sources with substantially identical effluents, the person or industry may petition the Director to allow the sampling of only one point source and report that the data apply to the substantially identical point source(s).
- (F) *Monitoring methods*. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified by the Director.

(Ord. 2007-25, passed 11-19-07)

# **■§ 55.11 REQUIREMENTS FOR BEST MANAGEMENT PRACTICES.**

- (A) *Implementation*. If the Director determines that a Stormwater discharge into the MS4 is, or has the potential of, contributing to water quality degradation, has potential to cause any violation of this chapter or, causes a violation of the city's OPDES Municipal Storm Water Discharge Permit, a BMP shall be implemented. The type and number of BMPs shall be addressed individually, with the initial implementation of nonstructural BMPs, followed by structural BMPs. The Director may require additional BMPs to be implemented for any discharge from a commercial, residential and industrial source.
- (B) *Spill BMPs*. All persons and industrial facilities shall take measures to prevent spills or any other accidental introduction of pollutants into the MS4. These measures shall take the form of BMPs.

(Ord. 2007-25, passed 11-19-07)

### **№ 55.12 INSPECTIONS AND SAMPLING.**

- (A) *Right of access*. The Director or the Director's authorized representative bearing credentials, shall be permitted to gain access to such premises as may be necessary for the purpose of inspecting, observing, measuring, sampling and testing, as often as may be necessary, to determine compliance with the provisions of this chapter.
- (B) *Inspections*. The Director or the Director's authorized representative bearing credentials, retains the right to perform inspections at any industrial facility or any other premises that discharges or has the potential to discharge Stormwater into the MS4. Whenever an inspection of

such premises is made, the findings shall be recorded and a copy of the inspection report made available to the owner or person in charge of such premises, after finalization of the inspection report.

(Ord. 2007-25, passed 11-19-07)

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The following enforcement provisions are intended to encourage compliance with this chapter.

- (A) *Investigation*. The Director or authorized representative may investigate any premises where there is reason to believe that there may be a failure to comply with the requirements of this chapter.
- (B) *Notice of violations*. Whenever the Director determines that a violation of this chapter has occurred or is occurring, the Director may issue a notice of violation (NOV) to the person or industry. This NOV shall include the nature of the violation and provide a reasonable time for correction. The Director may require, within 15 days of the receipt of this NOV, an explanation of the violation and a plan for the
- satisfactory correction and prevention, including specific required actions. The explanation and plan shall be submitted by the violator to the Director in writing. Submission of this plan shall in no way relieve the person or industry of liability for any violation(s) occurring before or after receipt of the NOV. Issuance of a NOV shall not preclude any other enforcement action.
  - (C) Administrative orders.
- (1) *Consent orders*. The Director is empowered to enter consent orders, assurances of voluntary compliance, or other similar documents establishing a consensus with any person or industry for noncompliance. Such an order shall include specific action to be taken by the violator to correct the noncompliance within a time period specified in the order. Consent orders shall be judicially enforceable.
- (2) Compliance orders. When the Director finds that a person or industry has violated or continues to violate this chapter or orders issued hereunder, the Director may issue an order to the violator directing that compliance be obtained within a specified time period. If compliance is not achieved within the time period, water service or sewer service, or both services may be discontinued, unless adequate BMPs or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements addressing noncompliance, including additional self-monitoring. A compliance order shall not extend the deadline for compliance established by a federal standard or requirement, nor shall a compliance order release the violator from liability for any violation, including any continuing violation. Issuance of a compliance order shall not preclude any other enforcement action.
- (3) Cease and desist orders. When the Director finds that a person or industry is violating provisions of this chapter, or any order issued hereunder, or that past violations are likely to recur, the Director may issue an order directing the violator to cease and desist all such violations or activities likely to cause a recurrence, and to:
  - (a) Immediately comply with all requirements; and
- (b) Take such appropriate remedial or preventive actions as may be necessary to properly address a continuing or threatened violation, including halting operations or terminating the discharge.
  - (4) Issuance of a cease and desist order shall not preclude other action against the violator.
- (5) Administrative orders may be revised by the Director at any time in order to insure compliance with this chapter.
  - (D) Administrative fines.

- (1) When the Director finds that a user has violated or continues to violate any provision of the chapter, or order issued hereunder, the Director, upon good cause shown, may impose an administrative fine against such user in an amount not to exceed \$1,000. Such fines may be assessed on a per violation, per day basis.
- (2) Notice of an administrative fine shall be served personally on the user or by certified mail, return receipt requested. Payment of the fine shall be received by the Director within 15 days after such notice is served.
- (3) Failure to submit payment for an administrative fine within 15 days shall be considered a violation of this chapter.
  - (4) Issuance of an administrative fine shall not preclude any other action against the user.
- (E) Cost recovery of expenses incurred for violation of this chapter. Notwithstanding any other provision of this chapter, the Director may require any person and or industry found to have violated any provision of this chapter, or orders issued hereunder, to reimburse the city for any goods or services used to remove pollutants from the city's MS4, prevent further discharge of pollutants into the MS4, and shall become liable to the city for any expense, loss, or damages experienced by the city as a result of a
- violation. The city may pursue its right of action to recover all such costs, by utilizing any and all reasonable methods, including installment payment administered by the Finance Department. The city may recover the costs incurred by adding them to the utility bill of the violator or filing a lien on the subject property.
- (F) Water supply severance. Whenever a person has violated, or continues to violate any provision of this chapter, or orders issued hereunder, water service may be severed. Service shall only recommence at the violator's expense, after the violator has satisfactorily demonstrated an ability to comply, and actual compliance.
- (G) Appeals. Any person aggrieved by any NOV, administrative fine or order issued by the Director pursuant to this section may appeal the action as provided in this section.
- (1) The initiation of an appeal shall be in writing and filed with the Director no later than 15 days after service of notice of the action appealed from. The written notice of appeal shall specify the action appealed, detail why the action is in error, and specify provision of ordinances or statutes supporting the person's appeal.
- (2) Upon receipt of a notice of appeal by the Director, the Director shall conduct any necessary investigation into the basis of the appeal and hold a hearing within 30 days of receipt. However, upon review of the notice of appeal, if the Director determines that the basis of the appeal is patently frivolous or filed only for purposes of delay, then the Director may deny the appeal without a hearing. Upon the Director's denial without a hearing, the appellant shall be notified in writing of the denial and the grounds for denial.
- (3) At the conclusion of a hearing on an appeal, if the appeal is sustained in favor of the appellant, the Director may modify or withdraw the notice, fine or order. If the Director fails to act on the appeal within 30 days of concluding the hearing, the appeal shall be deemed denied. Any ruling, requirements, decisions or actions of the Director on appeal shall be final and binding, unless appealed to the City Council.
- (4) Any person aggrieved by an appeal decision of the Director may perfect an appeal to the City Council by filing a written notice of appeal with the City Clerk and the Director within 15 days from the date of the action by the Director. Such notice shall specify grounds for the appeal. A hearing on the appeal shall be commenced by the Council no later than 30 days from the date the notice of appeal was filed with the City Clerk. The City Council shall have

jurisdiction to affirm, modify, reverse or remand the action of the Director upon good cause shown. Any rulings, requirements, or decision of the Council shall be final and binding, provided that any right of appeal to the courts shall not be abrogated.

(Ord. 2007-25, passed 11-19-07) Penalty, see § <u>55.14</u>

#### § 55.14 VIOLATIONS, INJUNCTION AND CRIMINAL PROSECUTION.

- (A) *Injunctive relief.* Whenever a person or industrial facility has violated or continues to violate the provisions of this chapter, or orders issued hereunder, the Director, with the advice and counsel of the City Attorney and the approval of the Manager, may petition the district court for the issuance of an injunction, which restrains or compels the activities on the part of the person or industry. A petition for injunctive relief shall not preclude any other action against a person or industrial facility.
- (B) *Criminal prosecution*. It shall be unlawful and a misdemeanor offense for any person to violate any of the provisions of this chapter, or any order issued hereunder. Any person convicted of a violation of this chapter, or any order issued pursuant to this chapter, shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than \$200, excluding costs, fees and assessments, or by imprisonment in the City Jail for a period not exceeding ten days, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense.
  - (C) Remedies nonexclusive.
- (1) The provisions of § <u>55.13</u> (A) and (B) of this chapter shall not be exclusive remedies. The city reserves the right to take any combination of actions against a violator of this chapter. These actions may be taken concurrently.
- (2) The city may recover reasonable attorney's fees, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city. (Ord. 2007-25, passed 11-19-07)

#### § 55.15 CONFIDENTIAL INFORMATION.

Information and data regarding a person, industrial facility or industrial activity obtained from reports, surveys, OPDES Stormwater discharge permit applications or permits, monitoring programs, inspections and sampling activities may be available to the public in accordance with the Oklahoma Open Records Act, (51 O.S. 2001, §§ 24A.1, et seq.) or to other government agencies unless the industrial facility or industrial activity can demonstrate to the Director's satisfaction that the release of such information would divulge information regarding trade secrets which is entitled to protection under applicable state law. If, in the opinion of the Director, that information and data requested may disclose trade secrets or secret processes, then the information or data will not be made available.

(Ord. 2007-25, passed 11-19-07)

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