



**Annual Report for National Pollutant Discharge Elimination System (NPDES)
General Permit 3-9007 for Stormwater Runoff from the State Transportation Separate Storm
Sewer System (TS4; 2017)**

Prepared by:

Vermont Agency of Transportation
2178 Airport Road, Unit A
Dill Building
Berlin, VT 05641

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APPENDICES

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(RSEP)**

**Appendix B: CHITTENDEN COUNTY REGIONAL STORMWATER PUBLIC INVOLVEMENT AND
PARTICIPATION PROGRAM (“STREAM TEAM”)**

1.0 REGULATORY OVERVIEW

In November 2017, the Vermont Agency of Natural Resources (VT ANR) Department of Environmental Conservation (DEC) issued the National Pollutant Discharge Elimination System (NPDES) General Permit 3-9007 (GP 3-9007) for Stormwater Discharges from the State Transportation Separate Storm Sewer System (TS4; the Permit) for stormwater discharges from the Vermont Agency of Transportation (VTrans; the Agency) owned or controlled impervious surfaces. Per Part 1 of the Permit, the purpose of the Permit is to provide efficiencies in overall program management by combining post-construction operational stormwater requirements for VTrans that are associated with its designated regulated small municipal separate storm sewer systems (MS4s); industrial activities, commonly regulated under the Multi-Sector General Permit 3-9003 (MSGP 3-9003); and previously permitted, new, redeveloped, and/or expanded impervious surfaces, commonly regulated under State Operational Stormwater Permits (e.g., General Permit 3-9015, General Permit 3-9010, and Individual Stormwater Discharge Permit [INDS]). The Permit is issued pursuant to the Vermont Water Pollution Control statute, 10 V.S.A. Chapter 47, specifically §§ 1258 and 1264; the Vermont Water Pollution Control Permit Regulations (Environmental Protection Rules, Chapter 13), including the rule governing general permits in Section 13.12; the Vermont Stormwater Management Rule (Environmental Protection Rules, Chapter 18); the Vermont Stormwater Management Rule for Stormwater-Impaired Waters (Environmental Protection Rules, Chapter 22); the federal Clean Water Act (CWA), as amended, 33 U.S.C. § 1251 *et seq.*; and related regulations of the United States Environmental Protection Agency (U.S. EPA) at 40 C.F.R. 122.

1.1 BACKGROUND

In December 2017, VTrans filed a Notice of Intent (NOI) for General Permit 3-9007 to the VT ANR DEC. The NOI included a Stormwater Management Program (SWMP 2017), which includes a comprehensive plan to manage the quality of stormwater discharged from the TS4 in accordance with Part 5 of the Permit. Attachments with the SWMP include:

- Attachment A: List of Waters (Table 1 and Table 2)
- Attachment B: Chittenden County MS4 Stormwater Program Agreement (July 1, 2018)
- Attachment C: VTrans Bridge Washing Best Management Practices and VT ANR Vehicle Washing Policy
- Attachment D: VTrans Flow Restoration Plan
- Attachment E: VTrans Phosphorus Control Plan (to be provided by April 2020)
- Attachment F: Incorporation of Previously Permitted Stormwater Systems
- Attachment G: Stormwater Program Evaluation Top 13 Actions
- Attachment H: Gap Procedure

2.0 COVERAGE UNDER THIS PERMIT

As outlined in Part 2 of the Permit, the Permit applies to:

- VTrans-owned or controlled state highways, sidewalks, multi-use pedestrian paths, welcome centers, airports, gravel pits, mineral mining, maintenance facilities, park & rides, truck weigh stations, and VTrans-owned facilities leased to third parties, including welcome centers and airport facilities (hangars and terminals), and excludes rail lines, rail yards, public transit facilities, and rail trails.
- State highways and VTrans-owned or controlled non-road impervious surfaces in the urbanized areas and stormwater-impaired watersheds of Burlington, Colchester, Essex, Essex Junction, Milton, Shelburne, South Burlington, Williston, Winooski, the University of Vermont, the Burlington International Airport, Jericho, Underhill, St. Albans, the Town of St. Albans, the Town of Rutland, and the City of Rutland.
- VTrans-owned or controlled airport facilities and non-metallic mineral mining facilities.

3.0 ANNUAL REPORTING REQUIREMENTS

In accordance with Subpart 10.2 Annual Report of GP 3-9007, VTrans shall submit annual reports to the DEC Watershed Management Division, Stormwater Management Program by April 1st each year. Flow Restoration Plan (FRP) and Phosphorus Control Plan (PCP) reports may be included with the annual report when reporting deadlines coincide. In addition to FRP and PCP reporting requirements, the annual report shall include reporting requirements under Parts 4, 5, 6, and 7 of the Permit, as well as:

- A. The status of VTrans' compliance with permit conditions, an assessment of the appropriateness of the identified Best Management Practices (BMPs), progress towards achieving implementation of BMPs necessary to meet Total Maximum Daily Load (TMDL) requirements and progress towards achieving the statutory goal for the six minimum measures of reducing the discharge of pollutants to the Maximum Extent Practicable (MEP), and the measurable goals for each of the minimum control measures and TMDL implementation measures;
- B. An inspection report on the condition of VTrans' stormwater management systems that notes all problem areas and all measures taken to correct any problems and to prevent future problems;
- C. Results of information collected and analyzed, if any, during the reporting period, including monitoring data used to assess the success of the program at meeting TMDL requirements and the success of the six minimum measures;

- D. A summary of the stormwater activities VTrans plans to undertake during the next reporting cycle (including an implementation schedule);
- E. Proposed changes to VTrans' SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements; and
- F. Notice that VTrans is relying on another government entity to satisfy some of its permit obligations (if applicable).

In the following sections of this annual report, as well as the accompanying Annual Report Workbook, VTrans is providing a summary of activities as they are associated with the annual reporting requirements listed above. In addition to the information provided in this annual report, the accompanying Annual Report Workbook includes the following tabs with relevant updates:

- Tab 4.0: Discharge Requirements Annual Reporting
- Tab 6.0: Minimum Control Measure (MCM) Annual Reporting
- Tab 6.1: Trainings Summary
- Tab 6.3.a: Facilities Updates
- Tab 7.0: Industrial Activities Summary
- Tab 8.0: Operational Stormwater Management System Annual Inspections Summary
- Tab 9.1: Flow Restoration Plan (FRP) Implementation Summary
- Tab 9.2: Phosphorus Control Plan (PCP) Development Reporting

4.0 DISCHARGE REQUIREMENTS

Impaired waters are those waters that VT ANR has identified pursuant to Section 303(d) of the Clean Water Act (CWA) as not meeting the Vermont Water Quality Standards (VWQS). Impaired waters encompass both those with approved TMDLs or Water Quality Restoration Plans (WQRPs), and those for which TMDL development is necessary but has not yet been approved by the U.S. EPA. Per the Permit, except for Part 9, a VTrans project is considered to discharge to an impaired water if the first water of the State to which runoff discharges is identified as an impaired water. For discharges that enter a separate storm sewer system prior to discharge, the first water of the State to which runoff is discharged is the waterbody that receives the stormwater discharge from the storm sewer system. To address this requirement, VTrans has developed and provided a complete list of first waters to which designated MS4/TS4 areas discharge; included as Table 1 in Attachment A of the SWMP (2018).

4.1 DISCHARGES TO IMPAIRED WATERS WITH AN APPROVED TOTAL MAXIMUM DAILY LOAD WITH WASTELOAD ALLOCATION

Discharges from the TS4 to impaired waters with an approved TMDL and wasteload allocation, including descriptions of the measures being used to address requirements where applicable, are listed in Tables 1 and 2 in Attachment A of the SWMP (2018). Progress on measures VTrans is implementing can be found in Tab 4.0 of the Annual Report Workbook.

4.2 DISCHARGES TO IMPAIRED WATERS WITH AN APPROVED TOTAL MAXIMUM DAILY LOAD WITHOUT WASTELOAD ALLOCATION

Discharges from the TS4 to impaired waters with approved TMDLs, where the TMDL does not specify a WLA or other requirements for the TS4 discharge, are listed in Tables 1 and 2 in Attachment A of the SWMP (2018). These tables include a summary of VT ANR-approved measures that VTrans is implementing to address the pollutant(s) of concern addressed by the TMDL. Progress on measures VTrans is implementing can be found in Tab 4.0 of the Annual Report Workbook.

4.3 DISCHARGES TO IMPAIRED WATERS WITHOUT AN APPROVED TOTAL MAXIMUM DAILY LOAD

Identified and mapped discharges from the TS4 to impaired waters that are listed on the "State of Vermont 303(d) List of Impaired Waters, Part A – Impaired Surface Waters in Need of TMDL" are listed in Tables 1 and 2 in Attachment A of the SWMP (2018). These tables include a summary of measures that VTrans is implementing to ensure compliance with the VWQS. Progress on measures VTrans is implementing can be found in Tab 4.0 of the Annual Report Workbook.

5.0 STORMWATER MANAGEMENT PROGRAM

Per Subpart 5.1 of the Permit, VTrans has developed a written SWMP (2018) to include information required, as necessary, under Part 3 of the Permit; the information required under Part 4 of the Permit to address discharges to impaired waters; the required elements under the six minimum control measures in Part 6 of the Permit; the industrial control measures in Part 7 of the Permit, including the Stormwater Pollution Prevention Plan (SWPPP); the operational stormwater requirements under Part 8 of the Permit; and the Flow Restoration Plan (FRP) and Phosphorus Control Plan (PCP) developed in accordance with Part 9 of the Permit.

To meet requirements of Subpart 5.2 of the Permit, VTrans has performed an annual review of the SWMP and has no changes for this reporting period.

6.0 MINIMUM CONTROL MEASURES

Per Part 6 of the Permit, VTrans has developed and is implementing and enforcing a SWMP (2018), which includes the six minimum control measures that are designed to reduce the discharge of pollutants from the TS4 to the MEP, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA. For purposes of the six minimum control measures, implementation of BMPs consistent with the provisions of the SWMP constitute compliance with the standard of reducing pollutants to the MEP. The six minimum control measures include:

1. Public Education and Outreach on Stormwater Impacts (MCM 6.A)
2. Public Involvement and Participation (MCM 6.B)
3. Illicit Discharge Detection and Elimination (MCM 6.C)
4. Construction Site Stormwater Runoff Control (MCM 6.D)
5. Post-Construction Stormwater Management for New Development and Redevelopment (MCM 6.E)
6. Pollution Prevention and Good Housekeeping for VTrans' Operations (MCM 6.F)

The BMPs that are being implemented by VTrans to address these six minimum control measures are included in Part 6.0 of the SWMP (2018). A summary of annual reporting requirements and progress for each MCM is provided in Tabs 6.0, 6.1, and 6.3.a of the Annual Report Workbook.

7.0 INDUSTRIAL ACTIVITY CONTROL MEASURES

Per Part 7 of the Permit, VTrans has developed and is implementing Stormwater Pollution Prevention Plans (SWPPPs) for its airport transportation facilities and facilities that conduct non-metallic mineral mining and dressing as the primary activity on site and that have the SIC Codes listed in the Permit. VTrans has selected, designed, installed, and implemented control measures, including BMPs, to minimize pollutant discharges that address the selection and design considerations, meet the nonnumeric effluent limits, meet limits contained in applicable effluent limitations, and meet the water quality-based effluent limitations per the relevant subparts of Part 7 of the Permit. A table that lists airport transportation facilities and non-metallic mineral mining and dressing facilities that are included in the VTrans TS4 and that were previously issued an MSGP 3-9003 by VT ANR is provided in Part 7.0 of the SWMP (2018). A link to the SWPPPs that have been prepared for these facilities can be found at:

<https://outside.vermont.gov/agency/VTRANS/external/docs/stormwater/Forms/AllItems.aspx>

A summary of trainings, inspections, monitoring, and any corrective actions taken is provided on Tab 7.0 of the Annual Report Workbook.

8.0 STORMWATER DISCHARGES FROM IMPERVIOUS SURFACES

Per Part 8 of the Permit, permit coverage is provided for: (1) previously permitted stormwater runoff discharges and proposed new stormwater runoff discharges from impervious surfaces that trigger jurisdiction as outlined in Subpart 8.1.A of the Permit, (2) stormwater discharges to waters of the State that are not impaired by stormwater and to waters of the State that are listed as principally impaired due to stormwater runoff with a stormwater WQRP or TMDL on the EPA-approved State of Vermont List of Priority Surface Waters (Part D, Impaired Surface Waters with Completed and Approved TMDLs) and that have an approved FRP or other approved implementation plan.

A list of projects in the TS4 with VTANR operational coverage including status, inspections, and corrective actions needed or taken is provided on Tab 8.0 of the Annual Report Workbook.

9.0 TOTAL MAXIMUM DAILY LOAD IMPLEMENTATION

9.1 FLOW RESTORATION PLAN

VTrans maintains infrastructure within the watersheds of the following stormwater-impaired waters: Allen, Bartlett, Centennial, Indian, Moon, Munroe, Potash, Rugg, Stevens, and Sunderland Brooks. Per Subpart 9.1 of the Permit, VTrans submitted an FRP to VT ANR in October 2016 (FRP 2016) to address requirements of General Permit 3-9014 for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (2012) associated with these watersheds; see Attachment D of the SWMP (2018). Upon approval by VT ANR, the FRP will become a part of the SWMP (2018).

Supporting information per annual reporting requirements of the TS4 are provided in Tab 9.1 of the Annual Report Workbook.

Per Subpart 9.1 of the Permit, VTrans, along with other MS4s, funds a Flow Monitoring Program to address flow and precipitation monitoring in its respective stormwater-impaired watersheds. Stream flow and precipitation monitoring data that are collected through this program are available at the following links:

- Flow monitoring data: <http://vt-ms4-flow.stone-env.com/FlowDev/index.html>
- Precipitation data: <http://vt-ms4-flow.stone-env.com/Precip/index.html>

VTrans spent \$22,225.00 this year on the Flow Monitoring Program.

9.2 PHOSPHORUS CONTROL PLAN

VTrans maintains infrastructure in all 13 lake segments within the Lake Champlain Basin. Per Subpart 9.2 of the Permit, VTrans will develop and implement a comprehensive PCP for the TS4 within the Lake Champlain Basin in phases, beginning with the establishment of baseline phosphorus loading and calculation of the phosphorus load reductions needed to achieve its percent reduction from the TS4 for each Lake segment. Development and implementation of the remaining phases of the PCP, and submittal to VT ANR, will be conducted per the schedule outlined in Subpart 9.2.C of the Permit.

A summary of progress towards meeting the milestones established for phosphorus control planning is provided in Tab 9.2 of the Annual Report Workbook.

10.0 RECORD KEEPING AND REPORTING

Per subpart 10.1 of the Permit, VTrans is retaining records of monitoring information, copies of reports required by the Permit, copies of Discharge Monitoring Reports (DRMs), a copy of its authorization and amended authorizations under this Permit, and records of data used to complete the NOI for this Permit, for a period of at least three years from the date of the sample, measurement, report or application, or for the term of this Permit, whichever is longer. VTrans is retaining copies of written records relating to the stormwater collection, treatment, and control systems, and BMPs, including calculations used to size STPs, authorized under this Permit. VTrans is submitting its records to VT ANR when specifically asked to do so. VTrans is retaining a copy of the SWMP and a copy of the Permit language at a location accessible to VT ANR. VTrans is making its records, including the NOI and SWMP, available to the public, if requested to do so in writing.

Per subpart 10.2 of the Permit, VTrans is submitting its annual reports to the VT DEC, Watershed Management Division, Stormwater Management Program by April 1st each year. FRP and PCP reports may be included with the annual report when reporting deadlines coincide.

APPENDICES

**Appendix A CHITTENDEN COUNTY REGIONAL STORMWATER
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