

S W Q M P

for

Merrillville, Indiana

Part C: Program Implementation Report



MS4 Operator
Timothy A. Brown
Town Manager / MS4 Operator
7820 Broadway
Merrillville IN 46410
Ph: 219-769-5711
Fx: 219-756-6170
townmgr@townofmerrillville.com



Consultant Facilitator:
Amy R. Moore, P.E.
Butler, Fairman and Seufert, Inc.,
8450 Westfield Boulevard, Suite 300
Indianapolis, IN 46240
Ph: 317-713-4615
Fx: 317-713-4616
amoore@bfsengr.com

Storm Water Quality Management Plan for Merrillville

Table of Contents

<u>Section One:</u>	<u>Program Development</u>	
A:	Introduction	1
B:	Initial Evaluation of Storm Water Program	1
	(Existing programs & activities categorized by MCM)	
C:	Baseline Characterization & SWQMP-Part B Report Update	2
D:	Description of MS4	2
	1) Narrative Area	
	2) Conveyances	
<u>Section Two:</u>	<u>Minimum Control Measures (MCMs)</u>	
A:	Public Education and Outreach	3
	1) Program Description	
	2) Initial Assessment	
	3) Measurable Goals	
B:	Public Participation and Involvement	3
	1) Program Description	
	2) Initial Assessment	
	3) Measurable Goals	
C:	Illicit Discharge Detection and Elimination	3
	1) Program Description	
	2) Measurable Goals	
D:	Construction Site Storm Water Runoff Control.....	4
	1) Program Description	
	2) Measurable Goals	
E:	Post-Construction Storm Water Runoff Control	5
	1) Program Description	
F:	Municipal Operations Pollution Prevention and Good Housekeeping	5
	1) Program Description	
	2) Measurable Goals	
<u>Section Three:</u>	<u>Programmatic Indicators</u>	
A.	Number or percentage of citizens, segregated by type of constituent that have an awareness of storm water quality issues.	7
B.	Number and description of meetings, training sessions, and events conducted to involve citizen constituents in the storm water program.	7

Table of Contents (Continued)

C.	Number or percentage of citizen constituents that participate in storm water quality improvement programs.	7
D.	Number and location of storm drains marked or cast, segregated by marking method.	7
E.	Estimated or actual linear feet or percentage of MS4 mapped and indicated on an MS4 area map.	7
F.	Number and location of MS4 area outfalls mapped.	7
G.	Number and location of MS4 area outfalls screened for illicit discharges.	7
H.	Number and location of illicit discharges detected.	7
I.	Number and location of illicit discharges eliminated.	7
J.	Number of and estimated or actual amount of material, segregated by type, collected from HHW collections in the MS4 area.	7
K.	Number and location of constituent drop-off centers for automotive fluid recycling.	7
L.	Number or percentage of constituents that participate in the HHW collections.	7
M.	Number of construction sites obtaining an MS4 entity-issued storm water run-off permit in the MS4 area.	7
N.	Number of construction sites inspected.	7
O.	Number and type of enforcement actions taken against construction site operators.	7
P.	Number of, and associated construction site name and location for, public informational requests received.	7
Q.	Number, type, and location of structural BMPs installed.	7
R.	Number, type, and location of structural BMPs inspected.	8
S.	Number, type, and location of structural BMPs maintained or improved to function properly.	8
T.	Type and location of nonstructural BMPs utilized.	8
U.	Estimated or actual acreage or square footage of open space preserved and mapped in the MS4 area, if applicable.	8
V.	Estimated or actual acreage or square footage of pervious and impervious surfaces mapped in the MS4 area, if applicable.	8
W.	Number and location of new retail gasoline outlets or municipal, state, federal, or institutional refueling areas, or outlets or refueling areas that replaced existing tank systems that have installed storm water BMPs.	8
X.	Number and location of MS4 entity facilities that have containment for accidental releases of stored polluting materials.	8
Y.	Estimated or actual acreage or square footage, amount, and location where pesticides and fertilizers are applied by a regulated MS4 entity to places where storm water can be exposed within the MS4 area.	8
Z.	Estimated or actual linear feet or percentage and location of un-vegetated swales and ditches that have an appropriately-sized vegetated filter strip.	8

Table of Contents (Continued)

AA.	Estimated or actual linear feet or percentage and location of MS4 conveyances cleaned or repaired.	8
BB.	Estimated or actual linear feet or percentage and location of roadside shoulders and ditches stabilized, if applicable.	8
CC.	Number and location of storm water outfall areas remediated from scouring conditions, if applicable.	8
DD.	Number and location of deicing salt and sand storage areas covered or otherwise improved to minimize storm water exposure.....	8
EE.	Estimated or actual amount, in tons, of salt and sand used for snow and ice control.	8
FF.	Estimated or actual amount of material by weight collected from catch basin, trash rack, or other structural BMP cleaning.	
GG.	Estimated or actual amount of material by weight collected from street sweeping, if utilized.	8
HH.	If applicable, number or percentage and location of canine parks sited at least one hundred fifty (150) feet away from a surface waterbody.....	8

Appendices

Appendix A	State Certification Forms	
	i. Program Implementation Certification Checklist (Form 51280)	A-1
	ii. Public Education and Outreach Program Certification (Form 51279).....	A-5
	iii. Public Participation and Involvement Program Certification (Form 51273)	A-6
	iv. Illicit Discharge Detection and Elimination Program Certification (Form 51271)	A-7
	v. Construction Site Runoff Control Program Certification (Form 51272).....	A-8
	vi. Municipal Operations Pollution Prevention and Good Housekeeping Program Certification (Form 51281).....	A-9
Appendix B	Map of MS4 Area	
Appendix C	Stormwater Budget	
Appendix D	Northeast Indiana Regional Planning Commission PE&P Program	
Appendix E	Regulatory Mechanisms	
	i. Regulations for Stormwater Management (MCM#3)	E-1
	ii. Stormwater Erosion and Sediment Control Ordinance (MCM#4).....	E-9
Appendix F	Active Industrial Facilities	

Section One: Program Development

A. Introduction

In January 2003 the Municipal Separate Storm Sewer System (MS4) Advisory Committee began meeting to prepare for what became 327 IAC 15-13 (Rule 13). This MS4 Advisory Committee (advisory committee) has included Town Manager, Town Engineer, Public Works Director, Stormwater Management Board members and other key Town personnel.

One of the first tasks of the advisory committee was to determine what existing programs or activities within the Town may be incorporated within any of the six minimum control measures (MCMs) identified in Rule 13. Governmental and non-governmental activities were considered.

B. Initial Evaluation of Storm Water Program

The Best Management Practices (BMPs) already in-use in Merrillville are listed below, categorized by MCM:

<u>Activity</u>	<u>Description</u>	<u>Department/Organization</u>
<i>MCM #1</i>		
1) Town Newsletter	Quarterly residential mailing	Town Manager
2) Web-site	Town of Merrillville web-site contains informational and current Town news	Town Manager
3) HHHW Disposal	Drop-off locations and dates are published in local newspapers and newsletters	Lake County Solid Waste District
<i>MCM#2</i>		
1) Citizen Concerns Investigation	Code Enforcement Officer responds and documents findings and actions	Town Manager
2) Recycling Program	Voluntary program available at central DPW drop center	Department of Public Works
3) HHHW Disposal	Multiple dates and locations are available throughout the County annually	Lake County Solid Waste District
<i>MCM#3</i>		
1) Citizen Concerns Investigations	Code Enforcement Officer responds and documents findings and actions	Town Manager
2) HHHW Disposal	Available for drop-off throughout the year	Lake County Solid Waste District
<i>MCM#4</i>		
1) Plan Review	Review for Ordinance conformance	Planning & Engineering
2) On-Site Inspections	Visit sites, report, enforce and follow-up	Building & Planning & DPW

<u>Activity</u>	<u>Description</u>	<u>Department/Organization</u>
<i>MCM#5</i>		
1) Zoning and Subdivision Ordinances	Planning & construction requirements	Planning & Engineering
<i>MCM#6</i>		
1) Street Sweeping	All streets are swept once every 2 - 3 weeks	Department of Public Works
2) Structure Cleaning	Each structure cleaned annually	Department of Public Works
3) Street De-Icing Operations	Already using a natural derivative of sugar beets in lieu of salts	Department of Public Works
4) Roadside Ditch/Swale Maintenance	Clean, reshape and stabilize	Department of Public Works

In addition to the existing programs and activities listed above, an inventory of the structural BMPs within Merrillville was identified during the Baseline Characterization and Report phase. Within Merrillville, developments are required to provide detention basins and catch basins are installed prior to new connections to the storm sewer system.

C. Baseline Characterization & Report Update

The SWQMP-Part B Baseline Characterization and Report was submitted to the Indiana Department of Environmental Department (IDEM) on May 3, 2004. A Notice of Deficiency (NOD) letter from IDEM dated August 11, 2004 was received. On September 9, 2004 the MS4 Operator responded to IDEM with a letter refuting the NOD and addressing each of the points in the NOD letter. As of the date of this writing, we understand that IDEM is in-process of review, but no follow-up correspondence has been received from IDEM.

As stated in both the original Baseline Characterization and Report and the response letter, the MS4 Operator will continue to review data for receiving waters and report any changes annually, as required. On receiving waters where limited data is available, further investigation will be done throughout the permit period, including increased physical monitoring within the Illicit Discharge Detection and Elimination program and as additional data becomes available from other sources.

D. Description of MS4

1) *Area*

The Merrillville MS4 Area includes all of the land area inside the incorporated limits of the Town of Merrillville, Lake County, Indiana. Currently, the boundary is closely represented based upon Sections and includes the following:

In T35N, R8W: Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 34, 35, and 36.

In T35N, R7W: Sections 20, 21, 28, 29, 30, 31, 32, 33 along with small portions of 16 and 17

(A map depicting this area is included as Appendix B.)

2) *Conveyances*

In the Merrillville MS4 jurisdiction, most conveyances are either open ditches or storm sewer pipe. A break-out of the linear feet of conveyance within the MS4 Area will be completed as the mapping requirement is completed.

Section Two: Minimum Control Measures

A. Public Education and Outreach

1) *Program Description*

The Town of Merrillville is a part of the regional Public Education and Involvement program being coordinated by the Northwest Indiana Regional Planning Commission (NIRPC). Program information is outlined in Appendix D.

2) *Initial Assessment*

(See Appendix D)

3) *Measurable Goals*

(See Appendix D)

B. Public Participation and Involvement

1) *Program Description*

As in the previous MCM, the Town of Merrillville is a part of the regional Public Participation and Involvement program being coordinated by NIRPC. Program information is outlined in Appendix D.

2) *Initial Assessment*

(See Appendix D)

3) *Measurable Goals*

(See Appendix D)

C. Illicit Discharge Detection and Elimination MCM

1) *Program Description*

On October 26, 2004 the *Stormwater Management Ordinance (No.04-56)* was adopted by the Town Council. The new ordinance includes the requirements of 327 IAC 15-13-14(c) and allows local inspection and enforcement authority through the MS4 Operator. Additionally, throughout the permit term, as required in 327 IAC 15-13-14(b) the MS4 conveyances will be mapped and BMPs put into effect.

Support and public notification of local HHHW and recycling programs will continue through the Public Education and Outreach activities. In addition, a dry weather screening and outfall inspection program will be conducted and findings and actions documented.

- Town employees affected by the SWQMP activities will receive annual training related to hazards associated with illicit discharges and improper disposal of waste. This training will be provided by the MS4 Operator, his representative, and/or an applicable workshop or program.

2) *Measurable Goals*

BMP No. 1:

Timeline for Implementation:

Know MS4 System

Beginning in permit year #2, then each year thereafter within the initial permit term, complete mapping of 25% of the conveyance system each year. Minimum requirement to map is 12-inch sewers and 2-foot bottom open ditches.

Measurable Goal:

Develop storm sewer system map to minimum requirements in 327 IAC 15-13-14(b), completing 25% of the structures/outfalls each year as noted.

BMP No. 2:

Timeline for Implementation:

Regular Outfall Inspections

Initial inspection will be the same as for mapping noted above in BMP No.1, and a similar inspection schedule will be maintained throughout each subsequent permit term.

Measurable Goal:

Each outfall will be inspected. Conditions, observations, findings and any actions taken will be documented.

BMP No. 3:

Timeline for Implementation:

Measurable Goal:

Household Hazardous Waste (HHW) Collection

Existing program to continue

Document number of local participants and materials collected annually.

BMP No. 4:

Timeline for Implementation:

Measurable Goal:

Enforce Stormwater Management Ordinance

Beginning on Effective Date (October 26, 2004)

In addition to the Outlet Inspection program, citizen complaints will be investigated through the Code Enforcement Officer or Town Inspectors, with oversight from the MS4 Operator. Each complaint, actions taken and any enforcement activities will be documented.

D. Construction Site Storm Water Runoff Control MCM

1) *Program Description*

The Town Engineer, and the Building and Planning Department will continue their cooperative efforts to oversee construction activities within the affected area. This effort includes plan review and on-site construction inspection of developing areas. The Town adopted the *Stormwater Erosion and Sediment Control Ordinance (04-57)* on October 26, 2004, which incorporates 327 IAC 15-5 as required in 327 IAC 15-13-15(b) and allows local review, inspection and enforcement action through the MS4 Operator and the Utility Board. Additionally, as required, MS4 owned projects will begin including in the design requirements and/or the project specifications the additional requirements listed in 327 IAC 15-13-15 j & k.

When local permitting jurisdiction is granted, the MS4 Operator will also begin to track public relations related to local construction activity. Inquiries, concerns or information received from the public will be logged, as applicable forwarded for inspection, and then response or findings added to the log/file.

- Town employees affected by the SWQMP activities will receive annual training related to proper usage of best management practices, as well as inspection and enforcement procedures. This training will be provided by the MS4 Operator, his representative, and/or an applicable workshop or program.

2) *Measurable Goals*

BMP No. 1:

Continue local oversight of new construction, and add permitting, inspection and enforcement of erosion and sediment control practices required in newly adopted Ordinance 04-57.

Timeline for Implementation:

Local ordinance adopted on October 26, 2004, but authority will begin upon notification by IDEM.

Measurable Goal:

For each construction site permit issued, the number of inspections completed as well as any enforcement actions taken will be documented.

BMP No. 2:

Include erosion and sediment control information and guidance to developers, builders and/or owners with required permits.

Timeline for Implementation:

When Town receives permitting authority.

Measurable Goal:

Distribute an erosion and sediment control brochure or packet with each Site Development Permit granted using existing literature from SWCD or similar. Document packet content and number distributed annually.

E. Post-Construction Site Storm Water Runoff Control MCM

1) *Program Description*

As appropriate, and/or required within 327 IAC 15-13-16, additional consideration and development of this program is on-going, anticipated to be submitted and certified in accordance with the established schedule.

F. Municipal Operations Pollution Prevention and Good Housekeeping MCM

1) *Program Description*

Prior to adoption of 327 IAC 15-13 ("Rule 13"), the Department of Public Works had practices in-place such as street sweeping, catch basin, inlet and structure cleaning, and care of roadside vegetation on a regular or as-needed basis. The SWQMP includes development of log books, schedules, employee daily activities report/chart, procedures, etc. to document completion of such activities and their associated volume, weight, linear feet, etc. as required in Programmatic Indicator Z, AA, BB, CC, DD, EE, FF, and GG. (See Section Three)

In addition, municipal operational areas have been evaluated for compliance with the requirements of Section 17.B.2 of Rule 13. Those areas determined to be missing or inadequate will be modified or amended within the first permit term to achieve these requirements.

Waste materials removed from the MS4 and operational areas are disposed of in accordance with applicable waste disposal regulations.

- As applicable for each, municipal employees receive proper training related to disposal of hazardous wastes, vegetative waste handling, fertilizer and pesticide application, and the function of BMPs implemented. A written record of such training through certification, attendance at municipal training sessions, or other MS4 Operator approved activities will also be included in records kept to implement this program.

2) *Measurable Goals*

BMP No. 1:

Timeline for Implementation:

Measurable Goal:

Street Sweeping

Established program to continue throughout the permit term.

Each municipal street will be swept a minimum of one (1) time each month, winter weather dependent.

BMP No. 2:

Timeline for Implementation:

Measurable Goal:

Clean manhole, catch basin and inlet structures

Established program to continue throughout permit term

Each structure will be cleaned at least once annually.

BMP No. 3:

Timeline for Implementation:

Measurable Goal:

Minimize salt, sand, pesticide and fertilizer use

Established program to continue throughout the permit term.

Relative to local weather conditions, use of salt and sand will be minimized while continuing established safety levels. Already, environmentally friendly alternative materials have been used for deicing activities. This practice will be continued and amounts of salt, sand and alternative materials used will be documented.

Section Three: Programmatic Indicators

For each programmatic indicator used, the location within this report where it is addressed is indicated in *italics*. If information is not already included in this report, an update will be included in the Annual Report. If the programmatic indicator will not be used, an explanation or alternative is indicated in *italics*.

- A. Number or percentage of citizens, segregated by type of constituent that have an awareness of storm water quality issues.
See Appendix D
- B. Number and description of meetings, training sessions, and events conducted to involve citizen constituents in the storm water program.
See Appendix D
- C. Number or percentage of citizen constituents that participate in storm water quality improvement programs.
See Appendix D
- D. Number and location of storm drains marked or cast, segregated by marking method.
See Appendix D
- E. Estimated or actual linear feet or percentage of MS4 mapped and indicated on an MS4 area map.
2.C.-BMP#1, pg 4
- F. Number and location of MS4 area outfalls mapped.
2.C.-BMP#1, pg 4
- G. Number and location of MS4 area outfalls screened for illicit discharges.
2.C.-BMP#2 pg 4
- H. Number and location of illicit discharges detected.
2.C.-BMP#2 pg 4 and 2.C.-BMP#4 pg 4
- I. Number and location of illicit discharges eliminated.
2.C.-BMP#4, pg 4
- J. Number of and estimated or actual amount of material, segregated by type, collected from HHW collections in the MS4 area.
2.C.-BMP#3, pg 4
- K. Number and location of constituent drop-off centers for automotive fluid recycling.
1.B.-MCM#2, Activity #2, pg 1
- L. Number or percentage of constituents that participate in the HHW collections.
2.C.-BMP#3, pg 4
- M. Number of construction sites obtaining an MS4 entity-issued storm water run-off permit in the MS4 area.
2.D.-BMP#1, pg 5
- N. Number of construction sites inspected.
2.D.-BMP#1, pg 5
- O. Number and type of enforcement actions taken against construction site operators.
2.D.-BMP#1, pg 5
- P. Number of, and associated construction site name and location for, public informational requests received.
2.D.1, pg 5
- Q. Number, type, and location of structural BMPs installed.
2.D.-BMP#2, pg 5

- R. Number, type, and location of structural BMPs inspected.
2.D.-BMP#1, pg 5
- S. Number, type, and location of structural BMPs maintained or improved to function properly.
2.E.1, pg 5
- T. Type and location of nonstructural BMPs utilized.
2.E.1, pg 5
- U. Estimated or actual acreage or square footage of open space preserved and mapped in the MS4 area, if applicable.
2.E.1, pg 5
- V. Estimated or actual acreage or square footage of pervious and impervious surfaces mapped in the MS4 area, if applicable.
2.E.1, pg 5
- W. Number and location of new retail gasoline outlets or municipal, state, federal, or institutional refueling areas, or outlets or refueling areas that replaced existing tank systems that have installed storm water BMPs.
2.E.1, pg 5
- X. Number and location of MS4 entity facilities that have containment for accidental releases of stored polluting materials.
2.F.1, pg 5
- Y. Estimated or actual acreage or square footage, amount, and location where pesticides and fertilizers are applied by a regulated MS4 entity to places where storm water can be exposed within the MS4 area.
2.F.1, pg 5
- Z. Estimated or actual linear feet or percentage and location of un-vegetated swales and ditches that have an appropriately-sized vegetated filter strip.
2.F.1, pg 5
- AA. Estimated or actual linear feet or percentage and location of MS4 conveyances cleaned or repaired.
2.F.1, & 2.F.2- BMP#2, pgs 5 & 6
- BB. Estimated or actual linear feet or percentage and location of roadside shoulders and ditches stabilized, if applicable.
2.F.1, pg 5
- CC. Number and location of storm water outfall areas remediated from scouring conditions, if applicable.
2.F.1, pg 5
- DD. Number and location of deicing salt and sand storage areas covered or otherwise improved to minimize storm water exposure.
2.F.1, pg 5
- EE. Estimated or actual amount, in tons, of salt and sand used for snow and ice control.
2.F.2, BMP#3, pg 6
- FF. Estimated or actual amount of material by weight collected from catch basin, trash rack, or other structural BMP cleaning.
2.F.2, BMP#2, pg 6
- GG. Estimated or actual amount of material by weight collected from street sweeping, if utilized.
2.F.2, BMP#1, pg 6
- HH. If applicable, number or percentage and location of canine parks sited at least one hundred fifty (150) feet away from a surface waterbody.
Not Applicable

APPENDIX A
State Certification Forms



**RULE 13 STORM WATER QUALITY
MANAGEMENT PLAN (SWQMP) –
PART C: PROGRAM IMPLEMENTATION CERTIFICATION
CHECKLIST**

State Form 51280 (R2 / 11-03)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:

IDEM – Rule 13 Coordinator
100 North Senate Avenue, Rm 1255

P.O. Box 6015

Indianapolis, IN 46206-6015

Phone: (317) 234-1601 or

(800) 451-6027, ext. 41601 (within Indiana)

Web Access:

<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

NOTE:

- This form must be used for compliance with a general NPDES permit pursuant to 327 IAC 15-13.
- Submit this completed form with a complete "SWQMP – Part C: Program Implementation" in accordance with 327 IAC 15-13-8.
- Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

PART A: SWQMP CERTIFICATION CHECKLIST

► Please check the appropriate box when the requirements for each numbered item have been met, or check "NA" if an item is not applicable. For some of the numbered items, the requirements must be met and "not applicable" is not provided as an option.

X	NA	ITEM
<input checked="" type="checkbox"/>		1. SWQMP – Part C: Program Implementation submitted within 1 year from the submission of the NOI letter or the expiration date of the previous 5-year permit term.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Approved TMDL established for any MS4 discharge receiving water.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	* If yes, the SWQMP – Part C includes appropriate modifications to meet the TMDL
<input checked="" type="checkbox"/>		3. SWQMP – Part C identifies that the required ordinances or similar regulatory mechanisms will be developed, revised, modified, and/or implemented within two (2) years from the submission of the NOI letter
<input checked="" type="checkbox"/>		4. The SWQMP – Part C contains:
<input checked="" type="checkbox"/>		a) An initial evaluation of the storm water program for the MS4 area
<input checked="" type="checkbox"/>		* The initial evaluation includes all known structural and nonstructural storm water BMPs
<input checked="" type="checkbox"/>		b) A detailed program description for each MCM
<input checked="" type="checkbox"/>		c) A timetable for program implementation milestones and SWQMP-Part B conclusions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	d) A schedule for on-going receiving water characterization to evaluate BMP effectiveness and receiving water quality
<input checked="" type="checkbox"/>		e) A narrative and mapped description of the MS4 area boundaries
<input checked="" type="checkbox"/>		*The boundary description includes the specific section(s), or, as appropriate, street name(s)
<input checked="" type="checkbox"/>		f) An estimate of the linear feet of MS4, segregated by conveyance type
<input checked="" type="checkbox"/>		g) A narrative summary of allowed structural BMP types in new development and redevelopment
<input checked="" type="checkbox"/>		h) A summary on structural BMP selection criteria and performance standards
<input checked="" type="checkbox"/>		i) A narrative summary of the current and projected storm water budget
<input checked="" type="checkbox"/>		j) A narrative summary of measurable goals for each MCM
<input checked="" type="checkbox"/>		* Measurable goals relate to an environmental benefit
<input checked="" type="checkbox"/>	<input type="checkbox"/>	k) Appropriate, completed state-issued certification forms (only required for the initial 5-year permit term)
<input type="checkbox"/>	<input type="checkbox"/>	i) Public education and outreach MCM
<input type="checkbox"/>	<input type="checkbox"/>	ii) Public participation and involvement MCM
<input checked="" type="checkbox"/>	<input type="checkbox"/>	iii) Illicit discharge detection and elimination MCM
<input checked="" type="checkbox"/>	<input type="checkbox"/>	iv) Construction site storm water run-off control MCM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	v) Postconstruction storm water run-off control MCM (not required until end of second year of permit coverage)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	vi) Pollution prevention and good housekeeping for operations MCM
<input checked="" type="checkbox"/>		l) A listing of programmatic indicators for each MCM. These indicators include:
<input checked="" type="checkbox"/>		i) Number or percentage of citizens that have an awareness of storm water quality issues
<input checked="" type="checkbox"/>		ii) Number and description of meetings, training sessions, and events conducted to involve citizens
<input checked="" type="checkbox"/>		iii) Number or percentage of citizens that participate in storm water quality improvement projects
<input type="checkbox"/>	<input checked="" type="checkbox"/>	iv) Number and location of storm drains marked or cast
<input checked="" type="checkbox"/>		v) Estimated or actual linear feet or percentage of MS4 conveyances mapped
<input checked="" type="checkbox"/>		vi) Number and location of MS4 area outfalls mapped
<input checked="" type="checkbox"/>		vii) Number and location of MS4 area outfalls screened for illicit discharges
<input checked="" type="checkbox"/>		viii) Number and location of illicit discharges detected
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ix) Number and location of illicit discharges eliminated
<input checked="" type="checkbox"/>	<input type="checkbox"/>	x) Number of, and estimated amount of material collected from, HHW collections
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xi) Number and location of citizen drop-off centers for automotive fluids

PART A: SWQMP CERTIFICATION CHECKLIST

► Please check the appropriate box when the requirements for each numbered item have been met, or check "NA" if an item is not applicable. For some of the numbered items, the requirements must be met and "not applicable" is not provided as an option.

X	NA	ITEM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xiii) Number of construction sites permitted for storm water quality
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xiv) Number of construction sites inspected
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xv) Number and type of enforcement actions taken against construction site operators
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xvi) Number of public informational requests received related to construction sites
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xvii) Number, type, and location of structural BMPs installed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xviii) Number, type, and location of structural BMPs inspected
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xix) Number, type, and location of structural BMPs maintained, or improved, to function properly
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xx) Type and location of nonstructural BMPs utilized
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xxi) Estimated acreage or square footage of open space preserved and mapped
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xxii) Estimated acreage or square footage of mapped pervious and impervious surfaces
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xxiii) Number and location of retail gasoline outlets or municipal, state, federal, or institutional refueling areas with installed BMPs
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxiv) Number and location of entity facilities that have containment for accidental releases
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxv) Estimated acreage or square footage and location where pesticides and fertilizers are applied by the regulated MS4 entity
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxvi) Estimated linear feet or percentage and location of unvegetated swales and ditches that have an appropriately-sized vegetated filter strip
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxvii) Estimated linear feet or percentage and location of MS4 conveyances cleaned or repaired
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxviii) Estimated linear feet or percentage and location of roadside shoulders and ditches stabilized
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxix) Number and location of storm water outfall areas remediated from scouring conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxx) Number and location of de-icing salt and sand storage areas covered or otherwise improved to minimize storm water exposure
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxxi) Estimated amount, in tons, of salt and sand used for snow and ice control
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxxii) Estimated amount of material by weight collected from catch basin, trash rack, or other structural BMP cleaning
<input checked="" type="checkbox"/>	<input type="checkbox"/>	xxxiii) Estimated amount of material by weight collected from street sweeping
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xxxiv) Number or percentage and location of canine parks sited at least 150 feet away from a surface water body
<input type="checkbox"/>	<input checked="" type="checkbox"/>	xxxv) Other
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. SWQMP – Part C identifies, as a minimum, the following compliance schedule for implementation from the submission day of the NOI letter:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) "SWQMP – Part B: Baseline Characterization and Report" submitted within 180 days
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Public education and outreach program developed and implemented within 1 year
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Public involvement and participation program developed and implemented within 1 year
<input checked="" type="checkbox"/>	<input type="checkbox"/>	d) Illicit discharge plan and ordinance developed and program implemented and all major outfall conveyances mapped within 1 year
<input checked="" type="checkbox"/>	<input type="checkbox"/>	e) 25% of storm water outfall conveyance systems mapped each year after 1 year
<input checked="" type="checkbox"/>	<input type="checkbox"/>	f) All known storm water outfalls with a diameter greater than 12 inches and open ditches mapped within 5 years
<input checked="" type="checkbox"/>	<input type="checkbox"/>	g) Construction site plan and ordinance developed and program implemented within 1 year
<input checked="" type="checkbox"/>	<input type="checkbox"/>	h) O&M plan developed and program implemented within 2 years
<input checked="" type="checkbox"/>	<input type="checkbox"/>	i) Postconstruction plan and ordinance developed and program implemented within 2 years
<input checked="" type="checkbox"/>	<input type="checkbox"/>	j) Operations pollution prevention program developed and implemented within 1 year
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. For the Public Education and Outreach MCM:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) Plan identifies and schedules implementation of an informational program for constituents
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Plan identifies initial assessment of constituents
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Plan identifies specific target outreach or reduction goal percentages and timetables
<input type="checkbox"/>	<input checked="" type="checkbox"/>	d) For CSS communities, the current LTCP has been reviewed for ensuring that there is consistency with this MCM
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. For the Public Participation/Involvement MCM:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) Plan identifies and schedules implementation of a public participation program
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Plan identifies initial assessment of constituents
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Plan identifies specific public involvement and reduction goal percentages and timetables
<input type="checkbox"/>	<input checked="" type="checkbox"/>	d) For CSS communities, the current LTCP has been reviewed for ensuring that there is consistency with this MCM
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. For the Illicit Discharge Detection and Elimination MCM:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) Plan schedules development of a storm sewer system map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Plan schedules development and implementation of an ordinance or other regulatory mechanism that prohibits illicit discharges into the storm sewer system
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Plan identifies and schedules implementation of a plan to detect, address, and eliminate illicit discharges,

PART A: SWQMP CERTIFICATION CHECKLIST

► Please check the appropriate box when the requirements for each numbered item have been met, or check "NA" if an item is not applicable. For some of the numbered items, the requirements must be met and "not applicable" is not provided as an option.

X	NA	ITEM
<input checked="" type="checkbox"/>		i) This plan requires that problem areas be located via dry weather screening or other means
<input checked="" type="checkbox"/>		ii) This plan requires that the source of the problem be located, the illicit connection be removed or corrected, and the actions taken be documented
<input checked="" type="checkbox"/>		iii) This plan identifies all known active industrial facilities that discharge into a regulated MS4 conveyance
<input checked="" type="checkbox"/>		d) Plan identifies and schedules implementation of an education program for public employees, businesses, and the general public about the hazards associated with illicit discharges and improper disposal of waste
<input checked="" type="checkbox"/>		e) Plan establishes a recycling program for commonly dumped wastes
<input checked="" type="checkbox"/>		f) Plan identifies specific outreach and reduction goal percentages and timetables
<input type="checkbox"/>	<input checked="" type="checkbox"/>	g) For CSS communities, the current CSOOP and LTCP have been reviewed for ensuring that there is consistency with this MCM
		9. For the Construction Site Storm Water Run-off Control MCM:
<input checked="" type="checkbox"/>		a) Plan schedules development and implementation of an ordinance or other regulatory mechanism that controls polluted run-off from construction sites with a land disturbance of greater than or equal to one (1) acre
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Plan established written agreement or process to allow local SWCD input
<input checked="" type="checkbox"/>		c) Plan identifies and schedules implementation of a requirement to use appropriate BMPs on construction sites to control sediment and erosion and other waste at a site
<input checked="" type="checkbox"/>		d) Plan identifies and schedules implementation of procedures for plan review, site inspection (including prioritization of sites) and enforcement of control measures to deter infractions
<input checked="" type="checkbox"/>		e) Plan identifies procedures for plan review of projects operated by the MS4 operator
<input checked="" type="checkbox"/>		f) Plan requires annual training for MS4 personnel responsible for implementing this MCM
<input checked="" type="checkbox"/>		g) Plan identifies and schedules implementation of procedures for receipt and consideration of public inquiries, concerns, and information submitted regarding local construction activities
<input checked="" type="checkbox"/>		h) Plan identifies specific outreach, compliance, and implementation goals and timetables
		10. For the Postconstruction Storm Water Run-off Control MCM:
<input checked="" type="checkbox"/>		a) Plan schedules development and implementation of an ordinance or other regulatory mechanism that requires the implementation of planning procedures to promote improved water quality
<input checked="" type="checkbox"/>		i) Plan procedures include the postconstruction requirements of 327 IAC 15-5-6.5(a)(8)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ii) Where appropriate, procedures include buffer strip and riparian zone preservation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	iii) Where appropriate, procedures include filter strip creation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	iv) Where appropriate, procedures include minimization of land disturbance and surface imperviousness
<input type="checkbox"/>	<input checked="" type="checkbox"/>	v) Where appropriate, procedures include maximization of open space
<input type="checkbox"/>	<input checked="" type="checkbox"/>	vi) Where appropriate, procedures include directing community physical growth away from sensitive areas and towards areas that can support it without compromising water quality
<input type="checkbox"/>		b) Plan identifies the use of any storage, infiltration, filtering, and/or vegetative practice to reduce the impact of pollutants on storm water run-off to meet narrative water quality standards on receiving waters
<input type="checkbox"/>		i) Plan prohibits using infiltration practices in well head protection areas
<input type="checkbox"/>		ii) As site conditions allow, plan requires an appropriately-sized vegetated filter strip width along unvegetated swales/ditches
<input type="checkbox"/>		iii) Plan prohibits discharges directly to sinkholes or fractured bedrock, without appropriate treatment to meet Indiana ground water quality standards
<input type="checkbox"/>		iv) Plan requires any discharge from a storm water practice that is a Class V injection well to meet Indiana ground water quality standards
<input type="checkbox"/>		v) Plan requires installation of appropriate BMPs to reduce metals and hydrocarbons at new retail gasoline outlets or municipal/institutional refueling areas
<input type="checkbox"/>		vi) As site conditions allow, plan regulates the rate of storm water flow through the MS4 conveyances
<input type="checkbox"/>		vii) Plan requires annual training for MS4 personnel responsible for implementing this MCM
<input type="checkbox"/>		viii) Plan identifies and schedules implementation of a written O&M plan for structural BMPs.
<input type="checkbox"/>		c) Plan identifies specific goals for reduction percentages and timetables
		11. For the Municipal Operations Pollution Prevention and Good Housekeeping MCM:
<input checked="" type="checkbox"/>		a) Plan identifies and schedules implementation of a written program to ensure that existing municipal, State or Federal operations are performed in ways that will minimize contamination of storm water discharges
<input checked="" type="checkbox"/>		i) Program addresses written documentation of maintenance activities, maintenance schedules, and long-term inspection procedures for BMPs to reduce floatables and other pollutants discharged from the storm sewer system
<input checked="" type="checkbox"/>		ii) Program addresses controls for reducing or eliminating the discharge of pollutants from operational areas, including roads, parking lots, maintenance and storage yards, and waste transfer stations
<input type="checkbox"/>	<input checked="" type="checkbox"/>	iii) Program requires a minimum distance of 150 feet for canine parks to be sited away from a surface water body
<input checked="" type="checkbox"/>		iv) Program addresses written procedures for the proper disposal of waste removed from MS4 conveyances and operational areas
<input checked="" type="checkbox"/>		v) Program addresses written documentation to ensure that new flood management projects assess their impacts on water quality and examine existing projects for incorporation of additional water quality protection devices or practices
<input checked="" type="checkbox"/>		vi) Program addresses documentation for MS4 area personnel to attend annual training regarding this MCM
<input checked="" type="checkbox"/>		b) Plan identifies specific reduction goal percentages and timetables
<input type="checkbox"/>	<input checked="" type="checkbox"/>	c) For CSS communities, the current CSOOP and LTCP have been reviewed for ensuring that there is consistency with this MCM
<input checked="" type="checkbox"/>		12. "SWQMP – Part C: Program Implementation" has been certified by a Qualified Professional and the MS4 Operator.

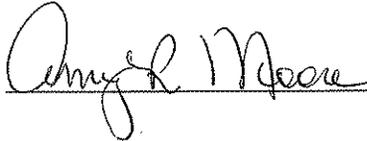
PART B: CERTIFICATION AND SIGNATURE

► The Qualified Professional and MS4 Operator (referenced in Part A, Item #12 of this form) must sign the following certification statement and provide the pertinent NPDES permit number:

"By signing this checklist, I hereby 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name of Qualified Professional: Amy R. Moore, P.E.
(typed or printed)

NPDES Permit #: INR040049

Signature of Qualified Professional: 

Date: 9/21/05
(mm/dd/year)

Name of MS4 Operator: Timothy A. Brown
(typed or printed)

Signature of MS4 Operator: 

Date: 9-21-05
(mm/dd/year)



RULE 13 –
Certification of the Informational Program for the Public
Education and Outreach MCM
 State Form 51279 (R2 / 11-03)
 INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:
 IDEM – Rule 13 Coordinator
 100 North Senate Avenue, Rm 1255
 P.O. Box 6015
 Indianapolis, IN 46206-6015
 Phone: (317) 234-1601 or
 (800) 451-6027, ext. 41601 (within Indiana)
 Web Access:
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

- OTE:**
- This form must be used to comply with section 12(b) of 327 IAC 15-13.
 - The storm water quality Public Education and Outreach program must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
 - Submit this completed form when the education program has been developed and implemented.
 - Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

Merrillville MS4 through NIRPC

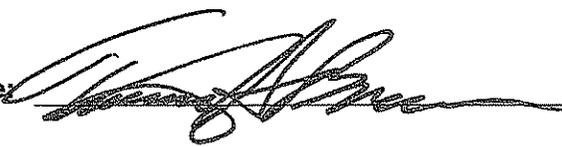
CERTIFICATION AND SIGNATURE

The State of Indiana requires the Town of Merrillville (MS4 Operator) to develop and implement an informational program with educational materials for informing constituents about the impacts of polluted storm water run-off on water quality, and ways they can minimize their impact on storm water quality. This program must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

The "authorized signature" required below must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual. The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).

► The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040049.

"I certify, under penalty of law, that this program and all required materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement 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."

Authorized Signature: 

Date: Jan. 17, 2006
 (mm/dd/year)

Title: Timothy A. Brown, Town Manager
 (typed or printed)



**RULE 13 –
Certification of the Public Participation And Involvement
Program for The Public Participation And Involvement
MCM**

State Form 51273 (R2 / 11-03)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:
IDEM – Rule 13 Coordinator
100 North Senate Avenue, Rm 1255
P.O. Box 6015
Indianapolis, IN 46206-6015
Phone: (317) 234-1601 or
(800) 451-6027, ext. 41601 (within Indiana)
Web Access:
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

- NOTE:**
- This form must be used to comply with section 13(b) of 327 IAC 15-13.
 - The public participation and involvement program must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
 - Submit this completed form when the program has been developed and implemented.
 - Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

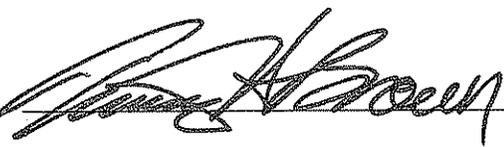
Merrillville MS4 through NIRPC

CERTIFICATION AND SIGNATURE

The State of Indiana requires the Town of Merrillville (MS4 Operator) to develop and implement a public participation and involvement program to allow opportunities for constituents to participate in the storm water management program development and implementation. This program must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

▶ The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040049.

"I certify, under penalty of law, that this program and all required materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement 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."

Authorized Signature¹: 

Date: Jan. 17, 2006
(mm/dd/year)

Title²: Timothy A. Brown, Town Manager
(typed or printed)

¹The "authorized signature" required above must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual.

²The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).



**RULE 13 –
Certification of the Plan To Detect, Address, and
Eliminate Illicit Discharges for the Illicit Detection and
Elimination MCM**

State Form 51271 (R2 / 11-03)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:
IDEM – Rule 13 Coordinator
100 North Senate Avenue, Rm 1255
P.O. Box 6015
Indianapolis, IN 46206-6015
Phone: (317) 234-1601 or
(800) 451-6027, ext. 41601 (within Indiana)
Web Access:
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

- NOTE:**
- This form must be used to comply with section 14(g) of 327 IAC 15-13.
 - The implementation plan for this MCM must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
 - Submit this completed form when the plan has been developed and implemented.
 - Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

CERTIFICATION AND SIGNATURE

The State of Indiana requires Timothy A. Brown (MS4 Operator) to develop and implement a plan to detect and eliminate illicit discharges, including illegal dumping, into the MS4. As part of this plan, outfall systems within the regulated MS4 area must be mapped throughout the five-year permit term. The plan must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

► The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040049.

"I certify, under penalty of law, that this plan and all required materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement 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."

Authorized Signature¹: 
Timothy A. Brown

Date: 9-21-05
(mm/dd/year)

Title²: Merrillville Town Manager
(typed or printed)

¹The "authorized signature" required above must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual.

²The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).



**RULE 13 –
Certification of the Development, Implementation,
Management, and Enforcement of an Erosion and
Sediment Control Program for the Construction Site
Storm Water Run-Off Control MCM**

State Form 51272 (R2 / 11-03)
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:
IDEM – Rule 13 Coordinator
100 North Senate Avenue, Rm 1255
P.O. Box 6015
Indianapolis, IN 46206-6015
Phone: (317) 234-1601 or
(800) 451-6027, ext. 41601 (within Indiana)
Web Access:
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.htm>

- NOTE:**
- This form must be used to comply with section 15(b) of 327 IAC 15-13.
 - The program required under this MCM must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
 - Submit this completed form when the program has been developed and implemented.
 - Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

CERTIFICATION AND SIGNATURE

The State of Indiana requires Timothy A. Brown (MS4 Operator) to develop, implement, manage, and enforce an erosion and sediment control program for construction activities that disturb one (1) or more acres of land within the regulated MS4 area. As part of this program, an ordinance or other regulatory mechanism must be created or modified, and be substantially similar to IDEM's construction storm water program (327 IAC 15-5). This program and associated legal authorities must be obtained and implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

► The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040049.

"I certify, under penalty of law, that this program and all required documents and materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement 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."

Authorized Signature¹: 
Timothy A. Brown

Date: 9-21-05
(mm/dd/year)

Title²: Merrillville Town Manager
(typed or printed)

¹The "authorized signature" required above must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual.
²The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).



RULE 13 –
Certification of the Development and Implementation of a
Program to Reduce Pollutant Run-Off from Municipal
Operations for the Municipal Operations Pollution
Prevention and Good Housekeeping MCM
 State Form 51281 (R2 / 11-03)
 INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

For questions regarding this form, contact:
 IDEM – Rule 13 Coordinator
 100 North Senate Avenue, Rm 1255
 P.O. Box 6015
 Indianapolis, IN 46206-6015
 Phone: (317) 234-1601 or
 (800) 451-6027, ext. 41601 (within Indiana)
 Web Access:
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule13.html>

- NOTE:**
- This form must be used to comply with section 17(b) of 327 IAC 15-13.
 - The program required under this MCM must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.
 - Submit this completed form when the program has been developed and implemented.
 - Return this completed and signed form, and any required addenda by mail to the IDEM Rule 13 Coordinator at the address listed in the box on the upper-right.

CERTIFICATION AND SIGNATURE

The State of Indiana requires Timothy A. Brown (MS4 Operator) to develop and implement a program to ensure that existing municipal, State or Federal operations are performed in ways that do not cause or contribute to contamination of storm water discharges. Written documentation of preventative maintenance, control measures, pesticide use minimization, proper waste disposal, waste reduction, and municipal employee training must be incorporated into this program. This program must be implemented within three hundred sixty-five (365) days of the Notice of Intent (NOI) letter submittal date.

► The following statement, required by the State of Indiana, and the accompanying signature serve as the required certification that the program has been developed and implemented per the requirements of 327 IAC 15-13 and authorized under NPDES permit number INR040049.

"I certify, under penalty of law, that this program and all required materials were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the above statement 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."

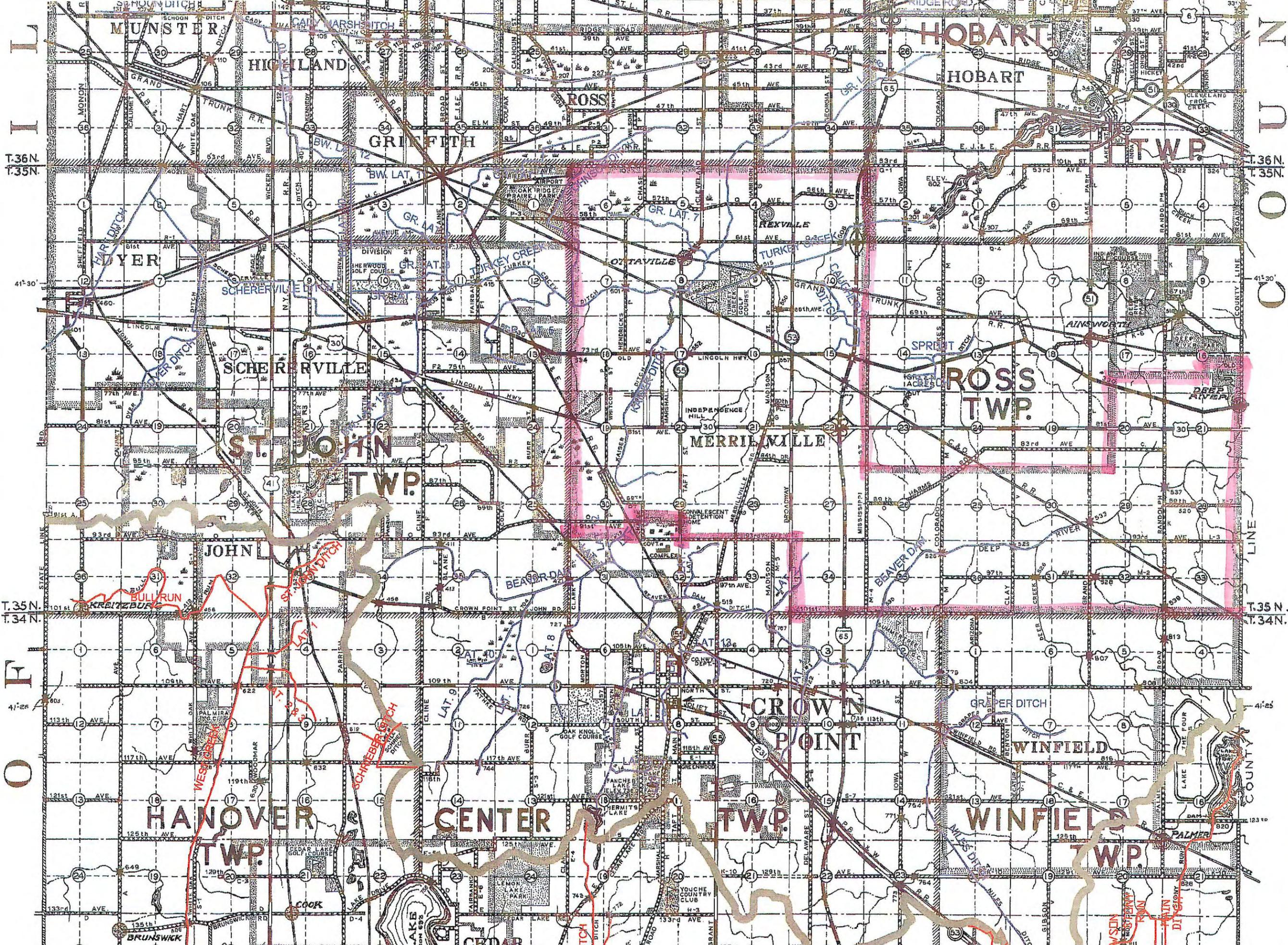
Authorized Signature¹:  Date: 9-21-05
 Timothy A. Brown (mm/dd/year)

Title²: Merrillville Town Manager
 (typed or printed)

¹The "authorized signature" required above must be either that of the MS4 operator, or, if another entity is responsible for this MCM, the responsible individual.
²The "title" must either be "MS4 operator", or, if a responsible individual signs, the title of that individual and associated MS4 entity represented (for example, mayor of the City of Indianapolis).

APPENDIX B

Map of MS4 Area



T.36N.
T.35N.

T.36N.
T.35N.

T.35N.
T.34N.

T.35N.
T.34N.

41°25'

41°25'

133rd AVE

133rd AVE

125th AVE

125th AVE

117th AVE

117th AVE

MUNSTER

HIGHLAND

GRIFITH

ROSS

HOBART

HOBART

SCHERERVILLE

ST. JOHN TWP.

MERRILLVILLE

ROSS TWP.

JOHN

CROW POINT

WINFIELD

HANOVER TWP.

CENTER TWP.

WINFIELD TWP.

BRUNSWICK

CEDAR

PALMER

MONON

WICKER

BROAD

ELM

43rd AVE

27 AVE

37th AVE

53rd AVE

45th AVE

47th AVE

45th AVE

47th AVE

47th AVE

47th AVE

61st AVE

57th AVE

57th AVE

57th AVE

57th AVE

57th AVE

57th AVE

69th AVE

77th AVE

85th AVE

93rd AVE

101st AVE

109th AVE

117th AVE

125th AVE

133rd AVE

141st AVE

149th AVE

157th AVE

165th AVE

173rd AVE

181st AVE

189th AVE

197th AVE

205th AVE

213th AVE

221st AVE

229th AVE

37th AVE

39th AVE

41st AVE

43rd AVE

45th AVE

47th AVE

49th AVE

51st AVE

53rd AVE

55th AVE

57th AVE

59th AVE

61st AVE

63rd AVE

65th AVE

67th AVE

69th AVE

71st AVE

73rd AVE

75th AVE

77th AVE

79th AVE

81st AVE

83rd AVE

85th AVE

87th AVE

89th AVE

91st AVE

93rd AVE

95th AVE

97th AVE

99th AVE

101st AVE

103rd AVE

105th AVE

107th AVE

109th AVE

111th AVE

113th AVE

115th AVE

117th AVE

119th AVE

121st AVE

123rd AVE

125th AVE

127th AVE

129th AVE

131st AVE

133rd AVE

37th AVE

39th AVE

41st AVE

43rd AVE

45th AVE

47th AVE

49th AVE

51st AVE

53rd AVE

55th AVE

57th AVE

59th AVE

61st AVE

63rd AVE

65th AVE

67th AVE

69th AVE

71st AVE

73rd AVE

75th AVE

77th AVE

79th AVE

81st AVE

83rd AVE

85th AVE

87th AVE

89th AVE

91st AVE

93rd AVE

95th AVE

97th AVE

99th AVE

101st AVE

103rd AVE

105th AVE

107th AVE

109th AVE

111th AVE

113th AVE

115th AVE

117th AVE

119th AVE

121st AVE

123rd AVE

125th AVE

127th AVE

129th AVE

131st AVE

133rd AVE

37th AVE

39th AVE

41st AVE

43rd AVE

45th AVE

47th AVE

49th AVE

51st AVE

53rd AVE

55th AVE

57th AVE

59th AVE

61st AVE

63rd AVE

APPENDIX C
Stormwater Budget

Merrillville MS4 Program

Program	Activities	Department	Annual Hours	Additional Annual Cost	Existing Annual Cost
Construction Site Stormwater Runoff Control					
Town Approval Process	Review Construction Drawings & Documents	Engineering	200		\$5,500
	Inspection & Enforcement	Building & Planning	400		\$8,000
Post-Construction Stormwater Runoff Control in New Development / Redevelopment					
Town Approval Process	Catch Basins Required to connect to storm sewer system	Engineering / DPW	(see above)		(see above)
Pollution Prevention / Good Housekeeping for Municipal Operations					
Street Cleaning Program	Daily Street Sweeping	DPW	1500		\$45,000
Storm System Cleaning Program	Annually clean catch basins & inlets	DPW	8000		\$26,000
Roadside Ditch Maintenance	mow / upkeep, as-needed	DPW	2250		\$45,000
Street Deicing Program	Use alternative deicing agents to minimize environmental impacts	DPW			\$24,000
Total Anticipated Program Costs =				\$8,612	\$186,700



Merrillville MS4 Program

Program	Activities	Department	Annual Hours	Additional Annual Cost	Existing Annual Cost	
Public Education & Outreach						
	NIRPC Program			\$4,306		
Public Involvement & Participation						
	NIRPC Program			\$4,306		
Illicit Discharge Detection & Elimination						
	Know Sewer System	Create a Storm Sewer Map	Engineering / DPW		\$25,000	
	Dumping Prohibited	Code Enforcement Officer			\$1,000	
	Recycling Program	Central drop-off for residential recyclables	DPW			\$7,200
		Household Hazardous Waste Program	Lake County Solid Waste Mgmt District			



APPENDIX D

***Northwest Indiana Regional Planning Commission Programs
for
Public Education and Outreach
And
Public Participation and Involvement***

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

6100 Southport Road Portage, IN 46368-6409
219-763-6060 phone 219-762-1653 fax

Joint Stormwater MS4 Program

GOALS AND OBJECTIVES:

The Storm Water Public Education and Involvement Plan, derived from the requirements of the Phase II MS4 permit, focuses on improving urban storm water quality through public education and involvement and meeting the required MCMs.

1. Improve quality and reduce quantity of storm water runoff from existing urban areas to meet or exceed state and local standards.
2. Improve quality and reduce quantity of storm water runoff from all new development and redevelopment to meet or exceed state and local standards.
3. Integrate the storm water management program with the goals and objectives of the regional watershed management plan.
4. Assess constituent knowledge and practices as they relate to storm water quality.
5. Identify, implement, and evaluate BMPs.

Northwestern Indiana Regional Planning Commission (NIRPC) Responsibilities:

1. NIRPC will be responsible for record keeping and annual reporting to the communities and IDEM for the two MCMs – Public Education and Outreach and Public Participation and Involvement.
2. NIRPC will be responsible for the baseline surveys and assessments and the tracking surveys completed at the end of permit year three and permit year five.
3. NIRPC will be responsible for researching and applying for grant funding for the Rule 13 – MS4 cooperative project.
4. NIRPC will identify the measurable goals for the MCMs addressed.
5. NIRPC will work with the communities to document complaints and track follow-up actions.
6. NIRPC will organize and facilitate the MS4 Advisory Workgroup.
7. NIRPC will be responsible for public meetings and notifications.
8. NIRPC will develop the Stormwater Website and keep the site current.
9. NIRPC will work with the communities to avoid duplications.
10. NIRPC will facilitate the annual project review meeting.

NIRPC will work closely with all of the MS4 communities and their consultants. It is expected that some communities will be more pro-active than others in addressing the MCMs in Rule 13 and every attempt will be made to make the regional public education and involvement cooperative program a success in both Lake and Porter Counties.

Public Education and Outreach (MCM#1)

1) *Program Development*

NIRPC recognizes that some of the northwest Indiana MS4 communities may already be meeting the minimum measures, or that only one or two practices may need to be added to achieve the measure. Existing practices and programs will be recognized and utilized. Public education and outreach programs are designed to meet an audience's unique needs for topics, skills and best delivery method. These audiences may be determined by where they live, the work they do, their contribution to the problem and their ability to make behavioral changes that can lead to achieving the storm water program's goals.

The activities described in this regional program will ensure that practical efforts will be made to educate all the constituencies in the MS4 communities and to provide opportunities and mechanisms for those parties to participate in minimizing the impacts of their activities on water quality in northwest Indiana.

2) *Initial Assessment*

Stormwater baseline knowledge survey will be conducted utilizing the newly formed NIRPC Public Information and Participation Workgroup. The stormwater awareness survey will provide information on the types of outreach materials and programs that need to be provided. The education programs will be tailored to address the viewpoints and concerns of all communities, particularly minority and disadvantaged communities, as well as any special concerns relating to children. Some of the educational materials and programs will be directed toward targeted commercial, industrial and institutional entities likely to have significant storm water impact. This will be done in early spring 2005. Follow-up community surveys will be done in 2006 and 2008.

3) *Measurable Goals:*

BMP No. 1

Establish a Regional Partnership - MS4 Advisory Workgroup

Timeline for Implementation:

Organized in November 2003; bi-monthly meetings are conducted

Measurable Goals:

- a) Hire a Watershed Educator and Outreach Coordinator by Spring 2005
- b) Develop at least five methods to create a regional approach to Public Education and Outreach

BMP No. 2

Educate 4th and 5th Grade Students about water quality

Timeline for Implementation:

Summer 2005

Measurable Goals:

- a) Use existing materials (Project WET, EPA, SWCD, Purdue University) in classroom programs and summer water camps each summer during the permit term
- b) Develop activities for students within the Northwest Indiana Coastal Week beginning 2006

BMP No. 3

Educational Workshop for Teachers

Timeline for Implementation

Annually beginning 2005

Measurable Goals:

Will be defined as the Advisory Workgroup more specifically defines the BMP

BMP No. 4

Contractor Workshop - Stormwater Pollution Prevention

Timeline for Implementation

Begin 2005

Measurable Goals

Conduct one in 2005, two in 2006, two in 2007 and one in 2008

BMP No. 5

Brochures for tourism centers fairs and festivals

Timeline for Implementation

Begin 2005

Measurable Goals

Target five distribution events each year. Will be defined more specifically by the Advisory Workgroup

<p>BMP No. 6</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Informational Materials for community distribution: restaurant placements, school programs</p> <p>TBD</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 7</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Provide Homeowner Materials (lawn and garden care, water conservation practices, proper disposal of household hazardous wastes, pet waste management)</p> <p>TBD</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 8</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Low Impact Development Information for Builders and Contractors</p> <p>TBD</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 9</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Educational Display</p> <p>Develop in 2005</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 10</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Regional Water Conservation and Protection Web site - developed by NIRPC</p> <p>Completed by Summer of 2005 and maintained on a regular basis</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 11</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Storm Drain Marking – A regional storm drain marking program will be developed and implemented in the communities that choose to use the program</p> <p>TBD</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 12</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Staff training workshop for MS4s</p> <p>One in 2005, two in 2006, one 2007, more, if needed</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>
<p>BMP No. 13</p> <p>Timeline for Implementation</p> <p>Measurable Goals</p>	<p>Media Materials, promotional give-a-ways will be developed for the County Fairs</p> <p>Summer 2005</p> <p>Will be defined as the Advisory Workgroup more specifically defines the BMP</p>

Public Involvement and Participation (MCM#2)

1) *Program Development*

NIRPC recognizes that some of the northwest Indiana MS4 communities may already be meeting the minimum measures, or that only one or two practices may need to be added to achieve the measure. Existing practices and programs will be recognized and utilized. Public involvement and participation programs are designed to engage the general public and the targeted audiences so that they provide valuable input and assistance in both the development and implementation of the program. NIRPC will work to guarantee that the public be included in developing, implementing, and reviewing the storm water management program, and that the public participation process should make efforts to reach out and engage all economic and ethnic groups.

2) *Initial Assessment*

Stormwater baseline knowledge survey will be conducted utilizing the newly formed NIRPC Public Information and Participation Workgroup. The stormwater awareness survey will provide information on the types of outreach materials and programs that need to be provided. This will be done in early spring 2005. Follow-up community surveys will be done in 2006 and 2008.

3) *Measurable Goals*

BMP No. 1

Timeline for Implementation:

Measurable Goals:

General Public Meetings

Each year beginning 2005, regular meetings will be established within both Lake and Porter Counties. Will be defined as the Advisory Workgroup more specifically defines the BMP

BMP No. 2

Timeline for Implementation:

Measurable Goals:

Stakeholder Meetings - MS4 Advisory Workgroup

Organized in November 2003; bi-monthly meetings are conducted

- a) Hire a Watershed Educator and Outreach Coordinator by Spring 2005
- b) Develop at least five methods to create a regional approach to Public Education and Outreach

BMP No. 3

Timeline for Implementation

Measurable Goals

Educational Display for use at Fairs, special events and conferences

Develop in 2005, then use throughout permit term
Will be defined as the Advisory Workgroup more specifically defines the BMP

BMP No. 4

Timeline for Implementation

Measurable Goals

HHHW Collections - partner with the Lake Michigan Household Hazardous Waste District and the Lake and Porter Counties Solid Waste Management District on waste reduction, elimination and collection
Beginning 2005, then throughout permit term
Will be defined as the Advisory Workgroup more specifically defines the BMP

BMP No. 5

Timeline for Implementation

Measurable Goals

Community Hotline

TBD

Will be defined as the Advisory Workgroup more specifically defines the BMP

BMP No. 6	Present to Social and Civic Groups using power point presentation
Timeline for Implementation	TBD
Measurable Goals	Will be defined as the Advisory Workgroup more specifically defines the BMP
BMP No. 7	Storm Drain Stenciling
Timeline for Implementation	Beginning summer 2006
Measurable Goals	Will be defined as the Advisory Workgroup more specifically defines the BMP
BMP No. 8	Adopt a Stream Program
Timeline for Implementation	Summer 2007 and 2008
Measurable Goals	Will be defined as the Advisory Workgroup more specifically defines the BMP
BMP No. 9	Stream clean-up and monitoring
Timeline for Implementation	In 2007, volunteer dependant
Measurable Goals	Will be defined as the Advisory Workgroup more specifically defines the BMP
BMP No. 10	Wetland Planting in partnership with Save the Dunes Council
Timeline for Implementation	In 2006 and 2007
Measurable Goals	Will be defined as the Advisory Workgroup more specifically defines the BMP

Fact Sheets:

The MS4 Advisory Workgroup will put together a BMPs Fact sheet for each practice that becomes part of the program. The fact sheet will include: description, applicability, implementation, benefits, limitations, effectiveness, and costs.

NIRPC will be responsible for providing all evaluation materials to the MS4 partners.

Prioritization	Construction Professionals	Schools & Universities	Occasional Users	Residents	Private Sector	Policy Makers
Very Important	Developers Consultants (architects, engineers, etc.) Home Builders Contractors	Students K-12 Student/Youth Groups		Homeowners Landlords Auto Owners Property Owners (public and private) Tenants	Big Business Owners Facility Managers	Elected Officials Municipal Staff (Parks, recreation, streets, etc.)
Important		College Students	Recreational boaters, anglers, swimmers Recreational auto vehicle owners		Small Business Owners	School Administrators School Transportation Directors

**Rule 13 Required Programmatic Indicators for
Public Education and Outreach & Public Participation and Involvement
Minimum Control Measures**

Programmatic Indicators	Best Management Practices (BMPs)	Measurable Goals	Timeline
No. 1) # or % of citizens, segregated by type of constituent that have an awareness of storm water quality issues	Stormwater Baseline Surveys – designed for particular stakeholder group Follow-up Surveys (2yrs, 5yrs) Newsletter Articles Development of Regional Newsletter Community involvement – volunteer meetings Stakeholder and Public Meetings Regional Video and Exhibit Board Web site development	Number of completed surveys from each group Number of newsletter articles produced Number of newsletters distributed Amount of medial coverage Number of Presentations Number of hits to the site, number of links to the site	January-February 2005 July-August 2007 November –December 2008
No.1) # and description of meetings, training sessions, and events conducted to involve citizen constituents in the storm water program	Organization of MS4 Stormwater Steering Committee Classroom Educational Programs – K-12, college Train-the-trainer programs for teachers – partnerships with programs Educational Programs for Builder, Developers Educational Programs for Elected Officials Educational Programs for Business and Industry Educational Programs for Community Organizations Special events at the county fairs	Representatives form each MS4 entity Number of classrooms reached and number of students Number of participants in Train-the Trainer Workshops Workshop Evaluations The number of programs offered and the number participating and how the number changes over the five year period	September 2004 Hire Outreach Coordinator – January 2005 Teacher Training - At least one per year Student Activities – At least one region-wide event each year Programs for Builders and Developers – at least one per year Programs for elected officials – at least one per year Community Programs – at least three per year Special Water Regional event – at lease one per year Presentations to Community Groups – at least six per year

**Rule 13 Required Programmatic Indicators for
Public Education and Outreach & Public Participation and Involvement
Minimum Control Measures
(Continued)**

No.2) # or % of citizen constituents that participated in storm water quality improvement programs	Community Programs: Lawn Care Car Care HHW Disposal Waste Disposal	Number of volunteer programs that are developed Number of volunteers in the program Number of citizens that participate at events SWMDs numbers	Conduct at least four volunteer programs per year
No.2) # and location of storm drains marked or cast, segregated by marking method	Storm Drain Marking	Number of Storm Drain Marking programs that are implemented Number of drains marked	Number will be based on communities participating
No.2) # or % of citizens constituents that participate in storm water quality improvement programs	Community Clean-up Events Certification for Construction Professionals Report-A-Polluter Program Coordinated programs with the SWCD, RC&Ds, Park Departments Stream Clean-up and Stream Monitoring Reforestation Programs	Number of events, volunteers, participants, Number of trees planted, acres restored, volunteers	Tree Planting event – at least one per year

**JOINT STORM WATER QUALITY PHASE II
PUBLIC EDUCATION / OUTREACH & PUBLIC INVOLVEMENT / PARTICIPATION PLAN
DRAFT BUDGET OUTLINE – 1ST YEAR**

NIRPC PERSONNEL COSTS*	First Year - 2005	2006, 2007, 2008,
Project Manger (NIRPC Environmental Director)*	\$8,000	\$8,000
Project Coordinator (Watershed Coordinator)*	\$17,000	\$27,000
CONTRACTED FULL TIME EDUCATOR	\$30,000	\$35,000
TOTAL NIRPC PERSONAL COSTS <ul style="list-style-type: none"> • Personnel Costs include salary plus benefits including leave, FICA, & other taxes, PERF assessments, health, life and disability insurance, etc. 	\$25,000	\$35,000
DIRECT PROJECT COSTS		
<u>Media Costs</u> Will include but are not limited to: Logo development Radio Spots, Television Spots Neighborhood Flyers, Newspaper Inserts Newsletters/Fact Sheets, Press Releases Web Site Contractual Services Printing and production of materials	\$22,000	\$30,000
<u>Educational Curriculum</u> Formulate, organize and personalize materials available from: US EPA Purdue University-Planning With Power Soil and Water Conservation Districts Project WET Create In-school program for educator Create education program for community service groups and targeted audiences Printing and reproduction of materials	\$8,000	\$12,000
<u>Community Programs</u> Conduct baseline community survey Develop Community Advisory Group Identify Target Audiences Produce Exemplary Products Restaurant Placemats Neighborhood Door Hangers Specialty Items (for Fairs and Special Events Develop Volunteer groups in communities Contractual Services Printing of materials and mailing	\$22,000	\$30,000
TOTAL DIRECT PROJECT COSTS	\$132,000	\$142,000
<i>INDIRECT COSTS</i>	\$25,000	\$30,000
TOTAL PROJECT COSTS	\$157,000	\$172,000

APPENDIX E

Regulatory Mechanisms

Stormwater Management Ordinance No. 04-56

and

Stormwater Erosion and Sediment Control Ordinance No. 04-57

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

BE IT ORDAINED by the Common Council of the Town of Merrillville, that, Sections 50 - 100 through 50 - 115 are hereby added to the Code of Ordinances for the Town of Merrillville, to wit:

STORMWATER MANAGEMENT

Section 50-100. Purpose Intent

The purpose and intent of this article is to ensure the health, safety and general welfare of the inhabitants of the Town of Merrillville, Indiana, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the National Pollutant Discharge Elimination System (NPDES) permit process by reducing pollutants in storm water discharges and by prohibiting non-storm water discharges to the storm drain system.

Section 50-101. Incorporation by Reference

The following documents are incorporated by reference as a part of this Ordinance and shall include any later amendments, repeals, and replacements to those regulations as the same are published in the Indiana Administrative Code with the effective dates as fixed herein.

1. The requirements found in Rule 327 IAC 15-13-1 through 22.
2. The requirements found in Rule 327 IAC 15-5-1 through 12

Section 50-102. Definitions

"Authorized Enforcement Agency" The Merrillville Stormwater Board, through the Merrillville MS4 Operator or designees.

"Best management practice" or "BMP" means any structural or nonstructural control measure utilized to improve the quality and, as appropriate, reduce the quantity of storm water run-off. The term includes schedules of activities, prohibitions of practice, treatment requirements, operation and maintenance procedures, use of containment facilities, land use planning, policy techniques, and other management practices.

"Clean Water Act" The Federal Water Pollution Control Act 33 U.S.C. 1251 et seq.

"Contiguity" means an entity's proximity to a designated MS4 area in such a way that it allows for direct discharges of storm water run-off into the regulated MS4 conveyance.

"Conveyance" means any structural process for transferring storm water between at least two (2) points. The term includes piping, ditches, swales, curbs, gutters, catch basins, channels, storm drains, and roadways.

"Construction Activity" Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more. Such activities include but are limited to clearing and grubbing, grading, excavating, and demolition.

"Disposal" means the 1) discharge; 2) deposit; 3) injection; 4) spilling; 5) leaking; or 6) placing; of any solid waste or hazardous waste into or on any land or water so that the solid waste or hazardous waste, or any constituent of the waste, may enter the environment, be emitted into the air, or be discharged into any waters, including ground waters.

ORDINANCE NO. 05-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

"Garbage" means all animal solid, vegetable solid, and semisolid wastes resulting from the 1) processing; 2) handling; 3) preparation; 4) cooking; 5) serving; or 6) consumption; of food or food materials.

"Hazardous Waste" Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

"Illicit Discharge" means any discharge to an MS4 conveyance that is not composed entirely of storm water, except naturally occurring floatables, such as leaves or tree limbs.

"Illicit Connections" An illicit connection is defined as either of the following:

a) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allows any non-storm water discharge including sewage, process wastewater, effluent, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains, washing machines, bathtubs, and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by any enforcement agency.

b) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

"Industrial Activity" Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

"National Pollutant Discharge Elimination System (NPDES) Storm water Discharge Permit" means a permit issued by EPA or the Indiana Department of Environmental Management that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area wide basis.

"Non-Storm Water Discharge" Any discharge to the storm drain system that is not composed entirely of storm water.

"Person" Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

"Pollutant" Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, solvents; oil and automotive fluids; non-hazardous liquid and solid wastes; yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, effluent, fecal coliform, E. Coli, and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

"Premises" Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

"Storm Drainage System" Publicly owned facilities by which storm water is collected and /or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and other drainage structures.

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

"Storm Water" Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

"Storm Water Pollution Prevention Plan" A document which describes the Best Management Practices (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to storm water, storm water conveyance systems, and/or receiving waters.

"Wastewater" Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

Section 50-103. Applicability

This ordinance shall apply to all water entering the storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by the authorized enforcement agency.

Section 50-104. Ultimate Responsibility

The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the State caused by said person. This Ordinance shall not create liability on the part of Merrillville, or any agent or employee thereof for any damages that result from any discharger's reliance on this Ordinance or any administrative decision lawfully made hereunder.

Section 50-105. Severability

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance

Section 50-106. Prohibition of Illegal Discharges

No person shall discharge or cause to be discharged into the storm 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 storm water.

The commencement, conduct, or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

- a. Waterline flushing or other potable water sources,
- b. Landscape irrigation or lawn watering,
- c. Diverted steam flows,
- d. Rising ground water or ground water infiltration to storm drains,
- e. Uncontaminated pumped ground water,
- f. Foundation or footing drains (not including active ground water dewatering systems), and crawl space pumps,
- g. Air conditioning condensation,
- h. Springs,
- i. Non-commercial washing of vehicles,
- j. Natural riparian habitat or wetland flows,
- k. Dechlorinated swimming pools to less than five-hundredths (0.05) milligram per liter of chlorinated residual,

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

- l. Fire fighting activities,
- m. And any other water source not containing pollutants.
- n. Dye testing discharge upon verbal notification to the authorized enforcement agency prior to the time of the test.
- o. Any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.
- p. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

Section 50-107. Prohibitions of Illicit Connections

The construction, use, maintenance or continued existence of illicit connections to the storm 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.

A person is considered to be in violation of this ordinance if the person connects a line conveying sewage, effluent, or biologically contaminated water to the storm drainage system, or allows such a connection to continue.

A person is considered to be in violation of this ordinance if the person reinstates a suspended connection to the storm drainage system without prior approval of the authorized enforcement agency.

Section 50-108. Waste Disposal Prohibitions

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposit, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or water of the State, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

Section 50-109. Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Merrillville MS4 Operator, prior to allowing discharges to the MS4.

Section 50-110. Monitoring of Discharges

The Merrillville MS4 Operator shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as necessary to determine compliance with this ordinance.

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

Persons shall allow the Merrillville MS4 Operator ready access to all parts of the premises for the purpose of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by State law.

The Merrillville MS4 Operator shall have the right to setup on any permitted facility such devices as necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.

The Merrillville MS4 Operator 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 storm water flow and quality shall be calibrated to their accuracy.

Any temporary or permanent obstruction to the facility being inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Merrillville MS4 Operator and shall not be replaced. The costs of clearing such access shall be borne by the operator.

Unreasonable delay and/or denial of access to a permitted facility are violations of a storm water discharge permit and this ordinance. The Merrillville MS4 Operator is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

Section 50-111. Requirements to Prevent, Control, and Reduce Storm Water Pollutants

The Merrillville MS4 Operator will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drainage system, or waters of the State. The owner or operator shall provide, at their own expense, reasonable protection from

accidental discharge of prohibited materials or other wastes into the storm drainage system or watercourses through the use of these structural and non-structural BMPs. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the storm drainage system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

Section 50-112. Watercourse Protection

Every person owning property within a watershed, 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.

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

Section 50-113. Notifications of spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drainage system, or water of the State said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person, by phone, or by facsimile no later than the next business day, and written notice given no later than three business days of initial notification. The owner or operator shall also retain an onsite written record, for three years, of the discharge and the actions taken to prevent its recurrence.

Section 50-114. Program Enforcement

1. Suspension of MS4 access

a. In the event of an emergency, the Merrillville MS4 Operator may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to public health, the environment, the MS4, or the waters of the State. If the violator fails to comply with a suspension order issued in an emergency, the

authorized enforcement agency may take such steps as deemed necessary to prevent or minimize the danger to the public, damage to the MS4 or waters of the State.

b. Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

2. Notice of violation

a. Whenever the Merrillville MS4 Operator finds that a person has violated any prohibition or failed to meet any requirements of this ordinance, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require without limitation.

- i. The performance of monitoring, analyses, and reporting
- ii. The elimination of illicit connections or discharges
- iii. That violating discharges, practices, or operations shall cease and desist
- iv. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property
- v. Payment of a fine to cover all attorney, administrative, sampling, and remediation costs
- vi. The implementation of source control or treatment BMPs

b. If abatement of a violation and/or restoration of affected property are required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall advise that should the violator fail to remediate or restore within the established deadline, the work will be done by a contractor and all the expense shall be charged to the violator

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

3. Appeal of notice of violation

a. Any person receiving a notice of violation may appeal, in writing, the determination of the authorized enforcement agency. The notice of appeal must be received within 15 days from the date of the notice of violation. The Merrillville Utility Board shall hold a hearing within 15 days from the date of receipt of the notice of appeal. The decision from the hearing shall be final.

4. Enforcement measures after appeal

a. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or deadline set during the appeal hearing, the authorized enforcement agency shall enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the

authorized enforcement agency or its designated contractor to enter upon the premises for the purposes set forth above.

5. Cost of abatement

a. Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of the abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within 15 days of notification. If the amount due is not paid within 30 days or by the date expressed by the authorized enforcement agency, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the County Auditor so that the auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

6. Injunctive relief

a. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this ordinance, the authorized enforcement agency may petition the courts for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

7. Compensatory action

a. In lieu of enforcement proceedings, penalties, and remedies authorized by this ordinance, the authorized enforcement agency may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, and etc.

8. Violations deemed a public nuisance

a. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance, is a threat to public health, safety, and welfare, and is deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

9. Remedies not exclusive

a. The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

ORDINANCE NO. 04-56
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE ESTABLISHING REGULATIONS
FOR STORMWATER MANAGEMENT

PASSED AND ADOPTED BY THE TOWN COUNCIL OF MERRILLVILLE, LAKE
COUNTY, INDIANA, on this 26th day of October, 2004.

Joseph D. Shudick Jr.

JOSEPH D. SHUDICK, JR., PRESIDENT

Terrell Taylor

TERRELL TAYLOR

Richard Hardaway

RICHARD HARDAWAY

D. Lance Huish

D. LANCE HUISH

David M. Uzelac

DAVID M. UZELAC

Shawn Michael Pettit

SHAWN MICHAEL PETTIT

Ron Widing

RON WIDING

ATTEST:

John E. Petalas

JOHN E. PETALAS, CLERK-TREASURER

PASSED AND ADOPTED ON FIRST AND FINAL READING 10-26-04

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE CONCERNING STORMWATER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA

SECTION I. INTRODUCTION / PURPOSE

During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

As a result, the purpose of this ordinance is to safeguard persons, protect property, and prevent damage to the environment in the Town of Merrillville, Indiana. This ordinance will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land in the Town of Merrillville, Indiana.

SECTION II. DEFINITIONS

- 1. BMP - Best Management Practice
An activity or structure that helps improve the quality of storm water runoff.
- 2. Clearing
Any activity that removes the vegetative surface cover.
- 3. Construction Activity
Land disturbing activities associated with the construction of infrastructure or structures. The term "construction activity" does not include routine ditch or road maintenance or minor landscaping projects.
- 4. Construction Plan
An ordered collection of drawings, narratives, data and documents assembled for review, approval, authorization, and establishment of guidelines for the imitation, management, and completion of construction activities at a project site regulated by this ordinance. A storm water pollution prevention plan (SWP3) is a part of the construction plan.
- 5. Construction Project Site
The physical location(s) or legal boundaries within which a construction activity or a series of construction activities is planned to be or is being accomplished.
- 6. Construction Site Access
A stabilized stone surface at all points of construction related egress from a ~~project site planned and installed in accordance with specification from an approved~~ reference manual, and maintained throughout the period of land disturbing activities for the purpose of capturing and detaining sediment carried by tires, tracks, or other surface contact components of vehicles, earthmoving equipment, or material and personnel transport conveyances.
- 7. Drainage Way
Any channel that conveys surface storm water runoff
- 8. Department
Reference to the Indiana Department of Environmental Management (IDEM)
- 9. Developer
A project site owner or person financially responsible for construction activity; or an owner of property who sells, leases, or offers for sale or lease, any lot(s) in a subdivision or larger common plan of development or sale.
- 10. Director
The chief executive officer of IDEM.

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE CONCERNING STORMWATER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA

11. Erosion Control

A measure that prevents erosion.

12. Erosion and Sediment Control Plan

A set of plans prepared by or under the direction of a licensed professional engineer or Certified Professional in Storm Water Quality (CPSWQ) indicating the specific measures and sequencing to be used to control sediment and erosion on a development site during and after construction.

13. Erosion and Sediment Control System

Appropriate control measures combined to prevent or minimize the wearing away of soil, sediment, and rock fragments by water, wind, or ice, and to intercept detached or suspended particles to prevent their discharge from or within a project site.

14. Final Stabilization

The establishment of permanent vegetative cover or the application of a permanent, non-erosive material to areas where all land disturbing activities have been completed and no additional land disturbing activities are planned under the current plan.

15. Grading

Excavation or fill of material, including the resulting conditions thereof.

16. Individual Building Lot

A single parcel of land in a multi-parcel development

17. Land Disturbing Activity

Any manmade change of the land surface, including removing vegetative cover that exposes the underlying soil, excavating, filling, transporting, and grading.

18. Measurable Storm Event

A precipitation event that results in a total measured accumulation of precipitation equal to or greater than one-half (1/2) inch of rainfall.

19. MS4 - Municipal Separate Storm Sewer System

A system of storm water conveyances either owned or operated by a governmental agency that IDEM has designated as responsible to eliminate or minimize pollutant loadings of the storm water entering waters of the state.

20. MS4 Area

Within this ordinance, the corporate limits of the Town of Merrillville under an NPDES Permit regulated by 327 IAC 15-13.

21. MS4 Operator

The person locally responsible for development, implementation, or enforcement of the Storm Water Quality Management Plan (SWQMP) for the Town of Merrillville as regulated under 327 IAC 15-13.

22. Notice of Plan Approval (NPA)

A notification from the MS4 Operator to the project site owner that the construction plan for a project site has been reviewed and approved by the MS4 Operator. The project site owner must insert the NPA with the Notice of Intent sent to the Director of IDEM at least forty-eight (48) hours prior to initiating land disturbing activities at the construction project site.

23. NPDES

The National Pollutant Discharge Elimination System, a program administered by IDEM to reduce or eliminate the pollutant loadings into public waters.

24. Peak Discharge

The maximum rate of flow from a point of storm water discharge during or immediately following a storm event, usually in reference to a specific return period or 'design storm'.

25. Perimeter Control

A barrier that prevents sediment from leaving a site by filtering

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE CONCERNING STORMWATER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA

sediment-laden runoff or diverting it to a sediment trap or basin.

26. Permanent Stabilization

The establishment, at a uniform minimum of seventy percent (70%) across the disturbed areas, of vegetative cover or permanent non-erosive material that ensures the resistance of the underlying soil to erosion, sliding, or other movement.

27. Phasing of Construction

Sequential development of smaller portions of a large project site, stabilizing each portion before initiating land disturbing activities on the next portion, to minimize exposure of land to erosion.

28. Runoff

An accumulation of storm water flow that is moving across the surface of the earth as sheet flow or concentrated flow in natural surface watercourses, drains, or waterways.

29. Sediment

Solid material, both organic and mineral, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface.

30. Sedimentation

The settling and accumulation of unconsolidated sediment carried by storm water runoff.

31. Sediment Control

Measures that prevent eroded sediment from leaving the site.

32. Site

A parcel of land or a contiguous combination thereof, where grading work is performed as a single unified operation.

33. Site Development Permit

A permit issued by the municipality for the construction or alteration of ground improvements and structures for the control of erosion, runoff, and grading.

34. Start of Construction

The first land-disturbing activity associated with a development, including land preparation such as clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

35. Storm Water Pollution Prevention Plan (SWP3)

A plan developed to minimize the impact of storm water pollutants resulting from construction and post-construction activities.

36. Storm Water Quality Measure

A practice or combination of practices to control or minimize pollutants associated with storm water runoff.

37. Temporary Stabilization

The covering of soil to ensure its resistance to erosion, sliding, or other movement. The term includes vegetative cover, anchored mulch, or other non-erosive materials applied at a uniform minimum density of seventy percent (70%) across the disturbed areas of a project site.

38. Tracking

The movement and re-depositing of dirt, mud, aggregate, sediment, or other storm water pollutants from a project site by the actions of wheels, tires, skids, tracks, or other surface contact components of cars, trucks, heavy equipment, or material and personnel transport conveyances.

39. Watercourse

Any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water delineated within the Town of Merrillville.

40. Waterway

A channel that directs surface runoff to a watercourse or to the public storm drainage system.

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE CONCERNING STORMWATER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA

SECTION III. PERMITS

A. The Erosion and Sediment Control Plan submitted to the MS4 Operator shall include all documents and information required within 327 IAC 15-5.

B. No person shall be granted a site development permit without the approval of an Erosion and Sediment Control Plan by the Merrillville MS4 Operator, or designated representative for land-disturbing activity uncovering one (1) or more acres of land. (Individual Building Lots less than one (1) acre - see Section C below.)

C. The developer of an Individual Building Lot containing less than one (1) acre, but which is a part of a multi-lot construction project permitted under III B above, shall be required to complete a Declaration of Responsibility for Erosion and Sediment Control for a Small Residential Lot prior to receipt of a Location Improvement Plan. This declaration assigns responsibility for conformance to the Construction Plan as required in 327 IAC 15-5-7.5 to the individual building lot developer.

D. No site development permit is required for the following activities:

a. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.

b. Existing nursery and agricultural operations conducted as a permitted main or accessory use.

E. Each site development permit application shall bear the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a filing fee in accordance with the attached Exhibit A.

F. The applicant will be required to file with the Town of Merrillville a faithful performance or maintenance bond, letter of credit, or other improvement security in an amount deemed sufficient by the MS4 Operator to cover all costs of improvements, landscaping, maintenance of improvements for such period as specified by the Town of Merrillville and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.

SECTION IV. REVIEW AND APPROVAL

A. The MS4 Operator, or designated representative, will review each application for a site development permit to determine its conformance with the provisions of this ordinance. ~~Within twenty-eight (28) days after receiving an application, the MS4 Operator~~

or designated representative shall approve, approve with conditions, or disapprove the application. Possible actions are further defined as:

a. Approve: the permit application is found to be completely consistent with the requirement within this ordinance, therefore, the MS4 Operator shall issue a Notice of Plan Approval (NPA),

b. Approve with conditions: the permit application is generally consistent with the requirements within this ordinance, but specific minor modifications are required to meet all of the applicable requirements. Therefore, the MS4 Operator shall issue the permit subject to these written conditions along with a Conditional Notice of Plan Approval (CNPA); or

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE; INDIANA
AN ORDINANCE CONCERNING STORMWATER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA

c. Disapprove: the permit application does not meet the requirements of this ordinance and requires modifications that would result in significant changes to the Construction Plan. Therefore, the MS4 Operator shall disapprove the application indicating the reason(s) and procedure for submitting a revised application and/or submission.

B. Failure of the MS4 Operator or designated representative to act on an original or revised application within twenty-eight (28) days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the MS4 Operator.

C. The Developer must include the NPA or CNPA as verification of plan approval with the Notice of Intent (NOI) sent to the Director of IDEM in accordance with 327 IAC 15-5-5 or 327 IAC 15-5-6 at least forty-eight (48) hours prior to land-disturbing activities.

SECTION V. INSPECTION

A. The permittee shall maintain a copy of the approved Erosion and Sediment Control Plan on site.

B. Every active site having an Erosion and Sediment Control Plan should be inspected by the MS4 Operator, or designated representative, for compliance with the plan.

C. Inspectors shall prepare written reports after every inspection.

D. Inspectors shall notify the on-site personnel or the developer in writing when violations are being observed, describing items to address and actions to be taken.

E. It shall be a condition of every site development permit that the MS4 Operator or designated inspection representative has the right to enter the construction project site periodically to inspect for compliance with the site development permit and this ordinance.

SECTION VI. ENFORCEMENT

A. Violations

In the event that any person holding a site development permit pursuant to this ordinance violates the terms of the permit or implements site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to prosperity or improvements in the neighborhood, the MS4 Operator may issue a:

- 1) Written Warning indicating actions deemed contrary to the permit which are required to be corrected and brought into compliance within 48 hours, or
- 2) Stop-Work Order; Revocation of Permit in writing to any persons engaged in the doing or causing of such work to be done, and all persons shall forthwith stop such work until authorized by the MS4 Operator to proceed with the work.

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE CONCERNING STORMWATER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA

B. Penalties

No person shall construct, enlarge, alter, repair, or maintain any grading, excavation, or fill, or cause the same to be done, contrary to or in violation of any terms of this ordinance. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and each day during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, shall constitute a separate offense. Upon conviction of any such violation, such person, partnership, or corporation shall be punished by a fine of not more than \$2,500 for each offense. In addition to any other penalty authorized by this section, any person, partnership or corporation convicted of violating any of the provision of this ordinance shall be required to bear the expense of such restoration.

C. Appeals

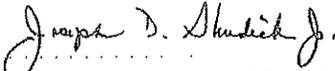
Upon receipt of a written violation resulting in penalties against a site development permit, the Developer may, within thirty (30) days of receipt of such violation, file a written appeal to the Utility Board for review of the penalties.

- a) The Board shall complete its review within sixty (60) days of receipt of said request for appeal. The Board's determination on the appeal shall be in writing and set forth in detail the reason for its decision.
- b) In evaluating the appeal, the Board shall be bound by the standards and review criteria contained or referenced herein.
- c) All determinations of the Board arising out of this section shall be final.

SECTION VII. SEPARABILITY

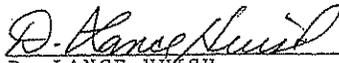
The provisions and sections of this ordinance shall be deemed to be separable, and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF MERRILLVILLE, LAKE COUNTY,
INDIANA, on this 26th day of October, 2004.


.....
JOSEPH D. SHUDICK, JR., PRESIDENT


.....
TERRELL TAYLOR

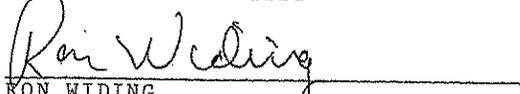

.....
RICHARD HARDAWAY


.....
D. LANCE HUIISH


.....
DAVID M. UZELAC

ORDINANCE NO. 04-57
TOWN OF MERRILLVILLE, INDIANA
AN ORDINANCE CONCERNING STORMWA TER EROSION
AND SEDIMENT CONTROL FOR MERRILLVILLE, INDIANA


SHAWN MICHAEL PETTIT


RON WIDING

ATTEST:


JOHN E. PETALAS, CLERK-TREASURER

PASSED AND ADOPTED ON FIRST AND FINAL READING 10-26-04

APPENDIX F
Active Industrial Facilities

**Active Industrial Sites
Merrillville, Indiana MS4 Area**

<u>Facility Name</u>	<u>Address</u>	<u>Phone</u>	<u>SIC Code</u>
Coastal Gas	6101 Broadway Merrillville, IN 46410	219-980-1706	5541
Kirk Asphalt Corp.	4613 E. Lincolnway Merrillville, IN 46410	219-942-5386	2951