

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WATER QUALITY  
**PERMIT NO. NCS000376**

TO DISCHARGE STORMWATER UNDER THE  
**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of North Carolina General Statute 143-215.1, other lawful standards and regulations promulgated and adopted by the North Carolina Environmental Management Commission, and the Federal Water Pollution Control Act, as amended,

**North Carolina State University**

is hereby authorized to discharge stormwater from parking lots, roof drains, and grassed areas located on North Carolina State University in accordance with the discharge limitations, monitoring requirements, and other conditions set forth in Parts I through VIII.

This permit shall become effective *May 1, 2005*

This permit and the authorization to discharge shall expire at midnight on *April 30, 2010*.

Signed this day *April 18, 2005*.

By Bradley Bennett  
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Alan Klimek  
Division of Water Quality  
By the Authority of the Environmental Management Commission

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**PART I  
PERMITTED ACTIVITIES**

- A. During the period beginning on the effective date of the permit and lasting until expiration, North Carolina State University is authorized to discharge stormwater associated with parking lots, roof drains, and grassed areas. The majority of stormwater runoff passing through the University's storm sewer system discharges to waters of the state. Many of the discharges from University outfalls include contributions from the City of Raleigh's storm sewer system and non-University facilities, for which the University has no control. Discharges that are solely from University property are primarily associated with parking lots, roof drains, and grassy areas. Systems that contribute to the University's system, or to which the University's system may discharge, are privately owned and maintained, or owned and operated by the City, County, State or Federal authorities. NC State University properties specifically addressed in this permit cover an area of approximately 2,500 acres.
- B. The following list identifies the five precincts, their districts and a brief description of land use covered by this permit.
- 1) Centennial Campus Precinct
    - a. Centennial Campus consists of approximate 1,000 acres that is utilized for academic and research activities, and is intended to include residential, retail and recreational activities within the next five years. The campus is currently comprised of classroom and research facilities, office space, and residential.
    - b. The Spring Hill District consists of approximately 135 acres that was a portion of Dorthea Dix Hospital. The District lies east of Centennial Parkway and Centennial Campus. At this time, the District is in the master planning phase and will be delineated once rezoning has been completed. Currently, the district includes areas of mixed use and residential. Delineation of the storm sewer system has not yet been completed
  - 2) Central Campus Precinct
    - a. Central Campus Precinct is comprised of the following districts: Doak Field District, Bragaw District, Food Science District, Carmichael District, Intramural District, Reynolds District, Weisiger-Brown District, North District, South District, Greenhouse Center District, King Village District
    - b. The Central Campus Precinct consists of approximately 259 acres bound by the Southern Railroad (Norfolk Southern/CSX) tracks, Western Boulevard, Pullen Road and Gorman Street. There is an additional 50 acres between the area west of Gorman Street and the I-440 beltline.
    - c. The Doak Field, Bragaw, Food Sciences, Carmichael, Intramural, Reynolds, and Weisiger-Brown Districts consist of residential (dormitory) and student services, academic and research facilities, and recreational uses, such as athletic fields and wooded areas.
    - d. The North District mainly consists of Facilities Operations activities that include motor pool services, shop buildings, landscape services, solid waste management

and recycling. The Motor Pool (NCG080128) currently has continued coverage under general permit NCG080000.

- e. Existing uses within the South District include administrative services, stores, student housing and printing activities. The Chemical and Radioactive Waste Management Facility (NCG000286), which currently holds a general permit NCG080000, is also located within this District.
- f. The Greenhouse Center District is research-oriented, and consists of the Method Road greenhouses and related facilities.
- g. The King Village District is primarily residential, and consists of E. S. King Village (family housing) and athletic fields.

3) North Campus Precinct

- a. The North Campus Precinct consists of the West District, Central District, and East District.
- b. The North Campus Precinct consists of approximately 100 acres of University properties north of the Southern Railroad railroad tracks. This precinct consists of classroom and research facilities, dormitories and administrative services.

4) South Campus Precinct

- a. The South Campus Precinct is comprised of the McKimmon Center District, Research Annex South District, Fraternity Court District, and Avent Ferry Complex District.
- b. The South Campus Precinct consists of approximately 115 acres. This precinct includes University properties between Western Boulevard, Gorman Street, and Avent Ferry Road. The McKimmon Center and Research Annex South Districts are primarily service and research areas. The Fraternity Court and Avent Ferry Districts are residential and office space.

5) West Precinct

- a. College of Veterinary Medicine (CVM) District, University Club District, Arboretum District, Horticulture District, Research Annex West District, Carter-Finley Stadium (Stadium), and RBC Center (Arena).
- b. The West Precinct consists of three separate areas, which have their own districts. The main area consists of the CVM and University Club Districts and comprises approximately 240 acres. The next area is a 56-acre tract consisting of the Arboretum, Horticulture and Research Annex West Districts. The third area is composed of the Carter-Finley Stadium/RBC Center area.
- c. Land use within the CVM District is primarily research and agriculture. CVM includes such diverse activities as a central steam plant, animal holding pens, pastures, maintenance buildings, parking lots, dairy barns, and an animal waste lagoon.

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- d. The University Club, including the main building and parking lot, golf course, swimming pool and tennis courts, are leased to a private organization that is responsible for the operation and maintenance of the facility.
- e. The Arboretum and Horticulture Districts are primarily utilized for horticultural and biological research. Along with research facilities, the University's central warehouse is located in the Research Annex West District.
- f. The University is responsible for operating and maintaining Carter-Finley Stadium and the associated gravel and grass lots. The Centennial Authority has the responsibility of operating and maintaining the RBC Center and parking areas.
- C. Remote University facilities such as Randleigh Farm, University Research Unit #1 west of Blue Ridge Road and Lake Wheeler Road Field Laboratories south of Tryon Road are primarily rural, with relatively undefined stormwater conveyances. Stormwater runoff at these sites is managed in compliance with pertinent requirements for those locations. These sites are not included in this application.
- D. The Sullivan Drive Solid Waste Transfer Station
- The University currently holds a Permit to Operate the Sullivan Drive Solid Waste Transfer Station (Permit #92-32). The Station is located in the Central Precinct, North District.
- The Sullivan Drive Solid Waste Transfer Station consists of:
- Transfer station dumping area
  - Reclamation Building (break room and warehouse area)
  - Landscape Services (office space)
  - Parking lot for Grounds Management vehicles
  - Solid waste Hoist trucks
  - Grounds management vehicles (pick-ups, dump trucks, Gators)
- Stormwater runoff at the Transfer Station is isolated from contact water, allowing runoff to be properly discharged through a pocket wetland then into Rocky Branch Creek.
- The Office of Recycling and Waste Reduction operates and maintains the facility in accordance with stormwater best management practices and good housekeeping techniques. Facilities Operations for Grounds Management and Fleet Services maintains the pocket wetland in accordance with the Operation and Maintenance Manual approved by the NC DENR.
- The NC State University Motor Pool (permit number NCG080128) and the Sullivan Drive Solid Waste Transfer Station are not included in this application.
- E. All discharges authorized herein shall be adequately treated and managed in accordance with the terms and conditions of this permit. Any other point source discharge to surface waters of the state is prohibited unless it is an allowable non-stormwater discharge or is covered by another permit, authorization or approval.
- F. This permit does not include water quality-based effluent limits; therefore, in the event the permittee's discharges are found by the NC DENR Division of Water Quality (Division) to cause or contribute to a violation of in-stream water quality standards, North Carolina State University

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and the Division shall conduct an assessment and implement the permit requirements necessary to adequately address the permittee's contribution to the water quality standards violation.

- G. This permit does not relieve North Carolina State University from responsibility for compliance with any other applicable federal, state, or local law, rule, standard, ordinance, order, judgment, or decree.
- H. This permit covers activities associated with the discharge of stormwater from the MS4 within the jurisdictional area of the permittee and surrounding areas as described in the approved local Stormwater Plan to control potential pollution from the MS4. The permit applies to current and future jurisdictional areas of the permittee, as well as areas that seek coverage under this permit through inter-local or other similar agreements with permittee. Agreements for coverage under this permit must be approved by the Division of Water Quality, herein referred to as the Division.
- I. The Division may deny or revoke coverage under this permit for separate entities and require independent permit coverage as deemed necessary. In addition, the permittee may petition the Division to revoke or deny coverage under this permit for specific entities.
- J. Under the authority of Section 402(p) of the Clean Water Act and implementing regulations 40 CFR Part 122 and 124, North Carolina General Statutes 143-215.1 and Session Law 2004-163 and in accordance with the approved Stormwater Plan, all provisions contained and referenced in the Stormwater Plan are enforceable parts of this permit. The permittee will develop and implement its approved Stormwater Plan in accordance with Section 402(p)(3)(B) of the Clean Water Act, provisions outlined by the Director, and the provisions of this permit.
- K. The permit authorizes the point source discharge of stormwater runoff from the MS4. In addition, discharges of non-stormwater are also authorized through the MS4 of the permittee if such discharges are:
1. Permitted by, and in compliance with, another NPDES discharge permit including discharges of process and non-process wastewater, and stormwater associated with industrial activity; or
  2. Determined to be incidental non-stormwater flows that do not significantly impact water quality and may include:
    - a. Water line flushing;
    - b. Landscape irrigation;
    - c. Diverted stream flows;
    - d. Rising groundwaters;
    - e. Uncontaminated groundwater infiltration;
    - f. Uncontaminated pumped groundwater;
    - g. Discharges from potable water sources;
    - h. Foundation drains;
    - i. Air conditioning condensate (commercial/residential);
    - j. Irrigation waters (does not include reclaimed water as described in 15A NCAC 2H .0200);
    - k. Springs;
    - l. Water from crawl space pumps;
    - m. Footing drains;
    - n. Lawn watering;
    - o. Residential car washing;
    - p. Flows from riparian habitats and wetlands;

- q. De-chlorinated swimming pool discharges;
- r. Street wash water;
- s. Flows from emergency fire fighting.

**PART II**  
**MONITORING, CONTROLS, AND LIMITATIONS FOR PERMITTED DISCHARGES**

**SECTION A            EDUCATION AND OUTREACH PROGRAM**

**1. Objectives**

- a. Develop and implement a program to train/educate staff, volunteers, students, and contractors about the importance of stormwater quality.
- b. Develop diverse educational materials to engage and educate staff, volunteers, students, and contractors.
- c. The training should include topics such as good housekeeping, spill control, chemical application, illicit connections and illegal dumping, etc.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Education and Outreach Program and shall notify the DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Education and Outreach Plan	North Carolina State University shall develop and submit to the Division of Water Quality (DWQ) for approval the Education and Outreach Plan in Year 1. The program shall describe outreach strategies to inform faculty, staff, volunteers, students, contractor and vendors on illicit discharges, stormwater management, improper waste disposal and reporting procedures.	X				
Pollution Prevention Awareness Education Materials	North Carolina State University shall develop stormwater pollution prevention awareness information for distribution at special events, workshops and other appropriate venues.  North Carolina State University shall develop mailers, flyers, brochures and newsletters during Years 1 and 2. Implement Years 3 through 5.	X	X	X	X	X
Pollution Prevention Awareness Training	North Carolina State University shall provide annual stormwater pollution prevention awareness training for appropriate faculty, staff, volunteers, students, contractors and vendors. Training shall include general stormwater awareness, identification of potential stormwater pollutants, appropriate spill response and reporting procedures for illicit discharges and/or illegal dumping.	X	X	X	X	X

Pre-Construction Contractor Education	North Carolina State University will meet with contractors prior to construction and supply information regarding University requirements for proper construction site management.	X	X	X	X	X
Annual Public Workshops	North Carolina State University will conduct and/or participate in workshops and/or seminars that provide faculty, staff, students and contractors with water quality education.	X	X	X	X	X
Stormwater Website	North Carolina State University shall develop and maintain a public education website to document the University's pollution prevention programs and promote stormwater quality. The website will include articles on stormwater, information and brochures on water quality, stormwater-related projects, public announcements, and ways to contact Environmental Health & Safety staff.	X	X	X	X	X
Hotline	North Carolina State University shall establish a hotline in Year 2. The hotline will be publicized through awareness and educational material and the Stormwater Webpage.		X	X	X	X
In-house e-mail communication tools	North Carolina State University will provide on-line educational material beginning Year 3. This will be in the form of a webpage, list-serve opportunities and existing e-mail notifications through the GroupWise 6.5 System.	X	X	X	X	X
Educational partnerships	North Carolina State University will work with NC DENR, other state agencies and local municipalities to promote and distribute educational material.	X	X	X	X	X
Special Events	North Carolina State University will participate in University-sponsored special events and provide messages on the importance of stormwater management and activities that can help keep stormwater clean.			X	X	X

**SECTION B PUBLIC INVOLVEMENT AND PARTICIPATION**

**1. Objectives**

- a. Provide opportunities for the public to participate in program development and implementation.
- b. Reach out and engage major economic and ethnic groups.
- c. Comply with applicable state and local public notice requirements.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Public Involvement and Participation Program and shall notify the Division prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Stormwater Committee	<p>The University shall establish a Stormwater Committee to oversee the development and implementation of the university stormwater program.</p> <p>The Stormwater Committee shall meet regularly. Meeting dates, times and locations for meetings shall be open to the public and will be published on the Stormwater Website and through various publications.</p> <p>The Stormwater Committee will evaluate potential opportunities for University faculty and staff to conduct research that results in independent quantitative assessments of pollutant loads from NCSU activities and/or measure structural BMP effectiveness. The research may be used to enhance or improve existing practices or develop new methods or processes with state of the art technology.</p>	X	X	X	X	X
Faculty and Student Involvement	<p>North Carolina State University shall encourage the University population to join various organizations and groups to help promote environmental stewardship and open lines of communication between faculty, staff and students. The Campus Environmental Sustainability Team shall be comprised of faculty, staff and student representatives who meet regularly to discuss a variety of environmental topics.</p>	X	X	X	X	X

**SECTION C  
ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM**

**1. Objectives**

- a. Implement an Illicit Discharge Detection and Elimination Program to assure that the illicit discharges, spills and illegal dumping into the North Carolina State University municipal separate storm sewer system are detected and eliminated.
- b. North Carolina State University shall implement appropriate procedures and actions to report illicit spills, discharges and illegal dumping for appropriate enforcement or other action by NCDENR.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Illicit Discharge Detection and Elimination Program and shall notify the DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Illicit Discharge Detection and Elimination Program	The University shall develop an Illicit Discharge Detection and Elimination Program that includes procedures for routine inspections, sampling and maintenance of outfalls, detection and elimination of illicit discharges, spills and illegal dumping, reporting and recordkeeping, employee training and development and implementation of best management practices. Compliance will be ensured through documented procedures, endorsed by University administration and implemented by the affected organizations. A copy of the adopted Program will be submitted as part of the Annual Report.	X	X			
Illicit Discharge Detection and Elimination Program	The University shall implement the IDDE Program to ensure the detection and elimination of illicit discharges, spills and illegal dumping.			X	X	X
Educational Materials	Educational information in the form of written guidelines and/or fact sheets will be distributed to the campus population as part of the Education and Outreach program. Educational material will include information on what constitutes an illicit discharge, University contacts and how to report suspect activity.		X	X	X	X
Training	Annual training will be available for appropriate faculty, staff, contractors and vendors. Training will include how to identify illicit discharges and reporting procedures.  The EHS conducts training programs for faculty	X	X	X	X	X

	and staff on a variety of environmental and safety issues. Stormwater pollution prevention awareness material will address the hazards of illicit discharges.					
Detection and Elimination	The University will conduct semi-annual inspections of the outfalls to determine if illicit discharges are present. Each outfall will be observed twice within a 24-hour period following a minimum of 72-hours of dry weather. Create a database of outfalls, inspection dates, tests conducted, findings, and actions taken.	X	X	X	X	X
Point of Contact	North Carolina State University shall maintain a standard reporting format and contact for all complaints and reports of illicit discharges. A report form will be completed for each inquiry and investigative results and corrective actions will be included in the Annual Report.	X	X	X	X	X
Hotline	Maintain a log of hotline calls and actions taken.					
Report Illicit Connections	North Carolina State University shall investigate all reports of illicit discharges, spills or illegal dumping. North Carolina State University shall report verified illicit discharges to the DWQ Regional Office.	X	X	X	X	X
Tracking	North Carolina State University shall maintain a tracking database for report of illicit discharges.	X	X	X	X	X
Local Wastewater Program	Using a sewer system map, identify potential cross connections and place on hot spot list to be included in an inspection program.			X	X	X

**SECTION D                      STORMWATER SYSTEM INVENTORY AND PRIORITIZATION PROGRAM**

**1. Objectives**

- a. Develop and maintain a North Carolina State University stormwater system inventory for the purpose of supporting the Retrofit Program, Post-Construction Program, and Illicit Discharge Detection and Elimination Program.
- b. Develop a field inventory procedure to be used for North Carolina State University identified priority areas.

**2. Management Measure**

North Carolina State University shall implement the following management measure to meet the objectives of the Stormwater System Inventory and Prioritization Program and shall notify the DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Develop and maintain a Storm Sewer System Inventory	<p>The University will conduct visual inspections of the storm sewer system including outfalls and existing components of the drainage system in an effort to update the current inventory of drainage structures and storm sewer system maps. Outfalls will be categorized by the receiving water to which the outfall discharges. Information gathered will include location, reference number, size and type of structure, apparent condition of structure and dry-weather flow.</p> <p>Outfalls identified with non-stormwater flow will be documented using a Field Screening Report Form, samples collected and analyzed and illicit discharges corrected immediately. Information will be entered into a Data Management System. The System shall be a static annual system, not a hydrologic (stormwater flow) model and will be used as a schematic representation not an engineering model.</p>	X	X	X	X	X
Field Outfall Inventory Procedures for High Priority Areas	<p>North Carolina State University will identify a process to prioritize areas that will benefit from a field outfall inventory. The University will annually evaluate the potential for cooperative field outfall inventory projects. The University will also evaluate the potential to develop field outfall inventory projects with other governmental agencies and non-governmental organizations.</p> <p>If a high priority area is identified, the</p>			X	X	X

	University will further assess the area in an effort to identify deficiencies contributing to the pollutant loading and/or illicit discharges. The University will develop and implement various best management practices and provide training to reduce and/or eliminate negative impacts to the receiving water.					
Include Outfalls for NCSU Industrial Facilities in the inventory	North Carolina State University will update the existing stormwater outfall inventory to include changes or additions to previously inventoried NCSU Industrial outfalls. Updated outfall coverage will have GIS attributes that define the type of structure, the location, drainage area, amount of impervious area, offsite drainage, pollutants of concern, and the type of industrial activity. NCSU industrial facilities inventory shall be updated annually.	X	X	X	X	X
Include in the Outfall Inventory – outfalls from new construction	North Carolina State University will expand the existing stormwater outfall inventory to include outfalls on new construction projects. The new construction inventory shall be updated annually.	X	X	X	X	X

**SECTION E SEDIMENT AND EROSION CONTROL PROGRAM**

**1. Objectives**

- a. Control development activities disturbing one or more acres of land surface.
- b. Require construction site operators to implement appropriate erosion and sediment control practices.
- c. Require site inspection and enforcement of control measures.
- d. Establish requirements for construction site operators to control waste that may cause adverse impacts to water quality such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Sediment and Erosion Control Program and shall notify the DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Construction site erosion and sedimentation control for disturbing one or more acres	<p>The NCDENR Division of Land Resources Erosion and Sediment Control Program effective meets the above requirements by permitting and controlling development activities disturbing one or more acres of land surface and those activities less than one acre that are part of a larger common plan of development. This program includes procedures for public input, sanctions to ensure compliance, requirements for construction site operators to implement appropriate erosion and sediment control practices, review of site plans which incorporates consideration of potential water quality impacts, and procedures for site inspection and enforcement of control measures.</p> <p>NCDENR Division of Water Quality NPDES general permit for construction activities (NCG010000), specifically Part I, Section A, Paragraphs 3, 4, 5, and 6, effectively meets the above requirements.</p> <p>The NCG010000 permit establishes requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.</p>	X	X	X	X	X
Sediment and Erosion Control Plans (Sites greater	All construction projects that impact greater than one acre must submit a Sediment and Erosion Control Plan (SECP) to NC DENR Division of	X	X	X	X	X

than one acre)	Land Quality for review and approval. No construction project may begin without an approved plan.					
Construction site erosion and sedimentation control for disturbing less than one acre	Construction sites that disturb less than one acre are not required to have an approved Sediment and Erosion Control Plan; however, these projects are required to meet the requirements found in the NCSU Sediment and Erosion Control Guidelines and Technical Specifications.	X	X	X	X	X
Sediment and Erosion Control Guidelines	<p>All sediment and erosion control measures and devices shall be designed, installed, and maintained in accordance with the most recent edition of the NC DENR Erosion and Sediment Control Planning and Design Manual, the NC DENR Stormwater BMP Manual, and/or the NC DENR General Permit No. NCG010000. All permanent and temporary devices shall be inspected and maintained in accordance with the Approved SECP and the NCG010000 General Permit.</p> <p>Construction contractors and/or designers are ultimately responsible for the proper installation, inspection and maintenance of all sediment and erosion control devices and measures.</p>					
Site Evaluations	<p>The Division of Land Quality is responsible for inspection and enforcement of sediment and erosion control measures for active construction sites. However, the University has developed an inspection program independent of inspections performed by the Division of Land Quality. The goal of the site evaluations is to provide feedback to the University project managers regarding possible non-compliance issues.</p> <p>Environmental Affairs Office will conduct monthly on-site performance evaluations of all active construction sites. Information gathered is entered into a database and a written report is sent to the University project manager, the Division of Land Quality and the Director of Construction Management.</p>	X	X	X	X	X
Public Involvement	North Carolina State University must provide and promote a means for the public to notify the appropriate authorities of observed sediment and erosion control problems.	X	X	X	X	X
Records	Records of inspections related to temporary BMP devices associated with University construction	X	X	X	X	X

	<p>projects shall be kept on file in the construction site trailer for the duration of the project. The University project manager shall maintain copies of all records and reports for three years after the completion of the project.</p> <p>Records of inspections and corrective actions for permanent SW control devices shall be kept on file in Facilities Operations for no less than five years. Environmental Affairs will conduct an annual audit of inspection records and report findings in the annual report submitted to DWQ.</p>					
<p>Training</p>	<p>Environmental Affairs staff members and University project managers shall obtain annual training from various workshops and seminars sponsored by NC DENR Division of Land Resources, the Water Resources Research Institute and/or other agencies.</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>

**SECTION F PRE- AND POST-CONSTRUCTION STORMWATER MANAGEMENT**

**1. Objectives**

- a. Manage stormwater runoff from new development and redevelopment that disturbs an acre or more of land surface and drains to the North Carolina State University MS4.
- b. Ensure structural and non-structural controls are in place to minimize water quality impacts.
- c. Ensure long-term operation and maintenance of permanent Best Management Practices (BMPs) through the development and implementation of an Inspection and Maintenance Program.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Post-Construction Stormwater Management Program and shall notify the DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Establish measures to protect nutrient sensitive waters (Stormwater and Nutrient Management Guidelines)	Develop, adopt, and implement a strategy to ensure that the best management practice for reducing nutrient loading is selected. In areas where the Environmental Management Commission has approved a Nutrient Sensitive Water Urban Stormwater Management Program, the provisions of that program fulfill the nutrient loading reduction requirement.	X	X	X	X	X
New Development Requirements	<p>In accordance with the Neuse River Basin Nutrient Sensitive Waters Management Strategy: Basinwide Stormwater Requirements (15A NCAS 2B .0235):</p> <ul style="list-style-type: none"> <li>• New development projects shall meet the 30% nitrogen reduction goal by implementing planning considerations and best management practices. Additionally, all new construction shall meet the nitrogen-loading limit of 3.6 pounds per acre per year (lb/ac/yr)</li> <li>• Each project shall have the option of partially offsetting projected nitrogen loads by paying an offset fee. However, the total nitrogen-loading rate cannot exceed 6.0 lb/as/yr for residential development or 10.0 lb/ac/yr for non-residential development.</li> <li>• Diffuse flow or runoff shall be maintained in the riparian buffer by dispersing concentrated flow and reestablishing vegetation. Concentrated flow from ditches or manmade conveyances shall be converted to diffuse flow before the runoff enters Zone 2 of the riparian buffer. If</li> </ul>					

	<p>diffuse flow cannot be achieved, the stormwater must pass through an approved BMP for a nitrogen reduction of 30% or greater.</p> <p>The University project manager is responsible for submitting all required information (i.e. calculations and plan sheets) relating to the design of the stormwater management plan to Environmental Affairs. Environmental Affairs shall perform a completeness evaluation of the proposed plans prior to formal review. An independent consultant will perform the formal review and provide the Stormwater Program Manager with a written evaluation that addresses areas of concern or deficiencies within the plan. All comments must be sufficiently addressed in writing prior to approval by the Stormwater Program Manager.</p> <p>All development must achieve a nitrogen export of less than or equal to 3.6 lb/ac/yr. If the development contributes greater than 3.6 lb/ac/yr of nitrogen, several options are available depending on whether the development is residential or non-residential. These options include the installation of BMPs or a one-time payment into the University's Offset Payment Fund or a combination of the two.</p> <p>The University Stormwater Management Program requires there be no net increase in peak flow leaving the site from pre-development conditions for the 1-year, 24-hour storm. However, projects constructed on Centennial Campus or within the Spring Hill District are held to the pre-development conditions of the 10-year storm.</p> <p>The flow control requirement is not required for developments that meet one or all of the following conditions:</p> <ul style="list-style-type: none"> <li>• The increase in peak flow between pre- and post-construction conditions does not exceed ten (10) percent.</li> <li>• The proposed new development meets all the following criteria: overall impervious surface is less than fifteen (15) percent, and the remaining pervious portions of the site are utilized to the maximum extent practical to convey and control the stormwater</li> </ul>					
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	<p>runoff.</p> <p>Any project requesting funding through the Offset Payment Program must submit a proposal to the Stormwater Committee for review and approval. The Committee is responsible for the review and approval/denial of any proposal presented for consideration. Projects must adequately address in writing all comments and/or questions presented by the Committee within 30 calendar days. New projects will be considered on an annual basis.</p>					
Post-Construction Stormwater Management Program	<p>North Carolina State University will develop and implement strategies that include a combination of structural and non-structural controls.</p> <p>The University will evaluate current non-structural BMPs within each department or organization. Where deficiencies are found, more stringent BMPs shall be developed and implemented. Each department or organization will be responsible for ensuring that all BMPs are carried out on a routine basis. Environmental Affairs will conduct annual audits and include a summary in the annual report to DWQ.</p>			X	X	X
Standards and practices for permanent structural controls	<p>North Carolina State University shall develop standards and practices for (post-construction) permanent structural controls.</p>			X	X	X
Evaluate maintenance needs	<p>North Carolina State University will develop and institute an inspection and maintenance program for permanent structural controls.</p> <p>The University will evaluate permanent stormwater control devices for inspection and maintenance needs. The evaluation will include consideration of the BMP type, siting conditions, and State Stormwater Permit requirements.</p>			X	X	X
Develop an Inspection and Maintenance Manual	<p>North Carolina State University shall develop and maintain a Manual that includes detailed information for the inspection, operation and maintenance of permanent stormwater control devices. Written procedures will detail inspection and maintenance requirements for the proper operation of the various types of control structures, frequency of inspections, “how to”</p>	X	X	X	X	X

	instructions for maintenance and an inspection and maintenance tracking mechanism.					
Implement Inspection and Maintenance Program	North Carolina State University will implement the Inspection and Maintenance Manual. The program will include training for appropriate personnel.		X	X	X	X
Information submittals to DWQ	Inspection and Maintenance information will be submitted to DWQ as part of the annual report. Revisions to the manual will be submitted as new BMP types are developed.		X	X	X	X

**SECTION G POLLUTION PREVENTION AND GOOD HOUSEKEEPING**

**1. Objective**

Prevent or reduce stormwater pollution from municipal operations.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Pollution Prevention and Good Housekeeping Program and shall notify the Division prior to modification of any goals.

<b>Management Measures</b>	<b>Measurable Goals</b>	<b>YR 1</b>	<b>YR 2</b>	<b>YR 3</b>	<b>YR 4</b>	<b>YR 5</b>
Develop a Pollution Prevention and Good Housekeeping Program	North Carolina State University shall develop a Pollution Prevention and Good Housekeeping Program that has the ultimate goal of preventing or reducing pollutant runoff.	X	X	X	X	X
Public Education	The University shall promote public awareness of water quality related issues through education programs and other public media.	X	X	X	X	X
Preventative Maintenance	Implement preventative maintenance programs for facility equipment, including emergency generators and cooling towers.	X	X	X	X	X
Visual Inspections	Perform visual inspections of the University storm sewer system including drains, inlets, and outfalls. In addition, conduct inspections to identify areas where exposures have the potential to introduce hazardous pollutants to the storm sewer system.	X	X	X	X	X
Spill Prevention and Response	Maintain material storage procedures that include provision of secondary containment; development of spill prevention, containment, and control plans and/or safety plans; and preferred sheltering of all chemicals and other hazardous substances.  Annual spill training will be provided to employees. Training covers proper handling procedures and emergency actions.  The University will maintain a small response group for chemical spills, and coordinate response activities with Raleigh Fire and Hazardous Materials Unit.					
Inspection and	North Carolina State University will develop an	X	X	X	X	X

Evaluation of Facilities and Operations	inventory of all facilities and operations with the potential for generating polluted stormwater runoff. Specifically inspect the potential sources of polluted runoff, the stormwater controls, and conveyance systems. Evaluate the sources, document deficiencies, plan corrective actions, and document the accomplishment of corrective actions.					
Employee Training	Each department or organization shall train employees to properly use, store, or otherwise manage equipment and materials in their work area.	X	X	X	X	X
Review Industrial Activities	North Carolina State University will conduct annual review of the industrial activities with a Phase I NPDES stormwater permit owned and operated by the North Carolina State University.  Specifically review the following aspects: the Stormwater Pollution Prevention Plan where one is required, the timeliness of any monitoring reports required by the Phase I permit, and the results of inspections and subsequent follow-up actions at the facilities.	X	X	X	X	X
Waste Management	Dumpsters and recycling bins located throughout the campus areas shall be closed-top or sheltered or designed to minimize introduction of rainwater. Trash receptacles are to be located in convenient areas, and collected on a routine basis. Litter and debris shall be collected from parking lots and other public areas on a regular basis.					
Snow Removal and Control	The University's Inclement Weather Procedure for Snow, Ice and Freezing Rain shall provide procedures and priorities for controlling such precipitation. Best management practices shall be implemented for salt piles.					
Recycling and Solid Waste Reduction	North Carolina State University will continue to operate a recycling program for various materials, including metals, glass, paper, cardboard, and lamps containing mercury and revise the program where opportunities exist.	X	X	X	X	X
Hazardous Materials Response	Persons who use or store hazardous materials shall have and maintain an approved safety plan, and provide adequate training, covering the use, storage and disposal of chemicals and equipment to contain or control small spills.	X	X	X	X	X

	The University shall maintain agreements with the Raleigh Fire Department, whereby the City's hazardous materials unit will respond to chemical incidents at local University properties. In addition, hazardous waste contractors and other environmental contractors shall be provided support for remediation activities.					
Hazardous Waste Program	The University shall maintain a program to collect chemical wastes, including hazardous wastes and used oils, from university laboratories, departments and organizations.	X	X	X	X	X
Landscape Services	The University's Facilities Operations shall provide services for area maintenance, including landscape maintenance and leaf collection programs. In addition, Landscape Services shall manage a program for inspecting and cleaning drain inlets, including yard drains and curb inlets, at a frequency of five times per year.	X	X	X	X	X
Transportation	The University's Transportation Division shall maintain parking lots and related facilities.	X	X	X	X	X

**SECTION H RETROFITS**

**1. Objectives**

Use retrofits to address pollutant loading.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the BMP Retrofit Program and shall notify the DWQ prior to modification of any goals.

<b>Management Measures</b>	<b>Measurable Goals</b>	<b>YR 1</b>	<b>YR 2</b>	<b>YR 3</b>	<b>YR 4</b>	<b>YR 5</b>
Evaluate Current Stormwater Control Structures	The Stormwater Committee shall evaluate current stormwater control structures to determine if existing structures would benefit from a retrofit opportunity. Locations for retrofit control structures will be investigated. The Committee shall solicit the academic community to submit proposals for consideration.	X	X	X	X	X
Annual Review	The Committee will review all proposals for potential retrofit opportunities on an annual basis and prioritize them based on existing pollutant loads to the receiving water, cost effectiveness of the retrofit, environmental benefits and constructability of the retrofit, as well as other appropriate parameters.	X	X	X	X	X

**SECTION I RESEARCH AND PROGRAM ASSESSMENT**

**1. Objectives**

- a. Conduct research with faculty and staff that result in independent quantitative assessment of pollutant loads from North Carolina State University activities and or measure structural BMP effectiveness.
- b. Conduct research to enhance or improve existing practices or develop new methods or processes with state of the art technology.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Research and Program Assessment and shall notify DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Research and Program Assessment	North Carolina State University shall submit an annual report on research and program assessment activities.	X	X	X	X	X

**SECTION J LAND USE PLANNING**

**1. Objective**

- a. Provide the flexibility and incentives to use site design techniques to reduce impervious surfaces on their developments.
- b. Reduce the need for BMPs to control nitrogen and peak stormwater flows and
- c. Reduce associated BMP maintenance concerns.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of Land Use Planning and shall notify DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Stormwater Guidelines	The Stormwater Committee will review and periodically update the Stormwater Guidelines to reflect adequate flexibility for developers to utilize planning measures to reduce impervious surfaces. This review is intended to look for opportunities where these measures could be allowed, or obstacles to their use could be removed.		X	X	X	X

**SECTION L  
MONITORING PROGRAM**

**1. Objective**

The objective of the University’s Stormwater Monitoring Program is to comply with federal and state compliance requirements (40 CFR 122.26 and 15A NCAC 2B .0235), to effectively implement University programs and procedures and to ensure that protection and improvement of water quality on NCSU property.

**2. Management Measures**

North Carolina State University shall implement the following management measures to meet the objectives of the Monitoring Program and shall notify DWQ prior to modification of any goals.

Management Measures	Measurable Goals	YR 1	YR 2	YR 3	YR 4	YR 5
Monitoring	The University will continue to perform monitoring in the follow areas: representative data collection, NPDES site monitoring, post-construction best management practices (BMP) monitoring and stream and buffer restoration monitoring.	X	X	X	X	X

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**PART III****OTHER REQUIREMENTS****SECTION A****REPORTING AND RECORD KEEPING REQUIREMENTS****1. Program Assessment**

- a. North Carolina State University shall provide DWQ with an annual report consisting of a program summary and assessment. The report shall include the status of each component in Part II of this permit, proposed changes to the stormwater management program or implementation schedule, a summary of illicit connection and illegal dumping reports and inspections, identification of water quality improvement or degradation as a result of North Carolina State University activities, and successes, failures and milestones/accomplishments of the program.
- b. The annual report shall be submitted to DWQ no later than *August 31* of each year. The annual assessment report shall cover the period from *July 1 through June 30* that immediately preceded *August 31* of the year in question.
- c. North Carolina State University shall maintain a copy of each annual program assessment report on file for a period of five years.

**2. Report Submittals**

- a. Duplicate signed copies of all reports required herein, shall be submitted to the following address:

Division of Water Quality  
Water Quality Section  
Stormwater and General Permits Unit  
1617 Mail Service Center  
Raleigh, North Carolina 27699-1617

- b. All applications, reports, or information submitted to DWQ shall be signed by a principal executive officer or duly authorized representative. A person is a duly authorized representative only if:
  - i. The authorization is made in writing by a principal executive officer;
  - ii. The authorization specified either an individual or a position having responsibility for the overall operation of a regulated facility or activity or an individual or position having overall responsibility for environmental/stormwater matters; and
  - iii. The written authorization is submitted to the Director.
- c. Any person signing a document under paragraphs a. or b. of this section shall make the following certification:

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly 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 fines and imprisonment for knowing violations."

### **3. Recording Results**

For each measurement, sample, inspection or maintenance activity performed or collected pursuant to the requirements of this permit, North Carolina State University shall record the following information:

- a. The date, exact place, and time of sampling, measurements, inspection or maintenance activity;
- b. The individual(s) who performed the sampling, measurements, inspection or maintenance activity;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

### **4. Planned Changes**

North Carolina State University shall give notice to the Director as soon as possible of any planned changes which could significantly alter the nature or quantity of pollutants discharged. This notification requirement includes pollutants that are not specifically listed in the permit or subject to notification requirements in 40 CFR Part 122.42 (a).

### **5. Anticipated Noncompliance**

North Carolina State University shall give notice to the Director as soon as possible of any planned changes that may result in noncompliance with the permit requirements.

### **6. Twenty-four Hour Reporting**

- a. North Carolina State University shall report to the central office or the appropriate regional office any noncompliance or reasonably anticipated non-compliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time North Carolina State University became aware of the circumstances. A written submission shall also be provided within 5 days of the time North Carolina State University becomes aware of the circumstances.
- b. The written submission shall contain a description of the noncompliance, and its causes; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time compliance is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- c. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

### **7. Other Information**

Where North Carolina State University becomes aware that it failed to submit any relevant facts in applying to be covered under this permit or in any report to the Director, it shall promptly submit such facts or information.

**SECTION B  
COMPLIANCE SCHEDULE**

North Carolina State University may modify the stormwater management program implementation schedule through the annual reporting process.

**SECTION C**  
**TOTAL MAXIMUM DAILY LOAD ASSESSMENT**

1. North Carolina State University shall develop and implement a program to address impaired waters for which the EPA has approved a TMDL. The program shall be implemented in the drainage areas of those TMDLs which name the North Carolina State University as a significant contributor of the pollutant of concern, and assigns the North Carolina State University a wasteload allocation (WLA) explicit from other point sources.
2. For each TMDL the North Carolina State University is subject to as described in (1) above, the North Carolina State University shall summarize the locations of North Carolina State University outfalls already identified in its implicit Stormwater Outfall inventory which are within its jurisdictional area with the potential of discharging the pollutant(s) of concern for established TMDLs to the impaired segments, to their tributaries, and to segments and tributaries within the watershed contributing to the impaired segments.
3. For each TMDL the North Carolina State University is subject to as described in (1) above, the North Carolina State University shall develop an Assessment & Monitoring Plan (Plan). The Plan shall include an evaluation of the need for additional data collection related to the North Carolina State University's discharge of the TMDL pollutant of concern. Additional data collection to be evaluated may include (but does not require) supplemental inventory of North Carolina State University outfalls, monitoring, an assessment of the effectiveness of existing BMPs, and an assessment of the potential for non- North Carolina State University discharges entering the North Carolina State University's conveyance system to negatively impact the quality of the North Carolina State University's stormwater discharge. If the Plan proposes analytical monitoring, then it shall include a description of the sample type, frequency, and any seasonal considerations. Where appropriate, North Carolina State University may reduce the monitoring burden by proposing to monitor outfalls that the Division would consider substantially similar to other outfalls. The monitoring plan shall be adjusted as additional outfalls are identified.
4. The Plan shall include a schedule for implementing the proposed assessment and monitoring activities. The Plan shall be submitted to the DWQ for comments no later than 12 months after notification by DWQ that North Carolina State University has been assigned a WLA. DWQ shall complete its review of the plan within 6 months of receiving the plan from North Carolina State University.
5. The North Carolina State University shall initiate implementation of the Plan within 6 months of receiving Plan approval from DWQ. In accordance with the implementation schedule, the North Carolina State University shall provide in subsequent annual reports a summary of the assessment and monitoring activities performed within the reporting period.
6. Within 6 months of completing the assessments and monitoring activities outlined in the Plan, the North Carolina State University shall submit a report of its findings to the DWQ. The report shall include an assessment of whether additional structural and/or non-structural BMPs are necessary to meet the North Carolina State University's WLA. The report shall include a schedule for implementing such BMPs. Upon approval by DWQ, the North Carolina State University shall implement any needed BMPs in accordance with the schedule. Subsequent annual reports after implementation of the additional BMPs will report on their effectiveness.

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**PART IV****STANDARD CONDITIONS****SECTION A  
COMPLIANCE AND LIABILITY****1. Duty to Comply**

North Carolina State University must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of permit coverage upon renewal application.

- a. North Carolina State University shall comply with standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- b. The Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$27,000 per day for each violation. The Clean Water Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- c. Under state law, a daily civil penalty of not more than ten thousand dollars (\$10,000) per violation may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of a permit. [Ref: North Carolina General Statutes 143-215.6A]
- d. Any person may be assessed an administrative penalty by the Director for violating section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act. Administrative penalties for

Class I violations are not to exceed \$11,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$27,500. Penalties for Class II violations are not to exceed \$11,000 per day for each day, during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$137,500.

## **2. Duty to Mitigate**

North Carolina State University shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

## **3. Civil and Criminal Liability**

Except as provided in Part IV, Section B, Paragraph 3 of this permit regarding bypassing of stormwater control facilities, nothing in this permit shall be construed to relieve North Carolina State University from any responsibilities, liabilities, or penalties for noncompliance pursuant to NCGS 143-215.3, 143-215.6A, 143-215.6B, 143-215.6C or Section 309 of the Federal Act, 33 USC 1319. Furthermore, North Carolina State University is responsible for consequential damages, such as fish kills, even though the responsibility for effective compliance may be temporarily suspended.

## **4. Oil and Hazardous Substance Liability**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve North Carolina State University from any responsibilities, liabilities, or penalties to which North Carolina State University is or may be subject to under NCGS 143-215.75 et seq. or Section 311 of the Federal Act, 33 USC 1321.

## **5. Property Rights**

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

## **6. Severability**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

## **7. Duty to Provide Information**

North Carolina State University shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the coverage issued pursuant to this permit or to determine compliance with this permit. North Carolina State University shall also furnish to the Director upon request, copies of records required by this permit.

**8. Penalties for Tampering**

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

**9. Penalties for Falsification of Reports**

The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both.

**10. Permit Actions**

This permit may be modified, revoked and reissued, or terminated for cause. The notification of planned changes or anticipated noncompliance does not stay any permit condition.

**SECTION B  
OPERATION AND MAINTENANCE OF POLLUTION CONTROLS****1. Proper Operation and Maintenance**

North Carolina State University shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by North Carolina State University to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by North Carolina State University only when the operation is necessary to achieve compliance with the conditions of the permit.

**2. Need to Halt or Reduce not a Defense**

It shall not be a defense for North Carolina State University in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the condition of this permit.

**3. Bypassing of Stormwater Control Facilities**

Bypass is prohibited and the Director may take enforcement action against North Carolina State University for bypass unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury or severe property damage; and
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary control facilities, retention of stormwater or maintenance during normal periods of equipment downtime or dry weather. This condition is not satisfied if adequate backup controls should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. North Carolina State University submitted notices as required under Part III, Section A of this permit.
- d. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above.

**SECTION C  
MONITORING AND RECORDS****1. Representative Sampling**

Samples collected and measurements taken, as required herein, shall be characteristic of the volume and nature of the permitted discharge. Analytical sampling shall be performed during a representative storm event. Samples shall be taken on a day and time that is characteristic of the discharge. All samples shall be taken before the discharge joins or is diluted by any other waste stream, body of water, or substance. Monitoring points as specified in this permit shall not be changed without notification to and approval of the Director.

**2. Flow Measurements**

Where required, appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges.

**3. Test Procedures**

Test procedures for the analysis of pollutants shall conform to the EMC regulations published pursuant to NCGS 143-215.63 et. seq, the Water and Air Quality Reporting Acts, and to regulations published pursuant to Section 304(g), 33 USC 1314, of the Federal Water Pollution Control Act, as Amended, and Regulation 40 CFR 136.

To meet the intent of the monitoring required by this permit, all test procedures must produce minimum detection and reporting levels and all data generated must be reported down to the minimum detection or lower reporting level of the procedure.

**4. Inspection and Entry**

North Carolina State University shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Director), or in the case of a facility which discharges through a municipal separate storm sewer system, an authorized representative of a municipal operator or the separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to;

- a. Enter upon North Carolina State University 's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

**5. Availability of Reports**

Except for data determined to be confidential under NCGS 143-215.3(a)(2) or Section 308 of the Federal Act, 33 USC 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division of Water Quality. As required by the Act, analytical data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in NCGS 143-215.6B or in Section 309 of the Federal Act.

**PART V      LIMITATIONS REOPENER**

This permit shall be modified or, alternatively, revoked and reissued, to comply with any applicable effluent guideline or water quality standard issued or approved under Sections 302(b) (2) (c), and (d), 304(b) (2) and 307(a) of the Clean Water Act, if the effluent guideline or water quality standard so issued or approved:

- a. Contains different conditions or is otherwise more stringent than any limitation in the permit; or
- b. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements in the Act then applicable.

The issuance of this permit does not prohibit the Director from reopening and modifying the permit, revoking and reissuing the permit, or terminating the permit as allowed by the laws, rules, and regulations contained in Title 40, Code of Federal Regulations, Parts 122 and 123; Title 15A of the North Carolina Administrative Code, Subchapter 2H .0100; and North Carolina General Statute 143-215.1 et. al.

**PART VI                      ADMINISTERING AND COMPLIANCE MONITORING FEE  
REQUIREMENTS**

North Carolina State University must pay the administering and compliance monitoring fee within 30 (thirty) days after being billed by the Division. Failure to pay the fee in timely manner in accordance with 15A NCAC 2H .0105(b)(4) may cause this Division to initiate action to revoke the Certificate of Coverage.

**PART VII  
DEFINITIONS**

1. Act

See Clean Water Act.

2. Allowable Non-Stormwater Discharges

This permit regulates stormwater discharges. Non-stormwater discharges that shall be allowed in the stormwater conveyance system are:

- a. All other discharges that are authorized by a non-stormwater NPDES permit.
- b. Uncontaminated groundwater, foundation drains, air –conditioner or air compressor condensate without added chemicals, springs, discharges of uncontaminated potable water, waterline and fire hydrant flushings, water from footing drains, flows from riparian habitats and wetlands, irrigation drainage, landscape watering, pavement wash water which does not use detergents and no spills or leaks or toxic or hazardous materials have occurred (unless all materials have been removed), routine external building wash down which does not use detergents, and incidental windblown mist from cooling towers that collect on rooftops.
- c. Discharges resulting from fire-fighting training without chemical additives or from fire-fighting.

3. Best Management Practices (BMPs)

Measures or practices used to reduce the amount of pollution entering surface waters. BMPs may take the form of a process, activity, or physical structure.

4. Bypass

A bypass is the known diversion of stormwater or wastewater from any portion of a control facility, including the collection system, which is not a designed or established operating mode for the facility.

5. Clean Water Act

The Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended, 33 USC 1251, et. seq.

6. Division or DWQ

The Division of Water Quality, Department of Environment and Natural Resources.

7. Director

The Director of the Division of Water Quality, the permit issuing authority.

8. Grab Sample

An individual sample collected instantaneously. Grab samples that will be directly analyzed or qualitatively monitored must be taken within the first 30 minutes of discharge.

9. Hazardous Substance

Any substance designated in 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

10. Industrial Activity

For the purposes of this permit, industrial activities shall mean all industrial activities listed defined in 40 CFR 122.26 with the exception of general roadway drainage, construction activities, and borrow pits/waste piles.

11. Municipal Separate Storm Sewer System

Municipal separate storm sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- a. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
- b. Designed or used for collecting or conveying storm water;
- c. Which is not a combined sewer; and
- d. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

A Phase I MS4 includes medium and large MS4s. To be a medium or large MS4, the MS4 must be located in an urbanized area with a population greater than 100,000.

A Phase II MS4 includes regulated small MS4s. To be a regulated small MS4, the MS4 must be located in an urbanized area with a population less than 100,000 but with selected population densities. Phase II MS4s are identified by NCDENR at

[http://h2o.enr.state.nc.us/su/NPDES\\_Phase\\_II\\_Stormwater\\_Program\\_2000\\_Census.htm](http://h2o.enr.state.nc.us/su/NPDES_Phase_II_Stormwater_Program_2000_Census.htm).

12. Outfall

The point of wastewater or stormwater discharge from a discrete conveyance system. See also point source discharge.

13. Permittee

The owner or operator issued this permit (North Carolina State University).

14. Point Source Discharge of Stormwater

Any discernible, confined and discrete conveyance including, but not specifically limited to, any pipe, ditch, channel, tunnel, conduit, well, or discrete fissure from which stormwater is or may be discharged to waters of the state.

15. Representative Storm Event

A storm event that measures greater than 0.1 inches of rainfall and that is preceded by at least 72 hours in which no storm event measuring greater than 0.1 inches has occurred. A single storm event may contain up to 10 consecutive hours of no precipitation. For example, if it rains for 2 hours without producing any collectable discharge, and then stops, a sample may be collected if a rain producing a discharge begins again within the next 10 hours.

16. Secondary Containment

Spill containment for the contents of the single largest tank within the containment structure plus sufficient freeboard to allow for the 25-year, 24-hour storm event.

17. Sensitive Waters

- a. Waters that are classified as high quality, outstanding resource, shellfish, trout, or nutrient-sensitive waters in accordance with subsections (d) and (e) of 15A NCAC 2B .0101 (Procedures for Assignment of Water Quality Standards – General Procedures).
- b. Waters that are occupied by or designated as critical habitat for aquatic animal species that are listed as threatened or endangered by the United States Fish and Wildlife Service or the National Marine Fisheries Service under the provisions of the Endangered Species Act of 1973 (Pub. L. No. 93-205; 87 Stat. 884; 16 U.S.C. §§ 1531, et seq.), as amended.
- c. Waters for which the designated use, as described by the classification system set out in subsections (c), (d), and (e) of 15A NCAC 2B .0101 (Procedures for Assignment of Water Quality Standards – General Procedures), have been determined to be impaired in accordance with the requirements of subsection (d) of 33 U.S.C. § 1313.
- d. The following North Carolina water quality classifications are HQW by definition: Water Supply I (WS-I), Water Supply II (WS-II), Shellfishing (SA), and waters which DWQ has received a petition for reclassification to either WS-I or WS-II.

18. Severe Property Damage

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

19. Significant Materials

Includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

20. Significant Spills

Includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (Ref: 40 CFR 110.10 and CFR 117.21) or Section 102 of CERCLA (Ref: 40 CFR 302.4).

21. Stormwater Runoff

The flow of water which results from precipitation and which occurs immediately following rainfall or as a result of snowmelt.

22. Stormwater Associated with Industrial Activity

The discharge from any point source which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw material storage areas at an industrial site. Facilities considered to be engaged in "industrial activities" include those activities defined in 40 CFR 122.26(b)(14). The term does not include discharges from facilities or activities excluded from the NPDES program. See also the definition of industrial activities.

23. Stormwater Pollution Prevention Plan

A comprehensive site-specific plan which details measures and practices to reduce stormwater pollution and is based on an evaluation of the pollution potential of the site.

24. Ten Year Design Storm

The maximum 24-hour precipitation event expected to be equaled or exceeded on the average once in ten years. Design storm information can be found in the State of North Carolina Erosion and Sediment Control Planning and Design Manual.

25. Toxic Pollutant

Any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act.

26. Upset

Means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit limitations because of factors beyond the reasonable control of North Carolina State University. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment or control facilities, inadequate treatment or control facilities, lack of preventive maintenance, or careless or improper operation.

27. Waste Pile

A Waste Pile means a stack or pile of materials remaining from construction or maintenance activities. For North Carolina State University projects, these waste piles typically consist of earthen materials or construction material rubble.

28. Vehicle Maintenance Activity

Vehicle rehabilitation, mechanical repairs, painting, fueling, lubrication, vehicle cleaning operations, or airport deicing operations.

29. 25-year, 24 hour storm event

The maximum 24-hour precipitation event expected to be equaled or exceeded, on the average, once in 25 years.

**PART VIII  
ACRONYMS**

BMP	Best Management Practice
CWA	Clean Water Act
DWQ	NC DENR Division of Water Quality
EPA	Environmental Protection Agency (United States)
ESC	Erosion and Sedimentation Control
GIS	Geographical Information System
IDDEP	Illicit Discharge Detection and Elimination Program (previously ICID Program)
MCM	Minimum Control Measures
MS4	Municipal Separate Storm Sewer System
NCAC	North Carolina Administrative Code
NCDENR	North Carolina Department of Environment and Natural Resources
NCSU	North Carolina State University
NCGS	North Carolina General Statute
NHD	National Hydrography Dataset
NPDES	National Pollutant Discharge Elimination System
PCSP	Post-Construction Stormwater Program
SPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USGS	United States Geological Survey
WS	Water Quality Designation – Water Supply water