



## ANNUAL REPORT TO ODEQ FOR PHASE II STORMWATER PERMITTED MS4s

### City of Claremore

Name of Permitted MS4:	City of Claremore
MS4 OKR04 Permit Number:	OKR040028
ANNUAL REPORT Reporting Period:	January 1, 2021 to December 31, 2021
ANNUAL REPORT Original Completion Date:	April 1, 2022
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ANNUAL REPORT Latest Revision Date:	April 1, 2022
ANNUAL REPORT Preparer Name and Title:	Julianne Monnot, Stormwater Manager
MS4 Contact Name & Title:	Julianne Monnot, Stormwater Manager
MS4 Contact Phone and Email:	(918) 341-0457 ext. 285 <a href="mailto:jmonnot@claremorecity.com">jmonnot@claremorecity.com</a>

## EXECUTIVE SUMMARY

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

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

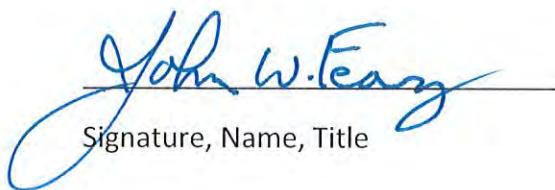
Questions for local officials about this ANNUAL REPORT or Stormwater Program should be directed to the MS4 Contact Person listed on the cover page. Questions about the State's Phase II Stormwater Permit program should be directed to the ODEQ Water Quality Division.

[Section 1 Break here]

## I. CERTIFICATION STATEMENT

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

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*



\_\_\_\_\_  
Signature, Name, Title



\_\_\_\_\_  
Date

John Feary, Claremore City Manager

Printed Name, Title



\_\_\_\_\_  
City Clerk



## II. OVERVIEW OF THE STORMWATER PROGRAM IMPLEMENTATION:

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

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

Claremore is also a member of Green Country Stormwater Alliance (GCSA) an INCOG Sponsored program.

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

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

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

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

We distributed 123 FOG compliance letters to all restaurants residing in the within The City of Claremore compliance area. We continue to inspect restaurants and issue educational materials consisting of laminated posters and a newly revised BMP Plan for the kitchen staff.

We distributed created the brochure Simple Solutions to Stormwater Pollution this year and distributed it to 12,995 citizens in our utility bill in September and April.

The City of Claremore's Household Pollutant Collection and Clean-up Day was held April 24<sup>th</sup>. The city took a myriad of household pollutants including medication, ammunition, e-waste and tires from 212 cars. Full invoice from disposal vendor attached.

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

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

The City of Claremore sanitary sewer lines are serviced a minimum of once every six months and the trouble areas are serviced every three months. 89,440 feet of sewer lines were cleaned and 27,855 feet of sewer lines were inspected.

Unique Screen Media played a 15 second Litter commercial and a 15 second Fats Oil and Grease commercial and a 15 second Grass in the Streets commercial that were aired at a minimum of two times before each feature film on all screens from January 1<sup>st</sup> 2021 through December 31<sup>st</sup> 2021. As ticket sales have increased as the pandemic has subsided we achieved 118,560 impressions through our efforts with Unique Screen Vision. We also have a 15 second Leaves in the Street commercial and a 15 Second Litter commercial that we cycle on screens between the others. However, since people are using home streaming services more and more we are looking into investing in other, more targeted, ways to market our message to people in the future.

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

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

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

The City of Claremore has an ongoing program of cleaning catch basins and the debris is hauled to the Claremore landfill. The City also sweeps the streets of Claremore and the debris is

hauled to the Claremore landfill. Since the inception of the program, the City of Claremore has tracked pollutant and debris removal related to these activities.

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

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

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

In 2021, the City of Claremore Public Infrastructure Department, street division maintained the streams and creeks for removal of debris, litter and overgrowth to prevent water from backing up and flooding.

**Table 1: Stormwater Program Overview**

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

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

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

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

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

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

Items 2 and 4 of Part V.C.1.a are assessed together in Table 3, presented as 6 sub-tables, one table for each of the 6 MCMs, because both Item 2 and Item 4 are BMP-specific. Item 2 refers to assessing the appropriateness of each BMP, whereas Item 4 assesses the Measurable Goal (M.G.) assigned to each BMP.

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

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

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

Permit Condition	Compliance Status	Future Actions Needed
Allowable Discharges	Reviewed list January 2020; no changes made.	Review annually or as needed.
Historic Preservation	No Section 106 Federal actions taken by MS4 this report cycle.	Will contact ODEQ if we are notified if any Section 106 reviews are needed.
Endangered Species / Aquatic Resources of Concern (ARC)	No part of the MS4 is within an ARC. No actions to protect endangered species were needed this report cycle.	Will contact ODEQ if MS4 is notified that actions must be taken to protect endangered species.
Co-Permittees	The City of Claremore is not a co-permittee with another MS4.	No status change is expected.
Water Quality Standards (WQS)	The MS4 was not notified this report cycle of any WQS violations caused by Stormwater discharges.	Will contact ODEQ upon any notification to develop a strategy to protect WQS.
303(d) Impaired Waters	The MS4 performed enhanced BMPs as described in Table 3 below. No 303(d) parameter field or lab data was collected this report cycle	MS4 will continue to implement enhanced BMPs to address 303(d) impairment.
TMDL Compliance	There were no finalized TMDLs within the MS4 during this reporting cycle.	The MS4 will continue to request completed TMDL updates from ODEQ and seek assistance on compliance.
Outstanding Resource Waters (ORW)	The MS4 is not within an ORW watershed.	No status change is expected.
MCM-1: BMPs and Measurable Goals	Claremore has changed BMPs or Measurable Goals to include specific number of brochures to hand out.	Claremore has changed BMPs or Measurable Goals to include specific number of brochures to hand out.
MCM-2: BMPs and Measurable Goals	100% successful implementation.	Continue implementation.
MCM-3: BMPs and Measurable Goals	100% successful implementation.	Continue implementation.
MCM-4: BMPs and Measurable Goals	100% successful implementation; 0 construction enforcement actions taken.	Need to increase education of construction operators.
MCM-5: BMPs and Measurable Goals	Hard to find private LID within MS4. only pervious parking lot found in MS4 and in 2020 1 LID projects were completed.	Focus efforts to locate private LID. Begin assessing local codes for LID barriers.
MCM-6: BMPs and Measurable Goals	100% successful implementation; 1 inspection at each city facility.	Prepare written procedures and educate city departments about Stormwater pollution.

Permit Condition	Compliance Status	Future Actions Needed
MCM-7: Municipal Construction Projects	Claremore participates in MCM-7. Our SWP3 was accepted and approved by ODEQ.	No actions needed.
SWMP Updates	No changes to SWMP. Will need to update in the next year with measurable goals.	Reassess SWMP throughout year.
ODEQ Enforcement Actions Against MS4	None this reporting cycle.	No actions anticipated.
24 Hour Reporting of Pollution Events by MS4	No episodes to report this cycle.	Will report episodes as needed.

[Section 2 Break here]

**III.B Item 2 in OKR04 Part V.C.1.a: "...an assessment of the appropriateness of the identified best management practices [BMPs]..." and**  
**Item 4 in OKR04 Part V.C.1.a: "...and progress toward achieving the measurable goals for each of the MCMs."**

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

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

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

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

1c.	Distribute brochure to business owners: Chemical storage and disposal at businesses	Distribute 25 at local events and public buildings.	No	Only 6 were distributed. Update and reassess measurable goals and distribution locations.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1d.	Distribute brochure to Homeowners with on-site sewage disposal systems: Proper on-site Sewage disposal system maintenance.	Distribute 25 at local events and public buildings	Yes	Only 3 were distributed. Update and reassess measurable goals and distribution locations	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1e.	Post an OSSF maintenance information page on the city website.	Obtain maintenance information form to include on city website.	Yes	Research. Claremore will place on Stormwater page of Claremore Web page.	When placed on web site citizens will have access to maintenance information.	All Year
1f.	Distribute pet waste brochures to general public. Pet waste education included in Simple Solutions to Stormwater Solutions	Obtain brochure, Distribute 25 at local events and public buildings	Yes	None. Claremore has Pet Waste flyers education placed in City electric and water bills.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
1g.	Place information on city website about bacteria discharge types and amounts from residential properties either as direct discharge or in runoff.	Research, Place on website, update as needed	Yes	None	Claremore Stormwater Web Page has bacteria types and standing floodwater and common symptoms.	All Year
1h.	Place information on city website about bacteria contamination from sewer overflows caused by fats, oils and grease disposal to sewer lines.	Research, Place on website, update as needed	Yes	None. Claremore has FOG around the City fliers to be placed in City electric and water bills.	The BMPs will be placed on Stormwater Page. Enteric bacteria explained on Claremore Stormwater Web Page. Claremore has begun Restaurant FOG program and Automotive repair program. Claremore	All Year

				has FOG commercial that had a total of 118,560 impressions.
l.i.	Distribute brochure to general public-adults, and schools (5 <sup>th</sup> -12 <sup>th</sup> ); How to become involved in Stormwater program	Distribute 50 at local events and public buildings; schools	Yes	None. Claremore partners with Rogers County Conservation District (RCCD) for education and materials distribution.
l.j.	Distribute brochure to general public, adults, and schools (5th-12th) Recycling and re-use benefits.	Distribute 50 at local events and public buildings; schools	Yes	None. Claremore has a MET Recycle center at 810 Ramm Road. Spring H2P2 Event.
l.k.	Distribute brochure on grease trap/interceptors cleaning and maintenance.	Obtain brochure, 10 per year	Yes	None. Claremore has begun a FOG program for Restaurants.
l.l.	Training of city staff and crews: Water quality and regulations	Annual in conjunction with MCM #6 requirement	Yes	None. Municipal Stormwater Pollution Prevention training DVD.
l.m.	Support regional agency-hosted seminar to be attended by municipal, public works staff, and the public	At least once during permit cycle	Yes	None
l.n.	Discuss Phase II program in public city council meeting in conjunction with ODEQ's Annual Report	Present yearly with ODEQ Annual report	Yes	None
				Stormwater personnel appeared before Council one time in October 2020.

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

1v.	City sponsored volunteer stream and/or roadside cleanup events	At least 1 event per year	Yes	Love Day event had ~275 volunteers help clean up with community and creeks.	Love Day event was held July 10th. Annually
1w.	Promote and support household pollutant collection events	One event per year	Yes	Household Pollutant Collection Event was held with ~235 attendees	Household Pollutant Collection Event was held on April 24 <sup>th</sup> 2021. Annually
1x.	Promote use of and support Local Recycling Center	Report the types and amounts of recyclables collected	Yes	None	Claremore reports to State of Oklahoma & ODEQ Pretreatment & Stormwater Departments amounts recycled. The Metropolitan Environmental Trust provides recycling services for the City of Claremore.
1y.	Free Logo Items: purchase and distribute free items with water quality messages and logos to the general public, schools, and non-profit groups.	List contacts made and track number of items distributed every permit year.	No	None	223 Stormwater recycle pencils promoting the stormwater number and website were handed out.

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

BMP Id. #2	MCM-2 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule

2a.	Public Meetings: comply with state and local public notice requirements.	All Public Meetings or as needed	Yes	None	All Public Meetings comply with state and local public notice requirements.	As Needed
2b.	Distribute brochure to general public-adults: water quality impacts from urban Stormwater.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
2c.	Distribute brochure to general public-adults: Household chemical disposal options.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair. 212 handed out at the household pollutant collection event.	All Year
2d.	Distribute brochure to general Public-adults: how to become involved in Stormwater program.	Distribute at least 25 at local events and public buildings.	No	Working to establish a committee.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
2c.	Distribute brochure to general public, adults, and schools (5 <sup>th</sup> -12 <sup>th</sup> ): Recycling and re-use benefits.	Distribute at least 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair. Brochures handed out by the MET.	All Year
2f.	Support regional agency-hosted seminar to be attended by municipal, public works staff, and the public.	At least once during permit cycle.	Yes	None	A Resource Management Conference will be held in 2022 put on the Tulsa County Conservation District and planned with regional M3Ss.	All Year
2g.	Discuss Phase II program in public city council meeting in conjunction with ODEQ's Annual Report.	Present yearly with ODEQ Annual report	Yes	None	Stormwater personnel appeared before Council one time in May 2021.	Annually
2h.	Support regional Stormwater website.	Support INCOG's GCSA website.	Yes	None	Access and Link to INCOG website is on Claremore Stormwater Page.	Annually
2i.	Sponsor and participate in clean-up Events.	Once every year	Yes	None	In Spring at same time as annual H2P2 event, Claremore also offers all citizens a free dump day and sets up 4 sites in Claremore & Rogers	Annually

				County for citizens to haul their yard waste and unwanted household items.	
2j.	School Programs: Coordinate city organized school programs with the assistance from volunteer groups.	1 per year	Yes	None	We have arranged to do a program with all Claremore 5 <sup>th</sup> graders to teach them about watershed pollution after the pandemic has subsided.
2k.	City to coordinate volunteer stream monitoring Program with volunteers' performance to reviewed annually.	Review performance Annually	Yes	None	Blue Thumb held a volunteer training session at RSU for stream monitoring education.
2l.	City sponsored volunteer stream and/or roadside cleanup events.	At least 1 event per year	Yes	None	Household Pollutant Collection Event was held and the Love Day event was held in 2021.

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

BMP Id.	MCM-3 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
3a.	Distribute brochure to general public-adults: Household chemical disposal options	Distribute at least 25 at local events and public buildings	Yes	None	All Public Meetings comply with state and local public notice requirements.	All Year
3b.	Distribute brochure to business owners: Chemical storage and disposal at businesses	Distribute at least 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair. 212 were handed out to every car at the household pollutant collection event.	All Year

3c.	Distribute brochure to general public, adults, and schools (5 <sup>th</sup> -12 <sup>th</sup> ): Recycling and re-use benefits.	Distribute at least 25 at local events and public buildings	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair. 212 were handed out to every car at the household pollutant collection event.	All Year
3d.	Distribute brochure to Homeowners with on-site sewage disposal systems: Proper on-site Sewage disposal system maintenance.	Distribute at least 25 at local events and public buildings. 3 were handed out. Not many OSSDs in Claremore. Possibly mail our info to each citizen individually.	no	3 were handed out. Not many OSSDs in Claremore. Possibly mail our info to each citizen individually.	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
3e.	Distribute pet waste brochures to general public. Pet education included in the Simple Solutions to Stormwater Pollution.	Distribute 25 at local events and public buildings.	Yes	None	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair.	All Year
3f.	Install and maintain “pooper-scooper” stations and signs in parks located near 303d impaired stream areas and Claremore Lake.	Installed at Dog Park and Lake Park.	Yes	None	Claremore maintained dog bag stations at Claremore Cat Creek Dog Park. The city distributed 24,000 doggie waste bags in 2021.	All Year
3g.	Place information on city website about bacteria discharge types and amounts from residential properties either as direct discharge or in runoff.	Research, Place on website, update as needed	Yes	None	Enteric bacteria explained on Claremore Stormwater Web Page.	All Year
3h.	Place information on city website about bacteria contamination from sewer overflows caused by fats, oils	Research, Place on website, update as needed	Yes	None. Claremore has FOG around the City fliers to be placed in City	Enteric bacteria explained on Claremore Stormwater Web Page. Claremore has begun Restaurant FOG program and Automotive	All Year

	and grease disposal to sewer lines.		electric and Water bills.	repair program. Claremore has FOG commercial played at the Theatre receiving 118,560 total stormwater pollution prevention messages.
3i.	Annual training of Sewer Dept. staff on timely reporting of sewer bypasses and upsets.	Hold Annual Training	Yes	All Sewer and Street Department personnel have been trained on reporting and importance of timely constraints.
3k.	Training for City staff and crews on data quality and data management.	Annual Training.	Yes	Claremore Stormwater Department Personnel attended INCOG Training session in 2020.
3l.	Training for city staff and crews; how to conduct inspections and how to monitor effectively.	Annual Training	Yes	Claremore Stormwater Department Personnel attended INCOG Training in 2020
3m.	Mapping: regional and local MS4 system maps	Continuously Updating	Yes	Flood Manager has developed a Claremore map of our DWFS Outfalls and is currently working on MS4 Storm Sewer and Sanitary Sewer Maps.
3n.	Mapping: regional and local data/designate priority areas	Continuously Updating	Yes	Flood Manager has developed a Claremore map of our DWFS Outfalls and is currently working on MS4 Storm Sewer and Sanitary Sewer Maps.
3o.	Continue to update ordinance prohibiting illicit discharges	As needed	Yes	Claremore Illicit Discharge Ordinance was updated in November 2015. No deficiencies have been identified to be changes.
3p.	Support regional agency-hosted seminar to be attended by municipal,	At least once during permit cycle	Yes	A Resource Management Conference will be held in 2022 put on the Tulsa County Conservation Once per Permit Cycle

	public works staff, and the public			District and planned with regional MS4s	
3q.	Discuss Phase II program in public city council meeting in conjunction with ODEQ's Annual Report	Present yearly with ODEQ Annual report	Yes	None	Stormwater personnel appeared before Council one time in April 2021.
3r	Support regional Stormwater website	Support INCOG's GCSA website	Yes	None	Access and Link to INCOG website is on Claremore Stormwater Page.
3s.	Existing Data: collect local and regional pollution data/discharger data	Continuous, regional data coordinated by INCOG/GCSA. Local data collected during inspections and complaints	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 13 SSOs in 2021. In 2016 Claremore purchased MyGov Program Database for complaints and projects issued by citizens and other departments.
3t.	Inspections: conduct MS4 inspections based on reported complaints	As needed	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 13 SSOs in 2021. In 2016 Claremore purchased MyGov Program Database for complaints and projects issued by citizens and other departments.
3u.	Inspections: Conduct MS4 inspections to trace sources	As Needed	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 13 SSOs in 2021. In 2016 Claremore purchased MyGov Program Database for complaints and projects issued by citizens and other departments.
3v.	Enforcement: take appropriate action to abate source	As Needed	Yes	None	Claremore Stormwater Personnel investigated and answer Stormwater illicit discharge complaints and remediated 13 SSOs in 2021. In 2016 Claremore purchased MyGov Program Database for complaints

					and projects issued by citizens and other departments.
3w.	Clean up events: sponsor/participate in city wide event	At least one annual event	Yes	None.	In Spring at same time as annual H2P2 event, Claremore also offers all citizens a free dump day and sets up 4 sites in Claremore & Rogers County for citizens to haul their yard waste and unwanted household items.
3x.	City to coordinate Regional stream Monitoring Program with volunteers' performance to be reviewed annually.		Yes	None	Claremore is partnering with RSU and Blue Thumb on stream monitoring and assessments.
3y.	Strom drain Marking: Catch basin storm drain hoods stamped with placards to inform public to "Dump no waste. Drains to River"	Review Performance Annually	Yes	None	All older storm drains in Claremore were marked last Permit Cycle by Stormwater Personnel and Rogers State University students. All new drains and catch basins are stamped by manufacturer.
3z.	Pollutant Collection: Promote use and support Local household pollutant collection events	1 Event Per year	Yes	None	Every Spring Claremore hosts a H2P2 for all Claremore and Rogers County citizens. Claremore is a member of the MET and supports the H2P2 Permanent facility in Tulsa.
3aa.	Recycling: Promote use of and support Local MET recycling centers	Report the types and amounts of recyclables collected	Yes	None	Claremore reports the yearly totals to the State of Oklahoma and ODEQ Pretreatment and Stormwater Departments.
3bb.	City sponsored stream and/or roadside cleanup events.	At least 1 event per year	Yes	None	Claremore held the Household Pollutant Collection event and sponsored Love Day which clean up troublesome area within the city.
3cc.	Dry Weather Field Screening inspections for illicit discharges	Research, implement and schedule	Yes	None	Claremore Personnel conducted DWFS on all Outfalls last Permit Cycle. When we receive a complaint we inspect for illicit

				discharge. We will be conducting DWFS on all Outfalls at least 1 time this Permit Cycle.
3dd.	Camera inspection of sewer lines.	Inspected 27,855 feet of sewer lines with a camera.	Yes	None
3ee.			Yes	None
	Address Lift Station inadequacies.	Asses the structure, function and capacity of sewer main lift stations		
3ff.	Spill response training in relation to Sanitary Sewer Systems	Annual training of spill response employees.	Yes	None
3gg.	Make improvements to sanitary sewers	Repair and replace breaks in sewer lines and appurtenances. Report number repaired per year	Yes	None
3hh.	Inspect grease traps/interceptors at local businesses.	Annually	Yes	None

3iii.	Distribute brochure on grease trap/interceptors cleaning and maintenance.	Obtain brochure, 10 per year	Yes	None	Claremore began a FOG program for all Restaurants and an inspection program for Auto Repair Shops & Dumpster Areas..	Annually
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**Table 3d: MCM-4. Construction Site Stormwater Runoff Control**

BMP Id. #4	MCM-4 BMP Description	Measurable Goal	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
4a.	Distribute Brochure to Contractors, city/public work crews- Construction/erosion control BMPs	Distribute to contractors	Yes	None	All Contractors and City crews have been educated on erosion control and are aware of BMPs.	As Needed
4b.	Inspections: City inspection of active construction sites	At least once during construction	Yes	None	All construction sites within the City of Claremore have been inspected at least once during construction.	As Needed
4c.	Ordinance: Continue to implement and update ordinance requiring construction BMPs	Update as needed	Yes	None	Illicit Discharge Construction Ordinance was updated in November 2015. Claremore had not identified any needed changes as of today.	As Needed
4d.	Support regional agency-hosted seminar to be attended by municipal, public	At least once during permit cycle	Yes	None	A Resource Management Conference will be held in 2022 put on the Tulsa County	Once Per Permit Cycle

<p>works staff, contractors and builders.</p>	<p><b>4e.</b> Site Plan Review: incorporate water quality into pre-construction review of site plans</p>	<p>All site plans will be reviewed if disturbance is over 1 acre.</p>	<p>Yes</p>	<p>None</p>	<p>6 sites of over 1 acre were reviewed in 2021.</p>	<p>As Needed</p>	<p>Conservation District and planned with regional MS4s at the Tulsa HBA going over the new OKROI].</p>

		receives citizen phone call complaints.
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**Table 3e: MCM-5. Post-Construction Management in New Development and Redevelopment**

BMP Id. #5	MCM-5 Description	BMP Goal	Measurable	M.G. Met?	M.G. Deficiencies	Evaluate Appropriateness of the BMP	Implementation Schedule
5a.	Distribute brochure to Contractors, City/public work crews: Construction/erosion control BMPs	Distribute to contractors		Yes	None	During meetings and with the sediment and erosion control permits contractors are given copies of construction best management practices and our ordinance for review.	As Needed
5b.	Distribute brochure to contractors, city/public work crews: Post construction/erosion control BMPs	Distribute to contractors		Yes	None	During meetings and with the sediment and erosion control permits contractors are given copies of construction best management practices and our	As Needed

				ordinance for review.
5c.	Inspections: City inspection of construction sites after completion	At least once after construction is completed	Yes	None Claremore Public Infrastructure/ Stormwater Inspector inspects sites at minimum 1 time after construction is completed.
5d.	Review local codes; identify barriers to LID; remove them and justify those not removed.	Strategy, code changes	Yes	None Claremore Planning Personnel have currently built a manual to identify barriers to LID.
5e.	Ordinance: continue to implement and update ordinance requiring post-construction BMPs as needed	Update as needed	Yes	None Claremore Post Construction Ordinance was updated in November 2015 and we have not identified any new changes that need to be implemented as of yet.
5f.	Support regional agency-hosted seminar to be attended by municipal, public works staff,	At least once during permit cycle	Yes	None A Resource Management Conference will be held in 2022 put on the Tulsa County Conservation

	Contractors and builders			District and planned with regional MS4s
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**Table 3f: MCM-6 Pollution Prevention/Good Housekeeping in MS4 Operations**

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

	municipal operations			personnel were trained in Stormwater & Pollution Prevention.
6d.	Training for City staff and crews: Water quality impacts and regulations	Annually	Yes	None
				All Electric, Sanitation, Water/Sewer, Stormwater & Street Department personnel were trained in Stormwater & Pollution Prevention.
6e.	Training for city staff and crews: Stormwater and city activities	Annually	Yes	None
				All Electric, Sanitation, Water/Sewer, Stormwater & Street Department personnel were trained in Stormwater & Pollution Prevention.
6f.	Inspections: Conduct MS4 inspections to track chronic sources	As Needed	Yes	None
				All City facilities were inspected in 2021 a minimum of 1 time. Deficiencies were identified and addressed by City Personnel.
6g.	Inspections: Good housekeeping inspections of city facilities	Annually	Yes	None
				All City facilities were inspected in 2021 a minimum of 1 time. Deficiencies were identified and

				addressed by City Personnel.
6h.	Enforcement: Take appropriate action to abate source	As Necessary	Yes	None All City facilities were inspected in 2021 a minimum of 1 time. Deficiencies were identified and addressed by City Personnel.
6i.	MS4 O&M Program: Street Sweeping	Annually	Yes	None Approximately 15,500 linear feet were swept with approximately 93 cubic yards of sediment taken to Pecan Park and the old Claremore land fill.
6j.	MS4 O&M Program: Catch basin cleaning and Repair	Repair or Replace	Yes	None Catch Basins are maintained after rain events on an as-needed basis. With the following breakdown of MS4 areas cleaned: Hwy 20 75', W. 8 <sup>th</sup> 350', W 6 <sup>th</sup> 700', W. Claremore St. 170', W 9 <sup>th</sup> 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10 <sup>th</sup> 1200', King Rd. 20', Lowry Rd. 100', Chambers 200' with a total footage cleaned of 5,580

				and 93 yards dumped.
6k.	MS4 O&M Program: Program to promote and schedule litter control: litter crew, public litter clean up events	Record Number of bags of litter cleaned up, Record number of events per year, number of participates and amount of litter removed.	Yes  None	Catch Basins are maintained after rain events on an as-needed basis.  With the following breakdown of MS4 areas cleaned: Hwy 20 75', W. 8 <sup>th</sup> 350', W 6 <sup>th</sup> 700', W. Claremore St. 170', W 9 <sup>th</sup> 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10 <sup>th</sup> 1200', King Rd. 20', Lowry Rd. 100', Chambers 200' with a total footage cleaned of 5,580 93 yards dumped.
6l.	M154 O&M Program: Program to maintain drainage channels and ditches-Barrow ditch Maintenance, Drainage channel maintenance.	Barrow ditch- Complaint driven by citizens. Document Work done per permit year	Yes  None	Catch Basins are maintained after rain events on an as-needed basis.  With the following breakdown of MS4 areas cleared: Hwy 20 75', W. 8 <sup>th</sup> 350', W 6 <sup>th</sup> 700', W. Claremore St. 170', W 9 <sup>th</sup> 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks

		St. 1800', W. 10 <sup>th</sup> 1200', King Rd. 20', Lowry Rd. 100', Chambers 200' with a total footage cleaned of 5,580 and 93 yards dumped.		
6m.	MS4 O&M Maintenance program: maintenance of city Detention / Retention Ponds.	Visual inspections; maintenance as needed. (1)	Yes None	Catch Basins are maintained after rain events on an as-needed basis. With the following breakdown of MS4 areas cleared: Hwy 20 75', W. 8 <sup>th</sup> 350', W 6 <sup>th</sup> 700', W. Claremore St. 170', W 9 <sup>th</sup> 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10 <sup>th</sup> 1200', King Rd. 20', Lowry Rd. 100', Chambers 200' with a total footage cleaned of 5,580 and 93 yards dumped.
6n.	Clean up events: sponsor/participate	At least one annual event	Yes None	Household Pollutant Collection Event was held in 2021 and the Love Day event which help clean streams in the Claremore area.

6o.	Create signs for city work areas	Create and post signs or posters	Yes	None	Claremore Street/Sign Department	As Needed
6p.	Develop procedures to assess impacts on water quality from new flood management projects.	Strategy, guidance	Yes	None	FEMA has direct guidance that Claremore will follow about protecting the watercourse and floodwaters. It requires chemicals to be stored above the BFE and any fuel tanks and oil jugs need to be strapped and secured to prevent floating away during a flood. We have plans to update our floodplain ordinance.	Continuous
6q.	Assess existing flood management projects to see if additional protection is needed (per OKR04 Part III).	Strategy, guidance	Yes	None	FEMA has direct guidance that Claremore will follow about protecting the watercourse and floodwaters. It requires chemicals to be stored above the BFE and any fuel tanks and oil jugs need to be strapped and secured to prevent floating away	Continuous

		during a flood. We have plans to update our floodplain ordinance.

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

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

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

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

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

Approximately 15,550 linear feet were swept with approximately 93 cubic yards of sediment taken to Pecan Park and old Claremore land fill.

We worked on maintain all of the current lift station and added one more for new development on Route 66 and Country Club Rd.

Catch Basins are maintained after rain events on an as-needed basis. With the following breakdown of MS4 areas cleaned: Hwy 20 75', W. 8<sup>th</sup> 350', W 6<sup>th</sup> 700', W. Claremore St. 170', W 9<sup>th</sup> 650', Oklahoma St. 900', W. Strain 800', S. Moore 100', Brooks St. 1800', W. 10<sup>th</sup> 1200', King Rd. 20', Lowry Rd. 100', Chambers 200' with a total footage cleaned of 7065 and 85 yards dumped.

13 Manholes were replaced and approximately 1000 linear feet of 8" poly pipe sewer main were replaced.

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

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

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

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

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

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

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

**Table 4: BMP and Program Activity Data**

<b>Pollutant-Reducing Program Activity *</b>	<b>Measure of Pollutant Removal or Actions</b>
Creek channel debris clearing	Catch Basins are maintained after rain events on an as-needed basis. Highway 88 ½ mile cleaned, Reavis Road 33', Highway 20 by QuikTrip 400', Canterbury Addition East side Detention Pond, Chickasaw Place 100', 17 <sup>th</sup> Street 600', Saddleback Detention Pond, Pizza Hut 600', QuikTrip Hwy 66 100', Chambers to RR track 2,000', Will Rogers to DuPont ½ Mile, Reasor's 500'. 23 total cubic yards removed.
Cleanout of storm drain inlets	Catch Basins are maintained after rain events on an as-needed basis.
SSO responses and cleanup	13 SSO events repaired and cleaned area.
Protection of salt/sand piles	Replaced torn tarps on one salt pile and one sand pile.
Storage of chemicals	All chemicals are stored inside the facilities.
Reduced pesticide/herbicide application	1,426 gallons of herbicide used and no fertilizers or pesticides were used.
Improvements to detention basins	All city detention basins cleared debris at outlets.
Catch Basin Cleaning and Repair	Catch Basins are maintained after rain events on an as-needed basis.
Citizen education & outreach	Brochures are placed at City Hall Billing Department and entrance to the Engineering building at 724 Ramm Road. Brochures were distributed at Rogers State Fair. Numbers were not collected.
Television inspection of storm drain lines	Acquired new camera system for the storm sewer system at the end of 2020 and inspected 6,076 feet of lines in 2021 and will continue to do so in 2022.
Television inspection of sewer lines	27,885 sewer lines inspected. With 13 manholes & approximately 1000 LF od 8" poly pipe sewer line replaced.
Inspect and repair sewer lift stations	Sewer lift stations continued to be serviced and maintained and 1 new lift station added for new development at Route 66 and Country Club Rd.
Street sweeping debris removal	The distance for the street sweeping was not collected. The amount of debris removed was 2304 cubic yards and taken to a permitted landfill.

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

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

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

**Table 4: Field and Laboratory Data**

Claremore did not perform any laboratory or field analytical this Permit Cycle.		Data will start being collected in accordance with TMDL requirement when approved.
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#### IV. STORMWATER ACTIVITIES PLANNED DURING THE NEXT REPORTING CYCLE: (Addresses OKR04 Part V.C.1.c)

OKR04 Part V.C.1.c requires the ANNUAL REPORT to have "*a summary of the Stormwater activities you plan to undertake during the next reporting cycle (including an implementation schedule)*". Changes to the City of Claremore's SWMP and BMPs are described in Section VI of this ANNUAL REPORT. Appendix A of the City of Claremore's SWMP contains the latest list of BMPs for each of the six Minimum Control Measures (MCMs). The Appendix A BMP list is updated annually, if needed, at the time of preparing the ANNUAL REPORT. Table 5 lists the program activities and BMPs to be implemented during the next period of record including the changes noted in Section VI.

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

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

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

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

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

<b>SWMP Section</b>	<b>Change Made to Section</b>	<b>Reason for SWMP Change</b>
	With the implementation of the new permit changes to the SWMP will be made in accordance.	The SWMP has been reviewed in 2021 and changes will be made in accordance with the new permit.

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

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

<b>BMP #</b>	<b>Description of BMP Change</b>	<b>Reason for BMP Change</b>
	Claremore will make changes to the SWMP in accordance with the new permit and measurable goals.	Claremore will make changes to the SWMP in accordance with the new permit and measurable goals.

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

During this present Annual Report period of record, the current 303(d) list for Oklahoma is dated 2020. The City of Claremore has the following waterbodies within its MS4 listed as impaired on the 2014 303(d) List:

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

<b>Waterbody Name</b>	<b>Waterbody Id. (WBID)</b>	<b>303(d) Pollutants of Concern</b>
Dog Creek	OK121500020360_00	Enterococcus, E.Coli, DO, Macroinvertebrate Bio

Dog Creek	OK121500040010_00	Oxygen, pH, Fish Bio assessments, Oil & Grease
Lake Claremore	OK121500040020_00	Chlorophyll a
Cat Creek	OK121500020390_00	Dissolved Oxygen (DO) Fish Bio assessments, Escherichia coli, Enterococcus Sulfate

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

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

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

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

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

**Table 10: Waterbodies Within the MS4 Having Finalized TMDLs**

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

As part of the development of the local Stormwater program, the City of Claremore determined the potential causes of pollution within its MS4 portion of all draft and final TMDL watersheds

that could be attributed to discharges from the MS4. Table 11 reflects the special TMDL-focused BMPs that will be implemented to address the TMDL implementation requirements as specified within each TMDL document. Monitoring of TMDL waterbodies, if needed, is identified in Table 11 as a BMP. Since Appendix A of the SWMP contains all MS4 program BMPs, including the TMDL-focused BMPs listed in Table 11, the BMP # identifiers are the same.

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

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

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

### **VIII. AGREEMENT WITH ANOTHER GOVERNMENTAL ENTITY:**

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

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

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

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

1. Volunteer stream monitoring of one stream within the MS4; and
2. Elementary School in-class education events.

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

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

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

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

The City of Claremore participated in the 7 <sup>th</sup> MCM during this annual report cycle. *	Yes
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**Table 12: 7<sup>th</sup> MCM Activities Summary**

7 <sup>th</sup> MCM Action	Number	Comments
Number of active construction sites currently covered under the 7 <sup>th</sup> MCM.	2	None
Number of construction projects started during the reporting period.	5	None
Number of construction projects that were completed during the reporting period.	3	None
Number of 7 <sup>th</sup> MCM construction sites that have reached final stabilization.	3	None

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

The City of Claremore did not have any MS4 boundary changes during the ANNUAL REPORT reporting period which required additional or changes to responsibilities for implementation of Stormwater quality controls, but did annex 2 small areas shown on the map. OKR04 Part IV.E requires that, *“Information on all new areas and any resulting updates required to the SWMP must be included in the Annual Report.”*

Appendix B contains an MS4 map.

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

OKR04 Part III.B requires each permitted MS4 to comply with all requirements in TMDLs that have been established within their MS4s. When a TMDL has been prepared, if there are any Stormwater permitted MS4 areas within the TMDL watershed, the document specifies certain actions that must be taken by the MS4 to comply with the TMDL. In addition, if any Stormwater waste load allocation (WLA\_MS4) is calculated for an MS4, then the MS4 is required to adopt the numeric value as a Measurable Goal in the MS4's SWMP. Likewise, if the watershed has a Watershed Plan in lieu of a TMDL, then the MS4 must meet the requirements specified in the Watershed Plan, including adopting any numeric targets as Measurable Goals in the SWMP.

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

### APPENDIX A

#### Letters of Commitment From Other Governmental Entities

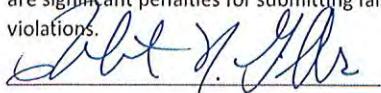
ROGERS COUNTY CONSERVATION DISTRICT SERVICES TO CITY OF CLAREMORE

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

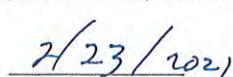
RCCD Activity	Notes	Changes Due to Covid
Monitor Cat Creek	RCCD will monitor Cat Creek, North of Blue Starr Drive, twice annually.	All field trips have been canceled due to Covid. This will resume when allowed.
H2O Water Quality Education	RCCD will conduct H2O Water Quality Education programs for Claremore High School Biology students.	All field trips have been canceled due to Covid. This will resume when allowed.
	RCCD will host the "Billy B" Concert and H2O Program for 4th grade students from Claremore and Northeast Oklahoma.	"Billy B" concert has been discontinued. Other options were in the works but have not been finalized due to Covid. CoC is starting a new education program for 5 <sup>th</sup> graders.
	RCCD will conduct H2O Water Quality activities following the "Billy B" Concert for approximately 1,000 students and teachers.	"Billy B" concert has been discontinued. Other options were in the works but have not been finalized due to Covid. CoC is starting a new education program for 5 <sup>th</sup> graders.
H2O Water Quality Education	CoC will provide support with H2O Water Quality activities following the "Billy B" Concert for approximately 1,000 students and teachers.	"Billy B" concert has been discontinued. Other options were in the works but have not been finalized due to Covid. CoC is starting a new education program for 5 <sup>th</sup> graders.
Funding	CCC will provide funds for "Billy B" Concert and H2O Water Quality Education program for 4th grade students.	Claremore will provide funds if needed for a new program to start up.

Certification Statement:

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Robert Gibbs, RCCD Education Coordinator



Date



Regional Partners — Regional Solutions

2 West Ceramic Drive, Suite 200 | Tulsa, OK 74103 | 918.601.7528 | [www.INCOG.org](http://www.INCOG.org)

November 17, 2020

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

The following is a summary of INCOG services performed annually on behalf of its GCSA Members. The table identifies services as either general program support activities or Best Management Practices (BMPs) falling under one or more of OKR04's Minimum Control Measures (MCMs). This letter fulfills OKR04's Annual Report requirement in Part VI.C.1.i to provide a "written agreement" with "another government entity" if the permittee is relying on them "to satisfy some of your permit obligations". A copy of this agreement must also be kept with the MS4's SWMP per OKR04 Part V.A.5.

INCOG Activity	BMP or Support	Support Service Description
Co-host water quality and stormwater conferences	Support	Work with other agencies as co-host. Assist with conference planning, and give presentations on stormwater topics.
Employee training workshops and virtual meetings	BMP	Organize and hold workshops and online virtual training on OKR04-required training topics and MS4 technical priorities.
Education materials	Support	Develop, acquire and make available to GCSA members. Post downloadable files on GCSA website.
Technical assistance	Support	Research technical and permit issues important to GCSA members. Report results via fact sheets, news bulletins and in workshops.
GCSA website	BMP	Annual updates of website materials on priority issues.
Guidance, Templates, Plans	Support	Prepare technical guidance and templates for member support. Research and develop TMDL-related Plans and guidance.
Education outreach documents	Support	Prepare Workbooks, News Bulletins, Announcements, Fact Sheets, White Papers, and Newsletters on important stormwater topics.
Individual MS4 assistance	Support	Upon request, meet with MS4 staff, city councils, county commissions and committees on OKR04 and local issues.
Mapping and field inspections	Support	Prepare regional and MS4 maps and forms, train members on equipment use and sampling procedures, assist with inspections.
OKR04 permit compliance	Support	Assist MS4s with SWMPs, NOIs, SOPs, Annual Reports, QA, permit requirements, DEQ Audits and enforcement issues.

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

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

  
INCOG Executive Director

11/17/2020

Date

# MET Service Agreement

FY 2122

## AGREEMENT FOR THE PROVISION OF SERVICES

THIS AGREEMENT is entered into between the City of Claremore (Claremore), and The Metropolitan Environmental Trust (M.e.t.) a public trust, having twelve area jurisdictions as its beneficiaries including Claremore.

### I. RECITATIONS

Claremore, in conjunction with its comprehensive approach to solid waste management, desires to provide for its citizens a waste reduction recycling program, public education concerning responsible solid waste disposal, and household hazardous waste collection.

The M.e.t. has the ability and facilities in place to continue to operate a recycling program at its depot located within the jurisdictional boundaries of Claremore. The M.e.t. also has the expertise and the existing relationships to provide public education and to facilitate the collection of household hazardous waste on a regional basis.

The City of Tulsa, Oklahoma, has created a household pollutant collection facility (Facility) for Tulsa citizens to dispose of certain hazardous waste which is deleterious to the environment if disposed of incorrectly. The facility is located at 4502 S. Galveston. TARE and the City of Tulsa desires to make the facility available to area jurisdictions in a manner that is beneficial to the local environment, and consistent with Oklahoma Department of Environmental Quality MS4 water permits.

In consideration of the foregoing, as well as, mutual promises and covenants contained in this agreement, the parties agree as follows:

### II. M.e.t. DUTIES

#### Recycling Collection

1. The M.e.t. agrees to provide recycling services at the recycling depot located within the jurisdictional boundaries of Claremore as specified in this agreement. The M.e.t. will provide equipment, materials and management of operations for recycling services at the depot location. The M.e.t. will be responsible for and will pay for electricity charges at the depot location.
2. The parties reserve the right to change the location of the existing depot or to add depots upon mutual agreement reduced to writing and signed by each.
3. The M.e.t. shall maintain records showing the types and quantities of materials

recycled at the depot, the expenditures for the operation of the M.e.t. depot program, revenue and cost generated from the sale of recyclable materials and any other record which is required by local ordinance, state law, federal law or regulation. Reports shall be made available at the M.e.t. monthly board meetings or upon request and reasonable notice at the M.e.t.'s place of business during normal business hours.

4. It is understood by the parties that the M.e.t. will enter into contracts with organizations that provide employment opportunities for adults with disabilities to man the recycling depot. The hours of operation and the number of workers present at each depot will be dependent upon the contract with the organization and the volume of the stream of recyclables at the depot.

**Public Education**

5. The M.e.t. will promote the responsible disposal of solid waste and hazardous materials through messages to the public on television, radio, newspaper and social media; speeches to civic groups; and information booths at public events. Messages will include promotion of green businesses located within Claremore, and anti-littering campaigns the importance of composting to divert green waste from the public waste stream.

6. The M.e.t. will conduct a one-time event for the collection of tires, fire extinguishers, or other items not otherwise routinely collected by the M.e.t. at a regional location designed to attract citizens of Claremore.

7. The M.e.t. will conduct the Enviro Expo event, or a similar event, that promotes area businesses and organizations dedicated to recycling and environmental responsibility.

**III. HOUSEHOLD HAZARDOUS WASTE COLLECTION**

8. The M.e.t. will field requests via telephone or email, screen, and schedule vouchers for the Tulsa Facility to hazardous household waste from citizens of Claremore

9. Vouchers will be created using the scheduling system agreed to between the M.e.t. and Tulsa, the M.e.t. will enter the name of the citizen, the type of materials to be delivered. The M.e.t. will educate the citizen on the existence of the local recycling depot and items they can take there rather than at Tulsa's Household Pollutant (HHP) Facility including the convenience and its reduction in the weight at the HHP Facility. The M.e.t. will instruct citizens to bring with them valid identification that will match the name of the citizen shown on the voucher and prove residency in the area jurisdiction. The M.e.t. will instruct the citizen as to the consequences of including poundage exceeding 45 pounds, or different items than scheduled for in the voucher.

10. Tulsa will receive, weigh and process the materials presented at the facility by citizens that have a voucher. Tulsa reserves the right to reject any materials that do not appear as acceptable on Exhibit A. Tulsa will not receive materials from any citizen of Claremore that does not have a voucher.

11. Tulsa will charge the M.e.t. a fee for the disposal of, up to 45 lbs., for \$40. The Claremore citizen is responsible for any additional fees for materials exceeding 45 lbs. at a cost of \$1.33/lb. provided that, automobile, boat and lawn equipment batteries will be accepted, but will not be included in the weight.

12. The M.e.t. will pay Tulsa for the voucher out of the funds provided to it by Claremore under this agreement.

13. Claremore authorizes the M.e.t. to make **12** vouchers for its citizens to use the Tulsa facility plus any carryover vouchers from FY 20/21. Additional vouchers may be authorized in writing upon receiving notice from Claremore and agreed to arrangement for payment.

14. The M.e.t. will deliver to Claremore at the M.e.t. Board meeting, a monthly itemization showing the total number of vouchers; the poundage of and types of waste received; and the unanticipated items and excess poundage that were paid for by the citizen can be reported upon request.

#### **Excess Poundage, Unanticipated Products, Excess Number of Visits**

15. The parties anticipate that citizens may arrive at the facility with different products than they disclosed when making the voucher. The parties also anticipate that it may have more participation than anticipated and budgeted in this agreement.

16. In the event that the citizen has materials in excess of 45 pounds excluding batteries, Tulsa will require that the citizen pay Tulsa for the overage at the time they appear at the facility. The M.e.t. will not be responsible and will not pay for materials in excess of 45 pounds delivered by a citizen at a scheduled voucher. The M.e.t. will instruct the citizen as to the consequences of including more poundage, prior to arrival at the facility.

17. If the citizen includes materials routinely accepted at M.e.t. such as motor oil, batteries, cooking oil and grease, the M.e.t. will direct the citizen to deposit those materials at the M.e.t. recycling depot.

#### **IV. PAYMENT**

18. Claremore will pay the M.e.t. a total of **\$31,988** payable as follows. One installment payment of \$10,556.04 due on August 15, 2021 and the other amount of

\$21,431.96 due on August 15, 2021, upon receipt of invoices from The M.e.t. showing the duties performed and the amount due. In the event that Claremore authorizes vouchers at the Tulsa Facility in excess of the number agreed to above, Claremore will pay the M.e.t. in advance or in a mutually agreed upon manner for an additional number of vouchers at the rate of \$40 per voucher. Unused vouchers shall roll over to the next contract year.

**V. TERM**

19. The term of this Agreement shall commence on July 1, 2021 and conclude on June 30, 2022. This agreement may be renewed for a period equal to the initial term upon written agreement to the extension, signed by both parties. In no event shall an extension term be longer in duration than 1 year.

**VI. TERMINATION**

20. This agreement may be terminated by either party for cause after notice and an opportunity has been given to present reasons why such action should not be taken. Grounds constituting cause include but are not limited to, failure to comply with the provisions of this agreement, any applicable laws, ordinances or material regulations or guidelines; one party has been unduly dilatory in executing its duties under this agreement; or non-payment. In the event of termination, the M.e.t. shall be entitled to payment for otherwise valid and allowable obligations incurred in good faith prior to notice of termination. The M.e.t. shall make all necessary efforts to mitigate the damages caused by the termination.

21. Neither forbearance nor payment by either party shall constitute waiver of any remedies for any default or breach that exists then or occurs later.

**VII. DISCLAIMER OF AGENCY**

22. In the performance of this agreement, the parties shall be deemed to be and shall be independent contractors and, as such, neither shall be entitled to any benefits applicable to employees of the other. Neither party is authorized or empowered to act for the other for any purpose and shall not on behalf of the other enter into any contract, warranty and/or representation as to any matter. Neither shall be bound by the acts or conduct of the other except as expressly set out in this agreement.

**VIII. AMENDMENT**

23. This agreement may be amended only in writing signed by all parties.

**IX. SEVERABILITY**

24. If any provision under this agreement, or its application to any person or circumstance is held invalid by any court of competent jurisdiction, such invalidity does not affect any other provision of this contract or its application that can be given effect without the invalid provision or application.

**X. ENTIRETY OF THE AGREEMENT & VENUE**

25. This Agreement sets forth the entire understanding of the parties and supersedes any oral agreements. The terms of this agreement shall be interpreted and construed under the laws of the State of Oklahoma.

THIS AGREEMENT may be executed in several counterparts, each of which shall be deemed the original, but all of which shall constitute one and the same instrument.

CLAREMORE

The M.e.t.

Bill Flanagan  
(title) Bill Flanagan, Mayor  
Attest:

Sarah Shay  
Clerk

Date: 6/21/2021  
(seal)

Scott Easley  
(title) Scott Easley, Chair  
Attest:

TMJWS  
Secretary

Date: 6-10-2021

Approved as to form:

Brynn Druin  
Attorney

Approved as to form:

Beth Amechiels  
Attorney

**Exhibit A – Accepted and Non Accepted Household Hazardous Waste**

The waste list below is to be accepted by Tulsa from outside jurisdictions through services provided by The M.e.t.

- Fluorescent and CFL Light Bulbs
- Oil Based Paints and Paint Thinner
- Latex Paint
- Flammable Liquids
- Lawn Chemicals
- Automotive Fluids
- Cooking Oil/Grease
- Aerosols
- Household and Car Batteries
- Household Cleaners
- Pool Chemicals

The listed wastes below are not accepted by Tulsa.

- Industrial or Commercially Generated Waste (including non-hazardous waste)
- Medical or Biomedical Waste
- Asbestos
- Food or Organic Waste
- Radioactive Material
- Ammunition/Explosives
- Electronics
- Tires
- Compressed Gas Cylinders
- Unknown Materials or Substances

## APPENDIX B

### Map of MS4 Boundary Changes During Reporting Cycle

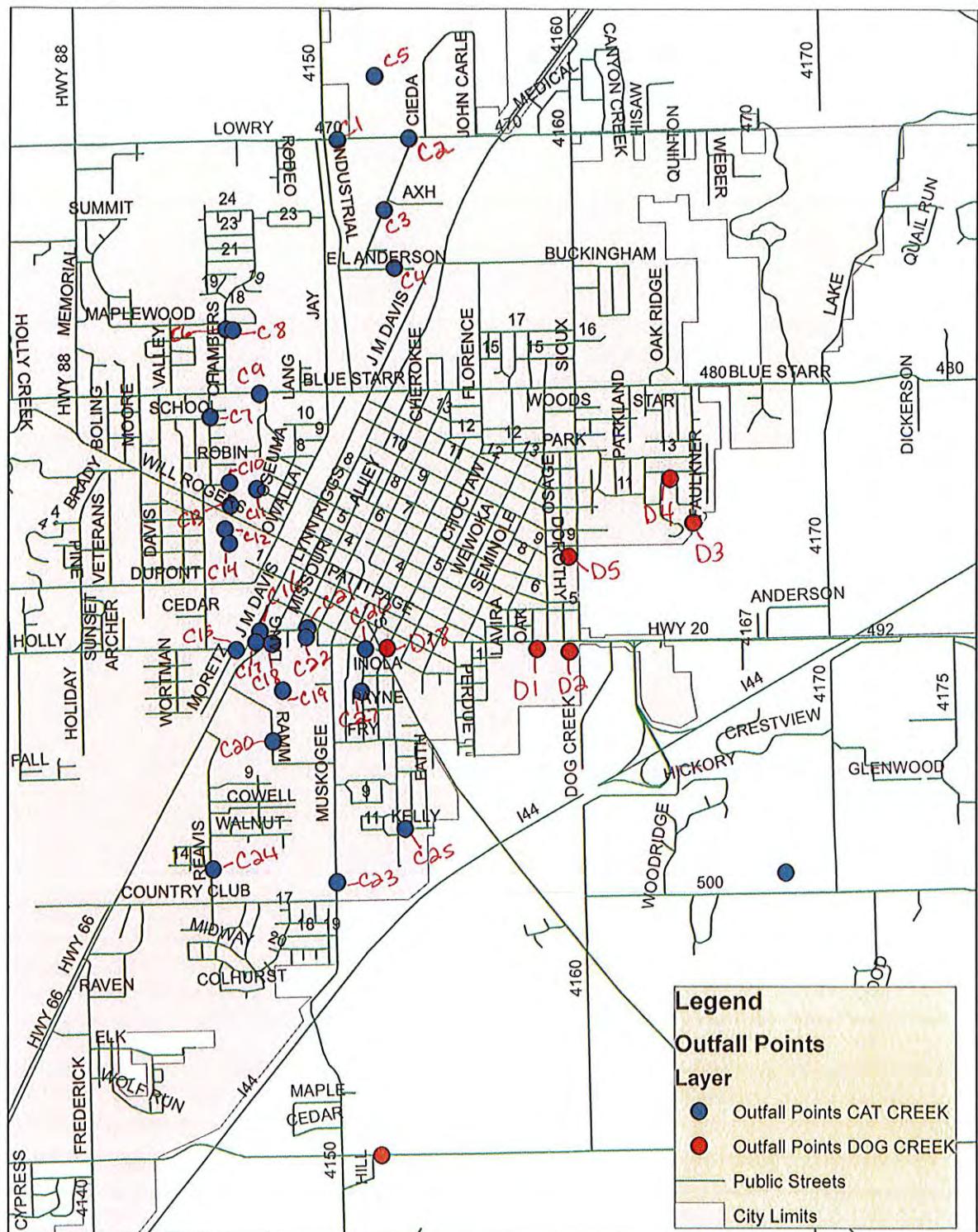
Claremore has experienced any MS4 Boundary changes during the 2021 Reporting Cycle.

## Cat Creek Stormwater Outfalls

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

## **Dog Creek Stormwater Outfalls**

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



2016 Outfall Locations, Rev. 1



## APPENDIX C

### TMDL Implementation Reports

[https://www.deq.ok.gov/wp-content/uploads/water-division/Dog\\_N\\_Cat\\_CreekTMDL.pdf](https://www.deq.ok.gov/wp-content/uploads/water-division/Dog_N_Cat_CreekTMDL.pdf)

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

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

OK121500020360\_00 Dog Creek Escherichia coli 09/27/2012 **42580**

OK121500020360\_00 Dog Creek Oxygen, Dissolved 11/03/2006 **31658**

OK121500020360\_00 Dog Creek Enterococcus 09/27/2012 **42580**

OK121500020390\_00 Cat Creek Oxygen, Dissolved 11/03/2006 **31657**

OK121500040020\_00 Claremore Lake Chlorophyll-a 09/24/2014 **60900**

## APPENDIX D

### Claremore Recycling Events

Met Recycle Center

Claremore City Recycle Report to Oklahoma



**MET RECYCLE CENTER COLLECTION REPORT**

<b>Year-End Reporting Period:</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>
Aluminum, lbs.	3,147	9,888	6350	8080	8,080
E-Waste, lbs.			23,500	22,998	32,934
Plastics, lbs.	61,389	70,560	76,766	53,863	81,264
Glass, lbs.	140,205	90,296	159,664	106,148	164,638
Newspaper, lbs.	247,560	191,820	195,490	80,690	
H.H. Batteries, lbs.	1,700	2,130	2,310	870	1,670
L.A. Batteries, lbs.	918	1,005	1496	929	1,300
Office Paper/ Magazines, lbs.	213,660	199,720	159,440	112,880	212,910
Steel Cans/Scrap Metal, lbs.	23,940	27,465	25,060	20,580	20,580
Cardboard, lbs.	268,324	476,739	468,049	372,974	520,640
Phonebook, lbs.	24,128				
Oil, Gal	1,965	3,200	2920	2520	3,500
Oil Cooking, Gal		287	314	118	304
Antifreeze, Gal			0	0	0
<b>TOTALS</b>	<b>963,314</b>	<b>1,093,348</b>	<b>1,121,389</b>	<b>782,650</b>	



State of Oklahoma  
Office of Management and Enterprise Services  
Division of Capital Assets Management  
State Recycling Program

Annual Recycled Materials Report

School / County / Agency Name City of Claremore-Met Recycling Center 17/18  
 Address 810 Ramm Rd. (Recycling Center) & 724 Ramm Rd (Stormwater Off.)  
 City Claremore, OK Zip Code 74018  
 Contact Name KENNETH HEATON Telephone 918-341-3629

**PAPER AND OTHER RECYCLABLE MATERIALS SOLD *\*Dollars does not reflect expenses\****

Recyclable Material	Amount Recycled (pounds)	Dollars Collected
Computer Paper (CPO)	0	0
White Ledger (WL)	0	0
Mixed Office Paper (MOP)	199,720	\$2,482
Old Corrugated Cardboard (OCC)	476,739	0
News Print #6 (NP6)	191,820	\$4,943
Books	0	0
Miscellaneous Plastic	70,560	\$9,708
Aluminum	9,888	0
Other Metals	27,445	\$135
Batteries (each)	H.H. 2,180 / L.A. 1,005	H.H. 0 / car \$311
Wood Pallets (each)	0	0
Magnetic Tape (pounds)	0	0
Laser Print Cartridges (number recycled)	0	0
Other materials recycled: <i>E-Waste</i>	20,238	0
<i>Glass</i>	90,296	\$15,73
<i>MOTOR OIL - Oil/Cooking</i>	M.O. 3,200 / C.O. 287	\$230
<b>TOTAL MATERIALS SOLD / RECYCLED</b>	<b>lbs</b>	<b>0</b>

**RECYCLED CONTENT PRODUCTS PURCHASED**

Products	Amount Purchased (Pounds)	Amount Spent (Dollars)
White 20 lb. Copy Paper		
Tissue, Paper Towels, etc.		
Envelopes		
Other Printing Papers		
Laser Printer Cartridges (number purchased)		
<b>Other Recycled Products Purchased:</b>		
<b>TOTAL PURCHASES</b>	<b>lbs</b>	<b>0</b>

**REPORT DUE NOVEMBER 1**

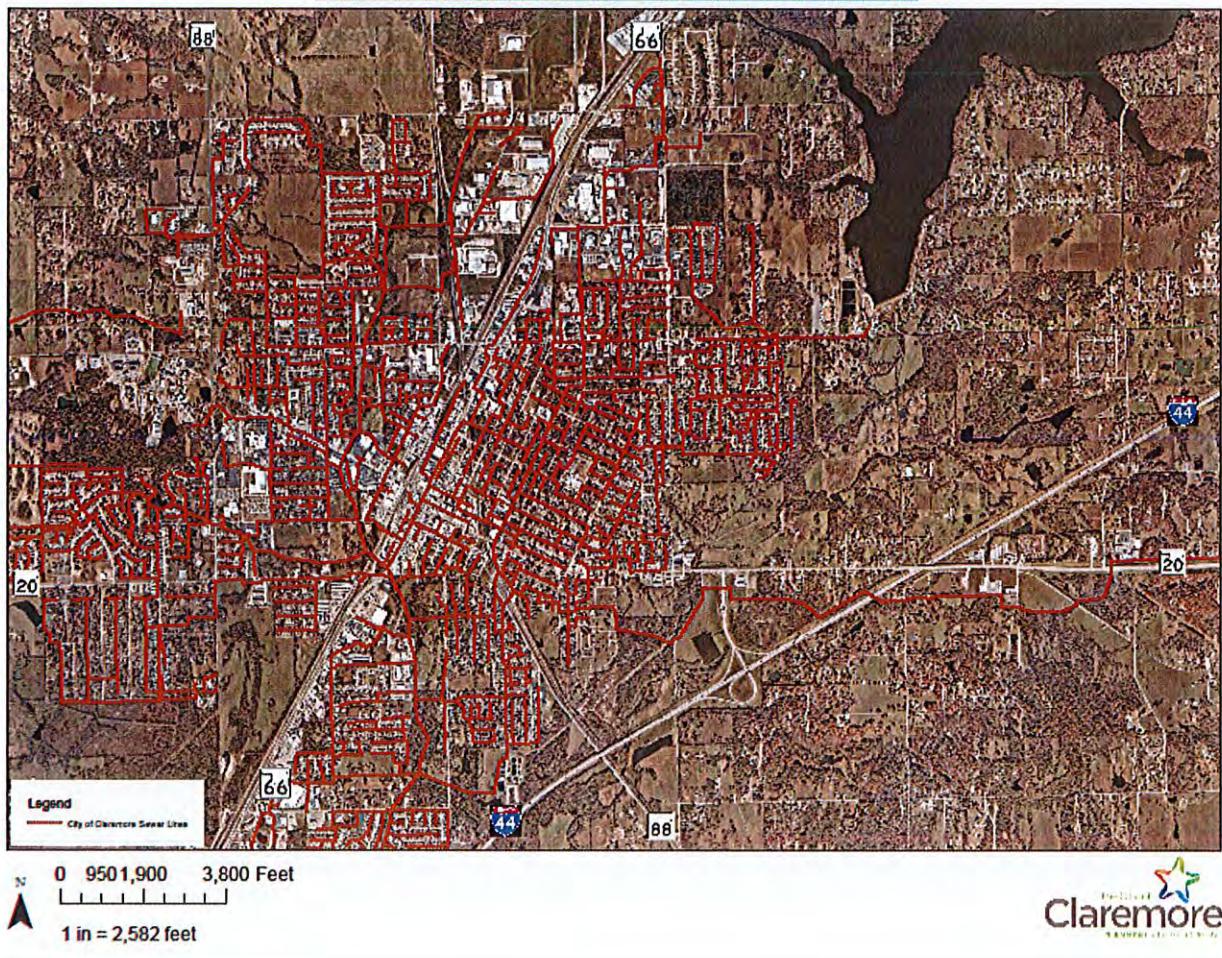
Submit Report to: Division of Capital Assets Management  
 State Recycling Program  
 3100 N. Creston Dr.  
 Oklahoma City, OK 73111  
 Tel. 405-425-2700 Fax 405-425-2713  
 E-mail: [Genary.Bolden@omes.ok.gov](mailto:Genary.Bolden@omes.ok.gov) or [Roger.Stone@omes.ok.gov](mailto:Roger.Stone@omes.ok.gov)

**APPENDIX E**  
**Claremore List of Educational Outreach Numbers**

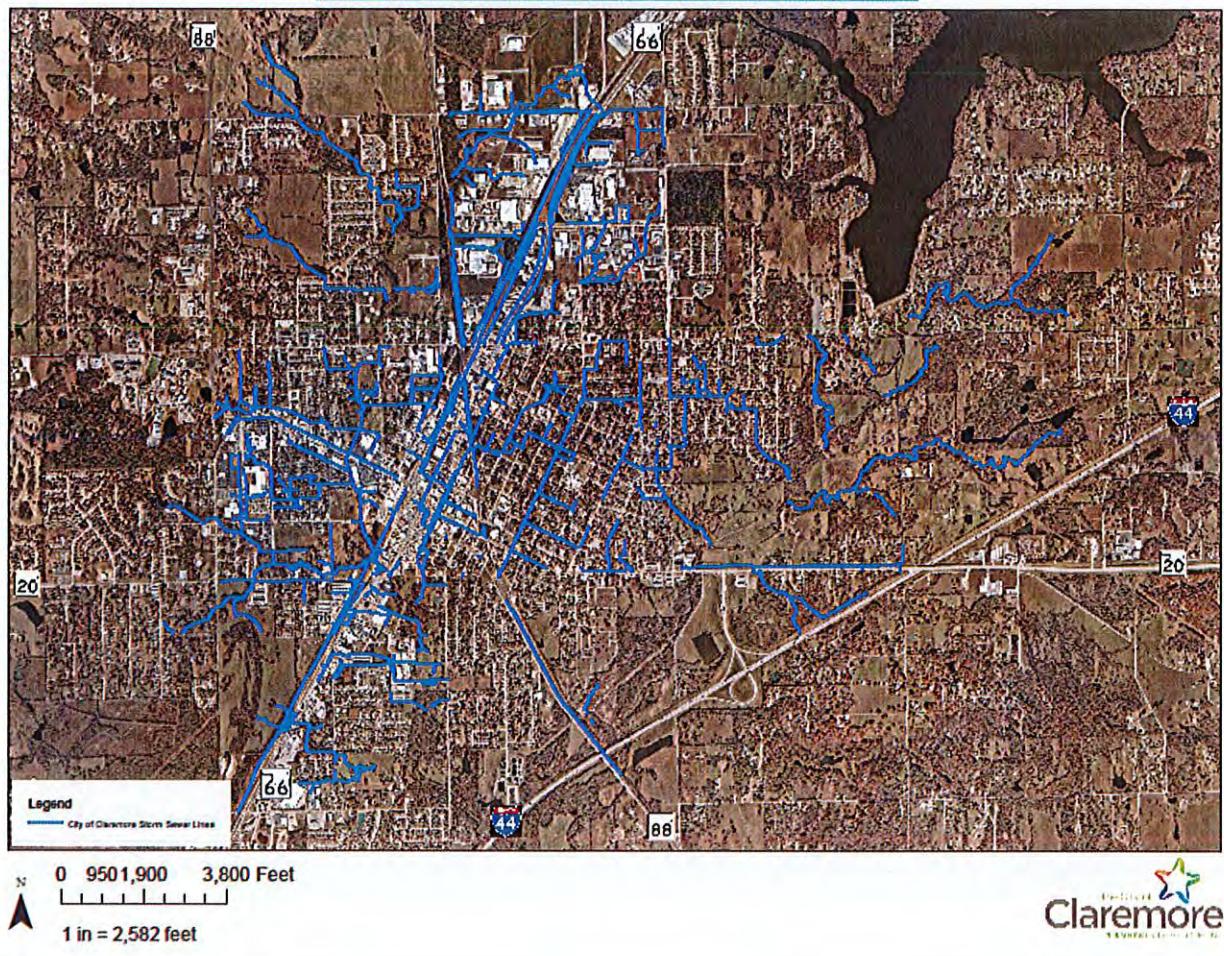
2021 Claremore Education Events				
Claremont Public School	3/8/2020	Presented the enviroscape to 5th Graders	38	
Catalayah Public School	1/14/2021	Presented the enviroscape to 5th Graders	57	
HHP Posting on Facebook City of Claremore	3/25/2021	Post promoting the HHP Event	7346	
HHP Posting on Facebook City of Claremore	4/22/2021	Post promoting the HHP Event	7346	
HHP Posting on Website	4-1 to 4-24	flyer promoting HHP	500	~
Sign up promoting HHP at Expo	4-1 to 4-24	flyer promoting HHP	500	~
Sign up promoting HHP Rec Center	4-1 to 4-24	flyer promoting HHP	500	~
Sign up promoting HHP at City Hall	4-1 to 4-24	flyer promoting HHP	500	~
Utility Bill HHP for half bill recipients	March second cycle	Info for HHP	6486	
Claremore Daily Progress HHP	4/16/2021	Post promoting the HHP Event	3800	
More Claremore	4/21/2021	Post promoting the HHP Event	29,506	
Utility Bill Simple Solutions to Stormwater Pollution	April utility bills	flyer describing ways to stop pollution	12,397	
Claremont Public School	5/5/2021	Presented the enviroscape to 7th Graders	85	
Claremont Public School	5/6/2021	Presented the enviroscape to 7th Graders	93	
Claremont Public School	5/10/2021	Presented the enviroscape to 7th Graders	78	
City Council Update & Art Contest Reveal	5/17/2020	Updated City Council on what we are doing and the contest winners.	51	
Green Waste Event Facebook	5/20/2021	Green Waste Event Promoted	7444	

City Council Update & Art Contest Reveal Facebook Live	5/20/2021	FaceBook Live stream of Stormwater Update & Trailer sticker	7444	
HHPCE	5/22/2021	Household waste event promoted fakebook post city of Claremore wall	7444	
More Claremore Facebook	5/16/2021	Pool Disposal info	29,575	
More Claremore Website	5/16/2021	Pool Disposal info	500	~
Love your Neighbor Day FB Post	7/2/2021	City of Claremore FB wall post	7532	
Love your Neighbor Day FB Post	7/4/2020	More Claremore LYD wall post	29,588	
Love your Neighbor Day FB Post	7/9/2021	City of Claremore FB wall post	7532	
Love Your Neighbor Day Article	7/2/2021	Claremore Daily Progress	1700	
Love Your Neighbor Day News	7/11/2021	News Channel 8 Facebook page social media blurb	349,580	
Love Your Neighbor Day News	7/11/2021	News Channel 8 Facebook page New story posted to Facebook	349,580	
Love Your Neighbor Day/Creek Clean-up Rain Garden	7/10/2021	Event that included cleaning up the creek and making a rain garden	250	
Utility Bills Mailer	Month of September	Simple Solutions to Stormwater	12,995	
FOG info Letters	12/28/2021	Info distributed about FOG issues	123	
Save Water Trash Truck	All Year 5 days a week	Stormwater Save Water Artwork	18,753	~
FOG Disposal Trash Truck	All Year 5 days a week	FOG disposal info on trash truck	18,753	~
Stormwater Pollutants Trailer	24 days a year	Proper disposal of pollutants	18,753	~
<b>TOTAL</b>			<b>936,829</b>	~

APPENDIX F  
Claremore Map of Sanitary Sewer Lines



APPENDIX G  
Claremore Map of Storm Sewer System



**APPENDIX H****List of City of Claremore Septic Tank Locations**

List of Septic Tanks in The City of Claremore		
Service Address Number	Location	ADDRESS LOCATION
45-0400	2402 CORNERSTONE Cir	ON SEPTIC
45-0450	2404 CORNERSTONE Cir	ON SEPTIC/SEWER
45-0500	2406 CORNERSTONE Cir	ON SEPTIC
45-0550	2407 CORNERSTONE Cir	ON SEPTIC NOT SEWER
45-1050	2311 CORNERSTONE Ave	ON SEPTIC; NO SEWER CHARGE
50-3800	1503 COLLEGE PARK Rd	SEPTIC/NOT ON CITY SWR
61-1550	22606 S 4140 Rd	NO SEWER - SEPTIC
61-8014	1401 ELK Trail	NO SEWER CHARGE/ SEPTIC
61-8026	1551 SW DEER Trail	SEPTIC
63-0851	1611 S MUSKOGEE Ave NEW	ON SEPTIC TANK/1-27-06
63-1100	1412 S MUSKOGEE Ave	ON SEPTIC; NO SEWER
63-1150	1350 S MUSKOGEE Ave	ON SEPTIC; NO SEWER
63-1200	1320 S MUSKOGEE Ave	ON SEPTIC, NO SEWER
63-1250	1355 S MUSKOGEE Ave	ON SEPTIC
66-1316	10355 E HIGHWAY 20	SEPTIC/NO SEWER
77-0010	1313 BON TERRE St	NO SEWER/ON SEPTIC
77-0125	1203 ANDRE Cir	NO SEWER/ON SEPTIC
77-0155	1202 ANDRE Cir	NO SEWER/ON SEPTIC

**APPENDIX I****Household Pollutant Collection Invoice**



62-00004-137-07  
PAI-BAS-100  
Normal, TX 75701-8119

**INVOICE**  
Invoice No 1003720930

**REMIT TO:**  
Clean Harbors Environmental Services, Inc.  
PO Box 734867  
Dallas, TX 75373-4867

**OFFICE:**  
Clean Harbors Environmental Services, Inc.  
8100 Chancellor Row  
Dallas, TX 75247  
(214) 631-1660

If you have any questions regarding this invoice, please contact your customer service representative at the telephone number listed above.

Julie Monnot  
City of Claremore  
104 S. Muskogee Avenue  
Claremore, OK 74018 - 0000

**JOB SITE/GENERATOR:**  
City of Claremore  
104 S. Muskogee Avenue  
Claremore, OK 74018 - 0000

EIN: 04-2696999

**Job Description: Permanent HHW Site**

**\*\* Payable in USD funds \*\***

Last Service Date	Invoice No	Customer	Branch	Sales Order	Purchase Order	Terms
24 Apr 2021	1003720930	CI37816	6T	2101271568	21-0915	Net 45 Days

Last Service Date	Task	Task Type	Description	Total
24 Apr 2021	2101271568-001	GENERAL	Permanent HHW Site	\$26,824.22
			<b>SUBTOTAL</b>	<b>\$26,824.22</b>
			<b>TAX</b>	<b>\$0.00</b>
			<b>PLEASE PAY THIS AMOUNT → INVOICE TOTAL</b>	<b>\$26,824.22</b>
			<b>REMIT PAYMENT BY → DUE DATE</b>	<b>20 Jun 2021</b>

**PLEASE NOTE: YOUR PAYMENT REMIT TO ADDRESS HAS CHANGED.**  
For electronic payments via ACH/Wire please see updated banking information in separate cover.

Interest will be charged at a rate of 1.5% per month for all past due amounts.

Invoice Date: 06 May 2021

PLEASE RETURN A COPY OF INVOICE WITH PAYMENT - THANK YOU

Page 1 of 3



**INVOICE**  
Invoice No 1003720930

42 Longwater Drive  
PO Box 949  
Norwell MA 02061-0949

**TASK 2101271568-001 - Permanent HHW Site**

Manifest Info	Item ID	Description	Manifest Qty	Manifest UOM	Billing Qty	Billing UOM	Unit Price	Amount
23 Apr 2021								
	PM	Project Manager			5.000	HR	99.0000	No Charge
	DRIVER	Driver			8.000	HR	63.0000	No Charge
	DRIVEROT	Driver Overtime			1.500	HR	95.0000	No Charge
	AT	InSite Technician			4.500	HR	53.0000	No Charge
	CH	Chemist			4.500	HR	74.0000	No Charge
	PERDIEM3	Per Diem / Subsistence	1.000	DAY	184.0000			No Charge
	PERDIEM3	Per Diem / Subsistence	1.000	DAY	184.0000			No Charge
	PERDIEM3	Per Diem / Subsistence	1.000	DAY	184.0000			No Charge
24 Apr 2021								
015893327FLE 1	DISPSL / LCY1	PROPANE CYLINDERS: CYME, CYSM AND CYLE SIZED CYLINDERS HHWLCY1	30	CYLE	30.000	CYLE	23.0000	\$690.00
015893327FLE 2	DISPSL / LCCRQ	RCRA EXEMPT MIXED AEROSOLS HHWELCCRQ	2	FBIN	1,000.000	LBS	1.2300	\$1,230.00
015893327FLE 4	DISPSL / LCY2	Refrigerant Gases Or Fire Extinguishers For Recycling LCY2	16	CYLE	16.000	CYLE	23.0000	\$368.00
015893327FLE 5	DISPSL / LCY4	Inert Or Calibration Gas Cylinders For Disposal LCY4	5	CYME	5.000	CYME	61.5100	\$307.55
015893327FLE 6	DISPSL / LCCRC	RCRA EXEMPT PESTICIDE LIQUIDS IN CONSUMER PACKAGING HHWEPESTL	24	FBIN	3,000.000	LBS	1.4000	\$4,200.00
015893327FLE 7	DISPSL / FB1	RCRA exempt consolidated solvents HHWEFB1	1	55DM	400.000	LBS	0.3600	\$144.00
015893327FLE 8	DISPSL / LPTP	RCRA EXEMPT PROCESSABLE PAINTS IN CANS HHWELPTP	7	FBIN	3,500.000	LBS	1.0600	\$3,710.00
015893327FLE 9	DISPSL / LPTP	RCRA EXEMPT PROCESSABLE PAINTS IN CANS HHWELPTP	7	FBIN	3,500.000	LBS	1.0600	\$3,710.00
015893327FLE 10	DISPSL / LCCRO	Labpack Oxidizers For Incineration LCCRO	1	55DF	50.000	LBS	1.2800	\$64.00
015893327FLE 11	DISPSL / LCCRC	RCRA EXEMPT PESTICIDE SOLIDS IN CONSUMER PACKAGING HHWEPESTS	2	FBIN	1,500.000	LBS	1.4000	\$2,100.00
015893327FLE 12	DISPSL / LBD	Nickel based, Alkaline Batteries - HHW Exempt HHWELBD	1	20CF	100.000	LBS	1.0200	\$102.00
015893327FLE 13	DISPSL / LBLA	Lead acid batteries-universal waste HHWELBLA-UW	1	55CF	5.000	LBS	0.4200	\$2.10
015893327FLE 14	DISPSL / LCCRB	Labpack Basic & Basic Compatibles For Incineration LCCRB	1	55DF	50.000	LBS	1.3700	\$68.50

Invoice Date: 06 May 2021

Page 2 of 3



**INVOICE**  
Invoice No 1003720930

42 Longwater Drive  
PO Box 9149  
Norwell MA 02061-9149

**TASK 2101271568-001 - Permanent HHW Site**

Manifest Info	Item ID	Description	Manifest Qty	Manifest UOM	Billing Qty	Billing UOM	Unit Price	Amount
015893327FLE 16	DISPSL / LCCRA	Labpack Acid & Acid Compatibles For Incineration LCCRA	1	55DF	50.000	LBS	1.3700	\$68.50
015893327FLE 17	DISPSL / LCCRB	Labpack Basic & Basic Compatibles For Incineration LCCRB	1	050F	20.000	LBS	1.3700	\$27.40
015893327FLE 18	DISPSL / LCHG1	Labpack Mercury for Stabilization/Landfill LCHG1	1	05DF	5.000	LBS	36.7500	\$183.75
015893327FLE 19	DISPSL / CFL1	STRAIGHT FLUORESCENT LIGHT BULBS HHNCFL1	4	4FTB	100.000	LBS	1.3300	\$133.00
015893327FLE 20	DISPSL / A31	MOTOR OIL HHWA31	4	55DM	1,200.000	LBS	0.2900	\$348.00
015893327FLE 21	DISPSL / A31	MOTOR OIL HHWA31	2	TOTE	200.000	LBS	0.2900	\$58.00
015893327FLE 22	DISPSL / A31	MOTOR OIL HHWA31	1	55DF	3,600.000	LBS	0.2900	\$1,044.00
	TRANSDOWN	015893327FLE/12 Trans to ultimate disposal facility			1.000	EA	25.1250	\$25.13
	TRANSDOWN	015893327FLE/13 Trans to ultimate disposal facility			1.000	EA	0.0100	\$0.01
	TRANSDOWN	015893327FLE/18 Trans to ultimate disposal facility			1.000	EA	37.7321	\$37.73
	TRANSDOWN	015893327FLE/22 Trans to ultimate disposal facility			1.000	EA	0.3275	\$0.33
	TRANSDOWN	015893327FLE/21 Trans to ultimate disposal facility			2.000	EA	16.3750	\$32.75
	TRANSDOWN	015893327FLE/20 Trans to ultimate disposal facility			4.000	EA	16.3750	\$65.50
	TRANSDOWN	015893327FLE/4 Trans to ultimate disposal facility			16.000	EA	2.8137	\$45.02
	TRANSDOWN	015893327FLE/1 Trans to ultimate disposal facility			30.000	EA	2.8137	\$84.41
	HUBTRANS	Freight to manifested disposal facility			125.340	EA	38.0065	\$4,763.99
EMANIFEST	E-Manifest Fee				1.000	EA	20.0000	\$20.00
AT	InSite Technician				14.500	HR	53.0000	No Charge
CH	Chemist				14.500	HR	74.0000	No Charge
PM	Project Manager				18.000	HR	99.0000	No Charge
DRIVER	Driver				17.000	HR	63.0000	No Charge
CH	Chemist				12.000	HR	74.0000	No Charge
CH	Chemist				12.000	HR	74.0000	No Charge
CH	Chemist				12.000	HR	74.0000	No Charge
RT	Retail TS Technician				10.500	HR	51.0000	No Charge
RT	Retail TS Technician				10.500	HR	51.0000	No Charge
DRIVER	Driver				3.500	HR	63.0000	No Charge
PERDIEM3	Per Diem / Subsistence				1.000	DAY	184.0000	No Charge
PERDIEM3	Per Diem / Subsistence				1.000	DAY	184.0000	No Charge
FEE	Recovery Fee				23,633.670	EA	0.1350	\$3,190.55
							<b>SUBTOTAL</b>	<b>\$26,824.22</b>
							<b>TAX</b>	<b>\$0.00</b>
							<b>TASK TOTAL</b>	<b>\$26,824.22</b>

Invoice Date: 06 May 2021

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## APPENDIX J

### Claremore Illicit Discharge & Construction & Post Construction Ordinances

## CHAPTER 55: ILLICIT DISCHARGES

### Section

#### *Stormwater Discharges*

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

## STORMWATER DISCHARGES

### § 55.01 SCOPE.

This chapter establishes methods to regulate the introduction of pollutants to the city's municipal separate storm sewer system and enables the city to comply with all applicable state and federal laws and regulations, including the federal Clean Water Act, 33 U.S.C. §§ 1251, *et seq.*, the Oklahoma Environmental Quality Act, 27A O.S. 2001, §§ 1-1-101, *et seq.*, and Stormwater regulations contained in 40 CFR Part 122, EPA Administered Permit Programs: the National Pollutant Discharge Elimination System (NPDES). The objectives of this chapter shall permit the city to:

- (A) Regulate the contribution of pollutants into the municipal separate storm sewer system through the Stormwater discharges of any user;
- (B) Control the introduction into the municipal separate storm sewer system of spills, dumping, or the disposal of materials other than Stormwater;

- (C) Prohibit illicit discharges into the municipal separate storm sewer system;
- (D) Carry out inspections, surveillance and monitoring procedures necessary to determine compliance and noncompliance with this chapter; and
- (E) Comply with its OPDES Municipal Storm Water Discharge Permit conditions and any other federal or state law or regulation pertaining to Stormwater quality.

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

## **§ 55.02 DEFINITIONS AND ABBREVIATIONS.**

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

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

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

(a) **NONSTRUCTURAL BEST MANAGEMENT PRACTICES.** Those which require modified or additional operational or behavior practices, such as sweeping a parking lot or having spill response equipment on site; and

(b) Structural Best Management Practices. Those which require the construction of a structure or other physical modification on the site.

**CITY.** The City of Claremore, Oklahoma, a municipal corporation, and its duly authorized officers, agents and employees.

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

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

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

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

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

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

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

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

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

maintenance of material handling equipment; sites used for residual treatment, storage or disposal; shipping and receiving areas; manufacturing buildings; storage areas, including tank farms, for raw materials, and intermediate and finished products.

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

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

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

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

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

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

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

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

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

**POLLUTANT.** Any dredge spoil, solid waste, incinerator residue, oil, grease, sewage, garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agriculture waste, industrial waste, municipal waste and the characteristics of the wastewater including but not limited to, pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, and odor.

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

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

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

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

**STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL**

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

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

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

BAT Best Available Technology

BMP Best Management Practices

BOD Biochemical Oxygen Demand

CFR Code of Federal Regulations

COD Chemical Oxygen Demand

EPA United States Environmental Protection Agency

gpd Gallons per Day

L Liter

mg Milligrams

mg/L Milligrams per Liter

MS4 Municipal Separate Storm Sewer System

OAC Oklahoma Administrative Code

NOI Notice of Intent

NOV Notice of Violation

NPDES National Pollutant Discharge Elimination System

ODEQ Oklahoma Department of Environmental Quality

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

POTW Publicly Owned Treatment Works

RCRA Resource Conservation and Recovery Act of 1976 (Pub.L. 94-580, Oct. 21, 1976, 90 Stat. 2795, as amended)

RQ Reportable Quantities

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

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

TSD Treatment, Storage, and Disposal Facilities

TSS Total Suspended Solids

USC United States Code

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

**§ 55.03 DISCHARGE REQUIREMENTS.**

(A) *Allowable discharges.*

(1) The following types of discharges shall not be prohibited discharges unless the Director determines that the type of discharge, whether singly or in combination with others, causes

contamination of surface water, Stormwater or groundwater; causes overload or damage to the MS4 or has the potential to endanger public health and safety; or causes the city to violate its OPDES Municipal Storm Water Discharge Permit:

- (a) Water line flushing;
- (b) Landscape irrigation;
- (c) Diverted stream flows;
- (d) Rising ground waters;
- (e) Residential building wash water without detergents;
- (f) Uncontaminated pumped ground water;
- (g) Uncontaminated ground water infiltration;
- (h) Discharges from potable water sources;
- (i) Foundation drains;
- (j) Air conditioning condensate;
- (k) Irrigation water;
- (l) Springs;
- (m) Water from crawl space pumps;
- (n) Footing drains;
- (o) Lawn watering;
- (p) Individual residential car washing;
- (q) De-chlorinated swimming pool discharges;
- (r) Street wash water;
- (s) Fire hydrant flushings;
- (t) Non-commercial or charity car washes;
- (u) Discharges from riparian areas and wetlands;
- (v) Discharges in compliance with a separate Oklahoma Pollutant Discharge Elimination System (OPDES) or National Pollutant Discharge Elimination System (NPDES) NPDES Permit;
- (w) Discharges or flows from emergency fire fighting activities provided that the Incident Commander, Fire Chief or other on-scene fire fighting official in charge makes an evaluation regarding potential releases of pollutants from the scene and summons the hazardous material team if pollutants are suspected. Discharges or flows from fire fighting training activities are not authorized by OKR04 as allowable discharges.

(2) Dye testing shall be an allowable discharge, but shall require verbal notification to the Director prior to testing. The city shall be exempt from this requirement.

(3) Any discharge that has a current NPDES discharge permit with the EPA or has a current OPDES discharge permit with the ODEQ shall be an allowable discharge, with the following exceptions:

- (a) A discharge that results in the city violating its OPDES Municipal Storm Water Discharge Permit;
- (b) A discharge the Director determines causes contamination of surface water, Stormwater or groundwater within the city; or
- (c) A discharge that could block or damage the MS4.

(4) Stormwater that is not associated with and/or intermingled with Stormwater that is associated with industrial activity required to obtain an “NPDES Stormwater Discharge Permit” as defined in 40 CFR Part 122, before the point source discharge to the municipal to the MS4, is an allowable discharge.

(5) Any Stormwater that is associated with industrial activity and has had pollutants removed by structural or nonstructural BMPs to a level considered satisfactory by the Director is an allowable discharge.

(B) *Prohibited discharges.*

(1) (a) No person shall discharge or cause to be discharged into the municipal storm water drainage system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than Stormwater. The commencement, conduct or continuance of any unlawful discharge is prohibited.

(b) It is unlawful for any residence or business to allow drainage of a polluting substance or to allow drainage of water which may become a hazard into any street, alley or sidewalk. A polluting substance is one so defined under 82 O.S. § 926.1.

(c) It shall be unlawful and a misdemeanor offense to discharge or allow the discharge of any of the following into the city's MS4:

1. All non-Stormwater except those classified as an allowable discharge in division (A) of this section;

2. Any Stormwater from any activity required to obtain an "NPDES Storm Water Discharge Permit" as defined in 40 CFR Part 122.26(b)(14), unless the discharge is authorized by a valid "NPDES Storm Water Discharge Permit";

3. Any spilled pollutants, unless it can be demonstrated that failure to allow the discharge will result in a greater imminent peril or hazard to the life, health, welfare, or safety of the public; or

4. Any material that is disposed of or dumped in such a manner that causes pollutants to be discharged.

(2) It is a violation of this chapter for any person to place, store or locate any material in such a manner that causes pollutants to be transported by wind, rain or other atmospheric conditions into the city's MS4 or street, alley, sidewalk or pavement.

(3) Any point source discharge into the city's MS4 or street, alley, sidewalk or pavement that either singly or in conjunction with other discharges causes the city to violate its OPDES Municipal Storm Water Discharge Permit shall be prohibited.

(4) It shall be unlawful and a misdemeanor offense for any person to dispose of grass, dirt, leaves, trash or other pollutants into the city's MS4 or street, alley, sidewalk or pavement.

(5) Allow an animal to defecate (without the owner, keeper or harboror removing the excreta deposited) on public or private property other than that of the owner or into the city's MS4 or street, alley, sidewalk or pavement.

(6) No person shall deposit, drain or divert, whether directly or through an agent, into or upon any public highway, street, sidewalk, alley, parking lot, paving, drainage ditch, storm drain, sewer, gutter, creek, stream, river, lake, pond or lagoon, any oil or oily liquid with petroleum content, grease, water, or any mud, rotary mud, sand, salt water, sewer waste or industrial waste; or in any manner permit by seepage, overflow or otherwise, any of such substances to escape from any property owned, leased or controlled by such person nor shall any person allow such substances to flow or be carried onto or upon any public highway, street, sidewalk, alley, parking lot, paving, drainage ditch, storm drain, sewer, gutter, creek, stream, river, lake, pond or lagoon within the city.

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

(Ord. 2007-25, passed 11-19-07; Am. Ord. 2015-29, passed 11-16-15) Penalty, see § [55.14](#)

#### **§ 55.04 SPILLS.**

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

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

#### **§ 55.05 PAVEMENT WASH WATERS.**

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

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

(Ord. 2007-25, passed 11-19-07; Am. Ord. 2015-29, passed 11-16-15)

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

(A) The construction, use, maintenance or continued existence of illicit connections to the Stormwater drainage system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(B) A person is considered to be in violation of this section if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

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

#### **§ 55.06 CONSTRUCTION ACTIVITIES.**

##### **(A) General provisions.**

(1) *General performance standards.* Any person subject to a construction activity NPDES and/or OPDES Stormwater Discharge Permit shall comply with all provisions of such permit(s). Proof of compliance with said permit(s) may be required in a form acceptable to the Stormwater Manager and/or Stormwater Inspector prior to the allowing of discharges to the MS4. All construction activities including but not limited to the development, excavation, clearing, grading, regrading, paving, land filling, berthing and diking of land shall be conducted in such a manner as to minimize erosion and prevent the discharge of pollutants, including but not limited to rock, sand, soil, discarded building materials, concrete truck washout, chemicals, litter and sanitary waste into the city's Municipal Separate Storm Sewer System (MS4). Persons conducting the construction shall implement and maintain adequate structural and/or nonstructural BMPs for controlling erosion and preventing the discharge of pollutants to the

MS4. The discharge shall not result in a violation of the city's OPDES Municipal Stormwater Discharge

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

(2) *Responsible person.* The person with overall responsibility of the construction, such as the general contractor, shall be jointly responsible with the person at whose direction the construction is being conducted for compliance with division (A)(1) of this section.

(3) *Record keeping.* The person or persons responsible shall retain, and make available to the Stormwater Manager and/or Stormwater Inspector, for inspection and copying, all records and information required to be retained under this section or order issued hereunder. These records shall remain available for a period of at least three years after expiration of the applicable permit. This period shall be automatically extended for the duration of any litigation concerning compliance with this section, or where the person or persons responsible have been specifically notified of a longer retention period by the Stormwater Manager and/or Stormwater Inspector.

(B) *Construction.* All construction activities, including the development, excavation, grading, regrading, paving, landfilling, berthing, and diking of land shall be conducted in such a manner as to minimize erosion and prevent the discharge of pollutants, including but not limited to rock, sand, and soil into the city's MS4. Persons conducting the construction shall implement and maintain adequate structural and/or nonstructural BMPs for controlling the discharge of pollutants. In the case of ten acres or more draining to one discharge point, a sediment basin or adequate alternate measures shall be implemented. The adequacy of any BMP shall be based upon the fulfillment of the following requirements:

(1) The discharge shall not result in a violation of the city's OPDES Municipal Storm Water Discharge Permit;

(2) The discharge, based upon the determination of the Director, shall not cause contamination of surface water, Stormwater or groundwater within the city; and

(3) The discharge, based upon the determination of the Director, does not transport sediment into the city's MS4.

(C) *Erosion control.*

(1) Erosion control shall be provided during the construction phase on all construction sites as necessary to prevent impacts to offsite areas and/or public rights-of-way. The primary goal of erosion control and best management practices is to minimize erosion and sedimentation during construction activities until final grading, landscaping and storm sewer structures are in place. Best management practices include but are not limited to seeding, sodding, sprigging, silt fences, straw bale dikes, earth dikes or swales, temporary stream crossings, storm sewer inlet protection, temporary sediment basins and stabilized construction entrances. Failure to provide sediment and erosion control protection can result in suspension of the earth change, Stormwater development and building permits. A violation of this section by the failure to comply with any of its requirements shall constitute an offense and any person or entity convicted thereof shall be punishable as set forth in Claremore Code. Provided, that each lot upon which such violation occurs shall constitute a separate offense; and each day on which a violation occurs or is allowed

to remain shall constitute a separate offense. The imposition of criminal sections shall not prevent Claremore from taking any lawful action as is necessary to prevent or remedy a violation.

(2) *Sediment and Erosion Control Permit.*

(a) Unless specifically exempted, a Sediment and Erosion Control Permit, as defined and regulated by this section, shall be obtained from the Planning and Development Services Department for any construction activities causing land disturbance. The Sediment and Erosion Control Permit must be obtained prior to commencement of any construction activities including, but not limited to any development, excavation, clearing, grading, regrading, land filling, berthing and diking of land.

(b) *Exemptions.* A Sediment and Erosion Control Permit shall not be required for the following: customary and incidental routine grounds maintenance, landscaping, and home gardening; construction activities related to bona fide agricultural, ranching and farming operations which constitute the principal use of a tract of ground in the City of Claremore and are under the jurisdiction of the Oklahoma Department of Agriculture, Food, and Forestry; construction activities occurring at oil and gas exploration and production related industries and pipeline operations that are under the jurisdiction of the Oklahoma Corporation Commission (OCC); and construction activities occurring on Indian Country Lands (as defined in 18 U.S.C. § 1151).

(c) *Application for Sediment and Erosion Control Permit.* For each Sediment and Erosion Control Permit a written application from the owner of the site, or his or her authorized representative, shall be provided to the Planning and Development Services Department in the form and with the content prescribed in this section, and shall be accompanied by a minimum of three copies of a Sediment and Erosion Control Plan with the content prescribed in this section, and the required Sediment and Erosion Control Permit fee as set forth in this section. The permit application shall include the following information:

1. Name, address and telephone number of the legal owner of the property for which the Sediment and Erosion Control Permit is requested;
2. Name, address and telephone number of applicant, if different from the property owner;
3. Name(s), address(es) and telephone number(s) of any and all contractors, subcontractors or persons actually doing the land disturbing or land filling activities;
4. Name(s), address(es) and telephone number(s) of the person(s) responsible for the preparation of any required vicinity map;
5. Name(s), address(es) and telephone number(s) of the person(s) responsible for preparation of the Sediment and Erosion Control Plan and any required reports;
6. Legal description of the site and the address of the site (if a valid address has been assigned and/or accepted by the city);
7. Size of the construction site, measured in acres;
8. Proposed start date of the project;
9. Proposed completion date of the project;
10. Date of the application; and
11. Signature(s) of the owner(s) of the site or an authorized representative.

(d) *Sediment and Erosion Control Plan requirements.* These plans shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed construction activities on water resources, and the best management

practices (BMPs) and other measures proposed to minimize soil erosion and prevent off-site sedimentation. All sediment and erosion control measures must be properly selected, installed and maintained in accordance with the manufacturer's specifications and good engineering practices. All construction activities including but not limited to the development excavation, clearing, grading, regrading, landfilling, berming and diking of land shall be performed in strict accordance with the approved plan.

1. For construction sites less than one acre that are not part of a larger common plan of development or sale that is one acre or more, the following information shall be included in any plan:

- A. A project narrative describing the nature of the construction activity;
- B. A description of any surrounding watercourses, water bodies and other significant geographical features;
- C. Legal description of the site and the address of the site (if a valid address has been assigned and/or accepted by the City of Claremore);
- D. The name, address and telephone number of the owner and/or developer of the property where the land disturbing activity is proposed;
- E. A description of, and specifications for, sediment and erosion control measures to minimize on-site erosion and prevent off-site sedimentation during the construction process, including provisions to preserve topsoil and limit disturbance. Minimum control measures must include the proper installation and maintenance of silt screen around the perimeter of the construction site. The applicant may propose the use of any sediment and erosion control measures in a plan provided such measures are proven to be as or more effective than the measures contained in this section and the current *City of Claremore Engineering Design Criteria and Standard Specifications*;
- F. A chronological schedule describing when the sediment and erosion control measures will be implemented during the construction process;
- G. A description of temporary and permanent stabilization measures. The plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of site are stabilized. Stabilization practices may include but are not limited to the establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased except:
  - i. Where the initiation of stabilization measures by the fourteenth day after construction activity temporarily or permanently ceased is precluded by adverse climatological conditions (i.e., snow, ice, heavy rains or drought) stabilization measures shall be initiated as soon as practicable; and
  - ii. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site; and
- H. The Stormwater Manager and/or Stormwater Inspector may require any additional information or data deemed appropriate and/or may impose such conditions thereto as may be

deemed necessary to ensure compliance with the provisions of this section or the preservation of public health and safety.

2. *[Reserved].*

3. For construction sites greater than or equal to one acre and for construction sites that are less than one acre if the construction site is part of a larger common plan of development or sale that is one acre or more, Sediment and Erosion Control Plans shall be prepared by or under the direction of a registered professional engineer licensed by the State of Oklahoma. Any required Sediment and Erosion Control Plans shall comply with good engineering practices and shall be approved and stamped by a registered professional engineer licensed by the state. In addition the following information shall be included in any plan:

A. A project narrative describing the nature of the construction activity;

B. An attached vicinity map showing the location of the site in relationship to the surrounding area's watercourses, water bodies and other significant geographical features, roads and other significant structures, and showing suitable contours for the topography. An indication of the scale used (this map shall be at a scale no smaller than one inch = 100 feet) and an arrow indicating north shall be included on the map;

C. Legal description of the site and the address of the site (if a valid address has been assigned and/or accepted by the city);

D. The name, address and telephone number of the owner and/or developer of the property where the land disturbing activity is proposed;

E. A chronological schedule and description of construction activities that disturb soils of the site (e.g., clearing, grubbing, excavation, grading, utilities and infrastructure installation);

F. A description of, and specifications for, sediment and erosion control measures to minimize on-site erosion and prevent off-site sedimentation during the construction process, including provisions to preserve topsoil and limit disturbance. Minimum control measures include the proper installation and maintenance of silt screen around the perimeter of the construction site; the proper installation and maintenance of control measures around all storm sewer inlets; the proper installation and maintenance of controls to minimize erosion on all slopes greater than three horizontal to one vertical (3:1) where land disturbing activity is planned; and stabilized gravel construction site entrances/exits to prevent tracking or flowing of sediment onto public right-of-ways. The applicant may propose the use of any sediment and erosion control measures in a plan provided such measures are proven to be as or more effective than the measures contained in this section and the current *City of Claremore Engineering Design Criteria and Standard Specifications*;

G. A chronological schedule describing when the sediment and erosion control measures will be implemented during the construction process;

H. A description of temporary and permanent stabilization measures. The plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of site are stabilized. Stabilization practices may include but are not limited to the establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, solid stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation and other appropriate measures. Use of impervious surfaces for stabilization should be avoided. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased except:

i. Where the initiation of stabilization measures by the fourteenth day after construction activity temporarily or permanently ceased is precluded by adverse climatological conditions (i.e., snow, ice, heavy rains or drought) stabilization measures shall be initiated as soon as practicable; and

ii. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site;

I. A description of measures that will be installed during the construction process to control pollutants in Stormwater discharges that will occur after construction operations have been completed;

J. A copy of all required state and federal Stormwater discharge permits (NPDES filed with EPA; OPDES filed with ODEQ) for the construction site shall be provided to the Planning and Development Services Department. If an OKR10 permit is required by ODEQ for Stormwater discharges from a construction site, then the following documents shall be provided to the Planning and Development Services Department:

i. A copy of the notice of intent submitted to ODEQ for the OKR10 permit;  
ii. A copy of all Stormwater pollution prevention plans developed for the construction site; and

iii. A copy of the authorization to Discharge Stormwater Permit issued by ODEQ; and

K. The Planning and Development Services Department may require any additional information or data deemed appropriate and/or may impose such conditions thereto as may be deemed necessary to ensure compliance with the provisions of this section or the preservation of public health and safety.

(e) *Permit application review.* The Planning and Development Services Department shall review each application for a Sediment and Erosion Control Permit to determine its conformance with the provisions of this section. Within 15 business days after receiving a complete application, the Planning and Development Services Department shall:

1. Approve the permit application;

2. Approve the permit application subject to such reasonable conditions as may be necessary to secure substantially the objectives of this section, and issue the permit subject to these conditions; or

3. Disapprove the permit application, indicating the reason(s) for disapproval.

(f) *Permit disapproval.* If the Planning and Development Services Department determines that the Sediment and Erosion Control Plan does not meet the requirements of this section, then a Sediment and Erosion Control Permit shall not be issued. The Sediment and Erosion Control Plan must be resubmitted and must be approved by the Planning and Development Services Department before the land disturbance activity begins.

(g) *Conditions of approval.* In granting any Sediment and Erosion Control Permit pursuant to this section, the Planning and Development Services Department may impose such conditions as may be reasonably necessary to prevent creation of a nuisance or unreasonable hazard to persons or to a public or private property. Such conditions shall include (even if not specifically written in the permit), but need not be limited to:

1. The granting (or securing from others) and the recording in county land records of easements for drainage facilities, including the acceptance of their discharge on the property of others, and for the maintenance of slopes or erosion control facilities;

2. Adequate control of dust by watering, or other control methods acceptable to the Planning and Development Services Department, and in conformance with applicable air pollution ordinances;

3. Improvements of any existing grading ground surface or drainage condition on the site (not to exceed the area as proposed for work or development in the application) to meet the standards required under this section and the current *City of Claremore Engineering Design Criteria and Standard Specifications*; and

4. Sediment traps and basins located within a densely populated area or in the proximity of an elementary school, playground or other area where small children may congregate without adult supervision may be requested to install additional safety related devices.

(h) *Permit authorization.* The issuance of a Sediment and Erosion Control Permit shall constitute an authorization to do only that work described in the permit, or shown on the approved Sediment and Erosion Control Plan and specifications, all in strict compliance with the requirements of this section, unless each and every modification or waiver is specifically listed and given specific approval by the Planning and Development Services Department.

(i) *Permit duration.* The permittee shall fully perform and complete all of the work required in the sequence shown on the plans within the time limit specified in the permit. Permits issued under this section shall be valid for the period during which the proposed land disturbing or filling activities and soil storage takes place or is scheduled to take place, whichever is shorter, but in no event shall such a permit be valid for more than one year after cessation of construction activity.

(j) *Responsibility of permittee.* The permittee shall maintain a copy of the Sediment and Erosion Control Permit, approved plans and reports required under the Sediment and Erosion Control Permit on the work site, or if unable to store on the work site, must be locally available for public inspection during all working hours. The permittee shall, at all times, be in conformity with the approved Sediment and Erosion Control Plan and also conform to the following:

1. *General.* Notwithstanding other conditions or provisions of the Sediment and Erosion Control Permit, or the minimum standards set forth in this section, the permittee is responsible for the prevention of damage to adjacent property. No person shall grade on land in any manner, or so close to the property line as to endanger or damage any adjoining public street, sidewalk, alley or any other public or private property without supporting and protecting such property from settling, cracking, erosion, sedimentation or other damage or personal injury which might result; and

2. *Public ways.* The permittee shall be responsible for the prompt removal of, and the correction of damages resulting from any soil, miscellaneous debris or other materials washed, spilled, tracked, dumped or otherwise deposited on public streets, highways, sidewalks or other public thoroughfare, incident to the construction activity, or during transit to and from the construction site.

(k) *Liability.* The permittee is responsible for safely and legally completing the project. Neither the issuance of a Sediment and Erosion Control Permit under the provisions of this section, nor the compliance with the provisions hereto or with any condition imposed by the city, shall relieve any person from responsibility for damage to persons or property resulting therefrom, or as otherwise imposed by law, nor impose any liability upon the city for damages to persons or property.

(l) *Action upon noncompliance.*

1. In the event work does not conform to the Sediment and Erosion Control Permit or to the plans and specifications or to any conditions imposed by the city, notice to comply shall be given to the permittee in writing. The notice shall set forth a notification and compliance period of at least 15 days for the permittee to comply with the requirements of the notice, except that when an imminent hazard exists, the Planning and Development Services Department may require that corrective work begin immediately. The notification and compliance period will begin on the day the notice is mailed to the permittee or the day the notice is posted on the property that is not conforming to the permit requirements, except that when an imminent hazard exists, the Stormwater Manager and/or Stormwater Inspector may order an immediate summary abatement action to abate the violation. At the time of mailing of notice, the city shall obtain a receipt of mailing from the Postal Service, which receipt shall indicate the date of mailing and the name and address of the mailee. Said notice shall further advise that, should the permittee fail to comply with the requirements of the notice by the established deadline, the work necessary to achieve compliance may be done by the city or a designated contractor and the expense thereof shall be charged to the permittee. Issuance of a notice to comply shall not be a prerequisite to taking any other enforcement action.

2. If the city finds any existing conditions not as stated in the application or approved plans, the Stormwater Manager and/or Stormwater Inspector may issue a stop-work order requiring that all construction activities halt when a construction site is in violation of this section. The stop-work order may apply to all construction activity on the subject property which may be directly or indirectly related to site drainage and which is being performed pursuant to any permits, licenses, franchises or contracts issued or approved by the city. The stop-work order may order a work stoppage on all construction activity on buildings or structures and appurtenances thereto, including but not limited to building, electrical, plumbing, mechanical, street work, storm sewers, sanitary sewers, gas lines, and all utilities including but not limited to gas, electric, telephone and cable television. The Planning and Development Services Department may also suspend or revoke any Sediment and Erosion Control, site preparation, grading, erosion control, earth change, construction, or any other permit when any part of this section is violated.

3. The violation of any provision of this section, upon conviction, shall be punished by a fine not to exceed \$1,000 or 30 days in jail, or both, plus court costs as set by the city. Each day or any portion of a day during which any violation of this section shall continue shall constitute a separate offense.

4. Other actions described in the penalties and administrative remedies section of this chapter may be taken by the city, including but not limited to suspension of MS4 access, water supply severance, injunctive relief, abatement, remediation, and restoration of lands. The permittee shall be responsible for the costs incurred by the city. Failure to pay will result in the city seeking recovery of costs and damages pursuant to the conditions set forth in this chapter.

(m) *Changes to plans.* All proposals to modify the approved Sediment and Erosion Control Plans must be submitted in writing to the Planning and Development Services Department. No grading or any type of work in connection with any proposed modification shall be initiated without prior written approval of the Planning and Development Services Department.

(n) *Inspection and supervision.* The city shall conduct construction site inspections upon receiving a complaint of violation of this section and as needed to evaluate compliance with this section. The permittee shall notify the Stormwater Manager and/or Stormwater Inspector when

there are any departures from the approved Sediment and Erosion Control Plan and at the following stages:

1. Upon completion of installation of perimeter sediment and erosion controls;
2. At least 24 hours but not more than 72 hours (exclusive of Saturdays, Sundays and holidays) prior to commencing initial grading or land disturbing activities;
3. When construction and land disturbing activities are halted for a period of 30 days or more;
4. At least 24 hours but not more than 72 hours (exclusive of Saturdays, Sundays and holidays) prior to when construction or land disturbing activities shall recommence after being halted for a period of 30 days or more;
5. Upon submitting a notice of termination to ODEQ in compliance with any OKR10 permit requirements; and
6. Upon completion of final grading, permanent drainage and erosion control facilities including established ground covers and planting, and all other work of the permit.

(o) *Maintenance during and after construction.* For any property on which grading or other work has been done, pursuant to a Sediment and Erosion Control Permit granted under the provisions of this section, the permittee or owner or an agent of the owner shall inspect all sediment and erosion control measures and other protective measures identified in the Sediment and Erosion Control Plan at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater and shall maintain and repair all sediment and erosion control measures, graded surfaces and erosion control facilities, drainage structures or means and other protective devices, plantings, and ground cover installed while construction is active. After construction is complete, the owner or their agent shall continue to regularly inspect the vegetation until adequate turf establishment or other suitable vegetative cover is established.

(Ord. 2007-25, passed 11-19-07; Am. Ord. 2015-29, passed 11-16-15)

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

(A) The following post-construction Stormwater impact provisions are intended to encourage:

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

(3) Stormwater drainage systems for the purposes of this section include any facility, structure, improvement, development, equipment, property or interest therein, including structural and nonstructural elements, which are made, constructed, used or acquired for the purpose of collecting, containing, storing, conveying, filtering, treating, infiltrating and controlling Stormwater. This includes, but is not limited to detention facilities, retention facilities, sediment basins, ponds, lakes, engineered open channels, natural channels, floodplains,

creeks, storm sewers, conduits, pipes, borrow ditches, swales, roadways, infiltration systems, rain gardens and bio-retention filters.

(4) Every development shall be provided with a Stormwater drainage system designed by an engineer registered in the state, adequate to serve the development, and otherwise shall meet approval requirements of the officials having jurisdiction. The design shall meet this section and the *City of Claremore Engineering Design Criteria Manual* and other City of Claremore criteria and codes where applicable.

(5) The Stormwater drainage system shall be designed so that property owners located downstream from and upstream from the development shall not be injuriously affected by the construction, operation or maintenance of such system.

(6) *Proof of compliance.*

(a) If a proposed development will disturb an existing wetland, the developer shall provide to the city a written statement from the U.S. Army Corps of Engineers that the development plan fully complies with all applicable federal wetland regulations as established in the Federal Clean Water Act.

(b) If the city obtains credible information regarding threatened or pending regulatory enforcement action related to an environmental condition of the property to be developed, or an environmental impact related to the development plan, then the Planning and Development Services Department may require the developer to provide to the city written statements from such governmental agencies as the city may designate as having related jurisdiction based upon the nature of the threatened enforcement action or environmental impact. Said statements shall verify that the development plan fully complies with environmental regulations within the jurisdiction of the writing agency. If the developer, after a diligent effort, is unable to obtain such written verifications from one or more of the designated agencies, the developer shall at least provide to the city a written verification from said agency that the city's approval of the development plan will not interfere with a threatened or pending environmental enforcement action of said agency. All required written statements shall be provided to the Planning and Development Services Department prior to the scheduling of the hearing for the project development plan.

(7) Construction of the development including Stormwater drainage systems shall be performed in compliance with *City of Claremore Engineering Design Criteria* and other City of Claremore construction criteria and code requirements where applicable.

(8) Operations responsibility of the development Stormwater drainage system shall be detailed in the covenants language on platted developments, on easement language for Stormwater drainage systems in dedicated easements, or shall be borne by the property owner for Stormwater drainage systems on private property.

(9) Maintenance responsibility of the development Stormwater drainage system shall be detailed in the covenants language on platted developments, on easement language for Stormwater drainage systems in dedicated easements or shall be borne by the property owner for Stormwater drainage systems on private property.

(10) In the event that the owner or responsible party fails to properly operate or maintain the Stormwater drainage system such that negative Stormwater quality or quantity impacts to Stormwater drainage systems and/or receiving streams either on the subject property or on offsite properties occurs or is imminent, the city or its designated contractor may enter the property to perform required operations or maintenance, and the cost shall be paid by the owner of responsible party.

(B) *Allowing construction materials to spill onto public ways.* No person shall place, spill or allow the flow of concrete or similar construction materials on any public road, alley, highway or sidewalk, except as may be required for the construction or the maintenance of the public road, street, highway or sidewalk.

(C) *Construction debris.*

(1) Construction debris shall not be allowed to blow off the site of origin.

(2) Trash containers of sufficient size, but not less than four feet wide by four feet deep by four feet high, shall be located on each construction site no later than the time the rough plumbing is ready for inspection.

(D) *Responsible person.*

(1) Any person with overall responsibility for the construction, such as the general contractor, shall be jointly responsible with the person at whose direction the construction is conducted, for purpose of compliance with divisions (A) through (C) of this section.

(2) If construction on a particular site requires that a "Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the OPDES General Permit" be filed with the ODEQ, then the facility operator listed on the notice shall be responsible for compliance with divisions (A) through (C) of this section.

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

## **§ 55.07 WATERCOURSE PROTECTION.**

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

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

## **§ 55.07A REQUEST FOR VARIANCE.**

(A) The City Council shall hear and render judgment on requests for variances from the requirements of this chapter.

(B) The variance request must be received by the Planning and Development Services Department within 15 days from the date of the notice of violation.

(C) The Planning and Development Services Department shall maintain a record of all actions involving a request for variance and shall report variance decisions to ODEQ and EPA upon request.

(D) Upon consideration of the factors involved and the intent of this chapter, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter.

(E) Any person or persons aggrieved by the decision of the City Council may appeal such decision in the courts of competent jurisdiction.

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

## **§ 55.07B MONITORING OF DISCHARGES.**

(A) The Stormwater Manager and/or Stormwater Inspector shall be permitted to enter facilities, premises, watercourses and waterways subject to regulation under this chapter for the purpose of observing, measuring, sampling, testing and inspecting as often as may be necessary to determine compliance with chapter. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall

make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

(B) Facility operators shall allow the Stormwater Manager and/or Stormwater Inspector ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES or OPDES permit to discharge Stormwater, and the performance of any additional duties as defined by state and federal law. Any permits, pollution prevention plans, or other documents regarding a facility's Stormwater discharge shall be made available to the Stormwater Manager and/or Stormwater Inspector when requested.

(C) The Stormwater Manager and/or Stormwater Inspector shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's Stormwater discharge.

(D) The Stormwater Manager and/or Stormwater Inspector has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure Stormwater flow and quality shall be calibrated to ensure their accuracy.

(E) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Stormwater Manager and/or Stormwater Inspector and shall not be replaced. The costs of clearing such access shall be borne by the operator.

(F) Unreasonable delays in allowing the Stormwater Manager and/or Stormwater Inspector access to a permitted facility is a violation of a Stormwater Discharge Permit and of this chapter. A person who is the operator of a facility with a NPDES permit or an OPDES permit to discharge Stormwater associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this chapter.

(G) If the Stormwater Manager and/or Stormwater Inspector has been refused access to any part of the premises from which Stormwater is discharged, and the city is able to demonstrate probable cause to believe that there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the city may seek issuance of a search warrant from any court of competent jurisdiction.

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

## **§ 55.08 RECORD KEEPING.**

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

(B) *Fraud and false statements.* Reports and other documents required to be submitted or maintained under this chapter, or order issued hereunder, shall be subject to the provisions of 18

U.S.C. § 1001, regarding fraud or false statements and the provisions of § 309c(4) of the Act, as amended, governing false statements, representations, or certification.

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

### **§ 55.09 REPORTING REQUIREMENTS.**

(A) *Submission of correspondence.* Any industry that performs an industrial activity that is required by 40 CFR Part 122.26 to obtain an “NPDES Storm Water Discharge Permit” from the EPA must submit a copy of that application and permit, as well as any written correspondence with any federal, state or local agency regarding the aforementioned permit, to the Director within 15 days of request.

(B) *Availability.* Any permits, pollution prevention plans, or other documents regarding an industry’s or construction site’s OPDES Storm Water Discharge Permit shall be made available to the Director upon request.

(C) *Spills.* Any person or industry shall, at the earliest possible time but, in any case, no later than one hour from discovery, orally report to the Director a spill, release, dumping, or other situation that has contributed or is likely to contribute pollutants into the MS4. This notification shall include the location, type, concentration and volume, if known, and corrective actions taken for each spill, release and the like. Written notification shall also be made to the Pretreatment/Stormwater Department of the city within five days of the discovery of the spill. If the spill is contained, notification to the Director shall be next business day. This notification shall include all the notification requirements specified within this section. These reporting requirements shall be in addition to and not in lieu of any other reporting requirements imposed under federal, state and local laws or regulations.

(D) *Reports.* All persons or industrial facilities may be required to provide other reports deemed necessary by the Director to monitor, maintain and ensure compliance with this chapter.

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

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

(A) *Stormwater sampling event criteria.* When the Director requires that a sample of a storm event be obtained, the following criteria must be met:

- (1) The depth of the rainfall must be greater than one-tenth inch or its equivalent;
- (2) The sample storm event must be preceded by at least 72 hours of less than one-tenth inch of rainfall; and
- (3) All point sources from the premises or industry required to sample must be sampled, unless otherwise specified.

(B) *Sampling.* When the Director has reason to believe that any person or industrial facility is violating this chapter, the person or industrial facility may be required to obtain either a grab or composite sample and analyze any discharge, Stormwater, groundwater and/or sediment and provide a copy of the analysis to the Director for review.

(C) *Illicit discharge sampling.* When the Director has cause to believe that any discharge is an illicit discharge, the Director may obtain either a grab or composite sample and analyze the discharge. If the Director determines that the discharge is an illicit discharge, then the Director may fully recover all cost of the sampling and analysis from the person or industrial facility. When the discharge is likely to contain illicit discharges on a recurring basis, the person or industrial facility may be required by the Director to conduct monitoring activities at its expense.

(D) *Chain-of-custody.* Upon completion of sample collections and documentation, a written record of the chain-of-custody must be completed. The chain-of-custody record is an accurate step-by-step documentation of the sampling path from origin through analysis. It must contain the following information:

- (1) Name of the person(s) collecting the sample;
- (2) Sample ID numbers;
- (3) Date and time of sample collection;
- (4) Location of sample collection;
- (5) Name(s) and signature(s) of all persons handling the sample in the field and in the laboratory;
- (6) Type of sampling equipment used;
- (7) Type of preservation; and
- (8) Certification of sample authenticity.

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

(E) *Substitution of substantially identical effluents.* When a person or industry is required to sample a storm event and that person or industry has two or more point sources with substantially identical effluents, the person or industry may petition the Director to allow the sampling of only one point source and report that the data apply to the substantially identical point source(s).

(F) *Monitoring methods.* Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified by the Director.

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

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

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

(B) *Spill BMPs.* All persons and industrial facilities shall take measures to prevent spills or any other accidental introduction of pollutants into the MS4. These measures shall take the form of BMPs.

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

## **§ 55.12 INSPECTIONS AND SAMPLING.**

(A) *Right of access.* The Director or the Director's authorized representative bearing credentials, shall be permitted to gain access to such premises as may be necessary for the purpose of inspecting, observing, measuring, sampling and testing, as often as may be necessary, to determine compliance with the provisions of this chapter.

(B) *Inspections.* The Director or the Director's authorized representative bearing credentials, retains the right to perform inspections at any industrial facility or any other premises that discharges or has the potential to discharge Stormwater into the MS4. Whenever an inspection of such premises is made, the findings shall be recorded and a copy of the inspection report made

available to the owner or person in charge of such premises, after finalization of the inspection report.

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

### **§ 55.13 ADMINISTRATIVE ENFORCEMENT REMEDIES.**

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

(A) *Investigation.* The Director or authorized representative may investigate any premises where there is reason to believe that there may be a failure to comply with the requirements of this chapter.

(B) *Notice of violations.* Whenever the Director determines that a violation of this chapter has occurred or is occurring, the Director may issue a notice of violation (NOV) to the person or industry. This NOV shall include the nature of the violation and provide a reasonable time for correction. The Director may require, within 15 days of the receipt of this NOV, an explanation of the violation and a plan for the satisfactory correction and prevention, including specific required actions. The explanation and plan shall be submitted by the violator to the Director in writing. Submission of this plan shall in no way relieve the person or industry of liability for any violation(s) occurring before or after receipt of the NOV. Issuance of a NOV shall not preclude any other enforcement action.

(C) *Administrative orders.*

(1) *Consent orders.* The Director is empowered to enter consent orders, assurances of voluntary compliance, or other similar documents establishing a consensus with any person or industry for noncompliance. Such an order shall include specific action to be taken by the violator to correct the noncompliance within a time period specified in the order. Consent orders shall be judicially enforceable.

(2) *Compliance orders.* When the Director finds that a person or industry has violated or continues to violate this chapter or orders issued hereunder, the Director may issue an order to the violator directing that compliance be obtained within a specified time period. If compliance is not achieved within the time period, water service or sewer service, or both services may be discontinued, unless adequate BMPs or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements addressing noncompliance, including additional self-monitoring. A compliance order shall not extend the deadline for compliance established by a federal standard or requirement, nor shall a compliance order release the violator from liability for any violation, including any continuing violation. Issuance of a compliance order shall not preclude any other enforcement action.

(3) *Cease and desist orders.* When the Director finds that a person or industry is violating provisions of this chapter, or any order issued hereunder, or that past violations are likely to recur, the Director may issue an order directing the violator to cease and desist all such violations or activities likely to cause a recurrence, and to:

(a) Immediately comply with all requirements; and

(b) Take such appropriate remedial or preventive actions as may be necessary to properly address a continuing or threatened violation, including halting operations or terminating the discharge.

(4) Issuance of a cease and desist order shall not preclude other action against the violator.

(5) Administrative orders may be revised by the Director at any time in order to insure compliance with this chapter.

(D) *Administrative fines.*

(1) When the Director finds that a user has violated or continues to violate any provision of the chapter, or order issued hereunder, the Director, upon good cause shown, may impose an administrative fine against such user in an amount not to exceed \$1,000. Such fines may be assessed on a per violation, per day basis.

(2) Notice of an administrative fine shall be served personally on the user or by certified mail, return receipt requested. Payment of the fine shall be received by the Director within 15 days after such notice is served.

(3) Failure to submit payment for an administrative fine within 15 days shall be considered a violation of this chapter.

(4) Issuance of an administrative fine shall not preclude any other action against the user.

(E) *Cost recovery of expenses incurred for violation of this chapter.* Notwithstanding any other provision of this chapter, the Director may require any person and or industry found to have violated any provision of this chapter, or orders issued hereunder, to reimburse the city for any goods or services used to remove pollutants from the city's MS4, prevent further discharge of pollutants into the MS4, and shall become liable to the city for any expense, loss, or damages experienced by the city as a result of a violation. The city may pursue its right of action to recover all such costs, by utilizing any and all reasonable methods, including installment payment administered by the Finance Department. The city may recover the costs incurred by adding them to the utility bill of the violator or filing a lien on the subject property.

(F) *Water supply severance.* Whenever a person has violated, or continues to violate any provision of this chapter, or orders issued hereunder, water service may be severed. Service shall only recommence at the violator's expense, after the violator has satisfactorily demonstrated an ability to comply, and actual compliance.

(G) *Appeals.* Any person aggrieved by any NOV, administrative fine or order issued by the Director pursuant to this section may appeal the action as provided in this section.

(1) The initiation of an appeal shall be in writing and filed with the Director no later than 15 days after service of notice of the action appealed from. The written notice of appeal shall specify the action appealed, detail why the action is in error, and specify provision of ordinances or statutes supporting the person's appeal.

(2) Upon receipt of a notice of appeal by the Director, the Director shall conduct any necessary investigation into the basis of the appeal and hold a hearing within 30 days of receipt. However, upon review of the notice of appeal, if the Director determines that the basis of the appeal is patently frivolous or filed only for purposes of delay, then the Director may deny the appeal without a hearing. Upon the Director's denial without a hearing, the appellant shall be notified in writing of the denial and the grounds for denial.

(3) At the conclusion of a hearing on an appeal, if the appeal is sustained in favor of the appellant, the Director may modify or withdraw the notice, fine or order. If the Director fails to act on the appeal within 30 days of concluding the hearing, the appeal shall be deemed denied. Any ruling, requirements, decisions or actions of the Director on appeal shall be final and binding, unless appealed to the City Council.

(4) Any person aggrieved by an appeal decision of the Director may perfect an appeal to the City Council by filing a written notice of appeal with the City Clerk and the Director within 15 days from the date of the action by the Director. Such notice shall specify grounds for the appeal. A hearing on the appeal shall be commenced by the Council no later than 30 days from the date the notice of appeal was filed with the City Clerk. The City Council shall have

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

(Ord. 2007-25, passed 11-19-07) Penalty, see § [55.14](#)

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

(A) *Injunctive relief.* Whenever a person or industrial facility has violated or continues to violate the provisions of this chapter, or orders issued hereunder, the Director, with the advice and counsel of the City Attorney and the approval of the Manager, may petition the district court for the issuance of an injunction, which restrains or compels the activities on the part of the person or industry. A petition for injunctive relief shall not preclude any other action against a person or industrial facility.

(B) *Criminal prosecution.* It shall be unlawful and a misdemeanor offense for any person to violate any of the provisions of this chapter, or any order issued hereunder. Any person convicted of a violation of this chapter, or any order issued pursuant to this chapter, shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than \$200, excluding costs, fees and assessments, or by imprisonment in the City Jail for a period not exceeding ten days, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense.

(C) *Remedies nonexclusive.*

(1) The provisions of § [55.13](#) (A) and (B) of this chapter shall not be exclusive remedies. The city reserves the right to take any combination of actions against a violator of this chapter. These actions may be taken concurrently.

(2) The city may recover reasonable attorney's fees, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.

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

## **§ 55.15 CONFIDENTIAL INFORMATION.**

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

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

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