

Part I: General Conditions

General Information

Name of Municipality or Organization: State:

EPA NPDES Permit Number (if applicable):

Primary MS4 Program Manager Contact Information

Name: Title:

Street Address Line 1:

Street Address Line 2:

City: State: Zip Code:

Email: Phone Number:

Fax Number:

Other Information

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed):

Eligibility Determination

Endangered Species Act (ESA) Determination Complete? Eligibility Criteria (check all that apply): ☐ A ☐ B ☒ C

National Historic Preservation Act (NHPA) Determination Complete? Eligibility Criteria (check all that apply): ☒ A ☐ B ☐ C

☒ Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete? If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY):

Web address where MS4 map is published:

If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? (Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)	Yes	Effective Date or Estimated Date of Adoption (MM/DD/YY):	09/02/08
Construction/Erosion and Sediment Control (ESC) Authority Adopted? (Part II, III, IV or V, Subpart B.4.(a.) of 2003 permit)	Yes	Effective Date or Estimated Date of Adoption (MM/DD/YY):	09/02/08
Post- Construction Stormwater Management Adopted? (Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)	Yes	Effective Date or Estimated Date of Adoption (MM/DD/YY):	09/02/08

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part II: Summary of Receiving Waters

Please list the waterbodies to which your MS4 discharges. For each waterbody, please report the number of outfalls discharging into it and, if applicable, the segment ID and any impairments.

Massachusetts list of impaired waters: [Massachusetts 2014 List of Impaired Waters- http://www.mass.gov/eea/docs/dep/water/resources/07v5/14list2.pdf](http://www.mass.gov/eea/docs/dep/water/resources/07v5/14list2.pdf)

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Flannagan Pond	15	☐	☐	☐	☐	☐	☐	☐	☐	☐	Non-native aquatic plants
Tributary to Flannagan Pond	5	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Sandy Pond	6	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Long Pond	4	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Tributary to Long Pond	7	☐	☐	☐	☐	☐	☐	☐	☐	☐	
School House Pond	4	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Tributary to School House Pond	8	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Tributary to Nashua River (Segment MA81-05)	8	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Tributary to Nashua River (Segment MA81-06)	3	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Cold Spring Brook	1	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Willow Brook	1	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Pine Meadow Pond	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Tributary to Balch Pond	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	
James Brook	6	☐	☐	☐	☐	☐	☐	☐	☒	☐	
Tributary to James Brook	21	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Nonacoicus Brook	3	☐	☐	☒	☐	☐	☐	☐	☐	☐	
Tributary to Nonacoicus Brook	9	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Grove Pond	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	Non-native aquatic plants, aquatic plants (macrophytes), Mercury in Fish Tissue, Arsenic, DEHP (Di-sec-octyl phthalate), Polycyclic Aromatic Hydrocarbons (PAHs) (Aquatic Ecosystems), Sediment Bioassays - Chronic Toxicity Freshwater

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Tributary to Grove Pond	6	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Bennetts Brook	6	☐	☐	☐	☐	☐	☐	☐	☒	☐	
Tributary to Bennetts Brook	10	☐	☐	☐	☐	☐	☐	☐	☐	☐	
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Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA), identify any additional BMPs employed to specifically support the achievement of the WLA in the TMDL section at the end of part III.

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	BMP Description	Targeted Audience	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal	Beginning Year of BMP Implementation
Web Page	Distribute educational announcement related to effects of lawn care on water quality to web page, eblast, and social media	Residents	DPW	Create one announcement, track social media activity	2020
Brochures/Pamphlets	Stormwater educational pamphlets related to grease shall be distributed to restaurant owners	Businesses, Institutions and Commercial Facilities	DPW	Distribute one pamphlet, ensure inspectors are aware of proper practices to prevent stormwater pollution	2019
Brochures/Pamphlets	Distribute pamphlet to active developments regarding NPDES requirements for construction sites	Developers (construction)	DPW	Distribute one pamphlet	2019
Meeting	Host meeting with major industries. Present material on NPDES Permit requirements for Town and private stewards	Industrial Facilities	DPW	Host one meeting	2023

[illegible]

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Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary *(continued)*

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple- mentation
Public Review	SWMP Review	DPW	Allow annual review of stormwater management plan and posting of stormwater management plan on website	2019
Public Participation	SWMP Review	DPW	Allow public to comment on stormwater management plan annually	2020
Public Participation	Cleanups - Roadside/General	Recycling Committee	Perform annual roadside cleanup called "A Cleaner Ayer"	2019
Public Participation	Hotline/webline - reporting problems/violations	DPW	Maintain the existing stormwater hotline	2019
Public Participation	Household haz. waste/used oil collection	Recycling Committee	Continue to promote Devens Regional Household Hazardous Products Collection Program and track the number of users/pounds of waste. Note the Ayer transfer station accepts used oil	2019
Public Participation	Mercury Waste Collection for Residents	Recycling Committee/DPW	Continue to promote mercury waste collection boxes through posters and DPW web page	2019
Public Participation	Stormwater Committee/Task Force	Stormwater Committee	Meet at least once annually to evaluate and support SWMP	2019
Public Participation	Public Meeting - Stormwater	DPW	One meeting annually to keep public up-to-date with progress of the Town's stormwater program	2019

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
SSO inventory	Develop SSO inventory in accordance of permit conditions	DPW	Complete within 1 year of effective date of permit	2019
Storm sewer system map	Create map and update during IDDE program completion	DPW	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2019
Written IDDE program	Create written IDDE program	DPW	Complete within 1 year of the effective date of permit and update as required	2019
Implement IDDE program	Implement catchment investigations according to program and permit conditions	DPW	Complete 10 years after effective date of permit	2019
Employee training	Train employees on IDDE implementation	DPW	Train annually	2019
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	DPW	Complete 3 years after effective date of permit	2019
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	DPW	Complete 10 years after effective date of permit	2020
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	DPW	Complete ongoing outfall screening upon completion of IDDE program	2023

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary *(continued)*

MCM 4: Construction Site Stormwater Runoff Control

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	DPW/Conservation	Complete within 1 year of the effective date of permit	2019
Site plan review	Complete written procedures of site plan review and begin implementation	DPW/Planning	Complete within 1 year of the effective date of permit	2019
Erosion and Sediment Control	Adoption of requirements for construction operators to implement a sediment and erosion control program	DPW	Town has adopted a Stormwater Bylaw that will be reviewed as part of SWMP	
Waste Control	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	DPW	Town has adopted a IDDE Bylaw that will be reviewed as part of SWMP	

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
As-built plans for on-site stormwater control	The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	DPW/Planning/Building	Require submission of as-built plans for completed projects	2019
Target properties to reduce impervious areas	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually	DPW/Planning/Building	Complete 4 years after effective date of permit and report annually on retrofitted properties	2019
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	DPW/Planning	Complete 4 years after effective date of permit and implement recommendations of report	2019
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	DPW/Planning	Complete 4 years after effective date of permit and implement recommendations of report	2019

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	DPW/Parks/Building/Facilities/Fire/Police/Library/Conservation	Complete and implement 2 years after effective date of permit	2020
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW/Parks/Facilities/Conservation	Complete 2 years after effective date of permit and implement annually	2020
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	DPW	Complete 2 years after effective date of permit	2020
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	DPW	Complete and implement 2 years after effective date of permit	2020
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	DPW	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2019
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	DPW	Sweep all streets and permittee-owned parking lots once per year in the spring	2019
Road salt use optimization program	Establish and implement a program to minimize the use of road salt	DPW	Implement salt use optimization during deicing season	2019

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

Use the drop-down menus to select the applicable TMDL, action description to meet the TMDL requirements, and the responsible department/parties. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. In addition, if you are subject to additional requirements due to a downstream nutrient impairment (see Part 2.2.2 of the permit) select the pollutant of concern and indicate applicable waterbody IDs or write "all waterbodies" if applicable. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1 and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary. Also, provide any additional information about your MS4 program below.

As noted in Part II, there is discharge to a tributary to Nashua River segment MA81-05 which is impaired due to phosphorus.

GIS mapping is approximately 75% complete, paper mapping is 100% complete.

As noted, the Town previously adopted a NPDES Phase II Bylaw and an IDDE Bylaw. These will be reviewed as part of the SWMP.

Part V: Certification

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

Name:

Robert A. Pontbriand

Title:

Town Manager

Signature:

Robert A. Pontbriand

Digitally signed by Robert A. Pontbriand
DN: cn=Robert A. Pontbriand, o=Town of Ayer,
ou=Town Manager, email=tm@ayer.ma.us, c=US
Date: 2018.09.27 13:21:09 -04'00'

Date:

[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

Note: When prompted during signing, save the document under a new file name

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Pamela J. Martin, Business Manager



Water, Wastewater, Highway & Solid Waste Divisions

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F: (978) 772-8244

April 26, 2019

Submitted via Email to Michelle Vuto (Vuto.Michelle@epa.gov) and Stormwater.Reports@epa.gov

Michelle Vuto
Stormwater & Construction Permits
U.S. EPA Region 1
5 Post Office Square-OEP06-4
Boston, MA 02109-3912

Re: Notice of Intent - Additional Information Requested

Dear Ms. Vuto:

I'm providing additional information for the Town of Ayer Notice of Intent (NOI) submittal per your email requests titled "Small MS4 NOI submission - additional or corrected information required" and dated December 19, 2018 and April 25, 2019.

1. The Town has determined it's eligibility as Criterion C for the Endangered Species Act using the iPaC tool. The Northern Long-eared Bat and Small Whorled Pogonia are the threatened species listed within Ayer. The planned actions under the permit will have no effect on the aforementioned species and we will consult with US Fish and Wildlife as needed during the permit term on any future BMPs.
2. The Stormwater and IDDE Bylaws will be reviewed in 2019 with any changes presented at Fall Town Meeting of 2019 (i.e. October 2019).

Should you require additional information please don't hesitate to contact me.

Sincerely,

Daniel Van Schalkwyk, P.E.
Town Engineer
Ayer Department of Public Works

