

# Instructions for Completing the Municipal Compliance Certification (MCC) Form and the Storm Water Management Program Annual Report (SWMPAR)

## Who must complete a report and certification form?

If your municipality has a SPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewers (MS4), and you are the owner/operator of a small MS4, you are required to submit a Municipal Compliance Certification (MCC) form and Storm Water Management Program Annual Report (SWMPAR), to certify the progress of your Stormwater Management Program (SWMP). The MCC form and SWMPAR table are combined into one file named *ms4year2annualreport* and is available in Microsoft Word and Corel WordPerfect. This file can be found on the Division's FTP site (<ftp://www.dec.state.ny.us/dow/stormdocuments/ms4>).

## When to File?

The MCC form and SWMPAR are due every year on June 1 to reflect the progress made in the previous permitting year. The permitting year runs from March 10 to March 9.

## Where to File?

Send two completed **hard copies** (an original and a photocopy) of the MCC form, the SWMPAR Sections I-VII (the table of the six minimum measures and other reporting requirements) to the DEC Central Office (MS4 Permit Coordinator, 625 Broadway, Division of Water - 4<sup>th</sup> Floor, Albany, NY 12233-3505).

---

---

## MCC Form Instructions

### **SECTION A. MS4 Identification and Owner/Contact Information**

Provide the municipality and contact information. All correspondence regarding the permit will be sent to the mailing address for the contact person. Include your MS4 SPDES Number, which was provided to you by the DEC in the acknowledgment letter authorizing coverage of your MS4 under the permit.

### **SECTION B. Watershed and Partnership Information**

Part III. B. of the permit requires that SWMPs ensure that no increase of listed pollutants be discharged to impaired waterbodies, and that a MS4 meet TMDL stormwater allocations, or modify the SWMP to ensure reduction of the pollutants of concern.

The Department encourages MS4s to cooperate whenever and wherever possible. Indicate if any new partnerships have developed, and list the municipality and activity. Indicate the status of legally binding intermunicipal agreements.

### **SECTION C. Evaluation of Compliance**

These questions are derived directly from Part IV of the permit, and will be used to determine if your municipality is in compliance with its permit. For the first year, the Notice of Intent (NOI) form, due March 10, 2003, defined the initial SWMP, which included specific measurable goals. In the second and subsequent years, the SWMPAR outlines the SWMP and measurable goals.

### **SECTION D. Explanation of Compliance Evaluation**

If you answered "No" to question 1b in Section B or to any of the questions in Section C, you must provide a brief explanation in Section D, and state where a detailed explanation is provided in the SWMPAR. Use the boxes in Section D to explain any of the "no" answers to question 1b in Section B and to the questions in Section C. Indicate the question number in the small box in the upper left hand corner and use the remainder of the box to provide a brief explanation and describe how the program will be brought into compliance.

### **SECTION E. Certification Statement**

The MCC form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in Part VI.I.2. of the permit. Note that the SWMPAR is specifically intended as an attachment to the MCC form, and the legal requirements of the certification statement on the MCC form fully pertain to both the MCC form and the SWMPAR.

## SWMPAR General Instructions and Format

### **GENERAL INSTRUCTIONS.**

Two completed **hard copies** (an original and a photocopy) of the stormwater management program annual report (SWMPAR) **must** be submitted, along with the MCC form and other reporting requirements, to the DEC Central Office (MS4 Permit Coordinator, 625 Broadway, Division of Water - 4<sup>th</sup> Floor, Albany, NY 12233-3505) **by June 1.**

Note that the SWMP is intended to be a flexible program, developed by the community and tailored specifically to the characteristics affecting stormwater runoff in the community. As knowledge of stormwater practices continues to grow, as results of past efforts are reviewed, and as the results obtained by other communities for specific practices are shared, it is expected that SWMPs would become more effective.

The Department encourages MS4s to cooperate whenever and wherever possible, and to develop intermunicipal agreements. Include any finalized intermunicipal agreements as an appendix. Regardless of who is implementing the program, however, the owner/operator of the MS4 is liable for compliance with the permit. If another entity is preparing and implementing a portion of the SWMP, results for this portion must be included in the annual report.

### **FORMAT .**

The SWMPAR consists of eight sections, one section for each of the six minimum control measures (in table format), the seventh section for presenting any results of monitoring or modeling, and the eighth section for summarizing how any NYSDEC funding or NYSDEC grants were used in implementation. Any appendices should follow these eight sections.

### **Sections I through VI .**

The table for reporting on the six minimum measures in the SWMPAR can be found on the Division's FTP site (<ftp://www.dec.state.ny.us/dow/stormdocuments/ms4>). The table is part of a larger file that also includes the Municipal Compliance Certification (MCC form). The name of the file is *ms4year2annualreport* and is available in Microsoft Word and Corel WordPerfect.

We request that MS4s fill out the file from the FTP site (in either Word or WordPerfect) electronically, however the table can be duplicated manually if needed. **Instructions on how to fill out the six minimum measures section table are on the following two pages.**

**Only a hard copy** of the minimum measures table should be included in the SWMPAR. **DO NOT** send it electronically.

### **Sections VII and VIII, Appendices .**

Provide any monitoring and modeling results, a summary of funding and use of grant money, and appendices if applicable. **Instructions are on the following pages.**

## SWMPAR Detailed Instructions

### **SECTIONS I-VI . Minimum Measures Tables**

Each of the first six sections is available in table format on the Division's FTP site (<ftp://www.dec.state.ny.us/dow/stormdocuments/ms4>). These are part of a larger file that also includes the Municipal Compliance Certification (MCC) form. The name of the file is *ms4year2annualreport* and is available in Microsoft Word and Corel WordPerfect. Once completed, each minimum measure section of the table would consist of a description of the measure's implementation, progress, planned changes and the practices and goals for the next year. There are three subsections for reporting on each minimum measure. The notes for subsection A are to be reported in the space above each table and explanations for subsection B and C are to be reported in the table for the corresponding minimum measure. The subsections are as follows:

#### **Subsection A. Provide additional notes to explain and/or describe changes to this minimum measure in your SWMP**

##### ***For all six minimum measures:***

Provide any additional information that will help explain your SWMP beyond what is required in Subsection B. Describe any program changes involving the selected management practices. Include changes in dates or measurable goals, or changes in the selection or means of implementation of the management practices. If any existing practices were determined to be inappropriate and dropped, or if new practices were added or substituted, explain how the changes will improve the program's effectiveness in achieving the goal of reducing pollutants to the MEP. The changes should be based upon sound engineering judgment, supported by the results presented in subsection B on implementation and progress. Alternatively, changes to the SWMP may be based upon results obtained by another community with a similar community setting or similar pollutants in stormwater. In this case, indicate the community, summarize the success achieved in implementation, and explain how the changes would improve reducing the discharge of pollutants to the MEP for your MS4. Significant changes to the SWMP may be reviewed and commented on by the Department.

#### **Subsection B. Implementation of Best Management Practices:**

##### ***For all six minimum measures:***

Using the table for each minimum measure, list and/or describe each best management practice and its corresponding specific measurable goal. Describe the implementation of the selected practices, the progress achieved in meeting measurable goals and whether significant problems were encountered. If a practice has been fully implemented, indicate that full implementation was achieved.

Within each minimum measure table, please summarize the outcome of any activities, techniques and/or practices that were worked on within the permitting year. Be sure to include the following:

##### ***For minimum measure II. Public Involvement/Participation:***

Briefly summarize the outcome of the public meeting, particularly any comments which led to changes in the program.

##### ***For minimum measure III. Illicit Discharge Detection and Elimination:***

Briefly summarize any significant sources of illicit discharges detected in the past year.

##### ***For minimum measure IV. Construction Site Stormwater Runoff Control:***

Briefly summarize any significant construction in the past year.

##### ***For minimum measure V. Post-Construction Stormwater Management:***

Briefly summarize any significant post construction stormwater management controls addressed by your program in the last year.

##### ***For minimum measure VI. Pollution Prevention/Good Housekeeping for Municipal Operations:***

Briefly summarize any significant municipal activities that have been modified as part of the SWMP in the past year.

#### **Subsection C. Activities Planned for the Upcoming Year**

##### ***For all six minimum measures:***

Based upon the analysis of how successful your program's best management practices were at achieving the goal of reducing the discharge of pollutants to the MEP, use the table to describe the SWMP activities planned for the following year for each minimum measure. List the BMPs, measurable goals, and provide a schedule or timeline for implementation for the upcoming year. In this list, highlight changes to the program by using a bold font for the changed BMPs and/or measurable goals.

## **SWMPAR Detailed Instructions (continued)**

### **SECTION VII . Monitoring and Modeling Results**

Summarize the results of any monitoring, desktop (or more sophisticated) modeling or some combination of monitoring and modeling necessary to sufficiently assess the program's goal of reducing the discharge of pollutants to the MEP.

Part V. of the permit requires that the operator conduct an annual evaluation of its program compliance, the appropriateness of its identified management practices, and progress towards achieving its identified goals, which must include reducing the discharge of pollutants to the maximum extent practicable (MEP). In some cases, the Department may require discharge monitoring. Pollutant load modeling of storm discharges may be used as an alternative assessment tool. This analysis may utilize desktop modeling tools at various levels of complexity. If monitoring, modeling or some combination of monitoring and modeling has been conducted, a summary report should sufficiently document the program's goal of reducing the discharge of pollutants to the MEP. Based on the results of observations, modeling, monitoring, survey or other supporting data, summarize the effectiveness of the selected practices for the community setting, the type of pollutants in the stormwater discharges, and the contribution to improving the receiving waters. Include the supporting data or reports in an appendix.

### **SECTION VIII . Summary of Funding and Use of Grant Money**

List any funding or grants the municipality received from NYSDEC. Indicate how the funds were used in the implementation of the program, and list any accomplishments achieved with the use of the funds.

### **APPENDICES .**

Identify all parties responsible for implementing the SWMP and the status of intermunicipal agreements. Include a copy of any finalized intermunicipal agreements relative to your stormwater program. Laboratory data, modeling results and other data or reports should be included where applicable.