

Fairfax County, Virginia 2024 Municipal Separate Storm Sewer System (MS4) Program Plan and Annual Report

September 30, 2024

Reporting Period: July 1, 2023 through June 30, 2024



Permit No: VA0088587
Effective Date: January 4, 2024
Expiration Date: January 3, 2029

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September 30, 2024



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Table of Contents

INTRODUCTION	i
A. DISCHARGES AUTHORIZED UNDER THIS STATE PERMIT	1
<i>A.1. Authorized Discharges</i>	<i>1</i>
<i>A.2. Permittee Responsibilities</i>	<i>2</i>
<i>A.3. Legal Authority.....</i>	<i>3</i>
<i>A.4. MS4 Program Resources.....</i>	<i>6</i>
<i>A.5. Permit Maintenance Fees</i>	<i>6</i>
<i>A.6. MS4 Program Plan</i>	<i>6</i>
<i>A.7. MS4 Program Review and Updates.....</i>	<i>7</i>
B. STORMWATER MANAGEMENT.....	9
<i>B.1. Planning.....</i>	<i>9</i>
<i>B.2. MS4 Program Implementation.....</i>	<i>10</i>
B.2.a. Construction Site Runoff and Post Construction Runoff from Areas of New Development and Development on Prior Developed Lands.....	10
B.2.b. Retrofitting on Prior Developed Lands	11
B.2.c. Roadways.....	11
B.2.d. Pesticide, Herbicide, and Fertilizer Application	13
B.2.e. Illicit Discharges and Improper Disposal	14
B.2.f. Spill Prevention and Response.....	17
B.2.g. Industrial & High Risk Runoff.....	17
B.2.h. Stormwater Infrastructure Management.....	19
B.2.i. County Facilities	25
B.2.j. Public Education/Participation.....	27
B.2.k. Training.....	30
B.2.l. Water Quality Screening Programs.....	32
B.2.m. Infrastructure Coordination	34
C. MONITORING REQUIREMENTS.....	36
<i>C.1. Biological Stream Monitoring.....</i>	<i>36</i>
<i>C.2. In-Stream Monitoring</i>	<i>37</i>
<i>C.3. Floatables Monitoring.....</i>	<i>37</i>
D. TMDL ACTION PLAN AND IMPLEMENTATION.....	39
<i>D.1. Chesapeake Bay Special Condition.....</i>	<i>39</i>
<i>D.2. TMDL Action Plans other than the Chesapeake Bay TMDL</i>	<i>44</i>
E. ANNUAL REPORTING	48

PROGRAM PLAN APPENDICES

- Appendix P1: More Stringent Stormwater and Erosion and Sediment Control Legal Authorities
- Appendix P2: Stormwater Ordinance Stringency Table
- Appendix P3: Roadways SOPs – Street Sweeping
- Appendix P4: Roadways SOPs – Roadways and Parking Lots Construction
- Appendix P5: Roadways SOPs – Material Storage
- Appendix P6: Roadways SOPs – Vehicle Maintenance
- Appendix P7: Standard Operating Procedures for Industrial and High-Risk Runoff (IHRR) Program MS4 Point of Connection and Facility Inspections
- Appendix P8: Post-Construction Stormwater Inspection and Maintenance Policies and Procedures
- Appendix P9: Standard Operating Procedures for the MS4 Wet Weather Screening Program
- Appendix P10: Standard Operating Procedures for the MS4 Biological Stream Monitoring Program
- Appendix P11: Standard Operating Procedures for the MS4 In-Stream Monitoring Program
- Appendix P12: Floatables Monitoring Standard Operating Procedures

ANNUAL REPORT APPENDICES

- Appendix R1: List of Agency Acronyms Referenced in this MS4 Program Plan and Roles and Responsibilities by Agency
- Appendix R2: FY 2024 Fairfax County Adopted Budget Plan (Vol.2), Stormwater Services Budget
- Appendix R3: Summary of Potential Stormwater Projects for consideration of Implementation
- Appendix R4: List of All County Lands and Applicable Acreage on Which Nutrients Are Applied to More Than One Contiguous Acre and Status of Implementation of Nutrient Management Plans
- Appendix R5: List of Illicit Discharges Identified, the Source, a Description of Follow-Up Activities and Whether the Illicit Discharge Has Been Eliminated
- Appendix R6: List of Spills, the Source (Identified to the Best of the County's Ability), and a Description of Follow-up Activities Taken
- Appendix R7: List of all known IHRR Dischargers and Inspection Implementation
- Appendix R8: Updated List of High Priority Municipal Facilities and Those with a High Potential of Discharging Pollutants
- Appendix R9: Public Education and Participation Program Effectiveness Overview
- Appendix R10: List of County's Public Outreach and Education Activities and the Estimated Number of Individuals Reached through the Activities
- Appendix R11: Dry Weather Screening Report

- Appendix R12: Wet Weather Screening Report
- Appendix R13: Summary of Annual Infrastructure Coordination Meeting with VDOT
- Appendix R14: Summary of the Biological Monitoring Results and Analysis
- Appendix R15: In-Stream Monitoring Report
- Appendix R16: Floatables Monitoring Standard Report
- Appendix R17: Chesapeake Bay TMDL Action Plan Implementation Updates
- Appendix R18: TMDL Action Plan Implementation Updates Other Than Chesapeake Bay

INTRODUCTION

The following Municipal Separate Storm Sewer System (MS4) combined Program Plan update and Annual Report is submitted to the Virginia Department of Environmental Quality (DEQ) in compliance with Fairfax County's Virginia Stormwater Management Program (VSMP) MS4 permit (VA0088587). The permit was reissued on January 4, 2024. As required by Part I.E.1) of the permit, this report covers the period from July 1, 2023, through June 30, 2024, and describes the continued activities performed to satisfy the county's permit requirements (2015 issuance) as well as updates needed to satisfy new (2024 issuance) requirements. Program Plan modifications are identified by their due date in the Permit Year columns.

In order to facilitate tracking of the updated Program Plan elements and associated reporting requirements, the Annual Report and Program Plan have been combined into a single document that includes the permit language, the county's Program Plan, the permit reporting requirements and the county's Annual Report on each requirement. The combined MS4 Program Plan and Annual Report is presented as a table that can be navigated using the MS4 Action ID assigned to each reporting requirement. This approach has multiple benefits including ensuring that all permit requirements are addressed, facilitating update of the Program Plan in conjunction with each Annual Report, and simplifying regulatory review by including all of the information relevant to each requirement in one place. The table contains the following columns:

Column Heading	Content
MS4 Action ID:	This column follows the structure of Part I of the permit and assigns an ID to each permit requirement. In some cases, permit sections that include multiple requirements have been broken out into separate MS4 Action IDs for clarity.
Permit Requirement:	This column contains the language as it appears in each section of the permit. <i>Permit language is shown in italics.</i>
Responsible Party:	This column identifies the department, division or subdivision responsible for maintaining compliance with each permit requirement.
Program Plan Elements:	This column describes the county's program for compliance with each permit requirement for the 2024 reporting period. Where the program description or supporting materials do not fit in the table, they are included as a numbered appendix beginning with the letter "P" for Program Plan.
Permit Year:	This column is a group of five smaller columns (one for each year of the permit) and is used to visually highlight specific due dates (in green) and to identify the annual timeline for implementation of individual actions (in blue). When an action is not implemented during a specific year, the column is shaded in gray.
Specific Reporting Requirement:	Like the "Permit Requirement" column, this column contains the language for each specific reporting requirement that appears in the permit. Where there is no specific reporting requirement, the column is shaded gray. <i>Permit language is shown in italics.</i>
2024 Annual Report:	This column contains a report on the activities performed to comply with each permit requirement. Where the reported activities or supporting materials do not fit in the table, they are included as a numbered appendix beginning with the letter "R" for Annual Report. Where reporting on an action is not required during the reporting period, the column is shaded in gray.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
	A. DISCHARGES AUTHORIZED UNDER THIS STATE PERMIT										
	A.1. Authorized Discharges										
A.1.a.	This state permit authorizes the discharge of stormwater from all existing and new municipal separate stormwater point source discharges to surface waters from the Municipal Separate Storm Sewer System (MS4) owned or operated by the Fairfax County in Virginia, including Fairfax County Public Schools.										
A.1.b.	The following discharges, whether discharged separately or commingled with municipal stormwater, are also authorized by this state permit for discharge through the MS4:										
A.1.b.1.	Non-stormwater discharges and stormwater discharges associated with industrial activity (defined at 9 VAC25-31-10) that are authorized by a separate Virginia Pollutant Discharge Elimination System (VPDES) permit;										
A.1.b.2.	Discharges from construction activities that are regulated under the Virginia Stormwater Management Program (VSMP) (9 VAC25-870 et seq.) and authorized by a separate VSMP authority permit or state permit; and										
A.1.b.3.	The following non-stormwater discharges unless the State Water Control Board or the permittee determines the discharge to be a significant source of pollutants to surface waters: (a) water line flushing, managed in a manner to avoid instream impact; (b) landscape irrigation; (c) diverted stream flows; (d) rising ground waters; (e) uncontaminated ground water infiltration (as defined at 40 CFR Part 35.2005(20)); (f) uncontaminated pumped ground water; (g) discharges from potable water sources, managed in a manner to avoid instream impact; (h) foundation drains; (i) air conditioning condensation; (j) irrigation water; (k) springs; (l) water from crawl space pumps; (m) footing drains; (n) lawn watering; (o) individual residential car washing; (p) flows from riparian habitats and wetlands; (q) dechlorinated freshwater swimming pool discharges, managed in a manner to avoid instream impact; (r) street and pavement wash waters that do not contain cleaning additives or otherwise managed in a manner to avoid instream impact;	SWPD	• Non-stormwater discharges are tracked as part of the Illicit Discharge and Improper Disposal program. • See MS4 Action ID B.2.e.1.								
				▶	▶	▶	▶	▶			

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	(s) routine external building wash down provided no soaps, solvents, or detergents are used, external building surfaces do not contain hazardous substances, and the wash water is filtered, settled, or similarly treated prior to discharge; (t) discharges or flows from emergency firefighting activities; (u) discharges or flows of water for fire prevention or firefighting training activities managed in a manner to avoid instream impact in accordance with § 9.1-207.1 of the Code of Virginia; (v) discharges from noncommercial fundraising car washes if the washing uses only biodegradable, phosphate-free, water-based cleaners in accordance with §15.2-2114.1 of the Code of Virginia: or (w) other activities generating discharges identified by the Department as not requiring VPDES authorization.									
A.1.b.4.	Materials from a spill are not authorized unless the discharge of material resulting from a spill is necessary to prevent loss of life, personal injury, or severe property damage. The permittee shall take, or require the responsible party to take, all reasonable steps to minimize or prevent any adverse effect on human health or the environment in accordance with the permittee's program under Part I.B.2.f). (Spill Prevention and Response). This state permit does not transfer liability for a spill itself from the party(ies) responsible for the spill to the permittee nor relieve the party(ies) responsible for a spill from the reporting requirements of 40 CFR Part 117 and 40 CFR Part 302. The permittee is responsible for any reporting requirement listed under Part III.G of this state permit.									
	A.2. Permittee Responsibilities									
A.2.	This state permit establishes the specific requirements applicable to the permittee for the term of this state permit. The permittee is responsible for compliance with this state permit. The permittee shall implement and update the MS4 Program Plan (as set forth in Part I.B) to ensure compliance with this state permit. The Department has determined that implementation of the MS4 Program Plan reduces the discharge of pollutants to the maximum extent practicable. Where wasteloads have been allocated for pollutant(s) of concern in an approved Total Maximum Daily Load (TMDL), the permittee shall implement the special conditions as set forth in Part I.D of this state permit. Compliance with the requirements of this state permit shall also constitute adequate progress for this permit									

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
A.3.a.	Control the contribution of pollutants to the MS4;	LDS (124, 104) DPWES (124, 65, 109.1); FRD (62); HD (43.2, 46, 68.1, 69.1)	<ul style="list-style-type: none">The Stormwater Management Ordinance (Chapter 124), Erosion and Sediment Control Ordinance (Chapter 104), Fire Protection Ordinance (Chapter 62), Plumbing and Gas Provisions Ordinance (Chapter 65), Food and Food-Service Establishments Ordinance (Chapter 43.2), Health or Safety Menaces Ordinance (Chapter 46), Individual Sewage Disposal Facilities Ordinance (Chapter 68.1), Water Recreation Facilities Ordinance (Chapter 69.1), and Solid Waste Management Ordinance (Chapter 109.1) provide the authority to prohibit illicit discharges and connections, as well as illegal dumping.These ordinances are available online at www.municode.com/library (search for Fairfax County) or at this weblink:.	▶	▶	▶	▶	▶		
A.3.b.	Prohibit illicit discharges to the MS4;	LDS (124, 104) DPWES (124, 65, 109.1); FRD (62); HD (43.2, 46, 68.1, 69.1)	<ul style="list-style-type: none">The following ordinances provide authority to prohibit illicit discharges and connections, as well as illegal dumping. The Stormwater Management Ordinance (Chapter 124), Erosion and Sediment Control Ordinance (Chapter 104), Fire Protection Ordinance (Chapter 62), Plumbing and Gas Provisions Ordinance(Chapter 65), Food and Food-Service Establishments Ordinance (Chapter 43.2), Health or Safety Menaces Ordinance (Chapter 46), Individual Sewage Disposal Facilities Ordinance (Chapter 68.1), Water Recreation Facilities Ordinance (Chapter 69.1), and Solid Waste Management Ordinance (Chapter 109.1).These ordinances are available online at www.municode.com/library (search for Fairfax County) or at this weblink: Fairfax County - Code of Ordinances.	▶	▶	▶	▶	▶		
A.3.c.	Control the discharge of spills and the dumping or disposal of materials other than stormwater (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;	LDS (124, 104) DPWES (124, 65, 109.1); FRD (62); HD (43.2, 46, 68.1, 69.1)	<ul style="list-style-type: none">The Stormwater Management Ordinance (Chapter 124), Erosion and Sediment Control Ordinance (Chapter 104), Fire Protection Ordinance (Chapter 62), Plumbing and Gas Provisions Ordinance (Chapter 65), Food and Food-Service Establishments Ordinance (Chapter 43.2), Health or Safety Menaces Ordinance (Chapter 46), Individual Sewage Disposal Facilities Ordinance (Chapter 68.1), Water Recreation Facilities Ordinance (Chapter 69.1), and Solid Waste Management Ordinance (Chapter 109.1) provide the authority to control the discharge of spills and the dumping or disposal of materials other than stormwater into the MS4.These ordinances are available online at www.municode.com/library (search for Fairfax County) or at this weblink: Fairfax County - Code of Ordinances.	▶	▶	▶	▶	▶		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
A.3.d.	Require compliance with conditions in ordinances, permits, contracts, inter-jurisdictional agreements, or orders; and	LDS (124, 104) DPWES (124, 65, 109.1); FRD (62); HD (43.2, 46, 68.1, 69.1)	The county has the authority to require compliance related to implementing the permit requirements, including but not limited to: • <u>Conditions in ordinances</u> (including permits and orders issued under ordinances): The county has authority as authorized by state law and as stated in local ordinances, including options for escalating enforcement steps as appropriate in the county’s exercise of its enforcement discretion as the regulator of covered third party activities. Local enforcement authority includes: o Stormwater Management Ordinance (Chapter 124): see Article 8 – Violations and Penalties. o Erosion and Sediment Control Ordinance (Chapter 104): see § 104-1-12. - Penalties, Injunctions, and Other Legal Actions. o Fire Protection Ordinance(Chapter 62): see § 62-1-1. – Penalty: § 62-2-5. – Powers of arrest. o Plumbing and Gas Provisions Ordinance (Chapter 65): see Article 7. – Penalties. o Food and Food-Service Establishments Ordinance (Chapter 43.2): see Article 4 – Penalties; § 8-4 Inspection and Correction of Violations. o Health or Safety Menaces Ordinance (Chapter 46): see § 46-1-3 – Abatement of health or safety menaces. o Individual Sewage Disposal Facilities Ordinance (Chapter 68.1): see § 68.1-1-3. – Penalties. o Water Recreation Facilities Ordinance (Chapter 69.1): see § 69.1-1-22. – Penalties. o Solid Waste Management Ordinance(Chapter 109.1): see Article 9 – Enforcement. • <u>Contracts and inter-jurisdictional agreements</u> : To the extent authorized by state law, the county has authority to enter into and carry out contracts and, in event of breach of any contract by a counterparty, to enforce such contracts according to the provisions thereof and by legal action for breach of contract in the county’s discretion.							
A.3.e.	Carry out all inspections, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with permit conditions including the prohibition on illicit discharges to the MS4.	LDS (124, 104) DPWES (124, 65, 109.1); FRD (62); HD (43.2, 46, 68.1, 69.1)	The county has authority to conduct inspections/monitoring etc. related to implementing the permit requirements, including but not limited to: • Stormwater Management Ordinance (Chapter 124): see § 124-1-8. – Right of Entry; § 124-2-5. – Monitoring, Reports, Investigations, and Inspections: § 124-9-4 – Standards for Inspection of Industrial and Commercial Property Discharging to the county MS4. • Erosion and Sediment Control Ordinance (Chapter 104): see § 104-1-5. – Monitoring and inspections.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year						
				1	2	3			4	5
			<ul style="list-style-type: none">Fire Protection Ordinance (Chapter 62): see § 62-2-5 Powers of arrest (addresses investigation of environmental crimes).Food and Food-Service Establishments Ordinance (Chapter 43.2): see § 8-4 Inspection and Correction of Violations.; § 8-402.11. – Allowed at Reasonable Times after Due Notice.Health or Safety Menaces Ordinance (Chapter 46): see § 46-1-2 – Inspection for health or safety menaces.Individual Sewage Disposal Facilities Ordinance (Chapter 68.1): see § 68.1-2-3. – Inspection of individual sewage disposal systems by Administrative Authority.Water Recreation Facilities Ordinance (Chapter 69.1): see § 69.1-1-22. – Inspections.							
A.3-1.	The permittee shall review and update its ordinances and other legal authorities such as permits, orders, contracts, and inter-jurisdictional agreements as necessary to continue providing adequate legal authority to control discharges to and from the MS4.	SWPD	Fairfax County’s current ordinances and other legal authorities provide adequate legal authority to control discharges to and from the MS4. Ordinances and other legal authorities will be reviewed annually as part of the Program Plan review.	►	►	►	►	►	Each annual report shall provide a list of any updates to applicable ordinances, permits, orders, contracts, and/or agreements performed over the reporting year.	
	A.4. MS4 Program Resources									
A.4.	The permittee shall submit to the Department a copy of the permittee’s fiscal year’s budget including its proposed capital and operation and maintenance expenditures necessary to accomplish the activities required by this state permit. The permittee shall describe its method of funding the stormwater program with the copy of the fiscal year budget.	SWPD	The fiscal year’s budget will be provided as required.	►	►	►	►	►	A copy of the permittee’s fiscal year’s budget including its proposed capital and operation and maintenance expenditures necessary to accomplish the activities required by this state permit shall be submitted with each annual report.	In FY 2006 the Fairfax County Board of Supervisors dedicated the value of one penny of the real estate tax, or approximately \$20 million annually, to stormwater capital projects. As part of the FY 2010 Adopted Budget Plan, a new service district was created to support the stormwater management program, as authorized by §15.2-2400 et seq. of the Code of Virginia. As part of the FY 2024 budget, the Board of Supervisors established the stormwater service district levy at \$0.0325 (three and a quarter cents) per \$100 of assessed real estate value. The stormwater service district will generate approximately \$103,877,482 million in FY 2025 that will be dedicated to funding the entire stormwater management program. This includes both staff operating requirements and stormwater capital projects. A copy of the FY 2025 Fairfax County Adopted Budget Plan (Vol. 2),Stormwater Services Budget has been included in Appendix R2 and is available online at: Fund 40100: Stormwater Services - FY 2025 Adopted Budget Plan (fairfaxcounty.gov)
	A.5. Permit Maintenance Fees									
A.5.	Permit maintenance fees shall be paid in accordance with Part XIII of the VSMP regulations (9 VAC 25-870-700 et seq.).	SWPD	The permit maintenance fee will be paid as required.	►	►	►	►	►	A statement regarding payment of the applicable MS4 permit maintenance fee, including supporting documentation shall be included with each annual report. Note: Please do not include copies of checks or other bank records.	Fairfax County’s MS4 permit maintenance fee was paid on October 9, 2023, via an electronic payment.
	A.6. MS4 Program Plan									
A.6.	The permittee shall maintain, implement, and enforce an MS4 Program Plan accurately documenting the MS4 Program including all additions, changes and modifications. For the purposes of this state permit, the MS4 Program Plan is considered a single document, but may	SWPD	<ul style="list-style-type: none">This document is Fairfax County’s MS4 Program Plan, which has been developed to document the county’s MS4 Program as it exists at the end of the second full year of this permit cycle.The county reserves its full discretion to modify this plan in accordance with applicable laws	►	►	►	►	►	The annual report shall include a summary of any updates to the MS4 Program Plan made during the reporting year.	Fairfax County’s MS4 Program Plan is contained in the “Program Plan Elements” column of this document and is available to the public on the Fairfax County website at the following link: https://www.fairfaxcounty.gov/publicworks/stormwater/ms4-program-plan-and-annual-reports

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	<p><i>Processes Act, the VSMP regulations and other applicable State laws, statutes and regulations, the Department may request changes to the MS4 Program Plan to assure compliance with the statutory requirements of the Virginia Stormwater Management Act and associated regulations and to:</i></p> <p><i>1) Address impacts on receiving water quality caused by discharges from the MS4;</i></p> <p><i>2) Include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements; or</i></p> <p><i>3) Include such other conditions necessary to comply with State or Federal statutory or regulatory requirements.</i></p> <p><i>Proposed changes requested by the Department shall be made in writing and set forth the basis for and objective of the modification as well as the proposed time schedule for the permittee to develop and implement the modification. The permittee may propose alternative program modifications and/or time schedules to meet the objective of the requested modification, but any such modifications are at the discretion of the Department.</i></p>									
	<p>B. STORMWATER MANAGEMENT</p> <p><i>The following subparts describe the requirements for the permittee to implement in its MS4 Program during this state permit term:</i></p>									
	<p>B.1. Planning</p>									
B.1-1.	<p><i>No later than 12-months after the effective date of this state permit, the permittee shall submit to the Department a summary of potential stormwater management projects which may be selected from the permittee’s watershed management plans to be completed during the term of the permit. Projects addressing stormwater quantity may be included if there is a water quality benefit to the project. At a minimum, the permittee shall address the following for each project in the summary: type of project or BMP, number of acres which the BMP treats, impervious and pervious acreage treated by the potential project, condition of the downstream channel, amount of total pollutant reduction, feasibility for implementation, and estimated cost of implementation. The summary shall include a prioritized list of the identified projects for consideration of implementation.</i></p>	SWPD	<p>The summary of potential stormwater management projects which may be selected from the permittee’s watershed management plans to be completed during the term of the permit is provided as Appendix R3 of this annual report.</p>	January 3, 2025★					<p>Although not a specific reporting requirement in the permit, a summary of potential stormwater management projects is submitted as Appendix R3 of this annual report.</p>	<p>See Appendix R3- Summary of Potential Stormwater Projects.</p>

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)	
				Permit Year							
				1	2	3	4	5			
B.1-2.	The permittee shall continue to seek public comment in development of the plans. A copy of the completed plans shall be placed on the permittee’s website no later than 30 days after it is submitted to the Department.	SWPD	All of the watershed management plans have been completed and links to the completed plans are provided on the county’s website: https://www.fairfaxcounty.gov/publicworks/stormwater/watersheds	March 31, 2016 ★	▶	▶	▶	▶	The permittee shall provide the Department a web link to the watershed management plans no later than 12 months after the effective date of this state permit.	See the following web link to the county’s watershed management plans: https://www.fairfaxcounty.gov/publicworks/stormwater/watersheds	
	B.2. MS4 Program Implementation										
	B.2.a. Construction Site Runoff and Post Construction Runoff from Areas of New Development and Development on Prior Developed Lands										
B.2.a.1.	The permittee shall implement a local erosion and sediment control program consistent with the Virginia Erosion and Sediment Control Law § 62.1-44.15:51 of the Code of Virginia and Virginia Erosion and Sediment Control Regulations 9VAC 25-840 et seq. and a stormwater management program consistent with the Virginia Stormwater Management Act § 62.1-44.15:24 of the Code of Virginia and Virginia Stormwater Management Program Regulations 9VAC25-870 et seq.	LDS	<ul style="list-style-type: none">The county continues to implement and enforce Fairfax County Code Chapter 104, Erosion and Sediment Control, and Chapter 124, Stormwater Management Ordinance. The county’s erosion and sediment control program and stormwater management program have been approved by DEQ as consistent with the Virginia Erosion and Sediment Control Law, the Virginia Stormwater Management Act, and their attendant regulations.The County is updating these ordinances per the Virginia Erosion and Stormwater Management Act and the Virginia Erosion and Stormwater Management Regulation, effective July 1, 2024. The Program Plan will be updated to reflect this update for the next reporting period.The county uses 2,500 square feet, which is the threshold for land disturbing activities to be regulated under the county’s erosion and sediment control program, as the threshold for reporting the number of regulated land disturbing activities and the total number of acres disturbed.	▶	▶	▶	▶	▶	<ul style="list-style-type: none">Each annual report shall contain the number of regulated land disturbing activities approved and the total number of acres disturbed.Each annual report shall contain the number of land disturbing activity inspections conducted and the number and type of each enforcement action taken.	Number of regulated land disturbing activities approved:	1,368
										Total number of acres disturbed:	2,440
										Number of VESCP inspections conducted:	17,657
										Number of VSMP inspections conducted:	510
										Number of VESCP Notices of Violation Issued:	352
										Number of VSMP Notices of Violation Issued:	38
B.2.a.2.	The permittee shall identify in the MS4 Program Plan all legal authorities for erosion and sediment control and stormwater management that are more stringent than those required under 9VAC 25-840 et seq. and/or 9VAC 25-870 et seq. that have been adopted in accordance with § 62.1-44.15:65 and/or § 62.1-44.15:33 of the Code of Virginia.	LDS	The county has identified current county requirements that are more stringent than state law/regulations in an Erosion and Sediment Control Ordinance Stringency Table and a Stormwater Management Ordinance Stringency Table (see Appendix P1 and P2).	▶	▶	▶	▶	▶	Each annual report shall include a summary of actions taken by the permittee to implement Part I.B.2.a)1) and 2) of this state permit.	Fairfax County has implemented a local Virginia E&S Control Program (VESCP) and a local Virginia Stormwater Management Program (VSMP) consistent with the applicable state regulations. The VESCP and VSMP programs are fully approved by DEQ and are implemented by the Department of Land Development Services (LDS).	
B.2.a-a.	See MS4 Action ID B.2.h.2.a.1.	MSMD	See MS4 Action ID B.2.h.2.a.1.	October 1, 2024 ★					The initial annual report shall include the permittee’s strategy to address maintenance of stormwater management controls that are designed to treat stormwater runoff solely from the individual residential lot on which they are located.		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year						
				1	2	3	4	5		
B.2.a-b.	See Specific Reporting Requirement.	LDS	The county’s list of known land disturbing projects that qualify under the ‘Grandfathering’ provision of the VSMP regulations found at 9VAC25-870-48 are included with this initial annual report.	October 1, 2024 ★					The initial annual report shall include a list of all known land disturbing projects that qualify under the ‘Grandfathering’ provision of the VSMP regulations found at 9VAC 25-870-48.	Refer to Appendix R17 Chesapeake Bay TMDL Action Plan Implementation Updates
	B.2.b. Retrofitting on Prior Developed Lands									
B.2.b.	<p>From the list of stormwater management projects included in the analysis required in Part I.B.1, the permittee shall complete at least thirty (30) projects no later than the expiration date of this state permit. Projects implemented to meet the requirements of Part I.D of this state permit (TMDL Action Plan and Implementation for the Chesapeake Bay Special Condition or TMDL Action Plans other than the Chesapeake Bay TMDL) may be used to meet the requirements of this special condition.</p> <p>For retrofit projects that do not serve to meet the requirements of Part I.D, the permittee shall submit a summary of projects implemented during the reporting period with each annual report including type of land use being retrofitted, retrofit performed, completion date or anticipated completion date, total acreage retrofitted, total impervious and pervious acreage, and location by latitude and longitude (in decimal degrees).</p>	SWPD	<ul style="list-style-type: none">The county will implement at least 30 projects from the list of projects required in Part I.B.1 no later than the expiration date of this permit.Stormwater retrofit projects are implemented to restore streams and provide stormwater management through the construction of a range of practices from onsite green infrastructure to regional detention ponds. Retrofits to existing stormwater management facilities are also implemented to improve water quality. These can include the use of shallow wetland marshes to enhance nutrient uptake and provide an increase in water absorption and transpiration. A secondary benefit of wetland marshes and naturally vegetated pond floors is the creation of habitat for wildlife.	▶	▶	▶	▶	January 3, 2029 ★	Each annual report shall include a status update for those projects for which implementation began during the reporting period.	<ul style="list-style-type: none">See Appendix R3 for projects listed in MS4 Action ID B.1-1 and their implementation status.All projects implemented serve to meet the requirements of Part I.D. of the permit.
	B.2.c. Roadways									
B.2.c.	Streets, roads, and parking lots maintained by the permittee shall continue to be operated and maintained in a manner to minimize discharge of pollutants, including those pollutants related to deicing or sanding activities.	MSMD	The county meets this requirement through implementation of the actions described below.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
B.2.c.1.	The permittee shall maintain an accurate list of permittee-maintained roads, streets, and parking lots that includes the street name, the miles of roadway not treated by BMPs, and miles of roadway treated with BMPs.	MSMD	<ul style="list-style-type: none">The majority of public roads in the county (interstate, primary, secondary, and residential) are maintained and operated by the Virginia Department of Transportation (VDOT), which is covered by a separate Phase II MS4 permit. Fairfax County is responsible for maintaining several miles of discontinuous road segments, many of which are unpaved. The county’s street maintenance program is an interim program designed to provide essential maintenance, pending acceptance of the road segment into Virginia’s Secondary Road System.The county currently operates and maintains parking lots associated with county facilities (such as government centers, libraries, fire stations, police stations, health centers, bus transit facilities, park and ride lots, commuter rail stations, public housing facilities, and staffed park locations).Fairfax County maintains a list of permittee-maintained roads, streets and parking lots that complies with the permit requirements.	▶	▶	▶	▶	▶			
B.2.c.2.	The permittee shall implement written protocols for permittee-maintained road, street, and parking lot maintenance, equipment maintenance and material storage designed to minimize pollutant discharge.	MSMD	The county will implement its street sweeping, roadways and parking lot construction, material storage, and vehicle maintenance Standard Operating Procedures included in Appendices P3-P6.	▶	▶	▶	▶	▶	The permittee shall include an updated version of the written protocols identified in Part I.B.2.c)2) if any changes are made during the reporting year.	The County implements Outdoor Material Storage; Parking Lot and Street Sweeping; Roadway and Parking Lot Construction and Maintenance; and Vehicle and Equipment Repair and Maintenance Procedures as required by the permit. The procedures can be found in Appendices P3-P6.	
B.2.c.3.	Within 30 months of permit issuance, the permittee shall develop or review and update, if necessary, its existing procedures for snow and ice management, as well as identify opportunities to implement best management practices that promote efficient management and application of anti-icing and deicing agent applications to any permittee-maintained parking lots, roadways, and sidewalks or other paved surfaces.	MSMD	The County will review and update its procedures for snow and ice management and opportunities to implement best management practices by July 3, 2026.			July 3, 2026 ★	▶	▶	See MS4 Action ID B.2.c.2.		
B.2.c.4.	Materials utilized for deicing and sanding activities shall remain covered from precipitation until application	MSMD	For all county bulk storage sites, sand and deicing materials remain covered unless being loaded. After loading, any excess material is swept or shoveled back into the storage pile or container and covered.	▶	▶	▶	▶	▶			
B.2.c.5.	The permittee shall not apply any deicing agent containing urea or other forms of nitrogen or phosphorus to parking lots, roadways, and sidewalks or other paved surfaces.	MSMD	<ul style="list-style-type: none">Fairfax County currently uses sand as an abrasive and calcium chloride or rock salt for deicing roadways. The county has changed from calcium chloride to magnesium chloride for deicing walkways; however, this change is not feasible for roadways where public safety is the first priority.Fairfax County does not apply deicing agents containing urea or other forms of nitrogen or phosphorus to parking lots, roadways, and sidewalks or other paved surfaces.	▶	▶	▶	▶	▶			

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	B.2.d. Pesticide, Herbicide, and Fertilizer Application									
B.2.d.	<i>The permittee shall continue to control the discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied to permittee rights of way, parks, and other permittee property, as follows:</i>	SWPD	The county meets this requirement through implementation of the actions described below.							
B.2.d.1.	<i>The permittee shall implement and maintain current turf and landscape nutrient management plans that have been developed by a certified nutrient management planner in accordance with § 10.1-104.2 of the Code of Virginia on all lands owned or operated by the permittee where nutrients are applied to a contiguous area greater than one acre. Nutrient management plans shall be submitted to the Department of Conservation and Recreation (DCR) for approval no later than 30 days prior to plan expiration. No nutrient management plans maintained by the permittee shall be considered expired while DCR is reviewing the plan for approval.</i>	SWPD	The County will continue to implement and maintain turf and landscape nutrient management plans on County lands where nutrients are applied to a contiguous area greater than one acre. The plans are submitted to DCR as required for renewal.							
				▶	▶	▶	▶	▶		
B.2.d.1.a.	<i>The permittee shall maintain a list of all permittee lands where nutrients are applied to a contiguous area of more than one acre (including latitude and longitude).</i>	SWPD	County staff has identified all county lands where nutrients are applied to a contiguous area of more than one acre. A latitude and longitude have been provided for each area.						<i>Each annual report shall include the three elements under Part I.B.2.d)1)(b) above and a list of properties identified under Part I.B.2.d)1)(a) including the approval date of the most recent nutrient management plan.</i>	<ul style="list-style-type: none">Fairfax County has developed nutrient management plans for 100% of the lands where nutrients are applied to a contiguous area of more than one acre.See Appendix R4 for the full list of county land requiring nutrient management plans and the status of nutrient management plan implementation.
				▶	▶	▶	▶	▶		
B.2.d.1.b.	<i>The permittee shall track and annually report the following:</i>	SWPD	<ul style="list-style-type: none">The county will track the information described in MS4 Action IDs B.2.d.1.b.1-3.This information will be used for Specific Reporting Requirements for MS4 Action IDs B.2.d.1.a. and B.2.d.1.b.						See MS4 Action IDs B.2.d.1.a. and B.2.d.1.b.	
				▶	▶	▶	▶	▶		
B.2.d.1.b.1.	<i>The total acreage of permittee lands upon which nutrients are applied and controlled using general County guidelines or standard operating procedures;</i>	SWPD	County staff will track the total acreage where nutrients are applied on identified county lands with a contiguous area greater than one acre.						See MS4 Action IDs B.2.d.1.a. and B.2.d.1.b.	
				▶	▶	▶	▶	▶		
B.2.d.1.b.2.	<i>The acreage of permittee lands where turf and landscape nutrient management plans are required (including any new lands added in the reporting year); and</i>	SWPD	County staff will track the acreage where turf and landscape nutrient management plans are required.						See MS4 Action IDs B.2.d.1.a. and B.2.d.1.b.	
				▶	▶	▶	▶	▶		
B.2.d.1.b.3.	<i>The acreage of permittee lands covered by current turf and landscape nutrient management plans.</i>	SWPD	County staff will track the acreage of county lands covered by turf and landscape nutrient management plans.						See MS4 Action IDs B.2.d.1.a. and B.2.d.1.b.	
				▶	▶	▶	▶	▶		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
B.2.d.2.	The permittee shall continue to employ good housekeeping/pollution prevention measures in the application, storage, transport and disposal of pesticides, herbicides and fertilizers.	SWPD	<ul style="list-style-type: none">All pesticide and herbicide applications are performed by certified technicians.The county maintains general guidelines and procedures to be followed in the application, storage, transport and disposal of pesticides, herbicides and fertilizers.County personnel and private contractors follow the Virginia Department of Conservation and Recreation's nutrient management training and certification and the Virginia Department of Agriculture's guidelines for certification and training of pesticide applicators.	►	►	►	►	►		
B.2.d.3.	The permittee may regulate the use, application, or storage of fertilizers pursuant to §3.2-3602 of the Code of Virginia.	SWPD	No additional local fertilizer requirements are in place at this time beyond state requirements.	►	►	►	►	►		
B.2.d.4.	The permittee shall track the acreage of permittee lands managed under Integrated Pest Management Plans.	SWPD	Fairfax County tracks the acreage of county lands managed under Integrated Pest Management Plans.	►	►	►	►	►	Each annual report shall include the number of acres managed under Integrated Pest Management Plans.	Fairfax County has 312.9 acres managed under Integrated Pest Management Plans. - Green Springs Garden manages 31 acres of IPMs - Laurel Hill Golf Club manages 281.9 acres of IPMs
	B.2.e. Illicit Discharges and Improper Disposal									
B.2.e.	Discharges to the MS4 not authorized by this state permit shall be effectively prohibited.	FRD; DPWES; HD	The county will continue to implement and enforce Fairfax County Fire Prevention Ordinance (Chapter 62), Stormwater Management Ordinance (Chapter 124), Food and Food-Service Establishments Ordinance (Chapter 43.2), Individual Sewage Disposal Facilities Ordinance (Chapter 68.1), Water Recreation Facilities Ordinance (Chapter 69.1), Sanitary Sewers and Sewage Disposal Ordinance (Chapter 67.1), and Solid Waste Management Ordinance (Chapter 109). The county will update these authorities as needed and to the extent allowed by state enabling authority.	►	►	►	►	►		
B.2.e.1.	In accordance with Part I.A.1.b), certain non-stormwater discharges to the MS4 need not be addressed as illicit discharges or improper disposal. The MS4 Program Plan shall identify any non-stormwater discharges listed under Part I.A.1.b), where the permittee has imposed any conditions on the discharges to the MS4. The permittee shall prohibit, on a case-by-case basis, any individual non-stormwater discharge (or class of non-stormwater discharges) otherwise allowed under this paragraph that is determined to be contributing significant amounts of pollutants to the MS4.	SWPD	<ul style="list-style-type: none">The county has not imposed any conditions on non-stormwater discharges to the MS4 that are authorized under Part I.A.1.b) of the permit.The county will prohibit on a case-by-case basis or by class any non-stormwater discharge otherwise allowed under the permit that the county determines to be contributing significant amounts of pollutants to the MS4 based on factual findings from an analysis of relevant data and that the county determines are necessary to protect water quality.	►	►	►	►	►		
B.2.e.2.	The permittee shall continue implementing a sanitary sewer inspection program to minimize the exfiltration from the sanitary system to the MS4. The permittee shall inspect a minimum of 750,000 linear feet of sanitary sewer during this permit cycle.	WCD	<ul style="list-style-type: none">The county will continue to implement the Sanitary Sewer Infiltration Abatement Program.A minimum of 750,000 linear feet of sanitary sewer will be inspected during this permit cycle.	►	►	►	►	►	Each annual report shall include the amount of linear feet of sanitary sewer inspected during the reporting year.	Fairfax County inspected 1,439,481 linear feet of existing sanitary sewers during the reporting year.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
B.2.e.3.	The permittee shall continue to implement a program to reduce the discharge of floatables (e.g., litter and other human-generated solid refuse) in accordance with Part I.C.3.	SWPD; MSMD	The county will continue to implement a program to reduce the discharge of floatables consisting of the following two elements: <ul style="list-style-type: none">The county removes floatables and other litter from county-operated stormwater management facilities.The county has a memorandum of understanding with the Clean Fairfax Council to implement a litter control and recycling education program (see MS4 Action ID B.2.j.1.f.) and to monitor the discharge of floatables from the MS4 (see MS4 Action ID C.3.a.)								
B.2.e.4.	The permittee shall prohibit the dumping or disposal of used motor vehicle fluids, household hazardous wastes, sanitary sewage, grass clippings, leaf litter, and animal wastes into the MS4. The permittee shall ensure the implementation of programs to collect used motor vehicle fluids (such as oil and antifreeze) for recycling, reuse, or proper disposal and to collect household hazardous waste materials (including paint, solvents, pesticides, herbicides, and other hazardous materials) for recycling, reuse, or proper disposal. Such programs shall be readily available to all private residents and shall be publicized and promoted on a regular basis not less than twice per year.	DSWCR	<ul style="list-style-type: none">The county will continue to implement and enforce the county Fire Prevention Ordinance (Chapter 62), Stormwater Management Ordinance (Chapter 124), Sanitary Sewers and Sewage Disposal Ordinance (Chapter 67.1), and Solid Waste Management Ordinance (Chapter 109). The county will review these authorities and update as needed and to the extent allowed by state enabling authority.The county will continue to implement a program that collects used motor vehicle fluids and household hazardous waste (HHW) materials from private residents for recycling, reuse, or proper disposal. The program will be publicized and promoted on the county’s website and through other means (press releases, newspaper advertising, etc.) at least twice per year.See MS4 Action ID B.2.j.a.d for information on promotion of the county’s Household Hazardous Waste Program.								

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
B.2.e.5.	The permittee shall continue to implement a program to locate and eliminate illicit discharges and improper disposal into the MS4. This program shall include dry weather screening activities to locate portions of the MS4 with suspected illicit discharges and improper disposal, as described in Part I.B.2.I)(1) of this state permit.	SWPD	<ul style="list-style-type: none">The county will continue to implement its dry weather screening program as described in MS4 Action ID B.2.I.1.a.The county will continue to respond to reports of suspected illicit discharges and improper disposal (IDID). Initial IDID reports document what is known about the suspected IDID and help identify the party responsible for addressing the discharge. If a significant pollutant load (including but not limited to a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance or a hazardous substance) from a property enters state waters, DEQ shall be notified immediately upon discovery of the discharge (or no later than 24 hours),and follow up in writing (sent by mail or email).Investigations of suspected IDIDs begin with a visual inspection of the selected point of connection to the MS4 for evidence of an illicit discharge and recording of observations. If flow is present, water chemistry tests can be performed in the field or samples may be collected and preserved on ice while the source is tracked down based on visual or olfactory cues. The source of the discharge is tracked down by testing farther up the storm drain network. Discharges are sampled from upstream manholes in the storm drain network to narrow down the source of the discharge to a specific pipe segment between two manholes or the input source. After the source of an illicit discharge has been identified, the appropriate agency is contacted to address the discharge.							
B.2.e.6.	The permittee shall require the elimination of illicit discharges and improper disposal practices within 30-days of discovery. Where elimination of an illicit discharge within 30-days is not possible, the permittee shall require an expeditious schedule for removal of the discharge. In the interim, the permittee shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.	SWPD	Once the source of the IDID has been located and the responsible party identified, the county works with the responsible party to ensure that the discharge is eliminated within 30 days. Where elimination is not possible within 30 days, the party responsible for the illicit discharge shall be required to generate a schedule and to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.						Each annual report shall include a list of illicit discharges identified, the source, a description of follow-up activities and whether the illicit discharge has been eliminated.	<ul style="list-style-type: none">Fairfax County investigated and closed 119 reports of illicit discharge or improper disposal during the reporting period. This includes four investigations that were ongoing when the previous reporting year ended.See Appendix R5 for the list of confirmed illicit discharges and improper disposals during the reporting year including the source, follow-up activities, and status.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	B.2.f. Spill Prevention and Response									
B.2.f.	<i>The permittee shall continue to implement a program that coordinates with the Fire Department and other permittee operated departments to prevent, contain, and respond to spills that may discharge into the MS4. The spill response program may include a combination of spill response actions by the permittee (and/or another public or private entity), and legal requirements for private entities within the permittee’s jurisdiction.</i>	FRD	<ul style="list-style-type: none">• The county meets this requirement through implementation of applicable Fairfax County Fire Prevention Division Policies, Operations, and Procedures and the Fire Investigations Section (FIS) Operation & Procedure Manual, Section 11 – Environmental Crimes. In that section it discusses who to contact, documentation, Illicit discharge, the VA fire prevention code on responsibility for cleanup, and VDOT. In Appendix D is the Hazmat Notification Matrix., MS4 Permit Requirements). These materials document how spill prevention and response is coordinated among county agencies.• The county’s overall spill prevention and response program is described in two sections of the Fairfax County Fire Prevention Division Policies, Operations, and Procedures. These include: (1) Hazardous Materials Investigation Program Description; and, (2) Hazardous Materials Services Section Hazardous Materials Release, Oversight, and Monitoring Program Description. The FIS Training Manual addresses specific MS4 permit requirements, including coordination of spill prevention, containment, and response as well as training and reporting requirements.• The FRD Hazardous Materials Response Team (HMRT) responds to reported incidents of hazardous material releases, spills, and discharges.• Spill prevention at county facilities is addressed in MS4 Action ID B.2.i.2.c.						<i>Each annual report shall include a list of spills, the source (identified to the best of the permittee’s ability), and a description of follow-up activities taken.</i>	<ul style="list-style-type: none">• The Fairfax County Fire and Rescue Department responded to 23 spills to the county’s MS4 during the reporting period.• See Appendix R6 for the list of spill responses during the reporting year including the source and follow-up activities.
	B.2.g. Industrial & High Risk Runoff									
B.2.g.	<i>The permittee shall implement a program to identify and control pollutants in stormwater discharges to the MS4 from industrial and high risk runoff facilities (e.g., municipal landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313). Facilities with individual industrial VPDES stormwater permits or coverage under the industrial stormwater general permit may be included in the program at the discretion of the permittee.</i>	SWPD	The county meets this requirement through implementation of the actions described below.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
B.2.g.1.	The permittee shall maintain, and update as necessary, a list of all known industrial and high-risk dischargers to the MS4.	SWPD	The county maintains a list of known industrial and high risk dischargers to the county MS4 and updates the list as needed. The list encompasses any industrial and/or commercial stormwater dischargers not regulated under the Virginia State Water Control Law that the county determines may be contributing a significant pollutant loading to the county MS4, including major automotive facilities such as repair shops, body shops, auto detailers, tire repair shops, and service stations. Major updates of the list will be performed at least once per five-year permit cycle. The county obtains information about potential industrial and high-risk dischargers from private commercial sources; state VPDES permit lists; lists maintained by EPA of EPCRA Title III, Section 313 facilities; and referrals from other county programs such as Illicit Discharge and Improper Disposal (IDID).	►	►	►	►	►	The annual report shall include a list of all known industrial and high risk dischargers including any non-VPDES regulated industrial and commercial stormwater dischargers determined by the permittee as having the potential to contribute a significant pollutant load and that discharge to the MS4 system, a schedule of inspections and procedures for inspecting points of connection or outfalls, whichever occurs first, to the permittee’s MS4.		
B.2.g.2.	The permittee shall maintain a list of any industrial and/or commercial stormwater discharges not permitted by the Department that it determines have the potential to contribute a significant pollutant loading to the MS4. This list may be individual discharges or categories of discharges.	SWPD	<ul style="list-style-type: none">The county will include industrial and commercial stormwater dischargers that the county determines are contributing a significant pollutant loading to the MS4 with the list described in MS4 Action ID B.2.g.1.	►	►	►	►	►	See B.2.g.1		
B.2.g.2.a.	The list shall include, but shall not be limited to, major automotive facilities such as repair shops, body shops, auto detailers, tire repair shops and service stations,	SWPD	See B.2.g.1	►	►	►	►	►	See B.2.g.1		
B.2.g.2.b.	Visual inspections of exposed areas and points of connections to the MS4 or outfalls at these facilities shall be conducted, in accordance with the schedule outlined in the MS4 Program Plan, to identify potential sources of pollutants that could enter the MS4 and surface waters.	SWPD	<ul style="list-style-type: none">The county meets this requirement through implementation of “Standard Operating Procedures for Industrial and High Risk Runoff (IHRR) Program MS4 Point-of-Connection and Facility Inspections” (see Appendix P7).The document in Appendix P7 establishes the procedures by which county staff establish priorities for IHRR inspections.	►	►	►	►	►	Each annual report shall include a report on implementation of the inspection schedule and include a list of the facilities and/or facility outfalls or points of connection to the permittee’s MS4 inspected during the reporting period.	<ul style="list-style-type: none">Fairfax County inspected the points of connection to the MS4 from 81 facilities on the IHRR list during the reporting period.See Appendix R7 for the list of IHRR facilities inspected during the reporting period.	
B.2.g.2.c.	The permittee shall require control measures as necessary and/or appropriate for stormwater discharges from these dischargers to the MS4.	SWPD	The Standard Operating Procedures for Industrial and High Risk Runoff (IHRR) Program MS4 Point of Connection and Facility Inspections” (see Appendix P7) contains procedures for enforcement and follow-up actions	►	►	►	►	►			
B.2.g.3.	The permittee may conduct monitoring, or may require the facility to conduct monitoring, of any stormwater discharges it believes may be a source of significant pollutant loadings to the MS4.	SWPD	Control measures shall be required as necessary and/or appropriate for stormwater discharges from these dischargers in accordance with the enforcement authority identified in MS4 Action ID B.2.e.	►	►	►	►	►			

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)				
				Permit Year										
				1	2	3	4	5						
B.2.g.4.	The permittee shall coordinate with the Department to report any non-VPDES permitted industrial or commercial facility from which the permittee has evidence that a significant pollutant load is entering the MS4 system. Inspections of facilities for which the permittee has evidence of significant pollutant loading may be carried out in conjunction with other permittee programs.	SWPD	<ul style="list-style-type: none">The county meets this requirement through implementation of “Standard Operating Procedures for Industrial and High Risk Runoff (IHRR) Program MS4 Point of Connection and Facility Inspections” (see Appendix P7).The document in Appendix P7 establishes the procedures by which county staff identify non-VPDES permitted industrial facilities with evidence that a significant pollutant load is entering the MS4 system and procedures to refer these facilities to DEQ.	▶	▶	▶	▶	▶						
B.2.g.5.	The permittee shall refer to the Department of Environmental Quality, Northern Regional Office, for Department compliance review under the Virginia State Water Control Law any industrial or commercial facility, if the permittee becomes aware of a violation of any industrial stormwater management requirement contained in an individual or general VPDES permit issued to the facility by the Department.	SWPD	<ul style="list-style-type: none">The county meets this requirement through implementation of “Standard Operating Procedures for Industrial and High Risk Runoff (IHRR) Program MS4 Point of Connection and Facility Inspections” (see Appendix P7).The document in Appendix P7 establishes the procedures by which county staff identify facilities meeting the requirements for referral to DEQ under Part I.B.2.g)5) of the MS4 permit and procedures to refer these facilities to DEQ.	▶	▶	▶	▶	▶	Each annual report shall include a list of referrals to the Department including a document detailing any coordination activities with the Department.	Fairfax County referred zero (0) facilities to DEQ during the reporting period.				
	B.2.h. Stormwater Infrastructure Management													
B.2.h.	The permittee shall continue to maintain and implement programs to maintain the permittee’s stormwater infrastructure and to update the accuracy and inventory of the storm sewer system.													
B.2.h.1.	For stormwater management (SWM) facilities and infrastructure maintained by the permittee including residential properties where SWM facilities, BMP and Storm Drainage Systems qualify for permittee maintenance (excluding apartments and mobile home parks), the following conditions apply:	MSMD	The county meets this requirement through implementation of the actions described below.											
B.2.h.1.a.	The permittee shall provide for adequate long-term operation and maintenance of SWM facilities owned or operated by the permittee in accordance with written inspection and maintenance procedures included in the MS4 Program Plan.	MSMD	<ul style="list-style-type: none">The county provides long-term operation and maintenance of county facilities in accordance with the “Post-Construction Stormwater Inspection and Maintenance Policies and Procedures” (see Appendix P8).MSMD inspects and maintains SWM facilities on county property or within county easements.The procedures are updated as needed.	▶	▶	▶	▶	▶	The permittee shall submit with the initial annual report the written inspection and maintenance procedures.					
B.2.h.1.b.	The permittee shall inspect annually all SWM facilities owned or operated by the permittee. The permittee may choose to implement an alternative schedule to inspect these SWM facilities based on a risk assessment that includes facility type and expected maintenance needs provided that the alternative schedule is included in the MS4 Program Plan in accordance with plan modifications as listed in Part I.A.7.a) of this state permit.	MSMD	<ul style="list-style-type: none">The inspection frequency of county-maintained SWM facilities within the inventory is dependent on the type of facility.The county inspects county facilities that have routine maintenance programs every other year. Regional ponds and facilities that do not have routine maintenance programs are inspected annually. The alternative inspection schedule and the risk assessment upon which it is based	▶	▶	▶	▶	▶	Each annual report shall include a list of activities including inspections, maintenance, and repair of stormwater infrastructure operated by the permittee as required in Part I.B.2.h)1), including the type and number of stormwater structures inspected and	Type of stormwater structure (defined for the purposes of this report as the type of stormwater management facility)	Number Inspected	Number Maintained	Number Repaired	Total Number Owned or Operated by County
										AS (Soil Compost Amendment)	17	-	-	18
										BR (Bioretention)	-	155	28	156
										CS (Cistern System)	3	1	1	3

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)				
				Permit Year										
				1	2	3	4	5						
			are included in the “Post-Construction Stormwater Inspection and Maintenance Policies and Procedures” (see Appendix P8). <ul style="list-style-type: none">During inspections, MSMD and their contractors identify and document any necessary non-routine maintenance work. Each inspection form is tailored to the type of facility being inspected and has a standardized prioritization process.						<i>maintained; the total number of stormwater structures owned or operated by the permittee; the total linear feet of storm sewer system owned and/or operated by the permittee; and the linear feet of storm sewer system inspected.</i>	DP (Dry Pond - peak shaver/extended detention/enhanced extended detention) FC-PL566 (PL566 Dams) FTW (Floating Treatment Wetland) GR (Vegetated Roof) MB (Manufactured BMP) OS (Open Space/Meadow) PP (Permeable Pavement) RF (Reforestation) RT (Rooftop Detention) SF (Sand Filter) ST (Synthetic Turf) TF (Tree Box Filter/Filterra) TR (Infiltration Practice/Trench) UG (Underground Detention) VS (Vegetated Swale) WL (Constructed Wetland) WP (Wet Pond) WS (Wet Swale) TOTAL	779 6 - - 34 6 4 57 1 9 4 - - 89 113 - 1 20 7 1,152	1,431 6 4 15 - - 118 - - - 237 3 - 74 3 20 - 2,073	237 5 - 3 12 - - - - - 14 2 17 8 1 9 - 346	1,437 6 10 16 38 6 122 58 1 12 11 242 93 122 74 3 32 8 2,481
B.2.h.1.c.	The permittee shall conduct maintenance on SWM facilities owned or operated by the permittee as necessary to ensure the facilities function as designed.	MSMD	<ul style="list-style-type: none">MSMD performs routine maintenance on ponds, tree box filters, bioretention facilities, vegetated swales, green roofs, and permeable pavement within the public inventory. Depending on the type and age of the facility, maintenance is performed from once up to five times per year.County SWM facilities are maintained in accordance with the “Post-Construction Stormwater Inspection and Maintenance Policies and Procedures” (see Appendix P8).	►	►	►	►	►	See MS4 Action ID B.2.h.1.b.	See MS4 Action ID B.2.h.1.b.				
B.2.h.1.d.	The permittee shall continue its stormwater system inspection program and shall inspect no less than 15% of the MS4 annually and 100% of the system during the term of the permit.	MSMD	<ul style="list-style-type: none">The county has an ongoing program to digitally video and physically inspect the storm sewer system. As part of this process, MSMD is using GIS to develop a Physical Condition Assessment (PCA) layer for segments of each pipe, storm sewer structure and channel for use in prioritizing assets most in need of repair or rehabilitation.MSMD maintains mapping of the county stormwater infrastructure. This infrastructure inventory is continuously updated based on recorded easements, new as-built plans and condition assessments performed through internal closed-circuit television surveillance and walking/field verification.When defining the condition of the system and determining corrective actions, MSMD staff	►	►	►	►	►	See MS4 Action ID B.2.h.1.b.	Activity	Linear Feet	Percent		
										Total storm sewer system owned and/or operated by county:	8,458,560	100.0		
										Total storm sewer system inspected:	2,653,200	31.3		
										Cumulative storm sewer system inspected since 7/1/2023.	2,653,200	31.3		
										Total storm sewer system maintained:	79,200	0.93		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year									
				1	2	3	4	5					
			distinguishes between deficiencies that are structural in nature and those that can be addressed through operations and maintenance activities.							Total storm sewer system repaired:	8,560	0.10	
B.2.h.1.e.	The permittee shall dispose of all wastes and wastewaters collected during stormwater system cleaning in accordance with local, state, and federal laws and regulations.	MSMD	County staff and contractors dispose of wastes and wastewaters collected from stormwater system cleaning in accordance with local, state and federal laws and regulations.	►	►	►	►	►					
B.2.h.1.f.	The permittee shall obtain any required state or federal permit(s) necessary to complete maintenance activities.	MSMD	The county obtains all permits necessary to complete maintenance activities.	►	►	►	►	►					
B.2.h.2.	For SWM facilities not maintained by the permittee and that discharge into the MS4, the following conditions apply:	MSMD	The county meets this requirement through implementation of the actions described below.										
B.2.h.2.a.	The permittee shall continue to implement a program to ensure proper maintenance of each privately maintained SWM facility that discharges into the MS4 system. The program shall include the following elements:	MSMD	<ul style="list-style-type: none">The county’s program to ensure proper maintenance of privately maintained SWM facilities is provided in the “Post-Construction Stormwater Inspection and Maintenance Policies and Procedures” (see Appendix P8).Before a privately-maintained facility can be constructed in the county, a private maintenance agreement (PMA) is required to be executed and recorded in the land records of the county. Not all privately-owned and maintained facilities in the county have PMAs, due to changing requirements occurring in the 1980s. The PMA gives the county the legal authority to inspect, and if necessary, maintain the facility and requires that the facility be maintained in good working condition.	►	►	►	►	►					
B.2.h.2.a.1.	Beginning with the effective date of this state permit and in accordance with 9VAC 25-870-112 B, maintenance agreements may be used but are not required for stormwater control measures that are designed to treat stormwater runoff solely from the individual residential lot on which they are located provided that the permittee has developed and implemented a strategy to address maintenance of such stormwater management controls. Should the permittee choose a strategy other than a maintenance agreement, such a strategy shall be provided in writing no later than 12 months after the effective date of this state permit and shall include an inspection schedule, homeowner outreach and education, or other methods targeted at promoting the long-term maintenance of such facilities.	MSMD	<ul style="list-style-type: none">The county currently requires maintenance agreements for stormwater control measures that are designed to treat stormwater runoff solely from the individual residential lot on which they are located. Inspection and follow-up procedures are provided in the “Post-Construction Stormwater Inspection and Maintenance Policies and Procedures” (Appendix P8).In accordance with 9VAC25-870-112 B, the county has the discretion to adopt an alternative strategy for stormwater control measures that are designed to treat stormwater runoff solely from the individual residential lot on which they are located. The county has chosen to continue to require PMAs for these facilities at this time and any changes to the county’s strategy will be reported to DEQ and reflected in updates to this Program Plan.	►	►	►	►	►					

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)	
				Permit Year						1	2
B.2.h.2.a.2.	For SWM facilities that are privately maintained and for which maintenance agreements have been established between the permittee and the owner, the permittee shall inspect all privately maintained facilities no less than once per 5 years and conduct follow-up activities to ensure the required maintenance has been completed. Inspections may be conducted by the permittee or their designee as defined in 9VAC25-870-114.	MSMD	<ul style="list-style-type: none">The county’s inspection and follow-up procedures are provided in “Post-Construction Stormwater Inspection and Maintenance Policies and Procedures” (Appendix P11).Private facilities are routinely scheduled for inspection by a contractor or by in-house staff, with the goal of inspecting each privately-maintained facility at least once every five years. A detailed inspection report, including photographs, plans and a geographic information system (GIS) map is provided to the owner(s) upon completion of each inspection. The report informs the owner(s) of any maintenance deficiencies observed during the inspection and provides a timeline for addressing deficiencies.The county has an enforcement program in place if owners fail to voluntarily comply with our requests to complete noted deficiencies. The enforcement program is based on whether the facility is functioning as designed or not.	►	►	►	►	►	<ul style="list-style-type: none">Each annual report shall provide a summary of actions taken by the permittee to address failure of privately maintained SWM facilities owners to abide by maintenance agreements.Each annual report shall include a list of activities including inspections performed and notifications of needed maintenance and repair of stormwater facilities not operated by the permittee as required by Part I.B.2.h)2).	Number of privately maintained stormwater management facilities inspected:	1,242
										Notifications of needed maintenance and repair of privately maintained SWM facilities:	487
										Actions taken by the county to address failure of privately maintained SWM facilities owners to abide by maintenance agreements:	3
B.2.h.2.a.3.	The permittee shall continue to implement a program ensuring the inspection and maintenance of SWM facilities that are privately maintained and for which maintenance agreements have not been established between the permittee and the owner.	MSMD	<ul style="list-style-type: none">Fairfax County maintains and implements procedures and policies to ensure the inspection and maintenance of privately maintained SWM facilities without maintenance agreements are being conducted.If owners are not maintaining facilities as needed and PMAs are not recorded, the county can pursue compliance with stormwater management requirements that are specified on approved plans through the enforcement of Zoning Ordinance §17-108(6) and §18-901(3). The enforcement policy outlined in the procedures describes Notices of Inspection, Notices of Maintenance Verification, Notices of Violation, an appeals process, penalties and potential program limitations.	►	►	►	►	►			
B.2.h.3.	The permittee shall update and maintain an accurate MS4 map and information table as follows:	MSMD		►	►	►	►	►			

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
B.2.h.3.a	An updated map of the MS4 owned or operated by the permittee, no later than 12 months after the permit effective date that includes, at a minimum: (1) MS4 outfalls discharging to surface waters, except as follows: (i) In cases where the outfall is located outside of the MS4 permittee's legal responsibility, the permittee may elect to map the known points of interconnection upstream and downstream of the actual outfall; and (ii) In cases where the MS4 outfall discharges to receiving water channelized underground, the permittee may elect to map the point downstream at which the receiving water emerges above ground as an outfall discharge location. If there are multiple outfalls discharging to an underground channelized receiving water, the map shall identify that the outfall discharge location represents more than one outfall. This is an option a permittee may choose to use recognizing the difficulties in accessing outfalls to underground channelized stream conveyances for purposes of mapping, screening or monitoring. (2) A unique identifier for each mapped item required in Part I B.2.h) 3); (3) The name and location of receiving waters to which the MS4 outfall or point of interconnection discharges; (4) The MS4 regulated service area; (5) Pipe and open channel conveyances that are upstream of MS4 outfalls; and (6) Stormwater management facilities owned or operated by the permittee.	SWPD	<ul style="list-style-type: none">Fairfax County has identified all outfalls owned or operated by Fairfax County that discharge to surface waters (i.e. MS4 outfalls).Each MS4 outfall has an individual identification number, the local watershed, HUC and receiving water in which it is located are identified, and its latitude and longitude are provided in in decimal degrees.The county has delineated the drainage area to each of its MS4 outfalls (i.e. the MS4 service area).The county updates the mapping layers to incorporate new outfalls once as-built plans are provided by the party responsible for constructing the new outfall.The County is Investigating cases where there are points of interconnection for the map update.	January 3, 2025 ★						The MS4 service area map including outfalls and information included in Part I.B.2.h)3) shall be submitted no later than 12 months after the effective date of this state permit. The information shall be submitted as an electronic file described in Part I.B.2.h)3)(e).	The County will submit an updated map by January 3, 2025.
B.2.h.3.b.	The permittee shall update its MS4 service area map as necessary if any changes to direct drainage to VDOT's MS4 service area occur. The permittee shall maintain a map to assist with coordination of VDOT MS4 coverage areas for roadways and streets. Where practical, the permittee map shall clearly delineate gap areas that drain to VDOT MS4 areas not included as part of the Fairfax MS4 service area. This information shall be maintained and kept up to date and made available when requested.		County's current mapping process captures drainage to the VDOT MS4. The County's geodatabase will be available to share at the VDOT coordination meeting or upon request.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.h.3.a.	See MS4 Action ID B.2.h.3.a.	

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
B.2.h.3.c.	<p>The permittee shall maintain an outfall information table associated with the MS4 map that includes the following information for each outfall or point of discharge for those cases in which the permittee elects to map the known point of discharge in accordance with Part I.B.2.h)3)(a)(1). The outfall information table may be maintained as a shapefile attribute table. The outfall information table shall include the following, at a minimum:</p> <p>(1) A unique identifier as specified on the MS4 map;</p> <p>(2) The latitude and longitude of the outfall, or point of discharge;</p> <p>(3) The 6th Order Hydrologic Unit Code of the receiving water;</p> <p>(4) An indication as to whether the receiving water is listed as impaired in the Virginia 2022 305(b)/303(d) Water Quality Assessment Integrated Report; and</p> <p>(5) The name of any EPA-approved TMDLs for which the permittee is assigned a wasteload allocation.</p> <p>If available, the outfall table should include the following:</p> <p>(1) The estimated regulated acreage draining to the outfall, or point of discharge; and</p> <p>(2) The name of the receiving water.</p>		<ul style="list-style-type: none">The County will maintain the outfall information table associated with the MS4 outfall map, and the table will include the required items 1-5 and the optional available items 1-2.						See MS4 Action ID B.2.h.3.a.	See MS4 Action ID B.2.h.3.a.
B.2.h.3.d.	<p>No later than 12 months after permit issuance, the permittee shall submit to DEQ, a format file geodatabase or two shapefiles that contain at a minimum:</p> <p>(1) A point feature class or shapefile for outfalls with an attribute table containing outfall data elements required in accordance with Part I.B.2.h)3)(c); and</p> <p>(2) A polygon feature class or shapefile for MS4 service area as required in accordance with Part I.B.2.h)3)(a)(4) with an attribute table containing the following information:</p> <p>(i) MS4 operator name;</p> <p>(ii) MS4 permit number, and</p> <p>(iii) MS4 service area pervious, impervious and total acreage rounded to the nearest hundredth.</p>		The County is updating the MS4 mapping data and will submit by January 3, 2025 per the standards in B.2.h.3.e.	January 3, 2025 ★					See MS4 Action ID B.2.h.3.a.	See MS4 Action ID B.2.h.3.a.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
B.2.h.3.e.	All file geodatabase feature classes or shapefiles shall meet the following data format standards: (1) Point data collected in NAD83 or WGS84 decimal degrees global positional system coordinates; (2) Data projected in Virginia Lambert Conformal Conic format; (3) Outfall location accuracy shall be represented in decimal degrees rounded to at least the fifth decimal place for latitude and longitude to ensure point location accuracy (e.g., 37.61741, -78.15279); and (4) Metadata shall provide a description of each feature class or shapefile dataset, units of measure as applicable, coordinate system, and projection.		See MS4 ID B.2.h.3.d.	January 3, 2025 ★					See MS4 Action ID B.2.h.3.a.	
B.2.h.3.f.	No later than October 1 of each year, the permittee shall update the MS4 map and outfall information table to include any new outfalls constructed or TMDLs approved or both during the immediate preceding reporting period.		The MS4 map and outfall table will be updated by October 1 of each year after the initial submittal on January 3, 2025.	January 3, 2025 ★	▶	▶	▶	▶	See MS4 Action ID B.2.h.3.a.	
B.2.h.3.g.	The permittee shall provide written notification to any downstream adjacent MS4 of any new physical interconnection from the permittee-owned system to another regulated MS4 established or discovered after the effective date of this permit.		The County is investigating interconnections and will notify downstream MS4s of any new interconnections identified.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.h.3.a.	
	B.2.i. County Facilities									
B.2.i.	Facilities owned or operated by the permittee shall be operated and maintained as follows:	MSMD	The county meets this requirement through implementation of the actions described below.							
B.2.i.1.	The permittee shall develop, implement and maintain written good housekeeping procedures designed to: (a) Prevent illicit discharges; (b) Ensure permittee staff or contractors properly dispose of waste materials to minimize floatables and landscape wastes entering the MS4; (c) Prevent the discharge of wastewater or washwater or both into the MS4 without authorization under a separate VPDES permit; and (d) Preventing pollutant discharge into the MS4 from leaking permittee-owned or operated vehicles and equipment. Leaked fluids shall be cleaned up and disposed of properly, as soon as possible but no later than 24 hours after discovery.	MSMD	The County has existing good housekeeping procedures on these topics and will update the good housekeeping training to include these procedures. The procedures will be stored on a County SharePoint site accessible to staff. The County also evaluates and verifies SOP implementation at County facilities through site visits conducted every five years. The county also has a countywide “Stormwater Protection Policy” (PM No.25-01) which prohibits the discharge or disposal of specific substances into the county’s storm sewer system and offers guidance on how to comply with these prohibitions. This policy applies to all county employees, facilities and vehicles and is posted on the County’s intranet and included in county employee training.	▶	▶	▶	▶	▶		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
B.2.i.2.	The permittee shall maintain markings on all stormwater inlets located on high priority municipal facilities, as defined at Part I.F, and on permittee properties with greater than two (2) acres of impervious surface.	MSMD	<ul style="list-style-type: none">County properties with greater than 2-acres of impervious surface have been identified.Markers will be installed by volunteers or county personnel. Markers will be installed on stormwater inlets on high priority municipal facilities specified in B.2.i.2.a and county properties with greater than 2 acres of impervious surface.	▶	▶	▶	▶	▶			
B.2.i.3.	High Priority Municipal Facilities	MSMD	The county meets this requirement through implementation of the actions described below.								
B.2.i.3.a.	<p>The permittee shall maintain a list of all high priority municipal facilities that do not require a separate VPDES industrial stormwater permit, as well as identify which of the high priority municipal facilities have a high potential of discharging pollutants. Facilities with a high potential for discharging pollutants are those facilities where any of the following materials or activities occur and are expected to have exposure to stormwater resulting from rain, snow, snowmelt, or runoff:</p> <p>(1) Areas where residuals from using, storing or cleaning machinery or equipment remain and are exposed to stormwater;</p> <p>(2) Materials or residuals on the ground or in stormwater inlets from spills or leaks;</p> <p>(3) Material handling equipment (except adequately maintained vehicles);</p> <p>(4) Materials or products that would be expected to be mobilized in stormwater runoff during loading/unloading or transporting activities (e.g., rock, salt, fill dirt);</p> <p>(5) Materials or products stored outdoors (except final products intended for outside use where exposure to stormwater does not result in the discharge of pollutants);</p> <p>(6) Materials or products that would be expected to be mobilized in stormwater runoff contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers;</p> <p>(7) Waste material except waste in covered, non-leaking containers (e.g., dumpsters);</p> <p>(8) Application or disposal of process wastewater (unless otherwise permitted); or</p> <p>(9) Particulate matter or visible deposits of residuals from roof stacks, vents or both not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater runoff.</p>	MSMD	<ul style="list-style-type: none">High priority municipal facilities are defined in Part I.F of the permit as “any facility owned and operated by the permittee or regulated under this state permit that includes composting facilities, equipment storage and maintenance facilities, materials storage yards, pesticide storage facilities, public works yards, recycling facilities, salt storage facilities, solid waste handling and transfer facilities, and vehicle storage and maintenance yards.”The list of high priority municipal facilities that do not require a separate VPDES industrial stormwater permit was determined by answering the following three questions for each developed property owned or operated by Fairfax County:<ol style="list-style-type: none">Does the facility meet the permit definition for a high priority municipal facility? If so, then the facility was included on the list.Does the facility have coverage under a separate VPDES Industrial Stormwater Permit? If so, then the facility was removed from the list.Are the activities occurring at the facility temporary or seasonal in nature? If so, then the facility was removed from the list.	▶	▶	▶	▶	▶	Each annual report shall include a list of all high priority municipal facilities and those with a high potential to discharge pollutants as identified in Part I.B.2.i)4)(a).	See Appendix R8 for a list of High Priority Municipal Facilities and Those with a High Potential of Discharging Pollutants.	

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)			
				Permit Year							
				1	2	3	4	5			
B.2.i.3.b.	The permittee shall develop and/or update and implement individual stormwater pollution prevention plans for each high-priority municipal facility identified under Part I.B.2.i)2)(a) no later than 36-months after the effective date of this state permit. Stormwater pollution prevention plans (SWPPP) shall include: (1) A site description that includes a site map identifying all outfalls, direction of flows, existing source controls, and receiving water bodies; (2) A discussion and checklist of potential pollutants and pollutant sources; (3) A discussion of all potential non-stormwater discharges; (4) A maintenance schedule for all existing source controls; (5) All policies and procedures implemented at the facility to ensure source reduction; (6) An inspection schedule and checklist to ensure that all source reductions are continually implemented and all source controls are appropriately maintained. The date of each inspection and associated findings and follow-up shall be logged in each SWPPP; (7) Appropriate training as required in Part I.B.2.k); (8) Procedures to conduct an annual comprehensive site compliance evaluation; (9) Procedures to conduct dry weather screening; and (10)All modifications made as the result of any release or spill.	MSMD	The county will develop and implement SWPPPs for each high priority municipal facility identified as required in MS4 Action ID B.2.i.2.b. no later than January 3, 2027. The SWPPPs will include the information (items 1-10) listed in Part I.B.2.i)2)(c) of the county’s MS4 permit.			January 3, 2027 ★					
B.2.i.3.c.	A copy of each SWPPP shall be kept at each high-priority municipal facility and be kept updated.	MSMD	A copy of the high priority municipal facility SWPPP will be kept at each facility requiring one. Where the SWPPP cannot be physically kept on site, a copy of the high priority municipal facility SWPPP will be kept on file by the department that manages the site.								
	B.2.j. Public Education/Participation										
B.2.j.	The permittee shall continue to implement a public education program with the goal of increasing the stormwater knowledge of target audiences and changing behavior to result in pollutant reductions. The permittee may fulfill all or part of the requirements of this state permit through regional outreach programs involving two or more MS4 localities.	SWPD	The county meets this requirement through implementation of the actions described below.								

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year						
				1	2	3	4	5		
B.2.j.1.	The permittee shall identify, schedule, implement, evaluate and modify, as necessary, public outreach activities designed to meet the following public education and outreach goals:	SWPD	The county’s public education program raises awareness about stormwater challenges throughout the county and offers opportunities for residents to become involved in efforts to restore and protect local waterways, the Occoquan Reservoir, the Potomac River and the Chesapeake Bay. A number of county organizations and partners contribute to the public education program including SWPD, DPWES Solid Waste Management Program (SWMP), FCPA and NVSWCD. County staff uses a variety of methods to provide public education on stormwater management and watershed basics including in-person presentations, print publications, television, radio and online resources. The county evaluates its program annually and modifies it as necessary.	►	►	►	►	►	Each annual report shall include a list of permittee public outreach and education activities, and the estimated number of individuals reached through the activities. An evaluation of program effectiveness, as outlined in the MS4 Program Plan, with recommendations for future changes shall also be included.	<ul style="list-style-type: none">During FY 2024, Fairfax County worked with Clean Water Partners to assess stormwater knowledge and behavior and preferences for receiving information. This effort will identify the effectiveness of the program, as well as influence future changes to the program. A summary of the survey results can be found in Appendix R9.See Appendix R10 for a summary of outreach and education activities and estimated number of individuals reached for each of the ten messages required in Part I.B.2.j)1) of the permit.
B.2.j.1.a.	Promote, publicize, and facilitate public reporting of the presence of illicit discharges or improper disposal of materials into the MS4;	SWPD	Fairfax County uses multiple media outlets (county Channel 16, print, website) to promote public reporting of potential illicit discharges, supported by an internal communication document to ensure referrals of calls and other contacts are routed appropriately.	►	►	►	►	►	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.
B.2.j.1.b.	Continue to promote individual and group involvement in local water quality improvement initiatives including the promotion of local restoration and clean-up projects, programs, groups, meetings and other opportunities for public involvement;	NVSWCD	Fairfax County maintains a website for volunteer opportunities and utilizes multiple media outlets to promote individual and group involvement in local water quality improvement initiatives.	►	►	►	►	►	See MS4 Action B.2.j.1..	See MS4 Action ID B.2.j.1.
B.2.j.1.c.	Develop an outreach program for public and private golf courses located within the county that discharge to the permittee’s MS4 to encourage implementation of integrated management practice (IMP) plans and techniques to reduce runoff of fertilizer and pesticides;	FCPA	Fairfax County implements a proactive program to reach public and private golf course managers/superintendents to promote IMP and to educate on the MS4 and water quality.	►	►	►	►	►	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.
B.2.j.1.d.	Promote, publicize, and facilitate the proper management and disposal of used oil and household hazardous wastes;	SWMP	Fairfax County maintains proactive measures targeting residents to inform them of disposal services provided, proper disposal practices and management of material in preparation for disposal. Fairfax County supports the Clean Water Partners whose outreach programs include a focus on proper management and disposal of used oil and HHW.	►	►	►	►	►	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.
B.2.j.1.e.	Promote and publicize the proper disposal of pet waste and household yard waste;	SWMP	The county maintains proactive outreach through various media outlets targeting pet owners and households on proper management of pet waste and yard waste. Outreach and education on these topics are also performed by support to regional efforts through Clean Water Partners, for example.	►	►	►	►	►	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)	
				Permit Year							
				1	2	3	4	5			
B.2.j.1.f.	Promote and publicize the use of the permittee's litter prevention program;	CFC	Fairfax County, through an agreement with the Clean Fairfax Council (CFC), promotes and publicizes litter prevention strategies as well as promotion through various media outlets (county Channel 16, print, website and EnviroPod podcasts).	▶	▶	▶	▶	▶	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.	
B.2.j.1.g.	Promote and publicize methods for residential car washing that minimize water quality impacts;	SWPD	Fairfax County uses various media for promotion of car washing methods that minimize impacts on water quality, including avoidance of discharges to storm drains and use of commercial car washes.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.	
B.2.j.1.h.	Promote and publicize the proper use, application, and disposal of pesticides, herbicides, and fertilizers by public, commercial, and private applicators and distributors;	SWPD	Fairfax County uses various media for promotion of the proper management techniques for handling pesticides, herbicides and fertilizers to reduce impact on water quality. Partners include NVSWCD and the Clean Water Partners on proper techniques for application, storage and disposal.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.	
B.2.j.1.i.	Encourage private property owners to implement voluntary stormwater management techniques and/or retrofits; and	NVSWCD	<ul style="list-style-type: none">Fairfax County uses existing media (county Channel 16, print, website) to encourage private property owners to implement voluntary stormwater management techniques and/or retrofits.The county works in partnership with NVSWCD to provide encouragement to private property owners to implement voluntary stormwater management techniques through workshops, brochures and other assistance.During the process of assisting owners of existing stormwater facilities that may need upgrades or would benefit from improvements, the county educates owners on options and encourages implementation.	▶	▶	▶	▶	▶	<ul style="list-style-type: none">Each annual report shall provide a summary of voluntary retrofits completed on private property used to demonstrate pollutant reduction requirements. Note that any voluntary project for which the permittee seeks to use for pollutant reduction requirements must be tracked and reported.Each annual report shall provide a summary of voluntary stormwater management techniques encouraged on private property.	Fairfax County has chosen not to use voluntary retrofits completed on private property to demonstrate pollutant reduction requirements at this time and as a result has not provided a summary of specific voluntary retrofits. Should the county choose to seek credit for voluntary retrofits completed on private property towards its pollutant reduction requirements in the future, such projects will be reported to DEQ and reflected in the appropriate update to the county's MS4 Program Plan.	
										Voluntary Stormwater Management Techniques Encouraged on Private Property	Number of New Private Properties Participating in FY 2023
										Rain Garden	6 residential
										Rain Barrels	225 distributed
										Conservation Landscaping	29 residential, 4 HOAs, 1 Place of Worship
										Impervious Surface Removal	2 residential
										Dry Wells	N/A
										Porous Pavers	4 residential
										Infiltration Trench	NA
B.2.j.1.j.	Target strategies towards local groups of commercial, industrial, and institutional entities likely to have significant stormwater impacts.	SWPD	Fairfax County maintains an outreach program to targeted audiences on pollution prevention through distribution of materials during inspections, online and at public events.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.j.1.	See MS4 Action ID B.2.j.1.	

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)				
				Permit Year								
				1	2	3	4	5				
B.2.j.2.	The permittee shall post a copy of this state permit on its web page no later than 30-days after the effective date of this state permit and continue to retain a copy of the permit online for the duration of this state permit.	SWPD	<ul style="list-style-type: none">The county’s MS4 permit (VA0088587), effective January 4, 2024, was posted to the county website on January 8, 2024.The permit is available at https://www.fairfaxcounty.gov/publicworks/sites/publicworks/files/assets/documents/pdf/reports/ms4/va0088587-fairfax-permit.pdf	▶	▶	▶	▶	▶				
B.2.j.3.	The permittee shall post copies of each annual report on its website no later than 30 days after the report submittal to the Department and continue to retain copies of the annual reports online for the duration of this state permit.	SWPD	<ul style="list-style-type: none">Annual reports are posted to the county website within 30 days of submittal to DEQ.Annual reports are available at https://www.fairfaxcounty.gov/publicworks/stormwater/ms4-program-plan-and-annual-reports	▶	▶	▶	▶	▶				
B.2.j.4.	The permittee shall post the most current MS4 Program Plan on its website no later than 30 days after the effective date of this permit and maintain a current copy on the website. If the MS4 Program Plan is modified or revised, the updated plan shall be posted within 30 days of the revision(s). Copies of the most current MS4 Program Plan shall be made available for public review upon request of interested parties in compliance with all applicable open records requirements.	SWPD	<ul style="list-style-type: none">The county’s most current MS4 Program Plan was posted to the county website on October 17, 2023. The County will submit an updated MS4 Program Plan with its first annual report.Updates to the MS4 Program Plan will be posted to the county’s website within 30 days of submittal to DEQ.The MS4 Program Plan is available at: https://www.fairfaxcounty.gov/publicworks/stormwater/ms4-program-plan-and-annual-reports	▶	▶	▶	▶	▶				
B.2.k. Training												
B.2.k.	The permittee shall conduct stormwater training for permittee employees. The training requirement may be fulfilled all or in part through regional training programs involving two or more MS4 localities; provided, however, that the permittee shall remain individually liable for its failure to comply with the training requirements in this state permit. The permittee shall determine the appropriate employees to receive the following types of training based on the specific topic for which training is to be provided:	SWPD	The county meets this requirement through implementation of the actions described below.									
B.2.k.1.	The permittee shall provide biennial training to appropriate field personnel in the recognition and reporting of illicit discharges. The permittee shall provide biennial training to appropriate field personnel in the recognition and reporting of illicit discharges.	SWPD	The following biennial training is provided to appropriate field personnel: <ul style="list-style-type: none">Recognition and Reporting of Illicit Discharges	▶	▶	▶	▶	▶	Each annual report shall include a list of training events, the date and the estimated number of individuals attending each event.	Fairfax County implements training for recognition and reporting of illicit discharges through EmployeeU, the county’s learning management system.		
										Training Provided	Date	Number of Individuals Trained
										Fairfax County MS4 Illicit Discharge Recognition and Reporting for County Personnel	Training is provided online through EmployeeU, and trainings are completed throughout the fiscal year.	1,745
B.2.k.2.	The permittee shall provide biennial training to appropriate employees in good housekeeping and pollution prevention practices that are to be employed during road, street, and parking lot maintenance.	SWPD	The following biennial training is provided to appropriate employees: <ul style="list-style-type: none">General Good Housekeeping and Pollution Prevention Training for County Personnel	▶	▶	▶	▶	▶	Each annual report shall include a list of training events, the date and the estimated number of individuals attending each event.	Fairfax County implements a combined good housekeeping training through EmployeeU, the county’s learning management system. The training covers practices that are applicable during road, street, and parking lot maintenance, at maintenance and public works facilities, and at county recreation facilities.		
										Training Provided	Date	Number of Individuals Trained

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year								
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										Fairfax County MS4 General Good Housekeeping and Pollution Prevention Training for County Personnel	Training is provided online through EmployeeU, and trainings are completed throughout the fiscal year.	1,660
B.2.k.3	Within 36 months of the effective date of the permit, the permittee shall incorporate good housekeeping training strategies for each of the following activities: (a) Discharging water pumped from construction and maintenance activities; (b) Bulk storage of soil, compost, mulch and landscaping waste stockpiles; and (c) Preventing pollutant discharge into the MS4 from leaking permittee-owned or operated vehicles and equipment. Leaked fluids shall be cleaned up and disposed of properly, as soon as possible but no later than 24 hours after discovery.	SWPD	The County is reviewing the training strategies and will make any updates by January 3, 2027.	▶	▶	January 3, 2027 ★	▶	▶				
B.2.k.4.	The permittee shall provide biennial training to appropriate employees in good housekeeping and pollution prevention practices that are to be employed in and around permittee maintenance and public works facilities.	SWPD	The following biennial training is provided to appropriate employees: • General Good Housekeeping and Pollution Prevention Training for County Personnel	▶	▶	▶	▶	▶	See MS4 Action ID B.2.k.2	See MS4 Action ID B.2.k.2		
B.2.k.5.	The permittee shall ensure that employees, and require that contractors, who apply pesticides and herbicides are properly trained or certified per the Virginia Pesticide Control Act (§ 3.2-3900 et seq. of the Code of Virginia). The requirements of the Virginia Pesticide Control Act are established by the Virginia Pesticide Control Board.	SWPD	The county complies with this permit requirement by ensuring that employees and requiring that contractors who apply pesticides and herbicides are properly trained or certified per the Virginia Pesticide Control Act.	▶	▶	▶	▶	▶				
B.2.k.6.	The permittee shall have a program to ensure that county plan reviewers, inspectors, program administrators and construction site operators (e.g. responsible land disturber) are trained and obtain the appropriate certifications to the extent required under the Virginia Erosion and Sediment Control Law and attendant regulations.	LDS	Plan reviewers, inspectors, program administrators and construction site operators have received the appropriate training and certifications required under the Virginia Erosion and Sediment Control Law and attendant regulations. Records are kept by each department.	▶	▶	▶	▶	▶				
B.2.k.7.	The permittee shall have a program to ensure that the applicable County employees obtain the appropriate certifications as required under the Virginia Stormwater Management Act and its attendant regulations to implement the modified stormwater management design criteria.	LDS	Appropriate employees have been certified as program administrators, inspectors, plan reviewers or combined administrators as required under the Virginia Stormwater Management Act and its attendant regulations. Records are kept by each department.	▶	▶	▶	▶	▶				
B.2.k.8.	The permittee shall provide biennial training to applicable employees in good housekeeping and pollution prevention practices that are to be employed in and around county recreation facilities.	FCPA	Applicable FCPA employees who conduct maintenance, repair, and custodial work at county recreational facilities receive biennial training which covers the following information: • Recognition and Reporting of Illicit Discharges; • General Good Housekeeping and Pollution Prevention Training for county Personnel	▶	▶	▶	▶	▶	See MS4 Action ID B.2.k.2	See MS4 Action ID B.2.k.2		
B.2.k.9.	The appropriate emergency response employees shall have training in spill response.	FRD		October	▶	▶	▶	▶	The initial annual report shall include documentation of	Fairfax County implements emergency spill response training for firefighters through the online Target Solutions system.		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year								
				1	2	3	4	5				
	A summary of the training and/or certification program provided to emergency response employees shall be included in the first annual report.		<ul style="list-style-type: none">The FRD FHMIS Hazardous Materials Technical Support Branch will provide bi-annual MS4 training to Fire Prevention Division Inspectors and the Hazardous Materials Response Team. This training will include addressing spill prevention recommendations. This training shall be documented as part of the 1031 Fire Inspector training for the fire inspectors.There is also an MS4 training component for the Annual Hazmat First Responder Refresher Training requirements for all Fire Department Operational Personnel.						employee emergency spill response training and/or certification.	Training Provided	Date	Number of Individuals Trained
										Hazardous Materials First Responder Operations (FRO)	Training is provided online through Target Solutions, and trainings are completed throughout the fiscal year.	1,514
B.2.k.10.	Documentation shall be kept of all training events including the training date, number of employees attending the training, and the objective of the training event for a period of three years after each training event. Additionally, all events shall be listed in the annual report for the year in which the training event occurred.	SWPD	Training documentation is kept on file by the appropriate office. A list of training events will be provided in the MS4 Annual Reports.						See MS4 Action IDs B.2.k.1, B.2.k.2 and B.2.k.9	See MS4 Action IDs B.2.k.1, B.2.k.2 and B.2.k.9		
	B.2.I. Water Quality Screening Programs											
B.2.I.	The following screening programs shall be implemented in addition to the monitoring required by Part I.C:											
B.2.I.1.	Dry Weather Screening Program: The permittee shall continue ongoing efforts to detect the presence of illicit connections and unauthorized discharges to the permittee’s MS4.	SWPD	The county meets this requirement through implementation of the actions described below.									
B.2.I.1.a.	The permittee shall continue to implement a program of dry weather screening in areas of concern as identified by the permittee including but not limited to: commercial car washes, car dealerships, pet kennels, restaurants, areas with a history of complaints, and areas upstream of sensitive ecosystems. The permittee shall screen at a minimum, 100 of the county’s MS4 outfalls each year.	SWPD	<ul style="list-style-type: none">The county’s Dry Weather Screening Program has three distinct field components: sample water flowing at outfalls, retesting of any outfalls that test positive for one or more analytes and tracking down of illicit discharges/ connections as necessary.Field screening begins after vegetation has started to die back and the outfalls are both visible and accessible. This also coincides with the time of year with the lowest average precipitation making it less likely that sampling will be prevented by a rain event. Sampling shall not take place if it has rained 0.1 inches or more in the past 48 hours. If any analyte exceeds program criteria the outfall must be retested for any of the analytes that were in exceedance within 48 hours.If a high concentration of an analyte is confirmed through retesting, the source of the discharge is tracked down by testing farther up the storm drain network. Discharges are sampled from upstream manholes in the storm drain network to narrow down the source of the discharge to a specific pipe segment between two manholes or the input source.After the source of an illicit discharge has been identified, the appropriate agency is contacted to address the discharge.						Each annual report shall include a list of locations upon which dry weather screening was conducted, the results and any follow-up actions including maintenance and/or repair of infrastructure or outfalls performed as a result of the dry weather screening.	During FY24, the county monitored 106 outfalls. See Appendix R11 for the Dry Weather Screening Program Report.		

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				Permit Year							
				1	2	3	4	5			
B.2.I.1.b.	Criteria for selection of outfalls to be screened as required by Part I.B.2.I)1)(a) above shall include but is not limited to the following: (1) List of sites requiring further investigation, as previously identified; (2) Age and density of development with the likelihood of illicit connections such as older residential, commercial and industrial areas; (3) Outfalls representing the general land uses of Fairfax County; (4) Poorly maintained gas stations, service stations, and shopping centers; (5) Presence of environmentally sensitive features downstream; and (6) History of complaints received on illicit discharges.	SWPD	MS4 outfalls to be inspected are selected for sampling in part based on the presence of potential dry weather pollutant sources in their drainage area such as commercial car washes, car dealerships, pet kennels, restaurants, areas with a history of complaints, and areas upstream of sensitive ecosystems. Criteria for selection of outfalls to be screened include but are not limited to the following: 1. Outfalls identified in previous years dry weather screening and requiring further investigation; 2. Outfalls in older and more densely developed areas of the county where the likelihood of finding illicit connections is higher; 3. Outfalls with drainage areas that represent the general land uses of Fairfax County, primarily residential, with some commercial and industrial areas; 4. Outfalls with drainage areas that include gas stations, service stations, and shopping centers identified by the Industrial and High Risk Runoff (IHRR) program as being potential pollutant sources; 5. Outfalls upstream of environmentally sensitive features such as Huntley Meadows Park, stream valley parks, the Occoquan Reservoir, and resource protection areas (RPAs); and 6. Outfalls in areas with a history of complaints received on illicit discharges (referred from Illicit Discharge and Improper Disposal [IDID] program).								
B.2.I.1.c.	The permittee may adopt a risk-based approach to dry weather screening identifying observation points based upon illicit discharge risks upstream of an outfall. Observation points may include points of interconnection, manholes, points of discharge, conveyances, or inlets suspected to have a high likelihood of receiving illicit discharges:		The County will evaluate changes to the dry weather screening SOP based on illicit discharge risks.								
B.2.I.1.d.	Each observation point screened may be counted as one outfall screening activity equivalent and counted towards the requirements of Part I.B.2.I)1)(a), however, at least 50% of the minimum annual screening events must include outfall screening;		The County will evaluate inclusion of observation points in the screening program.								
B.2.I.1.e.	Illicit discharges reported by the public and subsequent investigations may not be counted as screening events; however, once the resolution of the investigation and the date the investigation was closed has been documented, an observation point may be established for future screening events; and		The County does not consider illicit discharge investigations as part of the dry weather screening program. Discharges reported by the public are in addition to the County's screening of 100 outfalls.								

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
B.2.I.1.f.	The permittee’s dry weather screening program shall use a checklist or mechanism to track the following information for dry weather screening events: (1) The unique outfall identifier for the outfall or observation point; (2) Indication a minimum of 72 hours has passed since the last precipitation event; (3) Site descriptions (e.g., conveyance type and dominant watershed land uses); (4) Observed indicators of possible illicit discharge events such as, floatables, deposits, stains, and vegetative conditions (e.g., dying or dead vegetation, excessive vegetative growth, etc.); (5) Whether or not a discharge was observed; (6) If a discharge was observed, the visual characteristics of the discharge (e.g., odor, color, clarity) and the physical condition of the outfall; and (7) For observation points, the location, downstream outfall unique identifier, and risk factors or rationale for establishing the observation point.		The County’s checklist has been reviewed and includes the required items.							
B.2.I.2.	Wet Weather Screening Program: In addition to the monitoring required in Part I.C., the permittee shall continue to investigate, and address areas within their jurisdiction that are suspected to be contributing excessive levels of pollutants to the MS4. The permittee shall maintain written procedures for a wet weather screening program which shall include standard operating procedure to be used for initial screening and follow-up purposes. The written procedures shall be incorporated as part of the MS4 Program Plan.	SWPD	The written wet weather screening procedures are provided in Appendix P9.						Each annual report shall include a list of locations upon which wet weather screening was conducted, the results, weather conditions at the time sample was collected to include date and approximate time of most recent storm event preceding sample collection, long term trends analyses, and any follow-up actions including maintenance and/or repair of infrastructure or outfalls performed as a result of the wet weather screening.	• See Appendix R12 for the Wet Weather Screening Program Report.
	B.2.m. Infrastructure Coordination									
B.2.m.	The permittee shall coordinate with the Virginia Department of Transportation (VDOT) regarding issues of MS4 physical-interconnectivity as described below:	SWPD	The county meets this requirement through implementation of the actions described below.							
B.2.m.1.	Annual Coordination Meeting – The permittee shall meet annually with VDOT for purposes of overall coordination on priority issues for the permittee’s MS4 Program Plan (including operations and maintenance elements) and TMDL action planning relevant to the interconnectivity of the MS4s.	SWPD	Fairfax County will meet annually with VDOT as required.						See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9

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				Permit Year							
				1	2	3	4	5			
B.2.m.2.	Mapping – The permittee shall inform VDOT of the status of its mapping program, identifying any uncertainty regarding ownership or actual location of MS4 components associated with the physically-interconnected MS4s, and working to resolve such uncertainty. The permittee shall coordinate with VDOT to identify any areas within the permittee’s municipal boundaries that drain to the VDOT MS4.	SWPD	<ul style="list-style-type: none">At the annual meeting (MS4 Action ID B.2.m.1), VDOT will be informed of the status of the county’s mapping program.The county will work with VDOT to resolve ownership and location uncertainties.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9	
B.2.m.3.	Chesapeake Bay TMDL Action Plans – The permittee shall inform VDOT of the means, methods, and schedule by which the permittee will implement the reductions required by the Chesapeake Bay TMDL Special Condition (Part I.D.1) when those means and methods may impact the physically-interconnected MS4s. The parties are encouraged to cooperate with one another where the siting or design of best management practices (BMPs) may be accelerated or otherwise improved by mutual cooperation.	SWPD	At the annual infrastructure coordination meeting, VDOT will be provided a status update on the County’s Chesapeake Bay TMDL Action Plan.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9	
B.2.m.4.	The permittee shall coordinate with VDOT to identify any areas within the permittee’s municipal boundaries that drain to the VDOT MS4 and are unaccounted for in the Chesapeake Bay TMDL Action Plan developed by VDOT or the permittee. The unaccounted areas shall be quantified (acres) in the Chesapeake Bay TMDL Action Plan submitted by the permittee.	SWPD	<ul style="list-style-type: none">Fairfax County will work with VDOT to identify areas that drain to the VDOT MS4 and are unaccounted for in the county’s updated Chesapeake Bay TMDL Action Plans.The county will provide the estimated acreage of these unaccounted areas in the county’s updated Chesapeake Bay TMDL Action Plans.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9	
B.2.m.5.	Other TMDL Action Plans – The permittee shall inform VDOT of TMDL Action Plans and major milestones implemented for other (i.e., non-Chesapeake Bay) TMDLs when those plans may impact the physically-interconnected MS4s. The parties are encouraged to cooperate with one another where the siting or design of BMPs may be accelerated or improved by mutual cooperation.	SWPD	Fairfax County will provide copies of the county’s non-Chesapeake Bay TMDL Action Plans to VDOT.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9	
B.2.m.6.	Credit for TMDL Implementation – Permit specific BMP retrofit requirements shall not be double-counted in the calculation of load reductions. If the permittee undertakes the project, the permittee shall be entitled to full credit for the project, but may share credit with VDOT on mutually agreeable terms, which shall be in writing.		The county will not count VDOT projects as credit for TMDL implementation unless mutually agreeable terms have been established in writing. Any agreements will be detailed in the county’s Chesapeake Bay TMDL Action Plan.						See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9	

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				Permit Year						
				1	2	3	4	5		
B.2.m.7.	Illicit Discharge Detection & Elimination – The permittee shall continue to be responsible for implementing a program for illicit discharge detection and elimination, including dry weather field screening, for the permittee’s portion of the physically-interconnected MS4. As part of the annual coordination meeting, described in item (1) above, the permittee shall coordinate with VDOT on the identification of high-risk industrial facilities. The permittee shall establish procedures for notifying VDOT when an illicit discharge is identified in the VDOT MS4.	SWPD	<ul style="list-style-type: none">VDOT will be notified of any identified illicit discharges from their MS4 per the Dry Weather Screening Protocol.At the annual meeting (see MS4 Action ID B.2.m.1), the county will coordinate with VDOT on the identification of high risk industrial facilities.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9
B.2.m.8.	Water Quality Monitoring – The permittee shall conduct water quality monitoring as required by Part I.B.2.I) and Part I.C of this state permit. The permittee shall make available to VDOT all monitoring data collected from areas where the physically-interconnected MS4 discharges to the VDOT MS4 or received flow from the VDOT MS4. The permittee and VDOT are encouraged to cooperate with one another to establish a joint monitoring network.	SWPD	The county will provide monitoring data collected from areas impacted by VDOT discharges through web links and Annual Report results.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See MS4 Action ID B.2.m.9
B.2.m.9.	Annual Reports – As part of its Annual Report, the permittee shall document any coordination efforts with VDOT that occurred during the reporting year pursuant to requirements (1) through (8) above.	SWPD	The county will document the required coordination efforts with VDOT in Annual Reports.	▶	▶	▶	▶	▶	See MS4 Action ID B.2.m.9	See Appendix R13 for summaries of the meeting held by the county with VDOT on April 15, 2024
	C. MONITORING REQUIREMENTS									
	C.1. Biological Stream Monitoring									
C.1.	The permittee shall continue to implement a biological stream monitoring program to evaluate the condition of select stream sites within Fairfax County as follows:	SWPD	The county meets this requirement through implementation of the actions described below.							
C.1.a.	Five (5) stream sites within Fairfax County shall be selected for monitoring during the term of this permit.	SWPD	The selected sites and procedures are provided in Appendix P10.	▶	▶	▶	▶	▶	The initial annual report shall include the list of sites to be monitored during the term of the state permit and monitoring protocols.	
C.1.b.	Monitoring shall be conducted twice per year with one sample collected between July 1st and December 31st and one sample collected between January 1st and June 30th each year at each selected stream site.	SWPD	Monitoring will occur twice per year at each of the five sites. One monitoring event will take place between July 1 and December 31 and one monitoring event will take place between January 1 and June 30.	▶	▶	▶	▶	▶	Each annual report shall include a summary of the monitoring results and analyses and an interpretation of that data with respect to long-term patterns/trends.	See Appendix R14 for a summary of the biological monitoring results.
C.1.c.	The permittee shall use a biological stream monitoring approach based on the “USEPA’s Rapid Bioassessment Protocols for Use in Streams and Wadeable Rivers” or other method approved by the Department and shall include an assessment of the benthic macroinvertebrate community and habitat assessment.	SWPD	The biological monitoring approach will be based on the “USEPA’s Rapid Bioassessment Protocols for Use in Streams and Wadeable Rivers”.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	C.2. In-Stream Monitoring									
C.2.	The permittee shall continue to implement an in-stream monitoring program to evaluate the condition of select streams within Fairfax County as follows:	SWPD	The county meets this requirement through implementation of the actions described below.							
C.2.a.	Five (5) stream sites within Fairfax County shall be selected for monitoring during the term of this permit.	SWPD	The selected sites and procedures are provided in Appendix P11.	▶	▶	▶	▶	▶	The initial annual report shall include the list of sites to be monitored during the term of the state permit and monitoring protocols.	The list of sites for In-stream monitoring are contained in Appendix P11.
C.2.b.	Monitoring shall be conducted once per two months between January 1st and December 31st at each monitoring location.	SWPD	<ul style="list-style-type: none">Fairfax County will continue its in-stream monitoring to evaluate the condition of select stream sites within the county.Monitoring will take place once every two months between January 1 and December 31.	▶	▶	▶	▶	▶	Each annual report shall include a summary of the monitoring results and analyses and an interpretation of that data with respect to long-term patterns/trends.	See Appendix R15 for a summary of the in-stream monitoring results.
C.2.c.	Monitoring shall be performed for the following parameters: 1) pH 2) Dissolved Oxygen 3) Temperature 4) Total Suspended Solids 5) Ammonia as Nitrogen 6) Nitrate plus Nitrite Nitrogen 7) Total Kjeldahl Nitrogen 8) Total Nitrogen (calculated) 9) Dissolved Phosphorus 10) Total Phosphorus 11) Escherichia coli	SWPD	The monitoring program measures the parameters specified in the permit – see Appendix P11.							
C.2.d.	Monitoring for the parameters listed in Part I.C.2.c) shall be in accordance with Part III.A of this state permit.	SWPD	Monitoring is conducted in accordance with Part II.A of the permit – see Appendix P11.							
C.2.e.	The permittee may replace a sampling location with a new proposed location after 15 samples are collected and analyzed. Written notification of the monitoring plan revisions shall be given to the Department in writing and shall include a statistical analysis of the monitoring results, conclusions regarding the data, the proposed new monitoring location, and the reasoning for site location choice.	SWPD	Fairfax County will follow the procedures specified in the permit if it proposes to replace a sampling location.							
	C.3. Floatables Monitoring									
C.3.	The permittee shall maintain a floatables monitoring program. The intent of the monitoring program is to determine the loading of floatables from the MS4 to streams within Fairfax County. The permittee will implement the floatables monitoring program as follows:	SWPD	Fairfax County will continue to implement the floatables monitoring program initiated in 2017..	▶	▶	▶	▶	▶		
C.3.a.	Monitoring shall be conducted at five (5) monitoring sites located at MS4 outfalls and/or streams receiving discharges from the MS4.	SWPD	Monitoring sites were selected to allow determination of the loading of floatables from the MS4 to streams within Fairfax County.	▶	▶	▶	▶	▶		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
C.3.b.	Monitoring shall be conducted once per quarter.	SWPD	Floatables monitoring is to be conducted once per quarter in accordance with the protocols provided in Appendix P12.	▶	▶	▶	▶	▶			
C.3.c.	The monitoring program shall include the count of floatable visually observed and length or area of sites assessed.	SWPD	Floatables monitoring includes the count of floatables visually observed and the length or area of sites assessed.	▶	▶	▶	▶	▶	Each annual report shall include a list of sites monitored, a summary of the monitoring protocols used, and a summary of the monitoring results and analyses.	See Appendix R16 for a summary of the floatables monitoring protocols, results and the list of sites.	

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	D. TMDL ACTION PLAN AND IMPLEMENTATION									
	D.1. Chesapeake Bay Special Condition									
D.1.a. – D.1.i.	These sections of the permit contain background on the Chesapeake Bay TMDL, definitions, required reductions, and methodologies for achieving the required reductions.		The County will address required reductions and methodologies in compliance with this section of the permit in the TMDL action plans.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
D.1.j.	<p>The permittee shall submit an updated Chesapeake Bay TMDL action plan for the cumulative 40% reductions required in Part I.D.1.b), c) and d) within 12 months of the permit effective date. The permittee shall submit an updated Chesapeake Bay TMDL action plan for the cumulative 100% reductions required in Part I.D.1.b), c) and d) by June 30, 2026. The action plans shall include the following information:</p> <p>1) Any new or modified legal authorities, such as ordinances, permits, policy, specific contract language, orders and inter-jurisdictional agreements, implemented or needing to be implemented, to meet the requirements of Parts I.D.1.b), c) and d) to include a review in the development of these actions;</p> <p>2) The load and cumulative reduction calculations for each river basin calculated in accordance with Parts I.D.1.b), c) and d);</p> <p>3) The total reductions achieved to date for each pollutant of concern in each river basin;</p> <p>4) A list of BMPs implemented to date to achieve reductions associated with the Chesapeake Bay TMDL including:</p> <p>(a) The date of implementation; and</p> <p>(b) The reductions achieved.</p> <p>5) The BMPs to be implemented by the permittee prior to the expiration date of this permit to meet the cumulative reductions calculated in Parts I.D.1.b), c) and d), including, as applicable:</p> <p>(a) Type of BMP;</p> <p>(b) Project name;</p> <p>(c) Location;</p> <p>(d) Percent removal efficiency for each pollutant of concern; and</p> <p>(e) Calculation of the reduction expected to be achieved by the BMP calculated and reported in accordance with the methodologies established in Part I.D.1.g) for each pollutant of concern.</p> <p>6) An estimate of the expected cost to implement the necessary reductions during the permit cycle; and</p> <p>7) A summary of any comments received as a result of public participation required in Part I.D.1.k), the permittee’s response, identification of any public meetings to address public concerns, and any revisions made to the Chesapeake Bay TMDL action plan as a result of public participation.</p>	SWPD	The County will submit the updated Chesapeake Bay TMDL Action plans within the timeframes specified in the permit.	January 3, 2025 ★		June 30, 2026 ★				

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
D.1.k.	Prior to submittal of the action plan required in Part I.D.1.j), the permittee shall provide an opportunity for public comment on the additional BMPs proposed to meet the reductions not previously approved by the Department in the first phase Chesapeake Bay TMDL action plan for no less than 15 days.	SWPD	The County will document details of the public comment periods in the TMDL action plans.	January 3, 2025 ★		June 30, 2026 ★				
D.1.l.	As part of the development of the Chesapeake Bay TMDL action plan, the permittee may consider use of the following: 1) Implementation of BMPs on unregulated lands, provided any necessary baseline reduction is not included toward meeting the required reduction in this permit; 2) Utilization of stream restoration projects, provided the credit applied to the required POC load reduction is prorated based on the ratio of regulated urban acres to total drainage acres upstream of the restored area; 3) Establishment of a memorandum of understanding (MOU) with other MS4 permittees that discharge to the same or adjacent eight digit hydrologic unit within the same basin to implement BMPs collectively. The MOU shall include a mechanism for dividing the POC reductions created by BMP implementation between the cooperative MS4s; and 4) Any BMPs installed after June 30, 2009 as part of a retrofit program may be applied towards meeting the required load reductions provided any necessary baseline reductions are not included.	SWPD	The County will document any use of these options in the updated Chesapeake Bay TMDL Action Plans.							
D.1.m.	The permittee shall address any modification to the TMDL or watershed implementation plan that occurs during the term of this permit as a part of its permit reapplication as required in Part III.M of this permit.	SWPD	The County will address modifications as required with its permit reapplication due at least 180 days before permit expiration (or July 7, 2028).					July 7, 2028 ★		
D.1.n.	Chesapeake Bay TMDL action plan implementation. The permittee shall implement the TMDL action plan required in Part I.D.1.j) of this permit according to the schedule therein. Compliance with this requirement represents adequate progress for this permit term towards achieving TMDL wasteload allocations consistent with the assumptions and requirements of the TMDL.	SWPD	The County will document implementation of its updated action plans in its MS4 annual reports per the Specific Reporting Requirements listed in D.1.o.							
D.1.o.	Specific Reporting Requirements. For each annual reporting period, the annual report shall include the following:	SWPD							See Permit Requirement.	

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year									
				1	2	3	4	5					
D.1.o.1.	Any modifications to the Chesapeake Bay TMDL action plan made during the July 1 to June 30 reporting period.		Each annual report will document any Chesapeake Bay TMDL action plan modifications made during the reporting period.	►	►	►	►	►	See Permit Requirement.	No modifications have been made to the current TMDL action plan.			
D.1.o.2.	Documentation identifying which BMPs were completed within the current annual reporting period. The following information shall also be included: a) For BMPs used to meet the Chesapeake Bay TMDL requirements of Part I.D.1, the SWM facility unique identifier number, total acreage treated, total impervious and total pervious acreage treated, the pollutants of concern load reductions reported in pounds per year, the pollutant removal efficiencies and source of each efficiency, as well as proposed BMPs planned for implementation during the next reporting cycle. b) For retrofit projects used to meet the Chesapeake Bay TMDL requirements of Part I.D.1, the type of land use being retrofitted, the existing stormwater management facility type before retrofit, if applicable, retrofit type used, retrofit performed, completion date or anticipated completion date, total acreage retrofitted, total impervious and total pervious acreage retrofitted, the SWM facility unique identifier number, and if applicable, the incremental reduction credit achieved with the retrofit (the incremental credit is defined as the difference between the existing SWM facility reduction credit and the retrofit reduction credit attained) including pre and post pollutant retrofit removal efficiencies and source of each efficiency.	SWPD	Each annual report will include documentation of BMPs implemented during the reporting period.						See Permit Requirement.	As of June 30, 2024, the county has achieved the following reductions:			
D.1.o.3.	A list of BMPs implemented during the reporting period but not reported to the DEQ BMP Warehouse in accordance with Part II and the estimated reduction of pollutants of concern achieved by each and reported in pounds per year.	SWPD	Each annual report will document BMPs implemented during the reporting period that were not reported to the BMP warehouse.	►	►	►	►	►	See Permit Requirement.	See Appendix R17 for a summary of control measures implemented during the reporting period and the estimated reduction achieved by each control.			
D.1.o.4.	If the permittee acquired credits during the reporting period to meet all or a portion of the required reductions in Part I.D.1.b), c) or d), a statement that credits were acquired.	SWPD	Each annual report will document any credits acquired during the reporting period to meet required reductions.	►	►	►	►	►	See Permit Requirement.	<ul style="list-style-type: none">As reported in the 2017 Annual Report, Fairfax County has completed the control measures in the approved TMDL Action Plan which were over and above the 5% reduction requirement. The County will continue to report additional implemented projects annually.Appendix R3 contains a summary of control measures that are expected to be implemented during the next reporting period and the expected progress toward meeting the compliance targets for total nitrogen, total phosphorus, and total suspended solids.			

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline					Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year							
				1	2	3	4	5			
D.1.o.5.	Documentation that sufficient control measures have been implemented (or documentation detailing that implementation will be complete by June 30, 2026, for the cumulative 40% reductions and June 30, 2028 for the cumulative 100% reductions) to meet the compliance targets identified in this section. If temporary credits or offsets have been purchased in order to meet the compliance targets, the list of temporary reductions utilized to meet the cumulative required reductions of L2 in this permit and a schedule of implementation to ensure permanent cumulative 40% and 100% reductions shall be provided.	SWPD	Each annual report will include a summary of cumulative reductions. This will include a summary of any temporary credits applied and an implementation schedule for permanent credits to meet required 40% and 100% reductions, if needed.						See Permit Requirement.		
D.1.o.6.	Following notification from the department of the start date for the required electronic submission of Chesapeake Bay TMDL implementation annual status reports, as provided for in 9VAC25-31-1020, such forms and reports submitted after that date shall be electronically submitted to the department in compliance with this section and 9VAC25-31-1020. There shall be at least three months' notice provided between the notification from the department and the date after which such forms and reports must be submitted electronically.	SWPD	The County will coordinate with the Department as needed on future electronic submissions for the Chesapeake Bay TMDL.						See Permit Requirement.		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year						
				1	2	3			4	5
	D.2. TMDL Action Plans other than the Chesapeake Bay TMDL									
D.2.a.	The Permittee shall update, as necessary, and maintain a local TMDL action plan designed to reduce loadings for pollutants of concern if the permittee discharges the pollutants of concern to an impaired water for which a TMDL has been approved by the U.S. Environmental Protection Agency (EPA) as described in Part I D 2 a 1 and 2:									
D.2.a.1.	For TMDLs approved by EPA prior to April 1, 2015 and in which an individual or aggregate wasteload has been allocated to the permittee (see Attachment 3 to the Fact Sheet), the permittee shall develop and initiate or update as applicable the local TMDL action plans to meet the conditions of Part I D 2 c, d, e, f, and g, as applicable, no later than 18 months after the permit effective date and continue implementation of the action plan. Updated action plans shall include: a) An evaluation of the results achieved by the previous action plan; and b) Any adaptive management strategies incorporated into updated action plans based on action plan evaluation.	SWPD	The County will prepare updated TMDL action plans for sediment, bacteria, and PCBs by July 3, 2025 as required and in conformance with D.2.c. The County plans to include the Accotink Creek sediment TMDL approved after April 1, 2015 in this updated sediment TMDL action plan.		July 3, 2025 ★					
D.2.a.2.	For TMDLs approved by EPA on or after April 1, 2015, and prior to the effective date of this permit, and in which an individual or aggregate wasteload has been allocated to the permittee, the permittee shall develop and initiate implementation of action plans to meet the conditions of Part I D 2 c, d, e, f, and g, as applicable no later than 30 months after the permit effective date.	SWPD	The County will prepare a Chloride TMDL action plan for Accotink Creek by July 3, 2026 as required and in conformance with D.2.c.			July 3, 2026 ★				
D.2.b.	The permittee shall complete implementation of the TMDL action plans as determined by the schedule. TMDL action plans may be implemented in multiple phases over more than one permit cycle using the adaptive iterative approach provided adequate progress is achieved in the implementation of BMPs designed to reduce pollutant discharges in a manner that is consistent with the assumptions and requirements of the applicable TMDL.	SWPD	Implementation of the TMDL action plans will be reported annually – see D.2.j.							
D.2.c.	Each local TMDL action plan developed by the permittee shall include the following: 1) The TMDL project name; 2) The EPA approval date of the TMDL; 3) The wasteload allocated to the permittee (individually or in aggregate), and the corresponding percent reduction, if applicable; 4) Identification of the significant sources of the pollutants of concern discharging to the permittee's MS4 that are not covered under a separate VPDES permit. For the purposes	SWPD	All local TMDL action plans will include the required items listed and document methodologies.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	<i>of this requirement, a significant source of pollutants of concern means a discharge where the expected pollutant loading is greater than the average pollutant loading for the land use identified in the TMDL;</i> 5) <i>The BMPs designed to reduce the pollutants of concern in accordance with Part I D 2 d, e, f, and g;</i> <i>a) Any calculations required in accordance with Part I D 2 d, e, f, and g;</i> <i>b) For action plans developed in accordance with Part I D 2 d, e, f, and g, an outreach strategy to enhance the public's education (including employees) on methods to eliminate and reduce discharges of the pollutants; and</i> <i>c) A schedule of anticipated actions planned for implementation during this permit term.</i>									
	D.2.d. Bacteria TMDLs.									
D.2.d.1.	<i>The permittee shall implement at least six strategies designed to reduce the load of bacteria to the MS4. Table 3 provides a list of strategies which correspond to sources identified in Part I D 2 c 4. Additional strategies that are equivalent or better than the strategies provided in Table 3 may be used as approved by the Department.</i>	SWPD	The County's local bacteria TMDL action plan will document the strategies to be implemented.						See D.2.j.	Refer to Appendix R18 for Local TMDL Action Plan Implementation Updates.
	D.2.e. Local sediment, phosphorus, and nitrogen TMDLs.									
D.2.e.1.	<i>The permittee shall select and implement strategies designed to reduce the loads associated with sediment, phosphorus, or nitrogen to the permittee's MS4. The permittee may implement this requirement through one or more of the following:</i> <i>a) One or more of the BMPs from the Virginia Stormwater BMP Clearinghouse listed in 9VAC25-870-65 or other approved BMPs found on the Virginia Stormwater BMP Clearinghouse website;</i> <i>b) One or more BMPs approved by the Chesapeake Bay Program. Pollutant load reductions generated by annual practices, such as street and storm drain cleaning, shall only be applied to the compliance year in which the annual practice was implemented; or</i> <i>c) Land disturbance thresholds lower than Virginia's regulatory requirements for erosion and sediment control and post development stormwater management.</i>	SWPD	The County's local sediment TMDL action plan will document the strategies to be implemented to reduce loads.						See D.2.j.	Refer to Appendix R18 for Local TMDL Action Plan Implementation Updates.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
D.2.e.2.	The permittee may meet the local TMDL requirements for sediment, phosphorus, or nitrogen through BMPs implemented or sediment, phosphorus, or nitrogen credits acquired. BMPs implemented and nutrient and sediment credits acquired to meet the requirements of the Chesapeake Bay TMDL in Part I D 1 may also be utilized to meet local TMDL requirements as long as the BMPs are implemented or the credits are generated in the watershed for which local water quality is impaired.	SWPD	The Sediment TMDL action plan and annual reports will document BMPs or credits used to reduce pollutant loads in conformance with permit requirements.							
D.2.e.3.	The permittee shall calculate the anticipated load reduction achieved from each BMP and include the calculations in the action plan required in Part I D 2 c 5.	SWPD	The Sediment TMDL action plan will include a calculation of load reduction from proposed BMPs.							
D.2.e.4.	No later than 36 months after the effective date of this permit, the permittee shall submit to the department an update on the progress made toward achieving local TMDL action plan goals and the anticipated end dates by which the permittee will meet each wasteload allocation for sediment, phosphorus, or nitrogen. The proposed end date may be developed in accordance with Part II B 2 3.	SWPD	The County will submit an update on progress made toward achieving local sediment TMDL action plan goals and anticipated end dates by January 3, 2027.			January 3, 2027 ★				
	D.2.f. Polychlorinated biphenyl (PCB) TMDLs.									
D.2.f.1.	For each PCB TMDL action plan, the permittee shall include an inventory of potentially significant sources of PCBs owned or operated by the permittee that drains to the MS4 that includes the following information: a) Location of the potential source; b) Whether or not the potential source is from current site activities or activities previously conducted at the site that have been terminated (i.e., legacy activities); and c) A description of any measures being implemented or to be implemented to prevent exposure to stormwater and the discharge of PCBs from the site.	SWPD	The PCB TMDL action plan will include an inventory of potentially significant sources of PCBs owned or operated by the County as required.						See D.2.j.	Refer to Appendix R18 for Local TMDL Action Plan Implementation Updates.
D.2.f.2.	If at any time during the term of this permit, the permittee discovers a previously unidentified significant source of PCBs within the permittee's MS4 regulated service area, the permittee shall notify DEQ in writing within 30 days of discovery.	SWPD	The County will notify DEQ of the discovery of a previously unidentified significant source of PCBs in writing within 30 days.							
D.2.f.3.	As part of its annual reporting requirements, the permittee shall submit results of any action plan PCB monitoring or product testing conducted.	SWPD	The County's PCB TMDL action plan will identify any monitoring to be conducted and will include results in annual reports.							

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	D.2.g. Chloride TMDLs.									
D.2.g.1.	No later than 30 months after the permit effective date, the permittee shall develop or review and update any existing anti-icing and de-icing agent education and outreach strategies that identify target audiences for increasing awareness of anti-icing and deicing agent application impacts on receiving waters and encourages implementation of enhanced BMPs for application, handling, and storage of anti-icing and de-icing agents used for snow and ice management.	SWPD	The County will review and update its anti-icing and de-icing education and outreach strategies by July 3, 2026			July 3, 2026 ★				
D.2.g.2.	Anti-icing and deicing agent education and outreach strategies shall contain a schedule to implement four or more strategies per year to communicate to target audiences the importance of responsible anti-icing and deicing agent application, transport, and storage. Table 4 provides a list of strategies which may be selected for public education and outreach. Additional strategies that are equivalent or better than the strategies provided in Table 4 may be used as approved by the Department.	SWPD	The County's anti-icing and deicing education and outreach strategies will include at least four annual strategies to be implemented.							
D.2.g.3.	No later than 30 months after permit issuance, the permittee shall review good housekeeping procedures for anti-icing and deicing agent application, handling, storage, and transport activities and identify a minimum of three strategies for implementing enhanced BMPs that promote efficient management and application of anti-icing and deicing agents while maintaining public safety.	SWPD	The County will review and update its good housekeeping procedures by July 3, 2026 and will identify at least three strategies for implementation.			July 3, 2026 ★				
D.2.h.	Prior to submittal of the action plan required in Part I D 2 a, the permittee shall provide an opportunity for public comment for no fewer than 15 days on the proposal to meet the local TMDL action plan requirements.	SWPD	The County will document the public comment process in the local TMDL action plans.							
D.2.i.	The MS4 Program Plan as required by Part I A 6 of this permit shall incorporate each local TMDL action plan. Local TMDL action plans may be incorporated by reference into the MS4 Program Plan provided that the Program Plan includes the date of the most recent local TMDL action plan and identification of the location where a copy of the local TMDL action plan may be obtained.	SWPD	This MS4 Program Plan includes the current TMDL action plans in Appendix R18.							
D.2.j.	For each reporting period, each annual report shall include a summary of actions conducted to implement each local TMDL action plan.	SWPD	Implementation of the Local TMDL action plans are documented in Appendix R18.	▶	▶	▶	▶	▶	See Permit Requirement.	See Appendix R18 for a summary of the implementation of the Local TMDL Action Plans.

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	E. ANNUAL REPORTING									
E.1	<p>The permittee shall submit the annual report to the Department, no later than October 1st, of each year. The report shall cover the previous fiscal year from July 1st to June 30th and include the following separate sections:</p> <p>a) Background Information:</p> <p>1) The permittee and permit number of the program submitting the annual report;</p> <p>2) Any modifications to the MS4 Program Plan as a result of the annual report including a summary of progress toward development and update of MS4 Program Plan components as required by Part I.A.6;</p> <p>3) The reporting dates for which the annual report is being submitted; and</p> <p>4) Certification as per Part III.K.</p> <p>b) A summary of the components implemented under Part 1.B and an evaluation of the effectiveness of each component. The permittee should attempt to limit any component’s narrative summary to no longer than two-pages plus any necessary tables and figures;</p> <p>c) A summary report of the monitoring programs listed under Part I.C;</p> <p>d) A summary of the implementation of each component listed under Part I.D; and</p> <p>e) The Specific Reporting Requirements identified in this state permit.</p>	SWPD	The annual reports will be submitted in accordance with the schedule laid out in the permit and include the required background information.						See permit requirement.	<ul style="list-style-type: none">• This annual report is being submitted by Fairfax County, Virginia in accordance with VSMP Permit No. VA0088587.• See MS4 Action ID A.7 for a summary of modifications to the MS4 Program Plan.• This annual report covers July 1, 2023, through June 30, 2024.• The certification required per Part II.K of the permit is contained in the cover letter accompanying this report.• Evaluation of program elements for effectiveness is a continuous process as implementation occurs. Staff meets on an annual basis to review and discuss the MS4 program.• See Sections I.B, I.C. and I.D. for summary of implementation of Parts I.B, I.C, and I.D.
E.2.	Following notification from the department of the start date for the required electronic submission of annual reports, as provided for in 9VAC25-31-1020, such forms and reports submitted after that date shall be electronically submitted to the department in compliance with this section and 9VAC25-31-1020. There shall be at least three months' notice provided between the notification from the department and the date after which such forms and reports must be submitted electronically.	SWPD	The County will coordinate with the Department as needed on future electronic submissions for the MS4 annual reporting.						See permit requirement.	

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date	Annual Timeline		Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)		
				Permit Year						
				1	2	3			4	5
	II. DEQ BMP WAREHOUSE REPORTING									
II.A	For the purpose of Part II of this permit, best management practice or BMP means a practice that achieves quantifiable nitrogen, phosphorus, or total suspended solids reductions including stormwater management facilities, ecosystem restoration projects, annual practices, and other practices approved by the Department for reducing nitrogen, phosphorus, and total suspended solids pollutants. Facilities that solely provide peak flow control as required by the Fairfax County Code are excluded from the requirements of this section. Inspection and maintenance requirements for these facilities shall be in accordance with all applicable state and local ordinances, regulations, and statutes. In addition, ecosystem restoration projects shall be inspected and maintained in accordance with the protocols developed by the Chesapeake Bay Program or inspection and maintenance plans developed in accordance with the department's Stormwater Local Assistance Fund (SLAF) guidelines.	MSMD								
II.B	No later than October 1 of each year, the permittee shall electronically report new BMPs implemented and inspected as applicable between July 1 and June 30 of each year using the DEQ BMP Warehouse. 1. The permittee shall use the DEQ Construction Stormwater Database or other application as specified by the Department to report each stormwater management facility installed after July 1, 2014, to address the control of post-construction runoff from land disturbing activities for which the permittee is required to obtain a General VPDES Permit for Discharges of Stormwater from Construction Activities. 2. The permittee shall use the associated reporting template for stormwater management facilities not reported in accordance with Part II.B.1 including stormwater management facilities installed to control post development stormwater runoff from land disturbing activities less than one acre in accordance with the Chesapeake Bay Preservation Act regulations (9VAC25-830) if applicable and for which a General VPDES Permit for Discharges of Stormwater from Construction Activities was not required. 3. The permittee shall use the DEQ BMP Warehouse to report BMPs that were not reported in accordance with Part II.B.1 or 2 and were implemented as part of a TMDL action plan to achieve nitrogen, phosphorus,	MSMD	<ul style="list-style-type: none">• The county uses a combination of ArcGIS and a proprietary asset management system to maintain its stormwater facility inventory. The county asset management system (Infor-EAM) and GIS has been updated to include all of the required tracking metrics listed in the permit requirement (MS4 Action ID II.C).• The county will provide a list of SWM facilities brought online and inspected each reporting year (July 1 – June 30).• Facilities that provide solely peak flow control will not be included in the report in accordance with Part II.A of the permit.					See permit requirement		
				►	►	►	►	►		

MS4 Action ID	Permit Requirement	Responsible Party	Program Plan Elements	Due Date		Annual Timeline			Specific Reporting Requirement	2024 Annual Report (July 1, 2023 through June 30, 2024)
				Permit Year						
				1	2	3	4	5		
	<i>and total suspended solids reductions in accordance with Part I.D.1 or 2.</i> <i>4. The permittee shall use the DEQ BMP Warehouse to report any BMPs that were not reported in accordance with Part II B.1, 2, or 3.</i> <i>5. The permittee shall use the DEQ BMP Warehouse to report the most recent inspection date for BMPs in accordance with Part I.B.2.h) 1) or 2), or in accordance with Part I.D and the most recent associated TMDL action plan.</i>									
II.C	<i>The following information for each new BMP reported in accordance with Part II.B.1, 2, 3. or 4 shall be reported to the DEQ BMP Warehouse as applicable:</i> <i>1. The BMP type;</i> <i>2. The BMP location as decimal degree latitude and longitude;</i> <i>3. The acres treated by the BMP, including total acres and impervious acres;</i> <i>4. The date the BMP was brought online (MM/YYYY). If the date brought online is not known, the permittee shall use 06/2005;</i> <i>5. The 6th Order Hydrologic Unit Code in which the BMP is located;</i> <i>6. Whether the BMP is owned or operated by the permittee or privately owned;</i> <i>7. Whether or not the BMP is part of the permittee's Chesapeake Bay TMDL action plan required in Part I D 1 or local TMDL action plan required in Part I D 2, or both;</i> <i>8. If the BMP is privately owned, whether a maintenance agreement exists;</i> <i>9. The date of the permittee's most recent inspection of the BMP; and</i> <i>10. Any other information specific to the BMP type required by the DEQ BMP Warehouse (e.g., linear feet of stream restoration).</i>	MSMD								
II.D	<i>No later than October 1 of each year, the permittee shall electronically report the most recent inspection date for any existing BMP that was previously reported and re-inspected between July 1 and June 30 using the BMP Warehouse. If an existing BMP has not been previously reported, the BMP shall be reported as new in accordance with Part II.B.1, 2, 3, or 4 and Part II.C.</i>	MSMD	The County will report BMP inspections conducted during the reporting period in the DEQ BMP Warehouse annually by October 1.						See permit requirement	
II.E	<i>No later than October 1 of each year the DEQ BMP Warehouse shall be updated if an existing BMP is discovered between July 1 and June 30 that was not previously reported to the DEQ BMP Warehouse.</i>	MSMD	The County will report any existing BMPs discovered during the reporting period that were previously reported in the DEQ BMP Warehouse annually by October 1.						See permit requirement	