

Proposed Municipal Separate Storm Sewer System (MS4) General Permit

An overview of proposed MS4 general permit revisions.

Wednesday, March 20

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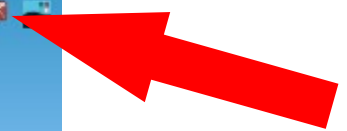
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Wisconsin Department of Natural Resources | 401 S. Webster Street, PO Box 7801 | Madison, Wisconsin 53707-7801
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MS4 Dates to Remember

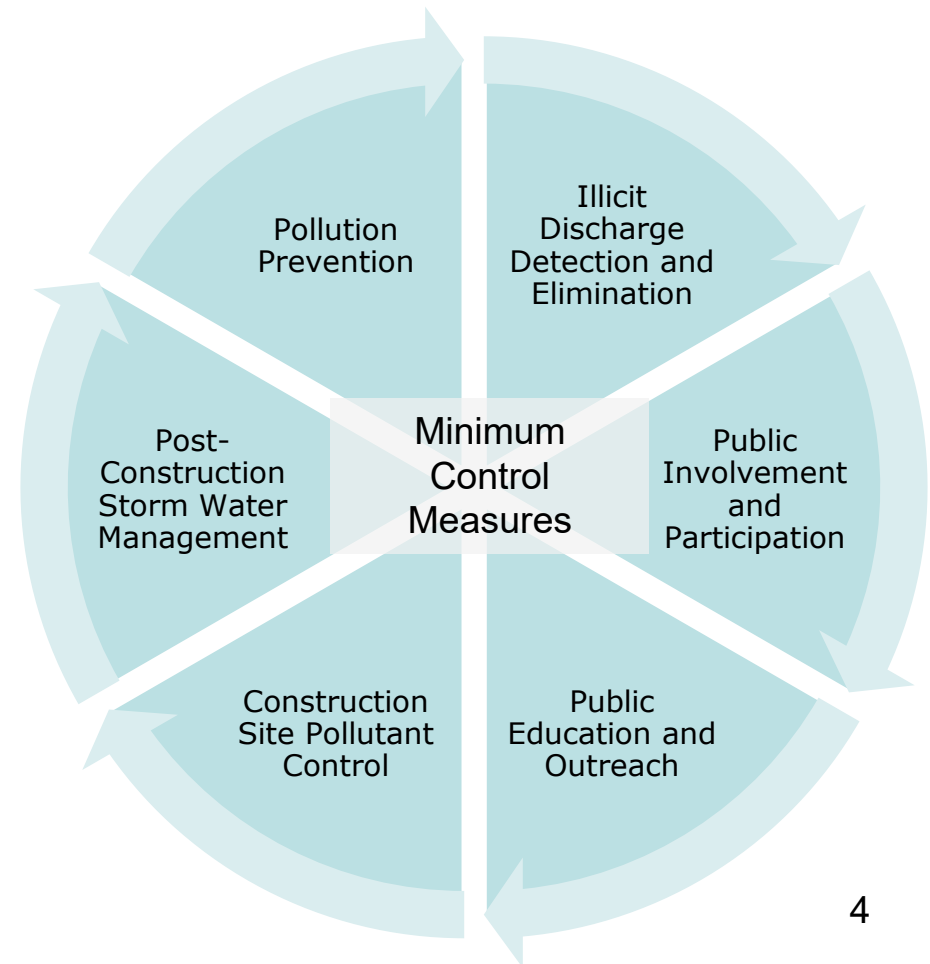
Date	Detail
February 25, 2019	Public comment period begins
March 27, 2019	Public informational hearing (Madison)
March 29, 2019	Public comment period ends
March 31, 2019	Annual Report Due
April 15, 2019	Storm Water Planning Grant Application Due
April	DNR address comments
April 30, 2019	General permits expire

DNRSWPERMITS@wisconsin.gov



Overview for Proposed Changes

1. Drivers for Revision
2. Permit Requirements
3. TMDL



Drivers for Revision

EPA Remand Rule (eff. Jan. 2017)

- 1. Greater public participation in the permitting process**
- 2. “Clear, specific, measurable” permit conditions**
 - More clearly states in permit what is expected for compliance
 - More effective path to improved water quality



Google



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Drivers for Revision

EPA eReporting (eff. Dec. 2015)

- 1. Requires electronic data collection**
- 2. Electronic reporting and sharing to EPA**
- 3. Incorporate electronic reporting requirements into permits**



USEPA

- Notice of Intents
- Annual Reporting
- Inspections
- States begin data sharing by December 21, 2020

NPDES eReporting



CWA-NPDES
electronic reporting

USEPA



MS4 General Permit Revisions

Public Education and Outreach

Current Permit

- List public education topics

Proposed Language

- Defines
 - Topic Areas
 - Delivery Mechanism
 - Frequency



MS4 General Permit Revisions

Public Involvement and Participation

Current Permit

- Notify the public of activities required by this permit, encourage input and participation of these activities

Proposed Language

- Defines
 - What the activities are
 - Frequency
 - Delivery mechanism



MS4 General Permit Revisions

Illicit Discharge Detection and Elimination

Current Permit

- On-going dry weather field screening of outfalls during the term of the permit. Field screening shall be conducted at selected outfalls on an annual basis. ...field screening shall be conducted at all major outfalls at least once during the term of the permit...

Proposed Language

- Defines documentation needed
- Develop a prioritization procedure for screening minor outfalls

MS4 Illicit Discharge Detection and Elimination Guidance Document
<https://dnr.wi.gov/topic/stormwater/publications.html>



MS4 General Permit Revisions

Construction Site Pollutant Control

Current Permit

- Permittee develop procedures for construction site inspect frequency

Proposed Language

- Defines frequency requirements in construction (Table 2)



Table 2: Construction Site Inspection Frequency

Site	Inspection Frequency
(1) All sites one acre or more in size	<ul style="list-style-type: none">• New projects shall be inspected within the first two weeks of commencement of land disturbing activity• All active sites shall be inspected at least once every 30 days• All inactive sites shall be inspected at least once every 60 days
(2) Follow up inspection	<ul style="list-style-type: none">• Follow up inspections are required within 7 days of any sediment discharge or inadequate control measure, unless corrections were made and observed by the inspector during initial inspection or corrections were verified via photographs submitted to the inspector
(3) Final inspection	<ul style="list-style-type: none">• Confirm that all graded areas have reached final stabilization and that all temporary control measures are removed, and permanent storm water management best management practices are installed as designed



MS4 General Permit Revisions

Post-Construction Storm Water Management

Current Permit

- Permittee develop procedures to ensure long-term maintenance of storm water management facilities

Proposed Language

- New section that defines expectations for the procedures
 - A mechanism for tracking regulated sites
 - At a minimum, long-term maintenance inspections shall occur once per permit term
 - Inspection documentation
 - Follow up enforcement with timeframes for corrective maintenance



MS4 General Permit Revisions

Pollution Prevention

Current Permit

- Program shall include
 - Inventory of ...
 - Routine inspection and maintenance plan
 - Routine street sweeping/catch basin cleaning procedures
 - Proper disposal/management
 - Internal training
 - Etc...

Proposed Language

- Define
 - Data/documentation required
 - Procedures for plans
 - leaf collection program tracking
 - Frequency and documentation for employee training



MS4 General Permit Revisions

Table 3: Compliance Schedule for Permit Requirements

PERMIT SECTION	ACTIVITY	COMPLIANCE DATE	COMMENTS
Section 1.5.1	Identify discharges to an impaired waterbody	Within 90 days of start date and by March 31 of each odd-numbered year thereafter	All permittees
Section 1.5.2	Total maximum daily load implementation	See applicable Appendix.	Applies to a permittee with an MS4 discharge of a pollutant of concern to a waterbody subject to an USEPA approved TMDL that assigns the permittee a wasteload allocation.
Section 2.1	Public Education and Outreach – Submit public education and outreach program for the permit term with annual report	March 31, 2020	All permittees
Section 2.2	Public Involvement and Participation – Submit public involvement and participation program for the permit term with annual report	March 31, 2020	All permittees
Section 2.3.2 to 2.3.6	Illicit Discharge Detection and Elimination – Submit illicit discharge detection and elimination program for the permit term with annual report	March 31, 2020	All permittees
Section 2.4.2 to 2.4.4	Construction Site Pollutant Control – Submit construction site pollutant control program for the permit term with annual report	March 31, 2020	All permittees



MS4 General Permit Revisions

Total Maximum Daily Load (TMDL) Requirements

- Appendix A
 - Rock River Basin TMDL
- Appendix B
 - Milwaukee River Basin TMDL
- Appendix C
 - TMDLs approved during the term of the permit



MS4 General Permit Revisions

Total Maximum Daily Load (TMDL) Requirements

Appendix A (Rock) – Implementation Phase

- 1) Implementation of TMDL Compliance Plan – Department Concurrence (A.3)
- 2) Adaptive Management Plan (A.3)
- 3) TMDL Compliance within Permit Term
- 4) TMDL Compliance over Multiple Permit Terms
 - 4a) Additional TSS & TP reduction from baseline
 - 4b) Implement 'non-quantifiable'



MS4 General Permit Revisions

Total Maximum Daily Load (TMDL) Requirements

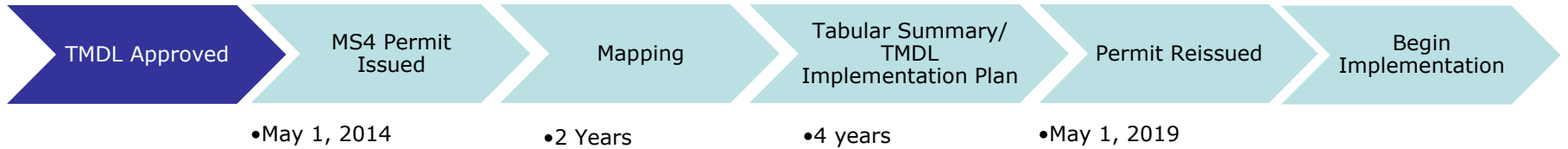
Appendix B (Milwaukee) – Planning & Implementation Phase

- 1) TSS & TP mapping, modeling analysis
- 2) Bacteria
 - IDDE program
 - E/I on bacteria pollution awareness
 - Bacteria source identification and elimination plan
 - Local ordinances to address bacteria pollution

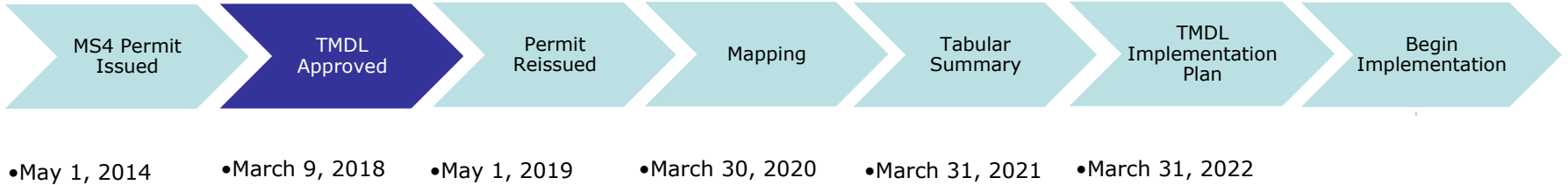


TMDL Requirement Timing

Rock River TMDL



Milwaukee River TMDL





MS4 General Permit Revisions

Inform next general permit!

- Public Informational Hearing
 - March 27, 1:30 p.m. in Room G09 at the Madison DNR office
- Public Comment Period
 - Written comments due Friday, March 29:
DNRSWPERMITS@Wisconsin.gov
 - Draft permit and fact sheet available:
<https://dnr.wi.gov/topic/wastewater/PublicNotices.html>