Ohio’s Draft Small MS4 General Permit Overview

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Municipal Separate Storm Sewer System (MS4s)

**Phase I MS4s**
- >100,000 ppl, does not include combined sewer area
- Individual permits that include a few additional elements
- Akron, Columbus, Dayton & Toledo

**Phase II MS4s** – (Proposed Draft applies to these entities)
- In an urbanized area as (defined by the last census) or designated by population, population density and other factors
- **619** Small MS4s covered under **296** general permits
- Typ. cities, counties, townships, but also includes park districts, ODOT, universities etc.
Storm Water Management Program (SWMP)

MS4 Permit requires a SWMP to contain these elements:

• Best Management Practices (BMPs) that address 6 *Minimum Control Measures* showing:
  – Legal authority
  – How minimum performance standards are addressed
  – Timeframes for BMP implementation
  – Principle contacts & responsible parties
  – How successful implementation of BMPs will be evaluated
Six Minimum Control Measures

- Public Education & Outreach
- Public Involvement & Participation
- Illicit Discharge Detection & Elimination
- Construction Site Runoff Control
- Post-Construction SW Management
- Pollution Prev. / Good Housekeeping
Types of Changes That Occur in this Draft

- Clarifications
- Making the Minimum Control Measures clear, specific and measurable
- Adding Specific Actions for watersheds that have a Total Maximum Daily Load (TMDL) plan
- Addressing commonly found compliance problems

- Next – Draft Changes & updates
MS4 Draft Changes
Submit NOI, SWMP & Annual Report Electronically

https://ebiz.epa.ohio.gov
MS4 Draft Changes

- Submit an updated Storm Water Management Plan (SWMP) consistent with the permit within 180 days of new permit
- Update ordinances to a minimum of Ohio EPA’s current Construction General Permit within 180 days of permit renewal.
MS4 Draft Changes (MCM 3)

• Dry weather screening of 100% of storm water outfalls (dry weather) over the 5-year permit term (max 1,000 outfalls)
MS4 Draft Changes (MCM 3)

Require proper salt storage at commercial, institutional and non-NPDES facilities. Ordinance or other regulation shall require:

• Storing salt indoors or under cover
• Locating salt storage on an impervious surface
• Implementing practices that reduce exposure when transferring (e.g., sweeping)
MS4 Draft Changes (MCM 3)

- Notify Ohio EPA within 24 hours of detecting:
  - Illicit sanitary sewer cross connections
  - Leaking or broken sanitary sewer lines actively contributing sewage to the MS4.
MS4 Draft Changes (MCM 4, & 5)

• Use an objective tool (e.g. software or checklists) and document correspondence regarding plan reviews and inspections

• Require an enforcement protocol (e.g. notices of violation in an enforcement escalation plan)
MS4 Draft Changes (MCM 5)

- Identify post-construction BMP types on the comprehensive storm sewer system map
MS4 Draft Changes (MCM 5)

• Include at minimum at least one inspection of post-construction practices during the permit term
MS4 Draft Changes (MCM 6)

• Where ditch/MS4 maintenance has been performed, seed and stabilize the final grade according to the same standards as construction general permit.
MS4 Draft Changes (MCM 6)

• Develop an outfall and drainage system maintenance program to ensure stability of outfalls and conveyances.
MS4 Draft Changes (MCM 6)

• Provide salt piles with cover and all brine tanks shall have bollards and/or secondary containment
This draft permit includes performance standards or choices of performance standards that must be included (in SWMP) in response to an applicable TMDL in the MS4’s watershed.
Proposed Draft Adds an Appendix listing MS4s, Watersheds, and Corresponding TMDL Issues

### Appendix A

The following identifies regulated MS4s that are located within a USEPA approved TMDL and the TMDL pollutant(s) for the MS4. Not included on this list are MS4s which become permitted after the effective date of this general permit (i.e., designated by Ohio EPA, 2020 Census).

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>REGULATED MS4</th>
<th>TMDL PROJECT</th>
<th>TMDL POLLUTANT(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen</td>
<td>Allen County</td>
<td>Ottawa River (Lima)</td>
<td>TP, E. coli</td>
</tr>
<tr>
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<td>American Township</td>
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<td>E. coli</td>
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<tr>
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<td>E. coli</td>
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<tr>
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<td>E. coli</td>
</tr>
<tr>
<td>Allen</td>
<td>OSU - Lima Regional Campus</td>
<td>Ottawa River (Lima)</td>
<td>E. coli</td>
</tr>
</tbody>
</table>
MS4 Draft Changes (MCM 1 & 2)

• MCM 1 and 2: Target 2 messages/activities to each TMDL pollutant/issue
If TMDL shows P, N, or Ammonia; E. coli; Bacteria; or Diss. Oxygen & Org. Enrichment, then provide

- annual employee training on illicit discharge detection and elimination topic(s);
- water quality testing of observed dry-weather flows to prioritize areas of concern.
MS4 Draft Changes (MCM 4)

- If TMDL shows TSS, sediment, siltation or Nutrients (N, P or ammonia) then increase inspection frequency for sites with specific compliance issues to once every 14 days.
  - Construction started with no SWP3 developed;
  - Failure to install needed sediment basin(s);
  - Failure to implement any sediment/erosion controls;
  - Dewatering activities resulting in turbid discharges.
If TMDL indicates Total Suspended Solids, Sediment, Siltation or Nutrients (incl. P, N, and Ammonia) then:

• provide an educational opportunity on Table 4b/green infrastructure practices.

And include one of the following:

• Retrofit a peak-discharge storm water practice during the permit term;

• Restore channelized stream...where ... will reduce stream erosion; or

• Require Table 4b practices and/or green infrastructure practices where feasible.
If the TMDL indicates Total Suspended Solids (Incl sediment and siltation); Nutrients (Incl P, N, and ammonia); E. coli; Bacteria; Metals; or Dissolved Oxygen and Organic Enrichment

- Then include one of the following:
  - Develop a street sweeping program; or
  - Develop a catch basin cleaning program; or
  - Develop and implement a leaf/yard waste collection program.
Public Comment and Issuance Process

7-15-20 – Draft Permit issued epa.ohio.gov/dsw/storm/index

9-1-20 – Virtual public hearing for comments.
Register at epa.ohio.gov/virtual

9-8-20 at 5 PM – The public comment period closes.
Please email comments to epa.dswcomments@epa.ohio.gov

Final permit is prepared in response to comments.

Oct. 2020 – Ohio EPA Director issues Final Permit.
Time for Clarifying Questions

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