

RUEKERT & MIELKE, INC.

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MidMoraine
Water Quality
Collective
9/19/19

NEW MS4 PERMIT REQUIREMENTS

Today's MS4 Highlights

- New MS4 General Permit (GP)
- DNR's MS4 Compliance Approach
- Winter Road Management Programs
- EC/SW Ordinances
- DNR SW Grant Updates

New MS4 General Permit (GP)

- New MS4 General Permit – reissued 5/1/2019
- More detailed requirements
- Most due 3/31/2021
- TMDL requirements: Appendix B = Milwaukee River TMDL

Education & Info, Public Involvement

- Specific Topics
- Targeted Audiences
- Specific Information Delivery Mechanisms
 - Passive: brochures, mailings, newsletters, social media, TV/radio campaigns, website, signs, etc.
 - Active/Interactive: presentations, info booths at events, targeted training sessions, public hearings, government meetings, workshops, tours, etc.
- Public reviews of annual report, storm water mng't. plan, ordinances
- Clean-up events, workshops, meetings, BMP installation, etc.

Illicit Discharge Detection and Elimination (IDDE)

- Revise and Implement Priority Outfall Approach
- IDDE ordinance to include minor updates

Construction Site Erosion Control

- Prescribed erosion control inspections
 - New sites: ec inspections during 1st 2 weeks
 - Active sites: ec inspections at least once every 45 days
 - Inactive sites: ec inspections at least once every 60 days

- Non-compliant sites: weekly inspections until compliant or photos submitted showing compliance

- Final inspection before permit is terminated

Post-Construction Storm Water

- Maintenance, Inspections & Enforcement of Permitted BMPs
 - SW BMPs on new and redevelopment sites that are reviewed and permitted through the municipality's Post-Construction Storm Water Management Program need to be inspected and maintained.

Pollution Prevention

- Inventory of public and private storm water BMPs
- Ensure and document inspections and maintenance of BMPs
- Leaf Management Program & disposal locations
- Annual internal education to staff, contractors, elected officials

MS4 Map, Impaired Waters

- Updated MS4 map to be submitted annually
- Leaf management disposal sites to be added to MS4 map
- Impaired Waters Strategy to be developed and implemented for non-TMDL (runoff-related) pollutants

TMDL: Appendix B

- Appendix A: Rock River TMDL
- Appendix B: Milwaukee River TMDL
 - 3 TMDL Compliance Options for TSS & Phosphorus
 - Separate Requirements for Bacteria

TMDL: Appendix B

- TSS & Phosphorus:
 - ▣ Full Compliance during 5-year MS4 permit – due 10/31/23
 - ▣ Adaptive Management – due 3/31/22
 - ▣ Implementation Plan + 3 Compliance Activities
 - Map, TMDL reachsheds, exclusions, MS4, BMP drainage basins – due 3/31/20
 - Tabular summary of the no controls and existing controls modeling results compared to TMDL goals – due 3/31/22
 - Written TMDL Implementation Plan to meet TMDL goals – 3/31/22

TMDL: Appendix B

- Implementation Plan + 3 Compliance Activities (continued)
 - Choose 3 of the following – due 10/31/23
 - Revise SW Ordinance with higher Phosphorus &/or Redevelopment requirements
 - Revise SW Ordinance to include maintenance
 - Revise SW Ordinance to require record drawings
 - Leaf Management Program
 - Inventory the MS4, including outfalls (for erosion or scour)
 - Install 1 SW BMP
 - Analyze & optimize street sweeping

TMDL: Appendix B

- Bacteria requirements:
 - Start public education & outreach – due 3/31/21
 - Inventory of potential MS4 sources of bacteria in tabular format + bacteria source ID map – due 3/31/22
 - Bacteria source elimination program – due 3/31/23
 - Adopt bacteria control ordinances – due 3/31/23
 - TMDL addressed fecal coliform;
both fecal coliform and E. coli are mentioned in permit

DNR MS4 Compliance

- DNR intentionally reviewing annual reports
- Compliance checks/audits since 2016 (rough numbers):
 - 7 full MS4 audits. (Goal is 3 full audits in 2019, and 12 per year after that)
 - 18 violation compliance checks (number is low – 15 in 2019)
 - 14 NONs (number is low; 12 in 2019)
 - 4 NOVs + others currently in play
 - 3 enforcement conferences + some current ones

DNR MS4 Compliance

- What to be ready for:
 - DNR process: notification, pre-review, in-person and in-field meetings
 - Tips:
 - Org Chart
 - Updated program narratives and docs reflecting current processes
 - Understand budget info per program
 - Have updated BMP inventory, BMP & IDDE inspections,
 - Clean up the DPW yard

Winter Road Management

	2017 Annual Reports (218 MS4s in WI reporting; 102 MS4s in SE WI reporting)		2018 Annual Reports (234 MS4s in WI reporting; 98 MS4s in SE WI reporting)	
Calibrate Equipment in State	144 MS4s	66%	154 MS4s	66%
Calibrate Equipment in SE WI	70 MS4s	72%	68 MS4s	69%
Training for Staff in State	70 MS4s	32%	98 MS4s	46%
Training for Staff in SE WI	34 MS4s	33%	45 MS4s	42%

SW Ordinances: Increased WQ

<u>Municipality</u>	<u>New Development / In-fill TSS</u>	<u>New Development Phosphorus</u>	<u>Redevelopment TSS</u>	<u>Redevelopment Phosphorus</u>
Statewide	80%	~	40%	~
City of Fitchburg	80%		60%	
City of Watertown	80%	30%	40%	30%
Waukesha County	80%	* ability require P reductions	40%	* ability require P reductions
Village of Dousman	80%		66%	
Village of Saukville	80%	** P reductions to be reported in SW Plan	40%	** P reductions to be reported in SW Plan
Village of Hartland	80%	30%	60%	30%
Village of Slinger	80%	* ability require P reductions ** P reductions to be reported in SW Plan	40%	* ability require P reductions ** P reductions to be reported in SW Plan
City of Madison	80%	~	80%/60% (parking)	~

SW Ordinances: Private BMPs

- Does your storm water ordinance allow the municipality to charge back storm water BMP owners for inspections and maintenance?
 - Some ordinances cover both inspections and maintenance;
 - Some are unclear or gray;
 - Some only cover maintenance activities.

DNR UNPS & SW Grant Update

- 2020-2021 Planning Grants – ranked list

- 2021-2022 Construction Grants
 - Applications Due 4/15/2020
 - 50% cost share, up to \$150,000

- New DNR Nonpoint Source Coordinator in MKE:
 - Jesse Bennett: Phone: (414) 458-0448
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