

Training to Meet the New MS4 Stormwater Permit

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Background

Rule 5

327 IAC 15-5

NPDES general permit by rule for land disturbing activities and construction runoff

Rule 13

327 IAC 15-13

NPDES general permit by rule for Municipal Separate Storm Sewer Systems (MS4s)

What is the change?

Convert “permit by rule” to an administratively issued general permit

Developed and issued by IDEM

5 year permit terms

Why the change?

EPA has mandated the change

Potential conflict with permittees establishing rules.

2003 – last time regulations changed

Update with EPA requirements (Remand Rule)

clarify issues encountered over 15 years

Incorporate implementation feedback

IDEM's Process

IDEM prepared draft language

Approved by EPA

Advisory Group to comment/revise language

Language back to EPA

Permit out for Public notice

Rule making

Final adoption of the permits

Permits will be addressed in the following order

1. Construction site runoff
2. Municipal Separate Storm Sewer Systems
3. Industrial stormwater runoff

IDEM is considering release of Construction and MS4 permits at the same time due to overlap and impacts to MS4s

IDEM Advisory Group and Stakeholders



Changes in the Construction Permit

Natural Buffers

Sediment Basins

Detention and Water Quality Treatment

Outfall Stabilization

Covering Dumpsters

7 day Stabilization

Written Evaluations and Inspections

NOI Submittal

Natural Buffers

- (5) Preserve existing natural buffers that are adjacent to waters of the state to promote infiltration and provide protection of the water resource, unless infeasible. Activities performed by a county drainage board under IC 36-9-27 are excluded.

Sediment Basins

3.2 Design Requirements

- (a) The selection, design, and implementation of all stormwater quality and management measures must at a minimum take into consideration the following:
 - (7) Sediment basins, where feasible, must withdraw water from the surface of the water column.

Stormwater Detention

- (A) Run-off from the project site must meet local requirements to address storm water quantity as established by ordinance or other regulatory mechanism. When a local requirement does not exist the post-development discharge must not exceed the pre-development discharge based on the two-year, ten-year, and one-hundred year peak events.

Stormwater Quality Treatment

- (B) Run-off from the project site must be treated to reduce pollutants that are expected to be associated with the final land use. To achieve pollutant reduction goals, measures must be selected and meet the requirements as established by ordinance or other regulatory mechanism. When a local requirement does not exist the post-construction measures must be selected based on correct sizing to treat the Water Quality Volume (WQv) or water quality flow rate to ensure compliance with 327 IAC 2-1-6(a)(1)(A-D) and 327 IAC 2-1.5-8(a) and (b)(1)(A-D)).

Indiana Code Reference

327 IAC 2-1-6 Minimum surface water quality standards

Sec. 6. (a) The following are minimum surface water quality conditions:

(1) All surface waters at all times and at all places, including waters within the mixing zone, shall meet the minimum conditions of being free from substances, materials, floating debris, oil, or scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges that do any of the following:

- (A) Will settle to form putrescent or otherwise objectionable deposits.
- (B) Are in amounts sufficient to be unsightly or deleterious.
- (C) Produce color, visible oil sheen, odor, or other conditions in such degree as to create a nuisance.
- (D) Are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.

Outfall stabilization

- (2) The outfall of a basin must be stabilized and non-erosive within 24 hours of installation of the basin outlet.
- (3) Pipe outlets discharging from the project site must be provided with temporary or permanent energy dissipation within 24-hours of discharging run-off.

Cover Dumpsters

- (10) Construction and domestic waste must be managed to prevent the discharge of pollutants and windblown debris. When disposed of in waste containers (trash receptacles) the receptacle must be covered when not in use and at the end of the day. Waste that is not disposed of in trash receptacles must be removed at the end of the day from the site and disposed of properly.

7-day Stabilization Requirements

- (1) Temporary and/or permanent soil stabilization must be initiated by the end of the next business day upon temporarily or permanently ceasing land-disturbing activities on any portion of the project site that is, or is planned to be left idle for a period of seven (7) days. Initiation of stabilization includes, but is not limited to, the seeding and/or planting of the exposed area and applying mulch or other temporary surface stabilization methods where appropriate. Areas that are not accessible due to an unexpected and disruptive event that prevents construction activities are not considered idle.

Concrete Washout - Definition

(7) “Concrete washout” means the rinsing of chutes, hoppers, wheelbarrows and hand tools that are used to handle concrete, mortar, stucco, grout or other mixtures of cement. Concrete washout water is a wastewater slurry containing metals and is caustic or corrosive, having a high pH.

Written evaluations and documentation

Detailed list of written evaluation report contents.

Corrective actions documentation

Project management log

NOI submittal

Open permits must obtain new coverage

Update activity-based requirements

Design components will not require retrofit

Changes in the MS4 Permit

General Requirements

MCM 1 – Public Education and Outreach

MCM 2 – Public Involvement

MCM 3 – Illicit Discharge Detection and Elimination

MCM 4 – Construction

MCM 5 – Post Construction

MCM 6 – Municipal Operations

Annual Reporting

General Requirements

Permit numbering for co-permits

MS4 Operator– Highest elected official

MS4 Coordinator– Program administrator/contact person

Training requirements

- Program administrators
- Municipal staff
- Plan reviewers
- Construction inspection/enforcement

Established timelines for updating the program and ordinances

MCM 1 and MCM 2

Considering merging MCM 1 and MCM 2

Develop Comprehensive Plan for education and involvement

MCM 3

Allowable discharges in IDDE ordinance

Ordinance review and update

Mapping

Dry weather screening requirements

MCM 4 and MCM 5

New Construction Permit

Minimum Standards

Ordinance review and update

Requirements for plan review of construction SWPPPs

Requirements for inspection and enforcement

MCM 6

Clear requirements for the content within facility SWPPPs

Timeline or facility self -inspections

Developing written standard operating procedures (SOPs)

Annual Report

A list of information to be submitted with annual report

Annual instead of every 2 years

Will likely be on the calendar year

Will eventually be submitted on -line

Questions?

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