

MS4 Compliance



Missy David
Louisiana DEQ

Small MS4

Permit Requirements

Permittees are required to develop, implement and enforce a stormwater management program that will:

- Reduce the discharge of pollutants to the maximum extent practicable
- Protect Water Quality
- Meet the Requirements of the Clean Water Act





Regulated Small MS4 *Permit Requirements*

Storm Water Programs must address ***6 Minimum Control Measures:***

- 1) Public Education and Outreach
- 2) Public Participation/Involvement
- 3) Illicit Discharge Detection and Elimination
- 4) Construction Site Runoff Control
- 5) Post-Construction Runoff Control
- 6) Pollution Prevention/Good Housekeeping

Regulated Small MS4 *Permit Requirements*



Storm Water Programs must include:

- An evaluation and/or assessment of management efforts and
- Recordkeeping – keep relevant records for at least 3 years



Regulated Small MS4 *Annual Report Requirements*

Annual Reports are due March 10th and must include:

- Assessment of BMPs & Measurable Goals already implemented
- Summary of the stormwater activities planned for the next reporting cycle
- Any changes made to any Measurable Goals or BMPs
- Results of any samples collected and analyzed

What does LDEQ look for when we inspect a Small MS4?



- Review annual reports and associated records
- Determine whether the permittee is meeting the implementation schedule listed in the Annual Report
- If the report calls for installation or maintenance of structural controls, verify the controls are in place and in good working order or that there is an appropriate schedule for construction of controls

What do we look for?

- Our inspectors typically use EPA's audit forms to perform inspections.
- Most inspections will include the General Program Information checklist and 1 or 2 of the checklists for the 6 Required Elements.



What do we look for?

General Program Information

1. What date was the sMS4 permit issued to the permittee?
2. Has the permittee developed a Storm Water Management Program for each program element as required by the permit?

If so, when were these programs developed?

Is there a schedule in place to review the programs and update them as needed?

3. If multiple co-permittees are included in the program, does each permittee have their own SWMP planning document?

INTERGOVERNMENTAL, AGENCY, AND DEPARTMENT COORDINATION

1. If the permit covers more than one permittee, does the program contain a description of the roles and responsibilities of each permittee and procedures to ensure effective coordination?
2. Is there an “umbrella” group that facilitates administration and coordination among the co-permittees?

INTERGOVERNMENTAL, AGENCY, AND DEPARTMENT COORDINATION

3. Is there a formal agreement (e.g., an MOU) between the co-permittees?
4. Have there been discussions between the permittee and its city departments to make institutional arrangements and developments to ensure coordination and collaboration of stormwater management activities?

INTERGOVERNMENTAL, AGENCY, AND DEPARTMENT COORDINATION

5. Is there a stormwater committee (or equivalent) within the municipal permittee to help ensure coordination among city departments?

- Who is on the committee?**
- When do they meet? How often?**
- What Departments participate?**

INTERGOVERNMENTAL, AGENCY, AND DEPARTMENT COORDINATION

7. Does the stormwater program use nonprofit organizations, watershed groups or other community organizations to administer required elements of their permit or minimum measures?

STAFF INVENTORY AND ORGANIZATION

1. Does the permittee have a person designated to lead and coordinate the stormwater program and activities?
2. Does the SWMP planning document include an organization chart listing responsible parties for each SWMP component?
3. Are there enough staff to administer the program?

PRIORITIZATION OF RESOURCES

1. Has the permittee identified specific pollutants of concern (POCs) for its local water bodies?
 - Are these POCs consistent with priorities identified in the 303 (d) listed impairments for local waters?
 - Are these POCs consistent with any water quality monitoring data or studies conducted by the permittee or another agency?
 - Has the permittee developed strategies to specifically address those pollutants?
2. How does the permittee decide on program priorities?

PRIORITIZATION OF RESOURCES

1. Has the permittee identified specific pollutants of concern (POCs) for its local water bodies?
 - Are these POCs consistent with priorities identified in the 303 (d) listed impairments for local waters?
 - Are these POCs consistent with any water quality monitoring data or studies conducted by the permittee or another agency?
 - Has the permittee developed strategies to specifically address those pollutants?
2. How does the permittee decide on program priorities?
3. Does the SWMP include a schedule of activities?

PRIORITIZATION OF RESOURCES

4. Does the MS4 discharge to a water body on the state's list of impaired waters?
 - What pollutants are identified on the list?
 - Has storm water been identified as a source?
 - Does the SWMP specifically address this pollutant?
 - Does the SWMP identify BMPs specifically for sources or discharges to the listed water body?

PRIORITIZATION OF RESOURCES

5. Has a TMDL been developed for a water body to which the MS4 discharges and for which stormwater has been identified as a pollutant source?
 - What pollutants are addressed in the TMDL?
 - Does the TMDL specifically address (or include waste load allocations for) storm water?
 - Does the permittee's storm water program address the pollutants of concern on the TMDL?

PRIORITIZATION OF RESOURCES

6. Is the permittee participating in any watershed planning efforts?
7. Have any goals been developed based on watershed issues, strategies, or challenges?
8. Has the permittee established a set of indicators or parameters that is evaluated in such a way as to identify trends or long-term patterns?
9. Is the permittee's stormwater program implemented on a watershed basis?

ASSESSMENT AND EVALUATION

1. Does the permittee regularly measure progress against the established performance standards and goals?
2. Are the goals quantifiable?
3. Is the permittee analyzing data in the annual report to identify program activities that may need to change to address problem areas?
4. Has the SWMP been altered based on this evaluation?

BEST MANAGEMENT PRACTICES (BMPs)

1. Has the permittee set measurable goals or performance standards for specific BMPs or activities?
2. Is there a process to evaluate or revise BMPs when receiving water outcomes or endpoints are not being met?
3. Do assessments evaluate impacts of stormwater BMPs on ground water?
4. Is the permittee analyzing data in the annual report to identify BMPs that may need to change to address problem areas?

WATER QUALITY

1. Has the permittee documented environmental, water quality, stream corridor, habitat, or other types of improvements? Describe the format in which this information is documented.
2. Has the permittee estimated reductions in pollutant loadings from the MS4 or other quantifiable water quality benefits expected as the result of the municipal stormwater program?

DATA COLLECTION AND REPORTING

1. Describe how required data is collected, tracked, reported.
 - Who is responsible for collecting, tracking and reporting the data?
 - What data is required?
 - Is there a database?
 - Are there reporting forms?
2. Is the appropriate data being collected?
3. How is the data distributed to those that use it?

Most Common Findings:

- Permittee did not know they had a permit
- Permittee failed to develop a Storm Water Management Program/Plan
- Plan did not address the 6 Required Elements
- Permittee did not know whether they discharged to any impaired water bodies
- Permittee did not compile or submit Annual Report

Contact Info:

- Mary David, LDEQ CRO

Mary.david@la.gov

For electronic copies of EPA Audit Checklists