

Timelines of Complying With the New OKR04

GCSA Employee Training

Tulsa Mohawk Education Auditorium

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Application Deadlines and SWMP

- ~**February 1, 2016** for existing permittees.
- ~**May 1, 2016** for new permittees.
- Stormwater Management Program (SWMP) document must be completed **at time of filing NOI. Don't submit.**
- ODEQ requires that “renewal” (existing) permittees have a fully-implemented SWMP at time of re-application.

SWMP Implementation & Changes

- Renewal Permittees: SWMP changes “shall be implemented within **1 year** of [OKR04] effective date”.
- New Permittees: Full SWMP implementation “as soon as practicable, but no later than **5 years** from [OKR04] effective date”.
- SWMP Reviews: “must conduct an **annual review**” as part of preparing the Annual Report. Updates “**as needed**”.

Updating the SWMP

- Adding Changes to “components, controls or requirements” – “may be made **at any time** upon written notification to the Director”.
- Replacing “an ineffective or infeasible BMP”:
 - May be requested **at any time**.
 - Unless denied by Director, proposed changes will be deemed approved within **60 days** of request.
 - Unless denied, the new BMP(s) may be implemented within **60 days** from request.

How To Replace a BMP in the SWMP

- Cannot drop a BMP without replacement by other BMP(s) that will “achieve the goals of the BMP to be replaced”.
- Replacement request to ODEQ in writing must include:
 - Analysis of why existing BMP is ineffective or infeasible.
 - Expectations on the effectiveness of the replacement BMP.
 - Analysis of why the new BMP is expected to achieve the goals of the BMP to be replaced.

Transfer of Ownership or Operational Authority – Part IV.E

- SWMP must be implemented in “all new areas added to your portion of the MS4 ... no later than **one year** from the addition of the new areas”.
- Implementation can be accomplished in a **phased** manner.
- Must have a plan within **90 days** of ownership transfer on how you will implement your SWMP in all new areas.
- Annual Report must include information about the annexed areas and SWMP updates for these areas.

Annual Reports

- Submitted **60 days** after the end of either the calendar year or fiscal year; permittee's option.
 - Calendar Year programs: AR due **March 1st**.
 - Fiscal Year programs: AR due **September 1st**.
- The fiscal year option was provided for those permittees that finance and record progress of their programs by fiscal year rather than calendar year.
- When are first round of AR's due? **2016? 2017?**

BMPs and Measurable Goals

- Existing Permittees: ODEQ assumes all BMPs have been implemented. SWMP changes must be implemented within **1 year** of OKR04 effective date.
- New Permittees: Implement BMPs “**as soon as practicable**” but implement all within **5 years**.
- New Permittees should **pace yourself** – don’t try to implement all BMPs in Year 1. Start with easiest and least expensive first, work towards the more difficult for later program years.
- All Measurable Goals must have implementation schedules **by year and month** – can be **quarters**.

TMDL Compliance

- Two types of TMDLs: “notification” and “EPA approved”.
- Hundreds of notification TMDLs have not yet had ODEQ notices go out to permitted MS4s.
- ODEQ is preparing to begin notifications; they will likely start with resource-rich permittees first.
- All new TMDLs will now become effective upon EPA technical approval of the TMDL, no notifications needed.
- Each TMDL document has an appendix for permitted MS4s to follow, including implementation schedules.

Record Keeping

- All data records and reports must be kept at least **3 years** from date of generation, longer if requested by ODEQ.
- Includes keeping:
 - Calibration and other laboratory records.
 - Maintenance records of measurement instruments.
 - Copies of all reports required by OKR04.
 - Copies of Discharge Monitoring Reports (DMRs).
 - Records of all data used to complete the NOI.

Reporting Non-Compliance – VI.T

- Report any non-compliance which may endanger health or the environment.
 - Report orally within **24 hours** of knowing.
 - Report in writing within **5 days** (may be waived by ODEQ after oral report).
- What to report:
 - Any unanticipated bypass exceeding a permit numeric limit.
 - Any upset exceeding a permit numeric limit.
 - Violation of any maximum daily discharge limit in the permit.
- EPA inserted this to be consistent with its WWTP rules.

Application Documents

- Notice of Intent (NOI) – 2 page form.
- NOI Attachments:
 - “Summary Status” Report:
 - “list of current Measurable Goals”;
 - summary of all BMP activities actually accomplished”; and
 - “changes to any BMPs or any Measurable Goals”.
 - “Provide a description of your SWMP to ODEQ ... including a list of [proposed] BMPs and Measurable Goals”.
- INCOG will prepare a Fact Sheet on the Summary Status Report.

Thank you.

Any Questions ?



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