

OKR04 Permit Overview

Michele Loudenback, RPES
Industrial Wastewater Enforcement Section
Water Quality Division
Department of Environmental Quality



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Outline

- * **MS4 Program**
- * **Authorization**
- * **SWMP**
- * **MCMs**
- * **Special Conditions**
- * **Reporting**
- * **Termination**



MS4s

Municipal Separate Storm Sewer Systems



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What is an MS4

- * **Municipal Separate Storm Sewer System** is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) designed or used for collecting or conveying stormwater that is owned/operated by a public body (e.g. USA, state, city, town, county, university, etc.) that is not a combined sewer system and is not a part of a Publicly Owned Treatment Works (POTW) system.



Oklahoma's Current MS4 Permit Holders

- * Phase I (2 permittees)
 - * Individual Permits
 - * City of Oklahoma City
 - * City of Tulsa
- * Phase II (43 permittees)
 - * General Permit
 - * 34 Cities
 - * 5 Counties
 - * 4 Non-Traditional Entities (e.g. Tinker AFB, OU)
 - * Other entities including ODOT will be permitted when OKRo4 is reauthorized



OKR04 – To Whom Does This Apply?

- * Phase II MS4s (AKA Small MS4s–population between 10,000 and 100,000)
 - * MS4s operated by public entities in urbanized areas
 - * MS4s outside an Urbanized Area (UA) with population density of 1,000 people/square mile
 - * Designated MS4s which contribute substantial pollutant loads to other regulated MS4s through interconnections.
 - * Examples: Moore, Altus, Tinker AFB, Tulsa County, etc.



Oklahoma's Phase II MS4 Permits

- * **General Permit, OKR04**
- * **Effective February 8, 2005**
- * **Pollution prevention approach**
 - * **Uses Stormwater Management Plan (SWMP)**
 - * **Must address six Minimum Control Measures (MCMs)**
 - * **Select BMPs**
 - * **Identify “Measurable Goals”**
 - * **Evaluate effectiveness**
 - * **Update SWMP**



Authorization



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Obtaining Authorization

- * **Submit a Notice of Intent (NOI)**
 - * Official NOI
 - * Description of SWMP with list of BMPs with measurable goals
- * **Pay your fees**
 - * Application fee: \$100
 - * Annual fee: \$748.11—prorated for new permittees
 - * Invoice will be sent





Oklahoma Department of Environmental Quality
Notice of Intent (NOI) for Stormwater Discharges from
Small Municipal Separate Storm Sewer Systems
(MS4s) Under OPDES General Permit OKR04

Please print or type: All items should be completed as accurately as possible and in their entirety. Please refer to Part 4 of the permit OKR04 for information about the required items. An original signature of the applicant is required according to PART VI.H in the permit OKR04. Use additional pages to fully describe your responses.

Note: Municipality is defined as a federal, state, city, town, county, district, association, or other public body (created by or pursuant to Oklahoma or Federal law), including special districts under State law such as a storm sewer district, flood control or drainage district, or similar entity, or a designated and approved management agency under Section 208 of the CWA.

1. Name and address of the permit applicant and local contact:

Name of the small MS4: _____

Address: _____

City: _____

County: _____ State: _____ ZIP Code: _____ + _____

Telephone Number: (____) _____ E-mail Address: _____

Name and Title of Stormwater Management Program Manager: _____

Circle the appropriate letter to indicate the legal status of the operator of the facility:
F = Federal; **S** = State;
M = Municipal (public other than Federal or State, i.e. as city, county); **P** = Private
F S M P

2. Co-permittee: Are you co-permitting with another entity? Yes No If yes, complete the following:

Name of the Co-permittee _____ Name and Title of Stormwater Management Program Manager _____

Mailing Address _____ City _____ ZIP _____

Telephone Number: (____) _____ E-mail Address: _____

Circle the letter for type of facility: Federal, State, Municipal, Private **F S M P**

Certification by the co-permittee is required in Section 9.

Latitude: _____ Longitude: _____

3. Facility/Site Location: Attach a map showing your MS4 boundaries. Your MS4 jurisdiction shall cover the entire area within the corporate boundaries of the municipality if your city is not located entirely within an Urbanized Area.

Name of the small MS4: _____ County: _____

Street Address: _____ City: _____

Latitude: _____/Longitude: _____ Approximate area of the MS4: _____ square miles

Latitude/Longitude: If you do not have this information, go to the DEQ Flexviewer at <http://gis.deq.ok.gov/flexviewer/>.

4. Will another entity provide services to perform some portion or all of the Best Management Practices (BMPs) for the six minimum control measures (PART IV.C) or TMDL supplemental conditions (PART III.B)?

Yes No If yes, attach a statement listing their name and the service they will be providing.

5. Receiving waters for discharges of stormwater from your MS4: Use additional pages if needed.

Name of Waterbodies	Impaired?	Impairment	Source of Impairment
_____	Yes No	_____	_____
_____	Yes No	_____	_____
_____	Yes No	_____	_____

Do you discharge into waterbodies on the Oklahoma 303(d) list of impaired waters? Yes No

If yes, you must ensure that impairment caused by identified pollutants in your receiving waters will, in future discharges, not cause, have the reasonable potential to cause, or contribute to an in-stream exceedance of WQ standards and comply with PART III.A.1

Do you discharge into receiving waterbodies with an established TMDL or watershed plan? Yes No

If yes, you must adopt any Waste Load Allocation (WLA) assigned to your discharges specified in the TMDL as measurable goals and include any limitations, conditions, monitoring, and other requirements associated with a TMDL implementation plan within specified timeframes.

Do you discharge into an Outstanding Resource Water (ORW)? Yes No

If yes, you must document in your SWMP how you will comply with WQ standard prohibitions (PART III.C).

6. Outline of Measurable Goals and BMPs

Attach an updated description of your stormwater management program (SWMP). You shall include details of BMPs that will be implemented and the measurable goals for each of the six stormwater minimum control measures, the month and year in which the MS4 operator will start and fully implement each of the control measures or the frequency of the action, and the name of the person(s) responsible for implementing or coordinating the SWMP.

7. Endangered Species

Based on the requirements of Part I.E and Exhibit 1, does your municipality discharge into an Aquatic Resource of Concern? Yes No If yes, which criterion listed in Part I.E is your municipality using to meet eligibility requirements?

Criterion _____

Certification of this NOI will constitute your certification of compliance with the endangered species requirements of this permit.

8. Construction by the Permitted Municipality

You have the option to develop permit requirements (PART VIII) that allow the municipality to cover all municipalities owned and operated construction sites under this permit rather than filing a separate OKR10 NOI with the DEQ for each such project.

Will the municipality include the optional permit requirements into your SWMP and permit? Yes No

9. Certification of Permittee

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature of Applicant _____	Date Signed _____
Name (printed) _____	Title _____
Certification of Co-Permittee (if applicable)	
Signature of Co-Permittee _____	Date Signed _____
Name (printed) _____	Title _____

Note Certification Statement →



Signatory Requirements

- * **NOIs:**
 - * **For corporation:** president, secretary, treasurer, vice-president or other person making similar policy decisions
 - * **For partnership or sole-proprietorship:** general partner or proprietor
 - * **For public agency:** principal executive officer or ranking elected official
 - * **For Federal agency:** chief executive officer or senior executive officer over a geographic unit of the agency
- * **Other documents (NOTs, SWMPs, SWP3s, etc.) can be signed by duly authorized representative—written authorization**



Submission of NOI

- * Submit signed NOI with supporting materials to DEQ at:

DEQ/WQD

P.O. Box 1677

Oklahoma City, OK 73101-1677

- * NOI blank form is available at:

http://www.deq.state.ok.us/wqdnew/stormwater/ms4/phase_ii_small_ms4_noi.pdf



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Co-Permittees

- * Partnership with other MS4s to develop and implement the SWMP
- * Each co-permittee must complete an NOI
- * In description of SWMP, must clearly describe which permittees are responsible for each control measure



SWMP

Stormwater Management Program



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SWMP

Definition: A program composed of at least 6 Minimum Control Measures (MCMs) that, when implemented together, are expected to reduce pollutants discharged to the receiving streams to the Maximum Extent Practicable (MEP).

SWMP

- * **Goal is to reduce the discharge of pollutants**
 - * **Maximum Extent (MEP)**
 - * **Protect water quality**
 - * **Satisfy CWA requirements**
- * **Include BMPs, control techniques and systems, design and engineering methods, and enforcement components for all 6 (or 7) MCMs**
- * **Identify who will be responsible for implementing/coordinating BMPs**
- * **Evaluate elements annually**



SWMP

- * **Renewing Permittees:**
 - * Review current (already fully implemented) SWMP and revise/update/develop new BMPs and measurable goals
 - * Include changes in SWMP
 - * Implement changes within 1 year



SWMP

- * **New Permittees:**
 - * Develop SWMP addressing 6 (or 7) MCMs
 - * List and Define BMPs to be used
 - * Provide schedule for full implementation
 - * Fully implemented no later than 5 years
- * **National Menu of BMPs**

<http://water.epa.gov/polwaste/npdes/swbmp/index.cfm>



SWMP & Measurable Goals

- * Include for each BMP:
 - * Measurable goal
 - * Performance month and year
 - * Frequency
 - * Interim milestones
- * Can use EPA's "Measurable Goals Guidance for Phase II Small MS4s" for guidance

<http://water.epa.gov/polwaste/npdes/swbmp/upload/measurablegoals.pdf>



SWMP & Shared Responsibilities

- * If sharing implementation responsibilities with or relying on another government entity, you must include written notice in your SWMP and ensure compliance with reporting requirements.
- * If implementation of one or more MCMs is handled by or shared with another government entity, and the entity does not fulfill the obligation, you are still responsible for compliance.

MCMs

Minimum Control Measures



MCMs

1. **Public Education & Outreach on Stormwater Impacts**
2. **Public Participation & Involvement**
3. **Illicit Discharge Detection & Elimination**
4. **Construction Site Stormwater Runoff Control**
5. **Post-Construction Management in New Development & Redevelopment**
6. **Pollution Prevention/ Good Housekeeping for MS4 Operations**
7. **Optional: Municipal Construction Projects Covered by OKR04**



MCM #1: Public Education & Outreach

- * Distribution of information and educational materials or performance of equivalent outreach with goal of changing behavior
- * Audience: Community served by MS4
- * Permit Requirements:
 - * Establish or revise measureable goals for each BMP
 - * Target milestones
 - * Frequency of action(s)
 - * ID responsible persons
 - * Evaluate program annually



MCM #1: Public Education & Outreach

- * **Common tools:** newsletters, brochures, utility bill inserts, websites, school presentations or activities
- * **Other tools:** videos or other information on cable access channels, community events, newspaper ads, training events, creek signage
- * **Recommended:** Target specific audience groups for tailored messages (e.g., homeowners for household hazardous waste disposal, pet waste management, etc., or business owners for equipment maintenance, chemical storage and disposal, etc.)



MCM #2: Public Participation & Involvement

- * Inclusion of the public in stormwater-related activities and development of SWMP
- * Audience: Community served by MS4
- * Permit Requirements:
 - * Create process for receipt and review of public comments on the SWMP
 - * Establish or revise measureable goals for each BMP
 - * Target milestones
 - * Frequency of action(s)
 - * ID responsible persons
 - * Evaluate program annually



MCM #2: Public Participation & Involvement

- * **Common tools:** website, Mayor/City Action Line, open public meetings
- * **Other tools:** Citizen representation on city taskforces or panels, volunteer activities such as storm drain marking and community cleanups
- * **Recommended:** Develop a volunteer water quality monitoring program (contact Blue Thumb for assistance)



MCM #3: Illicit Discharge Detection & Elimination

- * Identification and elimination of unapproved non-stormwater discharges to the MS4
- * Audience: Community served by MS4
- * Permit Requirements:
 - * Ordinances that prohibit illicit discharges
 - * Plan to detect and address illicit discharges
 - * Public ed. about dangers of illicit discharges; promote and facilitate reporting
 - * Develop, maintain, and/or update a sewer system map with outfalls and receiving waters
 - * Maintain list of allowable non-stormwater discharges/flows



MCM #3: Illicit Discharge Detection & Elimination

* Permit Requirements:

- * Develop and implement/revise dry-weather field screening plan
 - * Procedures for locating priority areas
 - * Procedures to address failing onsite systems
 - * Procedures for source-tracing a discharge and techniques to be used
 - * Procedures for removing source of discharge
- * Establish or revise measureable goals for each BMP
 - * Target milestones
 - * Frequency of action(s)
 - * ID responsible persons
- * Evaluate program annually



MCM #3: Illicit Discharge Detection & Elimination

- * **Common tools:** websites, Mayor/City action lines, complaints hotline, simple field test kits, tracking databases
- * **Other tools:** GPS units, hand-held testing meters, GIS maps
- * **Recommended:** coordinate education and reporting requirements with MCMs 1, 2, and 6



MCM #4: Construction Site Stormwater Runoff Control

- * Program to reduce pollution from construction sites (one acre or greater or part of common plan)
- * Audience: Construction site operators
- * Permit Requirements:
 - * Develop, implement, and enforce/review ordinances that require erosion and sediment controls and BMPs to control other construction site wastes
 - * Develop and implement/review and revise site plan review procedures
 - * Develop and implement/review and revise public input procedures



MCM #4: Construction Site Stormwater Runoff Control

- * **Permit Requirements:**
 - * **Develop and implement/review and revise site inspection and enforcement procedures**
 - * **Include enforcement escalation**
 - * **Establish or revise measureable goals for each BMP**
 - * **Target milestones**
 - * **Frequency of action(s)**
 - * **ID responsible persons**
 - * **Evaluate program annually**



MCM #4: Construction Site Stormwater Runoff Control

- * **Common tools:** tracking databases, stop work orders, earth change permits, pre-development TAC
- * **Other tools:** citations, BMP manuals, environmental court
- * **Recommended:** Expand program to smaller sites, coordinate outreach efforts, and offer incentives to “green developers”



MCM #5: Post-Construction Management in New & Redevelopment

- * Program to address stormwater runoff from new and redevelopment projects attempting to maintain pre-development runoff conditions
- * Audience: Community served by MS4
- * Permit requirements:
 - * Develop & enforce/review & revise strategies that combine structural & non-structural BMPs as appropriate
 - * Develop, implement, & enforce ordinances to regulate post-construction runoff from new & redevelopment projects(new)



MCM #5: Post-Construction Management in New & Redevelopment

* Permit requirements:

- * Review local ordinances/regulations to find any barriers to Low Impact Development (LID) and remove them
- * Develop procedures to operate, inspect, and maintain long-term BMPs
- * Participate in education programs for developers & public about projects that minimize water quality impacts, including LID
- * Establish or revise measureable goals for each BMP
 - * Target milestones
 - * Frequency of action(s)
 - * ID responsible persons
- * Evaluate program annually



MCM #5: Post-Construction Management in New & Redevelopment

- * **Common tools:** detention/retention ponds, rain gardens and barrels, preservation of open space
- * **Other tools:** BMP manual, pervious concrete, green roofs
- * **Recommended:** Incentivize LID to encourage its use



MCM #6: Pollution Prevention/Good Housekeeping

- * MS4-wide operation, maintenance and training program for MS4 personnel
- * Audience: MS4 personnel
- * Permit requirements:
 - * Use training materials to train employees on preventing & reducing stormwater pollution
 - * Implement controls for reducing/eliminating discharge of pollutants from streets, roads, parking lots, maintenance & storage yards, transfer stations, salt/sand storage, etc.



MCM #6: Pollution Prevention/Good Housekeeping

* Permit requirements:

- * Implement/review & revise procedures for assessment of new flood management projects for water quality impacts
- * Maintain a list of industrial facilities MS4 owned/operated that are subject to the OPDES or NPDES permit that discharge to the MS4
- * Inspection & maintenance of non-structural/structural BMPs
- * Establish or revise measureable goals for each BMP
 - * Target milestones
 - * Frequency of action(s)
 - * ID responsible persons
- * Evaluate program annually



MCM #6: Pollution Prevention/Good Housekeeping

- * **Common tools:** Employee training using MCM #1 materials, on-the-job training, and seminars; municipal facility inspections; street sweeping; catch basin cleaning; pet waste stations in parks and common areas
- * **Other tools:** Individual facility Stormwater Pollution Prevention Plans (SWP3)
- * **Recommended:** Establish procedures for catch basin inspections, cleaning & repair, and sweeping streets, sidewalks & parking lots



Optional Municipal Construction Activities Permit Requirements

- * This is for MS4 construction activities to be covered under OKR04. Otherwise, the MS4 must seek coverage under OKR10 for each construction activity
- * If you choose this option, it must be included in SWMP with details about requirements, implementing ELGs, how permit requirements will be enforced, and generic SWP3 development to be customized for projects.



Modifications

- * **The SWMP should be modified throughout the life of the permit**
 - * **Changes for new requirements**
 - * **Additions (not subtractions) of components, controls, or requirements—send written notification**
 - * **Replacement of ineffective or infeasible BMP—explain why replacing and how other is better**
 - * **Signatory requirements in effect**



Special Conditions



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303 (d) Listed Waters

- * **If you discharge to a 303 (d) listed water:**
 - * **Choose and implement BMPs to reduce pollutant of concern (POC), explain why effective choice**
 - * **Direct outreach to targeted commercial, industrial and/or institutional entities that likely will have impact**
 - * **Prioritize and inspect areas of likely illicit discharge in impaired watershed**



303 (d) Listed Waters

- * **If you discharge to a 303 (d) listed water:**
 - * **Include any operation & maintenance procedures for structural & non-structural controls to reduce pollutants**
 - * **Ensure that new flood management projects assess impacts on water quality –assess existing for additional BMPs**
 - * **Must choose BMPs from EPA’s menu or select others to manage identified POC in discharge**

Bacterial Impairment

- * If POC is bacteria, then must include list of BMPs that are appropriate for this pollutant, submit to DEQ for review, & BMPs must address following:
 - * Sanitary Sewer Systems
 - * Improve sewer systems
 - * Address lift station inadequacies
 - * Improve reporting of violations
 - * On-Site Sewage (if applicable)
 - * Identify & address failing systems
 - * Address inadequate maintenance



Bacterial Impairment

- * Additional effort toward reducing issues from grease and grit traps
- * Expand existing management programs used to identify & target animal sources (zoos, pet waste, stables, etc.)
- * Increase residential education regarding:
 - * Bacterial discharge from residential sites
 - * Fats/oils/grease clogging sewer lines and resulting overflows
 - * Decorative ponds
 - * Pet waste

TMDLs

- * If a MS4 discharges to Total Maximum Daily Load or watershed plan, then the MS4 discharges must meet requirements
- * The WLAs or any similar targets must be adopted as measurable goals in the SWMP
- * If a TMDL is approved after submitting NOI, then requirements must be added to SWMP to ensure compliance
- * Does NOT apply to any new permittees; currently applies to Norman and Moore (Lake Thunderbird)



Monitoring

- * May be needed for TMDL watershed
- * Must have:
 - * Samples need to represent normal activity & analysis needs to be from an approved lab
 - * Monitoring records need to have:
 - * Date, exact place & time of sampling
 - * Names of who performed the sampling
 - * Dates of analysis
 - * Names of who performed analysis
 - * Analytical techniques or methods used
 - * Results or observations of analysis



Outstanding Resource Waters

- * Except for stormwater from temporary construction activities, new discharges within the watershed designated an Outstanding Resource Water (ORW) are prohibited.
- * If MS4 existed and discharged to an ORW prior to 6/25/1992, then no increase in pollutant load is allowed
- * If any part of MS4 discharges to an ORW, then must document in SWMP how compliance will be achieved
- * Does NOT apply to any new MS4



Reporting



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Annual Reports

- * **Must contain information about the following:**
 - * **Status of compliance with permit**
 - * **Assessment of BMPs & progress towards goals for each**
 - * **Results of information collected and analyzed**
 - * **Summary of stormwater activities planned for the next year**
 - * **Proposed changes to SWMP, BMP, or measurable goal**
 - * **Description & schedule of any additional BMPs/monitoring needed to reduce/eliminate discharges of pollutant of concern**
 - * **Notice that you are relying on any other entity to satisfy any permit obligations**



Annual Reports

- * If you have elected to take optional MCM #7:
 - * Number of active construction sites currently covered
 - * Number of construction projects that were started during reporting period
 - * Number of construction projects completed during reporting period
 - * Number of construction sites that have reached final stabilization



Reporting & Records Availability

- * Annual Reports must be sent to DEQ by March 1st summarizing the previous year's activities
- * If you submit DMRs, send copies with Annual Report
- * All required records and annual reports must be at a location accessible to DEQ & must be available to the public



Termination



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Notice of Termination

- * **Can terminate coverage if:**
 - * **Stopped discharging stormwater from MS4**
 - * **Operations stop at the MS4 (e.g. town gets annexed into another MS4)**
 - * **Transfers of ownership/responsibility for the facility to another operator**

NOT

* NOT form can be found at:

http://www.deq.state.ok.us/wqdnew/stormwater/ms4/phase_ii_small_ms4_not.pdf



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DEQ Stormwater Contacts

* Permitting

- * Michael Moe – (405) 702-8184
- * Karen Milford – (405) 702-8191
- * Ismat Esrar – (405) 702-8193

* Permit Administration

- * Loree Boyanton- (405) 702-6177
- * Anamari Holcomb- (405) 702-6178
- * Sandra Purvis- (405) 702-6182

* Compliance/Enforcement

- * Wayne T. Craney - (405) 702-8139
- * Michele Loudenback (North) - (405) 702-8116
- * Michelle Chao (West) - (405) 702-8112
- * Lorinda Mollenkamp (South) - (405) 702-8156



Questions, Comments, Discussion

