

# What to expect during an MS4 INSPECTION

MCM #6: Pollution Prevention and Good  
Housekeeping for Municipal Operations



**Environmental  
Protection Agency**

# Municipal Storm Water Program

- National Pollutant Discharge Elimination System (NPDES) Permit
- Municipal Separate Storm Sewer System (MS4)
- Storm Water Management Program (SWMP)
- Six Minimum Control Measures (MCMs)



# NPDES Requirements for Muni Ops

- Implement an O&M program to prevent or reduce pollutant runoff from municipal operations
  - Maintenance activities, schedules and long-term inspection procedures
  - Controls for streets, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops, salt/sand storage locations and snow disposal areas
  - Procedures for proper disposal of waste removed from your MS4 and your municipal operations
  - Procedures to incorporate water quality practices into flood management structures
- Conduct employee training on storm water pollution prevention at least once per year

Simple, RIGHT???

Not so fast...

# What to Expect When Ohio EPA Shows Up at Your Door

# What is an MS4 Inspection?

- Partial audit of your MS4 program
- Focuses on one or two of the MCMs
  - However, questions may extend to other MCMs where there is “crossover”
    - EXAMPLE: Will ask about public education messages at parks during an audit of MCM #6
  - Notification letter will identify which MCM(s) the inspection will focus on



# MS4 Inspection Process

- Interview
  - Ohio EPA uses a modified version of MS4 Program Evaluation Guidance developed by US EPA
    - <http://cfpub.epa.gov/npdes/stormwater/munic.cfm>
  - Will take 2 - 3 hours
  - Records and documents should be ready for review with copies you can give to Ohio EPA
  - Key personnel should be available to answer questions
    - Service Director, Storm Water Program Manager, Maintenance Yard Supervisor, City Engineer, Mayor, as appropriate

# MS4 Inspection Process

- Facility Inspections
  - Ohio EPA will always inspect the maintenance garage
  - Ohio EPA may inspect other municipal operations as well, if they exist
    - Focus on municipal facilities that have (or should have) industrial NPDES permit coverage, but not limited to that
    - Will look to verify that a condition of No Exposure exists, if a certification has been filed
  - Allot about 1 hour per facility
- Thus, total inspection time can take from 4 to 8 hours.



# MS4 Inspection Process

- You will receive a written report from Ohio EPA with audit findings
  - Violations
    - Failure to implement permit requirements
  - Deficiencies
    - Areas where your MS4 program needs improvement
- You will be asked to provide a written response
  - Describe specific actions that will be taken to address violations and deficiencies
  - Propose schedule to implement those actions
  - Ohio EPA may conduct a follow-up inspection to verify corrective action has been taken

# What Will Ohio EPA Inspect?

# Maintenance Garage



Material Storage Areas



Service Garage



Salt Storage Areas



Storm Water Management Structures



Fuel Station



Impound Lots



Waste Management Areas

Airports



# Other Municipal Facilities Subject to Inspection



Landfill



Marina



Composting Yard



Maintenance Facilities at Golf Courses, Cemeteries & Parks



Leaf Collection Yards



Street Sweepings Management Areas



Wastewater Treatment Plant



Steam Electric Power Plant



Snow Disposal Lots



Road Kill Management Area

# Records Ohio EPA May Review

- Map of MS4 Outfalls or System
- Inventory of Municipal Facilities and Operations
- Contracts with Third Parties that perform municipal operations on your behalf
- Guidance Documents or BMP Manuals used for municipal operations
- Training Records, including agendas and attendance records
- List of Active Municipal Construction Projects

# Records Ohio EPA May Review

- Checklists used to inspect maintenance facilities
- Street sweeping records
- Deicer application records
- Inventory of flood management structures maintained by MS4 operator
- Inventory of post-construction BMPs installed in the community since April 21, 2003
- Fertilizer and pesticide application plan

# Documents Ohio EPA May Review

- Annual Reports
- Ordinances
  - Prohibition of Illicit Discharge to MS4
  - Requirements to Control Construction Site Runoff
  - Requirements for Post-Construction Water Quality Practices
- Storm Water Pollution Prevention Plans

# Which Municipal Facilities Require a Storm Water Pollution Prevention Plan?

(SWP3 or SWPPP)

# Industrial Storm Water 101

- Industrial Activity
  - See definition in OAC 3745-39-04(B)(15) either by
    - Standard Industrial Classification (SIC) Code, or
    - Narrative description
  - MS4s can operate industrial activities that fall into either of these categories
- Industrial activities defined by narrative include:
  - Landfill
  - Steam Electric Power Plant
  - Wastewater Treatment Plant  $\geq 1$  MGD
- Industrial activities defined by SIC include:
  - Vehicle maintenance facility
  - Bus Terminal
  - Impound Lot
  - Waste Transfer Station
  - Composting Facility
  - Airports
  - Marinas



These facilities always require their own NPDES permit to discharge industrial storm water.



Airports and marinas may require their own NPDES permit to discharge industrial storm water.

So, which municipal facilities require  
an SWP3?

There are 2 more things you need to know...



# Thing 1: Transportation Facilities

- Municipal operations that are transportation facilities include:
  - Vehicle maintenance garages
  - Bus terminals
  - Impound lots
  - Airports
  - Marinas
- Transportation facilities only require a permit or an SWP3 if they conduct
  - Vehicle maintenance activities
    - Includes fueling, rehabilitation, mechanical repairs, painting and lubrication
  - Equipment cleaning, or
  - Airport de-icing operations

# Implications for MS4s

- If a municipal facility is a transportation facility without vehicle maintenance, equipment cleaning or airport de-icing operations
  - No SWP3 is required
  - No NPDES permit is required for marina or airport
- If a municipal facility is a transportation facility with vehicle maintenance, equipment cleaning or airport de-icing operations
  - An SWP3 is required
  - If facility is an airport or marina, an additional NPDES permit is required to discharge industrial storm water

# Thing 2: No Exposure Exemption

- Facilities that can certify a condition of “No Exposure” do not require industrial storm water permits.
  - All industrial materials and activities are protected by a storm resistant shelter that prevents exposure to rainfall, run-on, runoff and snowmelt
  - “Industrial materials and activities” includes material handling, and processing activities, or storage areas for waste material, raw material and intermediate products
- Areas MS4s may have exposed include:
  - Material stockpiles
  - Waste storage areas (even if these are temporary storage areas)
  - Fueling stations
  - Loading docks and loading areas for bulk liquid storage tanks
  - De-icing material storage or mixing areas

# Exposure or No Exposure?



if all loading and mixing occurs under canopy



# Implications for MS4s

The No Exposure exemption is available to all municipal operations.

- If a municipal facility requires NPDES permit coverage for industrial storm water, but can certify no exposure,
  - No NPDES permit is required
  - No SWP3 is required
  - Submit a No Exposure Certification to Ohio EPA
    - Must be resubmitted once every 5 years to maintain it
    - Guidance material on No Exposure at <http://cfpub.epa.gov/npdes/stormwater/exposure.cfm>
- If a municipal facility requires NPDES permit coverage for industrial storm water, but cannot certify no exposure
  - Obtain NPDES permit coverage
  - Develop and implement SWP3

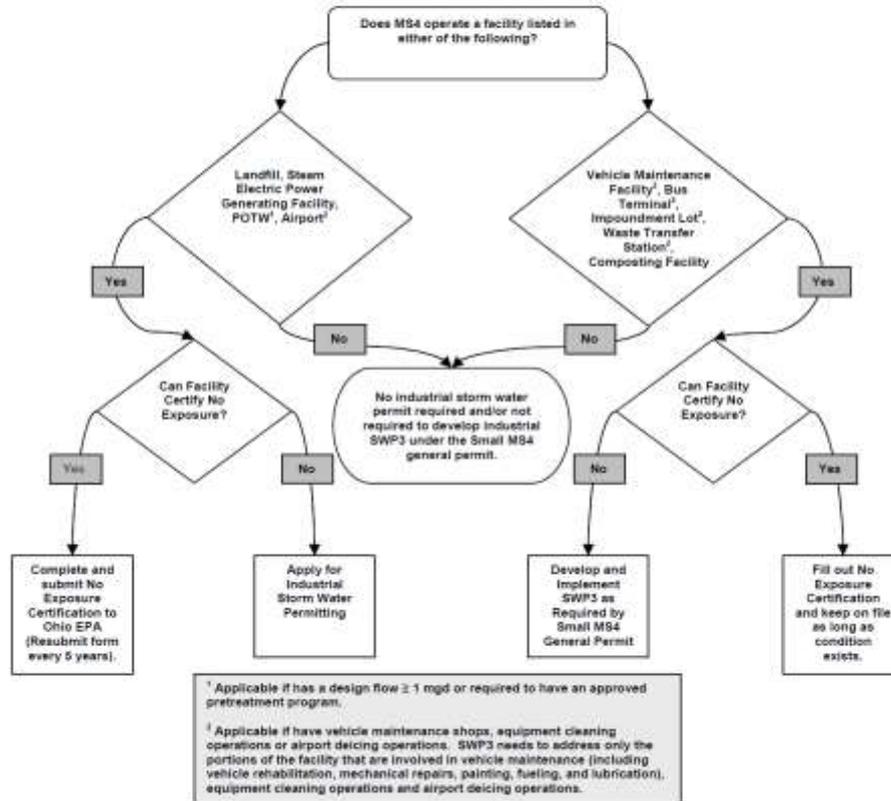
# Implications for MS4s

- If a municipal facility **does not** require a separate NPDES permit for industrial storm water, **but is** subject to SWP3 requirements in MS4 permit
  - Develop and implement SWP3, if exposure
  - If no exposure, keep a No Exposure Certification on file (or other documentation that you evaluated the facility).
  - Ohio EPA recommends employee training to assure a condition of no exposure is maintained, but no SWP3 required.

STILL  
CONFUSED?

## Guidance for MS4 Operated Industrial Facilities

Federal storm water regulations identify many industrial facilities as subject to National Pollutant Discharge Elimination System (NPDES) industrial storm water permitting. In addition, Ohio EPA's Small MS4 general permit (OHQ000002) requires that MS4s develop/implement industrial Storm Water Pollution Prevention Plans (SWP3) for certain industrial facilities they operate which are not subject to industrial storm water permitting. The following flow chart provides guidance for MS4 operators on industrial and MS4 permitting requirements for industrial facilities they may operate.



No Exposure is defined as all industrial materials and activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. MS4s which operate a facility listed in either scenario above should evaluate No Exposure before applying for permit coverage or developing a SWP3 for the facility. Additional information about industrial storm water permitting and No Exposure can be obtained from the following:  
[http://www.epa.state.oh.us/dsw/storm/industrial\\_index.html](http://www.epa.state.oh.us/dsw/storm/industrial_index.html)

# Summary of Actions Required by MS4s regarding SWP3s

- Verify that facilities engaged in industrial activities have obtained separate NPDES permit coverage for industrial storm water runoff or have submitted a No Exposure Certification
  - The MS4 permit does not authorize these discharges
- Develop and implement a Storm Water Pollution Prevention Plan (SWP3) for facilities that require one
  - Municipal facilities subject to this requirement because of the MS4 permit must implement within 2 years of MS4 permit renewal date
    - This is June 2011 for most communities
  - If OHQ000002 is your initial MS4 permit, you have 5 years to implement the SWP3

# Highlights and Low Lights

## Inspections of Municipal Operations

# Street and Catch Basin Cleaning



Good



Bad

# Salt Storage



Good



Bad

# Leaf Collection Operations



Good



Bad

# Composting Operations



Good



Bad

# Vehicle Washing



Good



Bad

# Material Storage



Good



Bad

# Fuel Stations



Good



Bad

# Compliance Resources

- [www.epa.gov/npdes/training](http://www.epa.gov/npdes/training)
  - Webcasts from the US EPA on all six MCMs
- [www.epa.ohio.gov/ocapp/storm\\_water.aspx](http://www.epa.ohio.gov/ocapp/storm_water.aspx)
  - Local training opportunities
  - Archived training materials
    - Sample SWP3s
    - Sample Regulations
    - IDDE Plan
    - Guidance Documents

# For More Information

## Websites

USEPA [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=6](http://cfpub.epa.gov/npdes/home.cfm?program_id=6)

Ohio EPA [www.epa.ohio.gov/dsw/storm/index.aspx](http://www.epa.ohio.gov/dsw/storm/index.aspx)

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