

# ***Kentucky MS4 Program Updates and Resources***

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# MS4 Phase II Permit History

- Phase II Permit expired March 31, 2015.
- Held stakeholder meetings with MS4s and Interested Parties.
- Drafted permit from input received at meetings.
- Released permit for Public Notice on April 9, 2016.
- Received comments regarding requirements.
- EPA did not approve the draft and did not issue the permit.
- Remand became effective November 2016.

# MS4 Phase II Permit Reissuance

- February 2017 – issued Public Notice of second draft permit.
- EPA did not approve the second draft, stating draft permit did not meet the conditions to be an Option 1 permit.
- EPA stated “At a very minimum, the KDOW should reinstate the conditions of the existing permit.”
- So we did...with a few additions....and the draft permit was sent to Public Notice on 07/03/17.
- Hopefully 3<sup>rd</sup> time is the charm.



# MS4 Phase II Permit Additions

- So what did we add.....
  - Non-Stormwater Discharges section identifies 18 different discharges that are allowed to be directed to an MS4. Items like Individual Car Washing, Dechlorinated Swimming Pool Discharges, and Air Conditioner Condensate....
  - Storm Sewer Map must include catch basins, pipes, ditches, flood control devices (retention/detention ponds), post-construction water-quality BMPs, and private post-construction water-quality BMPs.

# MS4 Phase II Permit Written Plans

- More additions
  - IDDE Plans must be written plans....not generic plans borrowed from another MS4. It should state how *your MS4* identifies and eliminates illicit discharges.
  - Operation and Maintenance Plans for Pollution Prevention and Good Housekeeping must be written. It should contain *your MS4's* inventory and practices, and not be copied from another entity.

# MS4 Phase II Permit Revisions

- Included Small MS4 Training
  - “Each permittee shall designate at least one person who is responsible for permit implementation to receive twelve (12) hours of documented training per permit year.”
- Removed the requirement for MS4 to recover the cost of performing the work for BMP repair
  - “If repairs are not made, the permittee shall enforce its correction orders and, if need be, perform the necessary work.”

# What else is new with MS4s?

- **DOW is** now required to inspect 20-25% of all MS4s not just the main permittees.
  - Please **inform** your co-permittees to be expecting an inspection of their program or their portion of the program based on any inter-local agreements you have in place.
- New training ideas that the state can provide or facilitate for the MS4s.
  - If you have any ideas or specific needs, please see me during the conference.

# Questions?

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