

Scott Township Board of Commissioners

Annual MS4 Update

SEPTEMBER 24, 2024



MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

- **Agenda:**

- Permit Overview
- Annual MS4 Tasks
 - Stormwater Management Program (Minimum Control Measures)
 - Pollutant Control Measures
- PADEP Compliance Evaluation
 - Annual Report
 - DEP Inspection
 - Current cycle of inspections for 2018 Permit is underway
- Pollutant Reduction Plans
- Permit Renewal

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

● Permit Overview – NPDES Permit for Stormwater Discharges from Small MS4s

- Municipal Separate Storm Sewer System (MS4) - Permit applies to stormwater infrastructure that is:
 - Used for collecting and/or conveying stormwater
 - Owned by a municipality or any other public body
 - Not used as a combined sewer
 - Not part of Publicly Owned Treatment Works (i.e. sewage treatment plant)
- NPDES MS4 Permit authorizes discharge of stormwater from the MS4 to Waters of the Commonwealth
- NPDES MS4 Permit issued by PADEP in Pennsylvania. The program is administered nationally by EPA.
- Primary goal of the permit: Protecting water quality and limiting stormwater pollution

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

● Annual MS4 Tasks

- Update and Implement Stormwater Management Program (Written Plan) addressing each MCM:
 - MCM #1 - Public Education and Outreach on Stormwater Impacts
 - MCM #2 - Public Involvement/Participation
 - MCM #3 - Illicit Discharge Detection and Elimination
 - MCM #4 - Construction Site Stormwater Runoff Control
 - MCM #5 - Post-Construction Stormwater Management (PCSM) in New and Re-Development Activities
 - MCM #6 - Pollution Prevention/Good Housekeeping
- The Stormwater Management Program must:
 - Reduce the discharge of pollutants from the MS4 to the maximum extent practicable,
 - Protect water quality, and
 - Satisfy appropriate water quality requirements of the Clean Water Act and the Pennsylvania Clean Streams Law

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

● Annual Reports

- Due September 30 of each year
- Self reporting on progress made for each MCM, along with PRP and PCM progress
- \$500 renewal fee due annually

● DEP or EPA Inspections

- DEP Inspects each permittee at least once every 5 years
- Inspections for 2018 Permit are underway (completed in 2021)
 - Office Review - Thorough review of written plans and documentation of compliance with required Minimum Control Measures. Documentation of all MS4 related activities (event flyers, distributed materials, work logs, complaint resolution tracking, outfall screening etc.)
 - Field Review – Evaluation of municipal facilities including Public Works yard, garage, salt storage and other facilities. Field review of BMPs and outfalls

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

- **Pollutant Reduction Plans (PRPs) were developed in 2017 and submitted to PADEP to meet the following requirements:**
 - The following reductions must be achieved within 5 years of permit issuance (March 2023 for General Permits):
 - Achieve 10% reduction in pollutant loading of sediment
 - Achieve 5% reduction in pollutant loading of total phosphorus
- **Each Annual Report will include documentation and supporting calculations for reductions achieved through implementation of the Pollutant Reduction Plan.**
- **PRPs approved by PADEP established:**
 - Total pollutant loading required to be addressed in permit term
 - Potential BMPs to be constructed to achieve required pollutant reduction goals.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

- **BMPs identified in the Pollutant Reduction Plan must be constructed and the required pollutant reduction achieved by March 2023**
- **Municipal budget for each year must include funds for:**
 - Final Design of BMPs
 - Acquisition of property, as needed for BMP construction
 - Construction costs for installation of new BMPs or retrofit of existing BMPs, including bidding costs if constructed by a contractor
 - Annual maintenance of all BMPs
- **Stormwater Fee was implemented for costs associated with Implementation of PRP (not yet applicable to First Class Townships)**

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

- **Structural BMPs – Extended Detention/Infiltration/Filtration Basin – New Construction or Retrofit of existing facilities**
 - Typically require significant surface area and volume to capture quantity of runoff need to treat high pollutant loading
 - Right-of-way or easements may be required for new construction
 - Long term annual maintenance needed on all BMPs
 - Additional flood control benefits; improved rate control from stormwater facilities
 - Controlling the discharge rate reduces downstream erosion from facilities
 - Outlet structures allow water to be detained for certain time to allow for infiltration and sediment to settle out and not be discharged into streams
 - Facilities equipped with underdrains for emergency purposes

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

● Permit Renewal

- Current Permit expires March 2025
 - DEP issued Notice - General Permits extended 2 years (previously set to expire March 2023)
 - Township to continue with annual tasks during these 2 years (Outfall Testing, BMP Reviews, Training, etc.)
 - Notice of Intent not required as long as Annual Progress Report is submitted each September unless otherwise directed by DEP
 - Coverage under current Permit will renew unless otherwise notified by DEP
 - DEP has not issued any information regarding future PRP Requirements

MS4s – PERMIT TIMELINE

● Permit Timeline

- General Permits issued in 2018-2019
- September 2022 - Administratively extended two years (March 2025)
 - Annual Tasks/Maintenance Activities to be completed (training, BMP reviews, outfall screening, etc.)
- May 2024 - The current Permit has been administratively extended until the next draft Permit is issued by PaDEP
 - DEP Working Group drafting new permit regulations
- Anticipate at least one year from draft permit published to when renewals are due

MS4s – PERMIT – WHAT'S NEXT?

- **PADEP Compliance Inspections**

- Most permittees have received the initial and Second compliance inspection.
- DEP has indicated the second inspection to include enforcement for non-compliance; DEP reviewing previous action items to see if address and if PRP is being implemented
- Inspections have both been in-person and virtual

- **Annual Report due September 30 (each year)**

- **Annual MS4 Tasks**

- Update and Implement Stormwater Management Program (Written Plan) addressing each MCM (all Plans updated to reflect 2018 Permit):
 - MCM #1 - Public Education and Outreach on Stormwater Impacts
 - MCM #2 - Public Involvement/Participation
 - MCM #3 - Illicit Discharge Detection and Elimination
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MS4s – PERMIT – WHAT'S NEXT?

● What's Left in Current Permit:

- Complete PRP projects 5 years from when PRP approval was received
 - 2023-2024
 - Pond Retrofits, New Detention Facilities, Rain Gardens, Stream Restoration
- Provide final PRP Report as part of Annual Progress Report Submission
 - PRP Reports were included in 2023 Annual Progress Report Submissions identifying status
 - If PRP Completed, included final design calculations/record drawings
 - If PRP outstanding, identify reasons why project not completed
 - » Permitting (Stream Restorations)
 - » Funding (Grant Sources)
 - » Construction Delays (Material Delays)
 - Updated PRP Reports to be included with 2024 Annual Progress Report for communities where additional PRP Progress is Made

MS4s – PERMIT – WHAT’S NEXT?

- **What’s Left in Current Permit:**

- If PRP is not completed in accordance with timing of original permit approval, it is anticipated DEP will utilize Enforcement for completion of project(s)
 - Notice of Violations
 - Consent Order Agreements
 - Requiring permittee to submit future permit applications as Individual Permit

MS4s – PERMIT – WHAT'S NEXT?

- **Next Permit Requirements:**

- Permit has been administratively extended
- Permit Working Group currently working through next permit requirements
 - Incentivize inter-municipal cooperation
 - Focus on larger watershed-driven projects
 - Focus on volume detained instead of pollutants removed calculations (lbs. of sediment/year)
 - Allow for longer timeline for planning purposes prior to implementation
 - More uniform reduction requirements
 - Potential consideration for reduction required based on socio-economic factors

MS4s – PERMIT – WHAT'S NEXT?

- **Focus in 2024:**

- Complete Remaining PRP Projects
 - Acquire funding for proposed projects
 - Submit 2024 PRP Report with Annual Report
- Submit Annual Report in September
- Complete Annual Tasks
 - Training
 - BMP Reviews
 - Outfall Screening
- Continue to document all MS4 activities in Binders

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