

MS4 Implementation Team (MIT) Meeting Minutes – February 20, 2013

MIT Purpose

The Department of Environmental Quality (DEQ), Water Resources Division staff welcomed the members (see attached list of members) and the purpose of the MIT was presented. The purpose of the MIT is the same as in the past, to provide a forum for municipal separate storm sewer system (MS4) permittees to raise concerns and issues, collaborate on the development of compliance assistance documents, and share innovative and alternative approaches. The DEQ intends to use the outcomes of the MIT to guide decision-making. A handout was provided on member expectations in terms of meeting attendance and participation. All final decisions regarding issues of permit compliance will be made by the DEQ and shared with the MIT membership at meetings or through meeting minutes.

Following the meeting, no members declined to participate on the MIT.

FY14/15 Permitting

The DEQ led a discussion on current efforts relating to the MS4 program. The DEQ is assisting FY14 permittees with completing the MS4 individual permit application. An application workshop was held for FY14 permittees in December 2012 and the feedback is being used to improve the FY15 application training scheduled for November at the same location (Auburn Hills Marriott Pontiac at Centerpoint). The FY15 basins include the Flint River and Lake St. Clair. At this time, the DEQ is planning to make minor changes to the application to provide additional clarification. The DEQ has met with permittees and will continue to be available to assist permittees with completing the application.

The 2010 Census Bureau urbanized area boundaries were released. The DEQ is in the process of developing urbanized area maps for Michigan. This summer the DEQ is planning to send a letter to potential permittees in the newly urbanized area requesting information on the MS4 they may own or operate. This information will be used to notice potential permittees in fall 2013 of the need to apply for MS4 permit coverage with permit reissuance in FY15.

Progress reports were briefly discussed. A letter was sent to all MS4 permittees stating that progress reports are due biennially with the specific years provided. The DEQ intends to include a requirement in the MS4 individual permits to submit progress reports in years two and four of the five year permit cycle.

Part 201 Amendments

In June 2013, the Part 201 Statute (Environmental Remediation) was amended. The amendments have the opportunity to intersect with the MS4 program, more specifically the requirement to eliminate illicit discharges. Contaminated groundwater venting into a regulated separate storm sewer is an illicit discharge and would be subject to an MS4 permittee's illicit discharge elimination program.

DEQ presented a list of options to eliminate an illicit discharge of contaminated groundwater, including requiring the illicit discharger to obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge into the MS4. Members asked if permitting would be conducted by the MS4 permittee. To be consistent with federal/state regulations an NPDES permit issued by the DEQ would be needed. The DEQ stated that a document addressing venting contaminated groundwater would be available at the next MIT meeting for review and input.

Members indicated that once a connection to the storm sewer is established, it is difficult to track the status of the NPDES permit. Members requested that a requirement to notify the MS4 owner of the intent to discharge into its MS4 be included on the NPDES permit application. The DEQ agreed that this notification would be beneficial and will work on revising the NPDES applications.

FY13/14 Individual Permit Application

Members of the MIT who had completed or were in the process of completing the individual permit application provided feedback. The general feedback was that there was a gap between currently available documentation and the documentation requested in the application. DEQ discussed the purpose of the application format which was to meet the requirement to public notice the Stormwater Management Program and ensure a consistent understanding of compliance expectations at the time of permit issuance. The DEQ stated that the lack of documentation of implementation efforts is commonly cited during an MS4 audit. Ms. Jennifer Lawson with the City of Ann Arbor indicated that as a result of going through the application process they developed a color-coded tracking system and plan to use the system to assist with completing the progress reports and performing internal audits of their implementation efforts.

The requirement to train staff on various parts of the SWMP was discussed. Kelly Karl with SEMCOG explained that their agency provides training at a frequency that would meet the application requirements.

Illicit Discharge Elimination Program (IDEP) Dry-Weather Screening Options

The DEQ letter sent to all MS4 permittees in 2012 with options for conducting dry-weather screening was discussed. The options included in the letter are consistent with the MS4 individual permit application.

Compliance Assistance Topics

Areas of the MS4 program requiring compliance assistance were discussed. The following topics were identified to work on first.

IDEP Dry-Weather Screening Interagency Agreement	DEQ: Amanda St. Amour – Lead , Deb Snell
IDEP Compliance Assistance Document	DEQ: Marty Hedges – Lead , Amanda St. Amour, Christe Alwin External: Chris Kosmowski, Noel Mullett, Wayne Harrall, Shawn Keenan, John Paquin
Post-Construction Compliance Assistance Document	DEQ: Chris Bauer – Lead , Christe Alwin, Andrew Bahrou External: Kelly Karll, Scott Conners, Jennifer Lawson, Bob Scheuerman
Catch Basin Cleaning/Street Sweeping Compliance Assistance Document	DEQ: Dave Drullinger – Lead , Keith Noble External: Kelly Karll, Sandra Diorka

Members will be contacted by DEQ staff regarding next steps to update the compliance assistance documents.