

## FACT SHEET

### National Pollutant Discharge Elimination System General Permit for Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (MS4s)

DATE: June 24, 2013

FACILITY: This general permit applies to any small MS4 which is required to obtain NPDES permit coverage for stormwater discharge to waters of the state of Kansas and has not previously received such NPDES permit coverage.

KANSAS PERMIT No.: M-aann-aann

FEDERAL PERMIT No.: KSR041nnn

GENERAL PERMIT No.: G-FST-0604-SO01

LOCATION: State of Kansas

#### BACKGROUND:

The Federal Water Pollution Control Act (also referred to as the Clean Water Act), which was enacted in 1972, requires point source dischargers of pollutants obtain federal NPDES permits which regulate such discharges. The Clean Water Act amendments of 1987 (referred to as the Water Quality Act) required the U.S. Environmental Protection Agency (EPA) to adopt regulations to require NPDES permits of stormwater dischargers. The purpose of issuing an NPDES general permit for small municipal separate storm sewer systems (MS4s) is to ensure these dischargers are in compliance with applicable state and federal regulations.

This Fact Sheet addresses the general permit which covers all areas of the state of Kansas. MS4s that elect to seek coverage under this permit have been identified as Phase II regulated entities. This small MS4 permit program addresses MS4s that generally serve populations less than 100,000 in urbanized areas, and those MS4s located outside of urbanized areas that have or may have the potential to negatively impact surface water quality as a result of their discharges. This permit is intended to be the initial MS4 permit issued to applicants and within the five year term of the permit is intended to establish a basic stormwater management program which includes the six minimum measures required by federal regulations and, including a stormwater monitoring program

PROPOSED ACTION: The proposed action consists of issuance of this introductory or first round general Kansas/NPDES Water Pollution Control permit for small MS4s.

RECEIVING STREAMS: All surface waters of the state of Kansas.

PROPOSED MONITORING AND/OR LIMITATIONS: This permit includes stream and lake monitoring requirements and monitoring of stormwater within the MS4 system as appropriate. There are no numeric effluent limitations imposed.

DESCRIPTION OF PERMIT CONDITIONS:

This permit authorizes discharges of storm water from Municipal Separate Storm Sewer Systems as defined in 40 CFR 122.26 (b)(16). For permittees located within an Urbanized Area this permit covers all areas within the permittee's jurisdiction (the Permit Area). The Permit Area may change based upon areas incorporated into or removed from the permittee's jurisdictional area during the term of this permit.

This general permit requires the permittee develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. This stormwater management program must include the items listed in the following Section A.

- A. Best management practices (BMPs) for the six minimum controls. The six minimum control measures include the following:
1. Public Education and Outreach - This includes informing individuals, businesses and organizations as to the impact on surface water quality of contaminated stormwater discharges and how they can help reduce stormwater contamination.
  2. Public Participation and Involvement - This includes creating opportunities for individuals and organizations to participate in the development and implementation of best management practices to reduce the contamination of stormwater.
  3. Illicit Discharge Detection and Elimination - This includes a program to detect and eliminate illicit wastewater discharges or other non-storm water discharges into the storm sewer system.
  4. Construction Site Runoff Control - This includes a program to require erosion and sediment controls for sites disturbing one or more acres.
  5. Post-construction Runoff Control - This includes a program requiring the development, implementation and maintenance of controls on sites after development and redevelopment to address storm water pollutants and flow issues.
  6. Housekeeping and Pollution Prevention - This includes a program to minimize pollutants from municipal operations such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance
- B. BMPs must be implemented for any Total Maximum Daily Load (TMDL) regulated pollutant associated with impaired streams and/or lakes as identified by KDHE. The selected TMDL regulated parameters and the associated impaired stream or lake will be listed in the permit. These BMPs, are intended to attenuate the discharge of these TMDL regulated parameters and are to be implemented within the municipality wherever stormwater drains to the associated impaired stream or lake.

The permittee is required to submit an annual report to KDHE to document compliance with the permit. The report is required to include:

1. Information on the measurable goals (with an indication of the progress toward meeting the goals) for each of the six minimum control measures and TMDLs as listed in the Stormwater Management Program document;
  2. results of information collected and analyzed, to assess the success of the program at reducing the TMDL regulated pollutants;
  3. a summary of the stormwater activities that were scheduled to be undertaken during the previous calendar year and the status of these activities;
  4. a summary of the stormwater activities which are scheduled to be undertaken during the next reporting cycle (including an implementation schedule);
  5. a map showing changes in the permittee's jurisdictional Permit Area;
  6. a description of significant changes in any of the six minimum control measures;
  7. any updated ordinances or resolutions associated with the SMP or the six minimum control measures shall be provided with the annual reports.
  8. a list of other parties, if any, which will be responsible for implementing any of the program areas of the Stormwater Management Program,
  9. updated ordinances or resolutions associated with the SMP or the six minimum control measures shall be provided with the annual report.
- C. The permit contains other requirements regarding updating the stormwater management plan, developing and monitoring measurable goals associated with the BMPs, and record keeping.

Numerical effluent limits are not imposed by this general permit. Effluent limits are established in the general permit in the form of stormwater best management practices, which are intended to minimize the discharge of contaminated stormwater to surface waters of the state to the maximum extent practicable. The federal regulation 40 CFR 122.44(k) allows an NPDES permit to include BMPs when numeric effluent limitations are infeasible or the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the Clean Water Act.

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