



FACT SHEET

MS4 Six Minimum Control Measures for Municipal Separate Storm Sewer Systems (MS4s) with NPDES Permits

This fact sheet outlines the general requirements for implementation of the Six Minimum Control Measures as required under a Kansas MS4 General Permit issued by the Kansas Department of Health and Environment. The general permit provided to the MS4 authority should be reviewed for additional requirements associated with implementation of the Six Minimum Control Measures such as deadlines for implementation of the requirements or supplemental requirements associated with the individual measures. The general requirements are as follows:

- A. Six Minimum Controls - The Permittee shall develop and implement BMPs with measureable goals for each of the six minimum control measures. The six minimum control measures and associated requirements are listed and explained as follows:

1. Public Education and Outreach

The permittee shall implement a public education program which includes distribution of educational materials to the community or conducting equivalent outreach activities which address the impacts of stormwater discharges on water bodies and the steps the public can take to reduce pollutants in stormwater runoff.

2. Public Involvement and Participation

The permittee shall implement a public involvement and participation program to solicit public comment and recommendations regarding the BMPs and measurable goals utilized by the permittee to comply with the permit. The permittee shall comply with State and local public notice requirements when implementing a public involvement and participation program.

3. Illicit Discharge Detection and Elimination

The permittee shall:

- a. develop, implement and enforce a program to detect and eliminate illicit discharges into the MS4;

- b. develop a storm sewer system map of the permittee's MS4, showing the location of all outfalls, either pipes or open channel drainage, showing the names and location of all streams or lakes that receive discharges from those outfalls. A copy of the map shall be submitted to KDHE. This map may be submitted as a PDF file(s) on a compact disk.
- c. enact ordinances or resolutions to prohibit non-stormwater discharges into the storm sewer system and implement appropriate enforcement procedures and actions if the permittee has such authority. A copy of the ordinances or resolutions shall be submitted to KDHE.
- d. inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste; and
- e. develop and implement a plan to detect and address prohibited non-stormwater discharges, including illegal dumping, to the storm sewer system. Unless identified by either the permittee or KDHE as a significant source of pollutants to waters of the state the following examples of non-stormwater discharges are not prohibited from entering the Municipal Separate Storm Sewer System:
 - 1) Water line flushing;
 - 2) diverted stream flow;
 - 3) rising groundwaters;
 - 4) uncontaminated groundwater infiltration as defined under 40 CFR 35.2005(20) to separate storm sewers;
 - 5) uncontaminated pumped groundwater;
 - 6) contaminated groundwater if authorized by KDHE and approved by the municipality;
 - 7) discharges from potable water sources;
 - 8) foundation drains;
 - 9) air conditioning condensate;
 - 10) irrigation waters;
 - 11) springs;
 - 12) water from crawl space pumps;
 - 13) footing drains;

- 14) individual residential car washing;
- 15) occasional not-for-profit car wash activities;
- 16) flows from riparian habitats and wetlands;
- 17) dechlorinated swimming pool discharges excluding filter backwash;
- 18) street wash waters (excluding street sweepings which have been removed from the street);
- 19) discharges or flows from fire fighting activities;
- 20) heat pump discharge waters (residential only);
- 21) treated wastewater meeting requirements of a NPDES permit;
- 22) sump pump drains; and
- 23) other discharges determined not to be a significant source of pollutants to waters of the state, a public health hazard or a nuisance.

4. Construction Site Stormwater Runoff Control

The permittee shall develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include the development and implementation, at a minimum, of the following:

- a. permittees which have the authority to enact ordinances or resolutions shall enact such ordinances or resolutions to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State and local law;
- b. requirements for construction site owners or operators to implement appropriate erosion and sediment control best management practices;
- c. requirements for construction site owners or operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that are likely to cause adverse impacts to water quality;

- d. procedures for site plan review which incorporate consideration of potential water quality impacts;
- e. procedures for receipt and consideration of information submitted by the public;
- f. procedures for site inspection and enforcement of control measures.

5. Post-Construction Stormwater Management in New Development and Redevelopment Projects

The permittee shall develop, implement, and enforce a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. The program must include the development and implementation, at a minimum, of the following:

- a. BMPs to prevent or minimize adverse water quality impacts;
- b. strategies which include a combination of structural and/or non-structural BMPs appropriate for the municipality;
- c. for permittees which have the authority, ordinances or resolutions to address post-construction runoff from new development and redevelopment projects to the extent allowable under State and local law;
- d. ensure adequate long-term operation and maintenance of BMPs.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

The permittee shall develop and implement an operation and maintenance program that includes employee training to prevent and reduce stormwater pollution from municipal operations activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.