

Navigating the New World of NPDES Permitting, Inspections & Compliance

- An Industry Standpoint

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Year of Change

- The last year has seen significant changes to what industry must do to stay in compliance with stormwater regulations
 - Administrative changes at MDNR and US EPA
 - Several general permits revised or renewed
- Let's discuss
 - Lessons learned so far navigating this new world
 - Questions still remaining

Land Disturbance Permit



- MO-RA Renewed on February 8, 2017
 - Stakeholder Process
 - GOAL – A permit written so that MDNR could enforce it and industry could comply with it
 - Worked together on several rounds of renewals
 - We are all learning and improving
 - Draft EPA Construction General Permit (CGP)
 - Issued during stakeholder process
 - Not finalized until February 16, 2017

Land Disturbance Permit



- MO-RA Renewed in February 2017
 - Per draft EPA land disturbance permit
 - Effected inspection frequency and options
 - Option 1 – Once Every **7 days**
 - Reduced additional rainfall inspections to only events greater than 2-year/24-hour event (3.5 inches here in Columbia)
 - Option 2 – Once Every **14 days**
 - Rainfall inspections within 24 hours of storm events greater than 0.25 inches of precipitation

Land Disturbance Permit



- MO-RA Renewed in February 2017
 - Per draft EPA land disturbance permit
 - Removal of Effluent Limitations
 - Previous permit had Settable Solids Limit
 - 2.5 ml/L except immediately following 2-year/24-hour storm
 - Expanded stream buffer
 - Increased from 25-foot to 50-foot
 - However, both EPA and MDNR allows use of erosion and sediment controls if 50-foot buffer infeasible
 - Better definition of high water mark added to clarify buffer

Land Disturbance Permit



- Other permit changes effecting industry
 - Electronic Copies Allowed
 - Storm Water Pollution Prevention Plan (SWPPP)
 - Inspection reports
 - Clarification for Best Management Practices (BMPs)
 - Design to capture or treat 2-year/24-hour storm event
 - Inspect after larger storm events and repair BMPs within 7 days, if weather and site conditions allow
 - Perimeter BMPs allowed in phases
 - Trackout removal timeline established
 - BMP removal allowed once final stabilization achieved

Land Disturbance Permit



- Other permit changes effecting industry
 - Sediment Basins
 - Revised sizing requirement of 3,600 cubic feet per each disturbed acre to size for 2-year/24-hour storm
 - Disturbed Areas
 - Interim Stabilization
 - Clarified that does not have to be vegetation
 - Instead could be combination of BMPs installed within 14 calendar days
 - Final Stabilization
 - Clarify vegetative cover versus previous plant density

Land Disturbance Permit



- Permit Renewal
 - Electronic Permitting System
 - Could not add new permit until old permit expired
 - MDNR granted 60 day grace period
 - Previous permit numbers are removed from system
 - Permit no longer requires termination forms if expired
 - Only reapply if the project or development completion date will be after expiration date
 - Not able to make changes to existing permit
 - Must apply for new permit, causing confusion about how to handle termination of old permit numbers

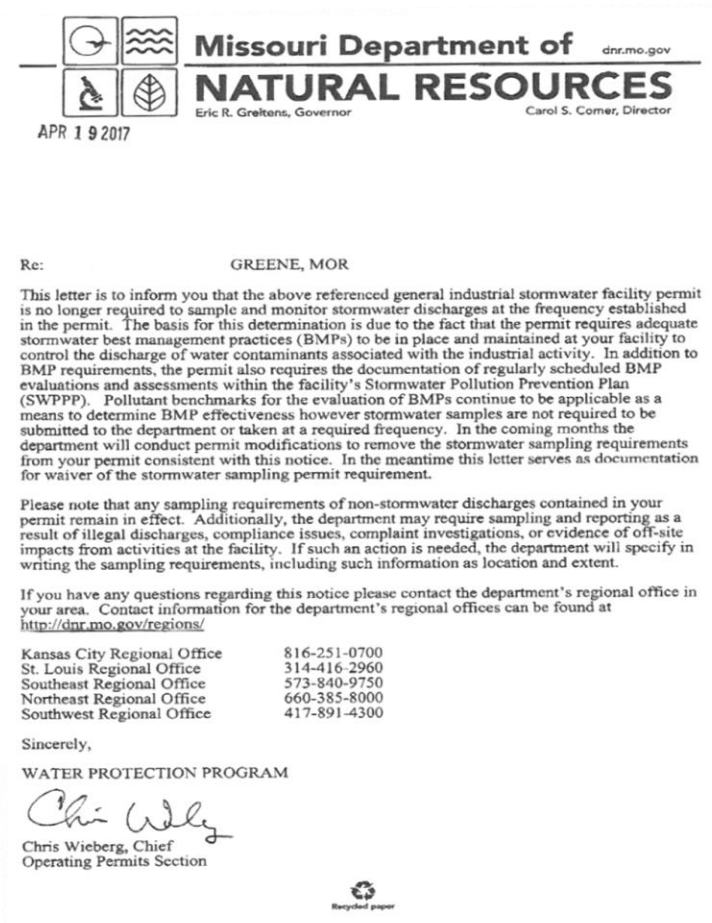
NPDES Permits

- Revised/Renewed in 2106-2017
 - Stormwater Permits (MO-R)
 - MO-RA – Land Disturbance
 - MO-R04 – Small Municipal Separate Storm Sewer Systems
 - MO-R100 – Land Disturbance by City or County
 - MO-R23D – Plastic and Rubber Manufacturing
 - General Permits (MO-G)
 - MO-G05 – Abandoned Mine Land Rec > 5 acres (MDNR use only)
 - MO-G251 – Heat Pumps
 - MO-G49 – Limestone Quarries
 - MO-G50 – Sand and Gravel Washing
 - MO-G822 – Land Application of Food Process WW
 - MO-G823 – Land Application of Domestic WW
 - MO-G84 – Clay Pits
 - MO-G87 – Pesticide Applications
 - MO-G94 – Fuel Spill Cleanup

MDNR Sampling Changes



- MDNR Letter
 - Issued April 2017 to Industry Permit Holders
- Stormwater
 - Removed regularly scheduled sampling & submittal
 - HOWEVER, still requires benchmarks for BMP efficiency
- Non-Stormwater (Process Water)
 - Still requires quarterly sampling & reporting



Permits Impacted

- Industry Permits Impacted by Changes
 - General Permits (MO-G)
 - MOG49 – Limestone Quarries and Asphalt (*Renewed 5-1-17*)
 - MOG50 – Sand and Gravel Washing (*Renewed 5-23-17*)
 - MOG84 – Clay Pit Mining
 - Stormwater Permits (MO-R)
 - MOR203 – Fab Metal, Light Industrial
 - MOR22A – Lumber and Wood, Primary
 - MOR22B – Wood Treaters
 - MOR22C – Lumber and Wood, Secondary
 - MOR23A – Chemical Manufacturing
 - MOR23D – Plastics and Rubber Manufacturing
 - MOR60A – Motor Vehicle Salvage
 - MOR80H – Solid Waste Transfer

General Permits

- Stakeholder Meetings
 - MO-G49 Limestone Quarries and Asphalt & MO-G50 Sand and Gravel Washing
 - Still in draft form when MDNR letter issued
 - First permits issued under new requirements
 - Incorporated changes to sampling frequency but still includes the benchmark requirements
 - Several questions have arisen and lessons learned

Questions/Clarifications

- **Sampling**

- Some mistakenly thought relieved them of ALL sampling
 - **Non-Stormwater MUST still be Sampled Quarterly**
 - MO-G Permits - Some require quarterly sampling of non-stormwater
 - MO-R Permits - Do not allow process water discharge
 - **Stormwater Sampling versus Benchmark Requirements**
 - Facilities are still required to use the benchmark standards for stormwater to determine BMP effectiveness
 - However, what stormwater sampling frequency is needed to show compliance with benchmarks?
 - If a benchmark is exceeded, there is still a multi-step process per the permit to be considered back in compliance

Questions/Clarifications



- **Reporting**

- **Non-Stormwater MUST Still be Reported Quarterly**
 - Submittal via eDMR system is now required
 - Sites can NOT be added to the eDMR system if permit is expired
- **Stormwater Sampling is NOT Reported**
 - Sampling data should be kept in SWPPP
 - Must be made available to MDNR upon request
 - HOWEVER, eDMR system has not been updated yet
 - Stormwater is still shown on eDMRs
- **Let's Play a Game**

Questions/Clarifications

- Reporting – Entering Stormwater Benchmark Data in eDMR System

Which One is the Correct Answer?

- a) Enter Data
- b) Not Reporting
- c) No Discharge
- d) Leave Blank

Questions/Clarifications

- Reporting – Entering Stormwater Benchmark Data in eDMR System

Which One is the Correct Answer?

- a) Enter Data
- b) Not Reporting
- c) NO DISCHARGE
(although not technically accurate)**
- d) Leave Blank



If you would like more information or
additional assistance in

Navigating this New World of NPDES

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