# MS4 Annual Report Training

Session 4
June 2023

# MyTDEC Small MS4 Annual Report Form



Type "MS4" in form search bar

Select NPDES MS4 Annual Report

Type in "T" in the text box and select your permit tracking number

## ❑ Minimum Control Measure 4 (MCM 4)

MCM 4:
Construction Site
Stormwater Runoff
Pollutant Control

MCM 4: Construction Site Stormwater Runoff Pollutant Control

## ❑ Minimum Control Measure 5 (MCM 5)

MCM 5: Post
Construction/
Permanent
Stormwater
Management

MCM 5: Post Construction/ Permanent Stormwater Management

Has an offsite mitigation program or payment in lieu into a public stormwater

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# Notes

- The 2022-2023 annual report reflects information from the 2016 and 2022 MS4 permits and **some permit requirements are not yet in effect**

- Only report for permit requirements that are **in effect**, or if it has been **implemented or performed early**

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# MCM4: Construction Site Runoff

**MCM 4: Permit Subpart 4.2.4.**

# Objective

- Permittees must develop, implement, and enforce a **construction site stormwater runoff pollutant control program** to reduce pollutants in any stormwater runoff to the small MS4 from construction activities that result in a land disturbance of **greater than or equal to one acre,** or less than one acre if part of a larger **common plan of development**

# Form Overview

- For reporting construction activities, count all activities (e.g. projects, sites) that were active during the reporting period. **It is understood that activities will overlap multiple reporting years**.

  – Example: If a project plan is submitted and reviewed in reporting <u>year 1</u>, that plan review will go only on the report <u>for that year</u>. If that same project begins construction in reporting <u>year 2</u>, it would be included in the <u>year 2</u> report for active construction activity, but not the year 1 report.

  – If a construction activity is terminated in the beginning of a reporting year before the first inspection for that reporting year is required, that activity may be left off the count.

**MCM 4: Permit Subpart 4.2.4.**

# Permit Requirement – Regulatory Mechanism

| Management Measure | Measurable Goals | Annual Report Requirement |
|---|---|---|
| Regulatory mechanism are required to be consistent with the currently effective Tennessee Construction General Permit (CGP, TNR100000). Note: This reporting element won't be seen in the annual report until after the subsequent CGP has been issued. | NPDES general permit for construction stormwater runoff with an effective after September 30, 2026, modifications to ordinances or other regulatory mechanisms for construction site runoff control must be effective and implemented within 18 months of the effective date of a Tennessee Construction General Permit (CGP, TNR100000); | Identify if the regulatory mechanisms for construction site runoff control have been updated to be consistent with CGP and are effective & implemented within 18 months of the effective date of the subsequent CGP |

**MCM 4: Permit Subpart 4.2.4.**

# Annual Report - Regulatory Mechanism

- An ordinance or other regulatory mechanism to require erosion prevention and sediment controls (EPSC), as well as sanctions to enforce compliance.

- Select "**In Effect**" if the regulatory mechanism that is effective on the last day of the reporting period has been updated to be **consistent with the current CGP**. If it's in the process of being updated to be consistent with the CGP, select "**Under Development**"

Identify if the regulatory mechanisms for construction site runoff control have been updated to be consistent with the CGP?
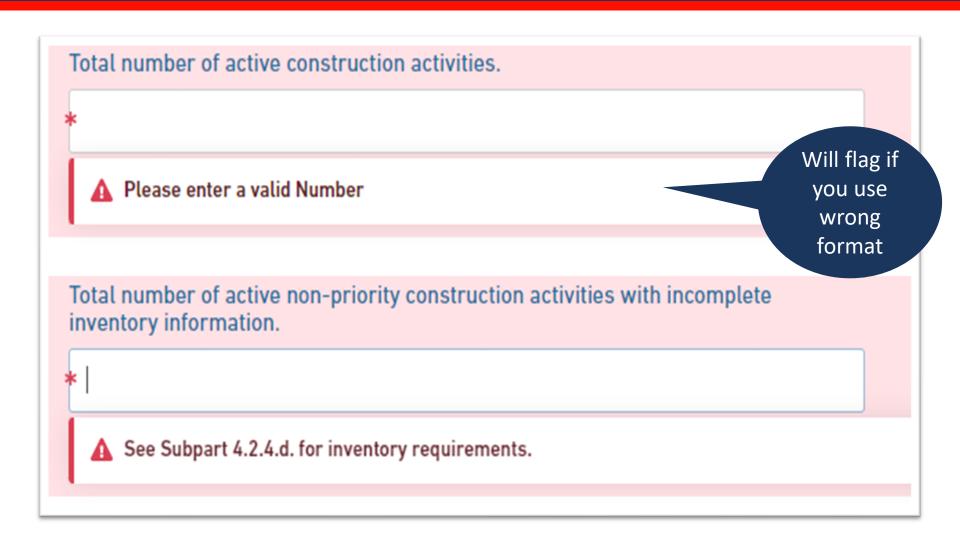
◉ In Effect

○ Under Development

# Permit Requirement - Inventory

| Management Measure | Measurable Goals | Annual Report Requirement |
|---|---|---|
| An inventory of actively permitted public and private construction sites that result in a total land disturbance as defined in subpart 4.2.4.d | Maintain an up-to-date inventory with all information identified subpart 4.2.4.d | -total number of active construction activities |
| | | Total number of active non-priority construction activities with incomplete inventory information |

**MCM 4: Permit Subpart 4.2.4.**

# Annual Report - Inventory

Total number of active construction activities.

\*

⚠ **Please enter a valid Number**

Will flag if you use wrong format

Total number of active non-priority construction activities with incomplete inventory information.

\*

⚠ See Subpart 4.2.4.d. for inventory requirements.

# Permit Requirement – Plans Review

| Construction site plans review and approval | Establish policies and/or procedures for review and approval (or denial) of all plans and review 100% of all new development and redevelopment projects accordingly | - Total number of new development and redevelopment projects reviewed in accordance with established policies and procedures |
| | | - Yes/No Were all new development and redevelopment projects reviewed in accordance with the established policy and procedure? |

# Annual Report - Plans Review

Number of new development and redevelopment projects reviewed in accordance with established policies and procedures.

23

Were all new development and redevelopment projects reviewed in accordance with the established policy and procedure?

◉ Yes

◯ No

# Permit Requirement – Public Access

- ## In MCM4

| | |
|---|---|
| Mechanisms or plans for public access to information on new development and redevelopment projects and receiving and considering comments from the public on those new development and redevelopment projects. | The Measurable Goals and Annual Reporting requirements for this management measures are implemented Public Involvement MCM and reported under subpart 4.2.2 |

- ## In MCM2

| | | |
|---|---|---|
| Mechanisms, procedures, and processes for public access to information on projects and receiving and considering | - Information for 100% of all construction site projects (see subpart 4.2.4) is accessible to the public | Yes/No Is information for all construction site projects accessible to the public? |
| comments from the public on those projects. See subpart 4.2.4 | - 100% of all comments from the public construction site projects (see subpart 4.2.4) are considered in accordance with the Stormwater Management Program | - # of comments received from the public on construction site projects <br><br> - Yes/No Are all comments from the public on construction site projects considered? |

**MCM 4: Permit Subparts 4.2.2 and 4.2.4.**

# Annual Report – Public Access

- All questions related to Public Access are located in the **MCM 2 section** of the annual report.

# Permit Requirement – Non-Priority Construction Activities

| Procedures for permittee inspectors to evaluate and document construction site compliance. | Inspect a minimum of 10% of active non-priority construction sites in accordance | - Total number of active non-priority construction activities |
|---|---|---|
| | with Stormwater Management Program | - Yes/No Were all non-priority active construction activities inspections conducted accordance with Stormwater Management Program |

# Annual Report – Non-Priority Construction Activities

Number of active non-priority construction activities.

12

Were all nonpriority active construction activities inspections conducted accordance with Stormwater Management Program.

◉ Yes

○ No

| Priority construction activities; | -Conduct Pre-construction meetings at 100% of Priority Construction Activities | - Total Number of Priority Construction Activities |
| | | - Yes/No Did all Priority Construction Activities that have Pre-Construction meetings? |
| | - Inspect 100% of all of Priority Construction Activities at least once per calendar month | - Yes/No Were all priority Construction Activities inspected at least once per calendar month? |

# Annual Report - Priority Construction Activities



Number of active priority construction activities.

5

Did all Priority Construction Activities have Pre-Construction meetings?

- ⦿ Yes
- ◯ No

Were all priority Construction Activities inspected at least once per calendar month?

- ⦿ Yes
- ◯ No

**MCM 4: Permit Subpart 4.2.4.**

# MCM5: Permanent Stormwater/Post Construction

**TN**

MCM 5: Permit Subpart 4.2.5.

# Objective

- Permits issued to entities that operate a municipal separate storm sewer system (MS4) shall require **post-construction stormwater program** for all new development and redevelopment projects that disturb **one acre or more** of land, or less than one acre if part of a larger **common plan of development**

# Form Overview

- This section has quite a few questions that will show or hide additional questions based on the answer

- There are questions specific to new MS4s. They are not marked as required. Existing MS4s can skip them

- Most free text fields have a 3000-to-4000-character limit

# Permit Requirement – Mitigation Fund

| Stormwater Mitigation and Public Stormwater Fund as outlined in subpart 4.2.5.3 (note this management measure is only required if the permittee has developed such a fund) | 100% of all mitigation projects must be completed | - Brief status description status description of Stormwater Mitigation and Public Stormwater Fund |
|---|---|---|
| | | - # of uncompleted mitigation projects at the end of the previous reporting period |
| | | - # of mitigation projects completed during the reporting period |
| | | -# of uncompleted Projects at the end of the current reporting period |
| | | - # of uncompleted projects at the end of the reporting period that began more than 24 months prior to the end of the reporting period |

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# Permit Requirement - Mitigation Fund

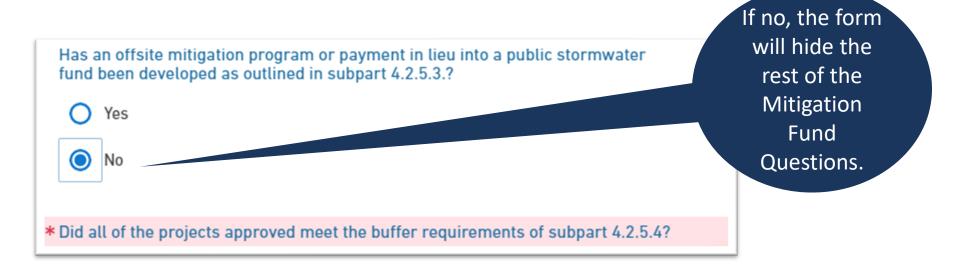| | | |
|---|---|---|
| | | -# of uncompleted Projects at the end of the current reporting period |
| | | - # of uncompleted projects at the end of the reporting period that began more than 24 months prior to the end of the reporting period |
| | 100% of all mitigation projects in the Stormwater Mitigation and Public Stormwater Fund are completely funded | - $ in Public Stormwater Fund at the end of the reporting period |
| | | - # of uncompleted projects due to lack of funds |

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# Annual Report - Mitigation Fund

- Mitigation is **Optional**

Has an offsite mitigation program or payment in lieu into a public stormwater fund been developed as outlined in subpart 4.2.5.3.?

○ Yes

◉ No

If no, the form will hide the rest of the Mitigation Fund Questions.

＊Did all of the projects approved meet the buffer requirements of subpart 4.2.5.4?

**MCM 5: Permit Subpart 4.2.5.**

# Annual Report - Mitigation Fund

Has an offsite mitigation program or payment in lieu into a public stormwater fund been developed as outlined in subpart 4.2.5.3.?

- (●) Yes
- ( ) No

Provide a brief status description status of either the Stormwater Mitigation or Public Stormwater Fund. If the program includes both provide a brief status description for both.

> Metropolis adopted a public stormwater fund beginning in 2022. Implementation has been well received and our program was a feature in the Daily Planet Newspaper.

Number of uncompleted mitigation projects at the end of the previous reporting period.

> 1

# Annual Report - Mitigation Fund

Number of mitigation projects completed during the reporting period.

> 2

Number of uncompleted mitigation Projects at the end of the current reporting period.

> 1

Number of uncompleted mitigation projects at the end of the reporting period that began more than 24 months prior to the end of the reporting period.

> 0

Amount (in $) in Public Stormwater Fund at the end of the reporting period.

> 100000

Number of uncompleted mitigation projects due to lack of funds in the Public Stormwater Fund.

> 0

**MCM 5: Permit Subpart 4.2.5.**

# Permit Requirement - Buffers

| Develop and implement a set of requirements to establish, protect, and maintain permanent water quality riparian buffers | -100% of projects must have the buffer as required by subpart 4.2.5.4 | -Yes/No Did all of the projects approved meet the buffer requirements of subpart 4.2.5.4? |
| --- | --- | --- |
| | If applicable:<br><br>-100% of projects with permanent alternative buffer widths must be in accordance with the procedures and criteria approved by the Division | -# of project approved with alternative width Buffer |
| | | - Date Alternative buffer width procedures and criteria most recently approved by Division |

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# Annual Report - Buffers

Did all of the projects approved meet the buffer requirements of subpart 4.2.5.4? ⓘ

- ● Yes

[Select Yes/No]

- ○ No

Does the Stormwater Management Program implement alternative buffer widths?

- ● Yes

If yes, the additional questions are shown

- ○ No

Number of projects approved with alternative width Buffer.

*[                    ]

⚠ Please enter a valid Number

Date of the MS4's alternative buffer width procedures and criteria most recently approved by Division.

*📅[          ]

⚠ Please enter a valid Date

# Permit Requirement – WQ Scorecard

- Only Applicable to **New** Permitees

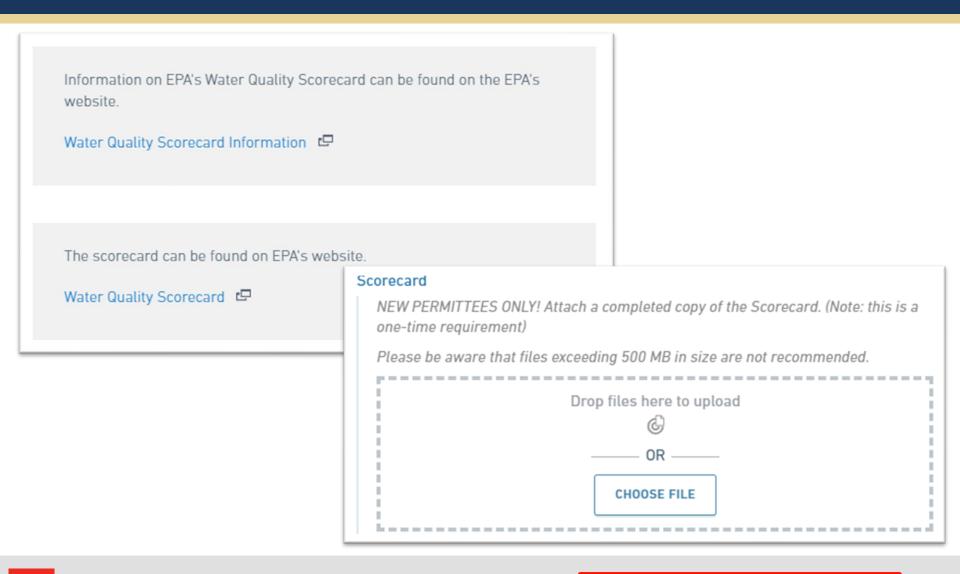| | | |
|---|---|---|
| Complete Code and Ordinance Review in accordance with subpart 4.2.5.5a (New Permittees Only) | EPA Water Quality Scorecard must be completed and submitted within one year of the effective date on the notice of coverage | A completed copy of the Scorecard shall be submitted with the subsequent annual report. (Note: this is a one-time requirement) |

# Annual Report – WQ Scorecard

Information on EPA's Water Quality Scorecard can be found on the EPA's website.

Water Quality Scorecard Information ⧉

The scorecard can be found on EPA's website.

Water Quality Scorecard ⧉

## Scorecard

*NEW PERMITTEES ONLY! Attach a completed copy of the Scorecard. (Note: this is a one-time requirement)*

*Please be aware that files exceeding 500 MB in size are not recommended.*

Drop files here to upload

⟲

—— OR ——

CHOOSE FILE

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**MCM 5: Permit Subpart 4.2.5.**

# Permit Requirement – Plans Review

| Develop, implement, and enforce policies and procedures for the submittal and review of plans as required by 4.2.5.60 | Establish policies and/or procedures for review and approval (or denial) of all plans and review all new development and redevelopment projects accordingly | - Total number of all new development and redevelopment projects reviewed |
| --- | --- | --- |
| | | - Number of new development and redevelopment projects reviewed in accordance with the established policy and procedure |

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# Annual Report – Plans Review

Number of all new development and redevelopment projects reviewed.

> 23

Number of new development and redevelopment projects reviewed in accordance with the established policy and procedure.

> 23

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# Permit Requirement – SCM Installation Verification

| | | |
|---|---|---|
| Develop, implement, and enforce policies and procedures for SCM Installation verification as required by subpart 4.2.5.60 | Verify that 100% of SCMs are installed per design specifications in accordance with approved plan within 90 days of installation | - Total number of sites verified |
| | | - Yes/No Were all SCMs are installed per design specifications in accordance with approved plan within 90 days of installation |

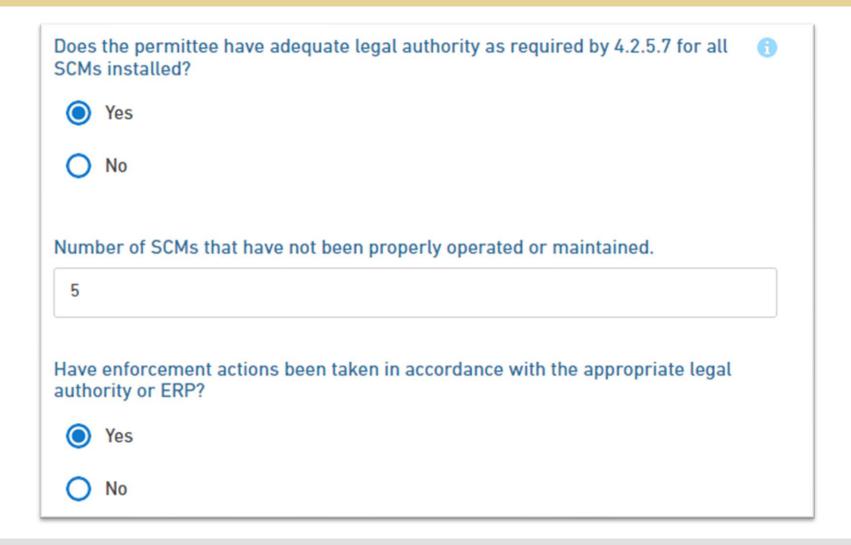# Permit Requirement – SCM Installation Verification



Number of sites verified that 100% of SCMs are installed per design specifications in accordance with approved plan.

15

Were all SCMs verified to be installed per design specifications in accordance with approved plan within 90 days of installation?

⦿ Yes

◯ No

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# Permit Requirement – SCM Legal Authority

| | | |
|---|---|---|
| Establish and maintain adequate legal authority assigning SCM maintenance responsibility and personnel access to the SCM and provide for enforcement action as required by subpart 4.2.5.70 | The permittee must have the legal authority to access SCMs and assigned maintenance responsibility for 100% of all SCMs | Yes/No Does the permittee have adequate legal authority as required by 4.2.5.7 for all SCMs installed? |
| | The permittee must enforce as directed in the appropriate legal authority, for 100% of all SCMs that have not been properly maintained | # of SCMs that have not been properly operated or maintained |
| | | Yes/No Have enforcement actions been taken in accordance with the appropriate legal authority or ERP? |

# Annual Report - SCM Legal Authority

Does the permittee have adequate legal authority as required by 4.2.5.7 for all SCMs installed? ℹ️

- ⦿ Yes

- ◯ No

Number of SCMs that have not been properly operated or maintained.

```
5
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Have enforcement actions been taken in accordance with the appropriate legal authority or ERP?

- ⦿ Yes

- ◯ No

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# Permit Requirement – SCM Inventory

| Implement and maintain a system to inventory and track the status of all public and private SCMs as required by subpart 4.2.5.8 | The system must be made available to the Division or members of the public upon request. | Total number of requests for inventory |
| --- | --- | --- |
| | 100% of all SCMs must be included in the inventory tracking system with complete information | - Yes/No Are all SCMs in the inventory tracking system? |
| | | - Yes/No Do all SCMs in the inventory tracking system have complete information? |

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# Annual Report - SCM Inventory

Number of public requests for SCM inventory.

> 1

Are all SCMs in the inventory tracking system?

- ◉ Yes
- ○ No

Do all SCMs in the inventory tracking system have complete information?

- ◉ Yes
- ○ No

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# Permit Requirement - SCM Inventory

| Management Measure | Measurable Goals | Annual Report Requirement[7] |
|---|---|---|
| Implement and maintain a system to inventory and track the status of all public and private SCMs as required by subpart 4.2.5.8 | | Beginning in the year 3 (2025) annual report submit the SCM inventory tracking system information as a geodatabase or as a file type that is generally accessible e.g. excel, csv, xml, or division supplied EDD, etc.<br><br>note:<br>- Files may be submitted in a manner approved by the division. |

Not Required until 2025

Submittal through MyTDEC Forms is preferred

**MCM 5: Permit Subpart 4.2.5.**

# Annual Report - SCM Inventory

## SCM inventory tracking system information

*Optional until the 2025 annual report. Attach the SCM inventory tracking system information as a geodatabase or as a file type that is generally accessible e.g. excel, csv, xml, or division supplied EDD, etc. Note; files may need to be in a .zip format in order to be uploaded.*

*Please be aware that files exceeding 500 MB in size are not recommended.*

Drop files here to upload

OR

CHOOSE FILE

Comment

Unrecognized formats will need to be zipped to upload

**MCM 5: Permit Subpart 4.2.5.**

# File Types – SCM Inventory

| | | | | |
|---|---|---|---|---|
| ☐ .adi | ☐ .ado | ☐ .ami | ☐ .aml | ☐ .bpi |
| ☑ .csv | ☑ .docx | ☐ .dta | ☐ .inp | ☑ .jpeg |
| ☑ .jpg | ☑ .kml | ☑ .kmz | ☐ .lst | ☐ .mov |
| ☐ .out | ☑ .pdf | ☐ .pfl | ☐ .pip | ☑ .png |
| ☐ .pptx | ☐ .sfc | ☑ .tif | ☑ .tiff | ☑ .txt |
| ☑ .xlsx | ☑ .xml | ☑ .zip | | |

Reminders

# Issue: Can't Find Your Permit Number

## NPDES MS4 Annual Report
VERSION 1.12

### INSTRUCTIONS

Per Part 5.1 of the Small MS4 General permit

a. The Annual Report shall cover the period beginning on July 1st and ending on June 30th;

b. The Annual Report shall be due on September 30th after the end of the reporting period.;

c. The permittee shall sign and certify the Annual Report in accordance with subpart 7.11.; and

d. The annual report shall be submitted electronically through MyTDEC Forms

Please note references in this form to "the permit" or specific subparts are referencing the 2022 Small MS4 General Permit.

NPDES Tracking Number (ex. TNS00####)

*

⚠ NPDES Tracking Number (ex. TNS00####) can't be blank

# Resolution: Can't Find Your Permit Number

- Delegation of authority **letter hasn't been received** by the division

- A **typo** or **incorrect email** in our database

- Division personnel received the delegation of authority letter, but **missed your name**.

- Delegation of authority letter **listed a position**.

## *How to Fix*

- Contact Robby Karesh or Brown Patton

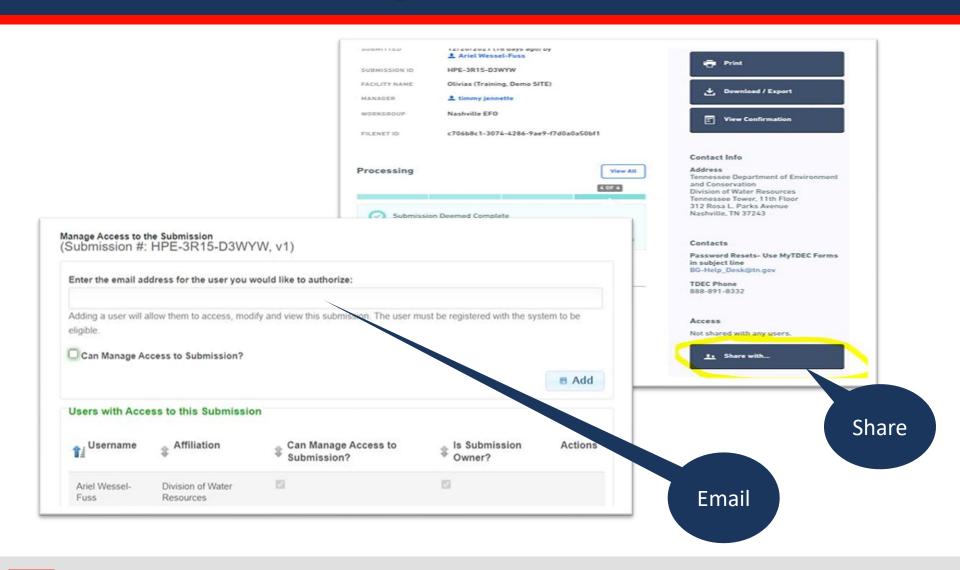TN | Department of **Environment & Conservation**

# What About Consultants?

- Since **consultants** don't meet the requirements of the rules for an appropriate duly authorized individual, their **signature cannot be accepted**.

- An individual with the MS4 that is either an official contact or a delegated signatory can **create** a MS4 Annual report **and share it** with the consultant to fill out.

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# How to Share a Report

# When Might I need to Share A Report?

- MS4 will have an individual **with** signatory authority sign the annual report, but another **without** signature authority will be filling it in.

- The MS4 will have **multiple people** filling out the form. A signature authority will start the form and **share it with everyone** who will be inputting data. Once filled in, the form will be sent to the signatory to complete.

# Why Is This So Complicated?

- We needed to include safe guards in place to **prevent malicious submittals**
- This data will eventually be **sent directly to EPA**, there cannot be any typos.
- **Compliance determinations** are made from this data, so ensuring data integrality is critical.

# Who Do I Call?

**For technical questions about the report:**

- Robby Karesh 615- 253-5402
Robert.Karesh@tn.gov
- Brown Patton 423-254-7407
Brown.Patton@tn.gov

**For MyTDEC portal questions:**

- *Password Reset*
- *Locked accounts*
- *Challenge question Reset*
- *Site doesn't work*
- *Form Functionality*

- BG-Help_Desk@tn.gov

*\*\*Put MyTDEC Forms in the subject line*

# Primary Annual Report Contacts

- Brown Patton
- 423-254-7407
  Brown.Patton@tn.gov

  – Bradley
  – Hamilton
  – McMinn
  – Putnam
  – Warren
  – Carter
  – Greene
  – Hawkins
  – Washington
  – Cumberland

  – Anderson
  – Blount
  – Hamblen
  – Jefferson
  – Knox
  – Loudon
  – Sevier
  – Sullivan

- Robby Karesh
- 615- 253-5402
  Robert.Karesh@tn.gov

  – Davidson
  – Dickson
  – Montgomery
  – Robertson
  – Rutherford
  – Sumner
  – Williamson
  – Wilson
  – Shelby
  – Dyer

  – Haywood
  – Henry
  – Madison
  – Obion
  – Weakley
  – Bedford
  – Coffee
  – Marshall
  – Maury

# Recordings

- A copy of the slides and a recording of each session will be uploaded to the MS4 page:

  https://www.tn.gov/environment/permit-permits/water-permits1/npdes-permits1/npdes-stormwater-permitting-program/npdes-municipal-separate-storm-sewer-system--ms4--program.html

# MS4 Annual Report Training - Session 5

- **Thursday – June 29, 2023**
- **(1:00 PM - 2:30 PM CT / 2:00 PM - 3:30 PM ET)**
- During this session, the Division will provide an overview of the form related to
  - Program Modifications
  - Enforcement
  - Info/Monitoring
  - Legal Authority
  - Evaluation

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