



Department of  
**Environment &  
Conservation**

# MS4 Annual Report Training

Session 5  
June 2023

# MyTDEC Small MS4 Annual Report Form

**TN** Department of Environment & Conservation

Home Finder Dashboard My Submissions Help

**Help**

Use this page to identify the forms which may be most appropriate for your needs.

If you know the form you are looking for, enter the name of the form in the Form Search area.

If you are not sure which forms you need, describe the activity you are looking to in the Form Search area and the system will recommend the forms that may be needed.

Once the appropriate forms are identified, click on the name of a form to view the details of that form and to initiate the form submission process.

**Organization Browser**

To find information specific to an organization, please identify the organization using the Select Organization button below.

**Form Search**

To search, type in what you are looking for and results will appear automatically.

You can search for:

- Form names
- Keywords
- Description of the activity you need to perform

Matching forms will appear in a list below.

MS4

**Recommended Forms**

Based on your description, the following 3 forms may match your needs.

**NPDES MS4 Annual Report**  
Annual Report - Phase II Municipal Separate Storm Sewer System (MS4)

Type "MS4" in form search bar

Select NPDES MS4 Annual Report

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

**TN** Department of Environment & Conservation

Home Finder Dashboard My Submissions Help

**NPDES MS4 Annual Report**

**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####)

\*

Begin Form Entry

**CONTACT INFORMATION**

**Address**

Tennessee Department of Environment and Conservation  
Division of Water Resources  
Tennessee Tower, 11th Floor  
312 Rosa L. Parks Avenue  
Nashville, TN 37243

**CONTACTS**

TDEC Phone: 888-891-8332  
Central Office: Water.Permits@tn.gov

**ADDITIONAL LINKS**

Division MS4 Program Page

# 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**

# Form Overview

- The annual report has quite a few questions that will show or hide additional questions or options based on the answer
- Most free text fields have a 3000-to-4000-character limit

# Session 5 Topics

Stormwater Management Program Modification

Stormwater Management Program Modification

Summary Of Enforcement Actions

Summary Of Enforcement Actions

Results Of Information Collected And Analyzed (Monitoring)

Results Of Information Collected And Analyzed (Monitoring)

Legal Authority

Legal Authority

Stormwater Management Program Evaluation

Stormwater Management Program Evaluation



# Stormwater Management Program Modification

Permit Subpart 4.4.

# Objective

- Modifications that subtract BMPs, SCMs, components, controls, or requirements of the Stormwater Management Program may not be made by the permittee unless it can be clearly demonstrated that with the elimination of this component, the Stormwater Management Program will continue to achieve a reduction in pollutants to the MEP and shall not cause or contribute to violations of State water quality standards in the receiving stream. In the case where this type of modification is appropriate, the permittee may make the required modification and shall include in the subsequent Annual Report a description of the component which has been eliminated along with additional information.

# Permit Requirement – Additional Facilities

Management Measure	Measurable Goals	Annual Report Requirement
Identify Modifications as Minor or Major in accordance with the permit and report as required.	Report all Minor and Major Modifications to Stormwater Management Program as required	<ul style="list-style-type: none"><li>- Identify if any changes were made to each program element Yes/No</li><li>- Include a description of the modification(s) made under 4.4.1.1a</li><li>- Include a description of the modification(s) made under 4.4.1.1e</li><li>- Include a description of the modification(s) made under 4.4.1.1f</li><li>- Include a description of the modification(s) made under 4.4.1.2a</li></ul>



# Annual Report – Additional Facilities

Have any municipal facilities covered under this permit been added during the reporting term?

Yes








No

# Permit Requirement - Modifications

Management Measure	Measurable Goals	Annual Report Requirement
Identify Modifications as Minor or Major in accordance with the permit and report as required.	Report all Minor and Major Modifications to Stormwater Management Program as required	<ul style="list-style-type: none"><li>- Identify if any changes were made to each program element Yes/No</li><li>- Include a description of the modification(s) made under 4.4.1.1a</li><li>- Include a description of the modification(s) made under 4.4.1.1e</li><li>- Include a description of the modification(s) made under 4.4.1.1f</li><li>- Include a description of the modification(s) made under 4.4.1.2a</li></ul>

# Annual Report – Modification

Where any changes were made to the program elements during the reporting period?

PROGRAM ELEMENTS	CHANGES 	MODIFICATIONS THAT ADD COMPONENTS	REPLACED AND INEFFECTIVE OR INFEASIBLE BMP OR SCM	SUBTRACTED BMP, SCM, COMPONENTS, CONTROLS ETC.
MCM 1	No  			
MCM 2	Yes  	Added training class for engineers		
MCM 3	Yes  		<div style="border: 1px solid #ccc; padding: 5px;">Remove email staff notification list for IDDE complaints with an automated work order system</div>	

# Annual Report – Modification

MCM 4	Yes x ▾		replaced the minimum 6" high silt fence requirement with a 18 " high requirement	Stopped allowing use of Magic BMP 1000 for construction sites. It wasn't magic.
MCM 5	No x ▾			
MCM 6	No x ▾			
QLP	N/A x ▾			
Enforcement	No x ▾			
Monitoring & Proc	No x ▾			

# Helpful Hint

- For this table, the “changes” column is required. We don’t currently have a way to make the other columns required based on the answer in a different column. So, if you select yes, make sure at least one of the other three columns are completed.

MCM 1	* Select... 			
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# Annual Report – Modification

Other Program Changes not Identified above



# Potential Causes for a Change Requests

- Marking “Yes” that changes were made to program elements, but not providing the details in the appropriate field.

MCM 1	Yes x ▾			
-------	---------	--	--	--



# Summary Of Enforcement Actions

Permit Subpart 4.5.5.



# Objective

- This section is a table where the MS4 program will enter the number of the different enforcement actions taken in the reporting year for IDDE, Construction and Permanent Stormwater MCMs.

# Permit Requirement – Enforcement Actions

<b>Annual Report – Summary of Enforcement Actions Requirement</b>	
<b>Enforcement Action Type</b>	<b>Total Number of Enforcement Actions Taken</b>
Verbal Warnings	# Enforcement Actions Taken
Written Notice of Violation	# Enforcement Actions Taken
Citations or Administrative Orders	# Enforcement Actions Taken
Stop Work Orders	# Enforcement Actions Taken
Withholding of Plan Approvals or Other Authorizations	# Enforcement Actions Taken
Civil Penalties	# Civil Penalties Assessed
Additional Measures	# Enforcement Actions Taken

# Annual Report - Enforcement Actions

## Summary of Enforcement Actions Taken during the reporting year

ACTION	IDDE	CONSTRUCTION	PERMANENT STORMWATER/POST-CONSTRUCTION	TOTAL
Verbal Warnings	2	45	10	57
Written Notice of Violation	1	35	8	44
Citations or Administrative Orders	0	2	1	3
Stop Work Orders	0	1	0	1
Withholding of Plan Approvals or Other Authorizations	0	1	0	1
Civil Penalties	0	1	1	2
Additional Measures	0	0	0	0
				Sum: 108

# Potential Causes for a Change Requests

- We don't expect many issues with this section.
- We may call and ask for clarification if the numbers appear "off".

Summary of Enforcement Actions Taken during the reporting year

ACTION	IDDE	CONSTRUCTION
Verbal Warnings	0	45
Written Notice of Violation	0	35000000000000
Citations or Administrative Orders	2	2



# Results Of Information Collected And Analyzed (Monitoring)

Permit Subpart 4.6.

# Objective

- Permittees shall develop and implement a monitoring and assessment program that provides data and information to identify pollutant sources and aids in determining the effectiveness of the stormwater management program. A description of this program must be included in the Stormwater Management Program.

# Permit Requirement – Monitoring

Management Measure	Measurable Goals	Annual Report Requirement
<p>Perform monitoring in accordance with Stormwater Management Program</p>	<p>Option 1 – Perform monitoring specified in 4.6.1.1.1 for the stream segments that were designated as unavailable conditions for nutrients, pathogens, and siltation by the Division upon the effective date of this permit.</p> <p>Or</p> <p>Option 2 – Perform monitoring in accordance with the approved Option 2 monitoring plan</p>	<p>- Yes / No</p> <p>Monitoring for the reporting year has been performed in accordance with either 4.6.1.1.1 (Option 1) or 4.6.1.1.2 (Option 2)</p> <p>- Provide a summary of monitoring results</p> <p>- Upload a copy of all monitoring data. Where available the EDD Forms developed by the Division shall be submitted.</p>

# Annual Report - Monitoring

- If yes is answered, an attachment field will allow data to be uploaded.
- If no is answered, that field will be hidden.

Was monitoring for the reporting year performed in accordance with either 4.6.1.1.1 (Option 1) or 4.6.1.1.2 (Option 2)?

Yes

No



# Annual Report - Monitoring

- This field is for a general summary of the monitoring information
  - OR
- Why no monitoring was completed.

Provide a summary describing the results of information collected and analyzed, including monitoring data (analytical and non-analytical), if any, during the reporting period. If no monitoring was completed, explain.

We monitored the streams and the fishes are happy.

# Annual Report - Monitoring

For your convenience, links to the required standard templates for reporting the results of your monitoring data are provided below. EDD Sheets (Field Stream Survey and Habitat Sheets, Macroinvertebrate Taxa Report, and the TDEC E. coli and Field Water Parameter Report) are in the section labelled Water Quality Assessment Publications as excel files.

[Publications](#) 

Remember use of the EDD sheets is required by the permit.

\* Attach results of all analytical and non-analytical monitoring data collected during this reporting period.

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

Drop files here to upload



OR

CHOOSE FILE

Comment

# Potential Causes for a Change Requests

- Not submitted EDD sheets as required.

<https://www.tn.gov/environment/program-areas/wr-water-resources/water-quality/water-quality-reports---publications.html>

Questions about the EDD sheets

Kim Laster <Kim.Laster@tn.gov>



# Legal Authority

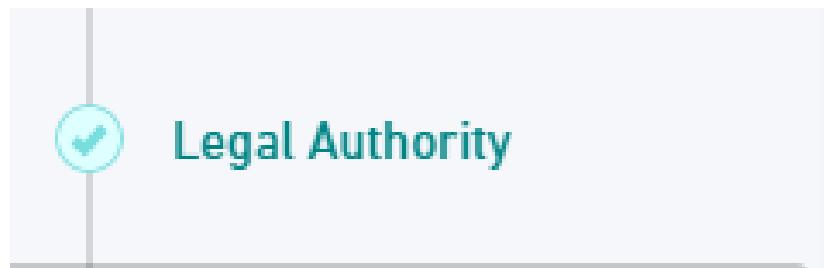
Permit Subpart 4.7.

# Objective

- To the extent allowed by law, each permittee shall ensure legal authority to reduce the discharge of pollutants to the maximum extent practicable (MEP) from those portions of the MS4 Area over which it has jurisdiction.

# Form Overview

- This section is not required until the 2024 report.
- There are no questions to answer, just a place to upload the attorney's (solicitor's) statement.
- Note: if you physically skip over this section, it may not let you submit the form. You just need to click on it and make sure the left hand navigation bar shows a green check.



# Permit Requirement – Legal Authority

Legal Authority	Annual Report Requirement
<p>Provide a signed solicitor's certification statement that:</p> <ul style="list-style-type: none"><li>- Contains the name of the attorney(s)</li><li>- Confirms that the permittee has the adequate authority (or functional equivalent for non-traditional MS4s) to carry out the Stormwater Management Program (Stormwater Management Program) as described</li><li>- Lists the documents (such as Ordinance, Rules, Regulations, codes, interjurisdictional agreements, or any other document) that give the permittee that authority</li><li>- Specifies the document and location of the specific authorities required by subpart 4.7a-f</li></ul> <p>note: For non-traditional MS4, the legal authority for some elements may be inherent as a legal entity and not in a standalone document.</p>	<p>The initial solicitor's statement will be required in the 2024 annual report for existing permittees and in the third annual report for new permittees. If modifications are made to the legal authority that necessitate a new evaluation by a solicitor, a new certification statement must be submitted.</p>

# Annual Report - Legal Authority

## Legal Authority

Per subpart 4.7.1. The initial solicitor's statement will be required in the 2024 annual report for existing permittees and in the third annual report for new permittees.

If modifications are made to the legal authority that necessitate a new evaluation by a solicitor, a new certification statement must be submitted.

Attach a signed solicitor's certification statement.

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

Drop files here to upload



OR

CHOOSE FILE

Comment



# Potential Causes for a Change Requests

- We don't expect any issues with this section since it isn't required until 2024 for existing MS4s and required the 3<sup>rd</sup> year for new MS4s.



# Stormwater Management Program Evaluation

Permit Subpart 4.6.2.

# Objective

- The permittee shall conduct an annual evaluation of the Stormwater Management Program to evaluate compliance with the terms and conditions of the permit, including the effectiveness of the BMPs, components, or controls of its stormwater management program, and the status of achieving the measurable requirements in the permit.

# Form Overview

- This section is mostly a series of “self-certification” of compliance with the permit.
- BE HONEST

# Permit Requirement – Program Evaluation

Management Measure	Measurable Goals	Annual Report Requirement
Conduct an annual evaluation of the current Stormwater Management Program for every reporting period	Summarize evaluation results	- Narrative Description
	Identify modifications or replacement of an ineffective activity/control measure/component/BMP.	Narrative Description
	Summarize the assessment results, and any modifications and improvements scheduled to be implemented in the next reporting period to improve the program or remedy deficiencies or weaknesses	Narrative Description
MCM Status Determination	Indicate compliance status for each of the six MCMs (subpart 4.2) and the Monitoring Program (subpart 4.6.1.1	Compliant with Permit Requirements? Yes/No If no (Please provide more details)

# Annual Report - Program Evaluation

## Stormwater Management Program Evaluation

In accordance with subpart 4.6.2. The permittee shall conduct an annual evaluation of the Stormwater Management Program to evaluate compliance with the terms and conditions of the permit, including the effectiveness of the BMPs, components, or controls of its stormwater management program, and the status of achieving the measurable requirements in the permit.

Summarize the results of the permittee's annual evaluation of the current Stormwater Management Program.

\*

# Annual Report - Program Evaluation

Identify modifications or replacement of an ineffective activity/control measure/component/BMP.

\*

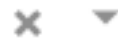
Summarize the assessment results, and any modifications and improvements scheduled to be implemented in the next reporting period to improve the program or remedy deficiencies or weaknesses

\*

# Annual Report - Program Evaluation

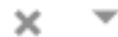
Is MCM 2: Public Involvement/Participation compliant with Permit Requirements? 

Yes



Is MCM 3: Illicit Discharge Detection and Elimination (IDDE) compliant with Permit Requirements? 

No



Please Explain

During the last inspection, DWR noted violations of X, Y and Z in a Notice of Violation. Steps were immediately taken to resolve X and evidence was provided to the DWR inspector. Corrective actions to resolve Y and Z are in the process of being implemented. We expect all corrective actions to be completed by DATE.





# Annual Report - Program Evaluation

Is MCM 5: Post-Construction/Permanent Stormwater Management in New Development and Redevelopment compliant with Permit Requirements?

No



Please Explain

Post Construction requirements are being implemented in accordance with the implementation plan submitted.

Is MCM 6: Pollution Prevention/Good Housekeeping compliant with Permit Requirements?

Yes



Is Monitoring Program (subpart 4.6.1.1) compliant with Permit Requirements?

Yes



# Permit Requirement – Subpart 5.2

## ▲ 5.2. ANNUAL REPORT REQUIREMENTS

Annual Report Required Information
<ul style="list-style-type: none"><li>- All reporting elements as indicated in the permit including the information noted in the “<b>Annual Report Requirement</b>” column of the tables in Part 4 of the permit, information noted in narrative format.</li><li>-</li><li>- The status of compliance with permit terms and conditions;</li><li>- Notice that the permittee is relying on another governmental entity to satisfy some of the permit obligations (if applicable); and</li><li>- Any other data specifically requested by the Division to substantiate statements and conclusions reached in the Annual Reports.</li></ul>

# Annual Report – Subpart 5.2

Is the permittee compliant with the permit terms and conditions?

Yes

No

This determination should be made as to the status of the program at the end of the reporting period and the requirements applicable at that date. For example, the permanent stormwater program changes are not required to be implemented until 24 months after the effective date of the permit. So if the MS4 has not yet implemented those changes at the first annual report, they would still be in compliance, if their program meets the previously established requirements.

Please Explain

# Annual Report – Subpart 5.2

- Asking if you are a co-permittee or in a coordinated program

Is the permittee is relying on another governmental entity to satisfy some of the permit obligations?

Yes

No

# Annual Report – Subpart 5.2

Enter additional or clarifying information not elsewhere reported in this document.

Any other data specifically requested by the Division to substantiate statements and conclusions reached in the Annual Reports.

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

Drop files here to upload



OR

CHOOSE FILE

Comment

# Potential Causes for a Change Requests

- Not accurately representing your compliance status.



**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

# 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.

# How to Share a Report

Submitted by: Ariel Wessel-Fuss

SUBMISSION ID: HPE-3R15-D3WYW

FACILITY NAME: Olivias (Training, Demo SITE)

MANAGER: timmy.jennette

WORKGROUP: Nashville EFO

FILENET ID: c706b8c1-3074-4286-9ae9-f7d0a0a50bf1

Processing View All

Submission Deemed Complete

**Print**

**Download / Export**

**View Confirmation**

**Contact Info**

**Address**  
Tennessee Department of Environment and Conservation  
Division of Water Resources  
Tennessee Tower, 11th Floor  
312 Rosa L. Parks Avenue  
Nashville, TN 37243

**Contacts**

Password Resets- Use MyTEC Forms in subject line  
BG-Help\_Desk@tn.gov

**TDEC Phone**  
888-891-8332

**Access**  
Not shared with any users.

**Share with...**

**Manage Access to the Submission**  
(Submission #: HPE-3R15-D3WYW, v1)

Enter the email address for the user you would like to authorize:

Adding a user will allow them to access, modify and view this submission. The user must be registered with the system to be eligible.

Can Manage Access to Submission?

**Add**

**Users with Access to this Submission**

Username	Affiliation	Can Manage Access to Submission?	Is Submission Owner?	Actions
Ariel Wessel-Fuss	Division of Water Resources	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

Email

Share

# 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
- Reports prefill information based on data we already have in our database. In order to make sure the right information is filled into the right form, there cannot be any typos. This data will eventually be sent directly to EPA.
- Compliance determinations will be made from this data, so ensuring data integrity is critical.

# Printable version of report

Stormwater  
Management  
Program Evaluation

Review

Certify & Submit

Any other data specifically requested by the Division to substantiate statements and conclusions reached in the Annual Reports.

*No files uploaded*

**Comment**

*None Specified*



NEXT SECTION  
Certify & Submit



Print Review

# Who Do I Call?

For Technical Questions about the report

- Robby Karesh 615- 253-5402  
[Robert.Karesh@tn.gov](mailto:Robert.Karesh@tn.gov)
- Brown Patton 423-254-7407  
[Brown.Patton@tn.gov](mailto:Brown.Patton@tn.gov)

For Portal Questions

- *Password Reset*
- *Locked accounts*
- *Challenge question Reset*
- *Site doesn't work*
- *Form Functionality*
- [BG-Help\\_Desk@tn.gov](mailto: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](mailto:Brown.Patton@tn.gov)

- |              |             |
|--------------|-------------|
| – Bradley    | – Anderson  |
| – Hamilton   | – Blount    |
| – McMinn     | – Hamblen   |
| – Putnam     | – Jefferson |
| – Warren     | – Knox      |
| – Carter     | – Loudon    |
| – Greene     | – Sevier    |
| – Hawkins    | – Sullivan  |
| – Washington |             |
| – Cumberland |             |

- Robby Karesh

- 615- 253-5402

[Robert.Karesh@tn.gov](mailto:Robert.Karesh@tn.gov)

- |              |            |
|--------------|------------|
| – Davidson   | – Haywood  |
| – Dickson    | – Henry    |
| – Montgomery | – Madison  |
| – Robertson  | – Obion    |
| – Rutherford | – Weakley  |
| – Sumner     | – Bedford  |
| – Williamson | – Coffee   |
| – Wilson     | – Marshall |
| – Shelby     | – Maury    |
| – Dyer       |            |



# 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>

# Survey

- **SURVEY**

<https://forms.office.com/g/pEmUh8mQX3>