

KPDES



KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT

PERMIT NO.: KYS000001

AI NO.: 8235

AUTHORIZATION TO DISCHARGE UNDER THE KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to Authority in KRS 224,

Louisville and Jefferson County
Metropolitan Sewer District
700 West Liberty Street
Louisville, Kentucky 40203-1911

City of Jeffersontown
10146 Watterson Trail
Jeffersontown, Kentucky 40299

City of St. Matthews
3941 Grandview Avenue
Louisville, Kentucky 40207

City of Shively
3920 Dixie Highway
Shively, Kentucky 40216

Louisville – Jefferson County
Metropolitan Government
600 Metro Hall
Louisville, Kentucky 40202

City of Anchorage
City Hall, 1306 Evergreen Road
Anchorage, Kentucky 40223

are authorized to discharge

Stormwater runoff from a large Municipal Separate Storm Sewer Systems (MS4s) to receiving waters of the Commonwealth in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit.

to receiving waters named

Those water bodies of the Commonwealth throughout Jefferson County, Kentucky due to Louisville's status as a merged urban-county government, with exception of the combined sewer system area covered by a separate KPDES permit.

in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit.

This permit shall become effective on February 1, 2017.

This permit and the authorization to discharge shall expire at midnight, January 31, 2022.

December 29, 2016

Date Signed

A handwritten signature in black ink, reading "Peter T. Goodmann".

**Peter T. Goodmann, Director
Division of Water**

THIS KPDES PERMIT CONSISTS OF THE FOLLOWING SECTIONS.

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SECTION 1

APPLICABILITY

1. APPLICABILITY

1.1. Authorized Discharge

The permittee is authorized to discharge stormwater runoff from Jefferson County MS4 areas, excluding the KYTC's MS4, to waters of the Commonwealth in accordance with narrative effluent limitations, monitoring requirements, and other conditions set forth in this Permit.

1.1.1. Exclusions

The following discharges are not authorized by this permit:

Discharges of non-stormwater into the MS4, except where such discharges have coverage under a separate KPDES permit or where those discharges have been determined not to represent significant sources of pollution, consistent with state and federal regulations;

Discharges of materials resulting from a spill, except emergency discharges required to prevent imminent threat to human health or to prevent severe property damage, provided reasonable and prudent measures have been taken to minimize the impact to water quality of the discharges; and

Discharges of any pollutant from a MS4 into any water for which a Total Maximum Daily Load (TMDL) for a pollutant of concern has been established prior to the issuance of this permit, unless a SWQMP has been developed and is being properly implemented.

1.1.2. Cross-Connection Between Sanitary Sewers and Storm Sewer/MS4 Prohibited

This permit shall not be construed to authorize the discharge of sanitary wastewater through cross-connections or to authorize other illicit discharges through the MS4, except as provided in 401 KAR 5:065.

1.1.3. Non-Stormwater Discharges

The discharges to waters of the Commonwealth shall not produce floating solids, visible foam or a visible sheen on the surface of the receiving waters.

The MS4 is authorized to discharge the following non-stormwater sources provided that the division has not determined these sources to be substantial contributors of pollutants to the MS4:

- Water Line flushing
- Landscape irrigation
- Diverted stream flows
- Rising ground waters
- Uncontaminated ground water infiltration
- Uncontaminated pumped ground water
- Discharges from potable sources
- Air conditioner condensate
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering
- Individual car washing
- Natural flows from riparian habitat and wetlands
- Dechlorinated swimming pool discharges
- Street wash water
- Discharges or flows from fire fighting activities

1.2. Co-Permittees

An MS4 may obtain coverage under this individual permit as a co-permittee with one or more MS4s. The following serves as an outline of principles for the establishment of an inter-local agreement and the identification of activities provided by MSD and the co-permittees. In the absence of an inter-local agreement, it shall be assumed that each co-permittee shall be responsible for their respective communities/departments.

1.2.1. MSD and Co-Permittees Responsibilities

In carrying out the obligations established and set forth in this MS4 permit; MSD has the sole responsibility for the following duties and obligations on a countywide basis on behalf of itself and its co-permittees.

- Education and outreach to the general Louisville Metro area. MSD will lead selected specific elements including green infrastructure outreach and education efforts. MSD will provide opportunity for input from co-permittees;
- Investigation and enforcement upon potential illicit discharges through administration of applicable sections of the Wastewater and Stormwater Discharge Regulations;
- Hazardous material plans and inspections for qualifying industrial and commercial properties;
- Construction oversight including plan review and site inspection;
- Administration of the Erosion Prevention and Sediment Control Ordinance;
- Monitoring program and related laboratory analyses; and
- Annual compliance demonstration report preparation for MSD activities and collection of co-permittees portions.

In carrying out the obligations established and set forth in the MS4 permit, the Co-permittee has the sole responsibility for the following duties and obligations set forth within its jurisdictional boundaries.

- Implement education and outreach at the applicable levels of neighborhood and local community that compliment the education and outreach provided by MSD tailored to local waterbodies and pollutants of concern;
- Drainage system and outfall mapping;
- Drainage system operation and maintenance;
- Report and refer potential illicit discharges observations by municipal employees or other reports from residents to MSD for investigation and potential enforcement;
- Construction oversight in addition to that provided through Louisville MSD;
- Inspection, operation, maintenance and/or applicable certification that permanent (also known as post-construction) water quality devices, controls, and management practice are operating effectively;
- Road maintenance including snow and ice removal related stormwater management activities;
- Fleet and facility stormwater pollution prevention plans and their implementation; and
- Preparation and timely submittal of annual compliance demonstration report to MSD according to agreed upon formats and standards.

1.3. Obtaining Authorizations

An MS4 may apply for and obtain an individual permit for the discharges from the MS4. In that case, the Notice of Intent (NOI) is not a requirement of reapplication. The reapplication will consist of the last annual report required from the previous permit, accompanied with a letter requesting that the annual report and the accompanying letter with any program updates listed serve as the application for the individual permit.

SECTION 2

PERMIT REQUIREMENTS

2. PERMIT REQUIREMENTS

The permittee is required to develop, implement, enforce, and update as needed a Stormwater Quality Management Plan (SWQMP) which shall include controls intended to reduce the discharge of pollutants from its MS4 to the Maximum Extent Practicable (MEP) consistent with 40 CFR 122.26. The Stormwater Quality Management Program (Section 2.2, below) shall provide controls that shall consist of a combination of best management practices (BMPs), control techniques and systems, design and engineering methods, public participation and education, and other appropriate provisions, designed to limit the discharge of pollutants from the MS4 conveyances which are environmentally beneficial and technically and economically feasible. The discharges to waters of the Commonwealth shall not produce floating solids, visible foam or a visible sheen on the surface of the receiving waters. The requirements of this individual permit represent MEP.

2.1. Legal Authority Requirements

The permittee shall establish legal authority to control discharges to and from those portions of the MS4 over which it has jurisdiction. The legal authority may be a combination of statutes, ordinances, permits, contracts, orders, or inter-jurisdictional agreements between co-permittees, with adequate existing legal authority to accomplish items 1 through 5 below:

1. Prohibit illicit non-stormwater discharges to the MS4 and implement enforcement procedures and actions;
2. Prohibit the discharge of spills and the dumping or disposal of materials other than stormwater (e.g. industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;
3. Control the contribution of pollutants to the MS4 by stormwater discharges associated with construction activity and post-construction activity for new development and redevelopment projects;
4. Carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance with permit conditions, including the prohibition on illicit discharges to the municipal separate storm sewer; and
5. Enforce compliance with ordinances, enforcement response plan (ERP), permits, contracts, or orders relating to discharge to the MS4.

2.2. Stormwater Quality Management Plan (SWQMP)

The stormwater quality management program is an integral part of the Commonwealth's overall watershed management program, in accordance with 401 KAR 5:060 and 40 CFR 122.26(d)(2), which includes non-point sources, wastewater treatment point sources, and combined sewer overflow point sources. A comprehensive SWQMP utilizing an integrated approach for prioritization and implementation is necessary to adequately address the watershed needs. Implementation of the SWQMP to effectively reduce pollutants (including floatables) in discharges from MS4s must include program elements that address public education, outreach, participation and learning experiences (PEOPLE), illicit discharge detection and elimination, industrial stormwater, construction site runoff control, post-construction stormwater management for new development and redevelopment, and good housekeeping and pollution prevention in municipal operations, monitoring, and performance assessment and reporting. The program shall be formalized in the Stormwater Quality Management Plan (SWQMP).

Within 180 days of the effective date of this permit, MSD and its co-permittees shall submit a revised SWQMP that reflects any necessary changes to the stormwater quality management program to become compliant with this individual permit, including any necessary compliance schedules. This written plan shall detail the procedures the permittee will use to implement the required minimum control measures, and is a dynamic document that should be modified to meet the needs of the permittee using the timeframes described in Section **Error! Reference source not found.** of this permit.

2.2.1. Public Education, Outreach, Participation and Learning Experiences (PEOPLE)

1. The permittee shall continue to implement the expansion of a public education program and conduct public outreach activities to educate the citizens about discharges to water bodies and the steps that the public can take to reduce pollutants in stormwater runoff, per applicable state and federal requirements. The public education and outreach activities are the sole responsibility of the permittee and any co-permittees and will be the metric used to determine compliance. The permittee shall prioritize public education and outreach efforts to focus on pollutants impairing or threatening the local waterways.
2. This measure includes continued compliance with state and local public notice requirements when implementing a public involvement/participation program. Activities may include representation on local stormwater management work groups, public hearings, education for volunteers assisting with program coordination and monitoring efforts, per applicable state and federal regulations.
3. Compliance with these terms is achieved by implementing the program elements, as shown in Public Education, Outreach, Participation, and Learning Experiences (PEOPLE) Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.2.2. Illicit Discharge Detection and Elimination (IDDE)

1. Develop, if not already completed, implement, and enforce a program to detect and eliminate illicit discharges, which includes field screening such as dry weather screening and dry weather screening at industrial outfalls.
2. Develop, if not already completed, a storm sewer system map, showing the locations of all known major outfalls, as defined in the fact sheet, and the names and locations of all surface waters that receive discharges from those outfalls. The comprehensive storm sewer system map shall also include the permittee's MS4 system (owned and/or operated by the permittee), including catch basins, pipes, ditches, flood control facilities (retention/detention ponds), and post-construction water quality BMPs. If mapping is completed using Geographical Information Systems (GIS) or Computer Aided Drafting (CAD) software, the permittee shall provide to the Division, at a minimum, the MS4 boundary and the mapped infrastructure in either ESRI shape file formats (to include the .shp, .shx, and .dbf files) or geo-referenced CAD drawings (.dwg file format). Permittees shall have the permit term to complete required mapping.
3. The permittee shall continue to effectively prohibit, through ordinance or other regulatory mechanism, non-stormwater discharges into the separate storm sewer system, define allowable non-stormwater discharges, including illegal dumping into the MS4 system.
4. Continue to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of wastes.
5. If in the course of implementing the SWQMP it is demonstrated that at any location sanitary sewer lines exfiltrate and such exfiltration migrates to the MS4, the permittee shall continue to promptly evaluate, prepare and implement a response plan to correct the sanitary sewer exfiltration problem.
6. Compliance with these terms is achieved by implementing the program elements, as shown in Illicit Discharge Detection and Elimination (IDDE) Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.2.3. Industrial Stormwater Program

1. Develop, if not already completed, and implement an industrial stormwater program to control discharges of pollution to the MS4 from industrial and high-risk commercial facilities.
2. Develop, if not already completed, an inventory of all potential industrial and commercial sites/sources that could contribute substantial pollutant load to the MS4. This inventory shall include the name and address of the facility, contact person, and the type of industry or

commercial activities. This inventory shall be updated annually at a minimum and be made available to the Division of Water upon request.

3. The permittee shall identify and review the efficacy of Risk Factors to define facilities as “High Risk”, “Moderate Risk”: and “Low Risk”. This identification of facilities shall be completed and submitted with the Annual Report at least once over the permit term or as required.
4. At least once over the permit term, the permittee shall compare the datasets for local Approved Hazardous Materials Prevention and Controls (HMPC) Plan facilities to the publicly available facility data from local and state environmental and emergency response agencies to address the completeness and accuracy of High-Risk Industrial Facilities (HRIF) identification.
5. The permittee shall update the list of HRIFs at least once over the permit term, to account for the most recently available North American Industry Classification System (NAICS), Standard Industrial Classification (SIC) codes, Toxic Release Inventory (TRI) data, MSD’s HMPC data and MSD’s pretreatment program data with the goal of establishing a tiered list of industries to support priorities in MSD’s industrial facility inspection program.
6. The permittee shall continue to inspect high-risk facilities at least once every three (3) years and moderate risk facilities at least once every five (5) years.
7. The permittee shall require the high-risk industrial and commercial facilities to select, install, implement, and maintain control measures that promote prevention and source control for discharge of applicable pollutants of concern. This requirement may be addressed through the HMPC Plan and similar plans in order to meet federal and state requirements. The permittee shall continue to inspect the high-risk industrial and commercial facilities on a prioritized frequency to ensure compliance with the measure, summarizing inspections performed annually.
8. The permittee shall continue to require compliance with the industrial program requirements and continue to enforce the procedures outlined in Section 95.11 of the Louisville Metro Code of Ordinances relating to hazardous materials.
9. The permittee shall utilize third party inspections for development of recommendations of efficacy of permittee inspections and enforcement. The permittee shall train staff who perform inspections and enforcement based upon the findings of the third party inspections as necessary.
10. The permittee shall update, if necessary, and distribute outreach materials (brochures, fact sheets, etc.) to HMPC Facilities and other commercial operations of concern to promote illicit discharge elimination awareness. Tracking of this distribution shall be reported in the Annual Report.
11. Compliance with these terms is achieved by implementing the program elements, as shown in Industrial Program Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.2.4. Construction Site Stormwater Runoff Control

1. The permittee shall implement and enforce a program to reduce pollutants in any stormwater runoff to the MS4 from Active Construction Sites.
2. The program must include the development and implementation of, at a minimum:
 - a. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices (BMPs) that, at a minimum, shall be as protective as Kentucky’s General Stormwater Permit for Construction Sites (KYR10000);
 - b. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance;
 - c. Requirements for construction site operators to implement appropriate erosion and sediment control best management practices (BMPs);
 - d. Procedures for site plan review which incorporates consideration of potential water quality impacts with the procedures outlined in Section 159.02 of the Louisville/Jefferson County Erosion Prevention and Sediment Control Ordinance to assess whether the plan includes measures that address potential water quality impacts from construction prior to authorization of land disturbances;

- e. Procedures for receipt and consideration of information submitted by the public through regular customer service communications;
 - f. Continue to implement criteria and procedures for site inspection and enforcement including a required effort for bimonthly inspections for ninety percent (90) of active construction sites disturbing one acre or more and less than one acre if part of a larger common plan;
 - g. A requirement to implement enforcement procedures outlined in Section 159.05 of the Louisville/Jefferson County Erosion Prevention and Sediment Control Ordinance, including an enforcement response plan;
 - h. Maintain an inventory of all active public and private construction sites that result in a total land disturbance of greater than or equal to one acre and less than one acre that is part of a larger common plan of development. Inventory should include the project's name, address, contact person, inspection dates, and any enforcement actions; and
 - i. A requirement that discharges from construction sites to high quality waters will protect existing in-stream water uses consistent with Kentucky General Stormwater Permit for Construction Sites (KYR100000).
3. Compliance with these terms is achieved by implementing the program elements, as shown in the Construction Site Stormwater Runoff Controls Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.2.5. Post-Construction Stormwater Management in New Development and Redevelopment

1. The permittee shall continue to enforce an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects.
2. The permittee shall continue to enforce a program to address 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. The program must ensure that controls are in place that would prevent or minimize pollutant loads from post-construction discharges to the MS4.
3. The permittee shall continue to implement post construction stormwater pollution control strategies, which include structural and/or non-structural BMPs to the maximum extent practicable.
4. The permittee shall continue to conduct site plan reviews for compliance with stormwater management requirements including the on-site stormwater runoff treatment standard. This standard requires all new development and redevelopment projects to, in combination or alone, implement management measures that are designed, built, and maintained to infiltrate, evapo-transpire, harvest and reuse stormwater runoff produced from an 80th percentile precipitation event.
5. The permittee shall maintain an inventory and map of post-construction stormwater controls, including retention ponds, detention basins, and stormwater quality treatment facilities. This inventory should be updated annually.
6. The permittee shall require new development or redevelopment to establish and enter into a long-term maintenance agreement. This maintenance agreement shall include maintenance-plan approved management practices for property owners. Alternatively, the permittee may establish other enforceable mechanisms for requiring long-term maintenance of structural and non-structural BMPs. Such authorities shall allow the MS4, or its designee, to conduct inspections of the management practices and also account for transfer of responsibility in leases and/or deed transfers. The agreement shall also allow the MS4s, or its designee, to perform necessary maintenance or corrective actions neglected by the property owner/operator, and authority to recover costs from the property owner/operator when the owner/operator has not performed the necessary maintenance.

7. Compliance with these terms is achieved by implementing the program elements, as shown in Post-Construction Site Stormwater Runoff Control Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.2.6. Pollution Prevention/Good Housekeeping for Municipal Operations

1. The permittee shall develop and implement a written operation and maintenance program that includes an employee training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The permittee is encouraged to use training materials that are available from the EPA, the state or other organizations. The permittee shall include training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.
2. The permittee shall ensure that during maintenance of public streets, roads and highways, including pollutants discharged as a result of deicing application and storage practices the permittee shall implement alternative measures that might benefit stormwater quality from runoff from roadway and salt bin storage locations and will not affect public safety.
3. Compliance with these terms is achieved by implementing the program elements, as shown in the Good Housekeeping/Pollution Prevention at Municipal-Owned Operations Tables in Section 2.7

2.2.7. Monitoring

1. The permittee shall continue to track monitoring and sampling of the MS4. The program shall:
 - a. Continue to provide the most accurate, reliable data practicable that can be used to determine the efficacy of the MS4's SWQMP and other environmental improvement programs; and
 - b. Continue to provide trend analysis data to support long-term assessments of local waterways and program performance.
2. Compliance with these terms is achieved by implementing the program elements as shown in the Monitoring Program Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.2.8. Program Assessment and Reporting

1. The permittee shall continue to implement a system of assessing the performance of the MS4 program in terms and activities performed and outcomes generated, in both the short-term and long-term.
2. Compliance with these terms is achieved by implementing the program elements as shown in the Program Assessment and Reporting Tables in Section 2.7 of this Part, unless inconsistent with other provisions of this permit.

2.3. SWQMP Review and Modification

1. The permittee shall perform an annual review of the current SWQMP in conjunction with preparation of the Annual Report.
2. The permittee may modify the SWQMP during the life of the permit in accordance with the following procedures:
 - a. Modifications that add but neither subtract nor replace, components, controls, or requirements, may be made by the permittee at any time. A description of the modification shall be included in the Annual Report;
 - b. Modifications that replace an ineffective or infeasible stormwater control, which is specifically identified in the SWQMP along with an alternate stormwater control, may be made by the permittee at any time. The following Annual Report shall include a description of the replacement stormwater control and the following information:
 - i. An analysis of why the former stormwater control was ineffective or infeasible (including cost-prohibitive);

- ii. Expectations on the effectiveness of the replacement stormwater control; and
 - iii. An analysis of why the replacement stormwater control is expected to achieve the goals of the BMP which this control replaced;
 - c. Modifications to adjust the schedule for maintenance activities or the frequency of inspections identified in the SWQMP may be made annually by the permittee. The permittee must include in the Annual Report a description of the adjustment to the schedule and the following information:
 - i. An analysis of why the former schedule was ineffective or infeasible; and
 - ii. Expectations on the effectiveness of the replacement schedule;
 - d. Modifications included in the Annual Report shall be signed by the permittees affected by those modifications, and shall include a certification that the permittee was given an opportunity to comment on proposed changes; and
3. The permittee shall implement the SWQMP for all new areas added to the MS4 (or the areas for which the permittee(s) becomes responsible for implementing stormwater quality controls) as expeditiously as practicable. A description of the implementation schedule shall be provided in the Annual Report. Implementation of the program in any new area shall consider the plans in the SWQMP of the previous MS4 ownership.
4. The permittee may proceed with any uncompleted programs from the previous permit cycle to provide the continuation of positive activities towards improvement of water quality. If necessary, a compliance schedule shall be submitted to the Division of Water for approval that delineates the tasks and the anticipated compliance date.
5. The permittee shall implement the provisions of the SWQMP. The SWQMP will be proposed by the permittee as a component program of its KPDES permit for its MS4. The SWQMP describes a variety of activities to be implemented by the permittee pursuant to its KPDES permit in order to reduce pollution levels in its municipal stormwater. In light of the voluminous, comprehensive, and evolving nature of the SWQMP, which in some proportions may discuss long-term plans and aspirational goals of the program and in other portions may provide general descriptions of the program, many portions of the SWQMP do not lend itself to specific enforcement. Although portions of the SWQMP may not be specifically enforceable, a broad failure to implement programs described in the SWQMP would be subject to enforcement.

2.4. Total Maximum Daily Loads and Impaired Waters

2.4.1. Total Maximum Daily Loads (TMDLs)

The requirements of this section apply only to the permittee's MS4 discharges to receiving waters with adopted or established TMDLs and associated allocations. It is the intent of this section to ensure that pollutant discharges for those parameters listed in the TMDL are reduced to the MEP through the implementation of the permittee's SWQMP. The permittee shall use an adaptive management approach to ensure progress toward achieving assigned wasteload allocations (WLAs) by demonstrating through the implementation of structural and nonstructural best management practices (BMPs) and other program activities that are targeted at TMDL-related pollutants within watersheds that discharge to a waterbody with an adopted TMDL. A list of approved or established TMDLs can be found at <http://www.water.ky.gov/sw/tmdl/Approved+TMDLs.htm>. The permittee shall continue to implement water quality control measures that are specifically selected to achieve established WLAs for the pollutant of concern.

If a TMDL is approved for an impaired waterbody into which the permitted MS4 discharges and for which the MS4 causes or contributes to water quality impairment(s), the Division of Water will review the TMDL and applicable wasteload allocation(s) to determine whether the TMDL allocates pollutant reductions for stormwater discharges. If current discharges from the MS4 are not meeting TMDL allocations, the Division of Water will notify the permittee of that finding and require that the SWQMP identified in this individual permit be modified. This modification will occur in conjunction with the normal SWQMP updating process, in accordance with this permit relating to Plan Implementations and

Modifications. This modification will include any applicable and appropriate BMPs to implement the TMDL within a reasonable timeframe.

2.4.2. Impaired Waters

For impaired waters that lack an approved TMDL, the permittee shall evaluate its BMPs in the SWQMP with respect to the MS4 discharges for pollutants of concern that substantially change the discharge to impaired waterbodies listed in the Division of Water report entitled, "2014 Integrated Report to Congress on the Condition of Water Resources in Kentucky Volume II. 303(d) List of Surface Waters", and subsequent publications, to assess their effectiveness in minimizing pollution to such impaired water bodies. The evaluation of BMPs may be conducted on a watershed basis or on a point source basis. For LTMN sites servicing waters that are designated as impaired on the 303(d) list that the MS4 discharges into, the permittee shall monitor the impaired waters for those pollutants attributed to MS4 sources for at least 3 storm events over the course of the permit term. Based upon its evaluation, the permittee shall modify its SWQMP as necessary and appropriate to improve the effectiveness of the BMPs.

2.4.3. Monitoring Program

The permittee shall document, within 12 months of the permit effective date, that it has integrated appropriate measures into the MS4 monitoring program to track water quality trends for the pollutant(s) of concern at the Long-Term Monitoring Network (LTMN) composed of the existing sites servicing waters with an approved TMDL, the permittee shall monitor for these pollutants of concern attributed to MS4 sources for at least 3 storm events every five years. The twenty-eight (28) sites are attached in Appendix A. Environmental conditions or efforts to enhance the quality of collected data could necessitate adjustment to the monitoring locations. Any such adjustments will be noted in the MS4 Annual Report.

2.5. Annual Reporting

Annual MS4 compliance reporting requirements shall also include a special section identifying approved TMDL(s) and special efforts or management practices to address the Pollutant(s) of Concern. As appropriate for the pollutant of concern, the permittee will identify measures taken to address in the following program areas:

- Public Education, Outreach, Participation & Learning Experiences (PEOPLE)
- Illicit Discharge Detection and Elimination (IDDE)
- Industrial Stormwater Program (IP)
- Construction Site Stormwater Runoff Controls (CS)
- Post-Construction Site Stormwater Runoff Controls (PC)
- Good Housekeeping/Pollution Prevention (GH/P2)
- Monitoring (M)
- Performance Assessing and Reporting (PAR)

The permittee shall include water quality trend analysis for the pollutant(s) of concern with other MS4 monitoring program data with annual compliance reports.

2.6. Fiscal Requirements

Funding shall be established and maintained to ensure the accomplishment of the activities required by this permit.

2.7. Compliance Tables

The following tables for MSD and each co-permittee are used to expand on the specific MS4 program requirements.

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
PEOPLE General Public & Stakeholder Education Program		
Element Task	Frequency or Measure of Success	Activity Required
General Public- Mass Media Integration/Distribution	Report the number of potential households and estimate the numbers of households were reached.	The permittee shall integrate MS4 stormwater quality topics in to existing print mass media, local government cable channel, social marketing materials, and/or new materials with the intent of affecting behavior change.
General Public- Direct Interaction	Permittee shall present educational materials to the public at least six (6) event days per year; update booth material annually. Provide summary of the educational activities in annual report	The permittee shall present the "Key Messages" at community events, through the use of a display booth, "enviroscape" or other direct personal integration approaches.
General Public- Meeting Topic Integration	Permittee shall integrate water quality topics in MS4 public meetings at least six (6) events per year; provide summary of the events in the annual report	The permittee shall integrate MS4 stormwater quality topics, as feasible and appropriate into other MSD sponsored public meetings.
Volunteer Programs, Participation, Promotion or Support	Permittee shall have direct participation in at least three (3) events per year; and promote additional two (2) events per year, provide summary of volunteer opportunities the permittee participated, facilitate, or supported in the annual report	The permittee shall participate in, facilitate, encourage or support volunteer program opportunities on a case by case basis to optimize resources and potential to affect behavioral changes through participation events.
Metro Call Hotline and MSD Customer Relations	Permittee shall provide a summary of MS4 complaints and comments received in the annual report	The permittee shall provide support to the 24-hour central reporting hotline "Metro Call", LWC/One Water lines, and internet communication channels for use by the public and MSD employees to report complaints, spills, and illegal dumping.

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE) cont'd		
PEOPLE General Public & Stakeholder Education Program cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Elected Officials	Permittee shall provide a summary of its attendance of meetings at Mayors and/or Council Member's discretion in the annual report	The permittee shall attend and participate at the discretion of Mayor's office and Louisville Metro Council members to address resident's concerns and questions.
Public Speakers	Permittee shall provide public speakers to various community stakeholders at least six (6) events per year	The permittee shall provide speakers to various community stakeholder groups that could benefit from environmental stormwater information.
News Media-Press Releases	Permittee shall provide at least two (2) press releases per year highlighting public participation opportunities	The permittee shall provide press releases to the local news media highlighting opportunities for the public to participate in outreach and involvement events to make a positive difference through behavior change.
MSD Web Site	Permittee shall report summary of updates in the annual reports of Permit Years 2 and 4	The permittee shall review and revise the website with the "Key Messages" content and other related PEOPLE plan elements.
Behavior Change Assessment Survey	Permittee shall provide summary in the annual report of the Baseline Survey in Permit Year one (1) and the Behavior Assessment in Permit Year four (4).	The permittee shall perform a statistical survey to gauge the population's knowledge of stormwater quality issues and establish baseline to assess the changes in behavior and outreach program effectiveness. The permittee shall utilize the survey results to refocus and reprioritize PEOPLE activities.

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE) cont'd		
PEOPLE General Public & Stakeholder Education Program cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Building Industry Association of Greater Louisville Land Development Committee Monthly Meetings and Developers Advisory Group	Permittee shall participate in at least 75% of the meetings annually	The permittee shall attend Building Industry Association of Louisville land development committee and Developer Advisory Group meetings to address concerns and comments from the local homebuilder professional and provide information regarding changes in procedures, checklist, regulations, etc
Greater Louisville Inc. Environmental and Water Committees	Permittee shall participate in at least three (3) events per year	The permittee shall participate in committee meetings to address concerns and comments from key local development professionals and provide information regarding changes in construction procedures, checklist, regulations, etc.
Construction Operators	Permittee shall evaluate educational materials and/or multimedia presentations for the construction industry related to point and non- point source pollution and stormwater pollution annually	The permittee shall make available educational materials and/or multimedia presentations for the construction industry related to point and non-point source pollution, green infrastructure and stormwater pollution prevention measures for operational procedures and erosion and sediment controls.
Rain Garden Outreach	Permittee shall estimate handbook distribution and report in the annual report	The permittee shall maintain and update rain garden handbook with the intent of general public outreach. Consider expanding use to support residential, non-residential professional and non-professional audiences. The permittee shall evaluate changes and make updates at least every even numbered year.
Green Infrastructure Demonstration Projects	Permittee shall provide a Summary Report of Green Infrastructure demonstration projects in the annual report	The permittee shall monitor previously identified and constructed projects in outreach efforts aimed at demonstrating the feasibility and effectiveness of green infrastructure including, but not limited to rain gardens, green roofs, pervious pavement, bio-swales and infiltration. Prioritize, select and implement projects to support a variety of residential, non-residential, professional and non-professional audiences in MSD and co-permittee areas. Where feasible collaborate and/or cooperate with local government agencies, schools, co-permittees and/or private properties with significant use and exposure to the general public.

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE) cont'd		
PEOPLE General Public & Stakeholder Education Program cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Public Notification of Major Program Changes	Permittee shall maintain and update as needed the notification system or program changes.	The permittee shall maintain a web site-based system to notify the public and affected stakeholders of proposed major program changes that will significantly impact stormwater runoff quality, negatively or positively. The public shall be given the opportunity to informally comment on proposed changes.
Cooperative Efforts (MSD provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Jefferson County MS4 Workgroup-Communication	Permittee shall attend at least two (2) meetings per year	The permittee shall participate in the Jefferson County MS4 Co- Permittee Workgroup meetings discussing program progress, challenges, activity changes, shared activity requests communication needs and lesson learned.
Louisville Metro Office of Sustainability Assistance	Permittee shall report its activities and support of the Louisville Metro Department of Sustainability initiatives in the annual report	The permittee shall continue to support Louisville Metro Office of Sustainability initiatives with development of guidance materials to be applied to new Metro Government Facilities incorporating green infrastructure.

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
IDDE 1 Legal Prohibition/Control Authority		
Element Task	Frequency or Measure of Success	Activity Required
Assess Legal Prohibition/Control Authority	Permittee shall evaluate, once per permit cycle proposed changes in Wastewater Stormwater Discharge Regulations (WDRs) for consideration by MSD Board	The permittee shall evaluate existing ordinances and regulations with an emphasis on Article 5 of the WDRs to determine if they are sufficient relative to MSD's ability to implement an effective IDDE program per 40 CFR. 122.26(b) (2). The permittee shall periodically update WDRs as needed to identify and eliminate risk of illicit discharges due to changes in technology, industrial management processes, regulations or program modifications. The permittee shall provide a summary of the adoption of such changes and information about implementation, and effective date in the Annual Report.
IDDE Source Investigation and Elimination Procedures	Permittee shall provide in the annual report, a summary of the process changes to IDDE investigations	The permittee shall update the formal plan of illicit discharge detection, as needed including how to trace the source of an illicit discharge and procedures for removing or eliminating them once they are located or reported. The plan should also include the enforcement procedures outlined in the WDRs for illicit discharge elimination, which includes ten (10) days from the receipt of the Notice of Violation; the source of the illicit discharge shall submit a mitigation plan for removal.
Public Illicit Discharge Report Investigation	Permittee shall provide in the annual report, a summary of the investigations of illicit discharges performed	The permittee shall continue to receive and investigate public reports of potential illicit discharges via customer service hotline, webpage reporting and Metrocall. The permittee shall update and perform customer service hotline staff training for receiving calls regarding potential illicit discharges and appropriate routing procedures.
Dry Weather Screening	Permittee shall provide in the annual report, a summary of the dry weather screenings performed.	The permittee shall conduct dry weather screening of representative outfalls. The recommended level of effort is twenty percent (20%) of the major outfalls per year. However, all the major outfalls shall be addressed within the permit term. The permittee shall also conduct dry-weather screenings at ninety percent (90%) of large industrial outfalls of industrial facilities once per permit cycle.
Screening Follow-up	Permittee shall starting in Permit Year One (1) inspect at least 25% of suspect outfalls per year	After the initial follow-up to insure the illicit discharge has been mitigated, the permittee shall identify and update priority areas where outfalls were previously found to have had contaminated discharges to determine the current status of those outfalls

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) cont'd		
IDDE 2 Management Activities		
Element Task	Frequency or Measure of Success	Activity Required
Mapping - Stormwater Infrastructure Inventory	Permittee shall maintain a storm sewer system map	The permittee shall continue to maintain the GIS Louisville Jefferson County Information Center (LOJIC) layers constituting its storm sewer system map, showing the location of all known major outfalls, inlets, flood control basins, green infrastructure BMPs maintained by the permittee, and the names and location of all waters of the Commonwealth that receive discharges from those outfalls.
Non-Industrial IDDE Program Enforcement	Permittee shall report annually, including number of investigations, enforcement actions and referrals to KDOW, and follow-up investigations.	The permittee shall continue to utilize the Wastewater/Stormwater Discharge Regulations, related checklists and procedures for investigation of potential illicit discharges and elimination of illicit discharges.
Hazmat/Spill Unified Response Program	Permittee shall report, if necessary, any changes to the policies and programs and procedures, in the annual report	The permittee shall continue to maintain and enforce the ordinances, policies, programs and procedures for response and containing spills that may discharge into the MS4. The spill response procedures outlined in Section 95.07 of the Louisville Metro Code of Ordinances relating to hazardous materials shall continue to be implemented and enforced.
MVA Mitigation Kit Program	Permittee shall report metrics for kit distribution and after-use collection in the annual report	The permittee shall continue motor vehicle accident (MVA) mitigation kit distribution program to meet Fire Department and emergency response spill containment needs.
IDDE Identification SWPPP Training Integration	Training shall occur at least once per year and the permittee shall report in the annual report the date of training and the number of staff participating in training	The permittee shall integrate techniques and practices to assist staff in identifying potential illicit discharges into facility and system operations and provide maintenance training.
Cooperative Efforts (MSD provides supportive or other non-lead role)		
KDOW Support	Permittee shall summarize and include in the annual report any assistance given to the Kentucky Division of Water by MSD	As KDOW requests, the permittee shall accompany KDOW on inspection of KPDES stormwater permitted facilities in Jefferson County.

TABLE 3. INDUSTRIAL STORMWATER PROGRAM		
INDUSTRIAL STORMWATER PROGRAM REQUIREMENTS (IP)		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
IP 1 Legal Prohibition/Control Authority		
Element Task	Frequency or Measure of Success	Activity Required
Industrial IDDE Program Enforcement	Permittee shall summarize in the annual report the industrial enforcement actions and referrals to Kentucky Division of Water	For industrial properties, the permittee shall continue to utilize the Wastewater/Stormwater Discharge Regulations, Hazardous Materials Ordinance and related checklists and procedures for identification of potential illicit discharges and elimination of illicit discharges/ unauthorized stormwater discharges. The permittee shall perform analysis of industry property data layer in LOJIC cross linking with properties holding a Hazardous Materials (spill) Prevention Control (HMPC) Plan to identify potential sites that should be added to the program with consideration for High Risk Industrial Facilities designation (determined in other activities).
Industrial IDDE Program Enforcement	Permittee shall update as needed and maintain adequate legal authority to require compliance with this measure.	The permittee shall maintain adequate legal authority, per 401 KAR 5:060, Section 12(9)(b)3 and 40 CFR 122.26(b)(2), to require compliance and inspection of sites, inspection of priority industrial and commercial facilities, including establishing control measure requirements such as Hazardous Materials Management Prevention and Control (HMPC), Spill Prevention, Control and Countermeasure (SPCC) Plan and/or the Groundwater Protection Plan (GPP) for facilities that have a potential to discharge to the MS4 and enforce stormwater requirements.
IP 2 Inventory and Inspection of Industrial Facilities		
Element Task	Frequency or Measure of Success	Activity Required
Industrial Facility Inventory	Permittee shall update annually and make available to the Division of Water upon request	The permittee shall maintain an inventory of all potential industrial and commercial sites/sources that could contribute pollutant loads to the MS4.

TABLE 3. INDUSTRIAL STORMWATER PROGRAM cont'd		
IP 2 Inventory and Inspection of Industrial Facilities cont'd		
Element Task	Frequency or Measure of Success	Activity Required
“High Risk” Facility Definition	Review “High Risk” facility definition each permit cycle	The permittee shall identify and periodically review the efficacy of Risk Factors to define facilities as "High Risk", "Moderate Risk" and "Low Risk".
HRIF Inventory Update	Permittee shall summarize and report annually, the assessment and updates of any industrial facilities identified as "High", "Moderate", and "Low" risk	The permittee shall compare the datasets for local Approved HMPC Plan Facilities to the publicly available Facility data from local and state environmental and emergency response agencies to address the completeness and accuracy of High Risk Industrial Facilities identification. The permittee shall update the list of HRIFs at least once over the permit term, to account for the most recently available North American Industry Classification System (NAICS), Standard Industrial Classification (SIC) codes, Toxic Release Inventory (TRI) data, MSD's HMPC data and MSD's pretreatment program data with the goal of establishing a tiered list of industries to support priorities in MSD's industrial facility inspection program.
High-Risk and Medium Risk Facilities	Permittee shall report the summary of prioritized inspections completed, and any enforcement resulting from the inspections.	Based on the results of the updated HRIF assessment, the permittee shall inspect high-risk facilities at least once every three (3) years and moderate risk facilities at least once every five (5) years.
Industrial Facility Control Measures	Permittee shall report annually on control measures required of the high-risk industrial and commercial facilities to ensure compliance with this measure.	The permittee shall require the High Risk industrial and commercial facilities to select, install, implement, and maintain control measures that promote prevention and source control for discharge of applicable pollutants of concern. This requirement may be addressed through the Hazardous Materials (spill) Prevention Control (HMPC) Plan and/or federal programs such as Spill Prevention, Control and Countermeasure (SPCC) Plan and/or the Groundwater Protection Plan (GPP) that are already implemented at the industrial and commercial facilities. The permittee shall require the applicable facilities to identify the specific control measures, good housekeeping and maintenance procedures, and employee training necessary.

TABLE 3. INDUSTRIAL STORMWATER PROGRAM cont'd		
IP 2 Inventory and Inspection of Industrial Facilities cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Enforcement/ Inspections	Within six months of the permit issuance, the Permittee shall update, if necessary, the required criteria or procedures to comply with this measure.	The permittee shall develop criteria or procedures for site inspections and enforcement including criteria to address how the MS4 will use enforcement authorities to ensure compliance with the industrial program requirements. The permittee shall enforce the procedures outlined in Section 95.11 of the Louisville Metro Code of Ordinances relating to hazardous materials. The permittee shall utilize third party inspections for development of recommendations of efficacy of permittee inspections and enforcement. Updates to training materials shall be administered for permittee personnel at least once per year, if necessary.
MSD Plan Review	Permittee shall assess at least every three (3) years and report changes to process in the annual report	The permittee shall determine if existing triggers in the new development and redevelopment plan and plumbing systems review process are sufficient to include appropriate industrial stormwater quality specialists/inspectors in the plan approval process.
Industrial & Commercial Community Outreach	The Permittee shall continue to identify materials developed and distribution estimates and summarize in the annual report	The permittee shall update as necessary and distribute outreach materials (brochure, fact sheets, etc.) to HMPC Facilities and other commercial operations of concern to promote illicit discharge elimination awareness.
Third Party Oversight Inspection	Document training materials and the number of third party inspections conducted to be reported in the annual report	The permittee shall utilize third party inspections for development of recommendations of efficacy of permittee inspections and enforcement. Updates to training materials shall be administered for permittee personnel at least once per year, if necessary.
TABLE 3. INDUSTRIAL STORMWATER PROGRAM		
Cooperative Efforts (MSD provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
KDOW Support	Permittee shall summarize and include in the annual report any assistance given to the Kentucky Division of Water by MSD	As KDOW requests, the permittee shall accompany KDOW on inspection of KPDES stormwater permitted facilities in Jefferson County.

TABLE 4. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
CS 1 Legal Prohibition/Control Authority		
Element Task	Frequency or Measure of Success	Activity Required
Assess Legal Prohibition/Control Authority	Permittee shall summarize proposed changes enumerated by end of permit years one (1) and three (3) and report proposed changes in to Wastewater/Stormwater Discharge Regulations for consideration by MSD Board in the annual report	The permittee shall assess existing ordinance and regulations to identify changes needed to account for changes in standard of care (as directed by KDOW General Construction Permit KYR10), changes in technology, changes to development management process and related program needs in satisfaction 40 CFR 122.26(b)(15)(i) for construction activities that result in a land disturbance of greater than or equal to one acre and construction activity disturbing less than one acre that is part of a larger common plan of development that would disturb one acre or more.
Implement Legal Prohibition/Control Authority	Permittee shall require routine inspections of active construction sites with reasonable potential to discharge to MS4. A summary of these inspections and any enforcement actions resulting from these inspections shall be included in the Annual Report	The permittee shall continue to enforce existing ordinances and regulations intended to limit construction phase stormwater quality impacts from new construction and significant redevelopment.
Site Plan Review	Permittee shall review plans as needed and report the number of plans reviewed in the Annual Report	The permittee shall conduct site plan reviews in accordance with the procedures outlined in Section 159.02 of the Louisville/Jefferson County Erosion Prevention and Sediment Control Ordinance to assess whether the plans include measures that address potential water quality impacts from construction prior to authorization of land disturbance.
Construction Site Inspection	Permittee shall continue to implement the criteria and/or procedures for site inspections.	The permittee shall develop and implement criteria and/or procedures for site inspection. The procedures shall include an Enforcement Response Plan outlined in Section 159.05 of the Louisville/Jefferson County Erosion Prevention and Sediment Control Ordinance.
Construction Site Inspection Frequency	Permittee shall report the number of inspections performed in the Annual Report	The permittee is required to conduct inspections bi-monthly of at least 90% of active sites.

TABLE 4. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS) cont'd		
CS 2 CS Management Activities		
Element Task	Frequency or Measure of Success	Activity Required
Construction Site Inventory	Inventory continually updated as projects are permitted and projects are completed	The permittee shall maintain an inventory of all active public and private construction sites that result in a total land disturbance of greater than or equal to one acre and less than one acre that is part of a larger common plan of development. Inventory should include the project's name, address, contact person, inspection dates, and any enforcement actions issued to the project.
Construction BMP Guidance Materials	Permittee shall update the Design Manual and Standards Specifications as needed and make the updates publicly available	As needed to account for changes in the KDOW general construction permit(s), the permittee shall update the guidance materials facilitating current technology use, local plan review/inspection requirements and related implications, Design Manual chapters and Standard Specifications sections to address EPSC and other construction phase (waste concrete, fueling and repairs operations, etc.) topics including BMP selection, feasibility, design considerations, operation, maintenance, inspection checklist and related matters.
On-site SWPPP	Permittee shall document SWPPP procedures and expectations and make the procedures and expectations publicly available	The permittee shall continue the procedure for receiving Stormwater Pollution Prevention Plans (SWPPP) for qualifying construction sites.
Construction Stormwater Runoff Control Program Inspection Refresher	Permittee shall complete refresher review with Construction inspectors annually, reporting the date and the number of attendees in the Annual Report	The permittee shall review inspector practices with individual MSD and contract inspectors to communicate/confirm oversight responsibilities, documentation requirements, and frequency of inspection, inspection standards and protocols. The refresher review (performed on-site) will include EPSC and non-EPSC construction stormwater control metrics, the most current KDOW General Construction Permit and the current USEPA MS4 Program Evaluation Construction Site Checklist.

TABLE 4. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS) cont'd		
CS 2 CS Management Activities		
Element Task	Frequency or Measure of Success	Activity Required
Construction Inspector Training	Permittee shall provide at least three (3) training opportunities annually reporting the date and the number of attendees in the Annual Report	The permittee shall continue construction inspector training program placing new emphasis on delivering similar messages and understanding between MSD inspectors (regular and contracted) and qualified local contractor inspectors.
Local Utility Construction General Permit Entities	Permittee shall hold meetings with MSD's EPSC general permit holders as needed.	The permittee shall continue to coordinate policy level stakeholders from local utility agencies holding construction general permits from MSD to confirm inter-agency communication protocols and review changes to standard, policies, procedures, BMP operation expectations and related matters.
MSD General Construction Permits Evaluation	Permittee shall evaluate all general permits by the end of Permit Year three (3); and report general construction permits issued by MSD in the annual report	The permittee shall evaluate General Construction Permits issued by MSD to utilities and other entities to determine adequacy with revisions to the KDOW general construction permits, changes in permittee organization/practices, MSD standards, etc.
Enforcement Tracking Log/Database	Permittee shall summarize enforcement actions in the annual report. A summary of the tracked enforcement actions issued shall be included in the Annual Report	The permittee shall continue to track enforcement actions issues (SWO/NOVs) to support follow-up inspections and issuance of penalties and/or Notice of Compliance.
Third Party Oversight Inspection	Document training materials and the number of third party inspections conducted	The permittee shall utilize third party inspections for development of recommendations of efficacy of permittee inspections and enforcement. Updates to training materials shall be administered for permittee personnel at least once per year, if necessary.

TABLE 4. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS) cont'd		
Cooperative Efforts (MSD provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Plan Development Process Identification	Permittee shall make up-to- date guidance documents publicly available. A summary of the revised guidance materials shall be included in the Annual Report	The permittee shall review and update, as needed guidance materials identifying the process that developers must follow to obtain related construction permits, including process flow charts and checklists.
Metro IP & L Enforcement Coordination	Permittee shall hold at least one (1) conference every other year starting in Permit Year one (1)	The permittee shall coordinate program enforcement actions with Metro Inspections, Permits and Licensing (IP& L), as necessary, to support overall site compliance with an emphasis on Notices of Deficiency, Notices of Violation, and Stop Work Orders issued by MSD and implications on land disturbance and “in building” activities.

TABLE 5. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
PC 1 Legal Prohibition/Control Authority		
Element Task	Frequency or Measure of Success	Activity Required
Assess Legal Prohibition/Control Authority	Permittee shall make assessments as needed, and report proposed changes in the WDR for consideration by MSD Board.	The permittee shall assess existing Wastewater/Stormwater Discharge Regulations and other relevant ordinances and regulations, to identify changes needed to account for changes in standard of care, changes in technology, changes to development management process and related program needs for new development and redevelopment projects that disturb greater than or equal to one acre and construction activity disturbing less than one acre, including projects less than one acre that are part of a larger common plan of development.
Implement Legal Prohibition/Control Authority	Permittee shall summarize enforcement actions in the annual report. The permittee shall include the number of inspections and enforcement actions.	The permittee shall enforce existing ordinances and regulations intended to limit long-term stormwater quality impacts from new construction and significant redevelopment.
Site Plan Review	Permittee shall continue to conduct site plan reviews	The permittee shall conduct site plan reviews through procedures for reviewing development plans for compliance with stormwater management requirements.
Stormwater Infrastructure Inventory	Permittee shall update the GIS LOJIC System as data becomes available	The permittee shall continue to maintain the GIS-LOJIC layers incorporating system changes from new development plans, MSD projects and related system projects.
Post-Construction BMP Inventory Update	Permittee shall incorporate related data on ongoing basis; Permittee shall assess data to identify and fill dataset gaps every other year.	The permittee shall develop and maintain an inventory and map of post-construction stormwater controls, including retention ponds, detention basins, and stormwater quality treatment facilities maintained by the permittee. The permittee shall update LOJIC and Hansen datasets to reflect the location, extent, and condition of post-construction stormwater quality BMPs.
Post-Construction Inspector Training	At least two trainings per year for the inspectors of Post-Construction BMPs. Report in the annual report, the dates of training, # of attendees, and subject matter.	The permittee shall provide training to the inspectors including internal staff that have been designated to inspect the effectiveness of the post-construction BMPs, as well as, the local residents who are required to provide operation and maintenance of privately-owned Post-Construction BMPs.

TABLE 5. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT cont'd		
PC 2 PC Plan Maintenance and Update		
Element Task	Frequency or Measure of Success	Activity Required
Inspect "Credit" Basins	Permittee shall continue to perform spot check inspections for at least 50% of qualifying facilities annually and summarize for the annual report	The permittee shall inspect private flood control basins, (retention ponds) receiving a stormwater utility user fee credit (reduction) to determine ability to fulfill original, current and projected drainage demands. Continue to enforce, per existing basin credits documentation requirements, necessary to fulfill maintenance agreements and long-term system integrity.
Inspection Plan Procedures for Treatment BMPs	Permittee shall continue to perform spot check inspections for at least 20% of treatment BMPs annually. All BMPs should be inspected by the end of the permit cycle. A summary of this activity shall be included in the annual report	The permittee shall update inspection and oversight protocol for private stormwater quality treatment BMPs to facilitate long-term maintenance demands including requirements for qualified private inspection of private BMPs with local government oversight access inspection and controls, as needed.
Post-Construction and Green Infrastructure BMP Guidance Materials	Permittee shall update, as needed, the guidance materials specifically the Design Manual chapters and Standards Specifications sections and make the document publicly available	The permittee shall evaluate and update the guidance materials facilitating current technology use and to reflect local plan review, construction site inspection and post-construction inspection requirements. Design Manual chapters and Standard Specifications sections to address long-term BMP operation, inspection and maintenance including checklists. "Green Infrastructure" is a combination of natural and engineered infrastructure that is designed to reduce the environmental footprint of the system. In terms of stormwater, green infrastructure can effectively manage stormwater runoff through the use of infiltration, biofiltration, detention, and other stormwater management techniques.

TABLE 5. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT cont'd		
PC 2 PC Plan Maintenance and Update		
Element Task	Frequency or Measure of Success	Activity Required
Plan Preparers & Reviewers Training (MSD Facilitates)	Permittee shall continue to offer at least two (2) events annually. A summary of workshops topics and attendance shall be submitted in the annual report	The permittee shall provide available content, such as EPA webcasts, through periodic training classes, workshops and meetings for designers, planners, and developers including emphasis on green infrastructure, post-construction planning, construction site protocols, and design procedures for structural and non-structural BMPs, pollutant removal and inspection. MSD shall incorporate comments from stakeholders in the plan review process from designers to internal MSD review staff to facilitate training sessions to address evolving technologies and lessons learned.
Project DRI	Permittee shall provide program progress summarizing cost, number and type of projects in the annual report	The permittee shall continue to implement Drainage Response Initiative (DRI) program aimed at identifying and solving the local drainage problems in Jefferson County.
User Fee Credits (Green Infrastructure Incentives) Program Planning	Permittee shall evaluate incentives as needed.	The permittee shall evaluate enhancements to the utility user fee credits program for green infrastructure and post- construction BMPs based on post-construction lessons learned.

TABLE 5. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT cont'd

PC 2 PC Plan Maintenance and Update cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Stream Restoration Inspection and Maintenance	Permittee shall continue to provide in the annual report, summarized stream reaches and maintenance. Permittee shall assess or implement at least one restoration project per year starting in Permit Year two (2)	The permittee shall identify restored stream reaches that MSD has maintenance responsibilities. The permittee shall also determine status of restored reaches and identify, prioritize/schedule and implement maintenance needs. MSD shall prioritize, design, and implement restoration practices on at least one stream segment per year.
Certified/qualified Construction BMP Inspector Program	Permittee shall continue to administer Qualified Post Construction Inspector training and include summary of activities in the annual report	The permittee shall enhance the Qualified Post Construction Inspector training program to identify and hold accountable third party private BMP inspectors to facilitate periodic operation and maintenance of private facilities resulting from the credits program, regulations changes and demonstration projects.
Stormwater runoff quality treatment standard for all new development and redevelopment projects	Permittee shall continue to administer a local treatment standard for addressing stormwater runoff quality.	The permittee shall continue to administer an on-site stormwater runoff quality treatment standard, to be adopted by ordinance or other regulatory mechanism for all new development and redevelopment projects at any location within Louisville Metro. The proposed local standard will require, in combination or alone, management measures that are designed, built and maintained to infiltrate, evapo-transpire, harvest and reuse stormwater runoff, or otherwise manage the stormwater runoff quality. The standard shall be based, at a minimum, on an analysis of precipitation records to determine the equivalent surface depth of runoff (e.g. 0.60 inches) produced from an 80th percentile precipitation event.
Private BMP Maintenance Agreement Assessment/Long Term O & M	Permittee shall continue to require all new development and redevelopment projects to have this agreement	The permittee shall require all new development or redevelopment, which disturbs more than one acre, to establish and enter into a long-term maintenance agreement and maintenance plan approved management practices for property owners for installed water quality BMPs. Alternatively, the permittee may establish other enforceable mechanisms for requiring long-term maintenance of structural and non-structural BMPs. Such authorities shall allow the MS4, or its designee, to conduct inspections of the management practices and also account for transfer of responsibility in leases and/or deed transfers. The agreement shall also allow the MS4s, or its designee, to perform necessary maintenance or corrective actions neglected by the property owner/operator, and authority to recover costs from the property owner/operator when the owner/operator has not performed the necessary maintenance.

TABLE 5. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT cont'd		
Cooperative Efforts (MSD provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Green Infrastructure Demonstration Site(s)	Permittee shall report its role and activities, lessons learned, and overall project progress and summarize for the annual report	The permittee shall continue, in cooperation with Louisville Metro Mayor's administration, University of Louisville and other local agencies, to promote the development of stormwater quality and green infrastructure interpretative center(s) at strategic location(s) around Jefferson County with the intent of providing a positive highly visible platform to promote the viability and desirability of green infrastructure BMPs. Where feasible explore the opportunity for BMP evaluation and pre-/post-monitoring.
Rain Barrels Partnerships	Permittee shall report its role, lessons learned and overall programs progress and summarize for the annual report	The permittee shall explore the opportunity for MSD to continue program with Louisville Nature Center, or other appropriate partners to provide public guidance to construct and maintain rain barrels.
No Mow/Riparian Zone Study	Permittee shall report its role and activities, lessons learned, and overall project progress and summarize for the annual report	The permittee shall assess existing mowing areas as part of maintenance activities to determine if the original need or impetus still exists. Opportunities to adjust the mowing contracts to include or exclude mowing areas will be incorporated into those contracts as they are rebid or renewed. Areas that are removed from the mowing list will be considered for "no mow" signage and education.
Urban Reforestation - MS4 Area	Permittee shall report its role and activities, lessons learned, and overall project progress and summarize for the annual report	The permittee shall create a grant funding mechanism to provide incentives for the planting of trees in the MS4 area and improve tree canopy for the benefit of stream health and water quality. The co-permittee will budget to provide grant funding of private or public grantees to plant 1000 trees per year in the MS4. Funds will be administered in accordance with water quality goals, and on a first-come first-serve basis.
Regional Basin Retrofit Analysis	Permittee shall by the end of Permit Year four (4) produce a technical memo outlining findings and recommendations	The permittee shall assess the regional flood control basins to determine if there is potential for enhancement to the basin or the outlet structure to provide additional capture for smaller water quality events. A technical memo and recommendation outline shall be provided prior to the end of Permit Year four (4).

TABLE 6. GOOD HOUSEKEEPING/POLLUTION PREVENTION (GH/P2) PROGRAMS FOR MUNICIPAL FACILITIES		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
GH/P2 Plan Maintenance and Update		
Element Task	Frequency or Measure of Success	Activity Required
Stormwater Pollution Prevention Plans for MSD Operations	Permittee shall assess plans within six (6) months of major facility changes or at least once every two years by the facility superintendents and operation managers who make up the SWP3 Committee.	<p>The permittee shall periodically update and implement Stormwater Pollution Prevention Plans (SWPPPs) (also known as BMP Plans or Stormwater Plans) to control the discharge of pollutants from POTWs and other applicable MSD-owned facilities as defined in 40 CFR 122.26 including wastewater treatment plants.</p> <p>SWPPPs will include provisions for maintenance activities on facility grounds, materials and equipment storage, security, preventative maintenance, risk identification and assessment, materials inventory, floor drain protection/controls, inspections and records.</p>
Training on MSD Facility SWPPPs	Permittee shall starting in Permit Year one (1) utilize third party inspectors to address at least three (3) SWPPP issues annually and summarize training and attendance for the annual report	The permittee shall utilize third party inspectors working with the facility SWPPP Committees to perform routine training of key SWPPP issues
Maintenance Staff Training on Pollution Prevention	Permittee shall report the number of staff attending related training and include in the annual report	The permittee shall provide training to key maintenance staff on good housekeeping activities related to stormwater quality in MSD operations including but not limited to: green infrastructure operation and maintenance, fleet and building maintenance, and stormwater conveyance/drainage system maintenance.
Pesticides Management	Permittee shall track employees with related state certifications	The permittee shall utilize Commonwealth of Kentucky pesticide management registration and certifications to qualify MSD employees applying pesticides. The permittee shall develop and maintain a list of pesticides used and stored, including storage locations.
Incident Response Staff Training	Permittee shall continue to report incident response staff training participation.	The permittee shall provide training to unified incident response staff on related stormwater issues including good housekeeping, IDDE, construction, post-construction BMP/controls and program management.

TABLE 6. GOOD HOUSEKEEPING/POLLUTION PREVENTION (GH/P2) PROGRAMS FOR MUNICIPAL FACILITIES cont'd		
Element Task	Frequency or Measure of Success	Activity Required
MSD Capital Project Control	Permittee shall continue to summarize changes to MSD Capital Project requirements, as necessary	The permittee shall, for MSD directed capital, rehabilitation and reconstruction projects, disturbing more than one acre, performed by a contractor, ensure the contract documents/agreements/work orders will include stipulations that require the work be designed/performed/implemented/constructed under the same standards for construction and post-construction stormwater quality that MSD requires of private development it regulates.
MSD Stormwater Quality BMP Data	Permittee shall every other year assess datasets for completeness and ability to support staff scheduling stormwater-quality BMPs MSD is responsible for maintaining	The permittee shall update LOJIC and Hansen datasets to identify stormwater-quality BMPs located on MSD properties, rights-of-way and easements that MSD is responsible for operating and/or maintaining. The datasets will be updated in a manner to support ongoing prioritization and tracking of operation and maintenance.
Catch Basin and Storm Sewer Cleaning	Permittee shall summarize and include in the annual report	The permittee shall continue to clean catch basins and sewers (closed pipe systems) to prevent debris from entering receiving streams and address drainage/flooding issues in MSD area based on known priorities and information gathered from the customer hotline.
Channel Maintenance	Permittee shall summarize and include in the annual report	The permittee shall continue to maintain open channel system in MSD area based on priorities and information from the customer hotline including ditch cleanings, ditch regrading, drainage obstruction removals, erosion repairs, floodwall levee maintenance, headwall install/repair, concrete channel installation, tree removal, driveway apron restoration, routine mowing and closed pipe installations.
Cooperative Efforts (MSD provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Stormwater Pollution Prevention Plans for Co-Permittee Operations	Permittee shall assist in the review of at least one (1) co-permittee facility annually.	The permittee shall provide co-permittees with periodic 3rd-party technical assistance and/or review of the facility stormwater pollution prevention plans (SWPPPs, BMP plans, or Stormwater Plans and BMPs) and/or site visit/walkthrough to help identify opportunities to improve the effectiveness of the plans and their implementation.

TABLE 7. MONITORING (M)		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
M Monitoring Plan Maintenance and Update		
Element Task	Frequency or Measure of Success	Activity Required
Long-Term Monitoring Network (LTMN)	Permittee shall provide datasets electronically with annual report	<p>The permittee shall continue the existing program of the collection of long-term data on stream quality and habitat for at least 28 LTMN locations selected to support the various types of data collected. This program includes:</p> <p>Continuous – pH, conductivity, temperature, dissolved oxygen, and stream flow.</p> <p>Once Every Two Years – Biological sampling and/or evaluation rotating to include: algae, fish and benthic macro invertebrates.</p> <p>Quarterly – Ambient monitoring for Total Suspended Solids (TSS); E. coli; Total Nitrogen (as N) Oil and Grease, Copper, Total Recoverable and pH.</p> <p>5/month (May-October) - Recreational monitoring for E. coli.</p>
Monitoring Summary	Permittee shall summarize and include in annual report	The permittee shall provide a summary of monitoring collection efforts and results in the annual report.
Trend Analysis	Permittee shall, at least once per permit cycle, provide synthesis report	The permittee shall perform trend analysis to support long-term assessments of local waterways and program performance. Report analysis through the “Synthesis Reports” at least once every permit cycle.

TABLE 7. MONITORING (M) cont'd		
M Monitoring Plan Maintenance and Update		
Element Task	Frequency or Measure of Success	Activity Required
Flow Estimate to Support Quarterly Ambient Monitoring	Permittee shall provide available data and include in annual reports	The permittee shall utilize total precipitation estimates over the previous twenty-four (24) hour period to estimate flow. When flow is measured with in-stream gauging equipment, that data will be utilized rather than precipitation based estimates.
Monitoring Location Maintenance	Permittee shall summarize activities and include in annual reports	The permittee shall continue its collaboration with United States Geological Survey (USGS) on flow gauges and monitoring locations maintenance and data management.
Precipitation Estimate	Permittee shall continue to make rain gauge network data available on-line	The permittee shall continue to maintain the continuous rain gauge network and on-line public access to that data.
Water Quality Standards	Permittee shall apply the most stringent standard	The permittee shall compare stream monitoring analytical results to the applicable water quality standards for each parameter of the monitoring program. The most stringent applicable standard shall be used for comparison. Constituents that exceed applicable Water Quality Standards shall be highlighted. The permittee shall include a discussion of possible pollutant sources through the annual report.
Location Mapping	Permittee shall maintain the monitoring stations reflected in mapping system	The permittee shall maintain the geo-coded monitoring station locations and descriptions through related geographic datasets and databases.
Sampling Methodology and Test Procedures	Permittee shall perform the sampling methodology to insure compliance with 40 CFR 122.26 and 136, and provide a summary of as-needed updates to the QAPP in the annual report	The permittee shall perform the sampling methodology according to the EPA stormwater application regulations at 40 CFR 122.26. The permittee shall perform the analyses according to the procedures approved under 40 CFR Part 136, unless other test procedures have been specified. The permittee shall assess the monitoring Quality Assurance Project Plan (QAPP), and update as needed.
Annual Data Summary	Permittee shall provide a summary electronically with the annual report	The permittee shall submit a stormwater monitoring report annually. The monitoring reports shall include: status of implementation of the monitoring program, methods of evaluating data, graphical summaries of the data, and an explanation/discussion of the data for each component of the monitoring program. The monitoring data/results obtained each year will be submitted electronically with the Annual Report. A narrative data analysis shall be submitted annually within the Annual Report.

TABLE 8. PERFORMANCE ASSESSMENT AND REPORTING (PAR)		
MSD is the primary co-permittee and has an inter-local agreement with its co-permittees; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Activity Measures Reporting	Permittee shall develop and retain Annual Reports for three years beyond permit term	As described in the specific activity listings, the permittee shall compile information necessary to provide in an annual compliance report. The metrics defined by "Measure of Success" shall be reported and kept for program assessment purposes. The permittee shall track the appropriate metrics through existing databases/spreadsheets to support staff assignments and budget development.
PEOPLE	Permittee shall, by the end of Permit Year one (1), summarize tracking procedures and results and include with annual report	The permittee shall continue activity tracking to support consistent coordination and integrated reporting in a way that enables the variety of MSD staff to report their individual activities, target audiences, and related metric.
Illicit Discharge Trend Analysis	Permittee shall provide, during Permit Year Five (5) a report of trends and potential implications of IDDE investigations	The permittee shall perform a trend analysis of illicit discharge investigations and enforcement actions over the term of the permit.
Industrial/IDDE Compliance Actions Portal	Permittee shall maintain and report progress summarized in annual compliance demonstration report	The permittee shall maintain a Compliance Actions Web Portal supplementing existing databases for functionality for internal use to expedite follow-up inspections of HRIFs.
Post-Construction Inspection Database	Permittee, maintain and report progress summarized in annual compliance demonstration report	The permittee shall maintain Compliance Actions Database for internal use to expedite follow-up inspections of private post-construction BMPs.
Six-Level Program Assessment Methodology	Permittee shall continue to assess performance with the six-level program and report on progress in annual reports	The permittee shall continue to evaluate and report portions of the six-level program EPA began advocating in 2008 to assist MS4 programs in identifying success and future areas of focus.
Cooperative Annual Report	Permittee shall prepare and submit Annual Report in a timely manner	The permittee shall coordinate and cooperate with co-permittees in compilation of the annual compliance demonstration reports.

Louisville Metro Government - Parks

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1

Element Task	Frequency or Measure of Success	Activity Required
Newsletter	Permittee shall report the number of newsletter recipients	The permittee (Louisville Metro Government Parks) shall employ its monthly newsletter at least twice during the year to discuss pollution prevention information.

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Training session(s) for applicable staff	Permittee shall report number of staff trained per year	The permittee shall require staff to attend training on the recognition and reporting of illicit discharges as provided by MSD.

TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
City construction projects to follow construction site BMP requirements	Permittee shall summarize the contracts, city code officer inspection log of sites and include with the annual report	The permittee shall require all contracts specify compliance with Erosion Prevention and Sediment Control program requirements, and require that in-house projects inspected for compliance.

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Tree/green space replacement to provide future ground cover	Permittee shall continue the Memorandum-for-record filed yearly by participating departments	The permittee shall maintain or increase the total amount of trees or other green-space/ground cover on Metro Government property, in accordance with appropriated resources.

Louisville Metro Government - Parks

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Municipal Facility SWPPPs	Permittee shall revise SWPPPs as needed and retain the revised SWPPPs on file	The permittee shall maintain and revise, as needed, MS4 SWPPPs for applicable “industrial” type Metro facilities.
Staff Training	Permittee shall retain copies of training records, and training references as provided	The permittee shall train the municipal facility staff on the SWPPP requirements, as needed.
Parks Ground Maintenance	Permittee shall continue the Memorandum-for-record filed yearly by department	The permittee shall develop and implement a Pesticide, Herbicide, and Fertilizer (PHF) Program which includes required certification of applicators, reporting on the number of certifications, procedures for the storage and proper use of PHFs and the corresponding measures to protect MS4s and receiving waters from the PHFs.

TABLE 6. MONITORING (M)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1. Louisville Metro Government - Parks shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.

Louisville Metro Government - Parks

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Website	Permittee shall report the number of hits received on an annual basis and revise as needed	The permittee shall maintain the website, www.louisvilleky.gov , as it addresses littering, water quality, recycling, snow removal, pollution prevention, and air quality.

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Mapping	Permittee shall complete and submit to the Division of Water within twenty-four (24) months of the effective date of this permit.	The permittee shall develop, and maintain a storm-sewer system map, showing the location of all known major outfalls, as defined herein, and the names and location of all waters of the Commonwealth that receive discharges from those outfalls. If this mapping is completed using Geographical Information Systems (GIS) or Computer Aided Drafting (CAD) software, the permittee shall provide to the Division of Water, at a minimum, the MS4 boundary and the mapped infrastructure in either ESRI shape file formats (to include the .shp, .shx, and .dbf files) or geo- referenced CAD drawings (.dwg file format).
Training session(s) for applicable staff	Permittee shall retain copies of MSD training records of staff and any training references as provided	The permittee shall require staff to attend training on the recognition and reporting of illicit discharges as provided by MSD.

Louisville Metro Government - Parks

TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
City construction projects to follow construction site BMP requirements	Permittee shall summarize the contracts, city code officer inspection log of sites and include with the annual report	The permittee shall require all contracts specify compliance with Erosion Prevention and Sediment Control program requirements, and require that in-house projects inspected for compliance.
TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Tree/green space replacement to provide future ground cover	Permittee shall maintain records of trees removed and planted by participating departments	The permittee shall maintain or increase the total amount of trees or other green-space/ground cover on Metro Government property, in accordance with appropriated resources.
TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Municipal Facility SWPPPs	Permittee shall retain draft SWPPPs on file	The permittee shall maintain and revise, as needed, MS4 SWPPPs for applicable “industrial” type Metro facilities.
Staff Training	Permittee shall retain copies of training records, and training references as provided	The permittee shall train the municipal facility staff on the SWPPP requirements, as needed.
Metro Government Environmental Program	Permittee shall revise Environmental Program and Manual as needed	The permittee shall make recommendations to incorporate the Mayor’s Green Initiative Strategies within the Metro Environmental Program Manual, as needed.

Louisville Metro Government - Parks

TABLE 6. MONITORING (M)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)

Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1. Louisville Metro Government – Works & Assets Department shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.

Louisville Metro Government - Metro Zoo

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Environmental Outreach Events	Permittee shall conduct an least four (4) environmental outreach events annually	The permittee shall conduct annual environmental outreach events such as the Earth Day event, night safaris, School-at-the-Zoo, and wetlands program or an effective equivalent.
TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Training session(s) for applicable staff	Permittee shall retain copies of MSD training records and training references as provided	The permittee shall require staff to attend training on the recognition and reporting of illicit discharges as provided by MSD.
Louisville Zoo	Permittee shall retain project Reports and Documents	The permittee shall continue to partner with MSD on identified improvements to the drainage and monitoring systems, for control of flow and contamination of stormwater from the Zoo site.
TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
City construction projects to follow construction site BMP requirements	Permittee shall summarize the contracts, city code officer inspection log of sites and include with the annual report	The permittee shall require all contracts specify compliance with Erosion Prevention and Sediment Control program requirements, and require that in-house projects inspected for compliance.

Louisville Metro Government – Metro Zoo

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Municipal Facility SWPPPs	Permittee shall maintain and revise SWPPPs on file	The permittee shall maintain and revise, as needed, MS4 SWPPPs for applicable “industrial” type Metro facilities.
Staff Training	Permittee shall retain copies of training records, and training references as provided	The permittee shall train the municipal facility staff on the SWPPP requirements, as needed.
Metro Government Environmental Program	Permittee shall make recommendations to revisions of the Manual	The permittee shall make recommendations to incorporate the Mayor’s Green Initiative Strategies within the Metro Environmental Program Manual, as needed.
TABLE 6. MONITORING (M)		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)		
Louisville Metro Government has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1. Louisville Metro Government – Metro Zoo shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.		

City of Shively

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Newsletters	Permittee shall develop and issue newsletters four (4) times per year	The permittee shall continue the quarterly newsletters that are mailed to its citizens and use this format or an effective equivalent to educate the public on the MS4 program, their impact on water quality, and public participation opportunities facilitated or sponsored by the permittee.
Public Education	Permittee shall revise the website to include educate the public starting in Permit Year one (1) and report the hits received in the Annual Report	The permittee shall revise the City’s website, www.shively.gov , to inform the citizens about the MS4 program, their impact on water quality, and public participation opportunities facilitated or sponsored by the permittee.
Public Participation Event	Permittee shall develop and implement an annual public participation event starting in Permit Year one (1)	The permittee shall develop and implement an annual public participation opportunity to educate the citizens about their impacts on water quality. This public participation activity may coincide with the Annual Shively Easter Egg Hunt, Trunk or Treat and Light-Up Shively and may consist of a booth with information for the citizens or an effective equivalent. The permittee will have educational material at all city council meetings.
School Age Children	Permittee shall report any community service or environmentally beneficial projects the children performed and summarize these activities in the annual report	The permittee shall encourage and promote school groups to perform community service by facilitating activities such as, but not limited to, litter pick- up campaign, and storm drain labeling.

City of Shively

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Training session(s) for applicable staff	Permittee shall retain copies of MSD training records and training references as provided	The permittee shall require staff to attend SORP Overview Training on the recognition and reporting of illicit discharges as provided by MSD.
Signage	Permittee shall enumerate the new signs and submit the information in the annual report	The permittee shall post additional “No Dumping” signs throughout Shively. The permittee shall track when new signs are posted and report in the annual report.
TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Training	Permittee shall include the number of certified EPSC Inspectors and Date of Certification in the annual report	The permittee shall attend training on Erosion Prevention and Sediment Control.

City of Shively

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Green Infrastructure	Permittee shall complete project within twenty-four (24) months of the effective date of this permit.	The permittee shall work in collaboration with MSD to install a green restoration project in the City's infrastructure.
TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Property Cleanup	Permittee shall summarize the progress in property cleanup and include the summary in the annual report	The permittee shall continue to address necessary cleanups on public property and shall fully staff to ensure timely cleanup of the property.
TABLE 6. MONITORING (M)		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)		
The City of Shively has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to the Part I, Section A. Shively shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.		

City of St. Matthews

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)

The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Stormwater Education	Permittee shall feature a stormwater item at least four (4) times a year in the newsletter	The permittee shall use a dedicated Stormwater section in the City’s newsletter. Each newsletter shall feature an article focused on informing the public on ways they impact water quality and on ways to improve water quality in their local waterbodies.
Website	Permittee shall report the number of hits in the annual report and update the website as needed	The permittee shall continue to develop and implement the “Green” menu on the website that directs the citizenry to a webpage dedicated to green solutions, including best management practices that may be implemented to improve water quality.
Pet Waste Pick-up	Permittee shall advertise at least one (1) time per year in Newsletter and Posted Public Signs	The permittee shall continue to implement the pet-waste cleanup program including the installation of signs at all major public parks and community centers to notify the public that they are responsible for the proper disposal of pet’s waste, including the installation of signs, one bag dispenser and waste receptacles. The permittee shall evaluate the pet- waste cleanup program for the need for additional bag dispensers and additional advertisements in the newsletter.
Public Meetings	Permittee shall enumerate the number of public meetings where stormwater is discussed and summarize this for the annual report	The permittee shall inform the public of ways they can improve water quality before runoff exits their property during future Project Informational Meetings for Drainage Improvement Projects.
Business Owner Education	Permittee shall facilitate at least one (1) time per year education outreach for business owners	The permittee shall provide stormwater education information to its business owners in an effort to reduce pollution in the stormwater.
Leaf Pickup	Permittee shall advertise at least one (1) time per year	The permittee shall identify and advertise the time when leaf pickup will be conducted on particular streets, providing signs on designated streets to notify public of leaf pickup.

City of St. Matthews

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE) cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Place Mat	Permittee shall dispense at least 200 placements per year	The permittee shall dispense at least 200 placemats from the EPA's Non- point Source Toolbox to local food establishments to use. The placemat contains information about stormwater and the general population's impact on water quality.
Green-up Program	Permittee shall advertise the Green-up program at least four (4) per year in Newsletter	The permittee shall continue its program to help eliminate asphalt or concrete parking pads/pull-offs located in existing right-of-ways. This program consists of residents who are willing to improve water quality can have the concrete parking pad/pull off removed and restored to natural turf at no expense to the property owner.
Cooperative Efforts (St. Matthews provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Jefferson County MS4 Workgroup- Communication	Permittee shall attend at least one (1) meeting per year	The permittee shall participate in the Jefferson County MS4 Co-Permittee Workgroup meetings discussing program progress, challenges, activity changes, shared activity requests, communication needs, and lessons learned.
TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)		
The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Mapping	Permittee shall complete and submit to the Division of Water within twenty-four (24) months of the effective date of this permit.	The permittee shall develop, and maintain a storm-sewer system map, showing the location of all known major outfalls, as defined herein, and the names and location of all waters of the Commonwealth that receive discharges from those outfalls. If this mapping is completed using Geographical Information Systems (GIS) or Computer Aided Drafting (CAD) software, the permittee shall provide to the Division of Water, at a minimum, the MS4 boundary and the mapped infrastructure in either ESRI shape file formats (to include the .shp, .shx, and .dbf files) or geo- referenced CAD drawings (.dwg file format).
Hotline	Permittees shall identify and report those occurrences and summarize for submittal with the annual report	The permittee shall maintain a hotline for residents to report illegal dumping or illegal discharge into the storm sewer system.

City of St. Matthews

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) cont'd		
Training session(s) for applicable staff	Permittee shall report the dates and number of employees trained in the annual report.	The permittee shall require staff to attend training on the recognition and reporting of illicit discharges as provided by MSD.
Cooperative Efforts (St. Matthews provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Inter-local agreement w/MSD	Permittee shall identify and report those occurrences	The permittee shall immediately report any illicit discharge to MSD and Metro Health Department.
TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)		
The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
MSD Plan Approval	Permittee shall insure that MSD has approved and inspected applicable projects	The permittee has an inter-local agreement with MSD, where MSD administers approval and inspection on EPSC and Site Disturbance Permits for construction projects within the City. Prior to any approvals, MSD confirms that there are not any existing complaints or issues in the project area. The permittee shall continue the confirmation of complaints or issues in the project area.
Construction Oversight	Permittee shall report in the annual report the number of violations found and referred to MSD	The permittee shall provide construction oversight in addition to that provided through the inter-local agreement with Louisville MSD, including reporting any noted violation to Louisville MSD for enforcement.
Cooperative Efforts (St. Matthews provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Inter-local agreement w/MSD for approval and inspection	Permittee shall include the number of certified EPSC Inspectors and Date of Certification in the annual report	The permittee shall continue to obtain EPSC & Site Disturbance Permits from MSD on applicable projects. The permittee shall continue to hold itself to the same EPSC standards as private contractors working within the City. For private construction, a city official inspects sites for compliance with the EPSC ordinance. Should a violation occur, the permittee shall request MSD's assistance in action to bring the site into compliance, if necessary.

City of St. Matthews

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT

The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
City of St. Matthews Tree Planting	Permittee shall record the purchase of trees and summarize for submittal in the annual report	The permittee shall plant approximately 75 trees annually.
Rain Barrels & Rain Gardens	Permittee shall report the number of participants and submit with the annual report	The permittee shall continue to promote rain barrels and rain gardens within the City to help with reduce stormwater runoff through the “Green” menu on the City’s website.
Master Plan	Permittee shall record updates and projects completed from Master Plan	The permittee has developed a drainage Master Plan to provide some form of drainage relief to its residents. The permittee shall continue to update the plan to reflect ongoing issues.
Inter-local agreement w/MSD for approval and inspection	Permittee shall identify & report those contractors operating without a permit	The permittee shall continue to obtain EPSC & Site Disturbance Permits from MSD on applicable projects. The permittee shall continue to hold itself to the same EPSC standards as private contractors working within the City. For private construction, a city official inspects sites for compliance with the EPSC ordinance. Should a violation occur, the permittee shall request MSD’s assistance in action to bring the site into compliance, if necessary.

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS

The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Leaf Pickup	Permittee shall clean each residential street twice per leaf season	The permittee shall continue its program for the fall months to pick up leaves for those residents who bring the leaves to the edge of the street.
Beet Juice Additive	Permittee shall report the amount of material ordered.	The permittee is experimenting with adding beet juice to its salt. The beet juice lowers the temperature at which salt can be effective, and removes much of the caustic quality of salt brine.

City of St. Matthews

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT

The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
City of St. Matthews Tree Planting	Permittee shall record the purchase of trees and summarize for submittal in the annual report	The permittee shall plant approximately 75 two-inch diameter trees annually. The permittee shall not remove dead trees from wooded areas within the major City parks.
Rain Barrels & Rain Gardens	Permittee shall report the number of participants and submit with the annual report	The permittee shall continue to promote rain barrels and rain gardens within the City to help with reduce stormwater runoff through the “Green” menu on the City’s website.
Master Plan	Permittee shall record updates and projects completed from Master Plan	The permittee has developed a drainage Master Plan to provide some form of drainage relief to its residents. The permittee shall continue to update the plan to reflect ongoing issues.
Inter-local agreement w/MSD for approval and inspection	Permittee shall identify & report those contractors operating without a permit	The permittee shall continue to obtain EPSC & Site Disturbance Permits from MSD on applicable projects. The permittee shall continue to hold itself to the same EPSC standards as private contractors working within the City. For private construction, a city official inspects sites for compliance with the EPSC ordinance. Should a violation occur, the permittee shall request MSD’s assistance in action to bring the site into compliance, if necessary.

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS

The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Leaf Pickup	Permittee shall clean each residential street twice per leaf season	The permittee shall continue its program for the fall months to pick up leaves for those residents who bring the leaves to the edge of the street.
Beet Juice Additive	Permittee shall report the amount of material ordered.	The permittee is experimenting with adding beet juice to its salt. The beet juice lowers the temperature at which salt can be effective, and removes much of the caustic quality of salt brine.

City of St. Matthews

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Street Sweeping	Permittee shall sweep the curbed streets twice per year, as recorded on invoice	The permittee shall develop a program that will provide for street sweeping on priority curbed streets.
Pet Waste Removal	Permittee shall report occurrence of replacing bags	The permittee shall coordinate with local officials to install signs and bags in major City-owned public parks for pet waste removal. Receptacles shall be placed statically placed to allow for disposal.
Rain Barrels & Rain Gardens	Permittee shall report the number of participants	The permittee shall research a plan to provide rain barrel and rain garden education in an effort to reduce stormwater runoff from private residences. In addition, the permittee shall research an easy way for residents to purchase the necessary materials.
Replacing Existing Open Throat Yard Drains	Permittee shall report the number of replacements, goal is to have residential basins removed by 2018	The permittee shall devise a program to eliminate the open throat yard drains found in residential areas, in an effort to reduce the amount of sediment introduced to the MS4.
Green-up Program	Permittee shall report the number of replacements	The permittee shall look at the alternatives for providing a better way to promote the program and remove existing impervious pull-offs in order to restore the ground back to a natural state.
Stormwater Best Management Practices Plan	Permittee shall document the revisions throughout the year	The permittee has a Stormwater Best Management Practices Plan for their Maintenance and Construction Facilities. This document is an evolving one; the permittee shall make revisions on an as-needed basis.
Separate Storm Sewer System Mapping	Permittee shall document the revisions throughout the year	The permittee is in the process of devising a system to show all of their storm sewer systems in electronic format.
TABLE 6. MONITORING (M)		
The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)		
The City of St. Matthews has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1. St. Matthews shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.		

City of Jeffersontown

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)

The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Public Education Programs	Permittee shall provide records of at least six (6) newsletters published per year with articles describing “green” activities being supported or promoted by the city of Jeffersontown to be supplied in the annual report	The permittee shall continue to issue its bimonthly newsletter that made information regarding public services and participation opportunities available to the public and disseminates information through the Jeffersontown website, www.jeffersontownky.com . The newsletter included articles on recycling and yard waste as well as the pollution prevention activity for collection of mercury thermometers. The permittee shall be expanding the “Spruce Up Jeffersontown” program to include public education to the effects of litter, trash and illegal dumping. It will also provide beautification efforts to promote a healthy lifestyle and balance between the environment and everyday living. It will educate the community on erosion and sediment control, floodplains and floodways, pollution of streams and water quality efforts to protect wildlife and the human element. This expanded program will be called “Jeffersontown Green Scene”.
“Spruce up Jeffersontown”	Permittee shall provide clean-up materials for clean-up events, report summary of events in the annual report	The permittee shall provide public participation activities for youth organizations, civic clubs, and residents of Jeffersontown such as “Spruce up Jeffersontown” where the permittee supplies the necessary items, such as garbage bags and the permittee shall be responsible for proper disposal of collected debris.
Litter Control	Permittee shall provide monthly inspections of City to gauge success of program and report summary of inspections in the annual report	The permittee shall continue to provide litter abatement to reduce the trash into local waterbodies. The permittee may choose to continue utilizing work release programs to maintain a level of standard of litter abatement, or an effective equivalent.
Internal Training of City officials and employees	Permittee shall conduct monthly educational meetings, and make material available to all employees and provide a summary of these educational meetings in the annual report	The permittee is required to continue the training of the City’s Mayor, City Administrator and Maintenance Director by attending MS4 presentations or an effective equivalent. The permittee shall continue to provide brown bag luncheons of new trends and programs that could benefit the City and community or an effective equivalent. The permittee shall make educational materials available to employees concerning the prevention of stormwater pollution.

City of Jeffersontown

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE) cont'd		
Element Task	Frequency or Measure of Success	Activity Required
External Training	Permittee shall, in Permit Year two (2), develop and conduct annual spring mobile workshop-“Stormwater Anatomy 101”	The permittee shall develop educational material and worksheet program that will be used to engage students. The permittee has developed a bike/walking master plan that addressed goals and objectives as well as policy issues relative to floodplains, erosion and sediment control and the impact to streams and drainage ways. This bike/walking trail will be used to conduct education training series or an effective equivalent shall be developed.
Cooperative Efforts (Jeffersontown provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Kentucky Stormwater Association (KSA)	Permittee shall participate in at least 75% of regular KSA meetings	The permittee or co-permittee shall attend meetings or presentations discussing various MS4 programs and meeting topics/presentations as applicable, such as the MS4 Workgroup Meetings or an effective equivalent.
Kentucky Transportation Cabinet (KYTC)- Public Education Material	Permittee shall use the applicable materials to educate the citizenry	The permittee shall use the KYTC Toolkit materials for education, if applicable, or an effective equivalent.
Jeffersontown – Coalition of Neighborhoods	Permittee shall report activities and programs participated and/or coordinated starting in Permit Year two (2)	The permittee shall continue to coordinate and assist in the implementation of a variety of community events focused on litter control, community beautification and neighborhood stormwater management issues. The permittee shall promote and encourage the integration of stormwater quality themes and topics identified in the PEOPLE plan
TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)		
The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Mapping	Permittee shall complete and submit to the Division of Water within twenty-four (24) months of the effective date of this permit.	The permittee shall develop, and maintain a storm-sewer system map, showing the location of all known major outfalls, as defined herein, and the names and location of all waters of the Commonwealth that receive discharges from those outfalls. If this mapping is completed using Geographical Information Systems (GIS) or Computer Aided Drafting (CAD) software, the permittee shall provide to the Division of Water, at a minimum, the MS4 boundary and the mapped infrastructure in either ESRI shape file formats (to include the .shp, .shx, and .dbf files) or geo- referenced CAD drawings (.dwg file format).

City of Jeffersontown

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Illicit Discharge/Illegal Dumping Ordinance	Permittee shall prepare annual reports by various complaint activities and develop PEOPLE to fit need starting in Permit Year two (2).	The permittee shall continue to enforce its illegal dumping ordinance and post signs that prohibit dumping at locations that are problem areas. The permittee shall also continue to provide a first line quick response system used to track complaints and concerns from the community in an effort to minimize the response time to various community issues. The permittee shall also continue to perform site inspections of various known dumping sites in an effort to provide and improvement enforcement of ordinance. This effort minimizes the impact of the illegal dumping on stormwater quality.
Provide education on Illicit Discharge Detection and Elimination	Permittee shall develop and implement targeted educational materials	The permittee shall provide education on illicit discharges such as proper disposal of leaf debris, and other illicit discharges that have an impact on stormwater quality. The permittee shall use it monthly newsletter, City's website, or general notices sent home with school children or an effective equivalent.
Cooperative Efforts (Jeffersontown provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Co-permittee	Permittee shall prepare findings/solutions report at each meeting	The permittee shall attend quarterly meetings to learn what other co-permittees are encountering and work towards cohesive solutions county-wide.
TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)		
The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Jeffersontown/MSD Partnership	Permittee shall attend/coordinate quarterly program meetings with MSD to partner of projects	The permittee has an inter-local agreement with MSD to perform certain Construction Site Runoff program tasks. While MSD performs the Erosion Prevention and Sediment Control (EPSC), as a co-permittee, Jeffersontown shall continue to educate Team Leaders and other key staff in EPSC so that issues can be mitigated as soon as possible. The permittee shall continue to attend quarterly program meetings to be educated on the MS4 program and other stormwater related programs that are occurring in Jefferson County.
Erosion Prevention and Sediment Control (EPSC) Plan	Permittee shall design training handouts for all staff and general public starting in Permit Year two (2)	Starting in Permit Year two (2), the permittee shall develop an educational handout that will highlight the basic requirements of EPSC practices of Jeffersontown development activity as well as educating the public on ways they can make a difference as they go about their everyday lives.

City of Jeffersontown

TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS) cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Scheduled Inspections and Maintenance of BMPs	Starting in Permit Year two (2), the Permittee shall utilize a standardized checklist that will document compliance	The permittee shall inspect construction sites to ensure that the EPSC Ordinance is being followed by utilizing a standardized checklist.
Cooperative Efforts (Jeffersontown provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Construction Development Plan Process	Beginning in Permit Year two (2), the Permittee shall review and update the guidance document and make it publicly available	The permittee shall review and update, as needed, guidance materials identifying the process that developers must follow to obtain related construction permits, including process flow charts and checklists.
Collaborative Guidance and Training	Permittee shall report cooperative activities in the annual report beginning in Permit Year two (2)	The permittee shall work with MSD to educate design engineers on various construction site stormwater runoff controls and standards that are required to be incorporated into the site construction documents.
TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT		
The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Pilot BMP Projects	Beginning in Permit Year two (2), the Permittee shall provide a checklist of each development activity that qualifies for review and provide copies to the Planning Director for incorporation into the development file	The permittee shall continue to provide oversight for the following ongoing projects or an effective equivalent. During the last MS4 permit term, the City of Jeffersontown was required to complete a minimum of three BMP Pilot Projects. Firstly, Jeffersontown implemented a no-mow forest restoration area on a steep slope of Veteran's Park above Chenoweth Run. Also, the wooded riparian buffer along Chenoweth Run is protected in City easements. Lastly, approximately 80% of City grass channels have at least a ten-foot buffer strip, which filters runoff before it reaches the stream.

City of Jeffersontown

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT cont'd

Element Task	Frequency or Measure of Success	Activity Required
Build-Upon Area Reductions	Permittee shall continue enforcement of Cornerstone 2020	Cornerstone 2020 is a comprehensive plan with details on how Louisville- Jefferson County’s metro government will be changing over the next 20 years with an estimated population boon of 60,000 people added to the area. The plan encompasses the environment, transportation, commerce, and overall quality of life for the citizens of Louisville. Jeffersontown has adopted the provisions of Cornerstone 2020. The permittee shall continue the enforcement of the Cornerstone 2020’s water quality provisions or an effective equivalent.
Source Controls	Permittee shall develop a quarterly checklist to document compliance	The permittee shall continue to enforce the HMPC plans that have been approved. These plans include, but are not limited to, salt storage areas and refueling areas are to be covered and all dumpsters located within Jeffersontown must be covered and fenced. The permittee shall continue to evaluate these point source areas for possible runoff using a quarterly checklist to document compliance.

Cooperative Efforts (Jeffersontown provides supportive or other non-lead role)

Element Task	Frequency or Measure of Success	Activity Required
Collaborative Guidance and Training	In Permit Year two (2), the Permittee shall produce quarterly reports to track success of educational material and runoff designs	The permittee shall develop a post-construction run-off control checklist that will be incorporated into the construction approval process whereby each contractor will be required to document compliance with current standards at bond release or final approval.

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS

The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Street Maintenance	Permittee shall perform quarterly inspections of maintenance efforts to gauge success	The permittee shall continue to follow the EPSC requirements during its street maintenance activity and incorporate additional BMPs during general street maintenance as needed.
Street Sweeping	Permittee shall perform quarterly inspections of maintenance efforts to gauge success	The permittee shall continue the street sweeping activities, except in winter months, to reduce the amount of trash and debris from the roadways.

City of Jeffersontown

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Catch Basins	In Permit Year three (3), the Permittee shall develop a map of all catch basins along with direction of flow	The permittee shall continue to map and identify all City-maintained catch basins and inlets, determining direction of flow and drainage course. The permittee shall continue to implement the FROG No Dumping! Drains to our creeks' program, in collaboration with MSD, or an effective equivalent.
Storm Sewer Cleaning	In Permit Year three (3), the Permittee shall create a bi-annual checklist of all storm sewer systems.	The permittee shall continue to vacuum storm sewers, as needed. The permittee shall also develop bi-annual (spring/fall) inspection standard for all drainage easements and stormwater channels within Jeffersontown.
Channel Maintenance	Permittee shall create a bi-annual checklist of all stormwater channels and ditches	The permittee shall continue to maintain concrete channels on an as-needed basis. The permittee shall continue to maintain grass channels on a regular schedule. Proper disposal of debris removed from drainage channels shall be maintained.
Pollution Prevention for De-icing	Permittee shall perform inspections annually	The permittee shall perform annual inspections on de-icing equipment and continue to calibrate the salt spreader as needed.
BMP Inspection and Maintenance	Permittee shall continue to train key staff within Public Works and use of a detailed inspection report	The permittee shall continue to inspect and maintain the Good Housekeeping/Pollution Prevention BMPs employed by the City. The permittee shall utilize a checklist in detailing the inspections.
Pollution Prevention for Herbicides and Pesticides	Permittee shall maintain employee licensure	The permittee continue to use properly licensed staff for the application of herbicides and pesticides.
Continuation of Existing Programs	In Permit Year two (2), the Permittee shall move towards larger recycling city-wide	The permittee shall continue to hire a contractor to collect municipal waste, yard waste, and recyclables weekly or have an effective equivalent. The permittee shall expand the "Spruce Up Jeffersontown" program to include public education to the effects of litter, trash, and illegal dumping on stormwater quality. It will educate the community on erosion and sediment control, floodplains and floodway, pollution of streams and water quality efforts to protect wildlife and the human element or an effective equivalent.

City of Jeffersontown

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION FOR MUNICIPAL OPERATIONS cont'd		
Cooperative Efforts (Jeffersontown provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
Stormwater Pollution Prevention Plans for Co-permittee Operations	Permittee shall attend regular meetings to maintain consistency	As requested by co-permittees, the permittee shall provide periodic peer review of various stormwater pollution prevention plans and procedures to help identify opportunities to improve the effectiveness of the plans and implementation. The permittee shall provide a collaborative effort to manage stormwater issues across all co-permittees throughout the county.
TABLE 6. MONITORING (M)		
The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)		
The City of Jeffersontown has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1. The City of Jeffersontown shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.		

City of Anchorage

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE)		
The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Communication to Anchorage residents	Permittee shall provide the number of announcements (via newspaper, website, special events or community meetings) sent to the residents of Anchorage in the annual report	The permittee shall utilize the city newspaper, website, special events, and community meetings or an effective equivalent to communicate to the residents of Anchorage stormwater quality issues or concerns.
Educate Construction Industry Stakeholders	Permittee shall provide the number of builders, developers and contractors educated on the annual report	The permittee shall educate developers, builders, and contractors, in general, at the time they seek permits, on the requirements for stormwater retention and encourage architects, developers, and design teams to look for creative green infrastructure methods (i.e. rain gardens, rain barrels, and green roofs, etc.) to diminish stormwater runoff.
Green Infrastructure Educational Products and Projects	Permittee shall provide the number of MSD Rain Garden Handbooks distributed, and the resulting rain gardens installed on the annual report	The permittee shall facilitate educational opportunities by distributing MSD Rain Garden Handbook; notifying residents of demonstration projects including new rain gardens at local developments; and encourage use of the new Anchorage Trail Wetlands Area to demonstrate to both school children and adults the impact of stormwater quality or an effective equivalent.
Educate City Officials	Permittee shall provide documentation of the meetings where the Mayor and the City Council where updated and advised of MS4 related information, events, and issues at least 4 times per year in the annual report	The permittee shall update and advise the Mayor and City Council of MS4- related information, events, and issues.

City of Anchorage

TABLE 1. PUBLIC EDUCATION, OUTREACH, PARTICIPATION, AND LEARNING EXPERIENCES (PEOPLE) cont'd		
Cooperative Efforts (Anchorage provides supportive or other non-lead role)		
Element Task	Frequency or Measure of Success	Activity Required
MS4 Co-permittee Meetings	Permittee shall Participate in meetings	The permittee shall participate in MSD sponsored MS4 Co-permittee meetings to share information and lessons learned.
TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)		
The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
Element Task	Frequency or Measure of Success	Activity Required
Mapping	Permittee shall complete and submit to the Division of Water within twenty-four (24) months of the effective date of this permit.	The permittee shall develop, and maintain a storm-sewer system map, showing the location of all known major outfalls, as defined herein, and the names and location of all waters of the Commonwealth that receive discharges from those outfalls. If this mapping is completed using Geographical Information Systems (GIS) or Computer Aided Drafting (CAD) software, the permittee shall provide to the Division of Water, at a minimum, the MS4 boundary and the mapped infrastructure in either ESRI shape file formats (to include the .shp, .shx, and .dbf files) or geo-referenced CAD drawings (.dwg file format).
No Dumping Decals	Permittee shall provide the number of new decals displayed drains and catch basins, and the decals that were replaced, provide a summary for the annual report	The permittee shall maintain decals on all drains and catch basins to deter illicit dumping.
Training session(s) for applicable staff	Permittee shall retain copies of MSD training records and training references as provided	The permittee shall require staff to attend training on the recognition and reporting of illicit discharges as provided by MSD.

City of Anchorage

TABLE 2. ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

Cooperative Efforts (Anchorage provides supportive or other non-lead role)

Element Task	Frequency or Measure of Success	Activity Required
Inter-local Agreement with MSD	Permittee shall provide the number of reports of IDDE issues to MSD and the actions taken by MSD to address the issue. Provide a summary for the annual report	The permittee shall report any IDDE problems directly to MSD.

TABLE 3. CONSTRUCTION SITE STORMWATER RUNOFF CONTROL REQUIREMENTS (CS)

The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Contractors/ Construction Activities	Permittee shall provide the number of inspectors with proper training in the annual report	The permittee shall require contractors to show proof of MSD’s EPSC Certification and the plan for the development’s containment.

Cooperative Efforts (Anchorage provides supportive or other non-lead role)

Element Task	Frequency or Measure of Success	Activity Required
Inter-local Agreement with MSD	Permittee shall encourage no increase in stormwater runoff from development site through the use of BMPs	The permittee shall review MSD approvals of development for stormwater retention/detention controls.
MSD Enforcement	Permittee shall record of violations and reports	The permittee shall notify MSD of any violations of MSD approved stormwater drainage plan and any other violations of water quality.

City of Anchorage

TABLE 4. POST-CONSTRUCTION (PC) STORMWATER RUNOFF CONTROL FOR NEW DEVELOPMENT AND REDEVELOPMENT

The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
FAR Moratorium Ordinance	Permittee shall provide the number of Zoning Compliance Certifications issued in the annual report	The permittee has in place a moratorium on floor areas ratios (FAR) for residential lots in Anchorage. The moratorium reduces the allowable living area of a house from previously allowable. This moratorium reduces the amount of impervious surface coming from each lot.
Proposed Impervious Surface Ordinance	Study completed, the Permittee shall report the actions discussed in annual report to DOW	The permittee is studying a limit of impervious surface for new buildings on residential lots. The permittee shall report the findings of this study to the Division of Water in the annual report.

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION (GH/P2) PROGRAMS FOR MUNICIPAL OPERATIONS

The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.

Element Task	Frequency or Measure of Success	Activity Required
Street Maintenance	Permittee shall sweep site after work performed	When repairing roadways, the permittee shall continue to sweep up and properly dispose all remaining unused material.
Street Sweeping	Permittee shall provide litter abatement records and inspections summary in annual report	The permittee shall continue to sweep streets and properly dispose collected debris.
Drainage Channel Maintenance	Permittees shall provide the number of inspections of channels and culverts in annual report	The permittee shall continue the practice of vacuuming and clearing channels and culverts on city's Right-of-Ways.
Storm sewer cleaning	Permittee shall provide the number of inspections of storm sewers and catch basins in annual report	The permittee shall continue to inspect storm sewers and catch basins following large rain events, and shall continue to clean the storm sewers and catch basins on an as-needed basis.
De-icing Activities	Permittee shall provide amount applied each year in annual report	The permittee shall continue to plow snow and to apply brine in an effort to reduce the amount of salt that is applied during snow events. The permittee shall also adjust salt spreaders to minimize overspray as needed.

City of Anchorage

TABLE 5. GOOD HOUSEKEEPING/POLLUTION PREVENTION (GH/P2) PROGRAMS FOR MUNICIPAL OPERATIONS cont'd		
Element Task	Frequency or Measure of Success	Activity Required
Vehicle washing	Permittee shall provide the number of times the containment pit was cleaned out in the annual report	The permittee shall continue to wash City's vehicles that are heavily soiled in the firehouse bay that has a containment pit to capture the dirt and grime.
TABLE 6. MONITORING (M)		
The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1.		
TABLE 7. PERFORMANCE ASSESSMENT AND REPORTING (PAR)		
The City of Anchorage has an inter-local agreement with MSD, the primary Co-Permittee on this MS4 permit; the responsibilities are divided according to Section 1.2.1. The City of Anchorage shall submit its annual report to MSD for submittal to the Division of Water in the appropriate time frame developed by MSD.		

SECTION 3

REPORTING

3. REPORTING

3.1. Reporting Requirements

The permittee shall prepare an annual system-wide report (Annual Report) to be submitted no later than November 15th of the year following the fiscal year covered by the report (July 1 - June 30). The Annual Report shall include at a minimum:

1. An overall evaluation of the stormwater quality management program developments and progress including: major findings such as water-quality improvements or degradation, major accomplishments, overall program strengths/weaknesses; and future direction of the program. The permittee shall state an overall assessment of the effectiveness of the SWQMP taking into account water quality/watershed improvements;
2. The number of illicit discharges discovered; describing discharge and resolution;
3. A summary of inspections and enforcement actions for regulatory programs;
4. A summary of installed BMPs for post-construction stormwater management for new and redevelopment;
5. A summary of pollution prevention and good housekeeping BMPs performed at the municipal operations;
6. The status of implementation and proposed changes to the stormwater quality management program, including assessment of controls and specific improvements or degradation to water quality;
7. Any improvements in water quality due to watershed activities; and
8. The Annual Report shall be submitted electronically. Permittees can access the system at the following web address:

The permittee shall retain records accumulated pursuant to this individual permit for no fewer than three years following the termination of this individual permit.

3.2. Certification

All applications or reports submitted to the Division of Water (DOW) shall be signed and certified pursuant to 401 KAR 5:060. Each report shall contain the following completed declaration:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Executed on the day of __, month, year.
(Signature)(Title)"

SECTION 4
STANDARD CONDITIONS

4. STANDARD CONDITIONS FOR KPDES PERMITS

The permittee is also advised that applicable KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1, will apply to all discharges authorized by this permit.

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

It is the responsibility of the permittee to demonstrate compliance with the permit limitations by utilization of sufficiently sensitive analytical methods.

SECTION 5
OTHER CONDITIONS

5. OTHER CONDITIONS**5.1. Schedule of Compliance**

The permittee shall attain compliance with all requirements of this permit on the effective date of this permit unless otherwise stated below:

5.2. Other Permits

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

5.3. Continuation of Expiring Permit

This permit shall be continued in effect and enforceable after the expiration date of the permit provided the permittee submits a timely and complete application in accordance with 401 KAR 5:060, Section 2(4).

5.4. Reopener Clause

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved in accordance with 401 KAR 5:050 through 5:080, if the effluent standard or limitation so issued or approved:

- 1) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- 2) Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of KRS Chapter 224 when applicable.

APPENDIX A

Long Term Monitoring Network Locations

MSD LOCODE	DESCR	Additional Description	USGS Site #	USGS Location Name	USGS Stream Site Description
Reference Reach					
ECBCB001	Cedar Creek @ SR 1442	Cedar Creek of Salt River in Bullitt County (reference reach)	3297800	Cedar Creek at Hwy 1442 near Shepherdsville, KY	Latitude 37°59'28", Longitude 85°38'28" NAD83 Bullitt County, Kentucky, Hydrologic Unit 05140102 Drainage area: 12.1 square miles
MS4 AREA					
ECCCC001	Cedar CK @ Thixton RD	Cedar Creek of Floyds Fork in Jefferson County ~4 miles downstream of CCWQTC.	3298250	Cedar Creek at Thixton Road bear Louisville, KY	Latitude 38°04'45", Longitude 85°36'58" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 11.1 square miles
EFFCR001	CHEN Run #1 @ Gelhaus Ln	Chenoweth Run of Floyds Fork ~3 miles downstream of JTWQTC Effluent (eliminated 2016)	3298150	Chenoweth Run at Gelhaus Lane near Fern Creek, KY	Latitude 38°09'36", Longitude 85°32'32" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 11.6 square miles
EFFCR002	CHEN Run #1 @ Ruckriegel PKWY	Chenoweth Run of Floyds Fork 1200 feet upstream of JTWQTC Effluent (eliminated 2016)	3298135	Chenoweth Run at Ruckriegel Parkway, KY	Latitude 38°11'41", Longitude 85°33'26" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 5.47 square miles
EFFFF003	Floyds FK @ Old Taylorsville RD	Floyds Fork ~4.5 miles downstream of FFWQTC	3298000	Floyds Fork at Fisherville, KY	Latitude 38°11'18", Longitude 85°27'37" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 138.0 square miles Datum of gage: 542.60 feet above sea level NGVD29.
EFFFF002	Floyds FK @ Bardstown RD	Floyds Fork ~1 mile before leaving Jefferson County	3298200	Floyds Fork near Mt Washington, KY	Latitude 38°05'07", Longitude 85°33'18" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 213.0 square miles
EGCGC001	Goose CK @ Old Westport RD	Goose Creek ~7 miles upstream of confluence with the Ohio River	3292474	Goose Creek at Old Westport Rd near St Matthews, KY	Latitude 38°16'33", Longitude 85°36'22" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 6.0 square miles Datum of gage: 552.15 feet above sea level NGVD29.
EGCGC002	Goose CK @ US HWY 42	Goose Creek ~2.5 miles upstream of confluence with the Ohio River	3292475	Goose Creek at Us Hwy 42 near Glenview Acres, KY	Latitude 38°18'12", Longitude 85°37'41" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 10.1 square miles
EGCLG001	Little Goose CK @ US H'way 42	Little Goose Creek ~2.5 miles upstream of confluence with Goose Ck @ the Ohio River	3292480	Little Goose Creek near Harrods Creek, KY	Latitude 38°18'45", Longitude 85°37'33" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 5.8 square miles Datum of gage: 459.93 feet above sea

					level NGVD29.
EHCWP002	Wolf Pen Branch @ 8200 WPB RD2	Wolf Pen Branch ~1 mile upstream of confluence with Harrods Creek	None	(MSD- only location)	Drainage Area: 2.1 Square Miles.
EMCMC001	Mill CK @ Orell RD	Mill Creek less than 2 miles from the confluence with the Ohio River	3294570	Mill Creek at Orell Road near Louisville, KY	Latitude 38°04'41", Longitude 85°53'24" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 13.5 square miles
EMCMX001	MX @ Old Cane Run RD	Mill Creek Cutoff ~1 1/2 miles upstream of the confluence with the Ohio River. Sonde removed due to low flow.	3294550	Mill Creek Cutoff near Louisville, KY	Latitude 38°10'39", Longitude 85°52'01" Jefferson County, Kentucky Hydrologic Unit Code 05140101 NAD27 Drainage area 24.4 square miles Contributing drainage area 24.4 square miles
EMIMI002	MIFBGC @ Old Cannons LN	Middle Fork Beargrass Creek upstream of Seneca and Cherokee Parks	3293000	M Fk Beargrass Cr at Old Cannons Ln at Louisville, KY	Latitude 38°14'14", Longitude 85°39'53" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 18.9 square miles Contributing drainage area: 18.4 square miles, Datum of gage: 476.70 feet above sea level NGVD29.
EMIMI009	MIFBGC @ Browns LN	Middle Fork Beargrass Creek downstream of Beechwood Village	None	(MSD- Only Location)	Drainage Area: 15.2 Square Miles.
EMIMI010	MIFBGC @ Lexington RD 2	Middle Fork Beargrass Creek downstream of Cherokee Park, in Sewer Separation Area/MS4-CSS	3293500	M Fork Beargrass Cr At Lexington Rd at Louisville, KY	Latitude 38°15'01", Longitude 85°43'00" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 24.8 square miles
ESFSF001	SFBGC @ Trevillian Way	South Fork Beargrass Creek upstream of CSS area	3292500	South Fork Beargrass Creek At Louisville, KY	Latitude 38°12'41", Longitude 85°42'09" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 17.2 square miles Datum of gage: 448.60 feet above sea level NGVD29.
EMUMU001	MUFBGC @ Mockingbird Val RD	Muddy Fork Beargrass Creek ~1.5 miles upstream of confluence with the Main Stem BGC.	3293530	Muddy Fork at Mockingbird Valley Rd At Louisville, KY	Latitude 38°16'35", Longitude 85°41'37" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 6.2 square miles
EPCBC001	Brier CK.@ Bear Camp RD	Brier Creek ~2 miles upstream of confluence with Pond Creek	3302050	Brier Creek at Pendleton Road near Louisville, KY	Latitude 38°02'52", Longitude 85°51'26" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 4.1 square miles
EPCFC001	Fern CK @ Old Bardstown RD	Fern Creek headwaters upstream of Wildwood lakes	3301900	Fern Creek at Old Bardstown Rd at Louisville, KY	Latitude 38°10'32", Longitude 85°36'55" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 3.5 square miles
EPCND001	Northern DT@ Preston HWY	Northern Ditch ~5 miles upstream of confluence with Pond Creek	3301940	Northern Ditch at Okolona, KY	Latitude 38°09'01", Longitude 85°41'37" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 11.1

					square miles Datum of gage: 447.50 feet above sea level NGVD29.
EPCPC001	Pond CK@ Manslick RD	Pond Creek ~15 1/2 miles upstream of confluence with the Salt River	3302000	Pond Creek near Louisville, KY	Latitude 38°07'11", Longitude 85°47'45" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 64.0 square miles Datum of gage: 430.38 feet above sea level NGVD29.
EPCPC002	Pond CK @ Pendleton RD	Pond Creek ~7 miles upstream of confluence with the Salt River	3302030	Pond Creek at Pendleton Road near Louisville, KY	Latitude 38°03'15", Longitude 85°52'18" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 80.3 square miles
EPRPR001	Penn Run @ Mt. Washington Rd	Pennsylvania Run ~1/2 mile before leaving Jefferson County	3298300	Pennsylvania Run at Mt Washington Rd near Louisville, KY	Latitude 38°05'15", Longitude 85°38'33" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 6.4 square miles
Upstream Sites for MS4 Jurisdiction Background Monitoring					
EFFFF001	Floyds FK @ Ash. AVE	Floyds Fork near Jefferson/Oldham County line.	3297900	Floyds Fork Near Pewee Valley, KY	Latitude 38°17'07", Longitude 85°28'03" NAD27 Oldham County, Kentucky, Hydrologic Unit 05140102 Drainage area: 80.0 square miles Contributing drainage area: 79.9 square miles,
EHCHC001	Harrods CK @Covered Bridge RD	Harrods Creek upstream before entering Jefferson County from Oldham Co.	3292470	Harrods Creek At Highway 329 Nr Goshen, Ky.	Latitude 38°21'42", Longitude 85°34'30" NAD27 Oldham County, Kentucky, Hydrologic Unit 05140101 Drainage area: 70.3 square miles Datum of gage: 439.70 feet above sea level NGVD29
Lower Beargrass downstream from MS4, in CSS impact area.					
ESFSF002	SFBGC @ Mason Avenue	South Fork Beargrass Creek concrete conveyance channel in CSS area	3292557	S Fk Beargrass Creek at Mason Ave at Louisville, Ky	Latitude 38°14'29", Longitude 85°44'13" NAD83 Jefferson County, Kentucky, Hydrologic Unit 05140101 Drainage area: 22.8 square miles (No flow gage at this location)
ESFSF006	SFBGC@ Brownsboro Road	Main Stem Beargrass Creek upstream from Beargrass Creek Pump Station	None	(USGS Gage is located downstream from MSD sample collection site-see 3293510)	Latitude 38°15'37", Longitude 85°43'06" Drainage area: 51.5 square miles
ESFSF014	(Sonde only, no samples collected)	Mouth of BGC @ Ohio River	3293510	Beargrass Creek at River Road at Louisville, KY	Latitude 38°16'01", Longitude 85°43'17" NAD27 Jefferson County, Kentucky, Hydrologic Unit 05140102 Drainage area: 60.1 square miles Datum of gage: 412.18 feet above sea level NGVD29.



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

AARON B. KEATLEY

December 29, 2016

Natalie Ellington
EPA Region 4
Sustainable Communities and Watershed Branch
61 Forsyth Street, SW
Atlanta, GA 30303

Re: Response to Public Notice Comments
KPDES No.: KYS000001
AI No.: 8235
Jefferson County, Kentucky

Dear Ms. Ellington:

Your comments concerning the above-referenced draft permit have been reviewed and responses prepared in accordance with Kentucky Pollutant Discharge Elimination System (KPDES) regulation 401 KAR 5:075, Section 12. The comments have been categorized and briefly described below and our responses to those comments follow:

Comments Regarding the Fact Sheet

Comment 1: Fact Sheet, Page 4, commenter requests the fact sheet be revised to update “40 CFR §122” references to be consistent with NPDES CFR for Phase I communities.

Response 1: The Fact Sheet has been revised to be consistent with NPDES CFR for Phase I MS4 communities.

Comment 2: Fact Sheet, Page 4, commenter requests removing the word “small” from “small MS4s”.

Response 2: The Fact Sheet has been revised by removing the word “small” or “small MS4s”.

Comment 3: Fact Sheet, Page 4, commenter requests global removal of references to “six categories”, “minimum control measures”, and “six MCMs” for consistency with Phase 1 program elements throughout the Fact Sheet.

Response 3: The Fact Sheet has been revised by removing global references to “six categories”, “minimum control measures”, and “six MCMs”.

Comment 4: Fact Sheet, Page 10, commenter suggests defining the term co-permittee or amending the definition of permittee to be inclusive of all co-permittees under this individual permit.

Response 4: The Fact Sheet has been revised to include the term co-permittee as a definition.

Comment 5: Fact Sheet, Page 13, commenter requests a global change to remove references to “general” permit and use “individual” permit throughout the Fact Sheet.

Response 5: The Fact Sheet has been revised by removing the references to “general” permit and is using the term “individual permit”.

Comment 6: Fact Sheet, Page 14, commenter requests a global change to remove “small” throughout the Fact Sheet.

Response 6: The Fact Sheet has been revised by removing the term “small” throughout the Fact Sheet.

Comment 7: Fact Sheet, Page 15, commenter requests the removal of “The Division of Water may require small MS4s to obtain an individual MS4 permit”.

Response 7: The Fact Sheet has been revised by removing the sentence “The Division of Water may require small MS4s to obtain an individual MS4 permit.”

Comment 8: Fact Sheet, Page 15, commenter requests the removal or update of “Error! Reference source not found”.

Response 8: The Fact Sheet has been revised by removing “Error! Reference Source not found”

Comments Regarding the Permit Section 1. Applicability

Section 1.2 Co-Permittees

Comment 9: Permit, Page 5, Section 1.2, commenter suggests that the permit include co-permittee responsibilities language from the inter-local agreements.

Response 9: The Permit has been revised and has included the language from the inter-local agreement that refers specifically to the responsibilities of the MS4 permit.

Section 1.3 Obtaining Authority

Comment 10: Permit, Page 5, Section 1.3, commenter suggests removing the section “Obtaining Authority” as the Notice of Intent (NOI) and General Permit authorization does not apply in this individual permit. Further, remove reference to the NOI in the rest of the permit.

Response 10: The Permit has been revised to reflect the reapplication process for Phase I permittees.

Comment 11: Permit, Page 5, Section 1.3, commenter suggests moving the following language “Within 180 days of the effective date of this permit, all operators of the regulated MS4s shall submit a revised SWQMP that reflects any necessary changes to the stormwater quality management program to become compliant with this general permit, including any necessary compliance schedules.” to the Stormwater Quality Management Plan (SWQMP) Section.

Response 11: The Permit has been revised to move the SWQMP language to the SWQMP section.

Comments Regarding the Permit Section 2. Permit Requirements

Section 2.1 Legal Authorities

Comment 12: Permit, Page 7, Section 2.1, commenter requests removal or revision of the sentence “For newly-designated MS4s, this legal authority must be established within 24 months of notice of permit coverage”. That language sounds more relevant to a newly-designated Phase II MS4 seeking coverage under a general permit, whereas Louisville MSD is an existing Phase I permittee.

Response 12: The Permit has been revised by removing the language in question.

Section 2.2 Stormwater Quality Management Plan

Comment 13: Permit, Page 8, Section 2.2, commenter requests updating the language “program elements that address public education and outreach, public participation and involvement, illicit discharge detection and elimination, construction site runoff control, post-construction stormwater management for new development and redevelopment, and good housekeeping and pollution prevention in municipal operations.” for consistency with individual permit program elements identified in the permit tables.

Response 13: The Permit has been revised by updating the language concerning program elements to be consistent with the permit tables.

Comment 14: Permit, Page 8, Section 2.2, commenter requests removing the “Error! Reference source not found” or correct the link.

Response 14: The Permit has been revised by removing the aforementioned erroneous link.

Section 2.2.1. Public Education, Outreach, Participation And Learning Experiences (People)

Comment 15: Permit, Page 7, Section 2.2.1. (2), commenter requests the grammatical error in the first sentence of Section 2.2.1.1. to “*The permittee shall continue to implement and the expansion of a public education program...*”

Response 15: The Permit has been revised to correct this grammatical error.

Section 2.2.2 Illicit Discharge Detection and Elimination (IDDE)

Comment 16: Permit, Page 8, Section 2.2.2., commenter suggests the permit should include a requirement for the permittee to identify priority areas. This may already be addressed in Table 2 for follow-up screening of suspect outfalls; however, the permittee could use a list of suspect areas from the existing permit cycle to prioritize the order for conducting dry weather screenings under the new permit cycle.

Response 16: The Permit has been revised to include a requirement for the permittee to identify priority areas.

Section 2.2.3 Industrial Stormwater Program

Comment 17: Permit, Page 8, Section 2.2.3. (3), commenter suggests editing to the following: “The permittee shall identify *and review the efficacy of Risk Factors...*”

Response 17: The Permit has been revised to include the commenter’s suggested language.

Comment 18: Permit, Page 8, Section 2.2.3. (3), commenter suggests editing to the following: “The identification of facilities shall be completed and submitted with the Annual Report *at least once over the permit term or as required.*”

Response 18: The Permit has been revised to include the commenter’s suggested language.

Comment 19: Permit, Page 9, Section 2.2.3. (4), commenter suggests adding the language “*At least once over the permit term, the permittee shall compare the datasets...*”

Response 19: The Permit has been revised to include the commenter’s suggested language.

Comment 20: Permit, Page 9, Section 2.2.3. (5), commenter suggests editing (5) to “The permittee shall update the lists of HRIFs at least once over the permit term,”

Response 20: The Permit has been revised to include the commenter’s suggested language.

Comment 21: Permit, Page 9, Section 2.2.3. (6), commenter suggests editing “high priority” and “high risk”.

Response 21: The Permit has been revised to include the commenter's suggested edits.

Comment 22: Permit, Page 8, Section 2.2.3. (6), commenter suggests the permit could be more explicit with its requirement to ensure that those responsible for conducting inspections at industrial and commercial facilities be adequately trained to do so. Such requirement could be added to Section 2.2.3. of the permit or the enforcement/inspections task under Table 3 could be expanded to include a training component. Any training and follow-up refresher training could be documented in the annual report.

Response 22: The Permit has been revised to include the commenter's suggested language.

Comment 23: Permit, Page 9, Section 2.2.3. (7), commenter suggests the removal of references to Spill Prevention, Control and Countermeasures and Groundwater Protection Plans and inserting the language "*similar plans*". Also, at the end of the same sentence, add "*in order to meet Federal and State requirements*".

Response 23: The Permit has been revised to include the commenter's suggested language,

Section 2.2.5 Post-Construction Stormwater Management in New Development and Redevelopment

Comment 24: Permit, Page 10, Section 2.2.5. (6), commenter suggests removing the word "all", as MSD has Long Term Maintenance Operations Agreements "LTMOAs" that document inspections for developments that meet the Water Quality (WQ) standard per the Wastewater/Stormwater Discharge Regulations (WDRs).

Response 24: The Permit has been revised to include the commenter's suggested language.

Comment 25: Permit, Page 10, Section 2.2.5. (6), commenter states that the draft language currently states "The permittee shall continue to administer an on-site stormwater runoff quality treatment standard, to be adopted by ordinance or other regulatory mechanism for all new development and redevelopment projects at any location within Louisville Metro. The proposed local standard will require, in combination or alone, management measures are designed, built, and maintained to infiltrate, evapo-transpirate, harvest and reuse stormwater runoff quality. The standard shall be based, at a minimum, on an analysis of precipitation records to determine the equivalent surface depth of runoff (e.g. 0.60 inches) produced from an 80th percentile rain event." However, no language is included to provide clear goals of this water quality standard. The commenter suggests identifying target pollutants of concern as well as target removal efficiencies (i.e., 80% TSS removal) as part of the post-construction water quality requirements. A

clearly defined water quality goal will ensure municipalities understand required performance of implemented BMPs as well as aid communities in developing a clear post-construction regulation.

Response 25: The permittee is being held to the same standard as other MS4s in Kentucky. The 80th percentile storm is the accepted standard used for encouraging and implementing green infrastructure practices and controls.

Section 2.4. Total Maximum Daily Loads and Impaired Waters

Comment 26: Permit, Page 12, Section 2.4.1., commenter suggests this section of the permit should be expanded to include an adaptive management requirement to ensure that the implementation of structural and non-structural best management practices (BMPs) make progress towards achieving any applicable wasteload allocation (WLA). An assessment or evaluation of the BMPs will inform the permittee of whether additional or new BMPs are needed. Part of this assessment could be to establish a base line of instream water quality and conduct monitoring to measure any improvements. Such monitoring may already be captured through the long-term monitoring network trends, but an explicit requirement for reporting out trends attributed to TMDL implementation efforts should be added to the permit.

Response 26: The Permit has been revised to include the commenter's suggested language.

Comment 27: Permit, Page 12, Section 2.4.2., commenter suggests changes the date of the "2014 Integrated Report to Congress on the Condition of Water Resources in Kentucky Volume II. 303(d) List of Surface Waters" and subsequent publications. The 2012 report is the most recent Integrated Report.

Response 27: The "2014 Integrated Report to Congress on the Condition of Water Resources in Kentucky Volume II. 303(d) List of Surface Waters" has been approved by the EPA and therefore is the most recent Integrated Report.

Comment 28: Permit, Page 13, Section 2.4.3., commenter suggests clarification of the language on the 28 Long-Term Monitoring Network (LTMN) sites do not all service Total Maximum Daily Loads (TMDLs) streams. Commenter suggests removing the number "28" and editing to the following: "...composed of the existing servicing waters with an approved TMDL..."

Response 28: The Permit has been revised to include the commenter's suggested language.

Comment 29: Permit, Page 13, Section 2.4.3., a commenter notes that the Fact Sheet states the TMDL will be implemented to the Maximum Extent Practicable (MEP) whereas this section of the Permit states using "adaptive management". Commenter suggests an adjustment in the permit to MEP as MEP is the standard for the MS4 program.

Response 29: The Permit has been revised to include the commenter’s suggested language.

Comment 30: Permit, Page 14 – Page 64, Tables, a commenter requests clarification to the reference “Part I-1, Section A”.

Response 30: The Permit’s tables have been revised to include the correct reference.

Comment 31: Permit, Page 20, Table 3, Row 3, a commenter suggests the removal the word “substantial” under the activity requirement for the Element Task – Industrial Facility Inventory as the term “substantial pollutant” since it has not been defined.

Response 31: The Permit has been revised to include the commenter’s suggested language.

Comment 32: Permit, Page 21, Table 3, Row 3, a commenter suggests editing High Risk Industrial Facilities (HRIF) and High Risk Hazard Materials Prevention Control (HMPC) Inspections to “Moderate Risk Facility” for accuracy.

Response 32: The Permit has been revised to include the commenter’s suggested language.

Comment 33: Permit, Page 21, Table 3, Row 3, a commenter suggests editing “the permittee shall inspect high priority” to “high risk” for consistency.

Response 33: The Permit has been revised to include the commenter’s suggested language.

Comment 34: Permit, Page 22, Table 3, Row 1, a commenter suggests adding a new “Third Party Oversight Inspection” program Element Task; moving the following to a new program Element Task: “The permittee shall utilize third party inspections for development of recommendations of efficacy of permittee inspections and enforcement. Updates to training materials shall be administered for permittee personnel at least once per year, if necessary.” and adding the following frequency or measurement of success “Document training materials and the number of third party inspections conducted.”

Response 34: The Permit has been revised to include the commenter’s suggested language.

Comment 35: Permit, Page 22, Table 3, Row 1, a commenter suggests editing “within six months of the permit issuance shall update the required criteria or procedures to comply with this measure.” to “Within six months of the permit issuance, the Permittee shall update, *if required*, the required criteria or procedures to comply with this measure.”

Response 35: The Permit has been revised to include the commenter’s suggested language.

Comment 36: Permit, Page 23, Table 4, New Row, a commenter suggests adding a new “Third Party Oversight Inspection” program element task including “The permittee shall utilize third party inspections for development of recommendations of efficacy of permittee inspections and enforcement. Updates to training materials shall be administered for permittee personnel at least once per year, if necessary.” and adding the following frequency or measure of success: “Document training materials and the number of third party inspections conducted”.

Response 36: The Permit has been revised to include the commenter’s suggested language.

Comment 37: Permit, Page 30, Table 5, Row 1, a commenter suggests updating the frequency or measure of success to include “assess or implement at least one restoration project per year”; and update activity required to reflect “MSD shall prioritize, design, or implement restoration practices on at least one stream segment per year.”

Response 37: The Permit has been revised to include the commenter’s suggested language.

Comment 38: Page 34, Page 34, Table 1, a commenter suggests updating the Long Term Monitoring Network (LTMN) quarterly data collection to include: Ambient monitoring for Total Suspended Solid (TSS); E. Coli; Total Nitrogen (as N) and pH. The commenter requests that the following parameters be removed from quarterly monitoring requirements:

- Total Dissolved Solids (TDS)
- Biochemical Oxygen Demand (BOD5)
- Chemical Oxygen Demand (COD)
- Oil and Grease
- Lead, Total Recoverable
- Cadmium, Total Recoverable
- Copper, Total Recoverable
- Zinc, Total Recoverable
- Dissolved Phosphorus
- Total Hardness
- Total Ammonia Nitrogen (as N) replaced with Total Nitrogen (as N), which is the total summation of the analytical results from Total Nitrates, Total Nitrites, and Total Kjeldahl Nitrogen (TKN).

Response 38: The Permit has been revised to include the following parameters for quarterly monitoring of the LTMN – total suspended solids (TSS), E. Coli, Total Nitrogen (as N), Copper, Total, Recoverable, Oil and Grease, and pH.

Any person aggrieved by the issuance of a permit final decision may demand a hearing pursuant to KRS 224.10-420(2) within thirty (30) days from the date of the issuance of this letter. Any demand for a hearing on the permit shall be filed in accordance with the procedures specified in KRS 224.10-420, 224.10-440, 224.10-470, and the regulations promulgated thereto. The request for hearing should be submitted in writing to the Energy and Environment Cabinet, Office of Administrative Hearings, 211 Sower Boulevard, Frankfort, Kentucky 40601 and the Commonwealth of Kentucky, Energy and Environment Cabinet, Division of Water, 300 Sower Boulevard, Frankfort, Kentucky 40601. For your record keeping purposes, it is recommended that these requests be sent by certified mail. The written request must conform to the appropriate statutes referenced above.

If you have any questions regarding these responses, please contact Abigail Rains, Surface Water Permits Branch, at (502) 782-7044.

Further information on procedures and legal matters pertaining to the hearing request may be obtained by contacting the Office of Administrative Hearings at (502) 564-7312.

Sincerely,

A handwritten signature in cursive script that reads "Peter T. Goodmann".

Peter T. Goodmann, Director
Division of Water

PTG:SJB:ALR

C: Mr. David Johnson
Development and Stormwater Services Director
700 West Liberty Street
Louisville, KY 40203

Ms. Angie Bidlack, PE
Contech Engineered Solutions, LLC
9025 Centre Pointe Drive, Suite 400
West Chester, Ohio 45069