

# MS-4 Report Card

Statewide and Region 3

## Statewide

419 Traditional MS-4s

91 Non-traditional MS-4s

## Region 3

134 Traditional MS-4s

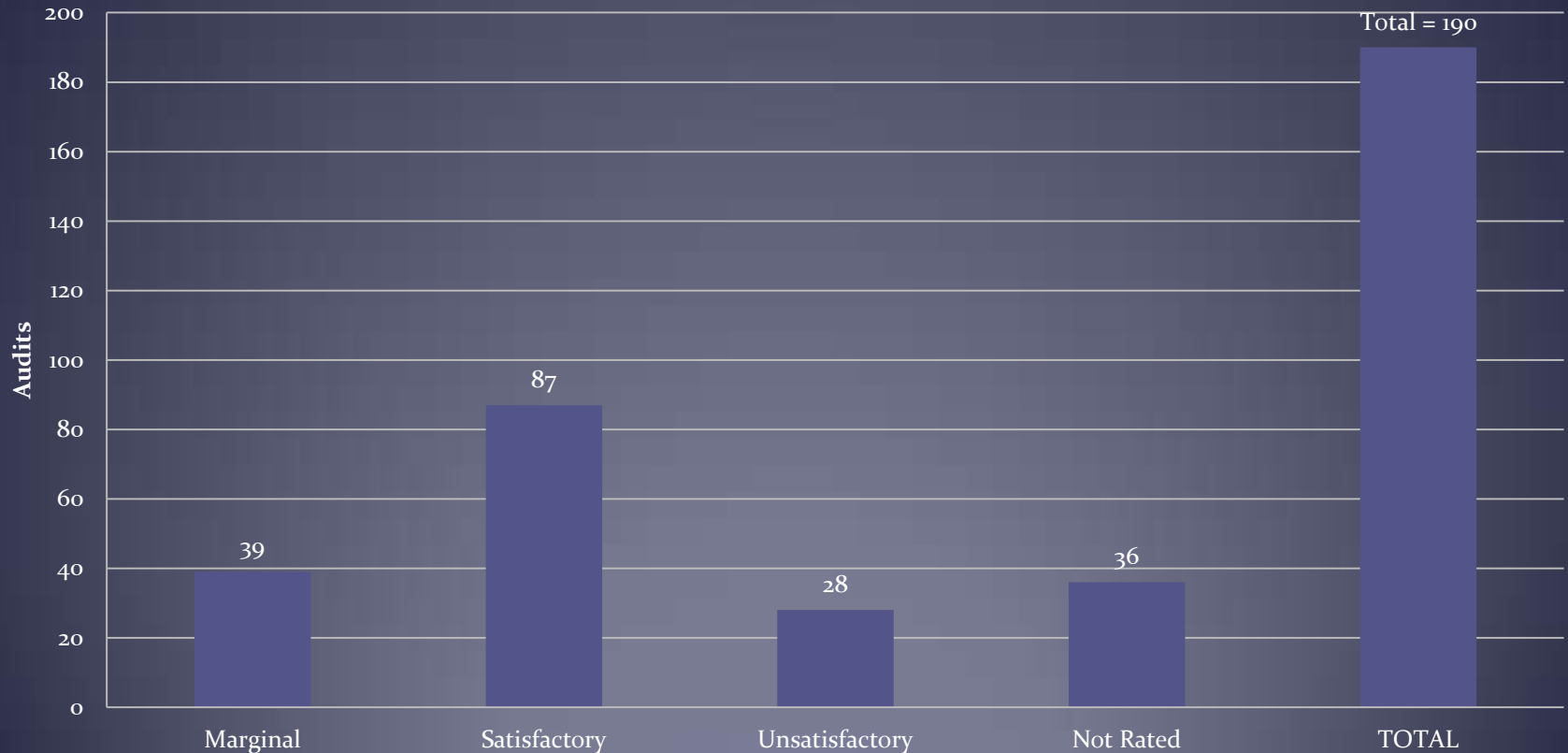
32 Non-traditional MS-4s

# Which MS-4s are audited?

- All MS-4s audited within 5 years
- EPA requires 10% per year
  - Our regional goal is 20%
- 41 audits performed in Region 3 last fiscal year
- MS-4 will receive letter
  - List of documentation needed
- All documents inspected

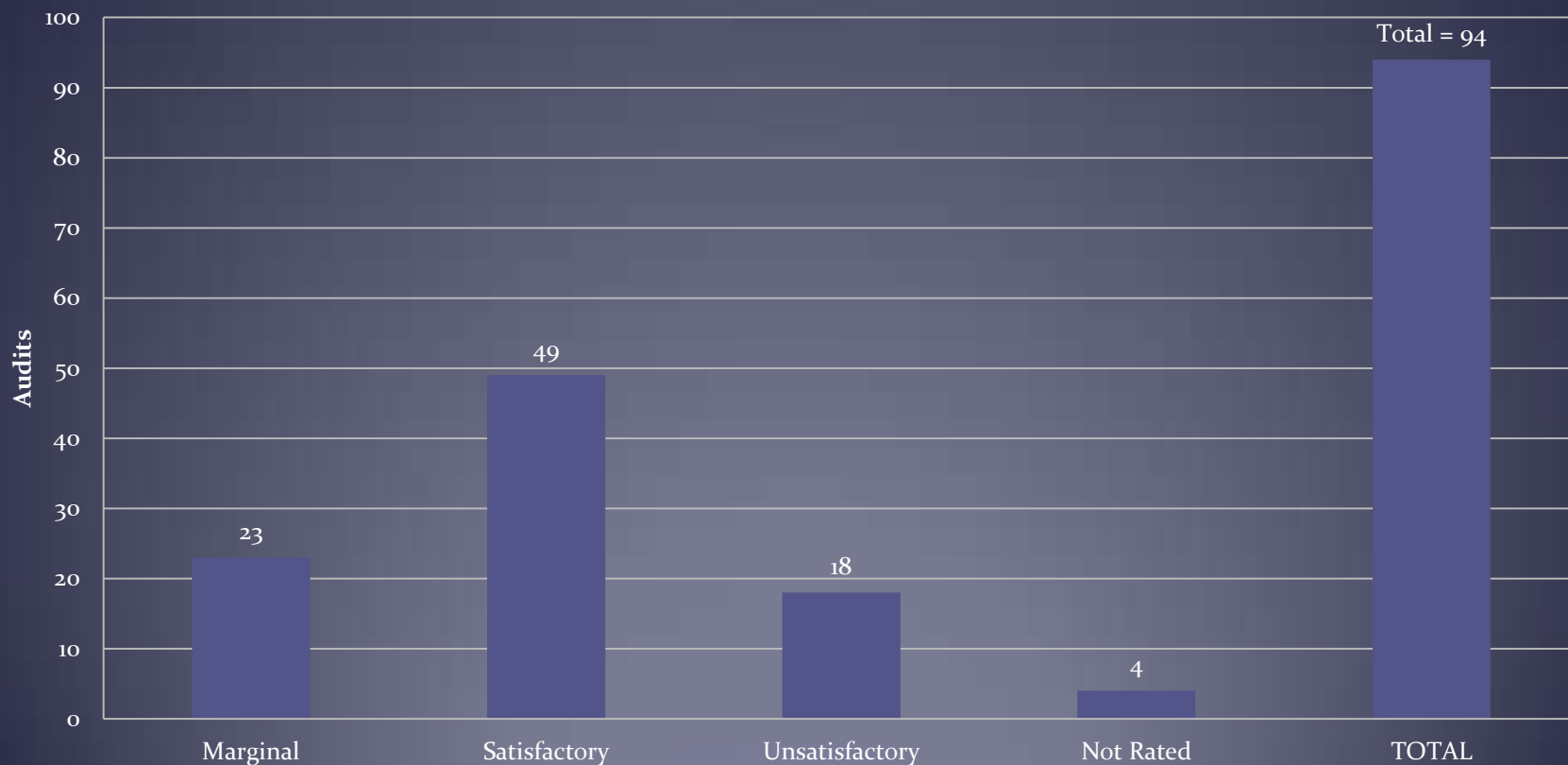
# Statwide Ratings

Results of all Audits conducted since 2007



# Region 3 Ratings

Results of all Audits conducted since 2007

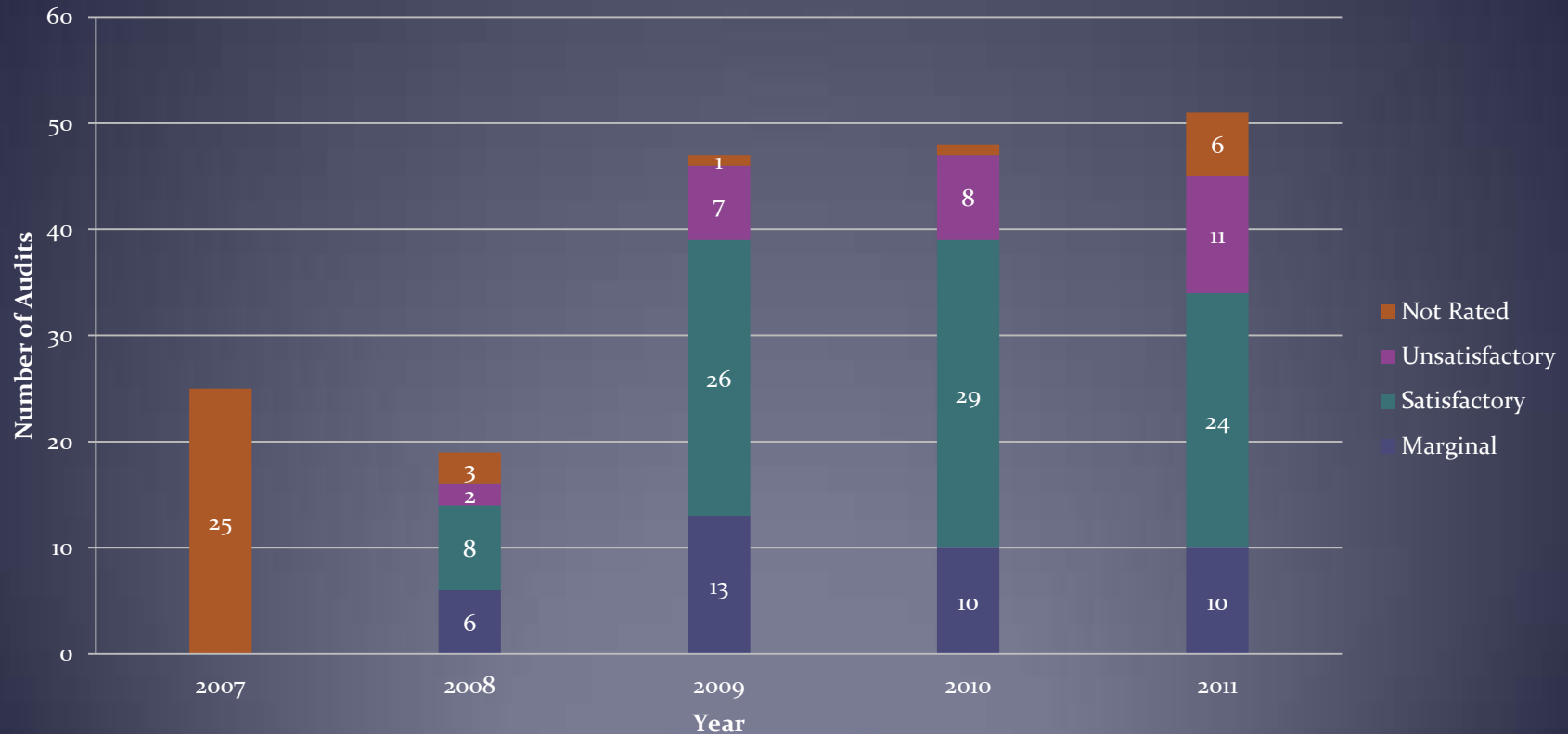


# Region 3 Ratings by Percent

- Satisfactory, 53%
- Marginal, 26%
- Unsatisfactory, 21%

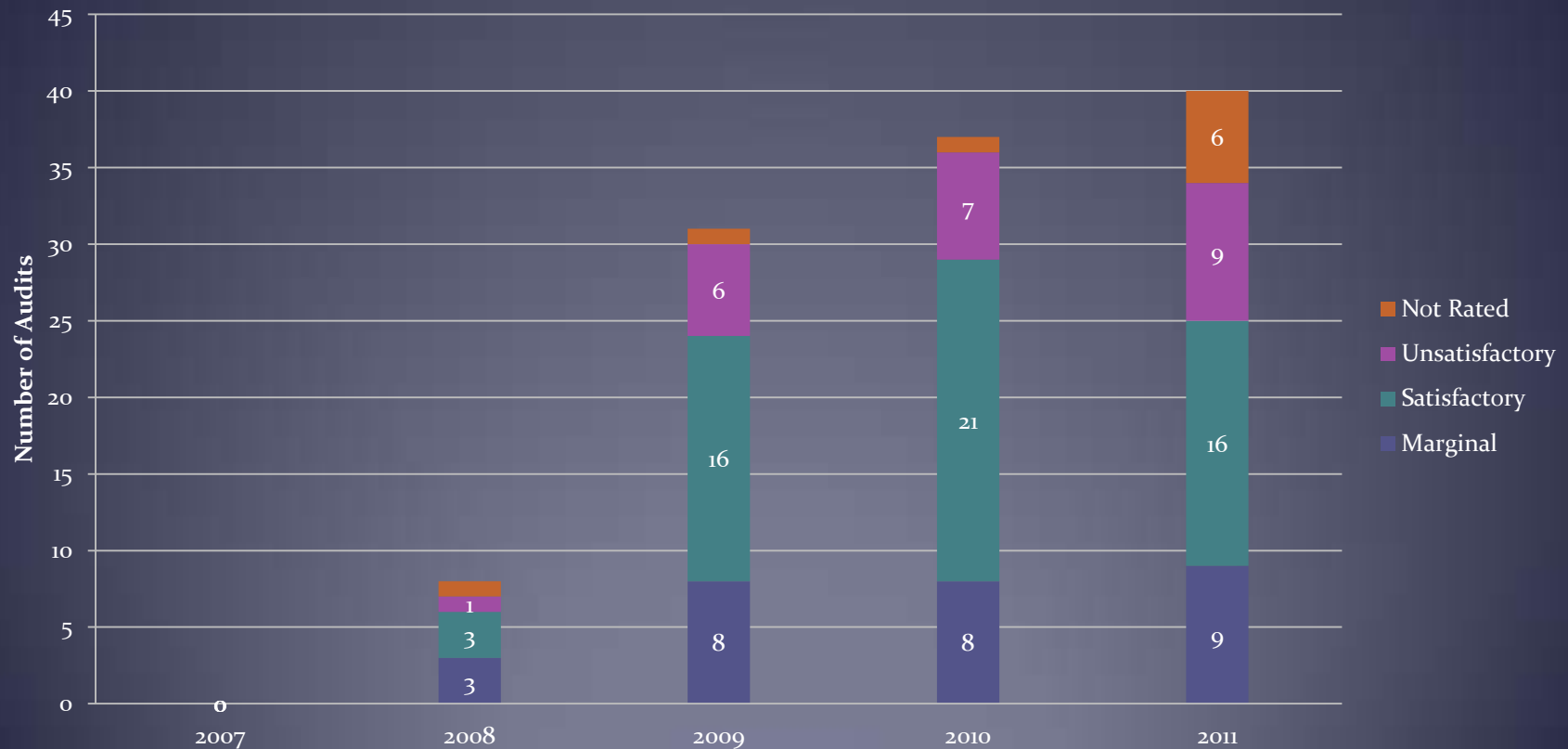
# Ratings by Year (Statewide)

## Results of Statewide Audits



# Ratings by Year (Region 3)

## Results of Region 3 Audits





# Notices of Violation

- Local stormwater ordinance: 10
  - Enforcement: 4
- Attorney certification of local stormwater ordinance: 5
- Outfall map: 3
  - Enforcement: 3
- Implementation of MM<sub>4</sub>: 2
  - Enforcement: 2
- Unpermitted SPDES outfall at DPW: 1
  - Enforcement: 1
- Floor drains in DPW garage: 2

# Notices of Violation, Annual Report

- Region 3 only
  - 2008- 37 NOVs
  - 2009- 30 NOVs and 2 executed consent orders
  - 2010- 19 NOVs and 1 executed consent order
  - 2011- 17 NOVs sent 8/22/11

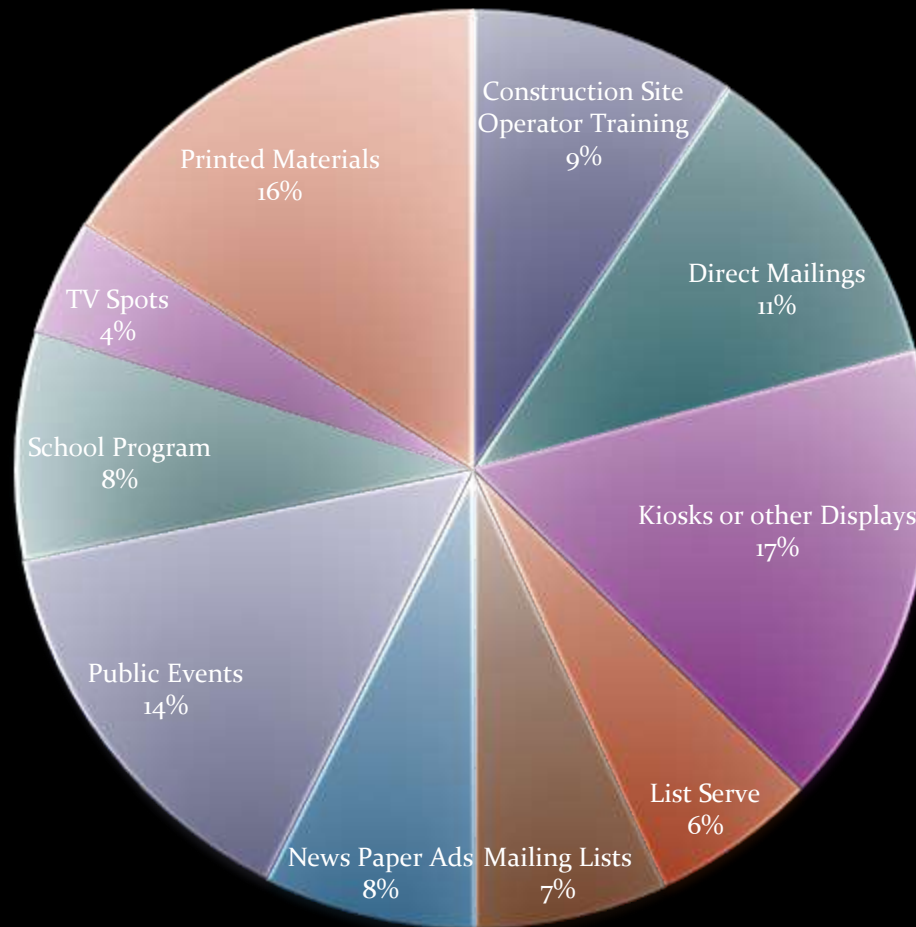
# EPA Notices of Violation

- Concentration on IDDE in Long Island Sound
- Sampling audits
- 5 NOVs and Consent Orders (no penalties)

# Common Deficiencies – MM1

- Brochures in town/village hall does not constitute a program
- Lack of documentation
- Silt and sediment are not always the pollutants of concern

# MCM 1: Public Education & Outreach Strategies Utilized

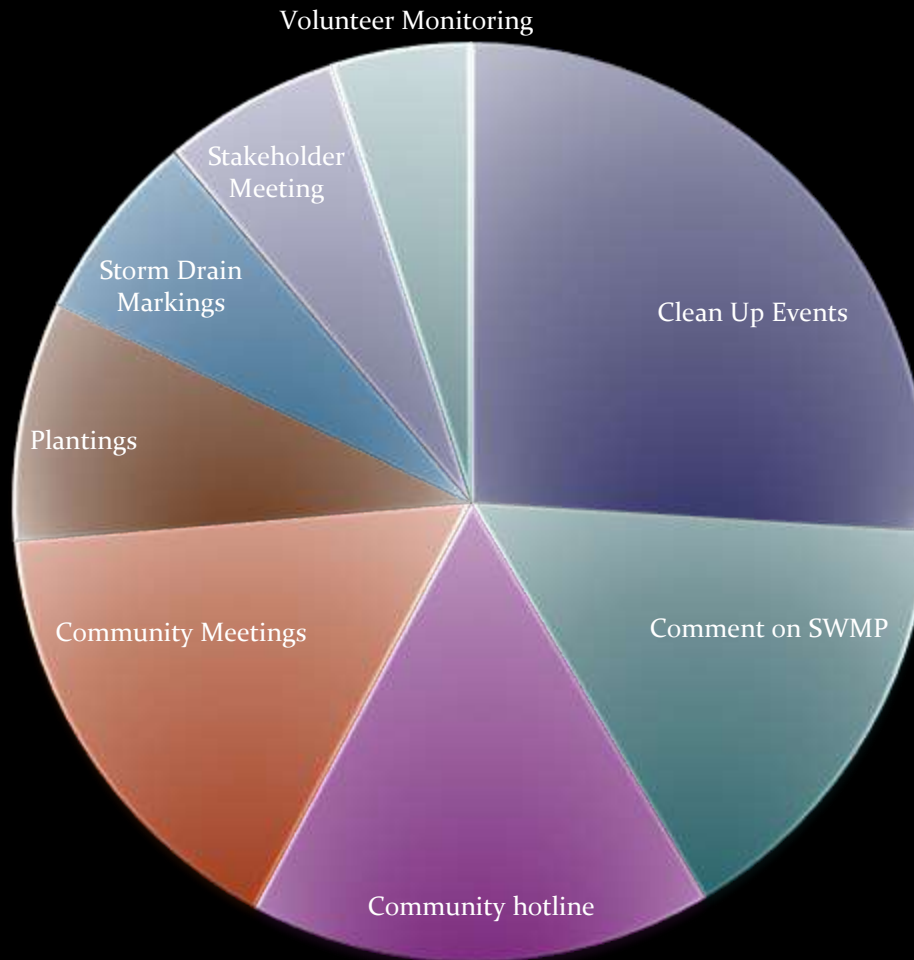


as  
reported in annual report for  
monitoring period ending March  
2011

# Common Deficiencies – MM2

- Lack of Documentation

# MCM 2: Opportunities for Public Participation Provided by MS4s



# MCM3: As of the latest annual report (statewide)....

- 67% MS4s have 100% STORM SEWER SHED MAPPED  
Of those that have not completed mapping only 33% have reported over 50% completed
- 56% report their Maps available in GIS
- 22% report their Maps are available on Web
- 94% have adopted a local law or developed IDDE procedures
- 85% traditional MS4s have certified equivalency with NYS Model IDDE Law
- 64% MS4 relevant staff have received IDDE training

# Common Deficiencies – MM3

- Attorney certification of local IDDE law
- Lack of documentation of dry weather surveys
- Name of stormwater public contact not published
- No mechanism for the public to report suspected illicit discharges
- Written procedures for IDDE program

# According to the most recent annual report (statewide)....

60% of MS4s report that they inspect all active construction sites more than once per year

94% of MS4s use the NYS Inspection Manual

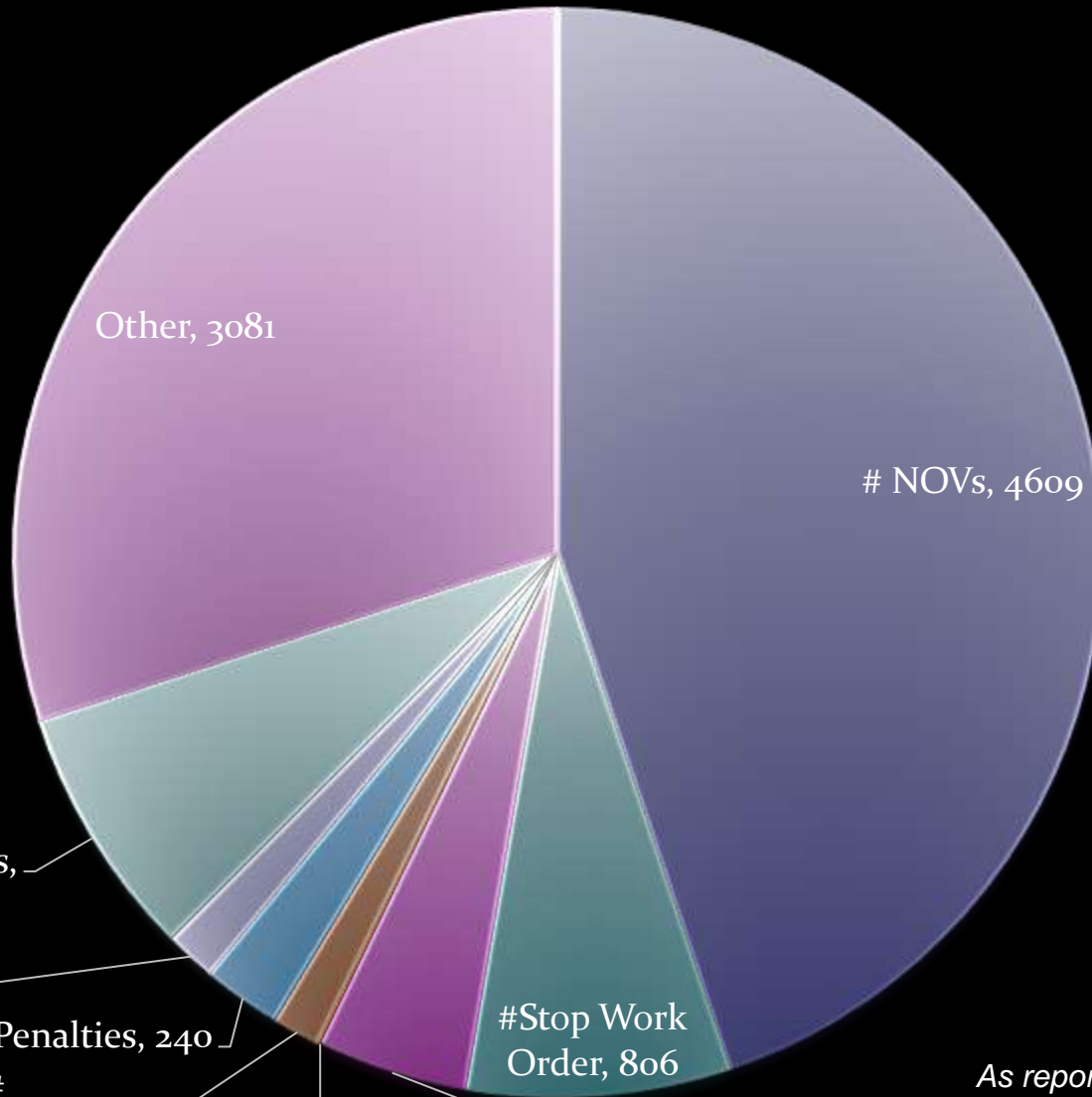
82% of all active construction sites inspected at least once per year.

76% have adopted a law or other regulatory mechanism

61% have documented equivalency to NYSDEC sample local law

91% have a SWPPP review procedure in place

# MCM 4&5: Total number of Enforcement Actions reported by MS4s



# Enforcement  
Actions or Sanctions,  
# 769

Administrative  
Orders, 158

# Civil Penalties, 240

#  
Administrative  
Fines, 146

# Termination  
of Contracts, 8

# Criminal Actions,  
458

As reported in Annual reports  
March 2008 thru March 2011

# Common Deficiencies – MM4

- Attorney Certification of Local Ordinance
- Documentation of construction site inspections
- Must extend the program to the MS-4's municipal boundary
- Must ensure contractors are trained

# According to the most recent Annual Reporting (statewide)....

- 25% MS4s track their post construction SMPs electronically
- 136 MS4s contribute to a regional watershed planning effort
- 9 MS4s report they have a Banking & Credit System
- 8 have a protocol for evaluation & approval of Banking & Credit
- 442 SMPs have been installed as part of the Banking & Credit Program
- 32% of Municipal Officials/MS4 staff have been trained in LID, BSD and other Green Practices

# Common Deficiencies – MM5

- No maintenance of privately owned practices
- No inventory of practices
- Must extend the program to the MS-4's municipal boundary

# Common Deficiencies – MM6

- Training!
- Documentation!!
- Written schedules for catch basin cleaning and street sweeping
- Keeping systems clear of blockages
- Highway Garage (and other facilities that require maintenance)
  - SWPPP
  - Subject to requirements of the Multi-Sector permit

# Overall Deficiencies

- Documentation
- Stormwater Management Plan

# Future audits

- Emphasis on issues specific to MS-4 types
  - Highly urbanized- IDDE
  - New development in areas with developable lands
  - Impaired watersheds (EOH, GWL, Oscawana)- retrofits