

Energy and Environment Cabinet
Department for Environmental Protection
Division of Water
MS4 Inspection Report

AI ID: 76203 **AI Type:** GOVT- City Agency/Organization (92)
AI Name: City of Murray
AI Address: 104 N 5th St Ste C
City: Murray, **State:** Kentucky **Zip:** 42071
County: Calloway **Regional Office:** Paducah Regional Office
Latitude: 36.610642 **Longitude:** -88.302929
Site Contact: James Oakley
Title: Stormwater Drainage Engineer **Phone #:** (270) 762-0330
Inspection Type: WW SW MS4 Audit **Activity #:** CIN20140001
Inspection Start Date: 09/24/14 **Time:** 09:00 AM **End Date:** 09/24/14 **Time:** 02:00 PM
Site/Permit ID: KYG200011

Lead DEP Investigator: Abigail Rains
Other DEP Investigators:
External Investigators:
Persons Interviewed: James Oakley

Overall Compliance Status: No Violations Observed

Investigation Results

SI: AIOO76203

SI Description:

Inspector Comment:

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee applied for the proper KPDES permit as required by the Division of Water (DOW)? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has received the proper permit - KYG200011.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a Stormwater Quality Management Plan (SWQMP) that includes the six (6) Minimum Control Measures? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a SWQMP in place.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee implemented a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on waterbodies and the steps that the public can take to reduce pollutants in stormwater runoff?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray uses brochures, cable access, website items such as pollution reduction, construction sites, and the stormwater utility. Murray works with Four River Basin Team workshops. Murray's slogan - Community Unity - the solution to pollution.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee implemented a method to comply with State, Tribal and local public notice requirements when implementing a public involvement/ participation program where the public is included in developing, implementing, and reviewing your storm water management program and that the public participation process should make efforts to reach out and engage all economic and ethnic groups to reduce pollutants in stormwater runoff?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has festivals, events, and they give away advertised t-shirts. Murray's James Oakley participates on the morning radio show talking about stormwater.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a storm sewer map, showing the locations of all outfalls and the names and locations of all waters of the United States that receive discharges from those outfalls?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray's map is broken up into 13 basins; 8 of which are digitized.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee passed an ordinance, or other regulatory mechanism, a prohibition on non-stormwater discharges into the MS4, and appropriate enforcement procedures and actions?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has passed an IDDE ordinance.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed and implemented a plan to detect and address non-stormwater discharges, including illegal dumping, into the MS4?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a written IDDE Plan.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed and implemented a plan to educate public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: General Public - website, public access channel, radio and television ads, signage, and events.
Public Employees - Same as public also they are required to watch stormwater educational videos.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed and implemented a plan to perform dry-weather screening on a representative amount of the outfalls (i.e. 20% per year)? The dry-weather screening shall include, at a minimum, the visual inspection of the discharge for indicators of pollutants. Indicators shall include odor, oil sheens, discoloration, and high degrees of siltation or aquatic plant growth. Where potential excessive pollutants are indicated, the permittee shall develop a plan to determine potential source(s) and eliminate the discharge. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has completed the dry-screening all of the stormwater outfalls.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee have a mechanism and protocols in place that provide for the public reporting of spills and other discharges. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray's hotline number is advertised on the website, radio ads, and television appearances.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee adopted ordinance or other regulatory mechanism, require the implementation of proper erosion and sediment controls, and controls for other wastes, on applicable construction sites?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Erosion Prevention and Sedimentation Control can be found in Section III Article 8.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee's ordinance contain 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 Permit for Stormwater Construction sites (KYR10)?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray's ordinance contains 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 Permit for Stormwater Construction sites (KYR10).

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee's adopted ordinance contain requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray's adopted ordinance contains requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee's adopted ordinance contain requirements for demonstration that a Notice of Intent for coverage under a stormwater construction general permit (KYR10), an application for a stormwater construction individual permit, or the Best Management Practices (BMPs) plan of a KPDES permit has been submitted for those sites one acre and greater?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray's adopted ordinance contains requirements for demonstration that a Notice of Intent for coverage under a stormwater construction general permit (KYR10), an application for a stormwater construction individual permit, or the Best Management Practices (BMPs) plan of a KPDES permit has been submitted for those sites one acre and greater.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee have an adopted ordinance, or other regulatory mechanism that establishes authority for site-plan review to affirm compliance with local ordinances, which incorporate consideration of potential water-quality impacts?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has an adopted ordinance, or other regulatory mechanism that establishes authority for site-plan review to affirm compliance with local ordinances, which incorporate consideration of potential water-quality impacts. James Oakley performs site-plan review.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee have an adopted ordinance, or other regulatory mechanism that establishes authority for receipt and consideration of information submitted by the public?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray's ordinance, or other regulatory mechanism establishes authority for receipt and consideration of information submitted by the public.

Requirement: Does the Municipal Separate Storm Sewer System (MS4) permittee have an adopted ordinance, or other regulatory mechanism that establishes authority for site inspections and enforcement of control measures? Factors such as the nature of construction activity, topography, and the characteristics of soils and receiving water quality should be considered in determining the frequency of inspection. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray performs site inspections.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed, implemented, and enforced a program to reduce pollutants in stormwater runoff from active construction sites?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a robust program.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a program that includes a permitting process with plan review to affirm compliance with local ordinances, and inspection and enforcement capabilities for all projects?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: James Oakley does site plan review.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a program that includes procedures for periodic inspections for all known permitted construction sites during construction to verify proper installation and maintenance of required erosion and sediment controls?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray does periodic inspections.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a program that includes the development and implementation of an enforcement strategy that includes escalating enforcement remedies to respond to issues of non-compliance?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has developed a program that includes the development and implementation of an enforcement strategy that includes escalating enforcement remedies to respond to issues of non-compliance.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a procedure to inventory projects and prioritize sites for inspection. The inventory should track the results of inspections and enforcement procedures taken, if any. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has developed a procedure to inventory projects and prioritize sites for inspection.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed a training program for

MS4 staff on the fundamentals of erosion prevention and sediment control and in how to review erosion and sediment plans or Stormwater Pollution Prevention Plans? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has developed a training program for MS4 staff on the fundamentals of erosion prevention and sediment control and in how to review erosion and sediment plans or Stormwater Pollution Prevention Plans by attending the training offered by the Kentucky Stormwater Association.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed procedures for providing educational and training measures for construction site operators? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: James Oakley has pre-construction meeting with the developers and contractors.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee adopted and implemented an ordinance, or other regulatory mechanism, that addresses post-construction stormwater runoff from active construction sites that disturb at least one acre, and projects that are less one acre that are part of a larger common plan of development or sale?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray performs periodic inspections for post-construction projects.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee implemented and enforced a program to address stormwater runoff from new development and redevelopment projects that disturb at least one acre, and projects less than one acre that are part of a larger common plan of development or sale, located within the MS4. The program shall apply to private and public developments, including roads. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has developed a program to address stormwater runoff from new development and redevelopment.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed and submitted to the Division of Water, an on-site stormwater runoff quality treatment standard for all new development and redevelopment projects? Within twelve (12) months of the effective date of the permit, the Municipal Separate Storm Sewer System (MS4) shall develop an on-site stormwater runoff quality treatment standard, to be adopted by ordinance or other regulatory mechanism for all new development and redevelopment projects. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has developed and submitted to the Division of Water, an on-site stormwater runoff quality treatment standard for all new development and redevelopment projects. The treatment standard is 0.70 inches.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee reviewed and evaluated municipal policies related to the building codes, or other local regulations, with a goal of identifying regulatory and policy impediments to the installation of green infrastructure, such as green roofs, porous pavements, water harvesting devices, grassed swales instead of curb and gutter, and downspout disconnection, within twelve (12) months of the effective date of the KYG20 permit?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has completed their Water Quality Score Card

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed and implemented project review, approval, and enforcement procedures for new development and redevelopment projects that disturb greater than one acre, and projects less than one acre that are part of a larger common plan of development or sale? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray requires project review, approval, and enforcement procedures for post-construction.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee implemented the requirements for project review and approval that include develop procedures for site-plan reviews and approvals and a required re-approval process when changes to stormwater management measures as required and develop procedures for a post-construction process to demonstrate and document that post-construction stormwater measures have been installed per design specifications, which includes enforceable procedures for bringing noncompliant projects into compliance?. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray requires reapproval if the plan is revised.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee required all new development and redevelopment to establish and enter into a long-term maintenance agreement and maintenance plan approved management practices for property owners? Alternatively, has the permittee established enforceable mechanisms for requiring long-term maintenance of structural and non-structural Best Management Practices (BMPs)? Such authorities

shall allow the permittee, 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 permittee, or its designee, to perform necessary maintenance or corrective actions neglected by the property owner/operator, and the authority to recover costs from the property owner/operator when the owner/operator has not performed the necessary maintenance. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Required on plans and is in ordinance.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee established and implemented procedures for annual inspection of a representative number of installed Best Management Practices (BMPs) for post-construction stormwater runoff control with the goal of completing an inspection of all BMPs within the MS4 during the permit cycle. Alternatively, has the permittee developed a program for property owner self-inspection documentation with oversight by the permittee or its designee? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has every BMP for post-construction inventoried and inspected.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee created a program to notify the Best Management Practice (BMP) owner or operator of deficiencies discovered during the annual inspection of the Best Management Practices (BMPs)? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray called the owner and lets them know maintenance is required. The state recommends a more formal way to inform the owner i.e. letter.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee conducted subsequent inspections to ensure completion of required repairs? If the repairs are not made, the permittee shall enforce its correction orders and if need be, perform the necessary work and assess against the owner the costs incurred for repairing the failing Best Management Practice (BMP). [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has abatement in the ordinance if needed.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed and implemented an Operations and Maintenance (O & M) program that includes a training component with the goal of preventing or reducing pollutant runoff from municipal operations? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a written O & M Plan.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee included employee training in the Operations and Maintenance (O & M) program to prevent and reduce stormwater pollution resulting from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, stormwater system maintenance, and green infrastructure maintenance. The permittee is encouraged to utilize training materials that are available from the EPA, the Division of Water (DOW), and other organizations. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a written O & M Plan.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed an Operations and Maintenance (O & M) program that includes an inventory of municipal facilities, maintenance activities, maintenance schedules, and on-going inspection procedures for structural and non-structural Best Management Practices (BMPs). [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a written O & M Plan.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee developed an Operations and Maintenance (O & M) program that incorporates procedures for properly disposing of waste (such as dredge spoil, accumulated sediments, floatables, and other debris) removed from separate storm sewers and other areas during maintenance activities. [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a written O & M Plan.

Requirement: Has the Municipal Separate Storm Sewer System (MS4) permittee established proper funding to accomplish the goals of the MS4 program including the implementation of the Stormwater Quality Management Plan? . [401 KAR 5:060 Section 8]

Compliance Status: C-No Violations observed

Comment: Murray has a stormwater utility fee of \$1.50 per month per household.

Documentation

- | | |
|---|--|
| <input type="checkbox"/> Photos taken | <input type="checkbox"/> Record of visual determination of opacity |
| <input type="checkbox"/> Documents obtained from facility | <input type="checkbox"/> Samples taken by DEP |
| <input type="checkbox"/> Samples taken by outside source | <input type="checkbox"/> Regional office instrument readings taken |
| <input type="checkbox"/> Request for Submission of Documents | <input type="checkbox"/> Other documentation |

Inspector:

Allegail Rains

Date: December 9, 2014