NPDES COMPLIANCE SECTION

Sediment and Erosion Control Conference 2023



NEBRASKA

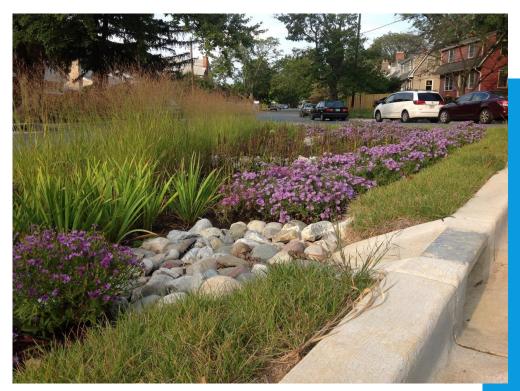
Good Life. Great Resources.

DEPT. OF ENVIRONMENT AND ENERGY

NDEE CONSTRUCTION SITE & MS4 INSPECTIONS



Permit Universe 2022 Summary 2023 Inspection Goals **Inspection Prioritization** Compliance **Enforcement**



PERMITTED UNIVERSE

1500 Active Construction Projects

- ~ 150 250 new projects/quarter
- ~ 150 notices of termination/quarter

28 MS₄ Permittees

24 municipal/county

4 nontraditional

no anticipated additional permittees



CONSTRUCTION STORM WATER/MS4 COMPLIANCE SUMMARY 2022

Inspections

6 MS₄ Inspections

70 Construction Storm Water Inspections

~ 70 storm water complaints

Letters of Noncompliance (LNCs)

27 Construction storm water

1 MS4

Assistance

- 1 MS4 compliance assistance visit
- 2 Outreach events





COMMON CONSTRUCTION STORM WATER DEFICIENCIES

Track out

Blowing trash

Lack of adequate erosion and sediment controls

Inadequate maintenance of controls

Sediment discharged off site

Concrete washout

Signage





MS4 OBSERVED DEFICIENCIES

SWMP not updated

Outreach material outdated with limited distribution.

Sampling of dry weather discharges

Employee training for the identification and response to illicit discharges is lacking or requires updating

Follow up on CSW enforcement actions

Monitoring of post construction BMPs

Pollution prevention and housekeeping







CONSTRUCTION STORM WATER INSPECTIONS 2023

50 Planned inspection in Fiscal Year 2023.

Priorities will include:

Construction sites 5 acres or more

Notifications of environmental concern from the public

Notice of terminations

Follow up inspections based on formal or informal enforcement

MS₄ not previously inspected

MS4 not inspected in the last 5 years



NDEE CONSTRUCTION STORM WATER INSPECTIONS WILL FOCUS ON:

Implementation and maintenance of controls and BMPs

Efficacy of erosion and sediment controls

Compliance with the Effluent Limitations Guidelines

Documentation and Records





MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)



Six (6) planned MS4 inspections through September 2023

Inspections will include evaluations of storm water management plan implementation

Attending MS₄ public involvement activity as invited or requested

Provide feedback or assistance on public education materials as requested

Provide compliance assistance as requested

NDEE OUTREACH AND ASSISTANCE

Work with stakeholders to improve compliance

MS4's

Permittees

Public

Create and improve guidance documents

Clarify requirements

Templates

Improve communication at the time of inspection

Site contacts





COMPLIANCE AND ENFORCEMENT

Significant noncompliance reduction

Certainty

Timeliness

Accountability

Return to compliance

Seeking voluntary compliance

Formal enforcement after 180 days

Applying these principle to storm water

Understand the systems

Avoid system traps



Thinking in Systems

Donella H. Meadows



