



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

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AUG 02 2016

Mr. Jay Hoskins, P.E., Manager
Environmental Compliance Programs
Metropolitan St. Louis Sewer District
2350 Market Street
St. Louis, MO 63103

Thank you for your comments to the Department of Natural Resources' Public Notice of the draft Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit, MOR040000. Please allow me the opportunity to respond to your comments received on May 5, 2016, which have been paraphrased in both the comment letter and the draft MS4 General Permit.

Comment #1: In section 2.1 we are requesting the submittal list be limited to the complete application and the Stormwater Management Plan. Specifically, the requirement to provide locations of outfalls and MS4 Boundary Points should be removed from this section.

Response #1: Section 2.1 of the MS4 general permit no longer requires the submittal of a map as requested, which is in line with federal regulation 40 CFR 122.34(d). However, it should be stated that the required applications for MS4s either as individual or co-permitted require a U.S. Geological Survey map showing location of the municipality/area in relation to local road systems and to indicate on the map the municipal/area boundary, receiving stream(s), all known stormwater outlets (i.e., outfalls), and the map's section, township, and range. Modifications to the department's applications to correct this issue will occur, however, not in the immediate future.

Comment #2: Please clarify that the deadline for the submittal of the Total Maximum Daily Load Assumption (TMDL) and Assumptions and Requirement Attainment Plan is 30 months from either the effective date of the permit or the date the U.S. Environmental Protection Agency approves or establishes the TMDL, and that the later date of the two is the determining factor. Also, please indicate that the TMDL and Assumptions and Requirement Attainment Plan due date may be extended by request of the permittee and with written approval of the department.

Response #2: Thank you for locating this discrepancy. The MS4 general permit will be modified as requested.

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Comment #3: In Section 4.2.5.1.4, please clarify that permittees are to inspect or require inspection of post-construction Best Management Practices (BMPs).

Response #3: The MS4 general permit has been modified, however, not exactly as requested. Section 4.2.5.1.4 has been split into an additional term and condition under 4.2.5.1.5. Section 4.2.5.1.4 now states, "An inspection plan with implementation schedules for post-construction BMPs." Section 4.2.5.1.5 states, "The permittee shall inspect or require the inspection of post-construction stormwater BMPs to ensure that all BMPs are implemented and effective."

Comment #4: The Table of Contents of the MS4 general permit do not match the outline of the permit conditions.

Response #4: The Table of Contents will be updated as requested.

Comment #5: Why is the outfall map and jurisdictional boundary map specifically called for here? Information submitted is part of a complete application and also as part of the Stormwater Management Plan.

Response #5: The requirement for the outfall and jurisdictional boundary map under Section 2.1 has been removed from the permit. It was initially determined to be needed and wanted, perhaps mistakenly by the MS4 permitted community due to comments during the November 30, 2015, MS4 Stakeholders Meeting.

Comment #6: Section 3.1.2.3 should be revised so it is consistent with Section 4.1.1.2, or vice versa.

Response #6: Thank you for finding this inconsistency. Section 4.1.1.2 has been corrected to be consistent with Section 3.1.2.3.

Comment #7: The MS4 general permit's fact sheet Part II – Permitted Features along with paragraphs four, five and six as they suggest the details are reviewed if the permit application is revised.

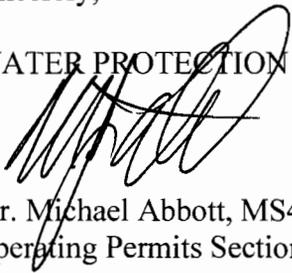
Response #7: This portion of the fact sheet was written to remove duplicity due to the fact that permit writers were listing the outfalls in the fact sheet as well as the permit's certification page. However, it is understood how this part of the fact sheet could lead to the reader understanding that the permittee is to provide all of the information listed under the outfall portion under the Facility Description of the permit's certification page. The fact sheet has been revised as requested.

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Your comments on the MS4 general permit are very much appreciated. If you have any further questions regarding this letter, please feel free to contact me by phone at (573) 526-1139 or by e-mail at michael.abbott@dnr.mo.gov.

Sincerely,

WATER PROTECTION PROGRAM



Mr. Michael Abbott, MS4 Coordinator
Operating Permits Section

MA/pc

c: Mr. James A. Eckrich, P.E., City of Chesterfield
Mr. Gary R. Kramer, P.E., City of Ballwin
Ms. Anne C. Lamitola, P.E., City of Ladue
Mr. Brian Petersen, City of Bridgeton
Mr. William L. Schwer, P.E., City of Ellisville



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AUG 02 2016

Mr. Steve Meyer, P.E., President
Association of Missouri Cleanwater Agencies
840 Boonville Avenue
Springfield, MO 65802

Thank you for your comments to the Department of Natural Resources' Public Notice of the draft Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit, MOR040000. Please allow me the opportunity to respond to your comments, which have been paraphrased, in the order received in your May 6, 2016, comment letter.

Comment #1: We ask that the MS4 general permit requirements to submit a map showing all MS4 outfalls be (1) limited to constructed outfalls, and (2) subject to compliance schedule as it will take most systems several years to accurately and completely identify all constructed outfalls in their system.

Response #1: Section 2.1 of the MS4 general permit no longer requires the submittal of a map as requested, which is in line with federal regulation 40 CFR 122.34(d). However, it should be stated that the required applications for MS4s either as individual or co-permitted require a U.S. Geological Survey map showing location of the municipality or area in relation to local road systems, and to indicate on the map the municipal/area boundary, receiving stream(s), all known stormwater outlets (i.e., outfalls), and the map's section, township and range. Modifications to the department's applications to correct this issue will occur prior to the next round of renewals for the MS4 general permit.

Your comments on the MS4 general permit are very much appreciated. If you have any further questions regarding this letter, please feel free to contact me by phone at (573) 526-1139 or by e-mail at michael.abbott@dnr.mo.gov.

Sincerely,

WATER PROTECTION PROGRAM

A handwritten signature in black ink, appearing to read "Michael Abbott", written over a horizontal line.

Mr. Michael Abbott, MS4 Coordinator
Operating Permits Section

MA/pc