Montana Department of
ENVIRONMENTAL QUALITY

Steve Bullock, Governor
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August 2, 2013

Ronald J. Alles City Manager
City of Helena
2218 East Custer
Helena MT 59601

RE: Municipal Separate Storm Sewer System (MS4) 2012 Annual Report Review
City of Helena, MPDES Permit #MTR040003

Dear Mr. Alles:

The Montana Department of Environmental Quality (The Department) has received the 2012 Annual Report for the City of Helena. This review includes an evaluation of the annual report to determine completeness, adequacy, and compliance with the *General Permit for Storm Water Discharge Associated with Small MS4*.

The enclosed review evaluates the answers in Sections A through P to determine if they are complete or incomplete; incorrect/inconsistent, redundant, or appropriate; or deficient (recommendation for improvement), or a potential violation/violation. Sections or items not detailed were determined to be complete based on the information provided in the annual report and there are no changes/updates necessary at this time.

Future annual reports are to be updated to address items identified as incomplete, incorrect/inconsistent, redundant, deficient/recommendation for improvement, or potential violation/violation. Changes and improvements to the Storm Water Management Program (SWMP) may be required to address these issues.

Please feel free to contact Kari Smith at (406) 444-6727 or karsmith@mt.gov or Chris Romankiewicz at (406) 475-2138 or cromankiewicz@mt.gov with any questions or comments.

Sincerely,

Kari Smith

Kari Smith, Supervisor
Compliance and Technical Section, Water Protection Bureau

cc: Kevin Hart, City of Helena Utility Maintenance Superintendent
Josh Vincent, Water and Environmental Technologies, PC

Attachments

MS4 2012 Annual

Report Review

City of Helena

PREPARED FOR:

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June 2013

Table of Contents

INTRODUCTION.....1

REVIEW FINDINGS.....1

SECTION D. WATER QUALITY PRIORITIES.....1

SECTION E. PUBLIC EDUCATION AND PUBLIC PARTICIPATION.....2

SECTION G. ILLICIT DISCHARGE ELIMINATION.....2

SECTION H. STORM WATER MANAGEMENT FOR MUNICIPAL OPERATIONS.....3

SECTION I. LONG-TERM (POST-CONSTRUCTION) STORM WATER MEASURES.....3

SECTION N. ADDITIONAL DETAILED INFORMATION: SUMMARY OF COMPLIANCE AND/OR STATUS OF SWMP 4

SECTION O. ADDITIONAL DETAILED INFORMATION: SUMMARY OF ACTIVITIES AND DESCRIPTION OF SWMP EFFECTIVENESS DURING PAST YEAR.....4

SECTION P. ADDITIONAL DETAILED INFORMATION: PLANNED ACTIVITIES AND CHANGES DURING NEXT YEAR. 5

INTRODUCTION

This review evaluates the answers in Sections A through P to determine if they are complete or incomplete; incorrect/inconsistent, redundant, or appropriate; or deficient (recommendation for improvement), or a potential violation/violation. Sections or items not detailed were determined to be complete based on the information provided in the annual report and there are no changes/updates necessary at this time.

REVIEW FINDINGS

SECTION D. WATER QUALITY PRIORITIES

Department Comments:

Question 2. The answer is incomplete. The impairments list must be expanded to include additional details listed on the Clean Water Act Information Center (CWAIC) website for two sites in Helena:

(1) Prickly Pear Creek – MT41006_030:
Alteration in stream-side or littoral vegetative covers
Ammonia (Un-ionized)
Arsenic
Cadmium
Copper
Lead
Low flow alterations
Nitrogen (Total)
Phosphorus (Total)
Physical substrate habitat alterations
Sedimentation/Siltation
Temperature, water
Zinc

(2) Tenmile Creek – MT41I006_143:
Alteration in stream-side or littoral vegetative covers
Arsenic
Cadmium
Copper
Lead
Low flow alterations
Mercury
Nitrogen (Total)
Nutrient/Eutrophication Biological Indicators
Phosphorus (Total)
Sedimentation/Siltation
Zinc

A complete list of impairments must be included in the annual report in order to appropriately target pollutants in the Storm Water Management Program (SWMP).

Question 4. The answer to Question 4 is incorrect. As per 75-5-103 MCA, Prickly Pear Creek and Ten Mile Creek meet the definition of "high-quality waters." "High-quality waters" mean all state waters, except:

(a) ground water classified as of January 1, 1995, within the "III" or "IV" classifications established by the board's classification rules; and

(b) surface waters that:

> (i) are not capable of supporting any one of the designated uses for their classification; or
>
> (ii) have zero flow or surface expression for more than 270 days during most years.

Since these water bodies do not meet any of these exceptions, they are high-quality waters; therefore, the answer to Question 4 should be yes.

SECTION E. PUBLIC EDUCATION AND PUBLIC PARTICIPATION

Department Comments:

Question 3. The answer provided does not address the question. Tasks and events were listed rather than quantifying outcomes. Additional information provided in Section L reported that "Quantitative effectiveness has not been evaluated." Helena must quantify specific successful outcomes fully or partially attributable to its public education program. References include: Administrative Indicators included in the MS4 Annual Report Form Instructions, Section O, and Measurable Goals (www.epa.gov/npdes/pubs/measurablegoals.pdf).

SECTION G. ILLICIT DISCHARGE ELIMINATION

Department Comments:

Question 7. The answer provided does not address the question. Helena provided a report of storm pipe and ditch inspected and cleaned rather than listing a frequency at which outfall inspections are conducted and any variations based on size/type. According to the General Permit II.B.3.b.iv., permittees must "*identify the plan to detect and address illicit discharges to the system, including discharges form illegal dumping and spills. This plan must include documented procedures for screening outfalls,*

including frequency..." Helena must have a plan that identifies frequency for screening outfalls for illicit discharges.

SECTION H. STORM WATER MANAGEMENT FOR MUNICIPAL OPERATIONS

Department Comments:

Question 1. All requirements have not been met. Storm water plans have not been developed for "all municipal turf grass/landscape management activities," "all municipal maintenance yards," "and all municipal waste handling and disposal areas." These facilities need storm water pollution prevention plans.

Question 3. The answer represents a violation of the General Permit conditions. According to the General Permit II.B.6.b., "*the permittee shall maintain documentation with respect to the decision process for the development of a pollution prevention/good housekeeping program for municipal operations...This documentation must include the following information at a minimum:*

iii. The program description must specifically address the following areas:

(a) Maintenance activities, maintenance schedules, and long-term inspection procedures (including frequency) for controls to reduce floatables and other pollutants to the permitted Small MS4..."

Helena must develop inspection procedures, including frequency, for the municipal facilities listed in Section H, Question 1.

SECTION I. LONG-TERM (POST-CONSTRUCTION) STORM WATER MEASURES

Department Comments:

Question 2. The answer needs improvement. Helena refers to its Engineering Standards which do not address the question. In future reports, Helena must summarize the section that addresses retrofit requirements.

Question 5. All requirements have not been met. Helena should include flow duration in pre-development hydrology performance or design standards.

Question 10. The answer is incorrect. In Section L (I.9) Helena states, "one private site had BMPs installed improperly..." The answer to this question should have been one.

Question 11. The answer provided does not address the question. Helena discussed ordinance revisions rather than a length of time given to operators to remedy deficiencies identified during inspections.

Question 16. The answer needs improvement. Helena states, "Staff will be trained on an as-needed basis going forward." Helena is encouraged to provide regular post-construction training for municipal employees.

SECTION N. ADDITIONAL DETAILED INFORMATION: SUMMARY OF COMPLIANCE AND/OR STATUS OF SWMP

Department Comments:

The following items are incomplete and need improvement.

1) Measurable goals should include the activity or BMP to be completed, a schedule or date of completion, and a quantifiable target to measure progress toward achieving the activity or BMP. The measurable goals listed do not include all the necessary components. A reference for Measurable Goals is www.epa.gov/npdes/pubs/measurablegoals.pdf.

2) Helena has provided nearly the same summary of compliance for three years (2010, 2011, and 2012). The compliance summary should be updated yearly to reflect updates and changes in the SWMP.

Future annual reports should be corrected to include all required information.

SECTION O. ADDITIONAL DETAILED INFORMATION: SUMMARY OF ACTIVITIES AND DESCRIPTION OF SWMP EFFECTIVENESS DURING PAST YEAR

Department Comments:

The following items are incomplete and need improvement.

1) Measurable goals need to include the activity or BMP to be completed, a schedule or date of completion, and a quantifiable target to measure progress toward achieving the activity or BMP. The measurable goals listed do not include all the necessary components. Results of measurable goals should then be reported in the *Quantitative Indicators Used and Results* row of the table.

2) In the *Quantitative Indicators Used and Results* row, Helena listed proposed activities that were scheduled but not completed. Section O is a description of SWMP effectiveness during the past year and should only include activities that occurred.

3) Quantitative indicators are used to help permittees assess if the SWMP is meeting goals and objectives. Environmental Indicators range from Physical and Hydrological (i.e., stream temperature monitoring), to Biological (i.e., macro-invertebrate

indicators), to Water Quality (i.e., toxicity testing). Administrative Indicators range from Social (i.e., public attitude surveys), to Programmatic (number of illicit connections identified and corrected), to Site (industrial site compliance monitoring) as detailed in the MS4 Annual Report Form Instructions. It is recommended that Helena use a wider variety of quantitative indicators, including both environmental and administrative.

4) In the *Impact on SWMP Effectiveness* row, "nearly 2,900 people were present....." was used in multiple control measure subsections. For some activities, this is not an appropriate effectiveness measure. In future reports, the impact on SWMP effectiveness should specifically target the activity.

5) Helena has provided nearly the same Summary of Activities for three years (2010, 2011, and 2012). The summary should be updated annually to reflect changes in the SWMP.

Future annual reports should be corrected to include all required information.

SECTION P. ADDITIONAL DETAILED INFORMATION: PLANNED ACTIVITIES AND CHANGES DURING NEXT YEAR

Department Comments:

The following are incomplete and need improvement.

1) Measurable goals need to include the activity or BMP to be completed, a schedule or date of completion, and a quantifiable target to measure progress toward achieving the activity or BMP. The measurable goals listed do not include all the necessary components.

2) Helena has provided nearly the same Planned Activities for three years (2010, 2011, and 2012). This section should be updated annually to reflect changes in the SWMP.

Future annual reports should be corrected to include all required information.