



# HCSWD

## HCSWD New TMDL Requirements



**BACKGROUND:** Section 303(d) of the Clean Water Act requires Ohio EPA to establish Total Maximum Daily Loads (TMDLs) for impaired waterbodies, which establish the maximum amount of pollutants allowed in a waterbody and serves as the starting point or planning tool for restoring water quality. TMDLs were established for the Lower Little Miami River and Mill Creek watersheds in 2011 and 2005, respectively, and Ohio EPA is likely to establish TMDLs for the Great Miami watershed in the near future. Ohio EPA's latest Small Municipal Separate Storm Sewer Systems (MS4) Permit establishes new performance standards for pollutant controls by communities located within designated watersheds where an existing TMDL had been established. The map (right) depicts the Hamilton County community and watershed boundaries and includes a list of communities with existing TMDLs that are regulated under the MS4 permit. Performance standards are established for specific TMDL pollutants under each minimum control measure (MCM) specified by the MS4 permit. The base services provided by the District can satisfy some of these performance standards, but others will require action by each designated Co-Permittee, as described in this fact sheet.

**RESPONSIBLE PARTIES:** District; Co-Permittees

**Partner Agency Contacts:**

**MCM1 & MCM2:** HCCD – John Nelson – [john.nelson@hamilton-co.org](mailto:john.nelson@hamilton-co.org)

**MCM3 & MCM6:** HCPH – Ryan Wuest – [ryan.wuest@hamilton-co.org](mailto:ryan.wuest@hamilton-co.org)

**MCM4:** HCCD – Chey Alberto – [marcelo.alberto@hamilton-co.org](mailto:marcelo.alberto@hamilton-co.org)

**MCM5:** HP+D – Mohammad Islam – [mohammad.islam@hamilton-co.org](mailto:mohammad.islam@hamilton-co.org)

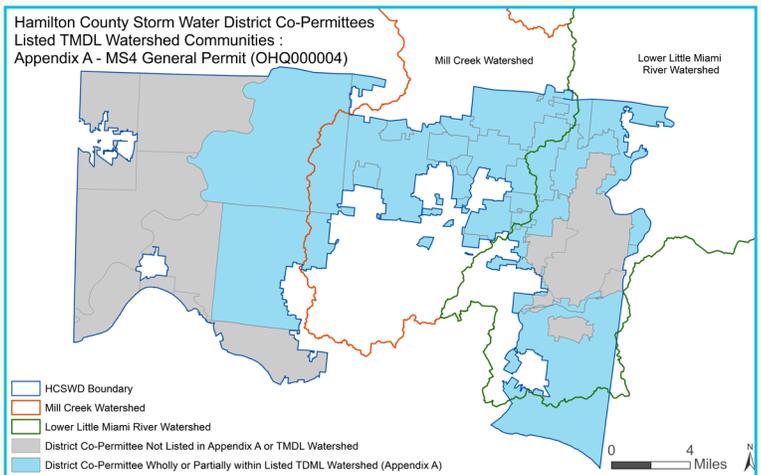
### TMDL Performance Standards:

**MCM1 – Public Education and Outreach, and MCM2 – Public Involvement and Participation:** MCM1 and MCM2 TMDL performance standards come under the District's base services, which are provided to all Co-Permittees. Each TMDL pollutant within District boundaries must be included in at least one public education and outreach program and in one public involvement and participation activity. District Co-Permittees are not required to take any additional actions to meet these performance standards.

**MCM3 – Illicit Discharge Detection and Elimination:** Employee training on illicit discharge detection and elimination, required by the MCM3 TMDL performance standard, will also be provided to all Co-Permittee staff as part of the District's base services. Therefore, Co-Permittees are not required to take any further actions to meet this permit requirement.

**MCM4 – Construction Site Runoff Control:** Construction sites in a watershed with a TMDL for total suspended solids (TSS) or nutrients (phosphorus, nitrogen, and ammonia) must be inspected every 14 days until the site complies with certain requirements listed in the MS4 permit. The District will address this performance standard for townships and those municipal Co-Permittees who utilize District services for construction site inspections. Municipal Co-Permittees who perform their own construction site inspections are required to meet this TMDL performance standard.

TMDL Listed Co-Permittee	Watershed	Nutrients (phosphorus, nitrogen) All MCMs	Pathogens (E. coli) MCMs 1, 2, 3, & 6	Sediment (TSS) All MCMs	Oxygen Demand (CBOD, DO, Organic Enrichment) MCMs 1,2, 3, & 6
Amberley Village	Mill Creek	X			
Anderson Township	Little Miami River (Lower)		X		X
Arlington Heights	Mill Creek	X			
Blue Ash	Mill Creek	X			
Colerain Township	Mill Creek	X			
Columbia Township	Little Miami River (Lower)			X	
Deer Park	Mill Creek	X			
Elmwood Place	Mill Creek	X			
Evendale	Mill Creek	X			
Fairfax	Little Miami River (Lower)			X	
Glendale	Mill Creek	X			
Golf Manor	Mill Creek	X			
Green Township	Mill Creek	X			
Greenhills	Mill Creek	X			
Lincoln Heights	Mill Creek	X			
Lockland	Mill Creek	X			
Montgomery	Mill Creek	X			
Mount Healthy	Mill Creek	X			
Sharonville	Mill Creek	X			
Silverton	Mill Creek/Little Miami River (Lower)	X		X	
Springfield Township	Mill Creek	X			
Sycamore Township	Mill Creek/Little Miami River (Lower)	X	X		
Symmes Township	Little Miami River (Lower)		X		
Woodlawn	Mill Creek	X			



**MCM5 – Post-Construction Storm Water Management:** The MCM5 TMDL performance standard requires each Co-Permittee within a watershed with a TMDL for TSS or nutrients to implement one of the following projects by April 1, 2026:

1. Retrofit one existing storm water quantity control detention basin to achieve the stormwater quality control performance standard for an extended detention post-construction practice (Ohio Construction General Permit Table 4a or 4b practices\*).
2. Restore at least 300 linear feet of channelized stream in a location where natural channel stability or floodplain restoration will reduce stream erosion.
3. Update your storm water post-construction regulations to require green infrastructure practices, where feasible.\*\*
4. Install one or more green infrastructure practices to treat 1 acre of impervious surface area developed prior to 2003.

Co-Permittees may already be planning projects, or are aware of projects planned by other entities, that could be cost-effectively modified to meet this requirement. Communities within the same TMDL-designated watershed are encouraged to collaborate, where the permit allows, to expend less effort and be more cost-effective when meeting new requirements. To support Co-Permittees during the planning phase of the program, the District will coordinate with communities to achieve the following:

- Identify project opportunities and define potential implementation partners, start at today's workshop
- Develop technical guidance and resources to assist in project implementation
- Distribute guidance to Co-Permittees and implementation partners
- The District's SWMP (follow QR code), lays out a timeline for implementing a MCM5 TMDL project.

**MCM6 – Pollution Prevention/Good Housekeeping:** All designated Co-Permittees in the Little Miami and Mill Creek watersheds must implement one of the following activities by April 1, 2023:

1. Street sweeping program (sweep all curbed streets two times each year)
2. Catch basin cleaning program (clean all basins one time every five years)
3. Leaf/yard waste collection program
4. Quarterly inspections of facilities requiring a Facility Storm Water Plan (FSWP)

Most Co-Permittees already perform one or more of these activities and can meet the performance standard by increasing the frequency of the activity. The District must report—in the 2022 annual report to Ohio EPA, due April 1, 2023—which activity will be performed; Co-Permittees must demonstrate that the activity met its performance standard in each subsequent year's annual report.

## Funding Opportunities

The District compiled a list of grant opportunities and funding sources that may be applicable for the MCM5 and MCM6 projects (that need to be implemented to meet the new performance standards) as well as for other storm-water-related activities. This list is provided in the information packet and will be posted to the District website.

\*Chapter 2 of the Rainwater and Land Development Manual (<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/rainwater-and-land-development>) provides technical guidance about practices found in Tables 4a and 4b.

\*\*Under Option 3, the District would update its Article V post-construction regulation to require green infrastructure, where feasible, across the entire District. A definition of 'feasible' would need to be determined. Should the District update its regulation, all Co-Permittees would need to adopt this article through ordinance or resolution.

**Complete the two surveys related to the MCM5 and MCM6 TMDL performance standards during the workshop and return them to Kate Moran or Jessica Doty. If you need more time to fill out the survey, email your answers to Kate Moran at [moranka@cdmsmith.com](mailto:moranka@cdmsmith.com).**

**Table 4a Extended Detention Post-Construction Practices with Minimum Drain Times**

Extended Detention Practices	Minimum Drain Time of WQv
Wet Extended Detention Basin <sup>1,2</sup>	24 hours
Constructed Extended Detention Wetland <sup>1,2</sup>	24 hours
Dry Extended Detention Basin <sup>1,3</sup>	48 hours
Permeable Pavement – Extended Detention <sup>1</sup>	24 hours
Underground Storage – Extended Detention <sup>1,4</sup>	24 hours
Sand & Other Media Filtration - Extended Detention <sup>1,5</sup>	24 hours

**Table 4b Infiltration Post-Construction Practices with Maximum Drain Times**

Infiltration Practices	Maximum Drain Time of WQv
Bioretention Area/Cell <sup>1,2</sup>	24 hours
Infiltration Basin <sup>2</sup>	24 hours
Infiltration Trench <sup>3</sup>	48 hours
Permeable Pavement – Infiltration <sup>3</sup>	48 hours
Underground Storage – Infiltration <sup>3,4</sup>	48 hours

*Ohio Construction General Permit Table 4a and 4b.*

