



▶ Water Quality for KDA Members

SPEAKER
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STATE OF *Kentucky*

Water Quality Standards and TMDLs

- ▶ • Water Quality Standards for KY are found at 401 KAR, Chp. 10.
- CWA Section 303(d)(1)(C) requires each state to establish for its waters identified as being impaired with respect to a water quality standard “the total maximum daily load, for those pollutants . . . at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety”
- The 2012 Draft Report lists 2,460 impaired waters in Kentucky (<http://water.ky.gov/waterquality/Pages/303dList.aspx>).
- Draft TMDLs are made available for public notice and comment through KDOW’s website. TMDLs are not established/promulgated through a regulation.
<http://water.ky.gov/waterquality/Pages/TMDLProgram.aspx>

GAO Report on TMDLs



- ▶ • Released by the Government Accountability Office on January 13, 2014 (<http://www.gao.gov/assets/660/659496.pdf>).
- GAO reviewed EPA and State's implementation of TMDL programs.
- Found that the majority of waterways are not meeting their water quality standards because of the unsuccessful TMDL program.
- Recommended (1) new and stricter federal (EPA) regulations, (2) revision of the CWA's approach to addressing nonpoint source pollution, (3) increased funding, and (4) aggressive state oversight and enforcement.

Stormwater Permits and Protection Plans

- ▶ ● See: <http://water.ky.gov/permitting/pages/generalpermits.aspx>
- **General Industrial Stormwater Permit (2013):**
 - Covers stormwater exposed to industrial activities and limited named non-process wastewaters.
 - Check your sampling and analytical requirements
 - Outfall signage on the Ohio River
 - E-reporting of DMRs
 - Stormwater plans
- **Municipal Stormwater Permit:**
 - Lexington MS4 permit expires this year, the small MS4 permit expires in 2015, and Louisville's MS4 permit expires in 2016.
 - MS4s will address TMDLs within their permit.
- **Construction General Stormwater Permit (2014)**
- **Source Water Protection Plans**
 - Can prevent expensive treatment upgrades and need for source replacement.

Waters of the U.S.

- ▶ • Proposed rule from USEPA and USACE, released March 25, 2014.
- Find the rule and information at www2.epa.gov/uswaters
- 90 day comment period following publication in the Federal Register (publication in FR hasn't happened yet).



▶ **THANK YOU**
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A decorative banner at the bottom of the slide. It features a red background with a white wavy pattern. On the left, the text "STATE OF" is visible in white, followed by the word "Kentucky" in a red, cursive script. To the right, there are silhouettes of a bridge and a crane against a light background.