

# Storm Water



April 7, to 10, 2003



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An EBS Engineers Company

# Storm Water Permit History: Federal

- 1972: Clean Water Act to regulate industrial storm water discharges
  - 1970's EPA focused on POTW, process waters
- 1987: CWA amended to include runoff from municipal separate storm sewer systems (MS4) in two phases under the NPDES permit program.
- 1990: EPA regulates Municipal, Industrial, and Construction permits under Phase I

# Phase II Compliance Timeline:

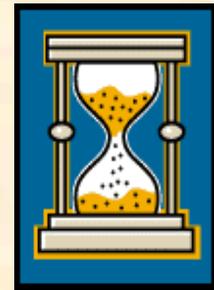
- 12/8/1999: Phase II final rule is promulgated
- 10/2000: EPA issued a menu of BMPs
- 10/2001: EPA issued guidance on measurable goal
- 10/9/2002: Permitting authority determines designation of small MS4 outside an urbanized area
- 12/9/2002: Permitting authority determines waiver for regulated small MS4



# Phase II Compliance Timeline:

(continued)

- 12/9/2002: Permitting authority issues general permits for small MS4s
- 3/10/2003: Regulated MS4 and small construction activities must obtain permits
- Within 180 days of notice: Regulated small MS4s and construction must obtain permit
- 3/8/2007: Phase-in



# Phase II Storm Water Regulations

- Small MS4, population of <100,000
- Industrial activities operated by MS4
- Construction activities between 1 and 5 acres
- Clarify the “no exposure” exemption for industry

# Def

- MS4 = A conveyance or system of conveyances including roads with drainage, municipal streets, catch basins, curbs, gutters, ditches, channels, and storm drains
- Does not solely refer to MS4s, much broader application

# Def

(continued)

- Small MS4 = Includes state department of transportation, universities, local sewer districts, hospitals, DOD installations, and prisons.
- Operate a storm sewer system and is located fully or partially within an Urbanized Area (UA).

# Phase II Permit



# Program Requirements

§122.34

- Develop, Implement, and enforce
  - Reduce pollutant from your MS4 to MEP (maximum extent practicable)
  - Protect water quality
  - Satisfy the appropriate requirements of the CWA

# Six Minimum Control Measures

§122.34

- Public Education and Outreach
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post Construction Storm Water Management
- Pollution Prevention/Good Housekeeping

# Public Education/Participation

- Distribute educational materials to the community
- Describe impacts to water bodies
- Describe steps public should take to reduce impacts

# Public Involvement/Participation

- Comply with State, Tribal, and local public notice requirements
- Reach out to all economic and ethnic groups
- Participate in program development

# Illicit Discharge Detection & Elimination

- Sewer system map
- Ordinance for non-storm water discharges
- Develop plan to detect non-storm water discharges
- Inform all of hazards of illegal discharges and improper disposal of waste

# Construction Site Storm Water Runoff Control

- Ordinance to require erosion control
- Requirements to implement appropriate erosion and sediment controls
- Requirements to control waste
- Procedures to review site plans
- Procedure to receive public information
- Procedures for site inspection and enforcement

# Post Construction

- Strategies which include structural and nonstructural BMPs
- Ordinance to address post construction development and redevelopment
- Ensure long-term operation and maintenance of BMPs

# Pollution Prevention/Housekeeping

- Training program
- Maintenance activities
- Maintenance schedule
- Long-term inspection procedures
- MS4 activities



# State Requirements

State	Enforcement	Potential Fine
Alabama	Submit NOI/develop program	\$24,000
California	Permit not yet adopted	\$27,500
Florida	Contact DEP/submit NOI	\$10,000
Georgia	Should have been notified/submit NOI	\$27,500
Illinois	Should be notified/180 days after notification	\$27,500
Maryland	Submit NOI/develop program	
Massachusetts	Submit NOI/develop program	\$27,500
Mississippi	Submit only after being notified	\$27,500
Nevada	Discharge authorized only after NOI submittal	
South Carolina	Federal entities not yet notified/120 days after notification	
Virginia	Contact the DEQ Regional Office/NOI	\$27,500
Washington	Not sure at this time	
Wisconsin	Contact Department of Natural Resources	