

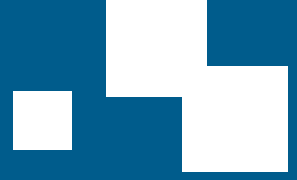


Stormwater Regulations: Why do we care?

Paula Bluemer
Town of Marana
Environmental Engineering Division



Oh yeah, that's why!



No one
wants to be
this place



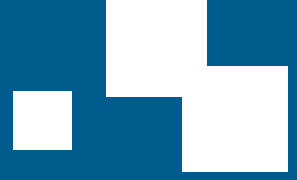


Clean Water Act Background

- 1948 – Federal Water Pollution Control Act
 - First major law that addressed water pollution.
 - Made it unlawful to discharge any pollutant from a point source into navigable waters unless a permit was obtained.
- 1972 – Act expanded and reorganized.
 - National Pollutant Discharge Elimination System (NPDES) was introduced as the permit program under section 402.
- 1987 – Amendments were added that required EPA to establish a program that addressed stormwater discharge.
 - EPA established stormwater permit application regulations under the NPDES program.



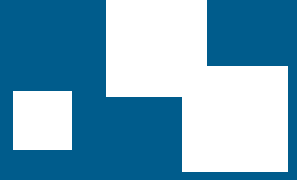
Clean Water By The Numbers



- Section 402 – NPDES program.
- Section 404 – Regulates discharge of dredge or fill material into navigable waters.
- Section 303 – Gives states authority to develop a list of impaired waters and TMDLs.



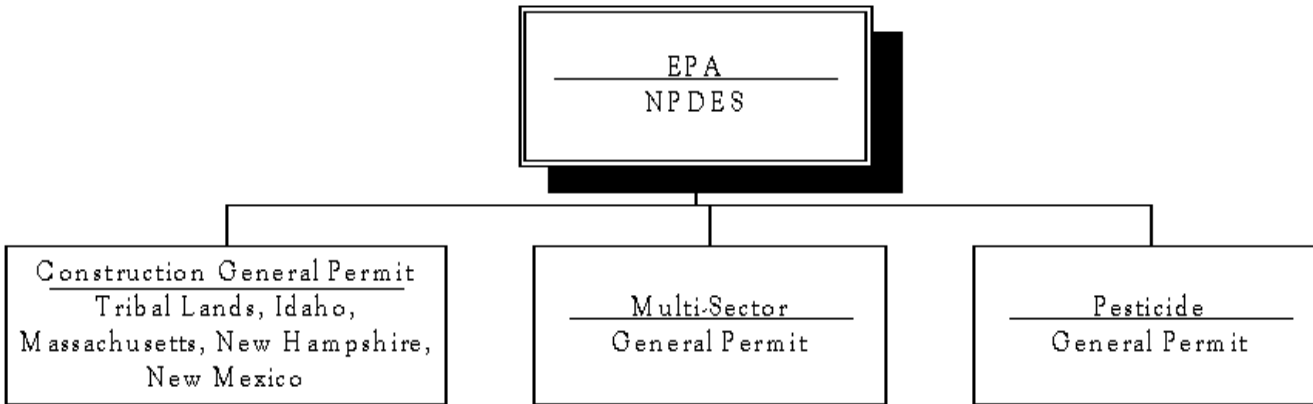
NPDES and AZPDES



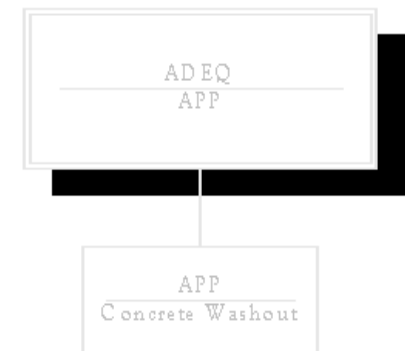
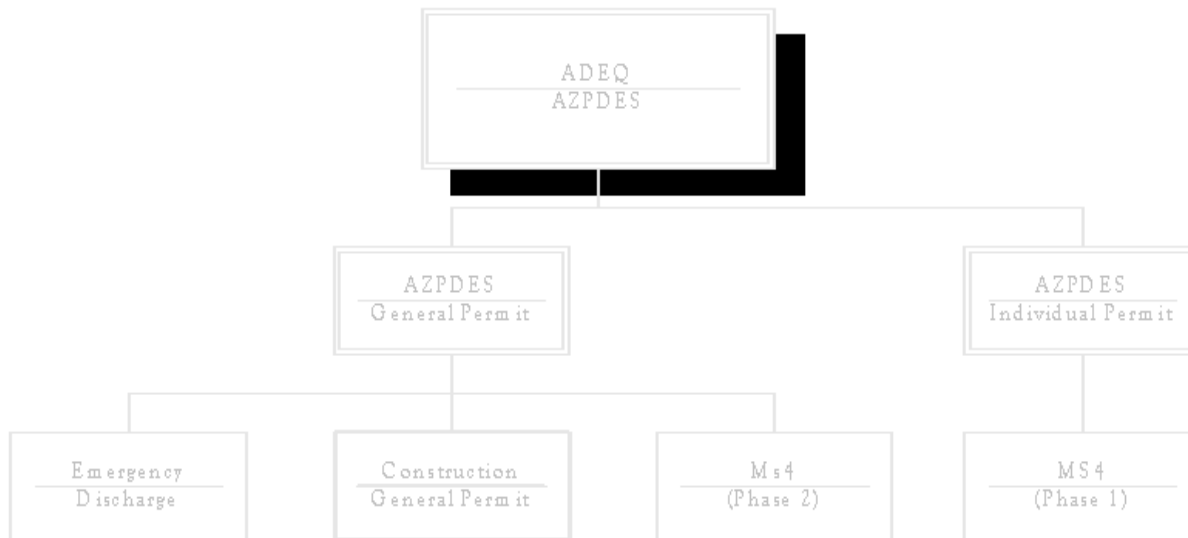
- The CWA allows the Environmental Protection Agency (EPA) to authorize states to operate the NPDES program if states meet certain criteria.
 - Arizona assumed primacy in 2002
 - AZPDES program
- Tribal lands still covered under NPDES program.
 - New NPDES CGP issued February 2012
- Four out of the fifty states within the United States are not delegated to operate the NPDES program:
 - Idaho
 - Massachusetts
 - New Hampshire
 - New Mexico



Stormwater Permit Hierarchy

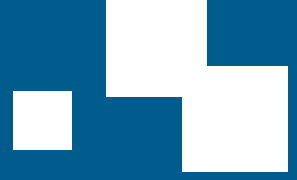


EPA delegates CWA Program to the States but retains overview including enforcement authority at their discretion





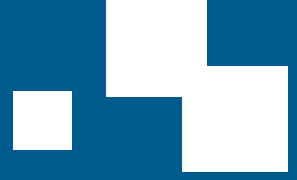
Municipal Separate Storm Sewer Systems (MS4)



- MS4 - Conveyance or system of conveyances that is:
 - Owned by state, city town, village or other public entity
 - Designed or used to collect or convey stormwater – includes ditches



Municipal Separate Storm Sewer Systems (MS4)



- Phase I – Started in 1990 by EPA
 - Large and medium sized MS4s
 - Cities or counties with populations of 100,000 or greater
 - » ADOT
 - » Mesa
 - » Phoenix
 - » Tempe
 - » Tucson
 - » Pima County
 - » U of A
 - » VA Hospitals
 - » Davis Monthan Air Force Base
 - Covered by individual permits (permits written specifically for the MS4 by ADEQ)



Municipal Separate Storm Sewer Systems (MS4)



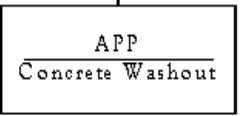
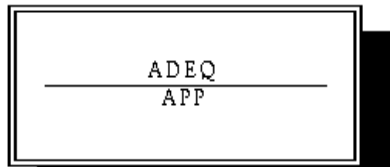
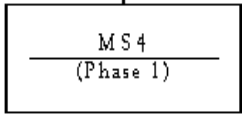
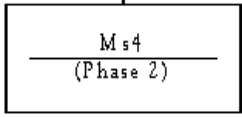
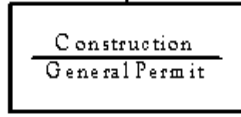
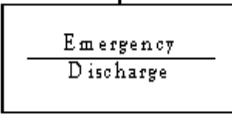
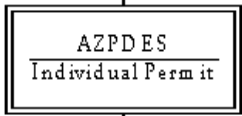
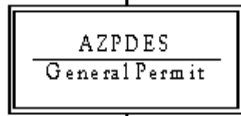
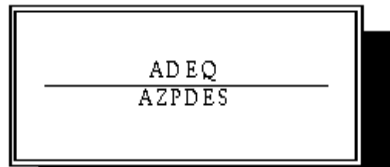
- Phase II – Started in 1999 by EPA
 - Small MS4s
 - Urbanized areas or those deemed necessary by permitting authority
 - » Marana, Oro Valley, Pinal County, Sierra Vista, South Tucson
 - All small MS4s are covered by a general permit, but each MS4 must develop an individual Stormwater Management Program (SWMP) for their coverage area. SWMPs are reviewed by ADEQ.



Stormwater Permit Hierarchy

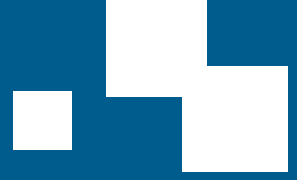


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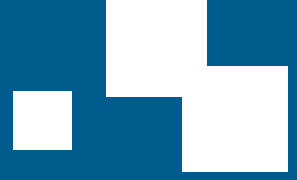
Stormwater Management Program



- Six Minimum Control Measures (MCM)
 - [Redacted]
 - Public Involvement and Participation
 - Illicit Discharge, Detection and Elimination
 - [Redacted]
 - [Redacted]
 - Pollution Prevention/Good Housekeeping for Municipal Operators



Outreach



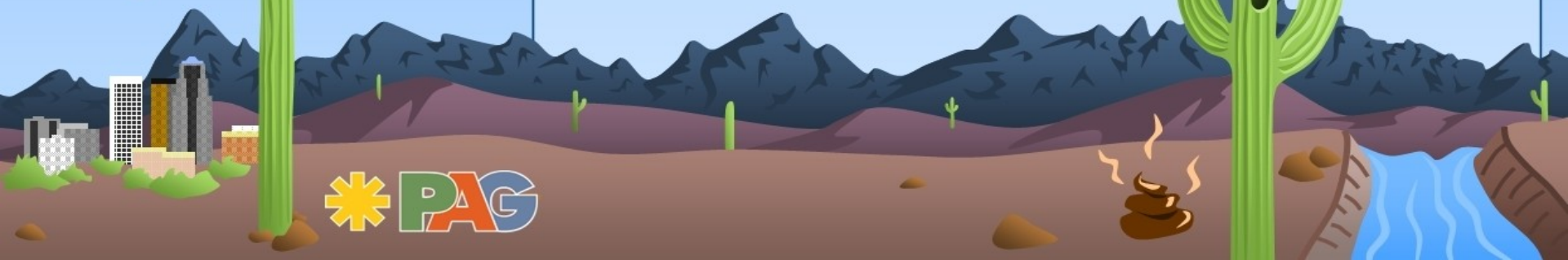
Clean
water
starts
with me!
PAGstorm.com



Did you know?

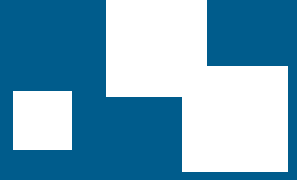
The level of bacteria and parasites in our stormwater is a major concern. The primary source – **our dogs!**

These germs can last up to **10 years** in the environment, harming wildlife and pets. Scoop the poop!





Construction Site Stormwater Runoff Control



- Develop stormwater ordinances.
- Make sure construction activities (both private and public) have the required permit coverage.
- Review Stormwater Pollution Prevention Plans.
- Conduct on-site inspections.

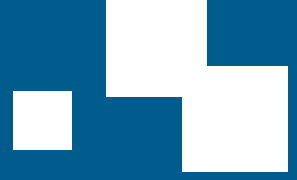


Jurisdiction Comparison Matrix





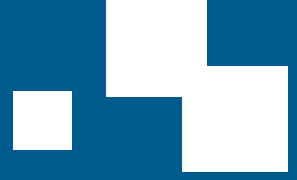
AZPDES Construction General Permit - What



- General permit that specifically authorizes discharges from construction activities.
 - Discharge – Any addition of any pollutant to waters of the U.S. or to a MS4 from any point source.



AZPDES Construction General Permit - Who



- An operator by any other name still has to get coverage.
 - Operational control over construction plans and specs. (Can make changes to those specs).
 - Day to day operational control of activities at a project which are necessary to ensure SWPPP compliance. (Authorized to direct workers to carry out activities required by the SWPPP).



AZPDES Construction General Permit - Where



- Projects that disturb one or more acres.
- Projects that disturb less than one acre if part of a common plan of development.
 - “common plan of development” is in the permit definitions and Fact Sheet
- Even if your project doesn't require coverage, you are still obligated to apply Best Management Practices to ensure you are not contributing pollutants to a water body.



The fine print

- AZPDES CGP doesn't cover concrete washouts or vehicle wash waters. Make sure you check the Aquifer Protection Program rules to make sure you are handling those activities accordingly.
- Soil crusting may work for dust control, but not stabilization.
- Whenever there is a conflict among permits, the most restrictive applies.



Fine, I'll get coverage!

- What coverage under the AZPDES CGP gets you:

