

NPDES Stormwater Permits



Illinois MS4 Implementation Seminar
March 1, 2017

Presented by:
Karen Katamay, CPESC
Environmental Protection Engineer III
Illinois EPA



Current General SW Permits

- Small Municipal Separate Storm Sewer Systems (MS4) – **ILR40 permits**
 - Effective date: March 1, 2016
 - Expiration date: February 28, 2021
- Construction Site Activities – **ILR10 permits**
 - Effective date: August 1, 2013
 - Modification date: April 30, 2014
 - Expiration date: July 31, 2018
- Industrial Activities – **ILR00 permits**
 - Effective Date: May 1, 2009
 - Expiration Date: April 30, 2014

Status of Industrial Permit

- Expired April 30, 2014
- Public noticed on October 30, 2016, including some revisions and benchmark monitoring requirements
- Old permit is being administratively continued until new permit is issued



NPDES Construction Permits



- Required for construction sites equal to or greater than one acre
- Requires filing a Notice of Intent (NOI) before starting and Notice of Termination (NOT) when site is at least 70% stabilized
- Requires developer to develop a Storm Water Pollution Prevention Plan (SWPPP)
- Has reporting and monitoring requirements



MS4 Permits

- Phase 1 started in 1990 and covered cities/counties with populations of 100,000 or more. Permittees covered under Phase 1 usually have individual permits
- Phase 2 covers smaller urban areas (50,000 people/ overall population density of 500 people/sq.mile) and were first permitted by IEPA in 2003. Smaller communities may be included if they fall within that urbanized area.



MS4 Overview



- Requires development of a Storm Water Management Plan (SWMP) that includes the six minimum control measures
- Requires annual reporting and recordkeeping
- Requires development and implementation of a monitoring program
- Requires submittal of NOI for new permittees and resubmittal of NOI for existing permittees to be covered under current permit

Summary of Changes



- Most changes in new MS4 permit were adjustments in language & definitions for clarity
- TMDL language was added for where a TMDL or watershed management plan is approved (Part III.C)
- Participate in watershed group that addresses chlorides (Part III.D)
- References were added to consider the potential impacts of climate change under:
 - Public education and outreach
 - Post construction SW management
 - Link to USEPA data was provided (still active)



Changes, cont.

- Identify if you have any environmental justice areas (Under Public Involvement and Participation - link given)
 - IEPA also has limited info on our website
 - New EJ Officer is Chris Presnall
- For construction, language was updated to be consistent with most recent SW construction permit and updated Illinois Urban Manual
 - Includes regulating non-storm water discharges from construction sites, such as concrete washout

Infiltration Limitations

- Infiltration should NOT be implemented in:
 - Areas where vehicle fueling/maintenance occur
 - Areas with shallow bedrock
 - Areas near Karst features
 - Contaminated areas where infiltration could impact groundwater
 - Source water protection areas and setback areas



Flood Management Projects



- By **March 1, 2019**, if you have any new or existing flood control projects, you need to assess them for water quality impacts.
 - Include consideration of controls in design/redesign that can minimize impacts on water quality and hydrology
 - Include consideration of any potential impacts due to climate change



Pollution Prevention/ Good Housekeeping for Municipal Operations

- Permit now spells out minimum O & M program requirements
- Spells out deicing material storage requirements, including having permanent covered storage by **March 1, 2018**
- Spells out training requirements
- Now requires indoor storage of fertilizers, pesticides and other chemicals

Shared Responsibility



- Qualifying local programs, such as county SW and/or IDDE ordinances can be used
- You can partner with another MS4 for parts of your program
 - Written agreement is recommended
 - Other party must implement measure as agreed, or it falls back on you



Monitoring and Assessment Program

- Must develop and implement a monitoring and assessment program. This was due by **Sept. 1, 2016**.
- One option is to evaluate BMPs based on estimated effectiveness
 - Include inventory of BMPs
 - Effectiveness (pollution reduction) based on published research

Water Quality Monitoring



- If population is **less than 25,000**, you can continue visual observations only. **Document what you see.**
- If **greater than 25,000**, you have 10 options for a monitoring program. **Choose the one that best fits your program's objectives.**
- If you do ambient WQ monitoring, requirements list rain events and parameters to be included.



Recordkeeping

- Keep records for 5 years after expiration of permit.
 - NOI, SWMP, annual reports, monitoring data.
- Post NOI, SWMP and annual reports on website
 - NOI and SWMP, post most current
 - Annual reports – last 5 years
- Keep records on site and accessible for review
- Records available under FOIA for public
 - Storm sewer maps may be withheld for security reasons, if needed.



Reporting



- Submit annual report by **June 1st** each year
- Cover one year period (beginning March 1st)
- Annual report form available on IEPA website
- Assess program and include all info listed in permit
- Submit both by mail and e-mail
 - E-mail address listed in permit and on report form

Common Compliance Issues



- Measureable Goals
 - How are you assessing your program to show its effectiveness?
 - Are your goals measureable?
- Not submitting required reports
 - Annual reports due June 1st each year
 - Also submit electronically
 - Did you submit your NOI for coverage under new permit?
- Missing dry weather assessments for non-storm water discharges
 - You can set up a priority based schedule for these based on land use and/or water protection areas

Compliance Issues, cont.



- No monitoring program or other assessment option
- Not assessing industries for storm water pollution potential
- Not enforcing illicit discharges
- Not enforcing construction site storm water pollution
- Sloppy municipal practices, especially with salt handling



Contacts and Links

- For questions on permits and permit requirements:
 - **Cathy Demeroukas & Melissa Parrott (217-782-0610)**
- IEPA stormwater webpage, including forms:
 - <http://www.epa.illinois.gov/topics/forms/water-permits/storm-water/>

Questions?

Karen Katamay, CPESC
Environmental Protection Engineer III
Illinois EPA – Des Plaines Regional Office
847-294-4043

E-mail: karen.katamay@illinois.gov

