

General Overview of the Stormwater Phase II Small MS4 Program Requirements

STORMWATER PROBLEMS

Stormwater runoff occurs when precipitation from rain and snowmelt events flows over land or impervious surfaces without soaking into the ground. When this runoff flows over paved streets, parking lots, and building rooftops, it accumulates trash, chemicals, sediment or other pollutants which are conveyed through municipal separate storm sewer systems, or MS4s, or directly to nearby waterbodies with little or no treatment. The volume and velocity of stormwater can also impact waterbodies. MS4 owners can use stormwater controls to reduce these stormwater impacts on their waters.

PROGRAM OVERVIEW

The EPA's existing Phase II Stormwater Rule, which was finalized in 1999, regulates operators of small municipal separate storm sewer systems, or MS4s, that are located within the boundaries of a Bureau of the Census-defined "urbanized area" based on the latest decennial Census. The Bureau of Census recently released its 2010 Census and this Census changes the boundaries of the urbanized area. Currently unregulated MS4s that are located within the new urbanized area boundaries are now subject to regulation, although waivers are available in some circumstances.

Owners/operators of these regulated small MS4s are required to develop programs to reduce the discharge of pollutants to the "maximum extent practicable" (MEP) to protect water quality. The Phase II Stormwater Rule defines a small MS4's stormwater management program as a program comprising six elements that, when implemented together, are expected to result in significant reductions of pollutants discharged into receiving water bodies.

These six MS4 program elements, termed "minimum control measures," are outlined below. For more information on each of these required control measures, see www.epa.gov/npdes/stormwater/swfinal



Public Education and Outreach: Distributing educational materials and performing outreach to inform citizens about the impacts polluted stormwater runoff discharges can have on water quality.



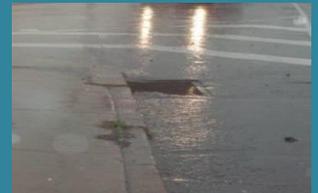
Public Participation/Involvement: Providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a stormwater management panel.



Illicit Discharge Detection and Elimination: Developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (includes developing a system map and informing the community about hazards associated with illegal discharges and improper disposal of waste).

What's an MS4?

The term Municipal Separate Storm Sewer System, or MS4, includes some storm sewer systems owned/operated by local governments, State departments of transportation, universities, local sewer districts, hospitals, military bases, and prisons. It can include a system of underground pipes, roads with drainage systems, curbs, gutters, storm drains, and ditches.



What's an urbanized area?

An urbanized area is a densely settled territory with a population of at least 50,000 people.





Construction Site Runoff Control: Developing, implementing, and enforcing an erosion and sediment control program for construction activities that disturb 1 or more acres of land (controls could include silt fences and temporary stormwater detention ponds).



Post-Construction Runoff Control: Developing, implementing, and enforcing a program to address discharges of post-construction stormwater runoff from new development and redevelopment areas. Applicable controls could include preventative actions such as protecting sensitive areas (e.g., wetlands) or the use of structural controls such as grassed swales or porous pavement.



Pollution Prevention/Good Housekeeping: Developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and activities to reduce the amount of pollutants in stormwater (e.g., regular street sweeping, reduction in the use of pesticides or street salt, or frequent catch-basin cleaning).

WAIVERS

There are two waiver options available to operators of automatically designated small MS4s if discharges do not cause, or have the potential to cause, water quality impairment.

The first waiver applies to systems that:

- ✓ Serves a population of less than 1,000 people within the urbanized area;
- ✓ Are not contributing substantially to the pollutant loadings of a physically interconnected regulated MS4; and
- ✓ Demonstrate that stormwater controls are not needed based on wasteload allocations that are part of an EPA approved or established total maximum daily load, or TMDL, that addresses the pollutant(s) of concern. If the system discharges any pollutants identified as a cause of impairment of any waterbody to which it discharges.

The second waiver applies to systems that:

- ✓ Serves a population of less than 10,000 people;
- ✓ Demonstrates that stormwater controls are not needed based on wasteload allocations that are part of an EPA approved or established TMDL that addresses the pollutant(s) of concern or an equivalent analysis; and
- ✓ It is determined that future discharges from the small MS4 do not have the potential to result in exceedances of water quality standards.

A total maximum daily load, or TMDL, is a water quality assessment that determines the source(s) of pollutants of concern for a particular waterbody, consider the maximum amount of pollutants the waterbody can assimilate, and then allocate to each source a set level of pollutants that it is allowed to discharge (i.e. a “wasteload allocation”).



AVAILABLE RESOURCES

There are many tools available to help MS4s as they implement their stormwater programs in an effective and cost-efficient manner.

The stormwater website includes fact sheets, case studies, guidance documents, the National Menu of BMPs – a compilation of over 120 fact sheets on stormwater best management practices, measurable goals guidance, and other helpful information and is available at:



- www.epa.gov/npdes/stormwater/municipal

There are also a number of webcasts available that describe the basic elements of the stormwater program as well as provide examples of how communities are meeting their stormwater requirements. Scroll down to the “stormwater” section:

- www.epa.gov/npdes/training

Specific introductory webcasts you may find useful include:

- [Stormwater 101: The Basics](#)
- [Using Outreach and Public Involvement to Meet Your Stormwater Phase II Goals Webcast](#)
- [Developing Your IDDE Program \(IDDE 101\)](#)
- [Stormwater Phase II: Developing an Effective Municipal Stormwater Management Program For Construction Sites \(Construction 101\)](#)
- [Post-Construction Overview and Introduction to Smart Growth and Low Impact Development \(Post Construction 101\)](#)
- [Killing Two Birds with One Stone: Building a Local Program to Maintain Your Stormwater Practices and Prevent Pollution from Municipal Operations](#)



For Additional Information

Contacts

State and EPA Headquarters and Regions Contacts:
<http://www.epa.gov/npdes/stormwater/contacts>

EPA Websites

EPA's Stormwater Program:
<http://www.epa.gov/npdes/stormwater>

Urbanized Area Information:
<http://www.epa.gov/npdes/stormwater/urbanmaps>