



C A S F M

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THE NEW STORMWATER REGULATIONS

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On November 16, 1990, EPA issued final regulations on the control of stormwater. The regulations are meant to reduce the amount of pollutants entering streams, lakes, and rivers as a result of runoff from residential, commercial and industrial areas. In Colorado, the program will be managed by Colorado Department of Health, Water Quality Control Division.

Most of you have heard of this program by now, but you may not be aware of how the Division plans to handle the industrial side of it. We will be covering the vast majority of regulated industries under one of our general permits.

General Permits - The general permit process is faster and more streamlined than the individual permit process, for both the permit-issuing agency and the permittee. For example, there will be no effluent monitoring requirements in the general permit application, which reduces the financial burden on the permittee and the paperwork/review burden on the Division. We currently have, in draft form, general permits for the following industrial stormwater categories: heavy industry, light industry, construction, metal mining, and sand and gravel mining. We plan to issue all of these permits by the October 1, 1992 deadline for permit application. The application forms will be available soon after the general permits are issued.

Exemption of Minor Municipalities - Since the regulations were published, there have been some changes. Under the industrial portion, there is now a temporary exemption for industrial facilities owned by municipalities with less than 100,000 population (minor municipalities). This designation also includes counties with less than 100,000 population. Stormwater discharges associated with industrial activity (except for airports, powerplants, or uncontrolled sanitary landfills), that are **owned by** a minor municipality are **not** required to apply for or obtain a stormwater permit at this time.

These facilities are not permanently exempted from the regulation, but are instead placed in Phase II of the stormwater program. Phase II facilities, including those owned minor municipalities, are currently under a moratorium, which exempts them

from permit requirements under the stormwater program. (The Clean Water Act currently calls for the moratorium to end on October 1, 1992. It is not certain how EPA plans to handle this deadline. It is expected that coverage will be required at some future date.)

Stormwater Management Plan (SWMP) - Development, submission and implementation of a Stormwater Management Plan will be one of the main permit requirements. One of the most important features will be "Best Management Practices," or BMPs. These can encompass a wide range of options, both structural and non-structural. Inclusion of BMPs will allow for most of the permits to avoid numeric effluent limits. The SWMP will include the following elements, among others:

- a site map, showing the stormwater outfalls, material handling areas, streams, etc.
- a description of potential pollutant sources/ material inventory
- a materials handling and spill prevention plan
- a description of existing and needed stormwater management structures

The SWMP will also require the permittee to make a thorough inspection of their stormwater management system, at least twice per year (in the spring and fall), and to submit an annual report to the Division. (Note: construction site requirements will be different than for other industries).

Funding - The program has been functioning under an EPA grant, which has allowed us to hire two technical people and one support staff person. However, it is estimated that 4-5 technical staff are necessary to fully implement the program. During the past legislative session, the Colorado Legislature amended the Colorado Water Quality Act to provide a funding mechanism for the program via annual permit fees.

Workshops - As is outlined elsewhere in this newsletter, the Division, in conjunction with CASFM, will be holding two workshops at the end of August to go over application for the permits, and how to comply with the permit requirements. If anyone has suggestions on additional areas they would like to see covered at these workshops, please contact the Division at 692-3590.

Editor's Note: This article was written before workshops were held.