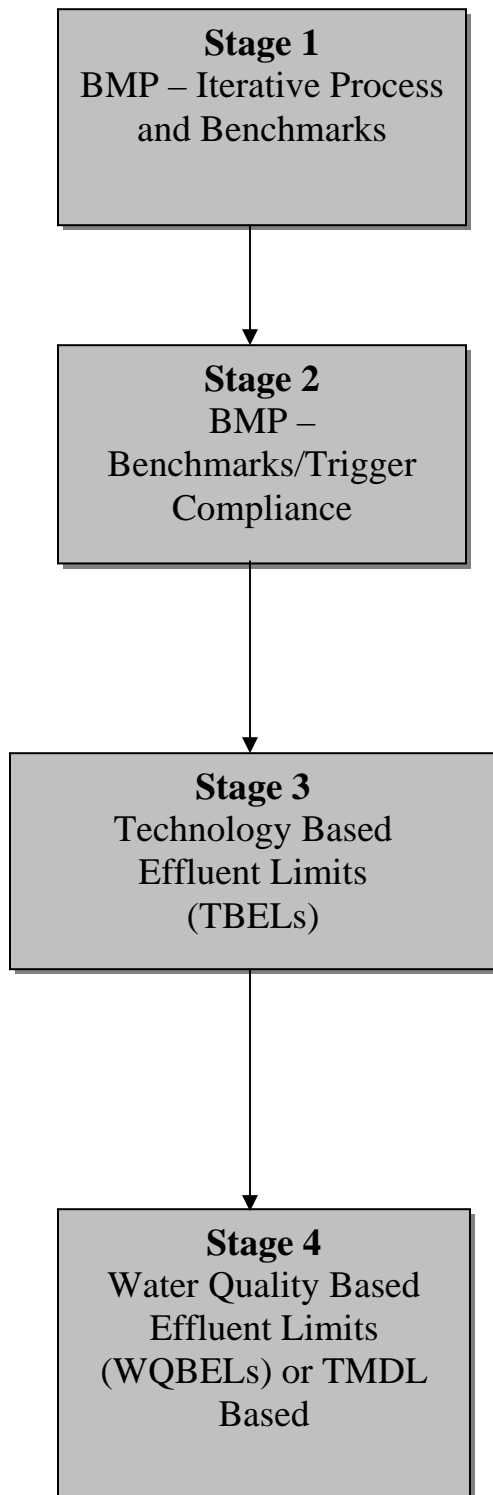


**California Stormwater Quality Association's Proposed
Progressive Approach for Regulating Stormwater (Draft 4-12-06)
Applicable to all three permit types^b**

Regulatory Stages^a



Stage 1

- Status – Currently used in USEPA multi-sector general permit (industrial) and in California stormwater permits.
- Compliance Strategy – 1) Stormwater Management or Pollution Prevention Plan developed and implemented; 2) Effectiveness assessments conducted; 3) Analytical monitoring results compared to water quality standards and/or benchmarks; 4) Iterative process used to focus BMPs on problematic pollutants. Compliance based on implementing iterative process (municipal) and annual compliance assessment (industrial/construction).

Stage 2

- Status – Not currently used for municipal and construction stormwater permits; however, State of WA model exists for industrial.
- Compliance Strategy – 1) Stormwater Management or Pollution Prevention Plan developed and implemented; 2) Effectiveness assessments conducted (e.g., inspections, analytical) – comparison to adaptive management indicators dictates compliance response; 3) Iterative process used to focus BMPs, potentially problematic dischargers are required to establish and implement corrective action plans; 4) Compliance based on auditable review of BMPs implemented, monitoring, and for potentially problematic dischargers, compliance with corrective action plans.

Stage 3

- Status – Currently is being used by USEPA in limited cases (e.g., meat and poultry industry). USEPA has established procedures to develop TBELs (primarily for wastewater discharges). Development of effluent limitations based on treatment controls available to treat the pollutants and considers site conditions, activities, return period, constituents, treatment effectiveness, and costs.
- Compliance Strategy – Discharger required to implement treatment controls to meet numeric effluent limitations. Monitoring required to confirm performance and assess compliance.

Stage 4

- Status – WQBELs have not been used to date as a compliance tool. Used in some situations inappropriately. WQBEL based on protection of beneficial uses of the receiving water. Currently USEPA does not have a procedure in place for developing WQBELs for stormwater. TMDL based effluent limitations based on waste load allocation required to protect beneficial uses.
- Compliance Strategy – Discharge required to comply with numeric effluent limitations (either WQBEL or TMDL based). Monitoring is required to confirm compliance.
- Note: Additional policy directives (e.g., mixing zones, averaging period, wet weather uses, etc.) needed for implementation.

^a Implementation of a TMDL may be incorporated into any stage and may be pollutant and water body specific.

^b Progressive approach may not be applicable to all stormwater discharges under all conditions.

