



Fact Sheet

Proposed Changes to the General NPDES Permit for Small Municipal Separate Storm Sewer Systems

Overview

The U.S. Environmental Protection Agency has identified storm water and urban runoff as one of the most significant sources of water pollution in the country and a serious threat to aquatic life and habitat as well as to human health.

Federal regulations require that National Pollutant Discharge Elimination System (NPDES) permits be issued to manage the storm water discharges from construction activities, 10 broad categories of industrial activities and from Municipal Separate Storm Sewer Systems (MS4s).

State Water Resources Control Board Proposes Revising Regulatory Standards

The State Water Resources Control Board is in the process of reissuing the General NPDES permit for Small MS4s. This permit will establish the regulatory standards that Small MS4s must meet when implementing storm water quality programs.

What is an MS4?

An MS4 is a conveyance or system of conveyances that is:

- Owned by a state, city, town, village, or other public entity that discharges to waters of the U.S.;
- Designed or used to collect or convey storm water (including gutters, storm drains, pipes, ditches, etc.)

An MS4 is not a combined sewer and not part of a publicly owned sewage treatment plant.

The MS4 is the system that transports runoff away from streets, homes, and places of business. Unlike the sanitary sewer system that transports wastewater to a treatment facility prior to discharge, the MS4 transports runoff directly to a local waterway, usually without treatment.

Background on MS4 Phase I and II Requirements

The MS4 permitting program has been implemented in a two-phased approach. Beginning in 1990, Phase I required that permits be issued to those MS4s that served a population of 100,000 persons or more. The permits that regulate the Phase I MS4s are usually issued by the Regional Water Quality Control Boards. The permits are generally issued on an area-wide



or County-wide basis. The State Water Board has issued a Phase I permit to the Department of Transportation (Caltrans) covering all of its discharges on a statewide basis.

In 1999, U.S. EPA promulgated the Phase II MS4 regulations. This required that Small MS4s, those serving a population less than 100,000 persons, be issued permits. The regulations also required that permits be issued to “non-traditional” small MS4s, which included state and federal facilities, public schools, colleges and universities. The State Water Resources Control Board adopted a General Permit for the Small MS4s in 2003.

Each regulated MS4 is required to develop and implement a storm water management plan (SWMP) to reduce the discharge of pollutants in storm water to the maximum extent practicable, to effectively prohibit non-storm water discharges, and prohibit illicit discharges. While non-storm water discharges are most obvious during dry periods and are seen as the water flowing in the gutters, they can and do occur year round. Examples of illicit discharges would be dumping used motor oil down the storm drain or rinsing out paint brushes and pesticide containers in the gutter.

Proposed Draft Permit Simplifies Permitting Process

The proposed permit is more prescriptive than the existing permit providing specificity that will eliminate the need to review, conduct a public hearing and adopt each of the storm water management plans submitted by various entities. Other changes include:

- New requirements for system mapping, commercial/industrial inspection and monitoring.
- A universal application of post-construction storm water quality requirements, and
- Electronic submittal of information is required, including application for coverage and annual reports.

Tentative Timeline and Additional Resources to Learn More

- By the summer of 2011, the public will have an opportunity to comment on the draft General NPDES permit for Small MS4s. The public comment period will last at least 60 days.
- A public hearing will be scheduled during the fall of 2011 with possible adoption by the State Water Board during the winter of 2011-12.

For more information on storm water regulation, please visit the State Water Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/