

# Municipal Action Levels & Assessing Compliance and Effectiveness

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# Numeric effluent limits infeasible

## Water Boards Blue-Ribbon Panel

- "It is not feasible at this time to set enforceable numeric effluent criteria for municipal BMPs and in particular urban discharges... "

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## 2<sup>nd</sup> draft Ventura permit

- "Discharges of storm water from the MS4 to waters of the U.S. shall not exceed the Municipal Action Levels (MALs) for the pollutants listed..."

[Underline added]



# MALs ≠ MEP

## Water Boards Blue-Ribbon Panel

- *“For catchments not treated by a structural or treatment BMP, setting a numeric effluent limit is basically not possible. However, the approach of setting an “upset” value, which is clearly above the normal observed variability, may be an interim approach which would allow “bad actor” catchments to receive additional attention. For the purposes of this document, we are calling this “upset” value an **Action Level** because the water quality discharge from such locations are enough of a concern that most all could agree that some action should be taken ...”*

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## 2<sup>nd</sup> draft Ventura permit

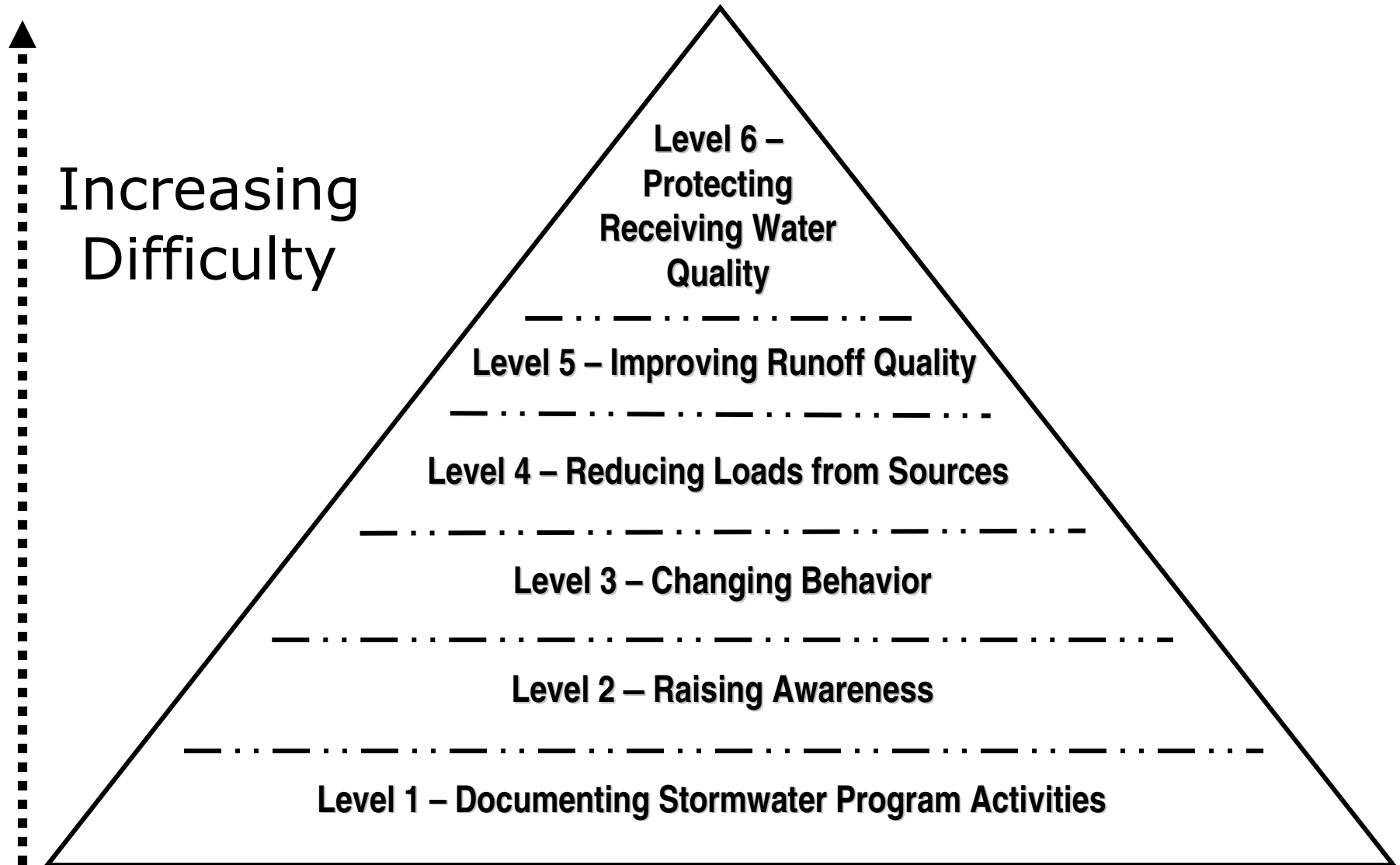
- *“A running average of twenty percent or greater of exceedances of any MAL will create a presumption that the Permittee(s) have not complied with the Maximum Extent Practicable (MEP) provision in Part 4 A.2., and have failed to implement adequate storm water control measures and BMPs to comply with the MEP standard.”*

[Underline added]



# Quantifiable Approach for assessing Permit Compliance and Program Effectiveness

# Assessment Outcome Levels



# Action Levels – Draft Examples

Program Element	Outcome Level	Goal	Examples of Defining Quantifiable Measure	Action Level
Illegal Discharges / Illicit Connections	Level 3 – Changing Behavior	Respond rapidly and efficiently to illicit discharges	% of illicit discharges impacting human health responded to within 24 hours upon receiving notification	80
		Eliminate all illegal connections	% of illegal connections eliminated or permitted once detected	80

# CASQA Quantifiable Approach

- Incorporates:
  - Water Board's expert Blue-Ribbon Panel's Action Level concept
  - CASQA's Effectiveness Assessment method
  - standard regulatory options for NPDES permitting and TMDL implementation
- Introduces two significant enhancements to compliance determination:
  - triggers
  - measures of achievement



# Thank you

