

Connecticut's MS4 Regulations: Proposed Changes and Community Impacts



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Presentation Outline

- Overview of Program History
- Proposed Modifications
- Timeline for Implementation
- What Can be Done Now



Why is stormwater runoff a concern?

- Rainwater that falls on paved streets, lawns, parking lots, and sidewalks becomes polluted stormwater
- Typical pollutants in stormwater are trash, oil, fertilizers, sediment, sand, and bacteria



**Runoff Discharges
to Nearby Waters**



***40% of known pollution to
nation's waters is caused
by stormwater runoff***



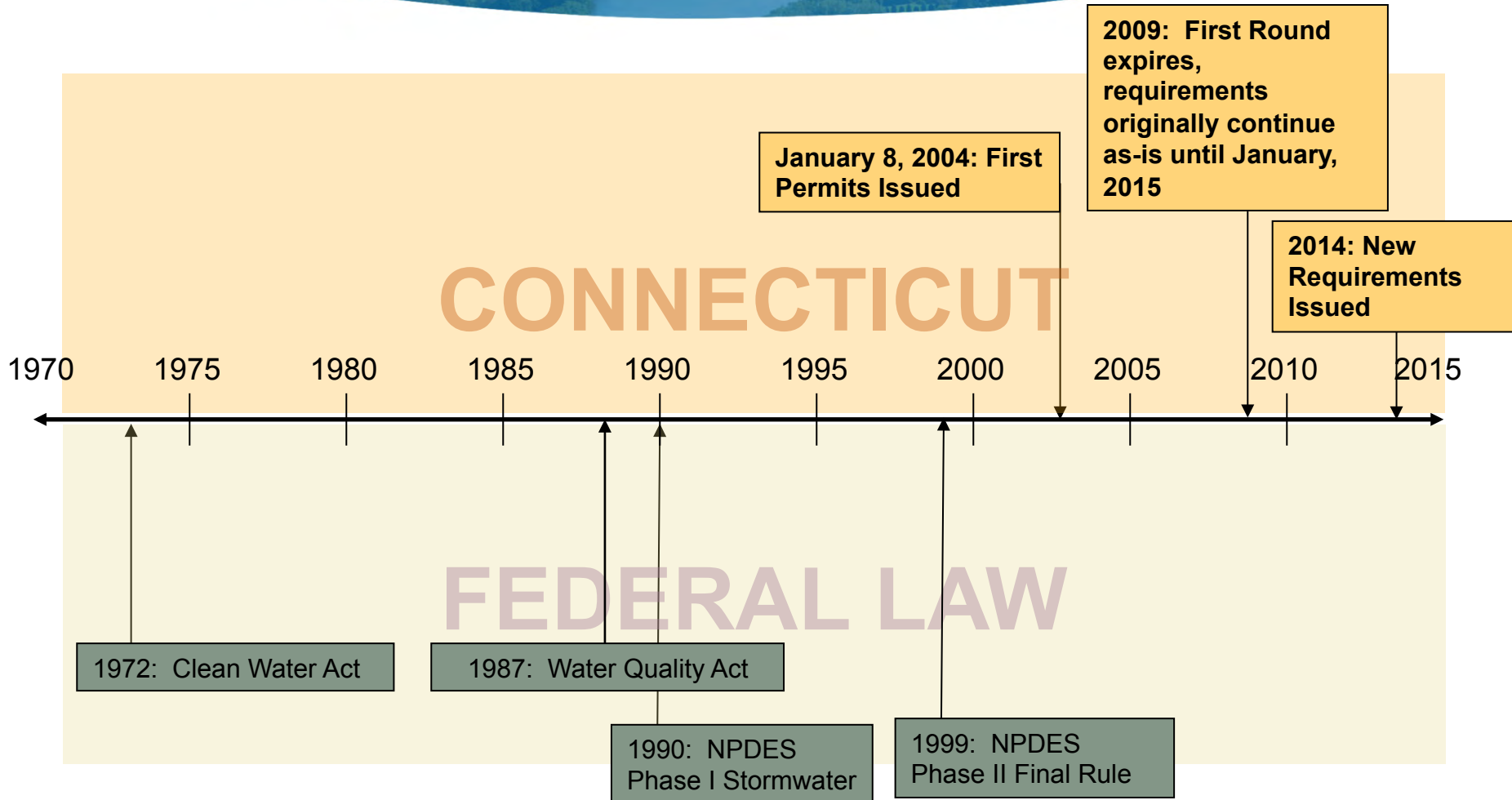
Regulatory Background

MS4 General Permit Basics

- Stormwater discharges are regulated under EPA's Phase II Small Municipal Separate Storm Sewer System (MS4) Permit Program
- Connecticut is a delegated state, meaning permits are issued and managed by CTDEEP



Regulatory Background



Regulatory Background

MS4 General Permit Basics



- **Registration**
- **Stormwater Management Plan**
- **Annual Sampling**
- **Annual Report**

Regulatory Background

MS4 General Permit Basics

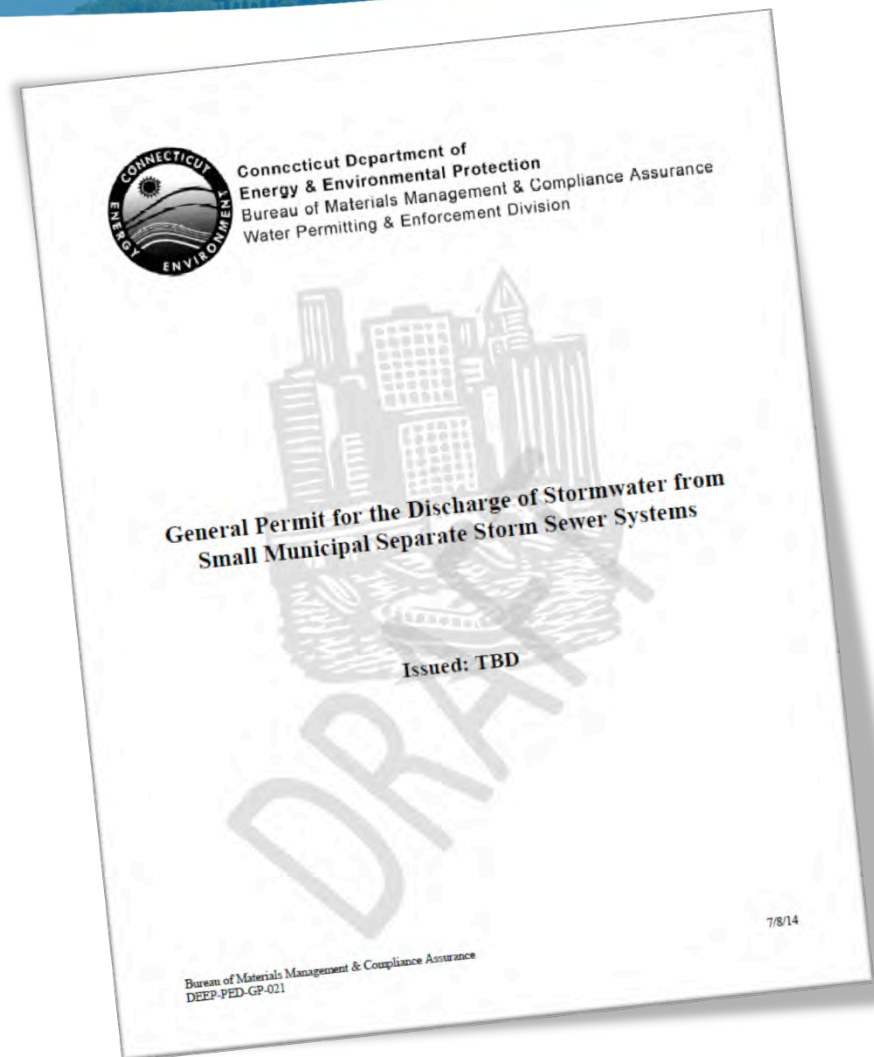
■ Six Minimum Control Measures

- Public Education/Outreach
- Public Participation/ Involvement
- Illicit Discharge Detection & Elimination (IDDE)
- Construction Site Runoff Control
- Post Construction Management in New Development
- Pollution Prevention & Good Housekeeping

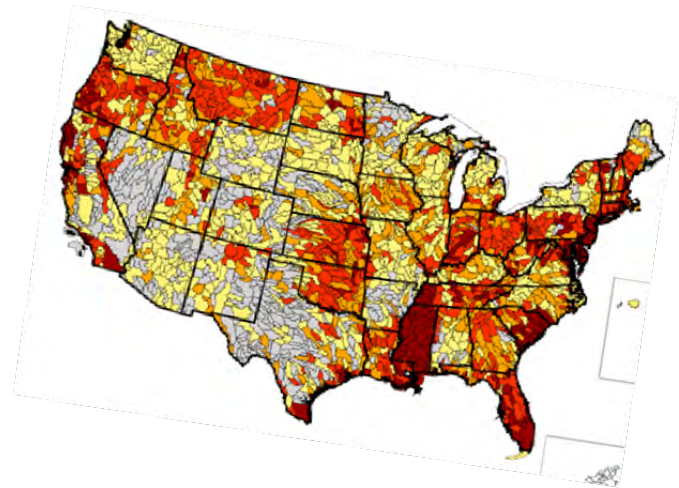


Proposed Modifications

- CTDEEP issued public notice in July 2014
- Information session on August 6, 2014



What's Changed? What's New?



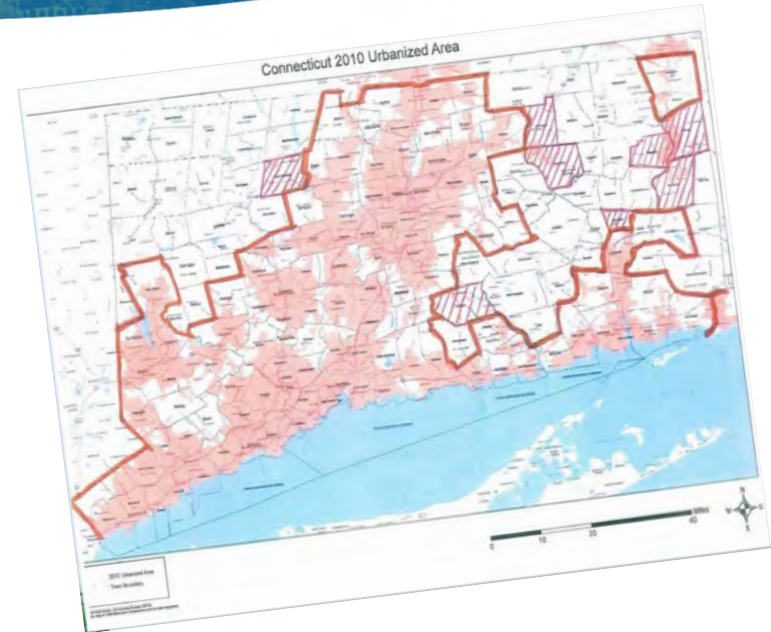
Connecticut MS4 Permit Overview

■ Current Permit

- Only covers 130 municipalities
- No institutions

■ Proposed Permit

- **Covers all 169 Municipalities!**
- Tier 1: 138 municipalities in the Urbanized Area plus institutions
- Tier 2: all other municipalities



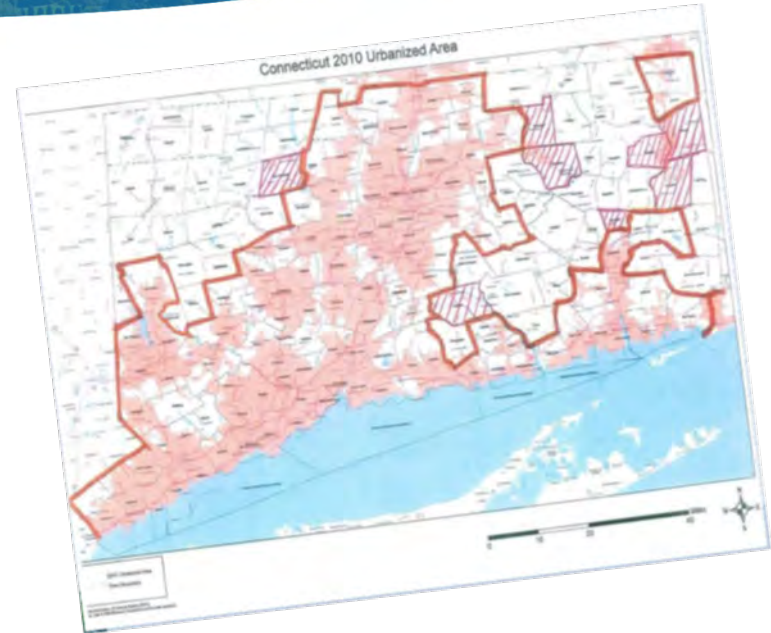
Connecticut MS4 Permit Overview

■ What is the Urbanized Area?

- Area defined in by the US Census Bureau for 2000 or 2010 Census

■ Tier 1:

- At least 1,000 residents in Urbanized area
- But this can represent only small portion of entire community



July 2014 Draft Requirement Overview

Tier 1 vs Tier 2

Key Requirement	Tier 1 MS4s	Tier 2 MS4s
Public Education and Outreach	Specific targeting in several areas, plus additional requirements for communities with impaired waters	Same Requirement as Tier 1
Public Participation and Involvement	Public Notice of Report, plus Annual Public Meeting	Same Requirement as Tier 1
IDDE	More stringent mapping screening/sampling requirements	Establish legal authority to prevent illegal discharges, but no screening/sampling
Construction site stormwater runoff	Establish Regulations, require Interdepartmental Coordination, Site Reviews	Same Requirement as Tier 1
Post-construction stormwater measures	LID Measures, Impervious cover calculations, Long Term Maintenance Plan	Same Requirement as Tier 1
Pollution prevention/ good housekeeping	Much more stringent, specific requirements in several areas	Same Requirement as Tier 1

Municipal Concerns

- **Extensive Street Sweeping**
- **Annual Leaf Pickup Program**
- **Catch Basin Inspection/Cleaning**
- **Good Housekeeping Requirements too Stringent**
- **Increased Testing Parameters for Sampling**



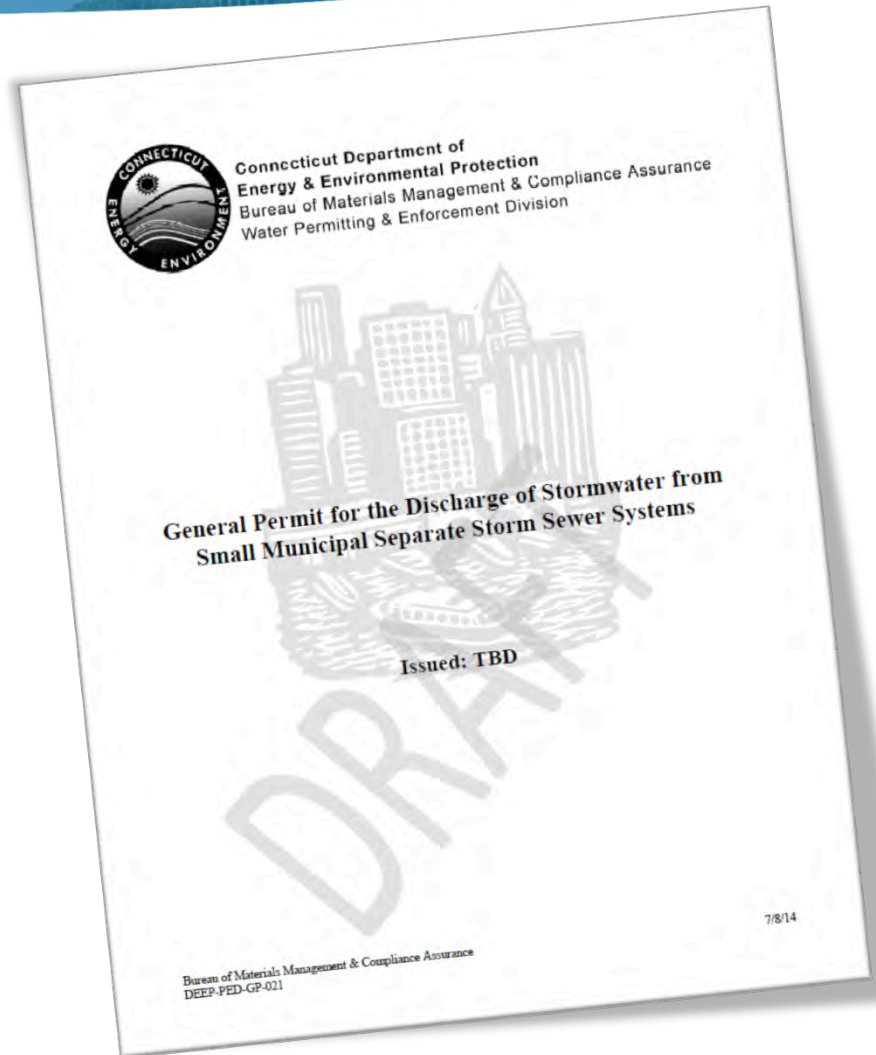
Municipal Concerns

- **Second Party Engineering Certification of Stormwater Plan**
- **Storm Sewer Mapping Requirements**
- **Unfunded Mandate**
- **Requirements are more stringent than what EPA Requires**



Intervenors

- **COST (CT Council of Small Towns)**
- **CT Conference of Municipalities**
- **Town of Willington**
- **CT Fund for the Environment**



Reaction from Communities

■ Significant Amount of Written Comments

- 52 Written Comments Posted in CT DEEP's website
- 154 pages!

■ Public Hearing

- Held December 17, 2014 at DEEP Headquarters
- Attended by a significant number of communities in the State
- 36 Speakers commented on Regulations

■ Written Comments

- Due to DEEP by January 9, 2015

■ Revised Permit Requirements

- Issued on January 26, 2015



Revision Improvements

- **Eliminate Second Party Engineer Review**
- **Eliminate Annual Public Meeting**
- **Eliminate Leaf Pickup Program**
- **Less stringent road sweeping requirements**
- **Outfall monitoring to impaired waters only**
- **Time Limits for Implementation Extended**

Revisions: Unchanged

- Land Use Regulation changes
- Mapping Requirements
- Good Housekeeping Requirements



Timelines – Tier 1 Existing Communities

■ Immediately

- Develop plan for Interdepartmental Coordination

■ Within 120 Days

- Develop inventory of all known sanitary sewer overflows



Timelines – Tier 1 Existing Communities

■ Within 1 Year

- Begin Public Outreach Program
- Develop written IDDE Program
- Begin to implement, upgrade and enforce land use regulations
- Implement Maintenance Program for municipally owned stormwater structures
- Complete Inventory of all known outfalls and interconnections
- Complete assessment and ranking of all catchments (based on existing information)
 - » Excluded
 - » Problem
 - » High Priority
 - » Low Priority





Timelines – Tier 1 Existing Communities

■ Within 2 Years

- Require LID measures on Development Projects
- Begin outfall screening follow up investigations
- Include status of screening as part of annual report
- Complete stormwater mapping updates

■ Within 3 Years

- Inspect all catch basins at least once
- Screen 50% of all outfalls
- Complete dry weather screening/sampling of every MS4 outfall/interconnection (except excluded and problem areas)
- Complete catchment investigations of 80% of MS4 area served by problem catchments



Timelines – Tier 1 Existing Communities

■ Within 4 Years

- Implement LID practices as part of land use regulations
- Complete Measurement of directly connected impervious area to all outfalls
- Commence annual monitoring

■ Within 5 Years

- Complete outfall screening
- Physically label all MS4 outfall pipes
- Complete catchment investigations of 100% of MS4 area served by problem catchments
- Complete catchment investigations of 40% of all MS4 areas

Regulatory Update: June, 2015

- **CTDEEP has withdrawn Tier 2 Requirements**
- **Tier 1 Requirements still in effect**
- **Intervenors Continue to Meet**
 - Next status conference scheduled for June 11, 2015
- **Evidentiary Hearings if Issues not Resolved**
- **CTDEEP hopes to complete permit revisions by end of year**

What Can I Do Now?

■ Start Discussing Stormwater with Decision Makers and the General Public

- Let them know what stormwater is
- Emphasize regulations are not going away
- Set stage to obtain funding for stormwater

■ Borrow Information from Others

- EPA Website
- Neighboring Communities



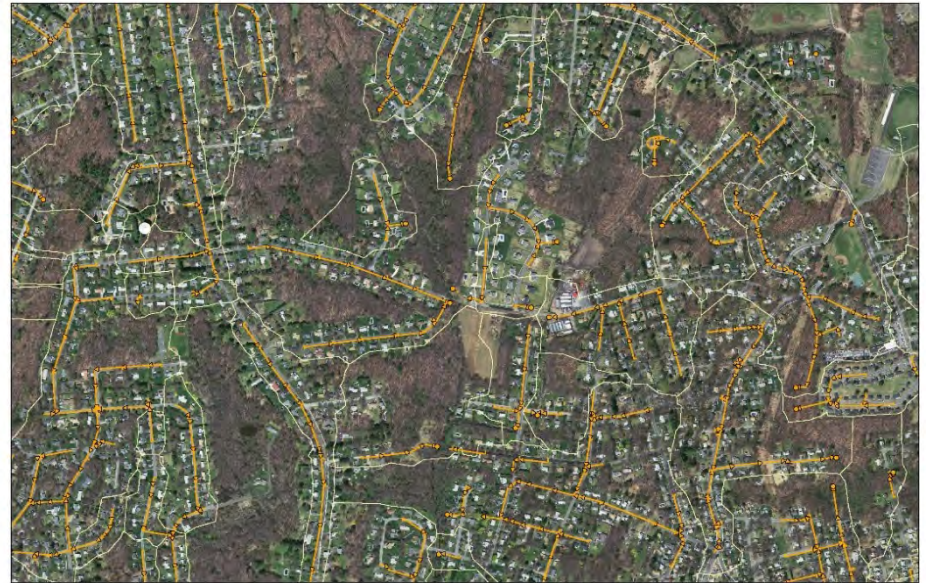
What Can I Do Now?

■ Mapping, Mapping, Mapping!

Start now, do a little each year

First priority: Outfalls

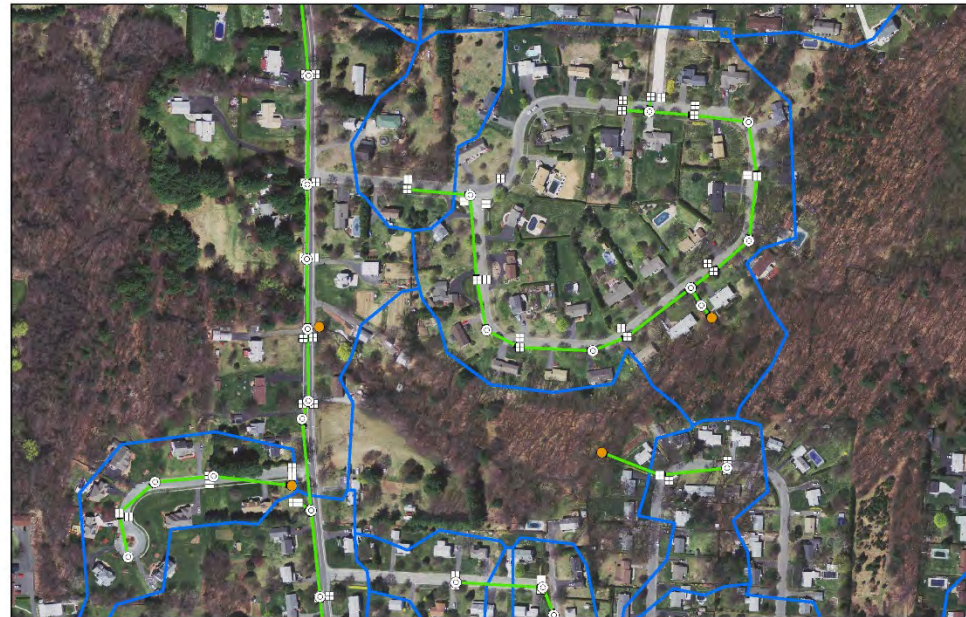
Second Priority:
pipes/catchment areas



What Can I do now?

■ Develop System Inventory

- Municipally/Privately owned components
- Confirm who is responsible for maintenance



What Can I do now?

■ Develop a Paperwork Trail

- IDDE Tracking/Training/O&M Procedures
- Make sure your records are in order
- Confirm what information needs to be documented, and make sure the paper trail exists



Questions & Discussion

