Municipal Stormwater Permits WQS and TMDLs

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Municipal Unit Supervisor Water Quality Program



Municipal Stormwater Permits Implement Clean Water Act NPDES Program & State Permitting Rules



Washington Municipal Stormwater Permits

Phase I

(Issued 1995, reissued 2007, 2012)

King, Snohomish, Pierce & Clark counties; Seattle & Tacoma

Western WA Phase II

(Issued 2007, reissued 2012)

80 cities and parts of 5 counties

Eastern WA Phase II

(Issued 2007, reissued 2012)

18 cities and parts of 6 counties

All three permits include Secondary Permittees

46 Secondaries – Ports, Schools, Irrigation Districts, etc.



Phase I Permit Sections

The permit regulates discharges from large and medium publicly owned municipal separate storm sewer systems (MS4s).

- S1. Permit Coverage & Permittees
- S2. Authorized Discharges
- S3. Responsibilities of Permittees
- S4. Compliance With Standards
- S5. Stormwater Management Program
- S6. Secondary Permittee Requirements
- S7. Compliance With TMDLs
- S8. Monitoring
- S9. Reporting Requirements





S7. Compliance with TMDLs

Compliance with TMDLs

- At each reissuance we evaluate TMDLs with WLAs for MS4s
- Appendix 2 includes actions beyond core permit requirements
- Additional actions may either:
 - Focus and target existing BMPs
 - Require new BMPs





S4. Compliance with Standards

Municipal Stormwater Permits

- Conditionally authorize discharges from MS4s
- In accordance with
 - US Clean Water Act National Pollutant Discharge Elimination System (NPDES) and
 - WA State Water Pollution Control Act state waste discharge program
- Intent of S4.F to "reconcile the irreconcilable"



Special Condition S4

Compliance with Standards

- A. Discharge of toxicants prohibited
 - Respond per S4.F
- B. Discharge that would be a violation of water quality standards prohibited
 - Respond per S4.F
- C. Reduce pollutants to the Maximum Extent Practicable (MEP)
- D. Use AKART
- E. To comply with above, comply with permit
- F. Stay in compliance despite A & B prohibited discharges by taking "the following response toward long term water quality improvement"...

S4.F Adaptive Management

- Notify Ecology: site-specific data & violation recorded in receiving water
- Ecology determines if adaptive management is necessary...
 - Already addressed under TMDL or enforceable water cleanup plan?
 - MS4 contribution to be eliminated through other permit requirements?
 - If no to both, require Adaptive Management Plan



S4.F Adaptive Management (cont)

- 3. Submit Adaptive Management Response Plan
 - BMPs currently implemented w/ qualitative assessment of effectiveness
 - Potential additional BMPs
 - Potential monitoring or other efforts to monitor, assess or evaluate effectiveness of additional BMPs
 - -Ecology review & approval of plan
 - Significant plans "approved" in Appendix 13 (Phase I Permit)



Appendix 13. Seattle & Lower Duwamish Waterway

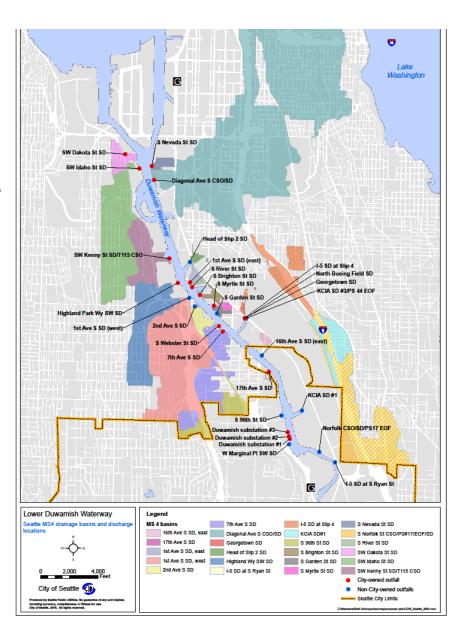
Appendix 13

- New appendix associated with S4.F
- Similar to Appendix 2 for TMDLs
- Adds adaptive management requirements
 - Currently to address Seattle's MS4 contribution to standards violations in the Lower Duwamish Waterway



Seattle MS4 In the LDW

- Seattle stormwater discharges to the LDW
 - 18 Seattle-owned outfalls
 - 11 outfalls owned or installed by others
- Approximately 5,500
 acres served by Seattle
 stormwater system
- Basins range in size
 - <1 acre to 2,664 acres</p>



Background: Seattle's LDW Source Control Implementation Plan

- 2003: Seattle began implementing LDW source control actions
- 2012: Seattle began to develop a 5-yr Source Control Implementation Plan
 - In coordination with Ecology's toxics cleanup and water quality programs



Seattle's 2013 S4.F Notification

- Informed by previous experience with S4.F adaptive management
- Identified contributions to water quality standards violations associated with
 - 5 specific outfalls, and
 - 2 parameter classes (PCBs, phthalates)
- Described data assessment process



Ecology's 2014 S4.F.2 Response

- Triggered Adaptive Management
 - For all Seattle MS4 discharges to LDW
 - For all LDW sediment contaminants of concern
- Why?
 - Data from numerous MS4 basins
 - Need cross-basin prioritization framework
 - Actions address LDW pollutants in storm solids
 - Future focus on implementation not additional basin S4.F notifications
 - Seattle's LDW Source Control Implementation
 Plan addresses all their LDW MS4 discharges

Appendix 13

- Source Tracing & Sampling Program
- Effectiveness Monitoring
- Business Inspection Program Enhancements
- O&M Enhancements
 - Line Cleaning
 - MS4 Infrastructure Planning
 - Transportation Capital Project Planning
 - Specific actions for S. Myrtle street
- Structural Controls
 - Treatment facility & street sweeping interim reporting
- Annual Reporting & Prioritization

Summary

- WA uses general permits
- Permits incorporate TMDL-related actions as permit requirements for specific permittees
 - Via S.7 and Appendix 2
- Permits have an adaptive management provision to address compliance with water quality standards
 - Via S.4 and Appendix 13





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www.ecy.wa.gov/programs/wq/stormwater/index.html



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