

# Municipal Stormwater Permits WQS and TMDLs

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



# Washington Municipal Stormwater Permits

<b>Phase I</b> (Issued 1995, reissued 2007, 2012)	King, Snohomish, Pierce & Clark counties; Seattle & Tacoma
<b>Western WA Phase II</b> (Issued 2007, reissued 2012)	80 cities and parts of 5 counties
<b>Eastern WA Phase II</b> (Issued 2007, reissued 2012)	18 cities and parts of 6 counties
<b>All three permits include Secondary Permittees</b>	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

1. Notify Ecology:  
site-specific data &  
violation recorded in receiving water
2. 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





# 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



# Questions?



# Ecology Contact Information

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**[www.ecy.wa.gov/programs/wq/stormwater/index.html](http://www.ecy.wa.gov/programs/wq/stormwater/index.html)**

Detail on Seattle & Duwamish LDW?

# Seattle/Duwamish Contact

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