

Residual Designation Authority (RDA)

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Overview

EPA or states can use RDA to require NPDES permit coverage for stormwater discharges or a category of discharges on a case-by-case basis if it determines that the discharges:

Contribute to a violation of water quality standards;

Are a significant contributor of pollutants to a WOTUS; or

Controls are needed to satisfy a wasteload allocation in a TMDL.



Different Permutations of Petitions

- EPA receives designation petition
& is the permitting authority
Example: Region 1
- EPA receives designation petition
& state is permitting authority
Example: California
- State receives designation petition
& state is permitting authority
Example: Colorado

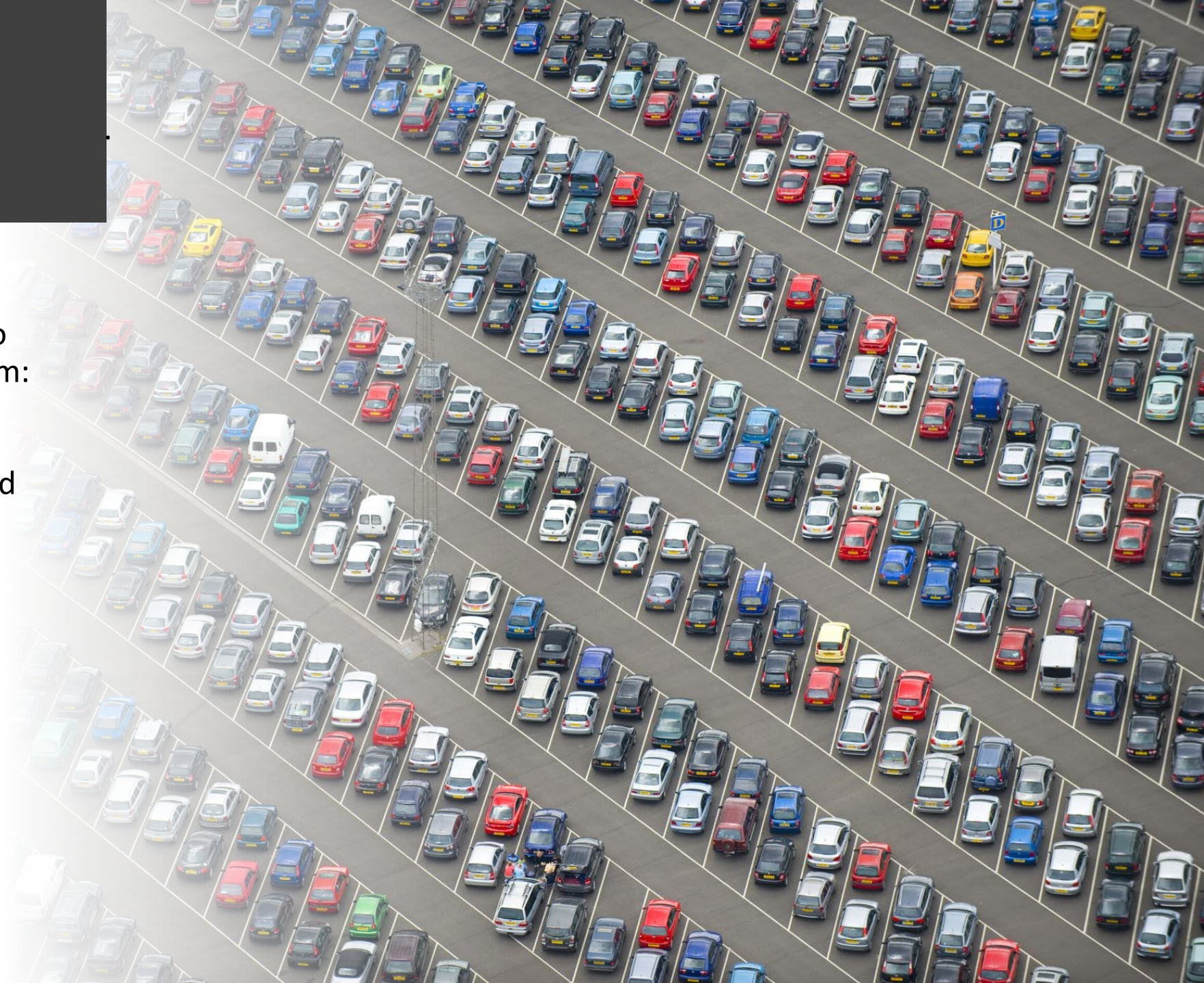


Petitions to Date

To date, EPA has received petitions to designate stormwater discharges from:

Impervious surfaces associated with commercial, industrial, and institutional (CII), and multi-family properties

New or expanded MS4s



Region 1: Charles, Mystic, and Neponset Rivers RDA Determination, September 2022

- Designated all CII properties with one or more acres of impervious cover in these three watersheds.
- 2019 and 2020 RDA petitions from Conservation Law Foundation
- Key impairments: phosphorus, nitrogen, bacteria
- EPA is the NPDES permitting authority for MA; beginning to work on RDA general permit.
- Environmental justice and climate change considerations

