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GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

FACT SHEET PROPOSED 2016 REISSUANCE WITHOUT MODIFICATIONS

General Permit Background:

The DEEP stormwater general permit program was developed pursuant to EPA's Stormwater Rule and Connecticut's stormwater permits are issued under the authority of the National Pollutant Discharge Elimination System (NPDES) and Connecticut General Statutes Section 22a-430 and 22a-430b. Phase I of the EPA Stormwater Rule was published in 1990 and addressed runoff from medium and large municipal separate storm sewer systems (MS4s) with populations greater than 100,000 as well as runoff from industrial and construction activities. Phase II of the Stormwater Rule was published in 1999 and addressed runoff from small MS4s with populations less than 100,000.

The DEEP first issued the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (general permit) on January 9, 2004 under this Phase II rule. The general permit has been reissued, without modifications, since 2004. The purpose of the general permit is to protect waters of the state from urban stormwater runoff through municipal separate storm sewer systems. EPA defines a regulated small MS4 as a municipality that owns and operates a storm sewer system in an Urbanized Area (UA). Urbanized Areas are defined by the Census Bureau and consist of densely populated areas surrounding urban centers. The criteria for designating UAs are developed by the Census Bureau and maps of UAs are published after each decennial census. The original maps governing the 2004 general permit were based on the 2000 census. The most recent maps reflect the results of the 2010 census. EPA does not require coverage of municipalities outside of Urbanized Areas but allows the permitting authority (DEEP) to designate additional regulated MS4s outside of Urbanized Areas. There are 113 MS4s, regulated by virtue of having Urbanized Areas, authorized under the current general permit.

The requirements of the current general permit include registration to obtain permit coverage, development and implementation of a Stormwater Management Plan and monitoring of six stormwater outfalls once a year during a rain storm. The Stormwater Management Plan is the cornerstone of this general permit. It is a document prepared by the MS4 that contains information on its stormwater and municipal infrastructure along with Best Management Practices (BMPs) to reduce and/or eliminate the discharge of pollutants through the storm sewer system to the Maximum Extent Practicable (MEP). MEP is the standard promulgated in EPA's Phase II rule that MS4s are required to meet. The definition of MEP is "to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice." EPA states that the

MEP standard for MS4 discharges is an “iterative process consisting of a municipality developing a program consistent with specific permit requirements, implementing the program, evaluating the effectiveness of BMPs included as part of the program, then revising those parts of the program that are not effective at controlling pollutants, then implementing the revisions, and evaluating again.” This process continues until the goal of meeting water quality requirements is achieved.

The BMPs in the Stormwater Management Plan are organized into six categories of Minimum Control Measures: public education and outreach; public participation; illicit discharge detection and elimination (IDDE); construction stormwater management; post-construction stormwater management; and pollution prevention and good housekeeping. Each of these categories includes several BMPs to implement the control measure. Certain BMPs are required and the permit provides for additional BMPs to be implemented, as necessary to address pollution, at the discretion of the MS4.

Public Hearing Process for a Modified General Permit:

The current general permit expired on January 8, 2016. A *modified* MS4 general permit was initially publicly noticed on July 7, 2014 for which a public informational meeting was held on August 6, 2014, a public hearing was held on December 17, 2014 and a second public informational meeting was held on September 10, 2015. The *modified* MS4 general permit, when issued, will not be effective until July 1, 2017.

Proposed Reissuance of the General Permit Without Modifications:

In order to maintain permit coverage for the regulated community for the period between the issuance date and effective date of the *modified* MS4 general permit, the current MS4 general permit is therefore proposed to be renewed *without modifications* for the period effective from January 12, 2016 through June 30, 2017. Current registrants are advised that if reissuance of the MS4 general permit *without modifications* is not completed by the expiration date of the current MS4 general permit (January 8, 2016), such registrants should continue to comply with the terms and conditions of the expired MS4 general permit.