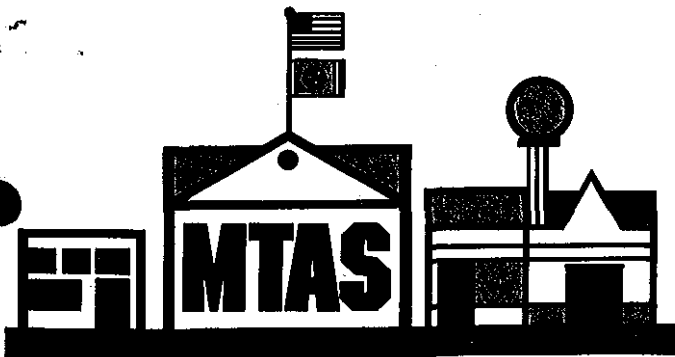




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REPORT ON PERMITTING REQUIREMENTS FOR MUNICIPAL AND INDUSTRIAL STORMWATER DISCHARGES

by Sharon L. Rollins

Background

Many will recall when the stormwater permitting controversy was at its peak in 1984-85. Public Law 92-500 prohibits all discharge of pollutants from point sources into U. S. waters without a National Pollutant Discharge Elimination System (NPDES) permit. In an effort to deal with high priority pollution problems first, the U. S. Environmental Protection Agency (EPA) issued regulations in 1973 which required permits for stormwater contaminated with industrial or commercial wastes, but exempted all other stormwater point sources from permit requirements. The National Resources Defense Council (NRDC) brought suit against EPA, charging it had no right to make these exemptions. NRDC won its case in court.

In 1984, EPA published final stormwater regulations and set the date of April 1985 as the date when permit applications would have to be submitted for every stormwater outfall in every city and industrial area in the country. This would have required permitting and subsequent sampling and analysis of an estimated one million stormwater discharge points. The cost of applications alone was estimated at \$8.5 billion and the cost of complying with permit requirements was estimated at several billion dollars.

In response to numerous comments, EPA extended the application deadline to December 1987. Then legislative changes were proposed which allowed for a tiered and phased approach for dealing with stormwater issues. The compromise proposal recognized that resources varied according to size of city.

Current Status

Thus the Clean Water Act of 1987 makes the following provisions:

- * Prior to October 1, 1992, a permit program for stormwater discharges will NOT be required except for:
 - * a discharge which has an existing permit;
 - * a discharge associated with industrial activity;
 - * a discharge from a municipal separate storm sewer system serving a population of 100,000 or more; and
 - * any stormwater discharge which is a significant contributor of pollutants.
- * For those stormwater discharges requiring permits, application deadlines are realistic. Industrial and large municipal population (250,000 or more) have three years from the date of enactment (February 4, 1990) to apply, and other municipal discharges (population 100,000 to 250,000) have five years to apply for a permit.

Permits for discharges from municipal storm sewers may be issued on a system-wide basis. Non-stormwater discharges into storm sewers are prohibited. Also, permit applications must include all control techniques, management practices, etc. that reduce discharge of pollutants to the maximum extent practicable.

A Tennessee City Begins Work on Stormwater Pollution Control

Chattanooga, Tennessee (population 170,000) has already done considerable work in reducing water quality impacts to the Chattanooga Creek Basin from the city's stormwater system. In 1984, prompted by pending EPA regulations regarding stormwater discharge permitting, crews from the Chattanooga Interceptor Sewer System surveyed all discharges to streams, tributaries and ditches in the Chattanooga Creek Basin. Several direct discharges were detected and corrected; other violations were suspected. In 1985, the City Yards Division (Division of Public Works) undertook a program to: (1) locate illegal or improper connection or discharges of sanitary, process or other contaminated wastewater to the stormwater system, with particular emphasis on the Chattanooga Creek Basin; (2) locate and document stormwater discharges for future permitting requirements; and (3) initiate enforcement action to correct any illegal discharge of pollutants.

With the help of the Interceptor Sewer System personnel, the City Yards Division personnel located, mapped and photographed discharge points, described them in a permanent log and sampled each discharge. Analysis consisted of fecal coliform and detailed

chemical analysis (if industrial/commercial pollutants were suspected). One hundred and twenty-one samples were collected and analyzed. Twenty-seven violations were found. Eleven violations were from industry, seven from residences, seven from businesses and two were from damaged sanitary sewer lines.

Violators were notified in writing, and enforcement agencies (Tennessee Department of Health and Environment and the Hamilton County Health Department) initiated enforcement actions.

The report detailing this work concluded with the recommendation that the same procedures be extended to other city drainage areas. This way, numerous sources of pollution to the environment and potential public health threats could be corrected. These recommendations were implemented, and to date, all major drainage areas in the City of Chattanooga have been surveyed. Enforcement actions are in progress.

Chattanooga is to be commended for aggressively acting to abate water pollution. It is ahead in the Clean Water Act of 1987 requirements for permitting stormwater discharges.

Acknowledgement

The author wishes to acknowledge the contributions of George E. Kurz, P.E., City of Chattanooga, Department of Public Works, for reviewing and commenting on this bulletin.

Further Information

Further information on this topic may be obtained by contacting Sharon L. Rollins, P.E., MTAS Utility Management Consultant, in Nashville at (615) 256-8141; Edward C. Archer, P.E., MTAS Utility Management Consultant, in Jackson at (901) 423-3710; or Alan E. Major, Utility Financial Management Consultant, in Knoxville at (615) 974-5301.

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