Industrial Stormwater Permitting Program – Division of Energy, Mineral, and Land Resources

Bethany Georgoulis,
DEMLR Stormwater Permitting Program
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Stormwater Permitting Programs – What We’ll Cover

• Stormwater Permitting Program Overview
• NPDES Stormwater Permitting Program (est. 1990)
  • Industrial Activities
  • Municipal Separate Storm Sewer Systems (MS4s)
  • Construction Activities
• No Exposure Exclusion
• Program Updates
  • NCG02 Mining Permit – Recent Renewal
  • NCG14, NCG24, NCG01 up for renewal in 2016
  • EPA’s e-Reporting Rule effective December 2015
• Questions

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Stormwater Program Overview

• (Federal) NPDES Stormwater Permitting Programs
  • Phase I
  • Phase II
• State Stormwater Programs

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Federal NPDES Stormwater Program

Industrial activities in 10 categories

Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas or designated

Construction activities disturbing ≥ 1 acre

Photos courtesy of DWR and DEMLR

NPDES Industrial & MS4 Stormwater Permits

Photos courtesy of DWR
NPDES Industrial Stormwater Program

- 11 regulated sectors, including construction
- Applicability determined by:
  - Regulated activity, AND
  - Point source of stormwater "associated with industrial activity" to waters of the state
- 40 CFR §122.26 also grants NC DEQ (or EPA) authority to require an NPDES permit for other stormwaters discharge determined to contribute to water quality standard violations or a significant contributor of pollutants to surface waters
- 20 General Permits (rather than one big “Multi-Sector” General Permit)
- Individual Permit issued when a General Permit does not fit
- Most permits require Stormwater Pollution Prevention Plan (SPPP), qualitative/visual monitoring, and sometimes analytical monitoring
- Eligible for exclusion from NPDES stormwater permit requirement if materials and operations not exposed to stormwater

NPDES MS4 Permits

- In 1990, cities with medium and large MS4 systems serving populations of ≥ 100,000 required to get NPDES stormwater discharge permit (Phase I)
- In 2000, Stormwater Phase II Rule expanded coverage to smaller MS4s in census-defined urbanized areas and those that meet State-established designation criteria (large population density, high growth potential, significant pollutant contributor, etc.)
- Refined how MS4 Stormwater Management Programs are developed and implemented
- Jurisdictions must implement 6 minimum measures:
  - Public education and outreach
  - Public participation
  - Illicit discharge detection and elimination
  - Construction site runoff control (> 1 acre disturbance)
  - Post-construction stormwater runoff control
  - Pollution prevention and good housekeeping
- Oversight requirements of industrial dischargers into MS4s by the jurisdiction varies between Phase I and Phase II entities
Construction Activities

- When is an NPDES stormwater permit needed?
  - Construction will disturb an acre or more
  - Project needs an E&SC Plan approval by local or state program
- Is a Notice of Intent (NOI) application for NCG010000 coverage needed?
  - No, automatic coverage upon E&SC approval
  - Permit materials should be provided (also on website)
- Does an industrial facility need an NCG01 for construction if it already has a different NPDES stormwater permit for the industrial activity?
  - Yes, both industrial and NCG01 permits required
  - That’s in addition to E&SC requirements
  - NCG01 covers construction activity discharges only
  - Compliance with E&SC Plan is a condition of NCG01
Construction Activities

No Exposure Exclusion from Industrial Stormwater Permitting
No Exposure Certification

• Any of other 10 industrial categories may qualify for No Exposure Exclusion (i.e., no NPDES Stormwater Permit required)
• Operator applies for “No Exposure Certification” from NC DEQ
• DEMLR Regional Office conducts inspection to verify, issues NCGNE
• Facility must self-certify annually that no exposure conditions maintained

Active Stormwater Permits Map

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Stormwater Permits Map – Searching

http://portal.ncdenr.org/web/lr/stormwater

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Industrial Stormwater Program Updates

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Industrial Stormwater Program Updates

• 3 General Permits include wastewater + stormwater discharges
  • NCG02 (Mining Activities) renewed effective October 1, 2015
  • Response to Comments & list of significant changes on our website
  • Most permittees accessed COC on-line; paper packages mailed out Nov-Dec
  • NCG14 (Ready-mixed Concrete) expires June 30, 2016
  • NCG24 (Composting Operations) expires September 30, 2016
• NCG01 (Construction) expires July 31, 2016
• EPA e-Reporting Rule
  • Becomes effective December 21, 2015
  • NPDES Stormwater permittees must begin reporting data electronically within one year
  • DEMRL plans to use DWR's eDMR system (NPDES Wastewater Program)
  • A lot of work over the next year to implement this for our permittees (add outfalls into database, training, etc.)

EPA E-Reporting Rule

Rule effective December 21, 2015  
Permittees must report DMR data electronically by December 21, 2016  
NOIs, NCGNEs, and MS4 Annual Reports by December 21, 2020
Questions?

Stormwater Permitting Program
Telephone: (919) 707-9220
Website: http://portal.ncdenr.org/web/lr/stormwater

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