

The NPDES Phase II Storm Water Regulations

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Regional Contacts

- **Rockford - Chuck Corley (815) 987-7760**
- **Des Plaines - Chris Kallis (847) 294-4000**
- **Peoria - Jim Kammuehler (309) 693-5463**
- **Champaign - Holly Hirschert (217) 278-5800**
- **Springfield – John Wells (217) 786-6892**
- **Collinsville - Wayne Caughman (618) 346-5120**
- **Marion - Byron Marks (618) 993-7200**

Regulatory History of the Program

- **Phased approach was required by 1987 CWA Amendments**
- **Phase I – 1990 Federal Register - Addressed significant sources of runoff**
- **Phase II – 1999 Federal Register - Beginning March 10, 2003 construction sites that disturbed one acre or more were required to have coverage under the NPDES general permit for storm water discharges from construction site activities.**

Phase II Rules

- All construction sites, including municipal projects, that disturb 1.0 acre or more are regulated
- Municipalities located in urban areas as defined by the Bureau of Census were required to obtain NPDES permit coverage for discharges from their municipal separate storm sewer systems (MS4s).
- Individual municipal projects covered under an MS4 do not need separate permits from IEPA

Phase II Small MS4 Coverage

- **Purpose of MS4 Programs – Require storm water controls at local level**
- **A Phase II - regulated small MS4 is any small MS4:**
 - **Located in an “urbanized area” as defined by the Bureau of Census**
 - **Designated by the IEPA**

What Activities are Covered?

- **Construction activities – Any site development including roads, construction of residential buildings, office buildings, industrial sites, or demolition.**
- **Land Disturbance - Soil is exposed due to clearing, grading, or excavation activities**

Construction Permit Activity Before Construction

- **Create a Storm Water Pollution Prevention Plan (SWPPP)**
- **Submit one-page Notice of Intent (NOI) to IEPA including the \$500 application fee at least 30 days prior to the anticipated start of construction**

Notice Of Intent

Key Items

These must be included on the NOI in order to avoid having to resubmit the form.

- **Owner information**
- **SWPPP status**
- **Receiving Water information**
- **Signature**
- **Date**

Construction Permit Activity Before Construction

- **30 Day mandatory review period**
 - **IEPA will post NOIs on website:**
www.epa.state.il.us/cgi-bin/wp/noi/noi.pl
 - **Discharge is authorized 30 days after the date the NOI is post marked**

Construction SWPPP

Must include:

- A description of the nature of the construction activity
- A description of the intended sequence of major activities which disturb soils for major portions of the site (clearing, grading & excavating)

Construction SWPPP (cont'd)

- **Estimates of the total area of the site and the total area to be disturbed by excavation, grading or other activities**
- **An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site**

Construction SWPPP (cont'd)

■ Site Map

- **Drainage patterns, approximate slopes anticipated before and after major grading activities**
- **Location of vehicle entrances/exits and controls to prevent offsite sediment tracking,**
- **Areas of soil disturbance,**
- **Major structural and nonstructural controls,**

Construction SWPPP (cont'd)

- **Site Map (continued)**
 - **Areas where stabilization practices will occur,**
 - **Surface waters (including wetlands), and locations where storm water is discharged to surface water**
 - **Name of receiving water(s), the ultimate receiving water(s), and the areal extent of wetland acreage**

Construction SWPPP (cont'd)

■ Controls

- Erosion and sediment control
 - Stabilization practices
 - Structural practices: silt fence, sediment traps, storm drain inlet protection, etc.
- Storm water management
- Waste disposal

Construction SWPPP (cont'd)

- **Developers/owners, contractors and subcontractors must sign the certification statement**
- **Maintain the SWPPP on site from the beginning of the project until completion**

Construction Permit Activity During Construction

- **Implement controls and Best Management Practices according to SWPPP**
- **Modify the document as conditions change**
 - **Design changes that affect storm water**
 - **Additional contractors/subcontractors responsible for SWPPP implementation**

Construction Permit Activity During Construction

- **Inspections - at least once every 7 days & within 24 hours of a storm event of one-half inch or greater, retaining inspection forms onsite**
- **Complete and submit Incidence of Noncompliance (ION) form when necessary**

Construction Permit Activity After Construction

- **Terminate permit when final stabilization has been completed by submitting a Notice of termination (NOT)**
- **Keep records for 3 years**
- **Permit coverage required until final stabilization achieved (developer, contractor(s), or home builder(s) may be the permit holder)**

Construction Permit Activity After Construction

- **Final stabilization is achieved when:**
 - all land disturbing activities are complete,
 - uniform perennial vegetative cover with a density of 70 percent for unpaved areas and areas not covered by permanent structures has been established, or
 - equivalent permanent stabilization measures have been used.

What to Expect from an Illinois EPA or SWCD Site Visit

- Verification that a permit has been issued
- Verification that the SWPPP and the NOI or Notice of Coverage letter are on site
- Review of compliance with SWPPP, records of inspections, maintenance of controls
- Evaluation of the controls. Are they protecting the environment?

Agency Website & Contacts

- www.epa.state.il.us
- Terri.Lemasters@illinois.gov
- Al.Keller@illinois.gov
- **Permit Section telephone number:
(217)782-0610**

www.epa.state.il.us

- **All forms are available on the website**
 - **Notice of Intent (NOI)**
 - **Notice of Termination (NOT)**
 - **Incidence of Noncompliance (ION)**
 - **General Storm Water Permit**

www.epa.state.il.us/water/permits/storm-water/construction.html

www.epa.state.il.us

- **Public Notice List of NOI Applicants:**
<http://www.epa.state.il.us/cgi-bin/wp/noi/noi.pl>
- **Links to USEPA for information on BMPs**