

Stormwater Management Program Annual Report

In Accordance With G.S. 143-214.7(e)

2010

The Environmental Management Commission (EMC), through the N.C. Department of Environment and Natural Resources and the N.C. Division of Water Quality (Division), implements state and federal programs to control the water quality impacts of stormwater runoff from development activities and urban and developing areas. These programs include the federal National Pollutant Discharge Elimination System (NPDES) program for stormwater discharges that requires permits for point source discharges of stormwater from industrial activities and from certain municipal areas in urbanizing and developing areas. In addition the EMC and DWQ implement state stormwater permitting programs that are designed to control stormwater runoff from new development and redevelopment activities occurring near sensitive areas (Water Supply Watersheds, High Quality and Outstanding Resource Waters, Nutrient Sensitive Waters, Coastal Waters, Post-Construction adjacent to regulated municipal NPDES areas).

The Division continues with implementation of various state stormwater programs. As noted in last year's report this includes recently updated coastal stormwater control provisions. Implementation of these measures has occurred efficiently and the results of these changes will continue to be assessed over time. One major adjustment over the last few years has been our ability to focus additional resources and efforts toward compliance for permitted facilities in these programs, especially in the coastal stormwater program. Not only have these efforts helped by providing direct input on long term implementation, they also provide valuable information to help our Division positively adjust our review and permitting procedures for new projects. More information on the state stormwater programs can be found at: <http://portal.ncdenr.org/web/wq/ws/su/statesw>. The Division continues to provide technical guidance on stormwater control measures in our Stormwater Best Management Practices (BMP) Manual which is available online at: <http://portal.ncdenr.org/web/wq/ws/su/bmp-manual>.

Previous reports have outlined ongoing activities associated with implementation of the federal municipal (MS4) NPDES stormwater program (<http://portal.ncdenr.org/web/wq/ws/su/phase2>). This program is implemented under S.L. 2006-246 and continues to be a major emphasis for our program. Permits under this program currently regulate 115 entities across the state. In accordance with S.L. 2006-246 (Section 5) the Division and Commission continue to review other potential entities for designation into this program. Twelve additional entities were designated into the program earlier this year under these provisions. These added communities will be applying for permit coverage in late 2011. A majority of the currently permitted MS4's are in the process of having their permits renewed. The Division has developed draft permits for most of these entities and is working with the communities and EPA Region IV on the final permit language. The Division continues to provide outreach and information to these entities on the renewal process and what changes may be expected in the renewed permits. The Division continues to work with an ongoing MS4 audit program to assess portions of the permitted communities each year. On the federal level, the Environmental Protection Agency (EPA) is currently gathering information on a new rulemaking that would potentially expand post construction stormwater requirements nationally. The Division will continue to watch these efforts and provide input on the impacts to N.C. programs. Along with the MS4 program, the state implements the post-construction stormwater management program outlined in S.L. 2006-246 in areas adjacent to MS4 regulated entities and recently completed an annual update of our online map viewer showing stormwater permit coverage across the state. The viewer can be accessed at: <http://portal.ncdenr.org/web/wq/ws/su/maps>.

In the industrial NPDES permitting program the Division has reissued two general stormwater permits covering mining operations and construction sites statewide. The renewals made several procedural changes in an effort to promote stormwater pollution prevention and the development of more effective tools to help the permit holders and the Division in compliance with regulations. These changes are

consistent with general permit changes previously made for other industries and for a large number of individual permit renewals that have been processed over the last few years. These permits, and technical guidance information can be found at http://h2o.enr.state.nc.us/su/Forms_Documents.htm. The reissued construction permit is only effective through August of 2011 because on the federal level EPA has implemented new regulatory standards for the construction industry. These standards include the ultimate implementation of effluent limits for turbidity levels in construction site discharges. EPA has had to review their previous standards and final limits are expected by February of 2012. Some previously established measures on the federal level will become effective in 2011. The Division is working now to develop an updated general permit for this industry. This process includes working with the Division of Land Resources and a technical advisory group to evaluate various implementation aspects of the construction program. This advisory group has met three times to date and includes representatives from various entities with interest in the construction industry.

In response to HB 1100, passed in 2009, the Division has worked with the Compost Industry in a stakeholder process to evaluate the appropriate permitting procedures for stormwater and wastewater that may be generated from their facilities. A number of state regulatory agencies and other interested parties have participated in this process through a series of eight meetings. This process has just concluded and final procedures have been developed by the group. We are on track to meet the milestones of HB 1100 and feel that the stakeholder process has been effective.

The Division continues to work to provide technical assistance and outreach in our various stormwater management program areas. A few major areas of technical assistance/outreach are noted here:

- ♦ We continue to maintain and regularly update our Stormwater BMP Manual and provide technical assistance on the materials.
- ♦ Division staff have provided outreach and education through visits to schools, meetings with local governments, various councils of government, exhibits at festivals and fairs, workshops for the regulated community and our outreach and education Listserv. Some of these efforts have been impacted again this year by budget constraints. Division outreach efforts have continued at events such as Earth Day and BugFest in downtown Raleigh and the Division will once again have a prominent display in the State Fair's Green NC exhibit. These events allow the Division to reach a large number of people and groups. Learn more about the division's stormwater awareness outreach and education efforts by visiting <http://www.ncstormwater.org>.
- ♦ The Division continues to partner with N.C. University to offer Stormwater BMP Reviewer Certification workshops. The workshop includes training on stormwater management, regulatory issues and review of BMP design, implementation, maintenance and inspection. These workshops are focused on training for municipal representatives that allows for increased local input and control in the stormwater management plan approval process and helps to eliminate duplicative review at the state level. Due to resources only one workshop has been held so far this year with one additional planned for December.
- ♦ Last year the Division started a partnership with The Water Resources Research Institute (WRRI) to offer regular stormwater training activities for engineers, consultants, local governments and other interested parties. These efforts have been well received and we are continuing with these efforts on a regular basis at various locations across the state. More information can be found at: <http://www.ncsu.edu/wrri/events/dwg/>
- ♦ The Division has implemented a number of efforts to provide training on various aspects of Jordan Lake Nutrient Management Requirements. These efforts will continue over the next few years. More information can be found at: <http://portal.ncdenr.org/web/jordanlake>.