



Focus on Phase II Municipal Stormwater Permit for Eastern Washington

from Ecology's Water Quality Program

Background

The U.S. Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Phase II stormwater regulations were adopted in December 1999. Those rules identify fifteen cities and eight counties in eastern Washington that are subject to NPDES municipal stormwater permitting requirements. These municipalities are located in the five census-defined urbanized areas of eastern Washington: Clarkston, Spokane, Tri-Cities, Wenatchee, and Yakima. Five additional municipalities (Ellensburg, Moses Lake, Pullman, Sunnyside, and Walla Walla), and perhaps others, may be subject to the requirements depending upon further analysis; the Department of Ecology will work with affected jurisdictions as we do the analysis. Federal regulations require that Phase II permits be issued by December 2002 and that designated Phase II communities submit an application for permit coverage by March 2003.

Proposed schedule for completion of the permit and related activities

Ecology has been supporting the development of two stormwater management guidance documents for eastern Washington: a Model Municipal Stormwater Program and a Stormwater Management Manual. The final Model Program will be published in summer 2003. The public comment period on the final draft Manual ends on August 18, 2003, and the final Manual will be completed in fall 2003 or winter 2004, depending upon the number and content of the comments received.

In Washington State, under RCW 90.48, all permits for discharges of pollutants apply to discharges to groundwater as well as surface water. Ecology is currently revising the Underground Injection Control (UIC) rule, including the portions of the rule that apply to discharges of municipal stormwater to UIC facilities, including drywells. Jurisdictions applying for coverage under the Phase II Municipal Stormwater NPDES Permit will receive a combined NPDES and State Waste Discharge Permit. The revised UIC rule is expected to be out for public comment in the fall of 2003.

The permit development process will begin in summer 2003 and will result in a report to the Legislature in December 2003. A draft Phase II municipal stormwater permit for eastern Washington should be developed beginning in spring 2004 and is expected to go out for public comment in mid to late 2004.

Process for developing the permit

In spring 2003, both houses of the Washington State Legislature passed legislation relating to Phase II municipal stormwater permits for Washington State. Although a common bill was

not adopted, the versions passed by the two houses had several common elements. Among the common elements were:

- Endorsement of the Eastern Washington Stormwater Project stakeholder group of local jurisdictions, state agencies, and private interests that has been working since 2001 to develop stormwater management tools for eastern Washington; and
- A list of issues about which the Legislature desired input from potentially regulated municipalities and other interested parties.

Ecology plans to convene a process through the Eastern Washington Stormwater Project Steering Committee for gathering input on these issues in both eastern and western Washington during the summer of 2003, and will provide a report to the Legislature in December 2003. The Legislature may provide additional direction to Ecology based on the input provided.

In spring 2004, Ecology will begin drafting separate Phase II municipal stormwater permits for eastern and western Washington with continued input from the interested parties. The permit for eastern Washington is expected to go out for public comment in mid to late 2004.

For more information

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