

Municipal Stormwater Permits

Q: What is stormwater and why is it a problem?

A: Stormwater is rain water that runs off surfaces such as rooftops, paved streets, highways, and parking lots. As stormwater runs off these surfaces, it picks up pollution such as oil, fertilizers, pesticides, pet waste, and trash and carries this pollution into our lakes, streams, rivers, and bays. Polluted runoff that goes into a storm drain is usually not treated and winds up in our downstream waters.

Q: Why is the Department of Ecology regulating municipal stormwater?

A: In 1987, Congress changed the Clean Water Act to include stormwater discharges in the National Pollutant Discharge Elimination System (NPDES) permit program. The Environmental Protection Agency (EPA) developed rules to implement the new stormwater requirements in two phases called Phase I and Phase II. Ecology implements these stormwater rules through municipal stormwater permits. The Phase I permit regulations, which went into effect in 1990, cover jurisdictions such as cities and counties serving more than 100,000 people. Ecology issued the first Washington State Phase I permits in 1995, and reissued the Phase I permit in 2007 and 2012.

In 1999, EPA issued the Phase II stormwater permit regulations to cover stormwater discharges in urbanized areas that serve smaller populations. Ecology first issued the Phase II permits in 2007, and reissued them in 2012. There are separate Phase II permits for eastern and western Washington.

Q: What is a municipal separate storm sewer system (MS4)?

A: This is the term used for a conveyance or system of conveyances (includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels, or storm drains) that is:

- Owned or operated by a public entity such as a city, town, county, or special district established by the state.
- Designed or used for collecting and conveying stormwater.
- NOT a combined sewer.
- NOT part of a Publicly Owned Treatment Works.

MORE INFORMATION

www.ecy.wa.gov/programs/wq/stormwater/municipal/index.html

Phase I

www.ecy.wa.gov/programs/wq/stormwater/municipal/phaselpermit/phiipermmit.html

Western Washington Phase II

www.ecy.wa.gov/programs/wq/stormwater/municipal/phasellw/wwphiipermmit.html

Eastern Washington Phase II

www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseiiEwa/ewph2permmit.html

Contact information

www.ecy.wa.gov/programs/wq/stormwater/municipal/municontacts.html

Special accommodations

To request ADA accommodation including materials in a format for the visually impaired, call the Water Quality Program at 360-407-6600.

Persons with impaired hearing may call Washington Relay Service at 711 for. Persons with speech disability, call 877-833-6341.

Q: Who needs a municipal stormwater permit?

A: The Phase I permit covers the cities of Seattle and Tacoma; unincorporated King, Pierce, Snohomish, and Clark counties; and the ports of Seattle and Tacoma.

Phase II requires permits for cities and counties located within census-defined urbanized areas and cities with populations more than 10,000 outside of these areas. The areas covered by the permit include the entire incorporated area of a city. For Phase II counties, the permit covers the census-defined urbanized areas and Urban Growth Areas (as defined by the Growth Management Act, 36.70A RCW) that extend outside of a city.

EPA rules also require permits for public districts that own or operate a separate storm sewer system in Phase I and Phase II areas. Examples of these districts are ports, diking and drainage districts, public universities, flood control districts, prison complexes, and parks and recreation districts. These districts are also called secondary permittees.

A separate general permit covers the Washington State Department of Transportation.

Q: How do I apply for coverage?

A: Ecology will be developing an electronic application for submission in 2019. For an example of the information needed to apply for permit coverage, please see the Notice of Intent (NOI) form, found on Ecology's Web site at:

<https://fortress.wa.gov/ecy/publications/summarypages/ecy070207.html>

Q: What do the municipal stormwater permits require?

A: For both Phase I and Phase II jurisdictions, the EPA rules require operators of municipal separate storm sewer systems (MS4s) to develop and implement a stormwater management program that:

- Reduces the discharge of pollutants to the “maximum extent practicable.”
- Protects water quality.

A stormwater management program involves planning, public education and involvement, illicit discharge detection programs, and passing appropriate ordinances to reduce stormwater pollution.

Q: Is there a fee associated with these permits?

A: Yes, by state law, Ecology is required to collect permit fees to support the NPDES permit program. The permit fees for cities and counties covered under the permits are based on the number of housing units in the covered area. The permit fees for Fiscal Year 2015 (July 1, 2014 through June 30, 2015) for cities and counties range from \$385 to more than \$50,026 per year. The permit fees for secondary permittees such as ports, public universities, and diking and drainage districts are based on annual operating budgets. Secondary permit fees range from \$145 to more than \$3,659. The fee rule is amended every two years so these fee amounts are subject to change. For more information on permit fees, contact Charles Gilman at charles.gilman@ecy.wa.gov, or 360-407-6425.



Q: What resources are available for implementing or developing a stormwater management program?

A: Ecology often holds workshops to help Phase I and Phase II communities understand and implement the permit requirements. Ecology is developing training and workshops related to the permit requirements for Low Impact Development for 2014. Ecology will post the information related to these workshops at: www.ecy.wa.gov/programs/wq/stormwater/municipal/workshops.html.

Ecology also has links to training programs, tool boxes, model programs, guidance documents, and other resources on its Web site at:

www.ecy.wa.gov/programs/wq/stormwater/municipal/resources_training_guidance.html.

For more information, please contact the Ecology employee who manages the permit in the county or counties where your facility or district is located:

www.ecy.wa.gov/programs/wq/stormwater/municipal/municontacts.html.

