

# The University's Compliance with EPA Phase 2 Storm Water Rules

Greg Archer  
Environmental Health and Safety

# Distinct Regulatory Programs under EPA NPDES Phase 2 Rule

1. Construction Sites >1 Acre
2. Small Municipalities – MS4 - (10K-100K Pop.)
3. Industrial Sources - More Specific Source Categories (SIC)
  - Fleet Operations (?)

# University Wide (MS4) Requirements

- U Prohibition Policy
  - General Counsel Review of Legal Authority
  - Existing and Future Regent's Policy (?)
- U Construction Standards 2002
  - Temporary Erosion Controls
  - Post Construction Storm Water Controls
  - Plan Review, Inspections, and Enforcement

# MPCA's Draft Construction Permit (>1 Acre)

- Write A Separate Storm Water Management Plan
- Include Temporary and Permanent Controls
- Signed by Owner and Operator (Contractor) as Permittees.
- Identify ‘...person knowledgeable and experienced in...erosion prevention and sediment control BMPs who will oversee implementation, installation, inspection and maintenance....’
- Appendix A – Restricted Waters, ORVW, Trout Streams, Wetlands....

# U Construction Standards 2002

- Basic Design Requirements – Section 3.3.4

“For regulatory permits, the MPCA requires a separate NPDES Construction Permit....This MPCA permit requires site specific temporary and permanent erosion and sediment control plans to be incorporated into the project design. After confirming that the final construction specifications comply with MPCA temporary and permanent control requirements, the A/E shall complete an MPCA permit to be forwarded to DEHS for submittal to MPCA....”

\*\*\*Construction can start 7 days after submittal to MPCA\*\*\*

# U Construction Standards 2002

- Temporary Erosion Control Requirements –  
Division 1 – Section 01500 – Temporary  
Controls
  - A/E Design Requirements
  - City of Duluth Erosion Control Requirements
  - Silt Fences, Storm Inlet Protection, Street  
Sweeping, Entry/Exit, Site Stabilization....
  - Inspections and Logs – Contractor – Weekly  
and/or After Rain

# U Construction Standards 2002

- Temporary Controls – cont.
  - Discharge from Construction Sites – ‘...visibly free of sediment and contain only rainwater.’
  - Maintenance – “The Contractor shall maintain all temporary sediment and erosion control measures until the project is complete....”

# U Construction Standard 2002

- Permanent Controls - “are based on a goal of no net increase of storm water volume, rate or pollutant loads from new construction and redevelopment that add impervious surfaces. They include, but are not limited to, vegetable swales, rain gardens, sediment ponds, retention areas, pervious surfaces, and other alternatives to direct plumbing.”
- Sustainable Design Clauses Throughout!