

Summary of Major Changes between 2003 and 2013 Draft New Hampshire Small MS4 Permit¹

	2003 Draft Permit	2013 Draft Permit
Permit Condition		
Public Education and Outreach	- Requires distribution of educational material to the community. - Provide information concerning the impact of storm water discharges on water bodies and steps/actions the public can take to reduce the pollutants in runoff.	- Describes the objective for the measure: increase knowledge and change behavior of the public so that pollutants in stormwater are reduced. - Requires two targeted messages during the permit cycle a minimum of 1 year apart for specific audiences: residential, business/commercial, developer/construction and industrial - Maintenance of septic systems must be part of the education program if greater than thirty percent of residents serviced by septic systems.
Public Involvement and Participation	- Comply with state public notice requirements. - Provide opportunities for the public to participate in implementation and review of SWMP program.	- Describes the objective for the measure: encourage and provide opportunities for public to participate in program development - Comply with state public notice requirements - Provide opportunities for the public to participate in implementation and review of SWMP program - Encourages posting of SWMP online
Illicit Discharge Detection and Elimination (IDDE)	- Develop, implement, and enforce a program to detect and eliminate illicit discharges. - Develop a MS4 map showing location of all outfalls and receiving waters and names. - Effectively prohibit, through a bylaw/ordinance, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions. - Develop and implement a plan to detect and address non-storm water discharges including illegal dumping, into the MS4. Plan must include procedures to identify priority areas; locate illicit	- Describes the objective of the program: systematically find and eliminate sources of non-stormwater - Inventory all known SSOs in the previous 5 years. When aware of new SSO, oral notice to EPA in 24 hours and written notes in 5 days. - System mapping- complete within 2 years of permit effective date and updated as necessary. Requires mapping of: outfalls and receiving waters; pipes; open channel conveyances; catch basins; manholes; interconnections with other MS4s; municipally-owned stormwater treatment

¹ Disclaimer: This summary of permit requirements is provided as guidance only. This guidance has no regulatory significance and does not represent a comprehensive description of all permit requirements. Readers should refer to the draft permit for a complete description of all permit requirements. All permit documents can be found here: http://www.epa.gov/region1/npdes/stormwater/MS4_2013_NH.html

	discharge; locate the source of the discharge; remove the source; and document actions and evaluate impacts of removal on MS4. • Inform the public employees, businesses, and general public of hazards of illicit discharges and improper waste disposal. • Address any allowable non-storm water discharges if they are determined to be significant contributors of pollutants to the MS4.	structures; catchment delineations; and waterbodies identified by name and indication of impairments. Where available, municipal sewer system and combined sewer system should also be mapped. • Outfall Inventory including: unique identifier, receiving water, and other information to be completed no later than 1 year from the effective date of the permit and be included in each annual report beginning year 2. • Detailed, written IDDE program due within 1 year of permit effective date • Establish written statement that identifies responsibility to eliminate illicit discharge. • Assessment and Priority Ranking of Catchments- an assessment of the system and rank the illicit discharge potential of each catchment. • Outfall and Interconnections Screenings and Sampling- requires a written screening procedure and includes sample collection during dry weather and during wet weather (if catchment contains System Vulnerability Factor Part 2.3.4.8.e.i.) with flow samples analyzed for ammonia, chlorine, conductivity, salinity, E. coli or enterococcus, surfactants, temperature and any other pollutant of concern. Document all monitoring results each year in annual report including the date, outfall or interconnection identifier, location, weather conditions at time of sampling, precipitation in previous 48 hours, field screening parameter results, and results of all analyses. • Catchment Investigation Procedure- written
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		systematic procedure. Manhole inspection methodology, wet and dry weather investigation, and isolation and source verification procedures. Catchment investigation milestones: 30% of all Problem Catchments within 3 years of the effective date of the permit. 100% of all Problem Catchments and 40% of all catchments 5 years from the effective date of the permit and 100% of all catchments 10 years from the effective date of the permit. • Removal and Confirmation- record the location, description, method of discovery, date of discovery, date of elimination, mitigation or enforcement action; and estimate of the volume of flow removed. Confirmatory screening within 1 year of removal in wet (if catchment contains System Vulnerability Factor) and dry weather. Follow up Screening in dry and wet (if required) in 5 years. • Illicit Discharge Prevention Procedures—develop and implement prevention mechanisms and procedures. • Provide annual training to employees involved in IDDE program
Construction Site Stormwater Runoff Control	• Develop, implement and enforce a program to reduce pollutant from construction projects disturbing one or more acres • Develop an ordinance to require sediment and erosion control • Sanctions to ensure compliance with the program • Requirements for site operators to implement a sediment and erosion control program	• Describes objective of the measure: maintain sediment on site and minimize or eliminate erosion. • Implement and enforce a program to reduce pollutants in any stormwater runoff discharged to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre.

	• Requirements for control of wastes • Procedures for site plan review including preconstruction review • Procedures for receipt and consideration of information submitted by the public • Procedures for inspections and enforcement of control measures at construction sites	• 2003 permit required construction ordinance to be effective in 2008. This permit requires construction ordinance to be effective on the effective date of the permit. • Requires defining the permittees authority to impose sanctions • Permittee shall require site operators to implement sediment and erosion control program including BMPs and encourages the use of design standards • Written procedures for site plan review completed in 1 year from permit effective date; for consideration of water quality impacts; for receipt and consideration of public inputs; and for the inclusion of Green Infrastructure • Clear procedures for inspections of construction activity by the permittee and enforcement. • Requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes. • Track the number of site reviews, inspections, and enforcement actions and report annually.
Stormwater Management in New Development and Redevelopment (Post Construction Stormwater Management)	• Develop, implement and enforce a program to address run off from new development and redevelopment projects which disturb one or more acres (or projects less than one acre if they are part of a larger common plan of development that will disturb one or more acres). • The program must include: • A bylaw/ordinance to address post	• Describes the objective for the measure: attempt to maintain pre development site hydrology • Implement and enforce a program to address projects that disturb one or more acres of land and discharge into the MS4. • Update post construction ordinance or regulatory mechanism that regulates runoff from new development and redevelopment projects within 2

	construction runoff in new development and redevelopment; • Procedures to ensure long term operation and maintenance of best management practices; and • Procedures to ensure controls will prevent or minimize impacts to water quality..	years of permit effective date if necessary. • Require compliance with the New Hampshire Stormwater Manual. • Encouraged to require LID practices • Procedures to ensure new development and redevelopment minimize impacts to water quality includes requirement of implementing flood control measures. • As-built drawings with specific time frame should be submitted the year the construction projects are completed. Long term operation and maintenance procedures may include submission of annual documentation for the previous 12 months. • Assess street and parking lot designs within 2 years of permit effective date. Determine if changes can be made to support low impact design options. • Assess the feasibility of making green infrastructure practices allowable when feasible within 3 years of permit effective date. If practices not allowed identify impediments and potential changes. • Annually estimate changes in the number of acres of IA and DCIA. Beginning with the 2nd annual report and each following, estimate for each sub-basin acres of IA and DCIA tributary to MS4 added or removed during prior year and which projects the acres resulted from. • Within 2 years of permit effective date complete inventory and ranking of properties and
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		infrastructure that could be retrofitted with BMPs to reduce the frequency, volume and pollutant loads of stormwater discharges due to IA. Create ranking based on existing or readily obtainable data.
Good House Keeping and Pollution Prevention	• Develop and implement program with goal of preventing and/or reducing pollutant runoff from municipal operations. • Train employees about stormwater. • Develop and implement maintenance activities and schedules for parks and open space; fleets; buildings; new construction and land disturbance; road way drainage and stormwater systems. • Develop inspection procedures and schedules for long term structural controls.	• Describes the objective of this measure: prevent or reduce pollutant runoff from municipal operations • Requires development by the end of year 1 (if not already developed) written operations and maintenance procedures for the following municipal activities owned by the permittee: parks; building and facilities exposed to runoff ; vehicles and equipment. Complete inventory of all such facilities within 6 months of permit effective date. • Cleaning schedule and procedures for MS4 infrastructure developed within 1 year of permit effective date. Ensures no catch basin is 50% full in cleaning routine. Prioritize cleaning by cause of/contribution to impairment (document in SWMP); proximity to construction location; and if CB is >50% full during two consecutive routine inspections/cleanings (document in annual report). Documentation in SWMP and annual report and number catch basins inspected, cleaned, and materials removed in each following report. • Procedure for sweeping and/or cleaning street and parking lots (minimum of once per year in spring), include more frequent sweepings of target areas. The permittee shall report in each annual report the number of miles cleaned and the volume or mass

		of material removed. • Establish frequencies and procedures for stormwater treatment structure (not including catch basins) inspections with minimum of annual inspections. • Development of SWPPP in 2 years for maintenance garages, public works yards, transfer stations, and other waste handling facilities where pollutants are exposed to stormwater runoff (if not covered by individual permit). Includes: Pollution Prevention Team; description of facility and identification of potential pollutant sources, identification of stormwater controls; management practices (minimizing/preventing exposure, good housekeeping, preventative maintenance, spill prevention and response, erosion and sediment control, management runoff, salt storage piles/piles containing salt must be covered or enclosed within 2 years of the permit effective date, employee training, maintenance of control measures); and inspections at least once each calendar quarter.
Program Evaluation/ Reporting and Record keeping	• Annual evaluation of SWMP compliance with permit conditions. • Evaluate appropriateness of selected BMPs in efforts towards achieving the defined measureable goals. • All records required by the permit must be kept for at least five years. • Records include information used in the development of the SWMP, any monitoring,	• Annual evaluation of program compliance with the permit including evaluation of BMP appropriateness towards achieving defined measurable goals. • Changes replacing an ineffective or infeasible BMP with an alternative BMP may be made at any time if the permittee documents (1) an analysis of why the previous BMP was ineffective (2) expectations for the new BMP and (3) an analysis

	copies of reports, and all data used in the development of the NOI. • All records related to the permit, including the SWMP, must be available to the public. • Submit an annual report due each year by May 1, covering the activities of the previous calendar year. • Annual report contains: self assessment; BMP appropriateness assessment; assessment of progress towards achieving measurable goals; summary of information collected and analyzed including data; activities for next reporting cycle; discussion of SWMP and BMP changes; and identification of reliance on other entities. • Annual report format allows for optional metrics	of why the new BMP is expected to achieve the defined goals of the BMP it is replacing. • All records shall be kept for five years and be available to the public (includes written SWMP) • Reporting period will be a 1 year period commencing on the permit effective date, and subsequent anniversaries thereof. • Report contains: self assessment; status of any plans/activities; BMP appropriateness assessment; progress towards goals; outfall screening and monitoring data collected; activities for next reporting cycle; status of any plans or activities required by Part 2.1 and/or Part 2.2, discussion of planned changes, and identification of reliance on other entities
Discharges to an Impaired Water with an Approved TMDL	• Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from the MS4 and if TMDL includes a pollutant waste load allocation (WLA), BMP recommendations or other performance requirements for storm water discharges. • Assess whether the WLA is being met through implementation of existing stormwater control measures or if additional control measures are necessary. • Describe in SWMP and annual reports all measures to control pollutants of concern identified in approved TMDL(s). Include a schedule of implementation for all planned controls.	• Discharges to a waterbody with an approved TMDL (approved by EPA as of the effective date of permit and identified by Appendix F) shall comply with the terms of water quality based effluent limits of the permit, included in Appendix F. • Appendix F identifies the permittees subject to a TMDL for Chlorides. Within 1 year of permit effective date develop written Salt Reduction Plan. Report the amount of salt used by the municipality annually beginning year 1. Require certification of commercial salt applicators and report the amount of salt being used on privately maintained facilities beginning in year 3. • Appendix F lists permittees subject to a TMDL for

	Document the assessment which demonstrates that the WLA will be met including any calculations, maintenance log books, or other appropriate controls.	Phosphorus and the required % reductions from stormwater sources. Permittee shall develop a Phosphorus Control Plan identifying BMPs to reduce phosphorus in stormwater discharges consistent with the TMDL WLA and implement the plan within 5 years of permit effective date. Permittees shall track the progress of phosphorus removal consistent with the methodology in Appendix F. - Appendix F lists permittees subject to a TMDL for Bacteria. Permittees shall complete a Water Quality Response Plan (WQRP) consistent with Part 2.2.2.a.ii. The WQRP shall include a targeted public education message about proper management of dog waste and include a targeted public education message to septic system owners about proper maintenance of septic systems. Street sweeping shall be increased to 2 times per year. Catchments draining to the waterbody with an approved TMDL for bacteria shall be ranked as High Priority for catchment investigation. - No requirements for discharges to waterbodies with an approved TMDL for Mercury or discharges to any of the 158 Acid Impaired Ponds or any of the 21 Aluminum impaired Lakes.
Discharge to an Impaired Water without an Approved TMDL	- Determine whether storm water discharges from any part of the MS4 contribute, either directly or indirectly, to a 303(d) listed water body. - SWMP include description of how the program will control the discharge of the pollutants of	In light of the absence of a defined pollutant reduction target where no TMDL has been established, this permit defines an iterative approach to addressing such discharges that incorporates three phases over the course of the permit term:

	concern and ensure that the discharges will not cause an instream exceedance of the water quality standards. • Identify control measures and BMPs that will control the discharge of the pollutant(s) of concern.	○ Phase 1. Preliminary evaluation and source identification for MS4 discharges and identification of additional and/or modified BMPs to address the pollutant of concern – Part 2.2.2.a. Phase 1 shall be completed 1 year from the effective date of the permit. ○ Phase 2. Implementation of BMPs and finalization of the source identification and assessment – Part 2.2.2.b. Phase 2 shall be completed three years from the effective date of the permit. ○ Phase 3. Assessment of implemented BMPs with modifications as necessary based on additional information and implementation experience and identification of Prospective BMPs for possible implementation– Part 2.2.2.c. Phase 3 shall be completed five years from the effective date of the permit. • Great Bay Watershed nitrogen requirements are found in Appendix H Follow requirements of discharges to impaired waters without approved TMDL and include BMPs found in Appendix H. • Discharges to chloride-impaired waters are found in Appendix H. Develop a written Salt Reduction Plan completed within 2 years of permit effective date and fully implemented within 4 years.
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