

## Storm Water Program

### *Ohio EPA implements the federal storm water program to ensure compliance with the Clean Water Act and National Pollutant Discharge Elimination System (NPDES) requirements.*

Storm water discharges are generated by runoff from land and impervious areas such as paved streets, parking lots, and building rooftops during rainfall and snow events. Storm water often contains pollutants in quantities that could adversely affect water quality. Most storm water discharges are considered point sources and require coverage by an NPDES permit. The primary method to control storm water discharges is through the use of best management practices (BMPs).

There are two storm water permit application options for industrial and construction activities in Ohio. The first is to submit an individual NPDES permit application. The second is to file a Notice of Intent (NOI) form requesting coverage under a general permit. The general permit process is usually easier and faster than the individual permit process. Some industrial activities, such as active landfills, metal mining, coal surface mining and bulk terminals (SIC 5171) are not eligible for industrial storm water general permit coverage.

U.S. EPA's Phase I regulations (40 C.F.R. 122.26) outline permit application requirements and deadlines for certain categories of storm water discharges associated with industrial activity, and discharges from municipal separate storm sewer systems (MS4s) serving populations of 100,000 or more. Phase II, which amended 40 C.F.R. 122.26 and created 40 C.F.R. 122.30 through 122.37, created requirements for some MS4s serving populations fewer than 100,000, ended an exemption for publicly owned industrial facilities and revised the industrial program (which includes construction).

### **Municipal**

An MS4 is a conveyance or system of conveyances (including roads, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned or operated by a public body that is designed and used for collecting storm water but is not a combined sewer or part of a publicly owned treatment works (POTW).

The Phase I regulations cover storm water discharges from large and medium MS4s. Large municipalities, with a separate storm sewer system serving populations of 250,000 or more, and medium municipalities, serving populations between 100,000 and 250,000, must obtain NPDES permits.



As part of their individual NPDES permit applications, large and medium MS4s must develop a storm water management program (SWMP). The Phase II regulations require small MS4s in urbanized areas, as defined by the U.S. Census Bureau, to develop SWMPs and apply for permit coverage.

### **Industrial**

Activities that take place at industrial facilities, such as material handling and storage, are often exposed to storm water. The runoff from these activities discharges industrial pollutants into nearby storm sewer systems and water bodies. This may adversely impact water quality.

The list of storm water discharges associated with industrial activity is extensive. All storm water discharges associated with industrial activity that discharge to waters of the state or through an MS4 must obtain NPDES permit coverage. Storm water discharges to a combined sewer system or to a sewage treatment plant (POTW) are excluded. In depth information about standard industrial classification codes can be found at [osha.gov/pls/imis/sicsearch.html](https://www.osha.gov/pls/imis/sicsearch.html).

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A brief description of the industrial activity categories covered under the storm water program includes:

- facilities covered by effluent limitation guidelines;
- facilities covered by standard industrial classification (SIC) 24 (except 2434), 26 (Except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441 and 373;
- facilities covered by SIC 10-14;
- hazardous waste treatment, storage and disposal facilities;
- landfills, land application and open dump sites;
- steam electric power generating facilities including coal-handling sites;
- recycling facilities including scrap yards, battery reclaimers, salvage yards and automobile junkyards, including those classified as SIC 5015 and 5093;
- transportation facilities classified as SIC 40, 41, 42 (except 4221-25), 43, 44, 45 and 5171, that have vehicle maintenance shops, equipment cleaning operations or airport deicing operations;
- treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system for facilities with a design flow greater than one million gallons per day or required to have a pretreatment program;
- construction activity disturbing one or more acres of land (the original Phase I threshold was five acres, but as of March 10, 2003, it was lowered to one acre); and
- facilities classified as SIC 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 373), 38, 39 and 4221-25.



Facilities in these categories that do not have materials exposed to storm water are not required to file an application, but must file a No Exposure Certification form. If you qualify for no exposure certification, you are exempt from permit requirements until your facility no longer qualifies. If your facility changes and can no longer claim no exposure to storm water, you must submit the appropriate permit application for storm water discharge. The No Exposure Certification form must be submitted to Ohio EPA at least once every five years.



## Construction

Construction sites impact Ohio's waters by adding pollutants, especially sediment, to rainwater running off of construction sites during construction and making long-term land use changes that alter the hydrology and pollutant loading of local streams.

To limit the negative impacts of construction projects on Ohio's waters, Ohio EPA administers a permitting program designed to document construction activity in the state and require practices that keep pollutants out of the streams. The permitting program is mandated in the Clean Water Act and is part of the NPDES program.

If your project disturbs one or more acres of ground, you must get a permit to discharge storm water from your site. If your project disturbs less than one acre but is part of a larger plan of development or sale, you also need a permit to discharge storm water from the site.

## More Information

For details, permits and associated regulations, please visit [epa.ohio.gov/dsw/storm/index.aspx](http://epa.ohio.gov/dsw/storm/index.aspx).