



Sedimentation Pollution Control Program

- Contributions to the MS4 Program

Innovative Erosion & Sediment Control Workshop

October 8, 2019 – Hickory, NC

Division of Energy, Mineral and Land Resources

Julie Coco, PE, CPESC

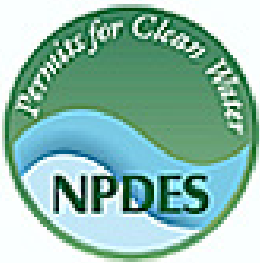
State Sedimentation Program Engineer



Topic Overview

- MS4 versus CG permits
- Options for MS4s in meeting the construction discharge control program requirement
- DEMLR structure & The Sedimentation Program
- Local Program changes
- Sedimentation & Stormwater Program Websites
- Permitting Assistance through DEACS



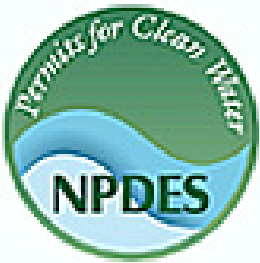


Municipal Separate Storm Sewer System (MS4) Permits

Six Required Program Elements (Minimum Control Measures)

- Public Education and Outreach
- Public Participation
- Illicit Discharge Detection and Elimination
- Construction Discharges
- Post-Construction Discharges
- Good Housekeeping for Municipal Operations



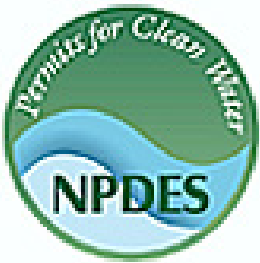


MS4 Permits

Options for MS4 Operators (Permittees) in Meeting the Construction Discharge Control Measure

- Provide a local construction discharge permit and monitor SWPPPs for compliance with the MS4 permit. Permittee has own enforcement program as part of this permit.
- Rely upon a state program for monitoring and enforcement of construction discharges
- Receive delegation from a state program for monitoring and enforcement of construction discharges





MS4 Permits

Options for MS4 Operators (Permittees) in Meeting the Construction Discharge Control Measure

- Most MS4s rely upon the statewide Construction General Permit (CGP) upon which to satisfy or model their local permit.
- In North Carolina, the CGP is administered as part of the state's program.

Approved Erosion & Sedimentation Control Plan

+

Required items from the NCG01 permit

=

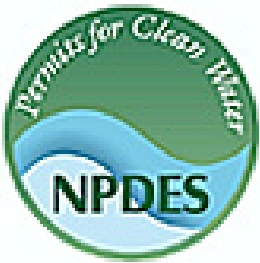
Stormwater Pollution Prevention Plan



MS4 Compliance Program vs. Construction General Permit

MS4 Permit/Program	Construction General Permit
Within MS4 jurisdiction defined by US Census Bureau as urbanized areas - based on population (Phase I communities) or population density (Phase II communities). MS4s may also be designated by the permitting authority. ("sphere of influence")	Construction General Permit (CGP) applies statewide
MS4 permit issued and regulated by the state; Local construction permit issued and regulated by city or county as part of program	Issued and regulated by the state or EPA
Typically requires construction projects within MS4 permitted area to have a SWPPP, perform a review on these SWPPPs, and in many cases issue a local construction permit.	Main requirement is the development of a SWPPP meeting state or federal requirements
Perform MS4 oversight inspections (these are not the same as inspections performed by CGP permittee in frequency or detail)	More detailed requirements than most local permits including updates to SWPPP reflecting field conditions, ensuring all details and inspections are included and followed





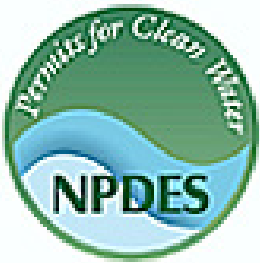
Construction General Permit (CGP)

If one acre or more of land disturbance or part of a larger, common plan of development of that size, requirements include:

- Obtain coverage under the CGP or state equivalent (NCG010000)
- Develop and implement Stormwater Pollution Prevention Plan (SWPPP)

Most medium to large municipal separate storm sewer systems (MS4s) have their own construction programs and permits, and several MS4s have permit requirements triggered by smaller disturbed areas.



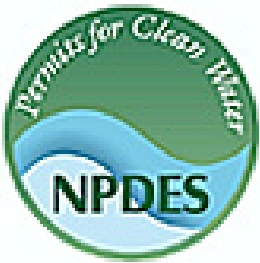


MS4 Construction Inspections & Audits

MS4 inspectors focus on determining whether the project is discharging pollutants, checking control measures, and whether corrective actions identified during the last MS4 inspection have been corrected. Inspectors will complete an MS4 inspection report and coordinate with the MS4 Stormwater Coordinator for issues of non-compliance.

State conducts MS4 audits. Audits evaluate how an MS4 program is run, not if sites are in compliance.

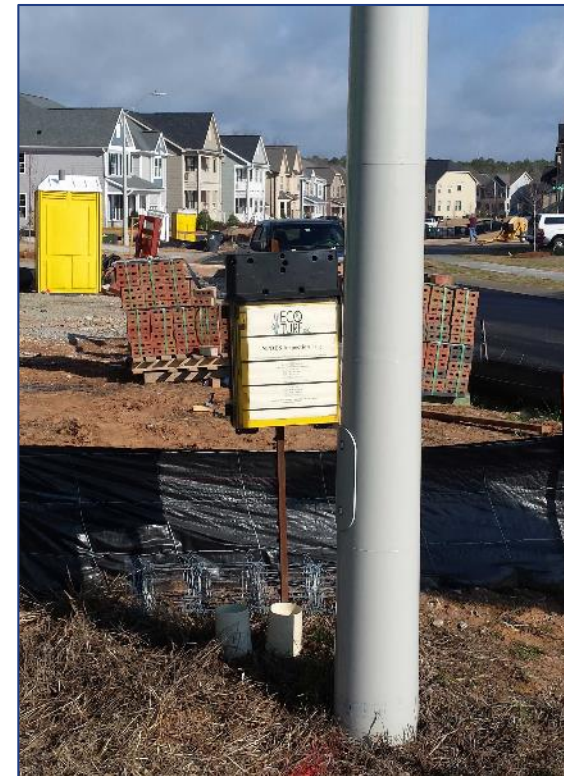




CGP Inspections

Construction General Permit holders conduct inspections similar those of an MS4 permittee but are more detailed. Include installing control measures per plan and details, updating the plans and/or SWPPP to match field conditions, managing waste, ensuring corrective actions get addressed within a specific time period if not immediately, and conducting self-inspections and record-keeping per the permit.

State conducts CGP inspections and determines if sites are in compliance.



MS4 Construction Stormwater Control

The state of North Carolina has their own program for regulating discharges from construction activities.

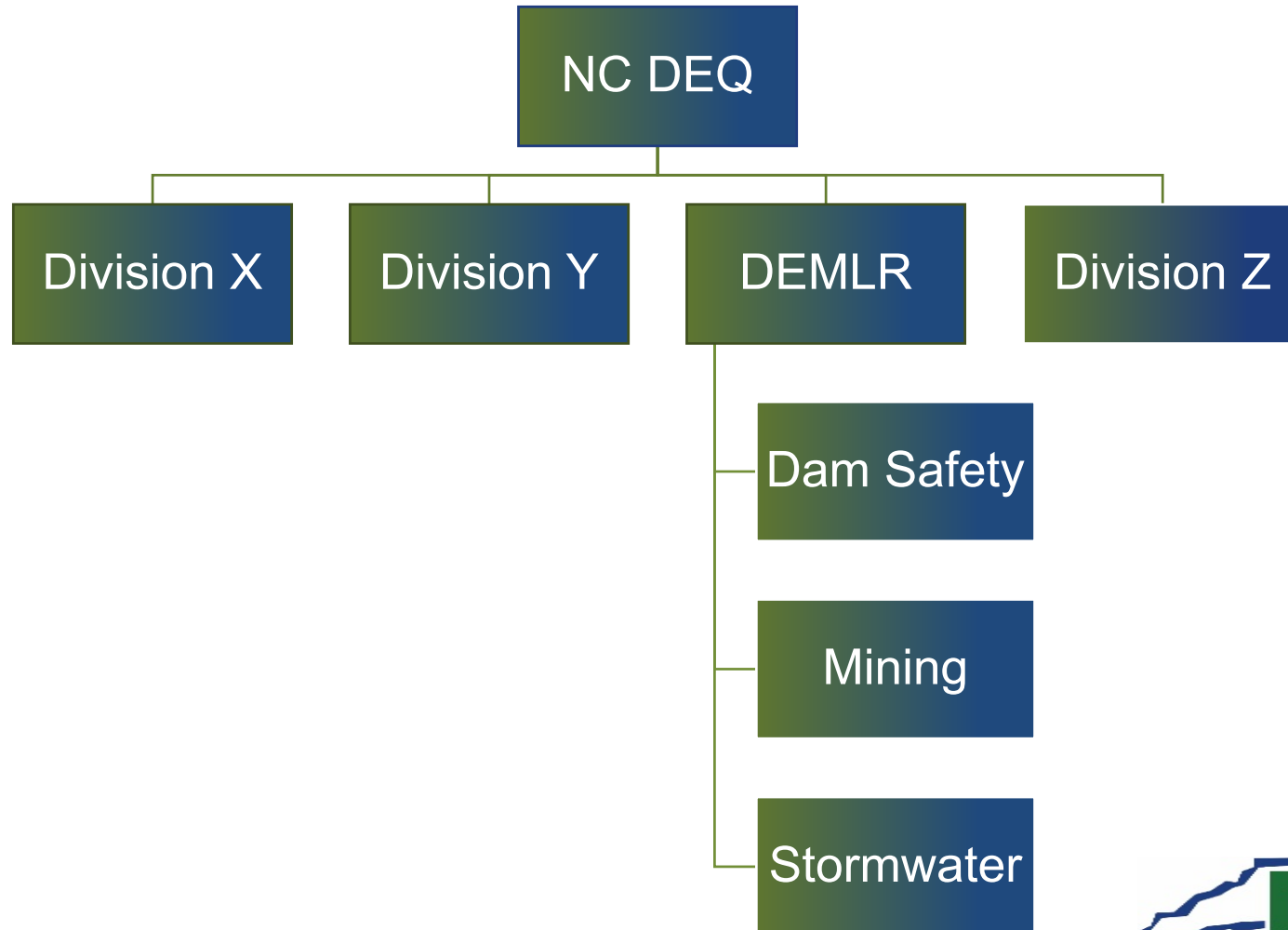
The **Sedimentation Pollution Control Act (SPCA)** has been in place since 1973.

Options for MS4s in North Carolina:

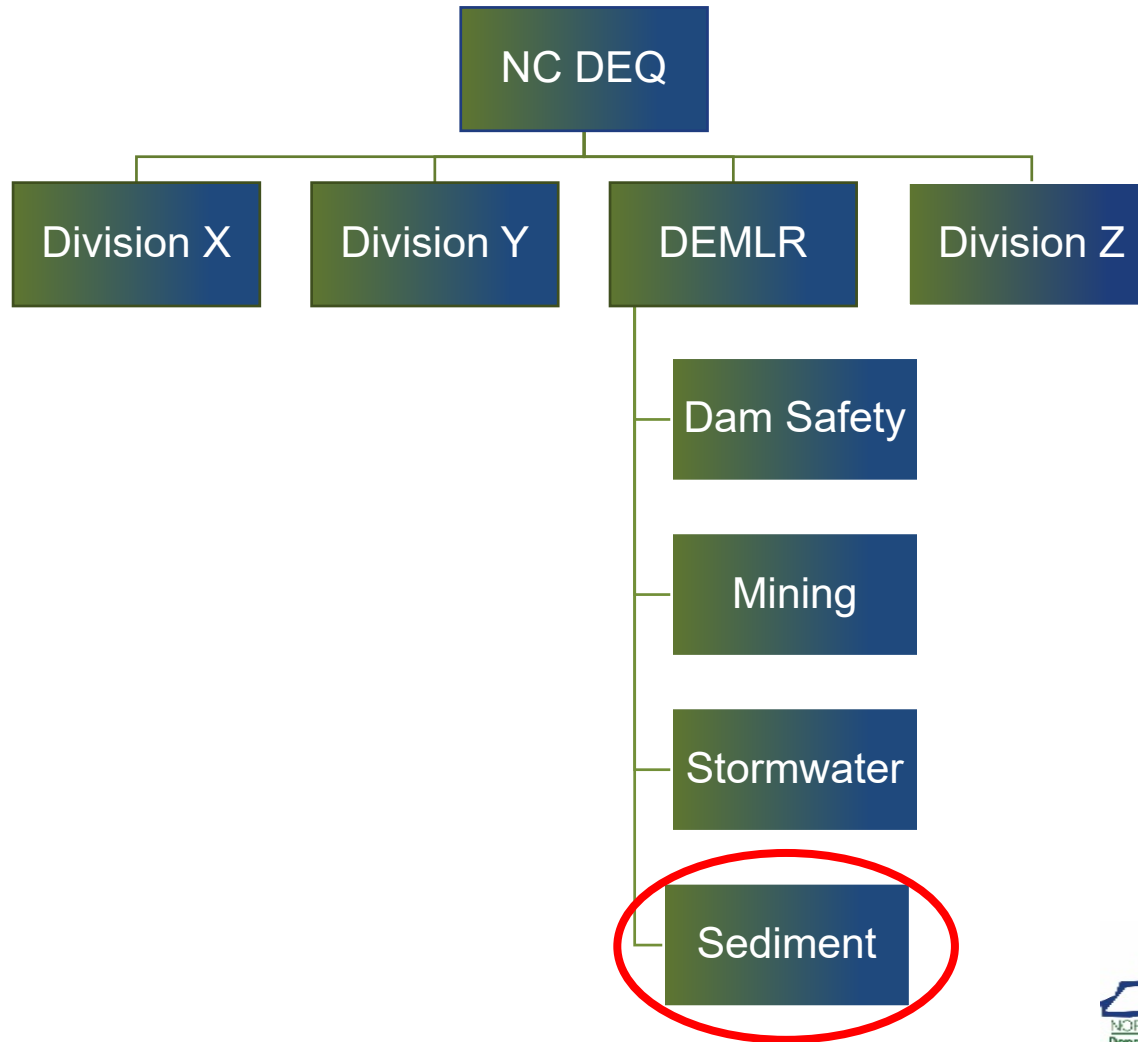
1. Have State Department of Environmental Quality regulate construction discharges under SPCA & state's delegated authority for NPDES administration
2. Request authority for delegation to regulate construction discharges under the SPCA with assistance from the state for NPDES issues
3. Have your jurisdiction covered under a county's delegated local program.



DEQ Organizational Structure



DEQ Organizational Structure



The Sedimentation Pollution Control Program

- We are not part of the “State Stormwater Program”
- Satisfies most of the federal requirements in the NCG01 permit
 - Erosion & Sedimentation Control Plan ≈ SWPPP
 - Provide plan reviews
 - Provide monitoring and enforcement
- Provide training & support for local governments with delegated authority for implementing & enforcing state program requirements.
- Conduct audits on local programs. Audits evaluate how a local program is run, including if sites are in compliance.



Locally Delegated Programs

- Local governments with authority delegated to them for administering and enforcing the state Sedimentation Pollution Control Act are called “*Local Programs*”.
- Participation is voluntary, but Local Programs undergo audits by both the state Sedimentation Program and, if an MS4 permittee, by the state Stormwater Program.



Local Erosion & Sedimentation Control Programs

New Delegations under the Program include:

- + Town of Waxhaw (Union County)
- + Town of Fuquay-Varina & ETJ (Wake County)
(formerly under Wake County's Program)
- Grandfather Village (Avery County)
- Town of Newton (Catawba County)
- Town of Columbus (Polk County)
(presently under State Program)



Sedimentation Program Page

Local Erosion and Sediment Control Programs

Information About the Local Programs

The NC Sedimentation Control Commission may delegate authority to implement the Sedimentation Pollution Control Act (SPCA) to cities and counties that adopt a local qualifying erosion and sediment control ordinance in compliance with North Carolina state requirements. The staff of the delegated Local Programs perform plan reviews and enforce compliance of the SPCA within their jurisdictions.

[Contact Information for Local Programs](#)

[Local Erosion and Sedimentation Control Ordinance Fees](#)



Resources for Local Programs

Official 2018 Model Local Ordinance ([MS Word - Red Line Version](#) , [MS Word](#) , [PDF](#))
The Model Local Ordinance was first distributed in 2004, with revisions in 2006, 2014 and 2018.

Create a Local Program ([MS Word](#) , [PDF](#))

Did you know? ([MS Word](#) , [PDF](#))

Procedure for Local Program Delegation ([MS Word](#) , [PDF](#))

Erosion and Sediment Control

[Erosion and Sediment Control Planning & Design Manual](#)

[Forms](#)

[Sedimentation Control Commission](#)

Local Government Programs

[Laws and Rules](#)

[Enforcement](#)

[Erosion and Sediment FAQs](#)

[Erosion and Sediment Education](#)

[Erosion and Sediment Newsletters](#)




Stormwater Program Page

NPDES MS4 Permitting

The National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Program is mandated under the federal Clean Water Act. In North Carolina, the EPA has delegated MS4 Program oversight to the Department of Environmental Quality (DEQ). An NPDES MS4 permit is required for all MS4 owners and operators that are located in a U.S. Census Bureau designated Urbanized Area, or are designated under state rules [Ref. 15A NCAC 02H .0151].

It's MS4 Annual Reporting Season!

Permitted MS4s are required to submit an annual report by **October 31, 2019** for the previous fiscal year (July 1, 2018 to June 30, 2019). The Stormwater Management Program Assessment (SWMPA) is the preferred reporting option. Please see these links for support:

- [SWMPA Login Portal](#) 
- [SWMPA Instructions & FAQ](#) 
- [Comprehensive List of SWMPA Questions](#) 

MS4 communities are also allowed to submit a narrative report that meets the requirements of Part III, Part IV.B and Part IV.G of their permits.

Stormwater Program

[Contacts](#)

[Maps & GIS Resources](#)

[Forms & Fees](#)

[Stormwater Design Manual](#)

[Rules & Regulations](#)

[Construction SW](#)

[Post-Construction Stormwater](#)

[NPDES Industrial Stormwater](#)

NPDES MS4 Permitting

[Annual Self-Assessment](#)

[Audits](#)

Accomplishments & Challenges of the Sedimentation Program

Accomplishments:



State Sedimentation Program goes a long way in satisfying MS4 program requirement for permitting & controlling construction discharges.

Require erosion control measures, site plans, inspections, enforcement, education, outreach.

Challenges:



Program alignment with federal needs. State Sedimentation Program does not meet all coverage, record-keeping, or reporting requirements. Excluded from the Sediment Act.



NCDEQ - Division of Environmental Assistance and Customer Service (DEACS)

Primary responsibility is to assist businesses, industries, local governments, other institutions, consultants and residents as they seek to identify, understand and comply with the state's environmental requirements.



Scoping Meeting



NCDEQ - Division of Environmental Assistance and Customer Service (DEACS)

Asheville Region – Alison Davidson

828 – 296 - 500 / alison.davidson@ncdenr.gov

Mooresville & Winston-Salem Regions – Paul Williams

704 – 663 - 699 / paul.williams@ncdenr.gov

Raleigh & Fayetteville Regions – David Lee

919 – 791 – 4200 / david.lee@ncdenr.gov

Washington Region – Lyn Hardison

252 – 946 – 6481 / lyn.hardison@ncdenr.gov

Wilmington Region – Cameron Weaver

910 – 796 – 7215 / cameron.weaver@ncdenr.gov

www.ncenvironmentalassistance.org

Toll Free Hotline: 1-877-623-6748





Julie Coco, PE, CPESC
State Sedimentation Program Engineer
Phone: 919-707-9215
Email: julie.coco@ncdenr.gov

