



## Phase I and Phase II MS4 Permits in Alabama

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## Alabama's MS4 Phase II General Permit

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- March 9, 2008
  - Existing NPDES General Permit Expired
- Extensive discussions with EPA and stakeholders
- January 14, 2010
  - Draft permit public notice
  - Significant comments received
- May 18, 2010
  - Revised draft permit public notice



## Post Construction

- Permittee shall develop a program to address post-construction storm water management
- Implementation of requirements shall begin within two years of the effective date of permit coverage



## Program Elements

- Develop, implement and enforce a program to address storm water runoff
- Develop and implement strategies which include a combination of structural and non-structural BMPs designed to ensure that the volume and velocity of preconstruction is not significantly exceeded



## Program Elements

- Use ordinances or other regulatory mechanism to address post construction runoff, to the extent allowable under State law
  
- Ensure long-term operation and maintenance of BMPs
  - MS4 shall require a maintenance agreement
  - Provide verification of maintenance provisions of post construction management practices



## Post Construction

- Permittee must document the decision process for the development of a post-construction SWMP
  
- Rationale statement should be included in the SWMP and the annual report



## Rationale Statement

- Rationale statement must include:
  - Program to address storm water runoff
  - How the program will be specifically tailored for the Permittee's local community, minimize water quality impacts, and attempt to maintain predevelopment runoff.
  - Any non-structural BMPs in the program
  - Any structural BMPs in the program
  - What mechanisms the Permittee will use to address post-construction runoff
  - How will the MS4 ensure long-term operation and maintenance of selected BMPs
  - How the permittee will evaluate the success of this minimum measure



## Phase I

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- Phase I permit to be based on the Phase II
- Public notice by August 31, 2010
- Phase I and II permits must be issued by September 30, 2010.



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