

GETTYSBURG BOROUGH STORMWATER AUTHORITY (GBSWA)

3 PART SERIES ON PUBLIC EDUCATION AND OUTREACH ON MS4

PART 1: WHY? (LAW BEHIND MS4)

PRESENTED BY:

CHAD M. CLABAUGH, P.E.



C.S. Davidson, Inc.

Excellence in Civil Engineering

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)



CLEAN WATER ACT (CWA)

- **Environmental Protection Agency (EPA)**
- **The CWA was enacted in 1948 (at the time called the Federal Water Pollution Control Act)**
- **Significant reorganized and expanded in 1972**
- **EPA's National Pollutant Discharge Elimination System (NPDES) permit controls discharges.**

MS4 PHASES

- **Phase I – Medium and Large MS4s (NOT Gettysburg)**
 - **Established in 1990 For urbanized areas with populations of 100,000 or greater**
 - **There are approximately 855 Phase I MS4s Nationwide**
- **Phase II - Small MS4s (Including Gettysburg)**
 - **An urbanized area (UA) is a densely settled core of census tracts and/or census blocks that have population of at least 50,000, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core.**
 - **6,695 Phase II MS4s Nationwide**
- **In Pennsylvania, there are two Large MS4s, no Medium MS4s, and 1059 Small MS4s.**

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)

- **Pennsylvania Clean Streams Law**
- **PAG-13 - Authorization to discharge under the NPDES general Permit for Stormwater Discharges from Small MS4**
- **EPA's Chesapeake Bay Model for TMDL**
 - **PA obligated to meet it's 2025 Target Loads**
 - 10% reduction in TSS
 - 5% reduction in TP
 - 3% reduction in TN

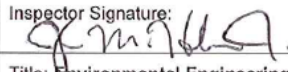
2018 – 2023 GENERAL PERMIT REQUIRED

- **Notice of Intent (NOI)**
- **Annual Reporting**
- **Minimum Control Measures (MCMs)**
 - **MCM #1** - Public Education and Outreach on Stormwater Impacts
 - **MCM #2** - Public Involvement/Participation
 - **MCM #3** - Illicit Discharge Detection and Elimination (IDD&E)
 - **MCM #4** - Construction Site Stormwater Runoff Control
 - **MCM #5** - Post-Construction Stormwater Management (PCSM) in New and Redevelopment Activities
 - **MCM #6** - Pollution Prevention/Good Housekeeping for Municipal Operations
- **Chesapeake Bay - Pollutant Reduction Plan (PRP)**

MS4 AUDITS

➤ **DEP and EPA both have ability to perform audits of MS4 programs**

V-48

NPDES Permit No.	Mo/Day/Yr	Entry Time	Exit Time	Inspection Type	eFACTS Inspection ID
PAG133596	08/21/2014	09:00	16:00	DAI	2302697
MS4 Permittee Name: York City				<input checked="" type="checkbox"/> PAG-13 Coverage <input type="checkbox"/> Individual Permit <input type="checkbox"/> Check here if a "joint permit" with co-permittees	
Mailing Address: 101 S George Street, York, PA 17401-1231				Municipality: York City	
Responsible Official: James Gross		Title: Director Dep. of Public Works		County: York	
Business Phone: (717) 849-2245		Email: JGross@yorkcity.org		Permit Expiration Date: March 31, 2018	
Co-Permittees (if applicable):				Permit Renewal Application/NOI Due: October 2, 2017	
				Chesapeake Bay Watershed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/> Office Visit <input type="checkbox"/> Field Visit				Discharge(s) to TMDL Waters? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
VIOLATIONS: (list below)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Several comments are listed below.					
Person Interviewed: James Gross		Date: 08/21/2014	Inspectors: Mike Hickman		Date: 08/21/2014
Signature:		Phone No.:	Inspector Signature: 		Phone No.: (717)705-6640
Title: Director Department of Public Works			Title: Environmental Engineering Specialist		
Email: JGross@yorkcity.org			Email: johickman@pa.gov		
This document is official notification that a representative of the Department of Environmental Protection inspected the above facility. The findings of this inspection are shown above and on any attached pages. Any violations which were noted during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses of the discharge and review of Department records.					

AGEING SYSTEM

- Borough has ageing stormwater pipes which are failing.
- No Easements
- Under/Through Homes and Buildings
- Causing Sink Holes
- Borough has funded repairs through loans



GETTYSBURG BOROUGH STORMWATER AUTHORITY (GBSWA)

- **Borough Code doesn't allow for Boroughs to conduct the necessary Stormwater Management Related Services**
 - **House Bill 914 could change that but has yet to be enacted and has other limitations**
- **Gettysburg Council opted to create an Authority under the Municipal Authorities Act, 53**
 - **Gives the GBSWA such purposes and powers as set forth in the Authorities Act including, but not limited to , the administration and assessment of related fees in connection with the construction, operation, maintenance and repairs necessary for the implementation and operation of the Borough's municipal separate storm sewer system and any other lawful purpose**

CONSEQUENCES

- **Clean Water**
- **Failing Storm Conveyance Systems**
- **Increased Flooding**
- **Jeopardize Grants and funding sources such as Liquid Fuels Funding.**
- **Fines:**
 - **EPA fined City of Wilkes-Barre and Kingston Borough with penalties of \$25,000 and \$12,000**
 - **Lancaster Online reported that Manor and Swatara Townships, and Lebanon and York Cities were fined a combined \$128,608 in 2010 for violations related to stormwater management regulations.**
 - **The Morning Call reported that Manor Township paid \$150,000 in legal, engineering and staff costs related to the federal orders and citations after the fine was negotiated from \$175,000 down to about \$41,000**

NEXT STEPS

- Public Education and Outreach Part 2 of 3
 - **What is MS4 and How does it work?**

- Public Education and Outreach Part 3 of 3
 - **Fees \$**

QUESTIONS?



PRESENTED BY:
CHAD M. CLABAUGH, P.E.



C.S. Davidson, Inc.

Excellence in Civil Engineering