

New BMP Stormwater Ordinance Requirements in NE Illinois IAFSM – March 9, 2011



EPA Initiated Stormwater Rulemaking

- **Primary impetus – protect waterbodies from stormwater impact of urbanization**
- **Oct. 30, 2009 - Federal Register (FR) notice announcing EPA's intent to distribute questionnaires (Information Collection Request (ICR)) seeking data to inform the rulemaking from the following groups:**
 - **Owners, operators, developers, and contractors of developed sites**
 - **Owners or operators of MS4s**
 - **States and territories**
- **Jan. – Mar. 2010 – Listening Sessions input on preliminary rulemaking considerations (FR Notice published Dec. 28, 2009)**
- **Spring 2010 – EPA expects to publish a final FR ICR notice with 30-day comment period and distribute questionnaires in the summer**
- **Late 2011 – EPA expects to propose a rule to be published in the FR for public comment**
- **Late 2012 – EPA expects to take final action**

Preliminary Rulemaking Considerations

- Expand the universe of regulated discharges beyond urbanized areas
- Establish substantive post-construction requirements for new and redevelopment
- Develop a single set of consistent requirements for all MS4s, in place of existing “Phase I” and “Phase II” rules
- Address stormwater discharges from existing development through retrofitting



Green Infrastructure in IL

- Green Infrastructure for Clean Water Act: IEPA delivers report to IL General Assembly by June 30 2010:
 - Set of Volume Retention Performance Standards that varies according to conditions at site

Significant Changes to Ordinances in NE Illinois

- Increasingly, stormwater BMPs are becoming a requirement within these ordinances.
- Designers/planners must understand the current and future changes within the ordinances in order to efficiently develop projects and acquire the appropriate permits.
- Knowledgeable representatives from MWRD (Cook), DuPage, Lake, McHenry and Kane Counties to present on Updates and Requirements