

7-25-2013

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Recommended Citation

Maine Department of Transportation, "Maine Department of Transportation Stormwater Program Management Plan" (2013). *Transportation Documents*. 60.
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Maine Department of Transportation Stormwater Program Management Plan



July 25, 2013



MaineDOT

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1. INTRODUCTION

1.1. Overview of Regulatory Program

The General Permit for Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (General Permit) was issued by the Maine Department of Environmental Protection (DEP) on July 1, 2013. The General Permit authorizes the direct discharge of stormwater from or associated with a regulated small municipal separate storm sewer system (MS4) to an MS4 or waters of the State other than groundwater. Discharges must meet the requirements of the General Permit and applicable provisions of Maine's waste discharge and water classification statutes and rules. Compliance with the General Permit authorizes a person to discharge stormwater pursuant to 38 M.R.S.A. § 413. The General Permit authorizes direct discharges in those parts of Maine for which the DEP has received delegated authority under the federal NPDES program. Several key requirements of the General Permit are described below.

1.1.1. Stormwater Program Management Plan

The regulated MS4 shall develop, implement, and enforce a Stormwater Program Management Plan (SPMP) implementing six Minimum Control Measures (MCMs) set forth in Section H. of the General Permit. The minimum control measures are designed to reduce the discharge of pollutants within the Urbanized Areas from the regulated small MS4 to the maximum extent practicable to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act. Maximum extent practicable is an iterative process with an ultimate goal of protecting and improving water quality. For the purposes of the General Permit, narrative effluent limitations requiring implementation of Best Management Practices (BMPs) are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements and to protect water quality. The Stormwater Program Management Plan and all Minimum Control Measures must be substantially implemented by June 30, 2018. The permittee shall describe in its SPMP how it will reduce or eliminate polluted stormwater runoff, to the maximum extent practicable, within the Urbanized Areas from its MS4.

1.1.2. Minimum Control Measures (MCMs)

The General Permit requires that for each MCM the permittee shall define appropriate BMPs, designate a MaineDOT position responsible for each BMP, define a time frame for implementation of each BMP, and define measurable goals for each BMP. The Minimum Control Measures to be included in the SPMP are:

1. Public Education and Outreach on Stormwater Impacts
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention & Good Housekeeping in Facility Operations

1.1.3. Urban Impaired Stream Strategy.

As specified in Part IV(H)(3)a.ii., MaineDOT shall continue to implement a dry weather outfall inspection plan prioritized by drainage areas such as urban impaired stream watersheds.

1.1.4. Evaluation and Assessment

As specified in Part IV(J)(1) of the General Permit, MaineDOT shall evaluate program compliance, the appropriateness of identified BMPs, and progress towards achieving identified measurable goals.

1.1.5. Annual Reporting and Record Keeping

The MaineDOT shall keep records required by the General Permit for at least three years following its expiration or longer if requested by the DEP Commissioner. The MaineDOT shall make records, including its SPMP, available to the public at reasonable times during regular business hours.

By September 15, 2014 and annually thereafter by September 15, the MaineDOT shall submit a report for the DEP's review and approval. The report shall include the following:

- a. The current copy of the SPMP, status of compliance with permit conditions, an assessment of the appropriateness of identified BMPs and progress towards achieving identified measurable goals for each of the MCMs.
- b. Results of information collected and analyzed, including monitoring data, if any, during the reporting period.
- c. A summary of the stormwater activities the MaineDOT intends to undertake pursuant to its SPMP during the next reporting cycle.
- d. A change in any identified measurable goals that apply to the program elements.
- e. A summary describing the activities, progress, and accomplishments for each of the MCMs.

Changes to the report based on the DEP's review comments must be submitted to the DEP within 30 days of the receipt of the comments.

If possible, the MaineDOT will provide an estimate of annual expenditures for permit compliance for the reporting period and projected budget for the following year.

1.1.6. Impaired Waters and Total Maximum Daily Load Applicability

If the waterbody to which a discharge drains is impaired and has an EPA-approved Total Maximum Daily Load (TMDL) then the discharge must be consistent with the TMDL waste load allocation and any implementation plan. If a TMDL is approved or modified by EPA subsequent to the effective date of this General Permit then the DEP shall notify the permittee and may require any of the following:

1. Require the permittee to review its SPMP for consistency with the TMDL and proposed any necessary modification to the SPMP to the DEP within six months of the receipt of notification concerning the TMDL.
2. Issue a watershed-specific General Permit for the area draining to the impaired waterbody. The watershed-specific MS4 General Permit may reference parts of this General Permit.
3. Require an Individual Permit.

1.2. Basis of the Plan Development

This Stormwater Program Management Plan was revised in accordance with the requirements of the General Permit for the Discharge of Stormwater from Regulated Small Municipal Separate Storm Sewer Systems which was issued by the DEP on July 1, 2013. Implementation of the six MCMs is required only within the Urbanized Areas, as defined by the 2000 and 2010 U.S. Bureau of Census decennial census, of the Regulated Small MS4.

2. REGULATED SMALL MS4 INFORMATION

2.1. Urbanized Area Maps

The statewide Urbanized Area Maps were developed from the U.S. Census Bureau 2000 and 2010 Urbanized Areas and are displayed in Appendix B

3. MINIMUM CONTROL MEASURES

1. Public Education and Outreach.

Goals. MaineDOT's goals for Public Education and Outreach are to:

1. Raise awareness among employees and contractors that polluted stormwater runoff is the most significant source of water quality problems for Maine's waters.
2. Motivate people to use BMPs which reduce polluted stormwater runoff.
3. Reduce polluted stormwater runoff as a result of increased awareness and use of BMPs.

BMP 1.1

MaineDOT will continue to implement our plan to raise awareness among employees and contractors by providing training on reducing polluted stormwater runoff from MaineDOT's stormwater systems, on stormwater quality and quantity, on waste handling, and on Urban Impaired Streams. Emphasis shall be placed on raising awareness within the two designated highest priority watersheds.

BMP 1.2

MaineDOT will continue to motivate employees and contractors to use BMPs by providing training on reducing polluted stormwater runoff from MaineDOT's stormwater systems through the use of BMPs.

BMP 1.3

MaineDOT will continue providing training to employees and contractors on reducing polluted stormwater runoff from MaineDOT's stormwater systems. Information regarding priority UIS watersheds will be incorporated into the existing education and outreach efforts continued from previous MS4 permit cycle.

Responsible Parties.

MaineDOT's Surface Water Quality Unit (SWQU) Supervisor and staff are responsible for stormwater training; MaineDOT's Groundwater Supervisor and staff are responsible for waste handling training (aka Green Book training).

Date of Implementation.

This training has been on-going for several years and is repeated biennially for Crew Supervisors and their crews, and other appropriate Maintenance and Operations (M&O) Highway and Bridge personnel. Information on Urban Impaired Streams was added to the training program in 2008.

2. Public Involvement and Participation.

Goals. Involve the MaineDOT community including various bureaus or facilities in both the planning and implementation process of improving water quality and reducing quantity via the stormwater program.

BMP 2.1

MaineDOT's measurable goal for Public Involvement and Participation is the Public Meeting process. Notice of MaineDOT projects are published in the local papers and public meetings are held in the project's community prior to project design. The public meetings are an open format where any issue related to the project can be discussed, including stormwater. Those in attendance learn the general scope of the project and who to contact with questions or comments; and the MaineDOT Project Manager gathers questions, facts, and concerns to consider when designing the project. The MaineDOT Project Manager will follow up with the SWQU staff member assigned to that project on stormwater issues raised at these meetings.

BMP 2.2

MaineDOT sends a copy of its biennial work plan to each community well in advance of initiation of projects. MaineDOT will send copies of its biennial work plans to the stormwater coordinators for the MS4 municipalities. The work plan contains a list of those projects that are planned for the upcoming two years, with a brief description of the project location and scope. When projects are planned for the highest priority watersheds the MaineDOT shall coordinate directly with the stormwater coordinators for the MS4 municipalities.

Responsible Parties.

MaineDOT's Project Managers are responsible for the public meeting process. MaineDOT's Planning Office is responsible for distributing MaineDOT work plans to the municipalities; and SWQU staff will be responsible for distributing MaineDOT work plans to stormwater coordinators in the regulated small MS4 municipalities.

Date of Implementation.

Public Notices and Public Meetings for MaineDOT construction projects and distribution of the MaineDOT Work Plan to municipal offices are already in place. Distribution of the MaineDOT Work Plan will be sent to the stormwater coordinators for the MS4 municipalities beginning with the next Work Plan in Year 2.

3. Illicit Discharge Detection and Elimination.**Goals.**

Develop, implement, and enforce a program to detect and eliminate illicit discharges and non-stormwater discharges.

BMP 3.1.

Update the comprehensive map of the storm drain system including all catch basins, and outfalls including system flow directions.

BMP 3.2

Conduct dry weather inspections of outfalls in areas having the greatest potential threat to their receiving waterbody.

BMP 3.3

Continue to implement MaineDOT's strategy for detecting illicit discharges to open ditch systems. For all construction projects MaineDOT will continue to implement the current MaineDOT Drainage Connection Policy.

BMP 3.4

MaineDOT will implement the M&O Illicit Discharge Detection and Elimination Procedure Policy that details procedures for inventory and response to illicit discharge discovery. In accordance with the Policy, outfalls operated by MaineDOT, within the regulated small MS4s, will be inventoried, including type, material, size, and receiving waterbody. Illicit discharges will be reported up the supervisory chain and to the ENV SWQU and logged for tracking and reporting purposes. The Policy includes provisions for training in the inspection of outfalls and detection of illicit discharges.

BMP 3.5

MaineDOT will continue to implement its system to track potential illicit discharges.

Responsible Parties.

The positions responsible for this goal are the SWQU Supervisor and the Region Managers. Mapping of the stormwater system components has been completed by SWQU staff and M&O staff. Dry weather inspections of outfalls during Year 1 will be completed by either SWQU staff or M&O crews. Dry weather inspections of outfalls in subsequent years, and tracking of discharges will be done by M&O crew. Development of strategy to detect illicit discharges in the two highest priority watersheds will be done by SWQU staff with input from others. Enacting M&O policy and procedures to inventory and track illicit discharges will be done by M&O managers.

Date of Implementation.

MaineDOT's facilities' stormwater catch basins, pipes, and ditch outfalls have been mapped. Inspections, and detection and reporting of illicit discharges to open ditch systems is ongoing.

4. Construction Site Stormwater Runoff Control.**Goals.**

Develop, implement, and enforce a program or modify an existing program to reduce pollutants in stormwater runoff from construction activities that result in a land disturbance of greater than or equal to one acre.

BMP 4.1.

MaineDOT's construction activities with earth disturbance will have a fully implemented Soil Erosion and Water Pollution Control Plan (SEWPCP). Construction sites in Urban

Impaired Stream watersheds will be designated as Sensitive in the project contract and requiring a higher level of treatment and inspection.

Responsible Parties.

The positions responsible for this goal are the SWQU Supervisor, SWQU staff, and Region Environmental Coordinators. Implementation on construction projects is the responsibility of the Project Resident or M&O Crew Supervisors depending on what MaineDOT program is responsible for the project.

Date of Implementation.

This measure is already in place. All MaineDOT projects with earth disturbance have a SEWPCP; and the 2008 MaineDOT BMP Manual specifies that those projects in Urban Impaired Stream watersheds have additional treatment requirements and inspections.

5. Post-Construction Stormwater Management in New Development and Redevelopment.

Goals.

MaineDOT's goals for Post-Construction Stormwater Management in New Development and Redevelopment are to:

1. Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that have an acre or more of land disturbance.
2. Include a combination of structural and non-structural BMPs.
3. Develop an inspection program including inspection of BMPs at least once during the first year of installation.

BMP 5.1.

The basis of MaineDOT's program to address stormwater runoff from new development and redevelopment is the DEPs Stormwater Rules, Chapter 500. This includes a Memorandum of Agreement between MaineDOT, MTA, and DEP for Stormwater Management. New development projects are reviewed by SWQU staff for compliance with Chapter 500 standards; redevelopment projects are reviewed by SWQU staff for compliance with the MOA. This statewide program will be extended to projects within the MS4s for all projects that have an acre or more of land disturbance.

BMP 5.2.

All new development and redevelopment projects that have an acre or more of land disturbance will incorporate designed permanent stormwater BMPs that comply with the intent of the DEP's Stormwater Rules, Chapter 500.

BMP 5.3.

MaineDOT will record inspection information including corrective actions taken for each BMP inspected. Within Urban Impaired Stream watersheds, MaineDOT will search existing information to determine pollutants of concern, and will control the discharge of polluted stormwater, to the maximum extent practicable, to the Urban Impaired Stream watershed.

Responsible Parties.

Surface Water Quality Unit staff and project designers are responsible for designing stormwater BMPs for new development and redevelopment projects. The Region Managers are responsible for inspections and reporting to the SWQU.

Date of Implementation.

The measures that incorporate structural design components will be implemented in Year 1 for projects that are in the Preliminary Design phase or have construction begin dates after the beginning of Year 2 and for all projects within the Urbanized Areas from that date forward. The project design team works with the SWQU staff in designing the stormwater BMPs for the project. The maintenance inspection of permanent BMPs are already in place and reports are kept in the MaineDOT M&O database.

6. Pollution Prevention and Good Housekeeping in Community/Facility Operations.**Goals.**

MaineDOT's goals are to prevent or reduce pollutant runoff from MaineDOT's roads, other paved surfaces, infrastructure, and facilities through the development and implementation of an Operation and Maintenance Program.

BMP 6.1

Inventory of potential pollutant sources associated with MaineDOT facilities within the Urbanized Areas. Additional information will be provided in the inspection report regarding conveyances, outfalls, etc. in the two highest priority watersheds.

BMP 6.2

MaineDOT will continue to implement, and modify as necessary, its existing procedures for maintenance of structural and non-structural controls of stormwater pollution.

BMP 6.3

Continue with existing employee training program to prevent and reduce stormwater pollution from MaineDOT operations and facilities. This training shall include additional information pertaining to highest priority watersheds. An annual report on the types of trainings presented, the number of employees that received training, the length of the training, and training effectiveness shall be implemented.

BMP 6.4

Continue with existing parking lot and street sweeping program; and prioritize Pollution Prevention and Good Housekeeping measures such as street sweeping within Urban Impaired Stream watersheds along state roads that are maintained by MaineDOT.

BMP 6.5

Continue with existing program to clean catch basins and other stormwater structures.

BMP 6.6

Implement a schedule for repairing or upgrading conveyances or outfalls. MaineDOT's M&O Program inspects and maintains conveyances and outfalls and creates and modifies the schedule for repairing them based on their current condition.

BMP 6.7

Each MaineDOT vehicle maintenance facility located within an Urbanized Area in a regulated MS4 area has a new SWPPP.

Responsible Parties.

The positions responsible for this goal are the SWQU Supervisor and staff and Region Managers.

Date of Implementation.

These measures are already in place, but revisions to include additional reporting, emphasis on the highest priority watersheds, and reporting shall be completed by the end of Permit Year 2. Mapping of the drainage patterns at its facilities is largely completed; the remaining unmapped facilities in the regulated small MS4s will be mapped by the end of Permit Year 3.

4. GENERAL REQUIREMENTS

4.1 Certification.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature/Title

Date

Indy C. Gatus

7/29/13

4.2 Plan Availability

This Stormwater Program Management Plan will be retained by MaineDOT's chief elected official or principal executive officer for the duration of the permit period and copies will be available and retained by employees responsible for implementation of the SPMP. The permittee will make a copy of the SPMP available to the following upon request:

- a. The Commissioner of the DEP;
- b. In the case of a regulated small MS4 adjacent to or interconnected with the permittee's storm sewer system, to the operator of that regulated small MS4; and
- c. In the case of a regulated small MS4 stormwater discharge to a water supply watershed, to the public water supply company.

APPENDICES

- A. Notice of Intent
- B. Urbanized Area Maps