Storm Water Permit Training for Active Solid Waste Landfills
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Topics for Today

- Overview of storm water permitting of landfills to-date
- The Tier 2 Industrial Storm Water Permit
- Storm Water Pollution Prevention Plan (SWPPP) requirements
- Q&A
Storm Water Permitting of Landfills

- Federal regulations and ch. **NR 216**, Wis. Adm. Code, set requirements for storm water permits
  - MS4s (Subch. I)
  - Industrial facilities (Subch. II)
  - Construction sites (Subch. III)

- Under s. NR 216.21(2)(b)7., landfills are identified as Tier 2 industrial facilities

- Section NR 216.21(4), Other environmental programs
Section NR 216.21(4):
If one of the following conditions is met, the department may determine that a facility is in compliance with permit coverage required under s. 283.33, Stats., and will not be required to hold a separate permit under s. 283.33, Stats.:

(a) The storm water discharge is in compliance with a department permit or approval, which includes storm water control requirements that are at least as stringent as those required under this subchapter.

(b) The storm water discharge is in compliance with a memorandum of understanding with another agency of the state that implements rules including storm water control requirements that are at least as stringent as those required under this subchapter.
What changed?

- USEPA WPDES program review
  - Omissions and deviations identified in July 2011 letter from USEPA Region 5
  - USEPA added s. NR 216.21(4) as an additional concern in May 2012
- Performance standards in NR 151, Wis. Adm. Code
- May 2016 Guidance: Storm Water Discharge Permit Coverage at Solid Waste Landfills
- Court-approved stipulation with MEDC
- MEA petition to USEPA to withdraw delegation
Current Status

- Letter of notification to apply sent July 18, 2016
- Submit application by Sept. 19, 2016
- SWPPP development/SWPPP summary dues by Jan. 31, 2017
- DNR currently processing applications and conferring coverage
- Reminder letter sent Oct. 25, 2016; response due by Nov. 4, 2016
Tier 2 Industrial Storm Water Permit

- Reissued June 15, 2016
- Applies to active solid waste landfills
- Exclusion in section 2.5.9, Table 1, for runoff from non-hazardous waste landfills
- Section 2.13, post-construction performance standards for landfills
Tier 2 Industrial Storm Water Permit (cont.)

- Minimum source area controls
- Prepare and implement a site-specific SWPPP
- Submit SWPPP summary (Form 3400-167) to DNR; full SWPPP upon DNR request
- Evaluate outfalls for non-storm water discharges (dry weather)
- Quarterly visual inspections (during runoff discharge)
- Annual facility site compliance inspections
- Annual permit fee of $130, invoiced in May of each year
SWPPP Requirements

Section NR 216.27

- (2) INCORPORATION BY REFERENCE. When plans are developed or activities conducted in accordance with other federal, state or local regulatory programs that meet the requirements of this section, the plans may be incorporated into the SWPPP by reference.
Section NR 216.27(3)

- (a) Job title of responsible individual
- (b) Summary of major activities
- (c) Drainage base map
- (d) Results of any storm water sampling or other observations
- (e) Identify all potential source areas
- (f) Identify specific pollutants likely to be present
- (g) Non-storm water discharge information
- (h) Source area control BMPs
Section NR 216.27(3) (cont.)

- (i) maintenance of BMPs
- (j) Likely storm water contaminants following implementation of source area controls
- (k) Storm water treatment practices where necessary
- (L) Provisions for complying with monitoring requirements
- (m) Implementation schedule
- (n) Properly signed
Additional considerations for landfills...

- Compliance with post-construction performance standards
  - No retrofitting of existing BMPs except for failure and/or reconstruct, or a significant source of pollution on case-by-case basis
  - No infiltration requirement
  - New BMPs must comply with TSS and peak flow performance standards
- Rely on existing plans and management activities as much as possible
- Maintain existing relationships with DNR staff
- Incorporate disturbed land management into SWPPP
Questions?

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