Phase II Storm Water Management: Industry Guide to the Haw River Basin

Phase II: General Information

In 1980 the United States Environmental Protection Agency (US EPA) implemented the first phase of storm water management. Phase I requires large municipal separate storm sewer systems (MS4s) that serve populations greater than 100,000 individuals or construction sites which disturb areas greater than 5 acres and ten selected categories of industrial activity to regulate their storm water.

In 1986 the National Water Quality Inventory found 40 percent of surveyed water bodies in the US were still impaired. Most impairments were based upon polluted runoff, leading to the need for greater regulation.

In response to the failure of Phase I to remove all water bodies from the impaired waters list, Phase II regulations were presented in 1990. Under Phase II small MS4s located in urbanized areas will be regulated. These areas are those that consist of either one centralized area or an area which has a surrounding residential population of 50,000 or more individuals and a population density of 1,000 people per square mile or greater. Furthermore any construction site that disturbs areas between 1 and 5 acres must now regulate their storm water.

Phase II Application Process

If you are a Regulated Public Entity pursuant 15A NCAC 3H .0136 and you own and operate a small MS4 defined under 40 CFR 122 then you need to complete a SWU-204 application as well as a Comprehensive Stormwater Management Program Report following the SWU-269 regulations.

If you are a Regulated Public Entity pursuant 15A NCAC 3H .0136 but do not own and operate a small MS4 as defined under 40 CFR 122 then you must complete SWU-206.

After doing so if you selected optional permitting opportunity as well as the NPDES SW Permit option then you must complete SWU-264 as well as a Comprehensive Stormwater Management Program Report following the SWU-269 regulations.

If you select optional permitting opportunity but do not select NPDES SW Permit option then you must select either Permit By Rule option of not. If you do so then you must complete SWU-267 and compile a Permit by Rule Stormwater Management Program Report following SWU-269 regulations.

If you do not select the Permit By Rule option you must then complete SWU-269.

All forms must be submitted to the NC Department of Water Quality.

Phase II Application Forms

Form SWU-206 (Small MS4 SW Permit Application)

Form SWU-206 (non MS4 Certification Application)

Form SWU-267 (Permit By Rule Application)

Form SWU-269 (Comprehensive SW Management Program Report Instructions)

Form SWU-269 (Permit By Rule Application Instructions)

Form SWU-279 (Small MS4 SW Permit Application Instructions)