

Guidance for Developing Total Maximum Daily Load Implementation Plans for Permitted MS4 Stormwater

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This fact sheet provides a summary of MPCA guidance for developing TMDL (Total Maximum Daily Load) Implementation Plans for permitted MS4 (Municipal Separate Storm Sewer Systems) stormwater.

What is a TMDL Implementation Plan?

Implementation Plans are completed concurrent with or shortly after completion of a TMDL. The goal of the Implementation Plan is to provide a detailed summary of actions needed to meet the TMDL. The United States Environmental Protection Agency (EPA) does not review or approve Implementation Plans and there is no permit requirement to comply with an Implementation Plan. Implementation Plans must be completed within one year of EPA approval of a TMDL.

What is the role of an Implementation Plan in helping MS4s meet TMDL requirements?

The Implementation Plan offers an opportunity to clearly identify how the TMDL was calculated, identify specific BMPs that will help achieve the TMDL requirement, and provide information on scheduling and monitoring. Well written, detailed Implementation Plans can serve as a guide for MS4s to use when writing their SWPPPs (Stormwater Pollution Prevention Programs) and for MPCA to use when reviewing SWPPPs.

What should an Implementation Plan contain?

An Implementation Plan should contain information on four broad topics.

Derivation of Wasteload Allocations (WLA). The WLA is the enforceable part of a TMDL. It is important for MS4s to understand how the WLA was derived. This includes a discussion of how each MS4 can determine its target load; how the WLA was calculated, including modeling assumptions; and the geographic boundaries of the study area.

A recommended stormwater management strategy. The strategy for meeting TMDLs will vary from watershed to watershed. For example, in fully built out watersheds, the WLA will have to be met by implementing retrofit BMPs and through Pollution Prevention. In developing areas, Low Impact design and education may be more useful strategies. The Implementation Plan should contain a discussion of an adaptive management approach to stormwater management, information on BMPs (e.g. removal efficiency, cost, maintenance requirements, resource requirements, and applicability), a summary of existing stormwater management strategies in the watershed, a summary of funding needs and mechanisms, and trading guidelines if applicable.

Tracking and verification monitoring. In their SWPPPs, MS4s will have to link BMPs to pollutant loads to demonstrate compliance with the WLA. They will therefore have to track progress toward meeting the WLA. The Implementation

Plan should include a discussion of how progress toward the TMDL will be tracked. This can include a discussion of resources needed to develop and implement a tracking system. Monitoring may be conducted by MS4s or other entities to track progress and evaluate effectiveness of BMPs.

A general compliance schedule. The compliance schedule is intended to provide a rough timeline over which the TMDL can be reasonably achieved. The compliance schedule can consider either or both permit and funding cycles.

How will the Implementation Plan Guidance be implemented?

The guidance for developing Implementation Plans with a permitted MS4 component can be found on MPCA's Web site www.pca.state.mn.us/water/stormwater/impairedwaters.html. MPCA TMDL staff has been trained in the guidance. At the time this fact sheet was being developed, MPCA was beginning to train other TMDL stakeholders in the guidance.

Successful implementation of this guidance depends on an effective stakeholder process in which stakeholders are involved in development of the TMDL and the Implementation Plan. MPCA Stormwater staff will begin working with TMDL staff to implement both the recently developed Stakeholder Guidance and this Implementation Plan guidance in new TMDLs.

Who can I contact for more information?

For more information, visit the MPCA Web site, www.pca.state.mn.us/water/stormwater/impairedwaters.html.

In addition, you may contact Mike Trojan at 651-296-7270 or mike.trojan@pca.state.mn.us; or Anna Kerr at 651-297-5219 or anna.kerr@pca.state.mn.us.