



Phase II MS4s

Audits: Not so scary



Regulatory Overview

- Town of Marana - Phase II Municipal Separate Storm Sewer System (MS4)
 - Does not meet the population threshold for a Phase II MS4, but proximity to Tucson created the need for permit coverage.
- Became regulated by the NPDES/AZPDES program in March 2003
- Phase II jurisdictions submitted SWMPs to ADEQ in March 2003, but were given until the end of the permit term (12/2007) to meet the stated goals (BMPs)



EPA Audit

- Town participated in EPA audit in 2006 under permit AZG2002-002
 - Marana was the only Phase II in the area that was audited
 - Even though ADEQ had approved the Town's SWMP in 2005, they were not required to be in full compliance with the permit until 12/2007 when the new permit was issued
 - Audit served as a compliance assistance tool for the Town during the first permit term



EPA Audit

- Tetra Tech Inc., with assistance from the U.S. EPA and accompanied by ADEQ conducted the program evaluation
- Prior to the on-site evaluations:
 - Reviewed Marana's 04-05 Annual Report
 - Reviewed SWMP
 - Reviewed Marana's web site



EPA Audit

- The audit involved an office visit and a field visit
 - Office visit
 - Review SWMP
 - Verify acceptable record keeping/tracking processes
 - Talk to staff regarding review and inspection procedures
 - Field visit
 - Town Operations Facility
 - 1-2 Major outfall locations
 - Accompany Town inspectors on inspections of public and private construction sites



EPA Audit

- Exit interview with the jurisdictions to outline the preliminary findings



Audit Goals

- Evaluate jurisdictional compliance with their appropriate permit
 - Provide written report of findings
- Gather information to help guide the re-issuance of new permits
- Gather data for nationwide evaluation of communities' compliance with stormwater program



Audit Report

- Three categories of the audit report
 - Potential Permit Violations
 - Items in each jurisdictions SWMPs that were not getting done
 - Deficiencies
 - SWMP items that were getting done, but not up to the expected level
 - Deficiencies listed for Phase II were more like recommendations or opportunities to comply
 - Positive elements
 - SWMP implementation that deserved special mention



Audit Report

- Report was received by the Town in October 2006
- Response to the report
 - Due December 15, 2006
 - Must propose specific corrective action for each potential permit violation
 - Corrective actions must be implemented by February 15, 2007



Report Findings

- Potential permit violations
 - Add enforcement procedures for IDDE and Construction programs to Stormwater Ordinance
- Significant deficiencies
 - Develop a plan to document the long-term effectiveness of the stormwater program
 - Update the Stormwater Web Site
 - Stormwater Ordinance should address construction projects that disturb less than 1 acre but are part of a common plan of development



Report Findings

- Positive elements:
 - Town was implementing the SWMP Construction Program more than one year before the required deadline
 - Town is implementing many program activities outside of the Phase II boundary
 - Town is reaching out to younger audiences through creative activities



Town Response

- Long-term effectiveness is reviewed when the annual reports are compiled.
 - Under performing BMPs are modified
 - Maintenance of post-construction BMPs is done through Town's Cartograph system
- The Town amended the SWMP to address the suggested changes/deficiencies brought up by the audit.
 - Amended SWMP was adopted by Town Council in March 2007
 - Included IDDE procedures and projects that disturb less than an acre