



Regional Stormwater Management Coordinating Council

November 18, 2015

Welcome New Officers and Members!

- Joseph Daley, new Chair of RSWMCC
- Annita McCormick, new Vice Chair of RSWMCC
- Welcome to newly elected members!
 - Elm Fork Representative: Perry Harts, City of Frisco
 - Mainstem Representative: Tad Heimburger, DART
 - East Fork Representative: Tracy Homfeld, Collin County
- Thank you to all returning members!

Regulatory Update

Clean Water Rule Litigation

- October 9, 2015 - 6th Circuit Court of Appeals issued an order to stay or freeze the new Waters of the US Rulemaking nationwide pending further action of the court
- A two-judge majority of the court stated that the significance of the new rulemaking warranted leaving the current approach in place
- The ruling was issued in response to the challenges on the rulemaking brought by the following 18 states: AL, FL, GA, IN, KS, KY, LA, MI, MS, NC, OH, OK, SC, TN, TX, UT, WV, WI
- In response to this decision, EPA and the Department of Army resumed nationwide use of the agencies' prior regulations defining the term "waters of the United States." Those regulations will be implemented as they were prior to August 27, 2015, by applying relevant case law, applicable policy, and the best science and technical data on a case-by-case basis in determining which waters are protected by the Clean Water Act (*EPA Website, November 2015*)

Regulatory Update

Revision of Phase II MS4 Permit Settlement

- Settlement Would Require EPA to Revise Phase II MS4 Permit
 - <http://stormwater.wef.org/2015/09/settlement-require-epa-revise-phase-ii-ms4-permit/>
- Settlement would require EPA to revise its 1999 Phase II MS4 permits for small communities with populations fewer than 100,000
- Under the settlement, the agency would be required to propose a revised rule by Dec. 17, 2015, and issue a final rule by Nov. 17, 2016. Additionally, EPA would be required to determine, by May 26, 2016, if it will regulate stormwater runoff from forest roads.

Regulatory Update

New Federal Regulation 40 CFR Part 127

- NPDES Electronic Reporting Rule was signed September 24, 2015
- Effective date 60 days after publication (October 2015 publication date)
- Will require electronic submittal of NOIs, DMRs, and periodic reports
 - Phase I and Phase II
- Appendix A of 40 CFR 127 list elements that need to be reported electronically
- <http://www2.epa.gov/compliance/final-national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>

Regulatory Update

Urban Flooding Awareness Act (HR 2616, S 1481)

- Update provided by Bill Brown
- Handout as reference

Regulatory Update

2016 Multi-Sector General Permit Renewal (TXR05000)

- Draft permit was published October 16, 2015
- 30-day comment period: October 16 – November 16
- Public Meeting was November 16, 2015
- Proposed Changes to Existing Permit include:
 - SIC code and sector format changes
 - Language clarifications (e.g. how to document zero rainfall totals or no rain in BMR forms; Sector P, SIC 5171; Sector 1 (oil and gas extraction facilities))
 - Clarifying benchmark waiver reporting requirements
 - Adding definitions (e.g. infeasible; pollutant(s) of concern; and benchmark; deicing definitions for Sector S)
 - Inclusion of federal Airport De-icing rule language
 - Impaired Receiving Waters and Total Maximum Daily Load (TMDL) requirements
 - Proposed revisions to a few Benchmark values

Regulatory Update

2015 Legislative Highlights

House Bill 1902:

<http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=84R&Bill=HB1902>

- Creates a new regulatory program for “alternative onsite water” in conjunction with the graywater regulations
- Alternate Onsite Water is rainwater, air-conditioning condensate, foundation drain water, storm water, cooling tower blowdown, swimming pool backwash and drain water, reverse osmosis reject water, or any other source of water considered appropriate by the commission.
- TCEQ has initiated rulemaking to implement the bill. Proposal agenda: June 2016

Senate Bill 912: <http://www.legis.state.tx.us/tlodocs/84R/billtext/html/SB00912I.htm>

Single, accidental discharges or spills of treated or untreated domestic wastewater that occur at a wastewater treatment facility or collection system owned or operated by a local government may be reported as a summary of spills to the TCEQ on a monthly basis when the certain conditions are met.

FY2016 Work Program Financial Report

General Program Status

- 31 Commitment Response Forms received
- 48% of the budget has been committed so far
- Please sign and return Commitment Response Forms or Letters of Authorization
- www.nctcog.org/envir/stormwatercostshare

FY2016 Work Program Status Report

PUBLIC EDUCATION TASK FORCE (PETF)

- Final draft for FY2015 project (outreach for landscape BMPs) in coming weeks
- Doo the Right Thing calendar created; files available
- Cooperative Purchase in progress
- Texas SmartScape
 - 2016 plant sales planning
 - Train-the-Trainer class
 - Plant list update
 - FY2016 project
- Began FY2017 project idea brainstorm



FY2016 Work Program Status Report

POLLUTION PREVENTION (P2) TASK FORCE

- FY2015 project (BMP posters): Approved by P2; to be sent to RSWMCC for high-level review/final approval
- Grand Prairie airport site tour/mock self-inspection on December 4
- Started discussion on topics to include for FY2016 project (Water Utilities/Public Works training regarding water main breaks, SSOs, other discharges) and related resources
- Began FY2017 project idea brainstorm

FY2016 Work Program Status Report

ILLICIT DISCHARGE, DETECTION, AND ELIMINATION (IDDE) TASK FORCE

- Projects for FY 2017 will be voted on at next meeting
- Industrial Inspector Workshop – TBA
- Advanced IDDE training currently being developed
- FY16 Potable Water Discharges and Fish Kills Factsheet is underway

FY2016 Work Program Status Report

STORMWATER MONITORING PROGRAM

- All 2015 monitoring data successfully collected
 - Sampling equipment will be stored until all data is accepted by entities, then equipment will be returned to each entity
- Beginning work on 2015 Annual Report
- Working to schedule trip to TCEQ to meet and discuss broad terms of next permit term

FY2016 Work Program Status Report

PUBLIC WORKS COORDINATION

- Completed a total of 9 Benefits of iSWM meetings
- Conducted Stormwater Pollution Prevention Practices During Construction training on Oct 29
- Flood Photo Collection still underway, submit photos at www.nctcog.org/envir/flooding

Work Program Discussion

- Refer to FY2016 Work Program Handout
 - Are there items to include that aren't included?
 - Are there items that are included that should be removed?
 - Are there special projects or other activities that the Council would like accomplished (e.g. trainings, campaigns, etc.)?
 - Other thoughts and feedback

Committee Procedures

- Refer to Committee Procedures Handout
 - Clarifying definitions of subcommittees, working groups, and task forces
 - Need for additional membership parameters

General Updates

- 2015 Region 6 EPA Stormwater Conference
- Regional stormwater training – See Handout
- **Register Now:** December 16, 2015 - Sanitary Sewer Overflow Workshop
 - Register at: www.nctcog.org/envir/events
- **Save the Date:** January 12, 2016 - Potable Water and SSO Workshop
- Possible grants of interest
- Fundamentals of Green Infrastructure Workshop – December 15, 2015, TEEX Training Facility (Texas A&M Riverside Campus)

Roundtable Discussion

It's Your Turn!

Upcoming Meetings

- Public Education Task Force
 - January 13, 9:30 a.m.
- Pollution Prevention Task Force
 - January 28, 9:30 a.m.
- IDDE Task Force
 - January 7, 9:30 a.m.

RSWMCC Meetings for FY2016

- February 17, 2016
9:30 a.m. William J. Pitstick Board Room
- May 11, 2016
9:30 a.m. William J. Pitstick Board Room
- August 17, 2016
9:30 a.m. William J. Pitstick Board Room

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