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Overview of Minnesota's Stormwater Permit Program

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Since the passage and implementation of the Federal Clean Water Act and various Minnesota laws and rules, the quality of our state's waters has improved. However, degraded and impaired waters still exist. A leading source of this impairment is polluted and sediment filled stormwater runoff.

Runoff can change both water quality and quantity affecting our water resources physically, chemically and biologically. Runoff from land modified by human activities changes natural hydrologic patterns, accelerates stream flows, modifies stream channels and destroys aquatic habitat. Polluted runoff containing oil, grease, chemicals, nutrients, metals, litter, and pathogens, can severely reduce water quality. If left unmanaged, runoff stresses our streams, ages our lakes, and degrades and eliminates our wetlands.

The Minnesota Pollution Control Agency's (MPCA) Stormwater Program is designed to reduce the pollution and damage caused by runoff from construction sites, industrial facilities and municipal separate storm sewer systems (MS4s).

A 1987 amendment to the federal Clean Water Act required implementation of a two-phase comprehensive national program to address stormwater runoff. Since the early 1990s, Phase I regulated large construction sites, 10 categories of industrial facilities, and major metropolitan MS4s, including Minneapolis and St. Paul.

On March 10, 2003 the program broadened to include smaller construction sites, municipally owned or operated industrial activity, and many more municipalities. Phase II is designed to further reduce adverse impacts to water quality and puts controls on runoff that have the greatest likelihood of causing continued environmental degradation.



Stormwater, flowing via storm sewer systems, transports sediment and pollutants to our waters.

Stormwater regulations are part of the National Pollutant Discharge Elimination System (NPDES) permit program. The U.S. Environmental Protection Agency (EPA) delegated permitting authority for Minnesota's NPDES program to the MPCA in 1974. The MPCA issues combined State Disposal System (SDS) and NPDES stormwater permits.

Stormwater permits require permittees to control polluted discharges. As with most MPCA programs, citizens, regulated parties and other stakeholders have the opportunity to comment on the permits and rule changes.

Regulated parties must develop stormwater pollution prevention plans to address their stormwater discharges. Each regulated party determines the appropriate pollution prevention practices or "best management practices" to minimize pollution for their specific site. The three permit types - construction, industrial, MS4 - each have distinct requirements and some regulated parties may require more than one permit.



Construction Permit

Construction sites rank among the most significant sources of sediment affecting our waterways. They can also contribute a variety of pollutants to runoff.

Under Phase I, operators of large construction activity, resulting in the disturbance of five or more acres of land, were required to obtain general permit coverage. Some activities requiring a permit included clearing, grading, excavating, road building, construction of houses and office buildings, landfills, airports, feedlots, and industrial or commercial buildings.

Phase II was expanded to include small construction activity that results in the disturbance of equal to or greater than one acre and less than five acres. Like the Phase I program, owners and operators of small construction sites need to obtain permit coverage and implement practices to minimize pollutant runoff from construction sites.



Temporary cover and silt fence work together to prevent the discharge of sediment from this construction site.

The annual average of 900 permits has grown to 3,000 under the new regulations. The current general construction permit was issued August 1, 2003. See the MPCA Web site for more information.



Stormwater retention ponds help this company manage runoff.

Industrial Permit

Stormwater at industrial sites may come into contact with any number of harmful pollutants including toxic metals, oil, grease, de-icing salts, and other chemicals. Activities such as storage and material handling can also add pollution to runoff.

Under Phase I, facilities with Standard Industrial Classification codes in 10 categories were regulated. They were identified as either mandatory (issued a permit with no exceptions) or discretionary facilities (may or may not be issued a permit). Some discretionary facilities whose industrial materials or activities were not exposed to stormwater were not required to obtain permit coverage.

Under Phase II, no new categories of industrial activity were added to the program. However, since March 10, 2003 many small municipalities (populations of less than 100,000) that had previously been exempted had to obtain permit coverage for their industrial activity.

See the MPCA Web site for more information on the status of the general permit and rules on the revised conditional no-exposure provisions.

Municipal Permit

Impervious surfaces such as rooftops, roads, parking lots, and driveways don't allow rainfall to soak into the ground and changes natural drainage patterns. Runoff in urbanized areas also contributes a variety of pollutants to our waters. Urban stormwater runoff finds its way into our waterways directly or through municipal storm drains.

Under Phase I, Minneapolis and St. Paul obtained individual permits and designed and implemented stormwater programs.

Since March 10, 2003, approximately 250 operators of small MS4s in urbanized areas applied for general permits and began or expanded existing programs and practices to control polluted stormwater runoff.

Revised stormwater rules will require permit coverage for cities over 10,000 or over 5,000 that are located within 1/2 mile of an outstanding value resource water or impaired water.

The Municipal stormwater permits make municipalities responsible for the discharges to waters of the state coming from their jurisdictions and the conveyance systems that they own or operate. These conveyance systems include storm drains, ditches, stormwater ponds and so on.

See the MPCA Web site for more information about the MS4 program and permit status.

<http://www.pca.state.mn.us/water/stormwater/index.html>

Please contact the Customer Assistance Center at 651-297-2274 or 1-800-646-6247 for application information if you do not have Internet access.