

EPA Issues Guidelines on Stormwater Total Maximum Daily Loads (TMDLs)

The EPA has recently issued a preliminary draft of its TMDLs to Stormwater Permits Handbook and is inviting public review and comment.

The Handbook is intended for federal and state total maximum daily load (TMDL) practitioners and permit writers responsible for addressing waterbodies impaired by discharges from stormwater sources. It describes methods for translating TMDL allocations into stormwater permitting requirements that will allow streams and rivers affected by stormwater sources to meet in-stream water quality standards.

Previously, stormwater permitting has been addressed primarily through general permits that allow permittees to select and implement their own best management practices. Issuance of the Handbook may signal that the EPA plans to increase the number of permits that impose specific performance standards and control requirements on permittees.

A PDF of the Handbook can be downloaded from the EPA website at <http://www.epa.gov/owow/tmdl/techsupp.html>. Feedback on the methods and approaches presented should be sent to the EPA by February 27, 2009.

If you would like to receive more information on stormwater TMDLs and how they may affect your projects, please contact Kevin R. Murray, Thomas L. Van Wyngarden or Patrick S. Malone at Chapman and Cutler LLP.

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