

MS4 REFERENCES

COMMON ACRONYMS

303(d) list	Clean Water Act Section 303(d) List of Water Quality Limited Segments
ACOE	Army Corps of Engineers
BMP	Best Management Practice
CBPRP	Chesapeake Bay Pollutant Reduction Plan
CCD	County Conservation District
CFR	Code of Federal Regulations
COMID	National Hydrography Dataset common identifier code for waterbodies
CWA	Federal Water Pollution Control Act (also known as the Clean Water Act)
ESA	Environmentally Sensitive Area
GI	Green Infrastructure
GIS	Geographic Information System
HHW	Household Hazardous Waste
HOA	Home Owners Association
IDD&E	Illicit Discharge Detection and Elimination
LA	Load Allocation
LID	Low Impact Development
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MOS	Margin of Safety
MS3	Municipal Separate Storm Sewershed
MS4	Municipal Separate Storm Sewer System
NOI	Notice of Intent
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
NWI	National Wetlands Inventory
O&M	Operation and Maintenance
PADEP	Pennsylvania Department of Environmental Protection
PCM	Pollutant Control Measure
PCSM	Post Construction Stormwater Management
PennDOT	Pennsylvania Department of Transportation
PEOP	Public Education and Outreach Plan
PIPP	Public Involvement and Participation Plan
PRP	Pollutant Reduction Plan
QAPP	Quality Assurance Project Plan
QLP	Qualifying Local Program
SOP	Standard Operating Procedure

SSO	Sanitary Sewer Overflow
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TAG	Target Audience Group
TMDL	Total Maximum Daily Load
UA	Urbanized Area
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
WLA	Waste Load Allocation
WQ	Water Quality

IMPORTANT DEFINITIONS

Illicit Discharge Any discharge to an MS4 that is not composed entirely of stormwater, except authorized non-stormwater discharges. Examples of illicit discharges include dumping of motor vehicle fluids, grass clippings and landscape debris, animal wastes, industrial waste/discharges, restaurant wastes, or any other non-stormwater waste. Illicit discharges can be accidental or intentional.

Load Allocation The portion of a surface water’s loading capacity that is assigned or allocated to existing and future nonpoint sources and natural quality.

Municipal Separate Storm Sewer

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters; (ii) Designed or used for collecting or conveying stormwater; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

Municipal Separate Storm Sewershed (MS3)

The land area draining to an individual MS4 outfall.

Municipal Separate Storm Sewer System (MS4)

All separate storm sewers that are defined as “large” or “medium” or “small” municipal separate storm sewer systems pursuant to 40 CFR §§ 122.26(b)(4), (b)(7), and (b)(16), respectively, or designated under 40 CFR § 122.26(a)(1)(v).

Outfall A point source as defined by 40 CFR § 122.2 at the point where a municipal separate storm sewer discharges to surface waters and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other surface waters and are used to convey surface waters.

Point Source A discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, Concentrated Aquatic Animal Production Facility (CAAP), Concentrated Animal Feeding Operation (CAFO), landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged.

Small Municipal Separate Storm Sewer System (Small MS4)

An MS4 that is not a large or medium MS4 pursuant to 40 CFR §§ 122.26(b)(4) and 122.26(b)(7). The term small MS4 includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Stormwater Management Program (SWMP)

The SWMP document is the foundational program management tool for MS4 Permit facilitation; capturing the developed process, procedure, and implementation strategies for described elements (including MCMs). The primary purpose of the document is to present an integrated approach for reducing the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP), to protect and improve the quality of water bodies, and adhere to the appropriate water quality standards requirements in the CWA.

Surface Waters*

Perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps and estuaries, excluding water at facilities approved for wastewater treatment such as wastewater treatment impoundments, cooling water ponds and constructed wetlands used as part of a wastewater treatment process.

Total Maximum Daily Load (TMDL)

The sum of individual waste load allocations for point sources, load allocations for nonpoint sources and natural quality and a margin of safety expressed in terms of mass per time, toxicity or other appropriate measures.

Waste Load Allocation (WLA)

The portion of a surface water's loading capacity that is allocated to existing and future point source discharges.

* This is PADEP's definition in the MS4 Permit. It is appropriate to consider the CWA definition for Waters of the United States (see below).

USEPA/ACOE CLEAN WATER RULE (PARTIAL)

Clean Water Rule: Definition of “Waters of the United States” 40 CFR 230.3

§230.3 Definitions.

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(o) The term waters of the United States means:

(1) For purposes of the Clean Water Act, 33 U.S.C. 1251 et. seq. and its implementing regulations, subject to the exclusions in paragraph (o)(2) of this section, the term “waters of the United States” means:

(i) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(ii) All interstate waters, including interstate wetlands;

(iii) The territorial seas;

(iv) All impoundments of waters otherwise identified as waters of the United States under this section;

(v) All tributaries, as defined in paragraph (o)(3)(iii) of this section, of waters identified in paragraphs (o)(1)(i) through (iii) of this section;

(vi) All waters adjacent to a water identified in paragraphs (o)(1)(i) through (v) of this section, including wetlands, ponds, lakes, oxbows, impoundments, and similar waters;

(vii) All waters in paragraphs (o)(1)(vii)(A) through (E) of this section where they are determined, on a case-specific basis, to have a significant nexus to a water identified in paragraphs (o)(1)(i) through (iii) of this section. The waters identified in each of paragraphs (o)(1)(vii)(A) through (E) of this section are similarly situated and shall be combined, for purposes of a significant nexus analysis, in the watershed that drains to the nearest water identified in paragraphs (o)(1)(i) through (iii) of this section. Waters identified in this paragraph shall not be combined with waters identified in paragraph (o)(1)(vi) of this section when performing a significant nexus analysis. If waters identified in this paragraph are also an adjacent water under paragraph (o)(1)(vi), they are an adjacent water and no case-specific significant nexus analysis is required.

(A) Prairie potholes. Prairie potholes are a complex of glacially formed wetlands, usually occurring in depressions that lack permanent natural outlets, located in the upper Midwest.

(B) Carolina bays and Delmarva bays. Carolina bays and Delmarva bays are ponded, depressional wetlands that occur along the Atlantic coastal plain.

(C) Pocosins. Pocosins are evergreen shrub and tree dominated wetlands found predominantly along the Central Atlantic coastal plain.

(D) Western vernal pools. Western vernal pools are seasonal wetlands located in parts of California and associated with topographic depression, soils with poor drainage, mild, wet winters and hot, dry summers.

(E) Texas coastal prairie wetlands. Texas coastal prairie wetlands are freshwater wetlands that occur as a mosaic of depressions, ridges, intermound flats, and mima mound wetlands located along the Texas Gulf Coast.

(viii) All waters located within the 100-year floodplain of a water identified in paragraphs (o)(1)(i) through (iii) of this section and all waters located within 4,000 feet of the high tide line or ordinary high water mark of a water identified in paragraphs (o)(1)(i) through (v) of this section where they are determined on a case-specific basis to have a significant nexus to a water identified in paragraphs (o)(1)(i) through (iii) of this section. For waters determined to have a significant nexus, the entire water is a water of the United States if a portion is located within the 100-year floodplain of a water identified in paragraphs (o)(1)(i) through (iii) of this section or within 4,000 feet of the high tide line or ordinary high water mark. Waters identified in this paragraph shall not be combined with waters identified in paragraph (o)(1)(vi) of this section when performing a significant nexus analysis. If waters identified in this paragraph are also an adjacent water under paragraph (o)(1)(vi), they are an adjacent water and no case-specific significant nexus analysis is required.

(2) The following are not “waters of the United States” even where they otherwise meet the terms of paragraphs (o)(1)(iv) through (viii) of this section.

(i) Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act are not waters of the United States.

(ii) Prior converted cropland. Notwithstanding the determination of an area’s status as prior converted cropland by any other Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

(iii) The following ditches:

(A) Ditches with ephemeral flow that are not a relocated tributary or excavated in a tributary.

(B) Ditches with intermittent flow that are not a relocated tributary, excavated in a tributary, or drain wetlands.

(C) Ditches that do not flow, either directly or through another water, into a water identified in paragraphs (o)(1)(i) through (iii) of this section.

(iv) The following features:

(A) Artificially irrigated areas that would revert to dry land should application of water to that area cease;

(B) Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds;

(C) Artificial reflecting pools or swimming pools created in dry land;

(D) Small ornamental waters created in dry land;

(E) Water-filled depressions created in dry land incidental to mining or construction activity, including pits excavated for obtaining fill, sand, or gravel that fill with water;

(F) Erosional features, including gullies, rills, and other ephemeral features that do not meet the definition of tributary, non-wetland swales, and lawfully constructed grassed waterways; and

(G) Puddles.

(v) Groundwater, including groundwater drained through subsurface drainage systems.

(vi) Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land.

(vii) Wastewater recycling structures constructed in dry land; detention and retention basins built for wastewater recycling; groundwater recharge basins; percolation ponds built for wastewater recycling; and water distributary structures built for wastewater recycling.