



March 15, 2013

From: PDSWRS Workgroup

To: Al Keller, Illinois EPA Permits Section

cc: Jeff Hutton, Illinois EPA Permits Section

In a meeting in late 2012 you informed the Workgroup that Illinois EPA may need to public notice the 2013 construction general permit (ILR 10) as early as March 2013. This would mean the permit would be drafted and public noticed prior to the Workgroup recommendation being finalized. We also understand that implementation of stormwater runoff performance standards could be something the State would like to phase in over two construction general permit cycles, instead of having all the requirements go into effect in the 2013 permit. With this in mind, the Workgroup is suggesting to Illinois EPA an option that you potentially can consider for the 2013 permit cycle.

Considering that the State potentially would like to phase in of post-construction requirements over two ILR 10 permit cycles, and that we would like to take a first step in this direction this year, one option could be to include post-construction *goals* in the 2013 ILR 10 permit and associated language to begin to move owner/operators into the mode of planning and quantifying post-construction stormwater characteristics. Illinois EPA could then potentially include the full sets of requirements, including quantified performance standards, in the next reissuance of the MS4 permit and the 2018 reissuance of ILR 10. If Illinois EPA believes an option along these lines is appropriate for 2013, one approach would be to include post-construction requirements such as the following in the 2013 ILR 10 permit:

The Stormwater Pollution Prevention Plan and design and construction plans shall explicitly consider post-construction stormwater management. As impervious surfaces are created as part of the construction activity, the site owner/operator must put in place BMPs to control stormwater discharge amounts and pollutant loadings in post-construction stormwater discharges. The construction activity project owner/operator must plan for and put in place BMPs in accordance with the following:

- 1) Retain the greatest amount of post-development stormwater runoff practicable given the site and project constraints by installing one or more of the Best Management Practices (BMP's) as described in the Illinois Urban Manual (latest version).*
- 2) The goal for new development sites is to retain on-site a volume of runoff equal to the amount that would run off the post-construction impervious surfaces at the site in a 90th percentile rainfall event.¹*

¹ A 90th percentile storm in the northernmost areas of the State is approximately a 1 inch rain event over a 24 hour period. Storm sizes generally increase moving from north to south within the State.

- 3) *For redevelopment sites, the goal is to retain on-site a volume of runoff equal to the amount that would run off the post-construction impervious surfaces at the site in an 85th percentile rainfall event.*²

The Workgroup recommends that site owner/operators be given credit toward applicable detention requirements for stormwater runoff volumes retained by the BMPs installed. In most cases the decision to give detention credit for volumes retained through stormwater BMPs falls to local units of government.

Final Workgroup recommendations on the topic of post-construction stormwater runoff performance standards will be provided to Illinois EPA by the end of June 2013. The full Workgroup recommendations document will provide further information on the basis for the recommended post-development stormwater runoff volume(s).

Respectfully Submitted,

PDSWRS Workgroup Members

² An 85th percentile storm in the northernmost areas of the State is approximately a 0.8 rain event over a 24 hour period.