

Boston Bar Association: Recent Developments in Stormwater Regulation and Related Technical Considerations

2010-06-09

This program gave experienced practitioners an overview of recent developments in stormwater regulation, science, and management, with an emphasis on the following new or proposed EPA stormwater permits and rulemakings.

- EPA Region I's proposed municipal separate storm sewer (MS4) permit for municipalities in the north coastal area of Massachusetts, including those in the Neponset, Shawsheen, and Charles River watersheds. The proposed permit would impose requirements beyond those contained in EPA's 2003 small MS4 general permit, particularly with respect to total maximum daily loads (TMDLs) for receiving waterbodies.
- EPA Region I and state efforts in Massachusetts, Vermont, and Maine to regulate stormwater pursuant to "residual designation" authority under the Clean Water Act. In Massachusetts, for example, a proposed stormwater permit would regulate discharges from large impervious surfaces in the towns of Milford, Bellingham, and Franklin. These are among the first efforts in the nation to exercise the "residual designation" authority.
- EPA's new effluent limitation guidelines and new source performance standards for construction-related stormwater discharges
- EPA's national rulemaking process, which may result in regulation of post-construction stormwater discharges relating to development and redevelopment activities.

WilmerHale senior associate Tina Wu served as a moderator and co-chair at this event.

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