



## WHAT THE LAW SAYS.....

### Clean Water Act (CWA)

Enacted by Congress in 1972 to ensure minimum water quality standards for [waters of the United States](#).

The Clean Water Act has five main elements:

1. A system of minimum national effluent standards for each industry
2. Water quality standards
3. A discharge permit program where these standards are translated into enforceable limitations.
4. Provisions for special problems such as toxic chemicals and oil spills; and
5. A construction loan program for publicly-owned treatment works (POTWs)

The third element of the CWA addresses the National Pollutant Discharge Elimination System (NPDES).

### National Pollutant Discharge Elimination System (NPDES)

Under this act any person responsible for the discharge of a [pollutant](#) or pollutants into any waters of the United States from any [point source](#) discharged from an industrial area and municipalities must apply for and obtain a permit. In 1987, this act was expanded to include [non-point sources](#) with amendments.

As amended, the act now requires that six categories of municipal or industrial stormwater discharges be regulated as NPDES discharges:

1. Discharges which have NPDES permits issued as of February 1987.
2. Discharges "associated with industrial activity".
3. Discharges "from a municipal separate stormwater sewer system (MS4) serving a population of 250,000 or more. (Phase 1 – 1990)
4. Discharges "from a municipal separate stormwater sewer system (MS4) serving a population of 100,000 or more but less than 250,000" (Phase 1 – 1990)
5. Discharges "from small municipal separate stormwater sewer system (MS4) serving a population under a 100,000 in urbanized areas (Phase 2 – effective March 2003.
6. Other discharges designated by the EPA administrator or the State if such discharge "contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States."

## **City Of Greeley Stormwater Ordinance – Illegal Discharges to Stormwater Drainage System**

It is the purpose of this ordinance to promote the public health, safety and general welfare, and to minimize the degradation of the water quality in receiving waters (Cache La Poudre and South Platte Rivers) of the City's stormwater drainage system caused by discharges of contaminants into this system by provisions designed to:

1. Control spills, dumping, or disposal of materials other than stormwater to the City's stormwater drainage system;
2. Prohibit illicit discharges to the City's stormwater drainage system;
3. Establish the authority for the City Of Greeley to carry out inspections, surveillance, and monitoring procedures necessary to determine compliance with EPA, state, and City regulations concerning stormwater quality and prohibition and illicit discharges to the City's stormwater drainage system;
4. Establish authority and penalties to insure compliance with conditions of this ordinance;
5. Promote public awareness of the hazards involved in the improper disposal of petroleum products, household hazardous waste, industrial waste, sediment from construction sites, pesticides, herbicides, fertilizers and other contaminants into the City's stormwater drainage system;
6. Encourage recycling of used motor oil and safe disposal of hazardous consumer products;
7. Facilitate compliance with state and federal standards and permits by owners and operators of industrial and construction sites within the city;
8. Enable the City to comply with all federal and state laws and regulations applicable to stormwater discharges.

### **Specific Prohibitions**

No person shall deposit or cause to be deposited by dumping, spilling, leaking, pouring, emitting, discharging, leaching, disposing, or otherwise introducing and of the following substances into the City's stormwater drainage system.

1. Used motor oil or any other petroleum product or waste;
2. Any industrial waste;
3. Any domestic sewage from a septic tank or any other source;
4. Garbage;
5. Any untreated wash water from commercial carwash facilities or from any vehicle washing at new or used automobile dealerships or truck dealerships or rental agencies; truck stops, fleet maintenance, or storage facilities;
6. Any external building wash down water containing soap or detergents;
7. Any pavement wash water containing soap or detergents or from wash down of any pavement where any spills or leaks of any petroleum, toxic, hazardous substances have occurred, unless all spilled materials have been removed prior to wash down.

## **DEFINITIONS:**

### **Non-Point Source:**

Pollutant that enters air, water, or soil from dispersed and often hard to identify sources. Examples include: runoff of fertilizers and pesticides from farmlands or suburban lawns into streams and lakes.

### **Point Source:**

Any discernible, confined and discrete conveyance, from which pollutants are or may be discharged. Examples include: smokestack of an electric plant, the drainpipe of a meat packing plant, the chimney of a house, the exhaust pipe of an automobile or the outfalls from municipal separate stormwater systems.

### **Pollutant:**

Includes dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. Broadly interpreted to include virtually all waste material, whether or not that material has value at the time it is discharged.

### **Waters of the United States:**

Includes navigable waters, tributaries of navigable waters, interstate waters, intrastate lakes, rivers and streams used by interstate travelers for recreation and other purposes or which are the source of fish or shellfish sold in interstate commerce, or which are utilized for industrial purposes by industries engaged in interstate commerce.