

Butler County Storm Water District

(Revised February 6, 2003)

BUTLER COUNTY ENGINEER'S OFFICE



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NPDES Phase II Storm Water Permit Regulations

On December 8, 1999, US EPA adopted regulations that will require many cities, villages, townships and counties within U.S. Census Bureau "Urban Areas" to obtain NPDES Phase II storm water permits. Currently Ohio EPA estimates over 480 local governments across Ohio will be required to obtain a Phase II storm water permit. All affected entities must obtain permit coverage by March 10, 2003. These local governments will be required to develop a storm water management program that implements six minimum control measures, including:

1. Public education and outreach
2. Public involvement and participation
3. Elimination of illicit discharges
4. Construction site runoff control
5. Post-construction runoff control
6. Pollution prevention /
Good Housekeeping

The Phase II regulations would require that any jurisdiction within an "urbanized area", or with a population of more than 10,000 would be subject to these regulations. Local governments with populations less than 10,000 but greater than 1,000 must obtain a Phase II permit if they are shown to "substantially contribute" to storm water pollution.



Special points of interest:

- **NPDES Phase II Unfunded Federal Mandate**
- **Permit Application by March 10, 2003**
- **Failure to comply is subject to enforcement action**
- **Storm Water District will include all unincorporated areas and those cities or villages that petition to join**
- **Estimated annual cost \$ 835,000 per year.**
- **Estimated cost per ERU between \$6.00 and \$14.00 per year depending on the number of communities participating**

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To address the NPDES Permit requirement, the Butler County Engineer proposed to the County Commissioners that a County-wide storm water study be initiated to evaluate the impact of the proposed regulations on cities, villages and townships in the County. A Kick-off meeting was held on June 13, 2002 and local officials and other interested parties were invited to learn more about the Phase II program and to establish a Steering Committee to evaluate alternatives.

The Steering Committee has met monthly since June, with an average of 25 participants representing most of the local governments in the County, along with representatives from watershed and environmental groups and business and development organizations. Ten of the thirteen townships, five cities and one village have all participated along with several County Departments.

From this group, consensus was reached to form an ORC 6117 District to administer the Phase II program for the County.

Schedule:

- **Presentation to Commission
Feb. 6**
- **Resolutions from Communities
Feb 13**
- **Resolution adopted establishing the District
Feb 20**
- **Commissioners sign permit
March 3**
- **Submit Permit application by
March 10**
- **Adopt Storm Water Rates
April to June**

Steering Committee Activities

FMSM Engineers and Environmental Rate Consultants prepared Issue Papers and facilitated the planning process, which included:

- Formation of an ORC 6117 Storm Water District
- Best Management Practices (BMP's)
- Level of Service and Cost of Service
- Implementation Plan for Phase II
- Rate Structures
- Phase II Permit application
- General Plan of Drainage.

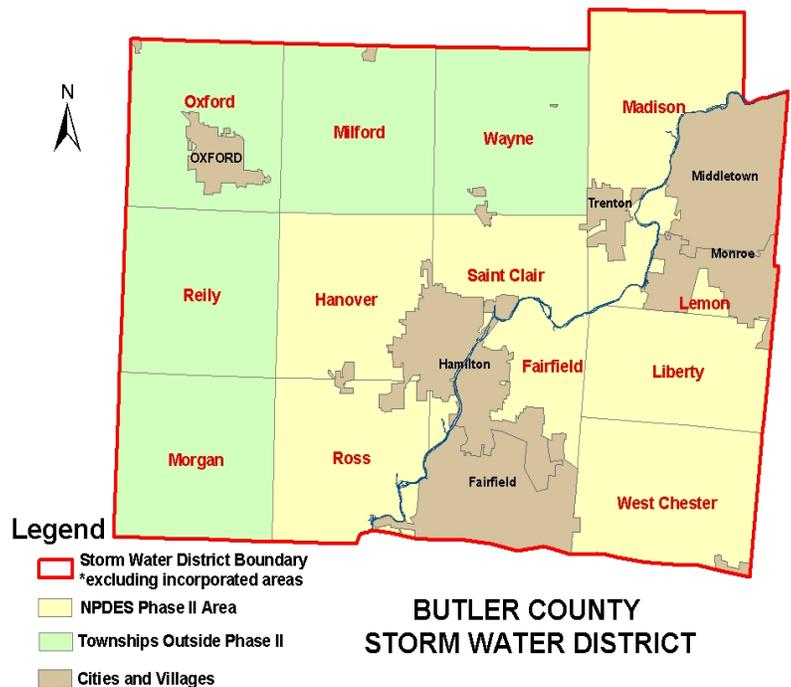
The Steering Committee members have developed a list of BMP's that they feel will meet proposed Ohio and US EPA regulations, yet provide an affordable program with minimum personnel.

ORC 6117—Storm Water District

Ohio Revised Code (ORC) Chapter 6117, as modified by House Bill 549, provides the County Commissioners the authority to:

1. Establish a Storm Water District to preserve and protect the public health and welfare;
2. Adopt and enforce rules for the construction, maintenance and protection of drainage facilities;
3. Establish reasonable rates and/or charges for the use or connection to the drainage facilities of the County;
4. Authorize the County Engineer to serve as the County Drainage Engineer;
5. Include municipal corporations in the District if authorized by resolution of the municipality;

To meet the Phase II Permit requirements would require an estimated 13,500 man-hours per year. Personnel to meet this demand could include a Manager, Storm Water Engineer, Public Information Specialist, GIS Technician and several Inspectors, depending on the service area and implementation sequence.



Annual Cost and Storm Water Rates

The average annual cost over the five year Phase II permit term, to implement the Storm Water District and meet the EPA permit requirements is \$835,000 per year, depending on the number of communities participating.

This cost would be distributed over all the parcels in the District based on the amount of "impervious area" within each parcel. All single family residential and agricultural properties would be designated as one ERU (Equivalent Residential Unit).

All other multi-family residential, commercial or industrial parcels would be charged based on the amount of impervious area relative to one ERU. All vacant parcels in the District would be charged one ERU.

The final cost per ERU will be between \$6.00 and \$14.00 per year based upon the number of political subdivisions that participate in the District.

To meet the March 10, 2003 permit requirement, local governments should decide by mid February if they will participate in the District.