CHARLOTTE-MECKLENBURG
STORM WATER SERVICES

Stormwater Pollution Control Ordinance Revision

City Council Strategy Session

March 2, 2020

PURPOSE & OUTLINE

Purpose

Introduce City Council to proposed revisions to the Storm Water Pollution Control Ordinance in preparation of future action

Outline

- Purpose of ordinance
- Proposed revisions
- Amendment process

CHARLOTTE-MECKLENBURG
STORM WATER SERVICES

PURPOSE OF ORDINANCE

PURPOSE OF ORDINANCE (ALREADY IN EFFECT)

- Prohibit illegal discharges to stormwater system, streams, and lakes
- Protect and restore the quality of our streams and lakes

An illegal discharge example – rinsing paint brushes over a storm drain

Storm Drain Pipe emptying into Little Sugar Creek

ABOUT THE ORDINANCE

- First enacted in 1995
- Last revised in 2008
- Prohibits illegal discharges into stormwater system, streams, and lakes
- Examples include:
  - Emptying paint into drains
  - Dumping restaurant grease
  - Oil and fuel discharges
- Required by the City's Municipal Stormwater Permit and the Federal Clean Water Act

CHARLOTTE-MECKLENBURG
STORM WATER SERVICES

OVERVIEW OF ORDINANCE REVISIONS

PROPOSED REVISION – PROHIBIT HIGH PAH SEALANTS

Add "Use of High PAH Sealants" to Prohibitions section

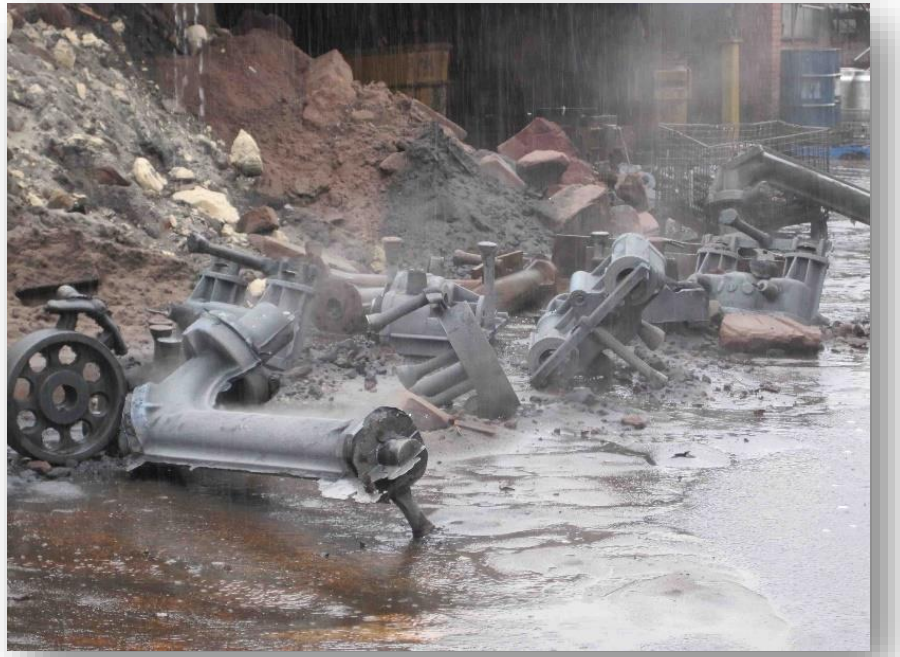
- Polycyclic Aromatic Hydrocarbons (PAHs) are known pollutants
- Testing in local waters showed levels harmful to aquatic life
- Other cities, counties, and states have banned high PAH sealants
- Low PAH sealants are available at similar cost

PROPOSED REVISION – IMPROPER STORAGE

Add "Improper Storage, Handling, & Processing of Materials" to Prohibitions section

- Primary focus is industrial sites that are allowing for pollutants to wash into drains and streams

- Enforcement would require implementation of a corrective action plan to clean up site



Site with bad housekeeping due to outdoor storage and processing

PROPOSED REVISION - ENFORCEMENT

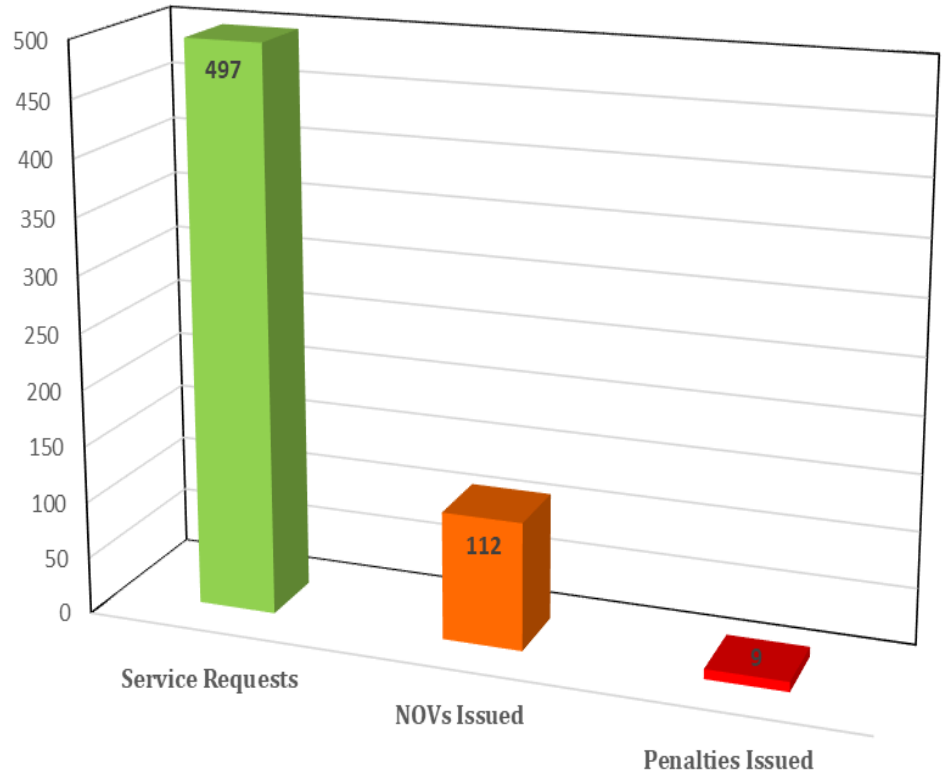
Increase maximum penalty from $5,000 to $10,000 per day, per violation

- Has been at $5,000 since inception in 1995
- Federal and state environmental agencies increase penalties regularly
- Penalties collected go to the public school system
- Purpose of penalties is to encourage compliance

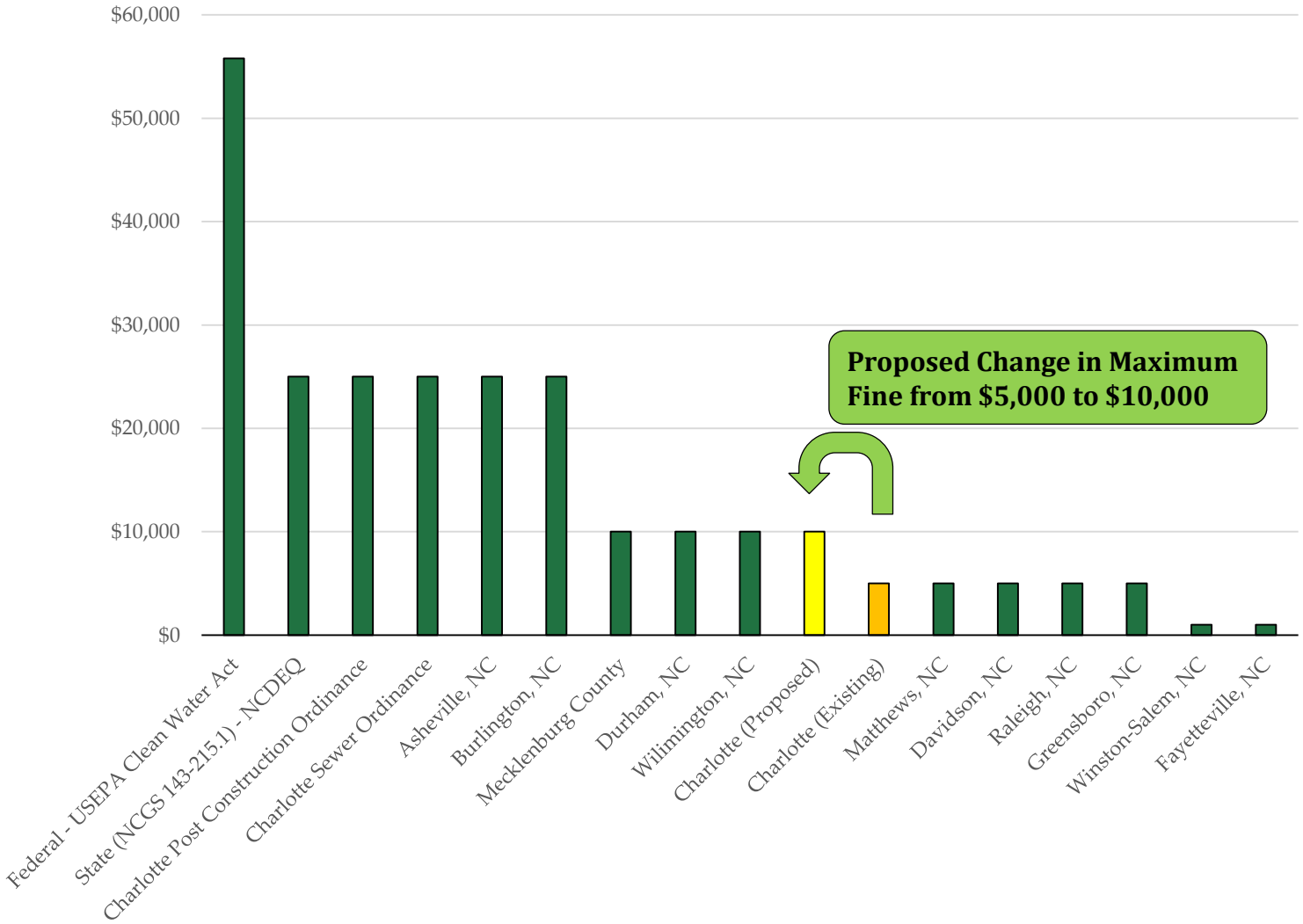
Proposed revision is consistent with other regulatory agencies

FINES

Notices of Violation and Penalties – 5 year averages



Comparison of Maximum Fines among NC Jurisdictions



OTHER PROPOSED REVISIONS – ENFORCEMENT (CONTINUED)

- **Add "Failure to Comply" to Prohibitions section**

  Explicitly makes failure to comply with requirements in an enforcement document a separate violation

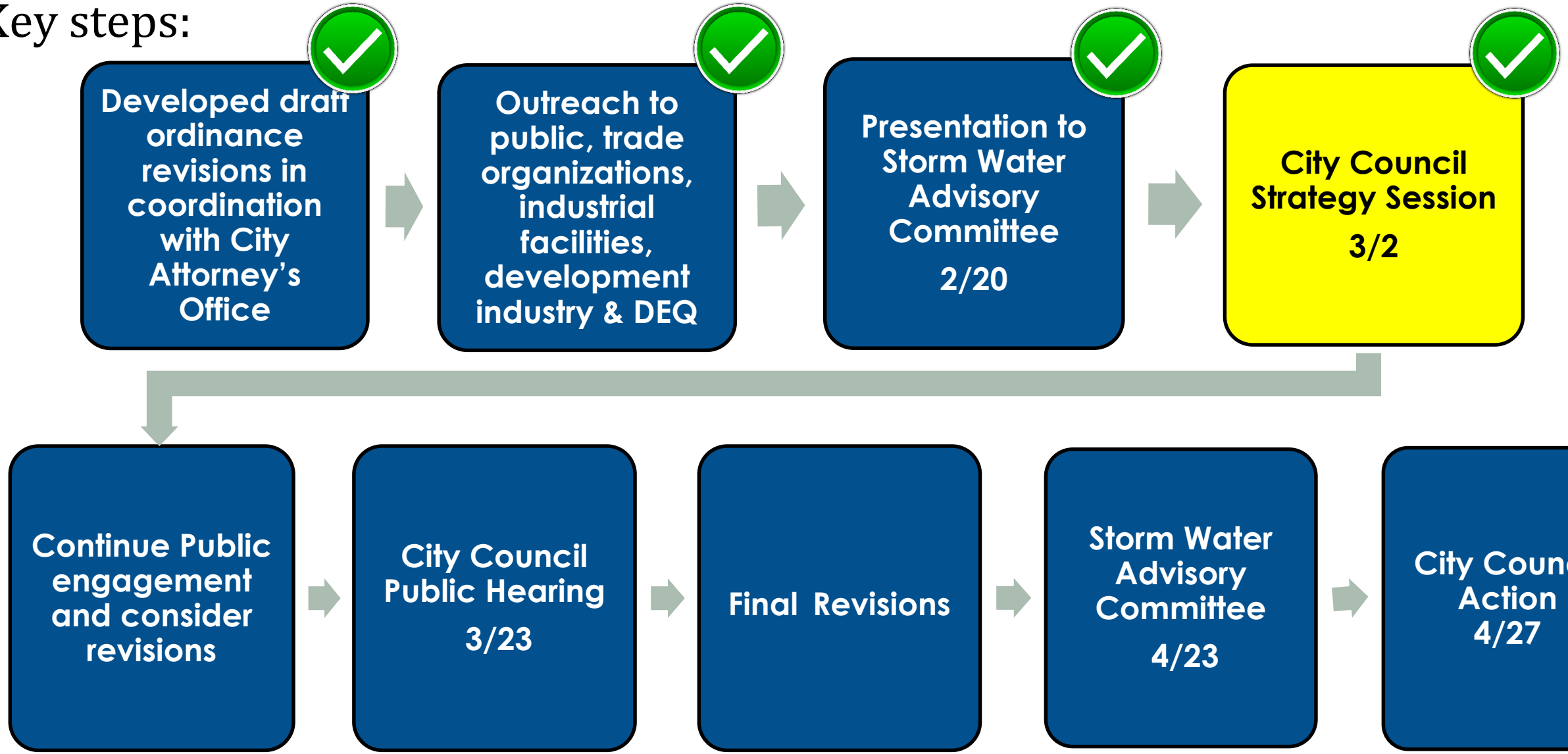
- **Various other minor edits included for clarity**

CHARLOTTE-MECKLENBURG
STORM WATER SERVICES

AMENDMENT PROCESS AND NEXT STEPS

AMENDMENT PROCESS

Key steps:



QUESTIONS & ANSWERS

THANK YOU FOR YOUR TIME