

# Water

## NPDES (National Pollutant Discharge Elimination System) Stormwater Municipal Separate Storm Sewer System (MS4) Permit

**What Activities Require This Permit?** Direct discharges of stormwater from municipal separate storm sewer systems (MS4s) to surface waters of the state.

- **Direct discharge to surface water:** Any discernible, confined, discrete conveyance such as pipe, ditch, channel, tunnel, conduit, from which stormwater is or may be discharged to surface water
- **MS4s** in US Census Bureau designated Urbanized Areas or are designated under state rules (15A NCAC 02H .0151)

**What Is the Purpose of This Permit?** To protect surface waters into which MS4 discharges by regulating the MS4 system and activities that discharge into the MS4 system.

- MS4 is regulated by developing and implementing a comprehensive Stormwater Management Plan (SWMP) to address six minimum measures
  - Public Education and Outreach
  - Public Participation and Involvement
  - Illicit Discharge Detection and Elimination (IDDE)
  - Construction Site Runoff Controls
  - Post-Construction runoff Controls
  - Pollution Prevention/Good Housekeeping (PP/GH) for Municipal Operations
- Deemed permitted activities are allowed to discharge into MS4 without a permit, please see references: 15A NCAC 02H .0106 (f) - <http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20h/15a%20ncac%2002h%20.0106.pdf> 15A NCAC 02T .0113 (a) - <http://reports.oah.state.nc.us/ncac/title%2015a%20-%20environmental%20quality/chapter%2002%20-%20environmental%20management/subchapter%20t/subchapter%20t%20rules.pdf>
- Industrial facilities that have either an individual stormwater permit or have coverage under one of the 20 Industrial General Permits that cover stormwater discharges associated with industrial activities - <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-industrial-program/general-industrial-permits> may also be regulated under the MS4 permit if they discharge to the MS4.
- Construction activities that disturb one or more acres of land - <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-construction-program> and have coverage under the Construction Stormwater General Permit (NCG01) may also be regulated under the MS4 permit if they discharge to the MS4.
- MS4s covered apply for individual permits - <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-ms4-0>

**Who Issues This Permit?** N.C. Division of Energy, Mineral and Land Resources (DEMLR), Stormwater Permitting Program

### How Much Will This Permit Cost?

New/Annual fee for NPDES MS4 Individual Stormwater Permits: \$1000

### What Are My Payment Options for Permit Application Fees?

Most application fees can be paid by check or money order. Annual fees can be paid online at <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-epayments>.

**If Paying by Check, Who do I Make the Check Payable to?** Checks, money orders should be made payable to: Division of Energy, Mineral and Land Resources (or DEMLR) – Stormwater  
For more information, see the section below titled "Where Do I Submit My Application and Check"

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### Where Can I Get the Application For This Permit?

**MS4** - <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-ms4-program-2> or <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/npdes-ms4-program-0>

*Other helpful resources may be found at the above links.*

**How Long Will It Take To Review My Application?** NPDES stormwater individual permits will take approximately six months from the receipt of a complete application package.

### Where Do I Submit Application and Check?

N.C. Division of Energy, Mineral and Land Resources (DEMLR)  
Stormwater Program  
1612 Mail Service Center  
512 North Salisbury Street  
Raleigh NC 27699-1612

**How Long Is My Permit or License or Certificate Valid?** Up to five years.

**Notes/Comments:** 30-day public notice period required for all individual NPDES permits and renewals.

### Legal Authority/Statute Reference:

Section 402 of the Clean Water Act; 40 CFR Parts 122-125; Parts 130-131; and Part 133; 15A NCAC 2H .0100, 15A NCAC 02H .1000.

**Links:** <https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater> or type [deq.nc.gov/SW](https://deq.nc.gov/SW)

### Statewide Contact Information:

NC Division of Energy, Mineral and Land Resources  
Stormwater Permitting Program  
1612 Mail Service Center  
512 North Salisbury Street  
Raleigh, NC 27699-1612  
Telephone: (919) 707-9200