

C-4.0 LEGAL AUTHORITY

C-4.1 Introduction

The basic requirements of the Third Term Permits relate to the implementation of programs to reduce the amount of pollutants entering the municipal storm drain system from commercial, industrial and residential areas to the maximum extent practicable and the elimination of non-stormwater discharges. The ability of the Permittees to comply with these requirements is contingent upon the establishment, by each Permittee, of the adequate legal authority to support control program implementation.

With the adoption of the Third Term Permits in early 2002, the Permittees reviewed their legal authority and revised all applicable ordinances as necessary to ensure Third Term Permit compliance. The responsibility for maintaining the efficacy of this key program element over the period of the Third Term Permit rests with the Legal and Regulatory Task Force (see **Section C-2.3.1**). During the 2004-05 reporting period, a work plan was drafted by the Task Force to ensure progress in 6 key areas:

- Revision of the sewage exclusion in the water quality ordinance and supporting documentation such as the Enforcement Consistency Guide;
- Stipulation of mandatory minimum BMPs in Region 9;
- Inspection authority at industrial/commercial facilities;
- Identification and resolution of overlap in legal authority within requirements of the FOG program;
- Examination of the various Total Maximum Daily Load (TMDL) initiatives and their relationship to NPDES permits; and
- Perpetuation of BMP upkeep and maintenance in Water Quality Management Plans (WQMPs) for New Development/Significant Redevelopment