



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental
Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

TRANSITION TO A STORMWATER PERFORMANCE RATING SYSTEM

Background

Government and industry efforts to prevent pollution from stormwater have come a long way since 1998 when this Executive Office was a partner in the Massachusetts Strategic Envirotechnology Partnership (STEP) and STEP issued independent technology assessment reports on the performance of three proprietary stormwater control products. Due to funding cutbacks, STEP no longer exists as a program to evaluate new technologies or to update existing reports. This creates an uneven playing field, with no new technology vendor able to go through a STEP review or obtain any of the marketing advantages that the STEP fact sheets or assessment reports offer. The existing reports are static, allowing for no additional models to be evaluated or for updated data collection protocols to be applied.

Also, while the STEP program was unique in its day, commonly accepted criteria for collecting data and evaluating performance information have changed in ten years. The Commonwealth partnered with other states (in a Technology Acceptance and Reciprocity Partnership or TARP) to create a performance demonstration pathway that relies on a common methodology. This uniform method, the TARP Stormwater field testing protocol, is a contemporary, scientifically credible and defensible method that is today recognized as the current standard evaluation tool in this state and in others. Other protocols may be deemed equivalent by MassDEP and as technologies develop and science evolves, TARP may be replaced with a newer evaluation tool.

Stormwater Performance Ratings in Massachusetts using TARP

When data from the TARP field studies become available, Massachusetts' staff will evaluate the results and findings of other states to make a regulatory performance decision on how the product meets relevant state stormwater standards. The state will issue a regulatory determination letter based on completion of adequate field studies which comply with TARP or equivalent testing. The state is drafting a regulatory finding for one technology that has completed the TARP field testing, and more are expected this year. These findings will be posted on MassDEP's website. MassDEP's written regulatory finding will replace all STEP documentation as described below.

STEP Sunset - Transitioning to the Stormwater Performance Rating System

In order to recognize the vendors that participated in STEP in good faith and to provide an orderly transition to the final performance rating system, the STEP fact sheets and technology assessment reports will remain in effect until either the completion of the TARP path to a final stormwater performance rating or the vendor wishes to withdraw its STEP fact sheet and report findings. In any case, the state will recall the STEP Technology Fact Sheets on January 1, 2011.

The STEP fact sheets and verification reports only determine removal efficiencies of total suspended solids (TSS) and not other parameters such as nutrients, metals or oil and grease. All technologies verified by STEP must be sized in accordance with the information published in the STEP assessment report and accompanying fact sheets. A study is underway to examine different methods to convert water quality volume to an equivalent

flow rate as required for adequate system sizing. When that study is completed, MassDEP may notify the public that there needs to be a change in the sizing practices and this may affect the validity of some or all of the STEP reports.

Once the stormwater technology fact sheets are recalled, they will no longer be relied on for making regulatory decisions at any level of government. The cover letters to the assessment reports never had any regulatory meaning and should never be used as evidence of performance efficiency. The STEP Technology Performance Assessment Reports will remain available on www.mastep.net.