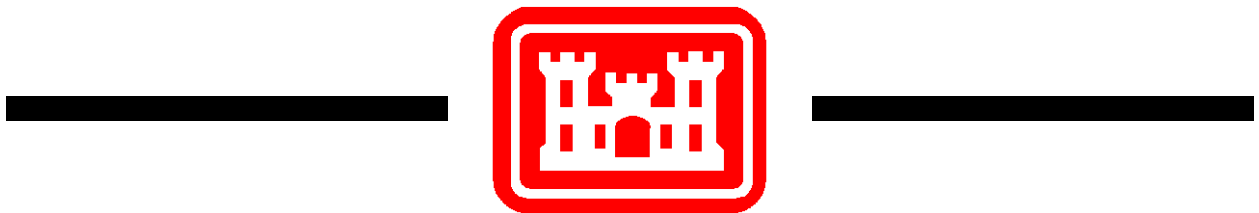


PUBLIC WORKS TECHNICAL BULLETIN 200-1-35
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**CONSTRUCTION DISCHARGE AND NATIONAL
POLLUTANT DISCHARGE ELIMINATION
SYSTEM (NPDES) REQUIREMENTS**



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Facilities Engineering
Environmental

CONSTRUCTION DISCHARGE AND NATIONAL
POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) REQUIREMENTS

1. Purpose. This Public Works Technical Bulletin (PWTB) identifies current compliance requirements and supporting information for stormwater runoff from construction activities and related NPDES requirements. Stormwater runoff control from construction activities is required under the NPDES and the Clean Water Act for all states. This PWTB identifies the applicable regulations for each state, lists requirements for the Construction General Permit, and shares how individual USACE Districts respond to these requirements.

2. Applicability. This PWTB applies to all U.S. Army facilities and USACE Districts performing construction engineering activities in the United States.

3. References.

a. Army Regulation (AR) 200-1, "Environmental Protection and Enhancement," 21 February 1997.

b. Federal National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) for Discharges for Large and Small Construction Activities (effective 1 July 2003 and expires 1 July 2008).

4. Discussion.

a. AR 200-1 requires all Army installations and activities to comply with the Clean Water Act and NPDES regulations in addition to other applicable regulations and legislation. Construction activity occurs at all military installations in the continental United States, Alaska, and Hawaii. Corps of Engineers military and civil works Districts and Divisions oversee countless construction projects throughout the nation on military installations, the nation's waterways, and recreation areas, as well as a massive support program to Federal, state, regional, and municipal entities. NPDES requirements include notification of intent to get a permit and development of Storm Water Pollution Prevention Plans (SWPPPs) – acceptable to states and other regulatory agencies for each construction action – to mitigate impact from stormwater runoff. Stormwater runoff from construction activities can significantly affect water quality. Runoff crossing and emanating from construction sites can pick up pollutants such as sediment, debris, and a variety of toxic and nontoxic chemicals (e.g., fuels, paints, roofing materials, metals, et al.). The impact on receiving waters can include sedimentation, which destroys aquatic habitat and may contribute to changes in aquatic floral and faunal composition. Polluted stormwater runoff can harm or kill fish and other aquatic life. Additionally, high volumes of runoff can cause stream bank erosion.

b. Operators of regulated construction sites must develop and implement SWPPPs and obtain appropriate permit coverage from states with primacy or from the U.S. Environmental Protection Agency (EPA) in non-primacy states. Appendix A gives details for each state regarding permits and other requirements.

c. Appendix B describes the Federal NPDES CGP for discharge from large and small activities.

d. Appendix C summarizes regulations and other guidance that Corps Districts use for stormwater from construction sites. This information was obtained by calling points of contact at the District Offices. The regulations apply to construction projects conducted by individual installations as well. Individual states should be contacted to confirm appropriate regulation requirements.

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5. Points of Contact. HQUSACE is the proponent for this document. The POC at HQUSACE is Malcolm E. McLeod, CEMP-II, 202-761-0632, or e-mail: malcolm.e.mcleod@usace.army.mil.

Questions and/or comments regarding this subject should be directed to the technical POC:

U.S. Army Engineer Research and Development Center
Construction Engineering Research Laboratory
ATTN: CEERD-CN-E (Richard J. Scholze)
2902 Newmark Drive
Champaign, IL 61822-1072
Tel. (217) 398-5590
FAX: (217) 398-5564
e-mail: Richard.J.Scholze@erdc.usace.army.mil

FOR THE COMMANDER:



DONALD L. BASHAM, P.E
Chief, Engineering and Construction
Directorate of Civil Works

Appendix A: State Stormwater Regulations for Construction Sites

Introduction

Water pollution degrades surface waters making them unsafe for drinking, fishing, swimming, and other activities. As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

Stormwater runoff from construction activities can significantly affect water quality. As stormwater flows over a construction site, it picks up pollutants such as sediment, debris, and chemicals. Polluted stormwater runoff can harm or kill fish and other wildlife. Sedimentation can destroy aquatic habitat, and high volumes of runoff can cause stream bank erosion. Phase II of the NPDES regulations, which went into effect 10 March 2003, extended coverage to 1- to 5-acre construction sites, including smaller sites that are part of a larger common plan of development or sale. Operators of construction sites 1 acre or larger are now required to obtain authorization to discharge stormwater under an NPDES construction stormwater permit. This new requirement affects approximately 200,000 construction sites annually. Construction activities that result in a land disturbance of less than 1 acre may require a NPDES permit based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants as designated by the NPDES permitting authority or the U.S. Environmental Protection Agency (USEPA) Regional Administrator.

The definitions of construction and construction-related activities refer to the actual earth-disturbing construction and those activities supporting the construction project such as construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), and measures used to control the quality for stormwater directly related to construction. A fact sheet available from the USEPA (<http://cfpub2.epa.gov/npdes/stormwater/cgpfaqs.cfm>) may help determine whether noncontiguous work areas should be treated separately (i.e., a half-acre worksite is one-quarter mile from a half-acre staging area). If questions exist for specific states that have primacy, the state or local responsible entity should be contacted.

Operators of regulated construction sites are required to develop and implement stormwater pollution prevention plans and to obtain permit coverage from an authorized state or from USEPA (in non-authorized states). In most cases, the NPDES permit program is administered by authorized states. In addition to the authorized states and USEPA, approximately 6,000 municipalities with separate storm sewer systems are required by NPDES regulations to develop programs to regulate stormwater from construction sites within their jurisdiction that are 1 acre or larger. The state or municipality may add more stringent conditions that apply only in their specific area.

USEPA is the permitting authority for the following: Alaska, District of Columbia, Idaho, Massachusetts, New Hampshire, and New Mexico.

All of the other states serve as NPDES permitting authorities with the following exceptions:

- In Delaware, Colorado, Vermont, and Washington, USEPA is the permitting authority for Federal facilities.
- USEPA has authority in Oklahoma for discharges associated with oil and gas exploration, drilling, operation, and pipelines; also, point source discharges associated with agricultural production, services, and silviculture.
- USEPA has authority in Texas for discharges associated with the activities of exploration, development, and production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline.
- USEPA has authority over most of the Indian Countries.

Construction sites can be regulated through either general or individual permits. General permits cover a group of similar dischargers under one permit, which simplifies the application process for the industry, provides uniform requirements across the sites, and reduces administrative workload for the permit authorities. To be covered, the developer, builder, or contractor for the construction project submits a Notice of Intent (NOI) to the permit authority. By submitting the NOI, the permittee agrees to the conditions in the published permit. An individual permit allows a specific industrial activity. As a specific operation, further discussion will not be included here.

A potential waiver from the requirements exists when the operator certifies either of the following for stormwater discharges associated with a small construction activity:

- The rainfall erosivity factor is less than 5. Erosivity is the term used to describe the potential for rain to wash off disturbed, devegetated earth into waterways during storms. Potential for erosion is determined by a variety of factors: soil type, site geology, amount and force of precipitation during the time the earth is exposed, freeze-thaw cycles, snow pack, and other factors. A method developed by the U.S. Department of Agriculture determines annual erosivity factors for the continental United States. Supporting information and instructions for calculating erosivity factors are found in: <http://www.epa.gov/npdes/pubs/fact3-1.pdf>.
- The activity will occur within an area where controls are not needed based on a total maximum daily load (TMDL) or an equivalent analysis for the pollutant(s) of concern is produced for non-impaired waters that do not require a TMDL.

Every NPDES authority addresses the contaminated stormwater runoff from construction sites by implementing the following requirements:

- Stormwater Pollution Prevention Plans - Site managers are required to prepare a stormwater pollution prevention plan, erosion and sediment control plan, or an equivalent document.
- Inspections by Construction Site Operator - Construction site operators are required to inspect their sites on a regular basis.
- Erosion and Sediment Control - Site managers are required to implement a combination of erosion and sediment controls to prevent soil erosion and to manage construction site runoff. Currently, states base their technical requirements for basins or other erosion control techniques on local rainfall patterns and other considerations.
- Stabilization of Soils after Construction - Stabilization of soils are required after construction activities have temporarily or permanently ceased. The time required for this to be accomplished varies based on local conditions.

Construction projects that disturb 1 or more acres are subject to three major requirements:

- Submit a permit application (or NOI) prior to the start of construction.
- Develop, submit, and fully implement an erosion and sediment control plan that is approved prior to initiating any on-site activities. This plan specifies the measures that will be put in place to prevent and/or control erosion and sediment runoff.
- Submit a Notice of Termination (NOT) when the following criteria have been met: final stabilization of the site has been achieved as defined in the permit, all temporary erosion and sediment controls have been removed, and no potential remains for construction-related sediment discharge to surface waters.

Conversion Factors

Non-SI* units of measurement used in this report can be converted to SI units as follows:

Multiply	By	To Obtain
acres	0.40469	hectares
square feet	0.09290304	square meters

In the remainder of this appendix, the following information regarding stormwater runoff from construction sites is listed for each individual state: Permitting authority, registration requirements, inspection requirements, permit application forms and instructions, specific regulations applicable to that State, points of contact, and additional stormwater resources.

**Système International d'Unités* ("International System of Measurement"), commonly known as the "metric system."

ALABAMA

Permitting Authority

Alabama is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. The Alabama Department of Environmental Management (ADEM) is responsible for stormwater management in the State of Alabama. To discharge storm water from construction disturbances and associated land disturbance activities, the construction site operator/owner must apply for NPDES coverage through the ADEM. "Associated areas" within the Alabama stormwater rules are defined as "other onsite or adjacent support activities, including but not limited, to construction site temporary office space, parking areas, employee work areas, material stockpiles, waste or material storage, disposal, equipment storage, chemical/fuel storage and staging areas."

For regulated discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Alabama must use the USEPA Region 4 General Construction Permit, which can be found at <http://www.epa.gov/npdes/pubs/cgp-reg4.pdf>.

Registration Requirements

Registration neither precludes nor negates an operator's responsibility or liability to apply for, obtain, or comply with other ADEM, Federal, state, or local government permits, certifications, licenses, or other approvals. Registration does not authorize disturbance activity for sites/projects in the Coastal Zone of Baldwin and Mobile counties until coastal consistency certification or permit coverage is obtained, if required by ADEM.

Permit Requirements

Registration for NPDES permit coverage in Alabama establishes requirements, including but not limited to, Best Management Practices (BMPs), Construction Best Management Practices Plans (CBMPPs), registration requirements, technical standards and guidelines, operational requirements, stormwater storage, transport, treatment, and discharge management requirements for construction activities, noncoal mining sites less than 5 acres in size, and areas associated with these activities. The Alabama stormwater regulations require that the CBMPP must be prepared by a qualified credentialed professional (QCP). The CBMPP must be designed to minimize pollutant discharges in

stormwater runoff to the maximum extent practicable during land disturbance activities, be fully implemented and effectively maintained. The CBMPP must be submitted with the request for registration for proposed discharges to a Tier 1 waterbody(s), proposed discharges to an Outstanding National Resource Water (ONRW)-designated waterbody, and for projects involving waterbody relocation or significant alteration.

The registrant, owner, operator, contractor, or other responsible entity, separately or collectively, must retain NPDES registration coverage for regulated projects until existing disturbance activity and future proposed disturbance activity is complete and all disturbed areas have been reclaimed and/or effective stormwater quality remediation has been achieved. Responsibility for compliance with ADEM rules and NPDES registration requirements are not delegable by contract or otherwise. The operator/owner must ensure that any agent, contractor, subcontractor, or other person employed by, under contract, or paid a salary by the operator/owner ensures compliance.

Inspection Requirements

The Alabama stormwater rules require that regular inspections must be performed by a QCP, a trained person under the direct supervision of a QCP, or a Qualified Credentialed Inspector (QCI) trained through the Qualified Credentialed Inspection Program (QCIP).

Permit Application Forms and Instructions

- ADEM Form No. 498, NPDES Construction, Noncoal/Nonmetallic Mining and Dry Processing Less than Five Acres, Other Land Disturbance Activities Application Form:
<http://www.adem.state.al.us/DeptForms/pdf%20forms/Form4981-03.pdf>.
- ADEM Form No. 499, NPDES Construction, Noncoal Mining Less than Five Acres Stormwater Registration Termination Request and Certification Form:
<http://www.adem.state.al.us/DeptForms/pdf%20forms/Form4991-03.pdf>.
- ADEM Form No. 500, NPDES Construction, and Noncoal Mining Less than Five Acres Stormwater Inspection Report and BMP Certification Form:

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<http://www.adem.state.al.us/DeptForms/pdf%20forms/Form5001-03.pdf>.

- ADEM Form No. 501, NPDES Construction, and Noncoal Mining Less than Five Acres Stormwater Noncompliance Notification Report Form:
<http://www.adem.state.al.us/DeptForms/pdf%20forms/Form5011-03.pdf>

Alabama Stormwater Regulations

Alabama's stormwater regulations
<http://www.adem.state.al.us/Regulations.htm>.

Points of Contact

- Alabama Department of Environmental Management (ADEM)
1400 Coliseum Boulevard
Montgomery, AL 36110-2059
Mailing Address: P.O. Box 301463
Montgomery, AL 36130-1463
(Main Switchboard 334-271-7700)
Internet address: <http://www.adem.state.al.us/>
- ADEM - Water Division
Lynn Sisk, Water Quality Branch
Telephone: 334-271-7826
Email: H2omail@adem.state.al.us
- ADEM - Field Operations Division
Richard Hulcher, Mining and Nonpoint Section
Telephone: 334-394-4309
Email: fieldmail@adem.state.al.us

Additional Stormwater Compliance Resources

- Alabama NPDES program for stormwater discharges from Construction Activities:
<http://www.adem.state.al.us/FieldOps/Permitting/Construction/Construction.htm>
- Directory of Alabama Soil and Water Conservation Districts:
<http://swcc.state.al.us/directory.htm>.

- 2003 Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas: http://www.swcc.state.al.us/erosion_handbook.htm
- A List of Tier 1 Waterbodies relative to construction activity, dated 20 January 2004:
<http://www.adem.state.al.us/FieldOps/Permitting/Construction/Tier1WatersConstrActJan%2004.htm>.

ALASKA

Permitting Authority

Alaska does not have NPDES stormwater permitting authority from the Federal Government. The USEPA is the stormwater permitting authority for construction activities. To discharge storm water from large and small construction activities, the construction operator must apply for coverage under the Federal NPDES General Permit for Storm Water Discharges from Construction Activities (also known as the Construction General Permit, or CGP). The operator must file such application with USEPA Region 10, prior to commencement of construction activities. The Permit number is AKR100000.

Permit Requirements

The Alaska Department of Conservation, Division of Water does have a Non-point Source Water Pollution Control Program to prevent stormwater pollution of water bodies. After developing the Storm Water Pollution Prevention Plan (SWPPP) as required by the Federal CGP, the construction operator must provide copies of its NOI application and SWPPP to the Alaska Department of Environmental Conservation (DEC) for review and approval. Additionally, the construction operator must revise its SWPPP whenever necessary to reflect current conditions on site. After construction is completed, the construction operator must submit an NOT to USEPA and a copy of the NOT to the Alaska DEC.

Construction General Permit

- Construction General Permit:
http://www.epa.gov/npdes/pubs/cgp_appendixe.pdf.
- Construction General Permit Fact Sheet:
http://www.epa.gov/npdes/pubs/cgp2003_fs.pdf.

Permit Forms and Instruction

- Notice of Intent:
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.
- Notice of Termination:
http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf.

Points of Contact - Alaska

Gregory Drzewiecki, Section Manager
Division of Water
Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501
Telephone: 907-269-7692
Fax Number: 907-269-7508
Email Address: Greg_Drzewiecki@dec.state.ak.us.

Points of Contact - USEPA

Misha Vakoc, NPDES Storm Water Coordinator
Office of Water
USEPA, Region 10
Telephone: (206) 553-6650
Email: vakoc.misha@epa.gov

Additional Stormwater Compliance Resources - Alaska

- Examples of BMPs used in Alaska Stormwater Pollution Prevention Plans can be found in the Municipality of Anchorage's Erosion and Sediment Control and Materials Containment Guidance Manual or at the Alaska Department of Transportation website.
- Alaska Department of Conservation, Division of Water, Non-point Source Control Program:
<http://www.state.ak.us/dec/water/wnpspc/index.htm>.

Additional Stormwater Compliance Resources - USEPA

- USEPA Notice of Intent Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.
- USEPA Region 10 Stormwater Information:
<http://yosemite.epa.gov/R10/WATER.NSF/34090d07b77d50bd88256b79006529e8/0793190f0f402fe188256ce3000afald?OpenDocument>

- The web site for downloading the document, "Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices," USEPA, 1992: <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.

ARIZONA

Permitting Authority

Arizona is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. The Arizona Pollutant Discharge Elimination System (AZPDES) CGP, AZG2003-001, authorizes stormwater discharges from large and small construction-related activities where those discharges have a potential to enter surface waters of the United States or a storm drain system.

For regulated stormwater discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Arizona must use the USEPA Region 9 CGP, found at <http://www.epa.gov/region09/water/npdes/stormwater.html>.

Permit Requirements

To obtain authorization for discharges of stormwater associated with construction activity, the operator must comply with all the requirements of the CGP and submit an NOI. The operator of a construction site is responsible for obtaining coverage under an AZPDES permit. The operator could be the owner, the developer, the general contractor, or an individual contractor.

The operator must also develop and implement an SWPPP that satisfies the conditions of the permit. If the construction site is within 1/4 mile of unique or impaired water, the SWPPP must be submitted with the NOI. In all cases, the SWPPP must be available for Arizona Department of Environmental Quality (ADEQ) review. Once the SWPPP is prepared and a complete and accurate NOI is received by ADEQ, the operator must wait at least 2 business days before discharging. If ADEQ does not contact the operator within the waiting period, the operator may assume permit coverage has been granted. Whether or not ADEQ notifies the operator of a deficiency in the NOI, discharges are not authorized under this permit if the operator submits an incomplete or incorrect NOI.

When responsibility for operational control of a construction site is shared, all operators must apply for permit coverage and submit an SWPPP. Thus, a single construction site may have a

number of operators who may operate under a common or separate SWPPP.

The AZPDES authorizing statute uses the term navigable waters, which is defined as equivalent to the waters of the United States. However, because the term navigable waters can be confusing to the general public (i.e., the definition of navigable waters also includes ephemeral washes, intermittent streams, playas, and wetlands, which conventional vessels may not be able to travel), this permit generally references discharges to waters of the United States.

The CGP expands coverage from the 1998 construction general permit that provided coverage for stormwater associated with large construction activities to include both small and large construction.

Large construction activity refers to the disturbance of 5 or more acres. It also refers to the disturbance of less than 5 acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb 5 acres or more (see 40 CFR 122.26(b)(14)(x)).

Small construction activity refers to the disturbance of at least 1 but less than 5 acres of land. It also refers to the disturbance of less than 1 acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb at least 1 but less than 5 acres (see 4040 CFR 122.26(b)(15)).

Construction General Permit

Arizona Pollutant Discharge Elimination System Construction
General Permit AZG2003-001:

<http://www.adeq.state.az.us/environ/water/permits/download/constgp.pdf>.

Permit Application Forms and Instructions - Arizona

- The Fact Sheet for the Issuance of AZPDES Construction General Permit AZG2003-001:
<http://www.adeq.state.az.us/environ/water/permits/download/constfact.pdf>.
- The NOI for coverage under AZPDES Construction General Permit AZG2003-001 for construction activity discharges:
<http://www.adeq.state.az.us/environ/water/permits/download/constnoi.pdf>.

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- NOI Instructions for obtaining authorization to discharge stormwater from construction activities under AZPDES Construction General Permit AZG2003-001:
<http://www.adeq.state.az.us/environ/water/permits/download/constinst.pdf>.
- The NOT of Construction Activity Discharges for AZPDES Permit G2003-001:
<http://www.adeq.state.az.us/environ/water/permits/download/constnot.pdf>.

Permit Application Forms and Instructions for Indian Lands within Arizona

For the Indian Lands where USEPA Region 9 is the permitting authority, one general permit has been issued for construction sites disturbing 1 or more acres. This permit is called the NPDES General Permit for Storm Water Discharges from Construction Activities and also known as the USEPA CGP. A copy of the CGP is available at:

http://www.epa.gov/npdes/pubs/cgp2003_entirepermit.pdf. To apply for permit coverage under the CGP, a Construction NOI must be submitted to USEPA. The NOI form can be found at:
http://cfpub1.epa.gov/npdes/stormwater/application_coverage.cfm.

Arizona Stormwater Regulations

To view state rules relating to the AZPDES program, see Arizona Administrative Code (A.A.C.): 18 A.A.C. 9, Article 3 - General Permits at http://www.azsos.gov/public_services/Title_18/18-09.htm.

Points of Contact - Arizona

Karyn Moldenhauer
Stormwater Project Manager
Arizona Department of Environmental Quality
Water Quality Division, Surface Water Permits Unit
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: 602-771-4449
Email: kdm@ev.state.az.us

Points of Contact - USEPA

Information concerning the USEPA Region 9 Stormwater Program may be obtained from Eugene Bromley, bromley.eugene@epa.gov, 415-972-3510.

Additional Stormwater Compliance Resources

- The AZPDES Construction SWPPP Checklist:
<http://www.adeq.state.az.us/environ/water/permits/download/cswppp.pdf>
- USEPA "Stormwater Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices." Published 1992.
<http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>.

ARKANSAS

Permitting Authority

Arkansas is the NPDES stormwater permitting authority for all regulated stormwater discharges. The Arkansas Department of Environmental Quality (ADEQ) has the responsibility to manage stormwater in the state of Arkansas. Owners or operators of facilities discharging storm water associated with construction activity located in the state of Arkansas must seek permit coverage under ADEQ General Storm Water Permit for Construction Activities (ARR150000). This permit requires permit coverage for all construction sites that disturb an area greater than 1 acre.

Permit Requirements

The Arkansas General Storm Water Permit ARR150000 classifies construction sites as small, medium, or large. The site status must be determined in order to apply the permit requirements.

Large construction sites are defined as any construction activity that meets one of the following two definitions:

1. Construction sites that will result in the disturbance of 10 or more acres of total land area or less than 10 acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb 10 acres, located in specific counties.
2. Construction sites that will result in the disturbance of 20 or more acres of total land area or less than 20 acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb 20 acres or more located in specific counties.

Medium construction sites are defined as any construction activity that meets one of the following two definitions:

1. Construction sites that will result in the disturbance of greater than 5 acres and less than 10 acres of total land area or less than 5 acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb 5 acres or more, but less than 10 acres, located in specific counties.

2. Construction sites that will result in the disturbance of greater than 5 acres and less than 20 acres of total land area or less than 5 acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb 5 acres or more, but less than 20 acres, located in specific counties.

Small construction sites are defined as any construction activity that will result in the disturbance of greater than or equal to 1 acre and less than 5 acres of total land area or less than 1 acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb one 1 acre or more, but less than 5 acres.

For medium or large construction sites, the General Storm Water Permit ARR150000 requires submittal of the NOI 2 weeks prior to commencement of construction. An owner or operator of a small construction site is automatically authorized to discharge storm water related to construction activities under this general permit. Submittal of an NOI for small construction sites is not required for coverage under this general permit.

For large construction sites, the SWPPP must be completed and submitted for review along with an NOI to be covered under this permit and updated as appropriate. Submittals of updates to the plan during the construction process are required only if requested by the Director of ADEQ. For medium construction sites, the SWPPP must be completed prior to the submittal of an NOI to be covered under this permit and updated as appropriate. Owners/operators of small construction sites must complete an SWPPP prior to the commencement of construction activities and update as appropriate.

Construction General Permit

The Arkansas Construction General Permit No. ARR150000 can be found at:

http://www.adeq.state.ar.us/water/branch_npdes/stormwater/construction/pdfs/ARR150000_031104.pdf.

Permit Application Forms and Instructions

- For medium and large construction sites:
http://www.adeq.state.ar.us/water/branch_npdes/stormwater/construction/pdfs/new_construction_noi_031104.pdf.
- For small construction sites:
http://www.adeq.state.ar.us/water/branch_npdes/stormwater/construction/pdfs/small_construction_site_notice_040802.pdf.
- For medium and large construction sites:
http://www.adeq.state.ar.us/water/branch_npdes/stormwater/construction/pdfs/new_construction_not_031104.pdf.

Points of Contact - Arkansas

- Arkansas Department of Environmental Quality (ADEQ)
8001 National Drive
Little Rock, AR 72209
Main office telephone: 501-682-0744
- Kimberly A. Fuller, E.I.
ADEQ
Water Division, NPDES Branch
Construction Storm Water Program
Telephone: 501-682-0621
Email: fuller@adeq.state.ar.us

Point of Contact - USEPA

- USEPA Region 6 Main Office
1445 Ross Avenue
Suite 1200
Dallas, TX 75202
Telephone: 214-665-6444

Additional Stormwater Compliance Resources - Arkansas

- Arkansas Stormwater Program web site:
http://www.adeq.state.ar.us/water/branch_npdes/stormwater/default.htm
- Storm Water Pollution Prevention Plan Completeness Checklist:
http://www.adeq.state.ar.us/water/branch_npdes/stormwater/construction/pdfs/swppp_031104.pdf.

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 6 Website Storm Water Information page:
<http://www.epa.gov/earthlr6/6wq/npdes/sw/index.htm>.

CALIFORNIA

Permitting Authority

California is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country; on Tribal Lands, USEPA Region 9 is the NPDES permitting authority. Indian Country construction activities must apply for coverage under the USEPA CGP for California. The statewide permit is called the General Construction Storm Water Permit. Two California Regional Water Quality Control Boards (RWQCBs) have adopted their own permit to cover discharges from construction activity greater than 5 acres in specific watersheds (South Lake Tahoe hydrologic unit and the San Jacinto). These owners must apply for Regional Board permits.

The General Permit does not apply to storm water discharges from construction sites less than 1 acre (unless part of a larger common plan of development or sale), projects covered by an individual NPDES Permit for stormwater discharges associated with construction activity, or landfill construction subject to the general industrial permit. Small Linear Underground/Overhead Projects disturbing at least 1 acre but less than 5 acres (including trenching and staging areas) are covered by a separate permit. Linear projects disturbing 5 or more acres must obtain coverage under the CGP.

Permit Requirements

To discharge storm water from a construction site, all construction projects disturbing 1 acre or more of land must have either an individual storm water permit, a statewide CGP, or, if applicable, a Regional Board permit. To apply for

coverage under the General Permit, the owner/operator must file an NOI with the State Water Resources Control Board (SWRCB) of the California Environmental Protection Agency, prior to commencement of construction activities. The General Permit requires the development and implementation of an SWPPP, in order to receive and maintain permit coverage.

Owners of an ongoing construction site covered under the previous CGP (WQ Order No. 92-08-DWQ) must continue to implement their existing SWPPP and monitoring program.

The CGP requires sampling and analysis at many construction sites. When required, the sampling and analysis plan and data must be kept with the project's SWPPP. The sampling and analysis requirements supplement, but do not replace, the visual monitoring program required by the CGP. All construction projects must continue a visual monitoring program including inspections before predicted rain events, during extended rain events, and following rain events that produce runoff.

The Small LUP General Permit has varying application and permitting requirements based on the type and complexity of the project. The owner/operator of Tier I and Tier II Small LUPs must seek coverage under the Small LUP General Permit prior to the start of construction by filing the appropriate notices with the SWRCB and the appropriate RWQCB. The Small LUP General Permit requires the development and implementation of a SWPPP for each construction project, including monitoring requirements.

Construction General Permit

- NPDES No. CAG616002:
<http://www.swrcb.ca.gov/rwqcb6/files/00-03.pdf>.
- California Regional Water Quality Control Board Santa Ana Region Order: <http://www.swrcb.ca.gov/rwqcb8/pdf/01-34.pdf>.
- State Water Resources Control Board:
<http://www.swrcb.ca.gov/index.html>
- California's Revised Industrial Stormwater Permit: A Practical Review of the Regulations and their Enforcement:
<http://www.sfcfirm.com/publications/pub4.htm>

Permit Forms and Instruction

- The Notice of Intent:
<http://www.cicacenter.org/pdf/capermit.pdf>
- Notice of Termination of Coverage under the General Construction Storm Water Permit:
<http://www.swrcb.ca.gov/stormwtr/docs/constnot.doc>
- San Jacinto Watershed Permit, Checklist for Submitting NOI:
http://www.swrcb.ca.gov/rwqcb8/pdf/sj_checklist.pdf
- NOI form (discharges associated with small linear underground/overhead projects):
http://www.swrcb.ca.gov/stormwtr/docs/2003-0007-attach_1.pdf
- Small LUP Permit: <http://www.swrcb.ca.gov/stormwtr/docs/2003-0007-order.pdf>

California Stormwater Regulations

California Code of Regulations (CCR) Title 23:
http://www.calregs.com/cgi-bin/om_isapi.dll?clientID=78429&infobase=ccr&softpage=Browse_Frame_Pg42.

Points of Contact - California

- State Water Resources Control Board
Division of Water Quality
1001 I Street, Sacramento, CA 95814
Mailing Address: PO Box 100, Sacramento, CA 95812-0100
Telephone: 916-341-5537; FAX: 916-341-5543
Internet address: <http://www.swrcb.ca.gov>
- Stormwater Construction Program
Telephone: 916-341-5537; Email: stormwater@swrcb.ca.gov
- California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348
Telephone: 909-782-4130; Fax: 909-781-6288
Internet address: <http://www.swrcb.ca.gov/rwqcb8>

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Points of Contact - USEPA

USEPA Region 9 Stormwater Program (Eugene Bromley)
Telephone: 415-972-3510; email: bromley.eugene@epa.gov

Additional Stormwater Compliance Resources - California

- California Environmental Protection Agency:
<http://www.swrcb.ca.gov/stormwtr/construction.html>
- Modifications to the Fact Sheet of the General Permit (NPDES):
http://www.swrcb.ca.gov/stormwtr/docs/9908_factsheet.doc
- USEPA's NPDES Storm Water program Questions and Answers:
http://www.swrcb.ca.gov/stormwtr/docs/epa_q&a.pdf
- Checklist to Assist with Preparation of the SWPPP:
http://www.swrcb.ca.gov/stormwtr/docs/const_swppp.doc
- Stormwater Sampling Guidance Document: http://www2.agc-ca.org/PDF/DRAFT_Cnst_Sample_Guidance.pdf
- CAL/Trans SWPPP:
<http://www.dot.ca.gov/hq/construc/stormwater/templates.htm>

Additional Stormwater Compliance Resources - USEPA

USEPA Region 9 NPDES:
<http://www.epa.gov/region9/water/npdes/stormwater.html>.

COLORADO

Permitting Authority

Colorado is the NPDES Permitting Authority for all regulated stormwater discharges except for Federal facilities and those within Indian Country. The stormwater management program is under the Colorado Department of Public Health & Environment, Water Quality Control Division. The Colorado program is referred to as the Colorado Discharge Permit System, or CDPS.

For regulated stormwater discharges on Federal facilities and within Indian Country, USEPA Region 8 is the NPDES permitting authority. Construction activities at Federal facilities are defined as those activities where the work is located on land owned by a Federal agency/department and the work is designed and paid for by a Federal agency/department. Construction activities on Federal facilities or within Indian Lands in

Colorado must use the USEPA CGP. For more information, visit Region 8's stormwater program web site (listed under Additional Stormwater Compliance Resources).

Permit Requirements

A permit to discharge regulated storm water from any construction activity that disturbs at least 1 acre of land (or is part of a larger common plan of development or sale that will disturb at least 1 acre) is required.

If the total area of disturbance, including disturbances from the entire common plan of development or sale, is greater than or equal to 5 acres, the site is considered to be a Large Construction Site. If it is at least 1 acre but less than 5 acres, the site is considered to be a Small Construction Site. The permit requirements are the same regardless of whether the site is a Small or Large Construction Site.

Large Construction Sites have been under a requirement to obtain coverage under the Stormwater General Permit for Construction Activities since 1992 (Phase I of the NPDES Stormwater Program). This requirement has not changed in Phase II. The owner or operator must apply for coverage under the CDPS General Stormwater Permit at least 10 days prior to the start of construction activities with a certification that the Stormwater Management Plan (SWMP) is complete.

To be in compliance with the stormwater regulations, the owner or operator of a Small Construction Site must do one of the following three options, whichever is applicable:

1. Obtain coverage under the Stormwater General Permit for Construction Activities at least 10 days prior to the start of construction activities. An SWMP must be completed prior to application.
2. Obtain coverage under a State-designated Qualifying Local Program. The Water Quality Control Division designates a local municipality's stormwater quality control program as a Qualifying Local Program. This means that the local program's requirements are at least as stringent as the State regulations.
3. Apply for coverage under the R-Factor Waiver. The R-Factor Waiver allows a site owner or operator to apply for a waiver from State permit requirements during a period when the R-Factor, as calculated using the State approved method, is less than 5. The R-Factor is a way to measure erosion potential

based on the length of the project and time of year. In general, the only projects that will qualify for the waiver are projects that are completely stabilized within a month or two of the start of construction. That means that projects relying on seeding for revegetation will usually not qualify for the waiver, because the vegetation must be established before the site is considered stabilized. During the spring and summer months, when Colorado experiences the bulk of its rainfall, many projects will not qualify at all for the waiver. In addition, the Division will not grant waivers for construction sites located in areas where snow cover exists at, or up gradient of, the site for extended periods of time, if the construction site will potentially remain active and unstabilized during spring runoff. This waiver does not relieve the operator or owner from complying with the requirements of local agencies, such as meeting local stormwater quality requirements, including those required by a Qualifying Local Program.

Construction operations must implement the provisions of the SWMP as a condition of the permit.

Construction General Permit

CDPS General Permit Stormwater Discharges Associated with Construction Activity Authorization to Discharge Under the Colorado Discharge Permit System (Permit No. COR-030000):
<http://www.cdphe.state.co.us/wq/PermitsUnit/SWConstructionPermit.pdf>.

Permit Application Forms and Instructions

- State of Colorado General Permit Application for Stormwater Discharges Associated with Construction Activity:
<http://www.cdphe.state.co.us/wq/PermitsUnit/SWConstructionApplication.pdf>.
- Colorado Municipalities with Qualifying Local Programs for Small Construction Sites:
<http://www.cdphe.state.co.us/wq/PermitsUnit/QualifyingLocalPrograms.PDF>.
- State of Colorado Stormwater Rainfall Erosivity Waiver (R-Factor Waiver) for Exclusion from CDPS Stormwater Permitting for Small Construction Projects (Less Than Five Acres):
<http://www.cdphe.state.co.us/wq/PermitsUnit/rfactor.pdf>.

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Point of Contact - Colorado

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-P-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530
Telephone: 303-692-3517

Point of Contact - USEPA

USEPA Region 8 Office
999-18th St., Suite 300
Denver, CO 80202-2466
Telephone: 303-312-6312
1-800-227-8917 (Region 8 states only)
Email: r8eisc@epa.gov

Additional Stormwater Compliance Resources - Colorado

- Rationale for Colorado General Permit Second Renewal, Colorado Discharge Permit:
<http://www.cdphe.state.co.us/wq/PermitsUnit/SWConstructionRationale.pdf>.
- Colorado Water Quality Control Division's Permits Unit website:
<http://www.cdphe.state.co.us/wq/PermitsUnit/wqcdpmt.html#Stormwater>.
- Colorado Stormwater Fact Sheet - Construction:
<http://www.cdphe.state.co.us/wq/PermitsUnit/ConstFactSheet.PDF>
- Colorado Construction SWMP Guidance Document:
<http://www.cdphe.state.co.us/wq/PermitsUnit/SWConstructionGuide.pdf>.

Additional Stormwater Compliance Resources - USEPA

Storm Water Requirements for Construction:
<http://epa.gov/region8/water/stormwater/construction.html>

CONNECTICUT

Permitting Authority

Connecticut is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian

Country. For Indian Country, USEPA Region 1 is the NPDES permitting authority. Indian Country construction activities in Connecticut must use the USEPA CGP (Permit Number: CTR10000I).

Registration Requirements

Registration must be submitted for construction stormwater discharges to be authorized by Connecticut's General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. The registration form must be submitted to the Commissioner, Connecticut Department of Environmental Protection (DEP), at least 30 days before the initiation of construction activities.

If a site has been previously registered under the General Permit renewed on 1 October 1997, modified on 20 December 2000, and renewed on 1 October 2002, the permittee does not need to submit a new registration under this general permit, unless the ownership of the site has been transferred. The registrant is responsible for compliance with all conditions of the general permit.

Permit Requirements

The General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, DEP-PERD-GP-015, applies to all discharges of stormwater and dewatering wastewaters from construction activities that result in the disturbance of 5 or more acres of total land area on a site.

For small construction projects (a total disturbed area (regardless of phasing) of between 1 and 5 acres), the owner/operator must adhere to the erosion and sediment control land use regulations of the town in which the construction activity is conducted. No registration pursuant to the general permit is required for such construction activity as long as the owner/operator receives town review and written approval of its erosion and sediment control measures and follows the Guidelines. If no review is conducted by the town, the owner/operator must register and comply with the requirements of the general permit.

For construction activities that result in the disturbance of 10 or more total acres of land (regardless of phasing), a Stormwater Pollution Control Plan must be submitted to the commissioner no later than 30 days before the initiation of construction activities. Plans must be submitted in conjunction with the registration form.

Once the construction activity begins, the permittee must implement the Stormwater Pollution Control Plan and maintain compliance with the Plan. The Plan must address two components of stormwater pollution: (1) pollution caused by soil erosion and sedimentation during and after construction; and (2) stormwater pollution caused by use of the site after construction is completed, including, but not limited to, parking lots, roadways, and the maintenance of grassed areas.

At the completion of a construction project, an NOT must be filed with the commissioner. A project is considered complete after the site has been stabilized for at least 3 months following the cessation of construction activities. A site is not considered stabilized until there is no active erosion or sedimentation present and no disturbed areas remain exposed.

Construction General Permit

General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities:
http://dep.state.ct.us/pao/download/watrdwn/Const_GP.pdf

Permit Application Forms and Instructions

- General Permit Registration Form for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities:
http://dep.state.ct.us/pao/download/watrdwn/const_reg.pdf.
- Permit Application Transmittal Form:
http://dep.state.ct.us/pao/download/common/transmittal_inst_form.pdf.
- General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities NOT Form:
http://dep.state.ct.us/pao/download/watrdwn/const_termination.pdf.

Permit Application Forms and Instructions for Indian Lands within Connecticut

For the Indian Lands where USEPA Region 1 is the permitting authority, one general permit has been issued for construction sites disturbing 1 or more acres. This permit is called the NPDES General Permit for Storm Water Discharges from Construction Activities and also known as the USEPA CGP. A copy

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of the CGP is available at:
http://www.epa.gov/npdes/pubs/cgp2003_entirepermit.pdf. To apply for permit coverage under the CGP, a Construction NOI must be submitted to USEPA. The NOI form can be found at:
http://cfpub1.epa.gov/npdes/stormwater/application_coverage.cfm.

Connecticut Stormwater Regulations

Regulations concerning water discharges promulgated by the Connecticut Department of Environmental Protection (DEP) are not currently available on the DEP website.

Points of Contact - Connecticut

State of Connecticut
Department of Environmental Protection - Bureau of Water Management
Permitting and Enforcement Division
Telephone: 860-424-3018
Chris Stone: Telephone: 860-424-3850
Email: chris.stone@po.state.ct.us

Point of Contact - USEPA

Thelma Murphy
Regional Storm Water Coordinator
Telephone: 617-918-1615; Email: murphy.thelma@epa.gov

Additional Stormwater Compliance Resources - Connecticut

General Permit for the Discharge of Stormwater and Dewatering Wastewaters:
http://dep.state.ct.us/pao/general_fact/listgen.htm#StormConstructionGP

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 1 Stormwater program:
<http://www.epa.gov/region1/npdes/stormwater/index.html>.
- USEPA New England Fact Sheet:
<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/permit%20basics%2003%20final.pdf>.
- USEPA New England Guidance:
<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/SW%20at%20Construction%20Sites%20final.pdf>.

DELAWARE

Permitting Authority

Delaware is the NPDES stormwater permitting authority for all regulated stormwater discharges except for Federal facilities. Federal facilities in the State of Delaware must apply for coverage under the USEPA CGP. The Delaware Department of Natural Resources and Environmental Control (DNREC) administers the General NPDES Storm Water Permit Program. An owner/operator of a "land disturbing activity" is required to file with the Department a NOI to obtain permit coverage. An approved sediment and stormwater plan becomes the regulatory document under which the owner/operator operates to be in compliance with the Delaware Sediment & Stormwater Regulations.

DNREC has delegated various components of the General NPDES Permit Program to local conservation districts and jurisdictions: sediment control and stormwater management plan approval; inspection during construction; post-construction inspection of permanent stormwater facilities, and education and training. This practice has created a partnership between State and local program implementers with the State providing technical expertise and training while conservation districts and local governments provide program implementation. In addition to submitting a sediment and stormwater management plan to the appropriate plan approval authority, an owner/operator of a construction site may then need to obtain a local permit, such as a grading or building permit.

Permit Requirements

An owner/operator of a construction site must submit an NOI form for Storm Water Discharges Associated With Construction Activity under a NPDES General Permit to the Delaware DNREC. Additionally, land may not be disturbed without an approved sediment and stormwater management plan. Sediment and stormwater management plans remain valid for 3 years from the date of an approval, unless specifically extended or renewed by the appropriate plan approval agency. The sediment and stormwater management plan review and approval criteria are contained in the Delaware Sediment and Stormwater Regulations.

A Prior Notification requirement exists under the General NPDES Permit Program. Construction projects that receive approval of a Sediment and Stormwater Management Plan must notify the appropriate delegated local agency 5 working days before construction begins, regardless of the size or scope of the

approved project. Failure to notify the appropriate authority prior to construction constitutes a violation of the approved plan.

As of 1 July 2004, unless waived, State and Federal construction projects under the review of the DNREC require a Certified Construction Reviewer (CCR) to perform inspection duties. The CCR must be certified by the DNREC. The CCR must review and report on all erosion and sediment controls as well as stormwater management facility construction throughout the duration of the project. Reports must be prepared by the CCR on a weekly basis.

Construction General Permit

- Section 8 of the Delaware Sediment and Stormwater Regulations:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/Regs/ssregs9.htm>.
- General Permit Commercial and Industrial Projects Less Than 1/2 Acre:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/Apps/GenPermLess1-2Acre.htm>.
- General Permit Application - Utility Construction:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/Apps/CGenPermUtil.htm>.

Permit Application Forms and Instruction

- Notice of Intent for Storm Water Discharges:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/NOI/NOIForm.PDF>
- Instructions for Notice of Intent for Storm Water Discharges:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/NOI/NOI%20INSTRUCTIONS.PDF>
- Application for Sediment and Stormwater Management Plan Approval:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/Apps/PlanAppr.htm>.

Delaware Stormwater Regulations

Sediment & Stormwater Regulations with Amendments:

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<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/PDF/regs.pdf>.

Point of Contact - Delaware

- Delaware Department of Natural Resources and Environmental Control
Division of Soil and Water Conservation - Water Discharges Section
NPDES Storm Water Program
89 Kings Highway
P.O. Box 1401
Dover, DE 19903
Telephone: 302-739-4411
- Frank M. Piorko (Program Manager II)
Email: frank.piorko@state.de.us

Point of Contact - USEPA

Mary Letzkus
Environmental Protection Agency, Region III
3WP13
1650 Arch Street, Philadelphia, PA 19103
Telephone: 215-814-2087

Additional Stormwater Compliance Resources - Delaware

- Sediment and Stormwater Management Plan Approval Policy:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/Mgt/ReviewPolicy.htm>.
- Construction Review of Land Disturbing Activities Policy:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/Mgt/ConstRevPolicy.htm>.
- DNREC's Certified Construction Reviewer Policy for State and Federal Projects:
http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/CCR_policy.pdf.
- DNREC, Division of Soil & Water Conservation, Sediment and Stormwater Program web site:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/StormWater.htm>.

- Delaware Erosion and Sediment Control Handbook:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/ESC/Delaware%20ESC%20Handbook.pdf>.
- Sediment & Stormwater Plan Review Checklist:
<http://www.dnrec.state.de.us/DNREC2000/Divisions/Soil/Stormwater/PDF/chcklst.pdf>

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 3 Stormwater web site:
<http://www.epa.gov/reg3wapd/stormwater/construction.htm>.
- Sample Construction SWPPP:
<http://www.epa.gov/reg3wapd/stormwater/pdfs/construction.pdf>.

DISTRICT of COLUMBIA

Permitting Authority

The District of Columbia (D.C.) does not have NPDES stormwater permitting authority from the Federal Government. The stormwater permitting authority for construction activities is the USEPA. To discharge storm water from large and small construction activities, the construction operator must apply for coverage under the Federal NPDES General Permit for Storm Water Discharges from Construction Activities. The operator must file such application with USEPA Region 3, prior to commencement of the construction activities. In addition, a construction site owner/operator must also be in compliance with local storm water regulations. No person may engage in any land disturbing activity on any property within the District until that person has secured a construction permit from the District.

All plans along with permit applications and other related documents (if required) must be submitted to the "One Stop Permit and Business Center" operated by the District of Columbia Department of Consumer and Regulatory Affairs (DCRA). In addition, local D.C. regulations that govern stormwater management and erosion and sediment control can be found in Chapter 5 of Title 21, and Chapter 31 of Title 20, District of Columbia Municipal Regulations (DCMRs).

Permit Requirements

To apply for coverage under the Federal CGP, submit an NOI form to the USEPA at least 7 days before construction starts. The

Watershed Protection Division of the D.C. Department of Health is assigned the mission of managing land disturbing activities to prevent accelerated soil erosion and sediment deposition in the Potomac and Anacostia Rivers and their tributaries. Two branches of the Watershed Protection Division support implementation of the local stormwater management and sediment and erosion control program: the Sediment and Storm Water Technical Services Branch and the Inspection and Enforcement Branch.

The Sediment and Storm Water Technical Services Branch reviews construction and grading plans and coordinates the permit review process with DCRA. This Branch also develops and upgrades the stormwater management and erosion and sediment control regulations. The Inspection and Enforcement Branch conducts inspections of soil erosion and sediment control and stormwater management facilities at construction sites for compliance with the regulations.

After obtaining the appropriate permit(s) from the DCRA, the owner/contractor of a construction site is required to call the Inspection and Enforcement Branch at least 24 hours before the start of excavation or grading to schedule a pre-construction meeting or an initial site inspection. Approval of a construction permit is based upon the submission by the permit applicant of an erosion and sediment control plan, or a storm water management plan, or both, depending on the nature of the development activity. An erosion and sediment control plan is required for 50 square feet of land disturbance. A stormwater management plan is required for 5,000 square feet of land disturbance.

Construction General Permit

Construction General Permit:
http://www.epa.gov/npdes/pubs/cgp_appendixe.pdf.

Permit Applications Forms and Instruction

- Federal Construction General Permit Notice of Intent:
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.
- Federal Construction General Permit Notice of Termination:
http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf.
- Federal Construction General Permit Fact Sheet:
http://www.epa.gov/npdes/pubs/cgp2003_fs.pdf.

- Application for Construction Permits on Private Property (D.C.):
http://dcra.dc.gov/dcra/frames.asp?doc=/dcra/lib/dcra/information/forms_docs/pdf/bldg_permit_applic.pdf&group=1696&open=|33448|.

District of Columbia Stormwater Regulations

The regulations governing stormwater management, erosion and sediment control, and floodplain management are outlined in Chapter 5 of Title 21, and Chapter 31 of Title 20, DCMR.

Points of Contact - District of Columbia

- Department of Health
Environmental Health Administration Watershed Protection Division
51 N Street, NE, 5th floor
Washington, DC 20002
- Sediment and Storm Water Technical Services Branch
Tim KariKari, Branch Chief - Telephone: 202-535-2240
- Inspection and Enforcement Branch
Collin Burrell, Branch Chief - Telephone: 202-535-2240
- Department of Consumer and Regulatory Affairs
One Stop Permit and Business Center
941 North Capitol Street, NE, Washington, DC
Telephone: 202-442-4568, 202-442-4686, or 202-442-9518

Points of Contact - USEPA

Mary Letzkus
Environmental Protection Agency, Region III
3WP13
1650 Arch Street, Philadelphia, PA 19103
Telephone: 215-814-2087

Additional Stormwater Compliance Resources - District of Columbia

- Department of Health, Environmental Health Administration, Watershed Protection:
[http://dchealth.dc.gov/services/administration_offices/environmental/watershed/watershed_division.shtm.](http://dchealth.dc.gov/services/administration_offices/environmental/watershed/watershed_division.shtm)

- Department of Consumer & Regulatory Affairs:
<http://dcra.dc.gov/dcra/site/default.asp>.
- District of Columbia's Soil Survey Manual:
<http://www.sawgal.umd.edu/nrcsweb/DistrictOfColumbia/Index.htm>
- Environmental Policy Act Regulations:
http://app.dcra.dc.gov/information/forms_docs/pdf/Chapt72.pdf.

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 3 Stormwater web site:
<http://www.epa.gov/reg3wapd/stormwater/construction.htm>.
- Sample Construction Storm Water Pollution Prevention Plan:
<http://www.epa.gov/reg3wapd/stormwater/pdfs/construction.pdf>.
- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.

FLORIDA

Permitting Authority

Florida is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For Indian Country, USEPA is the NPDES permitting authority and construction activities in USEPA Region 4 must use the Region 4 CGP.

The owner/operator of a construction site in Florida must obtain a Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP). Only projects that will ultimately disturb 1 or more acres of land are required to have permit coverage. If a project is less than 1 acre, but part of a larger common plan of development or sale, that will ultimately disturb 1 or more acres, then permit coverage is required.

The NPDES stormwater permitting program is separate from the State's stormwater/environmental resource permitting program and local stormwater/water quality programs, which have their own regulations and permitting requirements. A construction owner/operator may be required to obtain other stormwater-related permits to be in compliance with Florida's stormwater regulations.

Environmental Resource Permitting (ERP) is required under Part IV, Management and Storage of Surface Waters, Chapter 373, Water Resources, of the Florida Statutes. The ERP program regulates activities involving the alteration of surface water flows, which includes new upland activities that generate stormwater runoff from upland construction, also dredging and filling in wetlands and other surface waters. ERP applications are processed by either the Department of Environmental Protection (DEP) or one of the state's water management districts.

Additionally, under Chapter 62-25, Regulations of Stormwater Discharge, of the Florida Administrative Code, persons constructing a stormwater discharge facility or planning to discharge stormwater into a stormwater discharge facility must obtain a stormwater discharge permit.

Permit Requirements

An NOI form for small and large construction projects for permit coverage under the Florida CGP must be submitted to the NPDES Stormwater Notices Center. The NOI must be filed at least 2 days prior to commencement of construction. Authorization is granted 48 hours after the date the complete NOI is postmarked to DEP. A construction site owner/operator must re-apply for coverage every 5 years (if construction activity exceeds 5 years).

The CGP requires the permittee to develop and implement an SWPPP. The SWPPP does not have to be submitted with the NOI but a current copy must be kept on the construction site or at an alternative location as specified in the NOI.

An NOT form must be submitted to DEP to discontinue permit coverage. An NOT may be submitted only when the site meets the eligibility requirements for termination specified in the CGP.

Construction General Permit

Generic Permit for Stormwater Discharge from Large and Small Construction:

<http://www.dep.state.fl.us/water/stormwater/npdes/docs/cgp.pdf>.

Other Florida Stormwater Permits

Environmental Resource Permitting Forms:

<http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>.

Construction General Permit - USEPA

USEPA Region 4 CGP: <http://www.epa.gov/npdes/pubs/cgp-reg4.pdf>.

Permit Application Forms and Instruction

- NOI to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities:
http://www.dep.state.fl.us/water/stormwater/npdes/forms/cgp_noi.pdf.
- Notice of Termination of Generic Permit Coverage:
<http://www.dep.state.fl.us/water/stormwater/npdes/forms/not.pdf>.

Florida Stormwater Regulations

- Chapter 62-25, Regulations of Stormwater Discharge:
<http://www.dep.state.fl.us/legal/rules/surfacewater/62-25.pdf>.
- The Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP) can be found in Rule 62-621.300(4), Florida Administrative Code (F.A.C.), (DEP Document 62-621.300(4)(a)).

Points of Contact - Florida

- Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station 2500
Tallahassee, FL 32399-2400
- NPDES Stormwater
Fred Noble, Administrator
Telephone: 850-245-7520
Email: NPDES-stormwater@dep.state.fl.us
- Office of Submerged Lands and Environmental Resource Permitting
Jim Stoutamire, Administrator
Telephone: 850- 245-8474
- NPDES Stormwater Notices Center
Florida Department of Environmental Protection
2600 Blair Stone Road, MS #2510
Tallahassee, FL 32399-2400
Telephone: 866-336-6312 (toll free) or 850-297-1232

Points of Contact - USEPA

- U.S. Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104
- NPDES and Biosolids Permits Section
Floyd Wellborn - Telephone: 404-562-9296

Additional Stormwater Compliance Resources - Florida

- Florida's NPDES Program, Program for Construction Activity website:
<http://www.dep.state.fl.us/water/stormwater/npdes/construction1.htm>.
- Brochure on the Florida NPDES Stormwater Permitting Program for Construction Activity:
http://www.dep.state.fl.us/water/stormwater/npdes/docs/const_Activity.pdf.
- Florida Department of Environmental Protection Environmental Resource Permitting:
<http://www.dep.state.fl.us/water/wetlands/erp/index.htm>.

GEORGIA

Permitting Authority

The State of Georgia is the NPDES stormwater permitting authority for all regulated stormwater discharges. The Georgia Environmental Protection Division (EPD) has proposed to issue three NPDES general permits that will authorize the discharge of storm water from three distinct types of construction activity. These permits became effective 13 August 2003, and regulate all construction activity disturbing 1 or more acres. One permit regulates stand-alone construction activity; the second regulates infrastructure (i.e., linear) construction sites; the third regulates common development construction.

The three types of construction stormwater permittees are: Primary, Secondary, and Tertiary. Primary permittees are owners and general operators of a project having day-to-day operational control of a facility or site. Secondary Permittees are individual builders, utility companies, and utility contractors

within common developments. Blanket Secondary Permittees are utility companies that submit an NOI for coverage in all common developments statewide annually. Tertiary permittees are individual builders within a surface water drainage area, where the Primary Permittee has submitted an NOI for the surface water area.

The State NPDES General Permit program is implemented through Erosion and Sedimentation Control Local Issuing Authorities (LIAs). An LIA is the governing authority of a county or municipality that has been certified by the EPD.

The State Soil and Water Conservation Commission (SSWCC) revised the model erosion and sedimentation control ordinance to reflect 2003 amendments to the Georgia Erosion and Sedimentation Act. LIAs were to adopt the revised model ordinance by 1 July 2004. When the LIA enacts the model ordinance, all subsequent local land-disturbing activity (LDA) permits mirror the NPDES general permit requirements.

Permit Requirements

A construction owner/operator desiring coverage under this construction stormwater permit must submit an NOI to the LIA and, if the project is not regulated by an LIA, to EPD. The NOI must be submitted at least 14 days prior to the commencement of construction activities.

An Erosion, Sedimentation, and Pollution Control (ES&PC) Plan must be completed prior to submitting the NOI and prior to conducting any construction activity by any permittee. For new projects that will disturb equal to or greater than 50 acres, the permittee must submit a copy of the ES&PC Plan with the NOI to the LIA and, if the project is not regulated by an LIA, to EPD.

For storm- or emergency-related repair work, for sites where construction activities will result in land disturbance equal to or greater than 1 acre, the owner/operator or both must notify the appropriate EPD district office and/or LIA within 3 days of commencement of construction activities. The owner/operator must submit the NOI to the appropriate EPD district office (and/or LIA) as soon as possible after the storm or emergency-related event, but no later than 14 days after the commencement of construction activities, and must submit the ES&PC Plan in accordance with the permit.

For sites that disturb 250 acres or more, the owner/operator must develop an ES&PC Plan within 60 days and implement the Plan within 90 days of the effective date of the new permits.

A construction owner/operator must submit an NOT when an entire project has undergone final stabilization, all storm water discharges associated with construction activity have ceased, and the site is in compliance with the permit. A copy of the NOT must be sent to the LIA.

Construction General Permit

- General NPDES Permit For Storm Water Discharges From Stand Alone Construction:
http://www.dnr.state.ga.us/dnr/envIRON/techguide_files/wpb/cns/trct_swp_standalone.pdf.
- General NPDES Permit For Storm Water Discharges From Infrastructure Construction:
http://www.dnr.state.ga.us/dnr/envIRON/techguide_files/wpb/cns/trct_swp_infrastructure.pdf
- General NPDES Permit For Storm Water Discharges from Common Development Construction Activities (GAR100003) [Issued Aug 2003]:
http://www.dnr.state.ga.us/dnr/envIRON/techguide_files/wpb/cns/trct_swp_commondev.pdf.

Permit Application Forms and Instruction

- NOI for Coverage Under General Permit to Discharge Storm Water, Primary Permittee:
http://www.ganet.org/dnr/envIRON/forms_files/wpb/cnoipri.pdf.
- NOI for Coverage Under General Permit to Discharge Storm Water, Secondary Permittee:
http://www.ganet.org/dnr/envIRON/forms_files/wpb/noi_sec.doc.
- NOI for Coverage Under General Permit GAR100003 to Discharge Storm Water, Blanket Secondary Permittee:
http://www.ganet.org/dnr/envIRON/forms_files/wpb/noi_blanket.doc.
- NOI for Coverage Under General Permit to Discharge Storm Water, Tertiary Permittee:
http://www.ganet.org/dnr/envIRON/forms_files/wpb/noi_ter.doc.

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- NOT to Cease Coverage Under General Permit to Discharge Storm Water:
http://www.ganet.org/dnr/environ/forms_files/wpb/not.doc.
- Fact Sheet for 2003 Proposed General NPDES Permit for Storm Water Discharges:
http://www.dnr.state.ga.us/dnr/environ/techguide_files/wpb/cns_trct_swp_factsheet.pdf.

Georgia Stormwater Regulations

Rules of Georgia Department of Natural Resources Environmental Protection Division, Chapter 391-3-7:
<http://www.dnr.state.ga.us/dnr/environ/>.

Point of Contact

Georgia Department of Natural Resources
Environmental Protection Division
Water Protection Branch
Nonpoint Source Program
4220 International Parkway, Suite 101, Atlanta, GA 30354
Telephone: 404-675-6240

Additional Stormwater Compliance Resources

- Informational Brochure on General NPDES Permit For Storm Water Discharges:
http://www.dnr.state.ga.us/dnr/environ/techguide_files/wpb/stormwtr.pdf.
- Model Soil Erosion and Sedimentation Control Ordinance:
http://www.dnr.state.ga.us/environ/techguide_files/wpb/esc_modelord.pdf.
- Manual for Erosion and Sediment Control, 5th Edition:
http://www.dnr.state.ga.us/environ/techguide_files/wpb/esc_manual.pdf.
- Fact Sheet for 2003 Proposed General NPDES Permit for Storm Water Discharges from Construction Activities:
http://www.dnr.state.ga.us/environ/techguide_files/wpb/cnstrct_swp_factsheet.pdf

HAWAII

Permitting Authority

Hawaii is the NPDES stormwater permitting authority for all regulated stormwater discharges. Effective 10 March 2003, the Notice of General Permit Coverage (NGPC) covers discharges composed entirely of stormwater runoff associated with construction activities, including clearing, grading, and excavation that result in the disturbance of 1 acre or more of total land area. The General Permit also covers activities that disturb less than 1 acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb 1 acre or more of total land area.

Permit Requirements

The owner/operator must submit a complete the NOI to the Clean Water Branch of the State Department of Health no later than 30 days before the proposed starting date of the construction activity or 30 days before the expiration date of the applicable notice of general permit coverage.

There may be local erosion and sediment control requirements. If applicable, a county-approved erosion and sediment control plan as appropriate for the activity and a schedule for implementing each control must be submitted to the director with the NOI.

Termination of the NPDES General Permit coverage must be with the submittal of a Notice of Cessation form to the Clean Water Branch of the State Department of Health.

Construction General Permit

The Hawaii NPDES General Permit Authorizing Discharges of Storm Water Associated with Construction Activity, dated September 2002 can be found at:
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/appendices/11-55appc.pdf>.

Permit Application Forms and Instruction

- CWB-NOI Form C, Notice of Intent for HAR, Chapter 11-55, Appendix C - NPDES General Permit Coverage Authorizing Discharges of Storm Water Associated With Construction Activities (as defined in 40 CFR §§122.26(b)(14)(x) and 122.26(b)(15)(i)):
<http://www.hawaii.gov/health/about/admin/health/environmental/water/cleanwater/forms/msword/cwb-noic.doc>.
- Guidelines for Notice of Intent for Hawaii Administrative Rules, Chapter 11-55, Appendix B, National Pollutant Discharge Elimination System (NPDES) Notice of General Permit Coverage (NGPC):
<http://www.hawaii.gov/health/about/admin/health/environmental/water/cleanwater/forms/pdf/guide-c.pdf>.
- CWB-NOC Form Notice of Cessation for Hawaii Administrative Rules, Chapter 11-55, National Pollutant Discharge Elimination System (NPDES) Notice of General Permit Coverage (NGPC):
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/msword/cwb-noc.doc>.
- Guidelines for Notice of Cessation for Hawaii Administrative Rules, Chapter 11-55, National Pollutant Discharge Elimination System (NPDES) Notice of General Permit Coverage (NGPC):
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/msword/guidenoc.doc>.

Hawaii Stormwater Regulations

The NPDES General Permit Coverage is regulated primarily under Sections 11-55-34 to 34.12 and Appendices of Hawaii Administrative Rules, Chapter 11-55, Water Pollution Control, effective 7 November 2002.

Point of Contact

Clean Water Branch
Environmental Management Division
State Department of Health
919 Ala Moana Blvd., Room 301
Honolulu, HI 96814-4920
Telephone: 808-586-4309

Additional Stormwater Compliance Resources

Hawaii State Department of Health, Environmental Health, Clean Water Branch web site:
<http://www.hawaii.gov/health/about/health/environmental/water/cleanwater/index.html>.

IDAHO

Permitting Authority

Idaho does not have NPDES stormwater permitting authority from the Federal Government. The stormwater permitting authority for construction activities is the USEPA. To discharge storm water from large and small construction activities, the construction owner/operator must apply for coverage under the Federal NPDES General Permit for Storm Water Discharges from Construction Activities (also known as the Construction General Permit, or CGP). The owner/operator must file such application with USEPA Region 10, prior to commencement of the construction activities. For the State of Idaho, except Indian Country, the Permit Number is IDR100000. For Indian Country within the State of Idaho, except Duck Valley Reservation lands (see USEPA Region 9), the Permit Number is IDR100001.

The CGP covers any site of 1 acre and above, including smaller sites that are part of a larger common plan of development or sale, and replaces and updates previous USEPA permits.

Permit Requirements

A construction owner/operator must submit an NOI form to USEPA at least 7 days before start of construction.

Operators of regulated construction sites are required to develop and implement SWPPPs as a condition of the CGP.

In addition to the CGP requirements, a construction owner/operator must be aware of local stormwater regulations. The City of Boise requires all construction sites to have a trained and certified operator having day-to-day control over construction site activities. In addition, similar ordinances apply for Garden City, Ada County Highway District (for construction sites near right-of-way), Boise State University, and Canal Drainage District #3. A site disturbance permit is required for activities such as grading, excavating, and storm drainage or run-off control in Kootenai County.

The Catalog of Stormwater Best Management Practices (BMPs) for Cities and Counties is used by Department of Environmental Quality (DEQ) to evaluate mitigation practices for stormwater runoff from development projects. If other stormwater jurisdictions have BMP requirements that are more stringent than the DEQ Catalog of BMPs, those BMPs must be so indicated in the SWPPP and implemented.

An NOT form to end permit coverage under the CGP can be submitted provided the owner/operator has achieved final stabilization (e.g., 70 percent revegetation) for the construction site.

Construction General Permit

Construction General Permit:
http://www.epa.gov/npdes/pubs/cgp_appendix.pdf.

Permit Application Forms and Instruction

- Construction General Permit Fact Sheet:
http://www.epa.gov/npdes/pubs/cgp2003_fs.pdf.
- Notice of Intent:
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.
- Notice of Termination:
http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf.
- USEPA web site for Applying for Coverage under the CGP:
http://cfpub.epa.gov/npdes/stormwater/application_coverage.cfm

Points of Contact - Idaho

- Department of Environmental Quality
1410 N. Hilton
Boise, ID 83706
Telephone: 208-373-0502
- Water Quality Division,
Barry Burnell, Administrator
Telephone: 208-373-0539

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Point of Contact - USEPA

USEPA Region 10
Misha Vakoc, NPDES Storm Water Coordinator
Office of Water
Telephone: (206) 553-6650
Email: vakoc.misha@epa.gov

Additional Stormwater Compliance Resources - Idaho

- DEQ Policy Memorandum (PM98-3), Ground Water Protection from Stormwater Runoff:
http://www.deq.state.id.us/policies/pm98_3.htm.
- Idaho Department of Environmental Quality, Water Quality Division website:
<http://www.deq.state.id.us/water/water1.htm>.
- Catalog of Stormwater BMPs for Idaho Cities and Counties:
http://www.deq.state.id.us/water/stormwater_catalog/index.asp

Additional Stormwater Compliance Resources - USEPA

- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>
- SWPPPs for Construction Activities:
<http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.
- USEPA Region 10 Stormwater Information:
<http://yosemite.epa.gov/R10/WATER.NSF/34090d07b77d50bd88256b79006529e8/0793190f0f402fe188256ce3000afald?OpenDocument>.

ILLINOIS

Permitting Authority

Illinois is the NPDES stormwater permitting authority for all regulated stormwater discharges.

The renewal of the NPDES General Permits for Stormwater Discharges from Industrial Activities and Construction Site Activities were finalized and signed as final permits on 30 May 2003. These permits were effective 1 June 2003 and will expire 31 May 2008.

This permit authorizes all discharges of storm water associated with industrial activity from construction sites that will result in the disturbance of 1 or more acres total land area, construction sites less than 1 acre of total land that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb 1 or more acres total land area or construction sites that are designated by the Illinois Environmental Protection Agency (IEPA) that have the potential for contribution to a violation of water quality standard or significant contribution of pollutants to waters of the State.

Permit Requirements

A construction site owner/operator must submit an NOI to obtain coverage under the Construction Site Activities General Permit 30 days before construction starts.

Construction Site Activities General Permit requires the permittee to notify the IEPA when the SWPPP is completed. The SWPPP does not need to be submitted to the IEPA, but must be kept on the construction site and accessible to everyone during construction activities.

Where local programs for sediment and erosion control, stormwater management, or site permits exist, the SWPPP must certify that it reflects the requirements of the local program. If local programs require plan approval, then the approval must be included in the SWPPP.

To terminate coverage under the Construction Site Activities General Permit, a construction site owner/operator must submit an NOT to the IEPA after the land disturbing activities are complete and the site has been finally stabilized. A site has been finally stabilized when a uniform perennial vegetative cover with a density of 70 percent of the cover for unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures have been used.

Construction General Permit

General Permit Number ILR10, General NPDES Permit for Storm Water Discharges from Construction Site Activities:
<http://www.epa.state.il.us/water/permits/storm-water/general-construction-permit.pdf>.

Permit Application Forms and Instruction

- Notice of Intent General Permit to Discharge Storm Water Construction Site Activities:
<http://www.epa.state.il.us/water/permits/storm-water/forms/notice-intent-construction.pdf>.
- Notice of Termination of Coverage under the General Permit for Storm Water Discharges Associated with Construction Site Activities: <http://www.epa.state.il.us/water/permits/storm-water/forms/notice-termination-construction.pdf>.
- Construction Site Storm Water Discharge Incidence of Non-compliance (ION) form:
<http://www.epa.state.il.us/water/permits/storm-water/forms/incidence-non-compliance-construction.pdf>.

Illinois Stormwater Regulations

Illinois Storm Water Regulations can be found in Title 35: Environmental Protection, Subtitle C: Water Pollution, Chapter I: Illinois Pollution Control Board Rules and Regulations and the Clean Water Act:
<http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-Title35.asp>.

Points of Contact

- Illinois Environmental Protection Agency
Bureau of Water
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
Internet address: <http://www.epa.state.il.us/>
- Permits
Al Keller
Telephone: 217-782-0610

Additional Stormwater Compliance Resources

- Illinois EPA web site on General Storm Water NPDES Permit for Construction Activities:
<http://www.epa.state.il.us/water/permits/storm-water/construction.html>.

- Developing Storm Water Pollution Prevention Plans and Best Management Practices - Summary Guidance:
<http://www.epa.gov/npdes/pubs/owm0307.pdf>.

INDIANA

Permitting Authority

Indiana is the NPDES stormwater permitting authority for all regulated stormwater discharges. The Indiana NPDES general permit for stormwater discharges from construction activities is called a Rule 5 stormwater runoff permit. This permit program is managed by the Indiana Department of Environmental Management (IDEM) Office of Water Quality.

All land-disturbing activity of 1 or more acres must obtain a Rule 5 storm water runoff permit from IDEM. If soil disturbance to less than 1 acre occurs on a lot that is part of a larger common plan of development that already is permitted under Rule 5, that soil disturbing activity remains subject to Rule 5 permitting requirements.

Permit Requirements

The project site owner must submit an NOI to the IDEM Office of Water Quality to operate under the Rule 5 stormwater runoff permit. The NOI letter must be submitted to IDEM at least 48 hours prior to any soil disturbing activity.

Additionally, before any land disturbing activities can take place, the project site owner must submit a Construction Plan to the county Soil and Water Conservation District (SWCD). The exception is that Construction Plans for projects within the City of Indianapolis only (most of Marion County) are reviewed by the City of Indianapolis Permit Division. Plans for Speedway, Lawrence, Beech Grove, and Southport along with the City of Indianapolis Capital Improvement projects, and all road/highway plans, must still be submitted to the SWCD.

Because the county SWCD has up to 28 days to provide review and approval of the Rule 5 Construction Plans, a project site owner wishing to obtain a Rule 5 permit should plan to submit the Construction Plan to the county SWCD at least 30 days before any soil disturbance takes place.

The project site owner must submit two other documents along with the NOI to IDEM. One is a construction plan review approval verification form, or "construction approval document",

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from the SWCD or Indianapolis Permit Division stating that the Construction Plan is sufficient. The second is proof of publication in a newspaper of general circulation of the project site owner's notification to the public.

To terminate permit coverage, the project site owner must submit an NOT letter to IDEM. The project site owner must remove all temporary erosion control fixtures and the entire site must be permanently stabilized.

Construction General Permit

Permit Guide to Storm Water Run-off Associated with Construction Activity:

<http://www.state.in.us/idem/guides/permit/water/stormwaterconstruction.html>.

Permit Application Forms and Instruction

- Notice of Intent:
<http://www.in.gov/icpr/webfile/formsdiv/47487.pdf>.
- Notice of Termination:
<http://www.in.gov/icpr/webfile/formsdiv/51514.pdf>.

Indiana Stormwater Regulations

NPDES General Permit Rule Program:

<http://www.ai.org/legislative/iac/T03270/A00150.PDF>.

Points of Contact

Jay Davis, Rule 5 Storm Water Coordinator
Indiana Department of Environmental Management
Office of Water Quality, Urban Wet Weather Section
100 North Senate Avenue
P.O. Box 6016
Indianapolis, IN 46206-6015
Telephone: 317-233-1864
E-mail: jdavis@dem.state.in.us

Additional Stormwater Compliance Resources - Indiana

- Rule 5: Storm Water Runoff Associated with Land Disturbing Activity, Urban Wet Weather Programs for Storm Water:
<http://www.in.gov/idem/water/npdes/permits/wetwthr/storm/rule5.html>.

- The IDEM Permit Guide: <http://www.in.gov/idem/guides/permit/>.
- IDEM Water Pollution Control Board:
<http://www.in.gov/idem/water/planbr/rules/wpcbmembers.html>.

Additional Stormwater Compliance Resources - USEPA

- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.
- USEPA Storm Water Management for Construction Activities:
Developing Pollution Prevention Plans and Best Management
Practices: <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.

IOWA

Permitting Authority

Iowa is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For regulated stormwater discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Iowa must apply for coverage under the USEPA Construction General Permit for Iowa (Permit Number: IAR10000I).

Iowa Department of Natural Resources (IDNR) NPDES General Permit No. 2, Storm Water Discharge Associated with Industrial Activity for Construction Activities, covers stormwater discharges from construction activities (land disturbances). This permit authorizes the discharge of storm water associated with industrial activity from construction sites or common plans of development or sale that will result in the disturbance of 1 or more acres total land area.

Permit Requirements

To obtain permit coverage, a construction owner/operator must submit an NOI to the IDNR. Along with the NOI, proof of public notification of construction activity must be submitted from two area newspapers with the highest circulation.

Iowa's General Permit No. 2 requires that an SWPPP for the construction activity be developed before the NOI is submitted to the IDNR. The SWPPP is to be implemented with the start of construction. A construction owner/operator must include in the SWPPP procedures and requirements specified in applicable

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sediment and erosion site plans or stormwater management plans approved by local officials.

Within 30 days after final stabilization at a construction site, the construction operator or owner must submit a Notice of Discontinuation to the IDNR.

Construction General Permit

Iowa NPDES General Permit No. 2:
http://www.iowadnr.com/water/stormwater/forms/2_general.pdf

Permit Application Forms and Instruction

- Notice of Intent:
<http://www.iowadnr.com/water/stormwater/forms/5421415.pdf>
- Iowa Department of Natural Resources - How to File a Complete Notice of Intent:
http://www.iowadnr.com/water/stormwater/forms/how_noi.pdf
- Public Notice of Storm Water Discharge:
http://www.iowadnr.com/water/stormwater/forms/pub_gen2.pdf
- Notice of Discontinuation:
http://www.iowadnr.com/water/stormwater/forms/2_nod.pdf.

Points of Contact - Iowa

Storm Water Program
Joe Griffin, Program Coordinator
Iowa Department of Natural Resources
Henry A. Wallace Building
502 E. 9th St.
Des Moines, IA 50319-0034
Telephone: 515-281-7017

Points of Contact - USEPA

Leo J. Alderman, Director
Water, Wetlands, and Pesticides Division
U.S. Environmental Protection Agency Region 7
901 North 5th Street
Kansas City, KS 66101

Additional Stormwater Compliance Resources - Iowa

- **Summary Guidance for General Permit No.2:**
http://www.iowadnr.com/water/stormwater/forms/2_ppp.pdf.
- Iowa Department of Natural Resources, Storm Water Program
website: <http://www.iowadnr.com/water/stormwater/index.html>.

Additional Stormwater Compliance Resources - Federal

- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.
- USEPA Storm Water Management for Construction Activities:
Developing Pollution Prevention Plans and Best Management
Practices: <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.

KANSAS

Permitting Authority

Kansas is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For regulated stormwater discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Kansas must apply for coverage under the USEPA Construction General Permit for Kansas (Permit Number: KSR10000I).

The Industrial Programs Section within the Bureau of Water of the Kansas Department of Health and Environment (KDHE) manages permits for stormwater discharges associated with construction and industrial activities.

Owners or operators of any project or combination of projects who engages in construction activities which will disturb 1 or more acres must have authorization to discharge stormwater runoff under the construction stormwater general permit S-MCST-0110-1.

Permit Requirements

Application for the construction stormwater permit is made by completing an NOI form and submitting it to KDHE at least 60 days before starting construction.

The primary requirement of the general permit is for the permittee to develop and implement a Stormwater Pollution

Prevention (SWP2) plan. An erosion control plan summarizing the SWP2 plan and a site plan showing the erosion control measures and BMPs that will be used during the project must be submitted with the NOI. If there are local requirements for erosion and sediment control or stormwater management, the applicant should contact the local authority to determine if the SWP2 plan needs to be sent to them for review or approval. Kansas City, Overland Park, Topeka, and Wichita regulate discharges of construction stormwater runoff.

When the soil-disturbing activity is completed and final stabilization of the site is achieved, the permittee must notify KDHE to terminate the authorization to discharge.

Construction General Permit

General Permit No. S-MCST-0110-1, Kansas Water Pollution Control General Permit and Authorization to Discharge:
http://www.kdhe.state.ks.us/stormwater/resources/cgp_revision_final.pdf.

Permit Application Forms and Instruction

- Notice of Intent - Construction Activities:
<http://www.kdhe.state.ks.us/stormwater/resources/noi.pdf>.
- Notice of Intent Instructions for Stormwater Runoff from Construction Activities:
http://www.kdhe.state.ks.us/stormwater/resources/noi_instructions.pdf.
- Notice of Termination:
<http://www.kdhe.state.ks.us/stormwater/resources/NOT.pdf>.

Point of Contact - Kansas

Kansas Department of Health and Environment
Bureau of Water
Construction and Industrial Stormwater Permits
1000 SW Jackson, Suite 420
Topeka, KS 66612-1367
Alan Brooks, Construction
Telephone: 785-296-5549
Email: abrooks@kdhe.state.ks.us

Point of Contact - USEPA

Leo J. Alderman, Director
Water, Wetlands, and Pesticides Division

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U.S. Environmental Protection Agency Region 7
901 North 5th Street
Kansas City, KS 66101

Additional Stormwater Compliance Resources - Kansas

- KDHE Bureau of Water Construction Stormwater Program:
<http://www.kdhe.state.ks.us/stormwater/index.html#construct>.
- List of Exceptional State Waters, Special Aquatic Life Use Waters:
<http://www.kdhe.state.ks.us/stormwater/resources/saluonrwlis-Rev301.pdf>.
- Fact Sheet: Erosion Control for Home Builders:
http://www.kdhe.state.ks.us/stormwater/resources/erosion_control.pdf.
- Frequently Asked Questions:
<http://www.kdhe.state.ks.us/stormwater/resources/StormwaterFAQ.pdf>.

Additional Stormwater Compliance Resources - USEPA

- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.
- USEPA Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and BMPs:
<http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.

KENTUCKY

Permitting Authority

Kentucky is the NPDES stormwater permitting authority for all regulated stormwater discharges. The KPDES Branch of the Kentucky Division of Water reviews and approves permit applications for stormwater point source discharges associated with construction activities. Construction activities that disturb 1 acre or more are required to have coverage under the General KPDES Permit for Storm Water Point Source Discharges - Construction Activities, Permit No. KYR10.

Permit Requirements

To apply for coverage under this general permit, an NOI form must be submitted to the Division of Water of the Kentucky Department of Environmental Protection at least 48 hours before the activity begins. Sites that discharge construction storm water to a municipal separate storm sewer system (MS4) must submit a copy of the NOI to the operator of the MS4 48 hours before construction activity begins.

A stormwater BMP plan must be completed before submittal of the NOI for coverage under this permit, and this plan must be implemented beginning with the initiation of construction activities. The BMP plan must include any requirements specified in sediment and erosion control plans, stormwater management plans or permits that have been approved by local jurisdictions. The BMP Plans do not need to be submitted with the NOI.

When all stormwater discharges associated with construction activity are eliminated and the site has been finally stabilized, the owner or operator must submit a signed copy of an NOT form in order to end coverage under this general permit.

Construction General Permit

KPDES No. KYR10, General Stormwater Permit:
http://www.water.ky.gov/NR/rdonlyres/F854FCD7-6477-463A-B7E6-03E3EF1FFCCD/0/KYR100000_SW_Construction.pdf.

Permit Application Forms and Instruction

- Notice of Intent (KPDES Form NOI-SW):
<http://www.water.ky.gov/NR/rdonlyres/49A458C7-142E-4E97-B8A4-55BF24E3CF32/0/NOISW.pdf>.
- Notice of Termination:
<http://www.water.ky.gov/NR/rdonlyres/09246E20-2446-4554-BC2D-1E3192AB70BB/0/NOTSW.pdf>.

Kentucky Stormwater Regulations

KPDES Regulation 401 KAR 5:002, Section 1 (285):
<http://www.lrc.state.ky.us/kar/401/005/002.htm>.

Points of Contact

- Kentucky Division of Water
14 Reilly Road
Frankfort, KY 40601
Internet address:
http://www.water.ky.gov/homepage_repository/KPDES.htm
- Bruce Scott
Telephone: 502-564-3410; E-mail: bruce.scott@ky.gov

Additional Stormwater Compliance Resources

- Kentucky Division of Water, Construction Stormwater Program web site:
<http://www.water.ky.gov/permitting/wastewaterpermitting/KPDES/storm/>
- General Permit Fact Sheet:
http://www.water.ky.gov/NR/rdonlyres/F854FCD7-6477-463A-B7E6-03E3EF1FFCCD/0/KYR100000_SW_Construction.pdf

LOUISIANA

Permitting Authority

Louisiana is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For regulated stormwater discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Louisiana must use the USEPA CGP for Louisiana, Permit Number: LAR15000I.

Permit Number LAR200000, LPDES Storm Water General Permit for Small Construction Activities, authorizes the discharge of storm water from small construction activities (greater than 1 acre but less than 5 acres). A permit is also required for construction activities disturbing less than 1 acre but part of a larger common plan of development or sale with a planned disturbance of equal to or greater than 1 acre and less than 5 acres.

Permit Number LAR100000, LPDES Storm Water General Permit applies to small construction activities of 5 acres or more.

Permit Requirements

Written notification of intent to be covered under Permit Number LAR200000, LPDES Storm Water General Permit for Small Construction Activities, is not required. Operators are automatically covered under this permit. An SWPPP must be developed and implemented upon commencement of construction activities.

When a construction project is complete and the site has been stabilized in accordance with the permit, the permittee must submit a Completion Report form. The form must be submitted to the Permits Division by 28 January of the year following the calendar year in which the project was completed.

To be covered under Permit Number LAR100000, LPDES Storm Water General Permit for Construction Activities, a construction owner/operator must submit an NOI at least 48 hours prior to the commencement of construction activities.

An SWPPP must be completed prior to the submittal of the NOI for Permit Number LAR100000. The owner/operator must certify that the SWPPP is compliant with any applicable State and local sediment and erosion plans. A copy of the plans or permits does not need to be included with the NOI submission.

Permittees wishing to terminate coverage under Permit Number LAR100000 must submit an NOT within 30 days after final stabilization (as defined by the permit) has been achieved on all portions of the site.

Construction General Permit

- Permit No. LAR100000, Storm Water General Permit for Construction Activities, Permit For Authorization to Discharge Under the Louisiana Pollutant Discharge Elimination System:
<http://www.deq.state.la.us/permits/lpdes/fin0999.pdf>,
- Permit No. LAR200000, Storm Water General Permit for Small Construction Activities (equal to or greater than 1 acre and less than 5 acres), Authorization to Discharge Under the Louisiana Pollutant Discharge Elimination System:
http://www.deq.state.la.us/permits/lpdes/FP_Lar20000.pdf.

Permit Application Forms and Instruction

- LPDES Notice of Intent to Discharge Stormwater Associated with Construction Activity:
<http://www.deq.state.la.us/permits/lpdes/csw-g.pdf>.

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- LPDES Notice of Termination of Coverage under LPDES General Permit for Stormwater Discharges Associated with Construction Activity: <http://www.deq.state.la.us/permits/lpdes/csw-t.pdf>.
- No Exposure Certification for Exclusion from LPDES Stormwater Permitting:
<http://www.deq.state.la.us/permits/lpdes/NOEXP.pdf>.

Louisiana Stormwater Regulations

Title 33 Environmental Quality, Part IX Water Quality, Subpart 2: <http://www.state.la.us/osr/lac/33v09/33v09.pdf>

Points of Contact - Louisiana

- Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, LA 70821-4313
Telephone: 225-219-3181
Email: degoes@la.gov
- Permits Division
Telephone: 225-219-3181

Points of Contact - USEPA

- USEPA Region 6 Main Office
1445 Ross Avenue
Suite 1200
Dallas, TX 75202
Telephone: 214-665-6444
- Federal Enforcement Officer
Thea Lomax
Telephone: 214- 665-8098
Email: lomax.thea@epamail.epa.gov

Additional Stormwater Compliance Resources - Louisiana

Department of Environmental Quality, Permits Division web site:
<http://www.deq.state.la.us/permits/index.htm>.

Additional Stormwater Compliance Resources - USEPA

USEPA Region 6 Website Storm Water Information page:
<http://www.epa.gov/earthlr6/6wq/npdes/sw/index.htm>

MAINE

Permitting Authority

Maine is the NPDES stormwater permitting authority for all regulated stormwater discharges. The Maine Construction General Permit (MCGP) authorizes the discharge of stormwater associated with construction activity to waters of the State. This general permit is effective 20 July 2004 and expires 20 July 2006. The Maine Stormwater Program includes the regulation of stormwater under both the Site Location of Development Law (Site Law) and Stormwater Management Law. A landowner, contractor, or developer may need coverage under the MCGP if a construction project will directly discharge to a surface waterbody, and the construction will result in any of the following: 1 acre or more of disturbed area; a common plan of development located in an area subject to Land Use Regulation Commission (LURC) jurisdiction and requiring an LURC permit; or a common plan of development located outside LURC jurisdiction and requiring a Stormwater Management Law or Site Law permit.

A "common plan of development" refers to a subdivision as determined by the LURC if located in an unorganized area or by the municipality where the subdivision is located. It requires coverage under the MCGP because, over the life of the project (including work on the lots), at least 1 acre of land is expected to be disturbed.

The LURC Development Law applies only to areas of the State administered by LURC. The Maine Site Law (in regard to subdivisions), Erosion and Sedimentation Control Law, and Stormwater Management Law, apply to construction projects or portions of projects outside the jurisdiction of LURC.

The MCGP does not replace or affect existing Stormwater Management Law, Site Law, or LURC requirements. The DEP is in the process of consolidating application requirements to better coordinate some of these programs. If a project also requires a Stormwater or Site Law permit, the project owner/operator may reference material submitted with those applications provided that it substantively addresses the standards of the MCGP.

Maine's Erosion and Sedimentation Control law requires basic controls and site stabilization when a project involves filling, displacing, or exposing earthen material. No permit is required. The law sets a minimum across-the-board standard that helps prevent harm to surface waters.

Permit Requirements

To seek coverage under the MCGP, a construction project owner or operator must submit an NOI to the Maine Department of Environmental Protection (MDEP). An NOI must be reviewed and approved by the Department prior to beginning construction activity or causing soil disturbance. If the DEP does not speak with or write to the applicant within this 14-day period regarding NOI, the application is deemed approved by the Department and the applicant may proceed to carry out the activity.

Construction activities that require a permit under the Site Location of Development or the Storm Water Management Acts may not proceed until any required permit under those laws is obtained.

If the project owner wishes the MDEP to rely in whole or part on a submission that is part of a Site Law or Stormwater Management Law application, the owner must submit a letter with the NOI describing the previous submission and the extent to which it should be relied upon, and listing the standards addressed by any supplementary material.

A project owner must complete and maintain an Erosion and Sedimentation Control (ESC) plan if the project involves a disturbed area where 1 acre or more will be disturbed in the watershed of an impaired waterbody or 3 acres or more will be disturbed in any watershed. A project owner must also complete and maintain an ESC plan if the project involves a common plan where the common plan of development drains to an impaired waterbody and also requires a Stormwater Law, Site Location of Development Law, or LURC permit; or the common plan of development does not drain to an impaired waterbody but will include 3 acres or more of disturbed area, and also requires a Stormwater Law, Site Location of Development, or LURC permit. A waterbody is "impaired" if it is not meeting water quality standards, as determined by the DEP. If construction activity in a watershed may cause or contribute to the existing impairment of the river, stream or great pond, the waterbody is designated as an impaired waterbody. The list of construction-related (C) water bodies is included in Appendix D of the MCGP.

If a project includes 3 acres or more of disturbed area and directly discharges to an unimpaired waterbody, the erosion and sedimentation control plan can be signed by a qualified individual who certifies that the plan meets the standards of

the general permit. Qualified individuals include: a person certified in erosion control practices or a "professional in erosion and sedimentation control" so designated by the Maine Nonpoint Source Training and Resources Center; a Maine registered professional engineer knowledgeable in stormwater and erosion and sedimentation control; and Soil and Water Conservation District staff trained to develop erosion and sedimentation control plans, working in a District with which the DEP has an agreement concerning review of these plans. A construction project owner or operator must submit an NOT within 20 days of the completion of permanent stabilization.

Construction General Permit

- MCGP Cover Page:
<http://www.maine.gov/dep/blwq/docstand/stormwater/construction/mcgpcover2004.pdf>.
- MCGP Text:
<http://www.maine.gov/dep/blwq/docstand/stormwater/construction/mcgptext2004.pdf>.
- MCGP Appendices:
<http://www.maine.gov/dep/blwq/docstand/stormwater/mcgppapp.pdf>.

Permit Application Forms and Instruction

- MCGP NOI:
<http://www.maine.gov/dep/blwq/docstand/stormwater/stormnoi.doc>
- MCGP NOT:
<http://www.maine.gov/dep/blwq/docstand/stormwater/stormnot.doc>

Maine Stormwater Regulations

- MCGP web site:
<http://www.maine.gov/dep/blwq/docstand/stormwater/construction.htm>.
- ESC Law:
<http://www.maine.gov/dep/blwq/docstand/stormwater/erosion.htm>.
- Maine's Stormwater Management Rules:
<http://www.maine.gov/sos/cec/rcn/apa/06/096/096c500.doc>.

Point of Contact

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Headquarters - Central Maine Regional Office
17 State House Station
Ray Building, Hospital Street, Augusta, ME 04333 Telephone:
207-287-2111

Additional Stormwater Compliance Resources

Maine DEP Stormwater Program:
<http://www.maine.gov/dep/blwq/docstand/stormwater/index.htm>

MARYLAND

Permitting Authority

Maryland is the NPDES stormwater permitting authority for all regulated stormwater. Maryland Department of the Environment (MDE), General Permit for Construction Activity, General NPDES Permit Number MDR10, State Discharge Permit Number 03 authorizes stormwater discharges from construction activities. The General Permit was effective 1 March 2003 and expires 28 February 2008. This General Permit is required for all construction activity in Maryland with a planned total disturbance of 1 acre or more.

Several areas in Maryland have been designated as special protection areas. Additional permitting requirements, and restrictions exceeding general State performance standards, may apply to construction projects in these locations. The special protection areas include Montgomery County, Patuxent River, and Chesapeake Bay Critical Area.

Permit Requirements

A person planning construction activity must submit an NOI to the MDE Water Management Administration, at least 48 hours prior to any land-disturbing activities, to be authorized to discharge construction stormwater under this General Permit.

Prior to commencing construction, a construction owner/ operator who obtains coverage under this general permit must obtain approved erosion and sediment control plans. For State and Federal construction projects, erosion/ sediment control plans and stormwater management plans are reviewed and approved by MDE.

Where a site has been finally stabilized and all stormwater discharges from construction sites that are authorized by this permit are eliminated, the authorized permittee of the facility must submit an NOT form to MDE.

Construction General Permit

Maryland Department of the Environment, General Permit for Construction Activity, General NPDES Permit Number MDR10, State Discharge Permit Number 03 GP:
<http://www.mde.state.md.us/assets/document/water/genpermitconstructionMDR10.pdf>.

Permit Application Forms and Instruction

- The Notice of Intent form is available through the MDE Compliance Program at (410) 537-3510.
- Application for Sediment Control/Stormwater Management (State and Federal Projects):
<http://www.mde.state.md.us/assets/document/TRANSMITTAL%20FORM%20-%20APPLICATION%20NEW%20LTR%20HD.pdf>.

Maryland Stormwater Regulations

- The regulations governing Maryland's stormwater management program may be found in the Code of Maryland Regulations (COMAR) 26.17.02.:
http://www.dsd.state.md.us/comar/subtitle_chapters/26_Chapters.htm#Subtitle17.
- Erosion and sediment control statutes are defined in COMAR 26.17.01.

Point of Contact

Maryland Department of the Environment
Water Management Administration
Sediment & Stormwater Plan Review Division
1800 Washington Boulevard, Suite 440
Baltimore, Maryland 21230-1708
Telephone: 410-537-3563

Additional Stormwater Compliance Resources

- Maryland's Stormwater Management Program:
<http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/index.asp>.
- Maryland's erosion and sediment control program:
http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/home/erosion_sediment.asp.

- Storm Water Management Publications List:
<http://www.mde.state.md.us/environment/wma/stormwatermanual/publiclist2.htm>.
- Storm Water Management Guidelines for State and Federal Projects:
http://www.mde.state.md.us/environment/wma/stormwatermanual/stormwater_management_guidelines.htm.
- Maryland Storm Water Design Manual (Volumes I and II):
http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/stormwater_design/index.asp

MASSACHUSETTS

Permitting Authority

Massachusetts does not have NPDES stormwater permitting authority from the Federal Government. Both the Massachusetts Department of Environmental Protection (DEP) and the USEPA regulate stormwater in Massachusetts. Massachusetts's statutory and regulatory provisions require the protection of Outstanding Resource Waters (ORWs), designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00. Also, municipalities may have local drainage, wetland, or other ordinances that regulate stormwater. ORWs include surface public water supplies and their tributaries, wetlands bordering surface public water supplies and their tributaries, vernal pools certified by the MA Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program, and other specifically designated waters listed in the Surface Water Quality Standards. ORWs require a higher level of protection and have more stringent requirements than other waters. Discharge of pollutants to a Massachusetts ORW is severely restricted and requires special review by DEP. These requirements are outlined in the Surface Water Quality Standards.

To discharge stormwater from large and small construction activities, the construction operator must apply for coverage under the Federal NPDES General Permit for Storm Water Discharges from Construction Activities. The operator must file such application with USEPA Region 1, prior to commencement of the construction activities. For new construction and reconstruction in or near wetlands, the construction project owner/operator must apply for a permit for point and non-point source stormwater discharges. Local conservation commissions administer this permit program, required only when the

construction activity affects Wetlands Protection Act jurisdictional area(s).

Permit Requirements

To apply for coverage under the Federal CGP, an NOI form must be submitted to the USEPA at least 7 days before construction starts. A construction project owner/operator applying for the general permit must consider the protection of ORW. To apply for coverage under BRP WM 08B - NPDES Stormwater General Permit for Discharges to ORWs from Construction Sites or Industrial Sites, an NOI must be filed with DEP for any existing or proposed stormwater discharge to ORWs. The WM 08B NOI must be filed with DEP prior to filing a general permit NOI with USEPA.

The purpose of the WM 08B NOI is to inform DEP of stormwater discharges to ORWs prior to filing for coverage under either USEPA general permit noted above. With the information provided in the WM 08B NOI, DEP can determine whether additional permits or other measures are needed to protect the receiving surface water from degradation. Also, the construction project owner/operator must submit to DEP a complete Form BRP WM 09 - Approval of NPDES Stormwater Pollution Prevention Plans for Construction or Industrial General Permits (Discharging to Outstanding Resource Waters only) when seeking coverage under the USEPA's CGP for existing or proposed discharges to ORWs. DEP approval of an SWPPP is required in cases where DEP has reviewed the information submitted in WM 08B NOI and determined that additional evaluation of proposed stormwater pollution control measures is necessary.

As a condition of the USEPA general permit, the construction owner/operator must prepare and implement an appropriate SWPPP. DEP's WPA Appendix B - Stormwater Management Form is intended to ensure that proposed stormwater control designs meet the DEP's Stormwater Management Policy. DEP recommends that permit applicants submit the Stormwater Management Form with their NOI, as well as supporting documentation and plan, for conservation commission review.

Construction General Permit

- Construction General Permit:
http://www.epa.gov/npdes/pubs/cgp_appendixe.pdf.
- Federal CGP Fact Sheet:
http://www.epa.gov/npdes/pubs/cgp2003_fs.pdf.

Permit Application Forms and Instruction

- BRP WM 08B: <http://www.mass.gov/dep/appkits/wm08bapp.pdf>
- BRP WM 09: <http://www.mass.gov/dep/appkits/wm09app.pdf>
- WPA Appendix B Form:
<http://www.mass.gov/dep/appkits/wpaappb.pdf>
- MA DEP Transmittal Form for Permit:
<http://www.mass.gov/dep/appkits/tr-formw.pdf>
- Federal CGP NOI:
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>
- Federal CGP NOT:
http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf

Massachusetts Stormwater Regulations

- Stormwater Regulation:
<http://www.state.ma.us/dep/brp/stormwtr/stormreg.htm>
- Statutory and regulatory authority for coverage under BRP WM 08B - NPDES Stormwater General Permit for Discharges to ORWs from Construction Sites or Industrial Sites MA Clean Waters Act, MGL Chapter 21, s. 26-53, 314 CMR 3.00 & 314 CMR 4.00
- Massachusetts statutory and regulatory provisions:
<http://www.mass.gov/dep/bwp/iww/files/314cmr4.htm>

Points of Contact - Massachusetts

- Department of Environmental Protection, Division of Watershed Management
627 Main Street, 2nd Floor, Worcester, MA 01608
- Thelma Murphy - (Storm Water Coordinator, USEPA Region 1)
1 Congress Street, Boston, MA 02114
Telephone: 617-918-1615; Email: murphy.thelma@epa.gov
- David J. Gray - Stormwater Program
Massachusetts Storm Water Coordinator
Telephone: 617- 918-1577; Email: gray.davidj@epa.gov

Additional Stormwater Compliance Resources - Massachusetts

- MA DEP Stormwater:
<http://www.mass.gov/dep/brp/stormwtr/stormhom.htm>.
- DEP Stormwater Management Policy:
<http://www.mass.gov/dep/brp/stormwtr/files/2103ch.pdf>
- Stormwater Management Information for Development and Redevelopment:
<http://www.state.ma.us/dep/brp/stormwtr/stormpub.htm>
- Erosion and Sedimentation Control Guidelines:
<http://www.mass.gov/dep/brp/stormwtr/files/essec1.pdf>

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 1 Information:
<http://www.epa.gov/region1/topics/water/stormwater.html>
- USEPA Region 1 Program:
<http://www.epa.gov/region1/npdes/stormwater/index.html>
- USEPA New England Fact Sheet:
<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/permit%20basics%2003%20final.pdf>
- USEPA New England Guidance, "Storm Water at Construction Sites - Guide":
<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/SW%20at%20Construction%20Sites%20final.pdf>
- Construction SWPPP:
<http://www.epa.gov/reg3wapd/stormwater/pdfs/construction.pdf>
- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.

MICHIGAN

Permitting Authority

Michigan is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Michigan must use the USEPA CGP. The Permit Number is MIR1000I.

The Michigan Department of Environmental Quality (MDEQ) is the NPDES stormwater permitting authority. The DEQ currently uses Permit-by-Rule for NPDES authorization. This is a State rule that allows Michigan landowners involved in construction activities to easily obtain the permit coverage required under the NPDES Storm Water Regulations. Coverage under Permit-by-Rule requires that land owners first have coverage under Part 91 Soil Erosion and Sedimentation Control (SESC) Program, Part 615 Supervision of Wells, or Part 631 Reclamation of Mining Lands.

All construction activities that meet the following criteria are subject to Permit-by-Rule requirements: there will be a total earth disturbance of 1 or more acres; the site will have a point source discharge of storm water to waters of the State, either directly or through a separate storm sewer.

An earth disturbance means a man-made change in the natural cover or topography of the land. This may include road widening, complete road surfacing that disturbs the soil, new construction, cut and fill activities, construction on lands previously used for agriculture, and drain construction activities. All construction projects owned or operated by public entities (municipalities, school districts, etc.), with earth disturbances of one acre or more, with a discharge to waters of the State are subject to the same regulations as privately owned developments.

Permit Requirements

Construction activities of 5 acres or more discharging construction stormwater to waters of the State are required to submit a Notice of Coverage (NOC) to obtain coverage under the Permit by Rule. Prior to submitting the NOC, an SESC Permit must be obtained from the appropriate local agency. A copy of the SESC Permit must be submitted with the NOC to the MDEQ before any construction begins at the site. The permittee is deemed to have the required coverage if the NOC is administratively complete.

Construction activities that disturb 1 to 5 acres are not required to submit an NOC. These sites have automatic coverage under Permit-by-Rule if they have obtained coverage under the SESC Program. Although there are no application requirements, the construction site owner must still comply with the requirements of Permit-by-Rule.

Two core requirements to Michigan's Permit-by-Rule: the permittee must be in compliance with the requirements of his or

her SESC Permit; and the permittee must inspect the soil erosion control measures at the site to ensure that they are working correctly.

The inspections required of the permittee must be conducted by a stormwater operator who is trained and certified by the MDEQ. The inspections of the soil erosion control measures must be done once per week and within 24 hours of a precipitation event that results in a stormwater discharge from the site.

An SESC Permit is required for any earth change that disturbs 1 acre or more or is within 500 feet of a lake or stream. The responsibility for enforcing the SESC Program has been delegated to the County Enforcement Agency (CEA). In some cases, this responsibility has been taken over locally by cities or townships, which are known as Municipal Enforcement Agencies (MEAs).

The site is considered to be stabilized when all permanent control structures have been installed, maintenance for the permanent controls has been arranged, vegetation is well established, and temporary controls have been removed. Once the site has been stabilized and the SESC Permit has been terminated, the permittee must submit an NOT to the MDEQ. This terminates coverage under Permit-by-Rule. Coverage under Permit-by-Rule expires after 5 years. However, most SESC Permits expire after 1 year. If the SESC Permit expires or is terminated before the construction site is stabilized, the NOC would also expire. A new SESC Permit and an NOC, must be submitted to obtain appropriate coverage.

Construction General Permit

Michigan's Permit-By-Rule for Construction Activities:
<http://www.deq.state.mi.us/documents/deq-swq-stormwater-nocrules.doc>.

Permit Application Forms and Instruction

- NOC for NPDES Storm Water Discharges from Construction Activity: <http://www.deq.state.mi.us/documents/deq-water-stormwater-NOCform.doc>.
- NOT for NPDES Storm Water Discharges from Construction Activity: <http://www.deq.state.mi.us/documents/deq-swq-notform.doc>.

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- NOC Permit-By-Rule - Construction Activities:
http://www.michigan.gov/documents/deq-swq-stormwater-nocform_4606_7.doc.
- NOT - Construction Activities:
http://www.michigan.gov/documents/deq-swq-stormwater-notform_4604_7.doc.

Michigan Stormwater Regulations

Part 31 Rules - Water Resources Protection:
http://www.michigan.gov/deq/0,1607,7-135-3312_4117-26719--,00.html.

Point of Contact - Michigan

Storm Water Administration - Water Division
Michigan Department of Environmental Quality
P O Box 30438
Lansing, MI 48909-7938
Kelly Hughson
Telephone: 517-335-4137; email HughsonK@michigan.gov

Point of Contact - USEPA

USEPA Region 5, NPDES Programs Branch,
Water Division, WN-16J
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Additional Stormwater Compliance Resources - Michigan

- Permit-By-Rule for Stormwater from Construction Activities:
http://www.deq.state.mi.us/documents/deq-water-npdes-stormwater-Construction_Q&A.doc.
- Michigan's Stormwater Program Overview:
http://www.michigan.gov/deq/0,1607,7-135-3313_3682_3716---,00.html.
- Best Management Practices:
http://www.michigan.gov/deq/1,1607,7-135-3313_3682_3714-13186--,00.html.

Additional Stormwater Compliance Resources - USEPA

- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.

MINNESOTA

Permitting Authority

Minnesota is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For regulated stormwater discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Minnesota must use the USEPA CGP. The Permit Number is MNR10000I.

The Minnesota Pollution Control Agency (MPCA) administers the General Permit to Discharge Storm Water Associated with Construction Activity under the National Pollutant Discharge Elimination System/State Disposal System Permit Program, Permit No. MN R100001.

"Construction activity" includes clearing, grading, and excavation that disturbs land of equal to or greater than 5 acres and includes the disturbance of less than 5 acres of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb 5 acres or more.

"Small construction activity" includes clearing, grading, and excavation that disturbs land of equal to or greater than 1 acre, and includes the disturbance of less than 1 acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than 1 and less than 5 acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

Permit Requirements

The construction site owner/operator must submit an Application for General Storm-water Permit for Construction Activity project for each 1 or more acre of land disturbance activity. The owner and operator of a common plan of development or sale that will ultimately disturb 1 or more acres must submit an application to the MPCA.

An SWPPP must be completed prior to submitting any permit application and prior to conducting any construction activity by any required Permittee. The SWPPP does not need to be submitted to the MPCA but is to be retained by the owner.

For certain projects or common plans of development or sale disturbing 50 acres or more, the application must be submitted at least 30 days before the start of construction activity. This requirement pertains to projects that have a discharge point on the project that is within 2000 feet of, and flows to, a special water listed in Appendix A, Part B of the permit or waters listed as impaired under section 303(d) of the Federal Clean Water Act (see MPCA's web site). Applicants must submit a completed application form and SWPPP including all calculations for the Permanent Storm Water Management System.

Construction sites that discharge near special waters, waters with qualities that warrant extra protection, must use additional BMPs and enhanced runoff controls. Sites that discharge near an impaired waterbody for which there is a TMDL allocation for sediment and parameters associated with sediment transport must meet special conditions. Discharges to calcareous fens, a very rare and unique wetland, may require an individual permit.

Permittee(s) wishing to terminate coverage under this General Permit must submit an NOT to the MPCA within 30 days after final stabilization has been achieved on all portions of the site for which the Permittee is responsible (including the removal of all temporary measures such as silt fences and, if applicable, returning agricultural land to its preconstruction agricultural use).

Construction General Permits

Permit No. MN R100001, General Permit, Authorization to Discharge Storm Water Associated with Construction Activity under the National Pollutant Discharge Elimination System/State Disposal System Permit Program:
<http://www.pca.state.mn.us/publications/wq-strm2-51.pdf>.

Permit Applications Forms and Instructions

- Application for General Storm-water Permit for Construction Activity (MN R100001):
<http://www.pca.state.mn.us/publications/wq-strm2-57.pdf>.

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- National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS)
- Notice of Termination for General Storm-water Permit for Construction Activity (MN R100001):
<http://www.pca.state.mn.us/publications/wq-strm2-60.pdf>.
- NPDES/SDS Stormwater Permit Program for Construction Activity Inspection Checklist:
<http://www.pca.state.mn.us/publications/wq-strm2-75.pdf>.

Minnesota Stormwater Regulations

Minnesota stormwater regulations are found in Minnesota Statutes, Chapters 115 and 116, as amended, and Minn. Rules, Chapter 7001.

Point of Contact - Minnesota

Minnesota Pollution Control Agency
Construction Storm Water Program
520 Lafayette Road North
St. Paul, MN 55155-4194
Shanna Denis
Telephone: 651-297-2274 or 800-657-3864

Point of Contact - USEPA

USEPA Region 5
NPDES Programs Branch,
Water Division, WN-16J,
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Additional Stormwater Compliance Resources

- MPCA, Stormwater Program for Construction Activity web site:
<http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>.
- Overview of Minnesota's NPDES/SDS Construction Storm-water Permit: <http://www.pca.state.mn.us/publications/wq-strm2-05.pdf>.
- Guide to Minnesota's Construction Stormwater Permit for One to Five Acre Construction:
<http://www.pca.state.mn.us/publications/wq-strm2-03.pdf>.

- MPCA Stormwater Best Management Practices Manual:
<http://www.pca.state.mn.us/water/pubs/sw-bmpmanual.html>.

MISSISSIPPI

Permitting Authority

Mississippi is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. Indian Country construction activities in USEPA Region 4 must use the Region 4 Construction General Permit.

The General Permits Branch of the Mississippi Environmental Permits Division (EPD) administers the Small Construction Storm Water General Permit and Large Construction Storm Water General Permit programs.

Small Construction Activity is land-disturbing activities equal to or greater than 1 acre and less than 5 acres of land.

Large Construction Activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than 5 acres of land or will disturb less than 5 acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than 5 acres.

Permit Requirements

To discharge stormwater from small construction projects, an owner or operator must complete a Small Construction Notice of Intent (SCNOI) before construction activity begins. The SCNOI is submitted only to the Mississippi Department of Environmental Quality (MDEQ) and only upon request from MDEQ. Additionally, the owner/operator must develop and implement an SWPPP before construction may begin. The SWPPP must comply with all local stormwater ordinances. The SWPPP is submitted only to the MDEQ and only upon request from MDEQ. However, the SCNOI and SWPPP must be maintained at the permitted site or locally available in case inspector review is necessary.

To discharge stormwater from large construction projects, an owner or operator must submit a Construction Notice of Intent (CNOI) at least 30 days prior to the commencement of construction, or 15 days if the storm water pollution prevention plan has previously been approved. A SWPPP must be developed and submitted (before construction start) to the MDEQ, with a copy retained at the permitted site or locally available.

Construction General Permits

- Small Construction Storm Water General Permit:
[http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_smConstPmt3-11-03/\\$File/Small%20constr%20prmt%203_11_03%20FINAL.pdf?OpenElement](http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_smConstPmt3-11-03/$File/Small%20constr%20prmt%203_11_03%20FINAL.pdf?OpenElement)
- Large Construction Storm Water General Permit:
[http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_ConstructionStormWaterGeneralPermit\(5acresandgreater\)/\\$File/05General.pdf?OpenElement](http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_ConstructionStormWaterGeneralPermit(5acresandgreater)/$File/05General.pdf?OpenElement).

Permit Applications Forms and Instructions

- Small Construction Notice Of Intent:
[http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_smConstPmt3-11-03/\\$File/Small%20constr%20prmt%203_11_03%20FINAL.pdf?OpenElement](http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_smConstPmt3-11-03/$File/Small%20constr%20prmt%203_11_03%20FINAL.pdf?OpenElement).
- Notice of Intent for Large Construction Sites:
[http://deq.state.ms.us/MDEQ.nsf/pdf/epd_ConstructionStormWaternewNOI\(5acresorgreater\)/\\$File/CNOI.pdf?OpenElement](http://deq.state.ms.us/MDEQ.nsf/pdf/epd_ConstructionStormWaternewNOI(5acresorgreater)/$File/CNOI.pdf?OpenElement)

Points of Contact

- Mississippi Department of Environmental Quality
Southport Center
2380 Highway 80 West
Jackson, MS 39204
- Environmental Permits Division
General Permits Branch
Jim Morris, Branch Chief
Telephone: 601-961-5151

Additional Stormwater Compliance Resources

- MDEQ stormwater permit program web site:
http://deq.state.ms.us/MDEQ.nsf/page/epd_epdgeneral?OpenDocument.
- Mississippi SWPPP Guidance Manual For Construction Activities:
[http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_conguidman/\\$File/ConstructionGM.pdf?OpenElement](http://www.deq.state.ms.us/MDEQ.nsf/pdf/epd_conguidman/$File/ConstructionGM.pdf?OpenElement).

MISSOURI

Permitting Authority

Missouri is the NPDES stormwater permitting authority for all regulated stormwater discharges. The Water Pollution Control Branch, Water Protection and Soil Conservation Division of the Missouri Department of Natural Resources administers the construction stormwater permit program. Developers/landowners who are developing land within Missouri must apply for a land disturbance storm water permit. The four types of stormwater permits are listed below.

Permit Requirements

(1) Land Disturbance by a Government Authority with an Approved Erosion Control Plan (permit number MO-R1000). This permit covers land disturbance activities that impact 1 acre or more and that are performed by or under contract to a city, county, or State government agency with a stormwater control program approved by the Missouri Department of Natural Resources.

(2) Land Disturbance within a Governmental Unit with an Approved Erosion Control Plan (permit number MO-R100A). This permit covers land disturbance activities that impact 1 acre or more and that are performed within a city or county with a stormwater control program approved by the department.

(3) Land Disturbance of One Acre or More (permit number MO-R101000). This is a general permit that authorizes discharges from land disturbances that impact 1 acre or more and are not covered under either of the permits described above. This permit requires that an SWPPP be developed before any site vegetation is removed or disturbed and before a permit can be issued. The SWPPP does not need to be submitted with the application unless specifically requested. The SWPPP requires that the permittee use BMPs on site to reduce the amount of sediment and other pollutants in the storm water associated with the land disturbance activities. The permittee must fully implement the provisions of the SWPPP required under this general permit throughout the term of the land disturbance project.

(4) Land Disturbances within Valuable Water Resource Areas (permit number MO-R109000). This permit covers land disturbance activities impacting 1 acre or more that are near valuable water resources. These areas are within 1,000 feet of a lake used primarily as a public water supply, outstanding resource waters

such as cold water trout streams, lakes participating in USEPA's "Clean Lakes Program", at or within 100 feet of major reservoirs or permanent streams (except the Missouri or Mississippi Rivers); and sinkholes, losing streams, or other direct conduits to groundwater. This permit also requires the development of an SWPPP section of this technical bulletin.

Construction General Permits

- Form G - Application for Storm Water Permit (This form must include Form E): <http://www.dnr.state.mo.us/oac/forms/780-1408.pdf>
- Form E - Application for General Permit:
<http://www.dnr.state.mo.us/oac/forms/780-0795.pdf>.

Permit Applications Forms and Instructions

Form H - Request for Termination of a General Permit:
<http://www.dnr.state.mo.us/oac/forms/780-1409.pdf>.

Missouri Stormwater Regulations

Missouri Revised Statutes, Chapter 644, Water Pollution:
<http://www.moga.state.mo.us/STATUTES/C644.HTM>

Point of Contact - Missouri

Missouri Department of Natural Resources
Water Protection Program
P.O. Box 176
Jefferson City, MO 65102-0176
Telephone: 1-800-361-4827 or 573-751-1300 (office)
Web site: <http://www.dnr.mo.gov/wpscd/wpcp/>

Point of Contact - USEPA

USEPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303
Telephone: 404-562-9900

Additional Stormwater Compliance Resources

- Storm Water Permit Requirements for Land Disturbance Activities: <http://www.dnr.state.mo.us/oac/pub2009.pdf>.

- Missouri Department of Natural Resources Environmental Permits and How To Obtain Them:
<http://www.dnr.state.mo.us/oac/pub98.pdf>

MONTANA

Permitting Authority

Montana is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country. For regulated stormwater discharges within Indian Country, USEPA is the NPDES permitting authority. Indian Country construction activities in Montana must use the USEPA CGP. The Permit Number is MTR10000I.

The Montana Department of Environmental Quality (MDEQ) administers the General Permit No. Mtr100000 For Storm Water Discharges Associated With Construction Activity.

Permit Requirements

For a stormwater discharge associated with construction activity with construction-related disturbance under 5 acres of total land area, an NOI package is not required until the Department formally incorporates USEPA Phase II requirements into the Administrative Rules of Montana.

Any person who is the operator of a stormwater discharge associated with construction activity that requires coverage under the General Permit must submit an NOI to the Department.

The operator must develop an SWPPP and submit a copy of the SWPPP to MDEQ at the same time as the NOI form. This operator must implement the SWPPP at the time construction activity commences.

Any SWPPP that is prepared for a construction activity that includes 20 acres or more in total disturbance related to construction activity, must be reviewed and stamped by a professional engineer licensed in the State of Montana.

Where a site has been finally stabilized as defined in the permit, the operator must submit a standard MDEQ NOT form.

Construction General Permits

General Permit No. MTR100000 for Stormwater Discharges from Construction Activity:

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<http://www.deq.state.mt.us/wqinfo/MPDES/swPermits/2002ConstGenPermit/FinalConstPermit02.pdf>

Permit Applications Forms and Instructions

- Notice of Intent:
<http://www.deq.state.mt.us/wqinfo/MPDES/swPermits/09-10-03NOIForm.doc>.
- Notice of Termination:
<http://www.deq.state.mt.us/wqinfo/MPDES/swPermits/2002ConstGenPermit/FinalNOTform.pdf>.
- Storm Water Pollution Prevention Plan Form:
http://www.deq.state.mt.us/wqinfo/MPDES/swPermits/2002ConstGenPermit/08_30_02SWPPPform1.pdf.

Montana Stormwater Regulations

Montana Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction Activity:
<http://deq.state.mt.us/wqinfo/mpdes/stormwaterconstruction.asp>
<http://www.deq.state.mt.us/dir/legal/Chapters/CH30-11.pdf>.

Point of Contact

Montana Department of Environmental Quality
Water Protection Bureau
Storm Water Program
1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901
Telephone: 406-444-2544
Email: lpeterson@state.mt.us

Additional Stormwater Compliance Resources

- Montana Storm Water Information Page:
<http://deq.state.mt.us/wqinfo/mpdes/stormwaterconstruction.asp>
- Montana Water Quality Act:
<http://deq.state.mt.us/wqinfo/MPDES/LawsRules.asp>.
- Montana MPDES Water Permits Procedures - Timeline:
<http://deq.state.mt.us/wqinfo/MPDES/Timeline.asp>.

NEBRASKA

Permitting Authority

Nebraska is the NPDES permitting authority for all regulated stormwater discharges except those within Indian Country.

The existing permit (effective 1 August 1997) has been extended beyond its original expiration date of 31 July 2002 and a pre-public notice draft was available for review by potential stakeholders as of February 2003.

Permit Requirements

Small construction sites that receive coverage under the existing permit need to comply with all the requirements of the permit; there are no allowances for reduced requirements. However, in most instances, the erosion and sediment control practices required on these smaller sites do not need to be as extensive as those on larger sites.

At this time, waiver opportunities for small construction sites are not available in Nebraska, although Federal regulations allow the Director to waive the need for permit coverage. The Department may ultimately promulgate regulations that include these waiver opportunities, but the restrictiveness of the Federal waiver allowances appears to significantly limit their actual application. As of 10 March 2003, in order to discharge stormwater from a construction site, all construction projects that disturb 1 acre or more of land must have either an individual stormwater permit or coverage under one of Nebraska's general permits.

Disturbance includes, but is not limited to, soil disturbance, clearing, grading, and excavation. Operators of sites disturbing less than 1 acre are also required to obtain a permit if their activity is part of a "larger common plan of development or sale" with a planned disturbance of 1 acre or greater.

To apply for an individual permit or for coverage under a statewide general permit, an application must be filed with the Department of Environmental Quality prior to commencement of construction activities.

In addition to these statewide rules, the operator may be required to meet additional local stormwater and erosion control

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regulations. Check with city or county government to determine if additional local rules apply to the construction project.

Construction General Permits

NPDES Permit for Stormwater Discharges from Construction Sites:
[http://www.deq.state.ne.us/Publica.nsf/780613fa1854e3b906256ab60068778a/adel18fddf3a3ac14862568740061d860/\\$FILE/CSW-Pmt.PDF](http://www.deq.state.ne.us/Publica.nsf/780613fa1854e3b906256ab60068778a/adel18fddf3a3ac14862568740061d860/$FILE/CSW-Pmt.PDF).

Permit Applications Forms and Instructions

- Stormwater Discharge Application Forms are included in the Appendices of the General Permit.
- Phase II information:
<http://www.deq.state.ne.us/Publica.nsf/a9f87abbcc29fa1f8625687700625436/239d5c43d55265b705256c32006071da?OpenDocument>.

Points of Contact

- Nebraska Department of Environmental Quality
1200 "N" Street, Suite 400
PO Box 98922
Lincoln, NE 68509
Telephone: 402-471-2186
FAX: 402-471-2909
Email: MoreInfo@NDEQ.state.NE.US
- Department of Environmental Quality Main Office and Field Office Sites:
[http://www.deq.state.ne.us/Gen.nsf/23e5e39594c064ee852564ae004fa010/25b376a26b29841d86256a6f0078f52c/\\$FILE/FieldOffices-09-2003.pdf](http://www.deq.state.ne.us/Gen.nsf/23e5e39594c064ee852564ae004fa010/25b376a26b29841d86256a6f0078f52c/$FILE/FieldOffices-09-2003.pdf).

Additional Stormwater Compliance Resources

- Administrative Extension NPDES General Permit for Storm Water Discharges from Construction Sites:
- [http://www.deq.state.ne.us/Publica.nsf/780613fa1854e3b906256ab60068778a/adel18fddf3a3ac14862568740061d860/\\$FILE/CSW-Pmt.PDF](http://www.deq.state.ne.us/Publica.nsf/780613fa1854e3b906256ab60068778a/adel18fddf3a3ac14862568740061d860/$FILE/CSW-Pmt.PDF)
- NPDES Construction Site Storm Water Program: Update Report:
- <http://www.deq.state.ne.us/Publica.nsf/a9f87abbcc29fa1f8625687700625436/239d5c43d55265b705256c32006071da?OpenDocument>

NEVADA

Permitting Authority

Nevada is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country.

Permit Requirements

As of 10 March 2003, in order to discharge stormwater from a construction site, all construction projects that disturb 1 acre or more of land must have either an individual stormwater permit or coverage under one of Nevada's general permits.

Disturbance includes, but is not limited to, soil disturbance, clearing, grading, and excavation. Operators of sites disturbing less than 1 acre are also required to obtain a permit if their activity is part of a "larger common plan of development or sale" with a planned disturbance of 1 acre or greater.

To apply for an individual permit or for coverage under a statewide general permit, operators must file an application with the Environmental Protection Division, Department of Conservation and Natural Resources prior to commencement of construction activities.

In addition to these statewide rules, operators may be required to meet additional local stormwater and erosion control regulations. Check with city or county government to determine if additional local rules apply to the construction project.

The conditions set in Nevada's permit language are the minimum requirements to maintain and implement an effective stormwater program within the confines of USEPA-published rules for use in stormwater permits. The permit is based on BMPs such as diversion, detention, erosion control, sediment traps, gravel construction entrances, covered storage, spill response, and good housekeeping that the site operator selects subject to Division approval.

Construction General Permits

General Stormwater Permit for Large and Small Construction Sites (NVR100000): <http://ndep.nv.gov/bwpc/conperm02.pdf>.

Permit Applications Forms and Instructions

Stormwater Discharge Application Forms (NOI and NOT):
http://ndep.nv.gov/bwpc/storm_cont03.htm.

Points of Contact

- Nevada Department of Environment Protection
Bureau of Water Pollution Control
333 West Nye Lane, Suite 138
Carson City, NV 89706-0851
Telephone: 775-687-9444
Fax: 775-687-5856
Email: tporta@ndep.state.nv.us
- Notices of Intent (applications for permit coverage), Notices of Termination, fees, and other correspondence should be mailed to:
Stormwater Coordinator
Bureau of Water Pollution Control
Nevada Division of Environmental Protection
333 W. Nye Lane
Carson City, NV 89706

Additional Stormwater Compliance Resources

- Erosivity Waiver Determination Calculator (Excel spreadsheet):
<http://ndep.nv.gov/bwpc/waver02.xls>
- SWPPP Template: <http://ndep.nv.gov/bwpc/tempalte%20swppp.doc>.
- Washoe County BMP Manual:
http://www.cityofreno.com/pub_works/stormwater/news/pdfs/TruckeeMeadowsBMP.pdf.

New Hampshire

Permitting Authority

New Hampshire does not have NPDES stormwater permitting authority from the Federal Government. The stormwater permitting authority for construction activities is the USEPA. To discharge storm water from large and small construction activities, the construction operator must apply for coverage under the Federal NPDES General Permit for Storm Water Discharges from Construction Activities (also known as the

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Construction General Permit, or CGP). The State of New Hampshire Permit Number is NHR100000.

The CGP covers any site 1 acre and above, including smaller sites that are part of a larger common plan of development or sale.

Permit Requirements

A construction owner/operator must submit an NOI form to USEPA at least 7 days before start of construction.

Operators of regulated construction sites are required to develop and implement SWPPPs as a condition of the CGP.

In addition to USEPA's CGP, the New Hampshire Department of Environmental Services (DES) regulates construction activities through the Alteration of Terrain (Site Specific) permit. The Alteration of Terrain (Site Specific) permit applies to construction, earth moving, or other significant alteration of the characteristics of the terrain when a contiguous area of 100,000 square feet (or 50,000 square feet if within the Protected Shoreline) will be disturbed.

Although the Alteration of Terrain (Site Specific) permit and USEPA's CGP differ in coverage based on the size and location of the project, there is considerable overlap between the plans needed to be developed for the two permits. A good plan can satisfy all of the requirements. Other local building and erosion and sediment control permits may be required.

An NOT form to end permit coverage under the CGP can be submitted provided the owner/operator has achieved final stabilization (e.g., 70 percent revegetation) for the construction site.

Construction General Permits

Construction General Permit:
http://www.epa.gov/npdes/pubs/cgp_appendixe.pdf.

Permit Applications Forms and Instructions

- Federal Construction General Permit Notice of Intent:
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.
- Federal Construction General Permit Notice of Termination:
http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf.

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- Federal Construction General Permit Fact Sheet:
http://www.epa.gov/npdes/pubs/cgp2003_fs.pdf.

Point of Contact - New Hampshire

- New Hampshire Construction Permit Contacts:
<http://www.des.state.nh.us/stormwater/resources.htm>.

Point of Contact - USEPA

- USEPA Region 1 Administration of the NPDES Storm Water Permit Program in New England:
<http://www.epa.gov/region1/npdes/stormwater/administration.html>

Additional Stormwater Compliance Resources - New Hampshire

- Environmental Fact Sheet WD-WEB-8 Federal Storm Water Permits:
<http://www.des.state.nh.us/factsheets/wwt/web-8.htm>.
- Alteration of Terrain Permits (Site Specific) Factsheet:
<http://www.des.state.nh.us/factsheets/wqe/wqe-3.htm>.
- Additional Stormwater Permit Information for Construction Activities:
<http://www.des.state.nh.us/StormWater/construction.htm>.
- Information on Phases I and II for New Hampshire:
<http://www.des.state.nh.us/StormWater>.
- Guidelines for the Preparation of Site Specific Applications:
<http://www.des.state.nh.us/sitespecific/ssGuide.pdf>.

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 1 Stormwater Information:
<http://www.epa.gov/region1/topics/water/stormwater.html>.
- USEPA Region 1, Storm Water Permit Basics for New Hampshire:
<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/NH%20Digging%20Final.pdf>.

NEW JERSEY

Permitting Authority

New Jersey is the NPDES stormwater permitting authority for all regulated stormwater discharges.

The New Jersey Department of Environmental Protection (DEP), Bureau of Nonpoint Pollution Control (Bureau) and the New Jersey Department of Agriculture and the State Soil Conservation Committee through the 16 local Soil Conservation Districts (SCD) administer the NJ Pollutant Discharge Elimination System (NJPDES) rules, including a Construction Activity Stormwater General Permit (NJ0088323).

Permit Requirements

A Request for Authorization (RFA) must be filed with the SCD at least 30 days prior to land disturbance. It is recommended that the RFA be filed with the SCD at the same time the Soil Erosion and Sediment Control Plan certification application is filed.

The Soil Erosion and Sediment Control Act of 1975 as amended (N.J.S.A. 4:24-39 et seq.) requires that virtually all nonagricultural land disturbance activities disturbing more than 5,000 square feet of surface area be performed in accordance with a plan for soil erosion and sediment control that meets SSCC standards as certified by the SCD.

The Stormwater Pollution Prevention plan must be certified by the local SCD as meeting Standards for Soil Erosion and Sediment Control. Discharge forms can be obtained through the local soil conservation districts.

Construction that will ultimately result in the disturbance of 1 or more acres of land, or increase impervious surfaces by one-quarter acre (or 10,890 square feet) or more, must meet the requirements of the Stormwater Management Rules in order to receive local approval or a permit from the Department of Environmental Protection for the new development.

Construction General Permits

Stormwater General Permits:

http://www.state.nj.us/dep/dwq/pdf/5g3_finalpermit.pdf.

Permit Applications Forms and Instructions

- Request for Authorization:
http://www.state.nj.us/dep/dwq/pdf/rfa_1storm.pdf.
- Request for Revocation:
<http://www.state.nj.us/dep/dwq/pdf/stormgprevoke.pdf>.
- SPPP Certification:
http://www.state.nj.us/dep/dwq/pdf/attach_c.pdf.
- NJPDES Forms and Checklists:
<http://www.state.nj.us/dep/dwq/forms.htm#stormforms>.

Points of Contact

Bureau of Nonpoint Pollution Control
Brian McLendon
Telephone: 609-633-7021
Internet address:
http://www.state.nj.us/dep/dwq/gp_stormwater.htm#mining

Additional Stormwater Compliance Resources

- Erosion & Sediment Control Act:
<http://www.state.nj.us/agriculture/rural/soilact75.htm>.
- Natural Resource Conservation Information:
<http://www.state.nj.us/agriculture/rural/natrsrc.htm>.
- NJ Phase II Storm Water Program Fact Sheet:
<http://www.state.nj.us/dep/dwq/pdf/phase2.pdf>.
- Self Screening Form for CGP:
http://www.state.nj.us/dep/dwq/pdf/5g3_selfscreeningform.pdf.
- Permit Information Summary:
http://www.state.nj.us/dep/dwq/pdf/5g3_pis_sheet.pdf.
- Soil Conservation Districts in New Jersey:
<http://www.state.nj.us/agriculture/rural/natrsrc.htm#local>.
- Stormwater Management Rules Frequently Asked Questions:
<http://www.state.nj.us/dep/watershedmgt/stormwaterfaqs.htm#gen4>.

NEW MEXICO

Permitting Authority

The stormwater permitting authority for construction activities is the USEPA. To discharge storm water from large and small construction activities, the construction owner/operator must apply for coverage under the Federal NPDES General Permit for Storm Water Discharges from Construction Activities (also known as the Construction General Permit, or CGP). For the State of New Mexico, except Indian Country, the Permit Number is NMR150000. For Indian Country within the State of New Mexico, the Permit Number is NMR15000I. (Navajo Reservation Lands are covered under Arizona permit AZR10000I and Ute Mountain Reservation Lands are covered under Colorado permit COR10000I.)

New Mexico is working toward having a completed program authorization package by the end of 2006. It is proposing statute changes that are necessary for program authorization during the 2005 legislative session and implementation regulations developed by the end of 2005. Permitting authority over tribal lands will remain with the USEPA.

Permit Requirements

A construction owner/operator must submit an NOI form to USEPA at least 7 days before start of construction.

Operators of regulated construction sites are required to develop and implement SWPPPs as a condition of the CGP.

An NOT form to end permit coverage under the CGP can be submitted provided the owner/operator has achieved final stabilization (e.g., 70 percent revegetation) for the construction site.

Construction General Permits

Construction General Permit:
http://www.epa.gov/npdes/pubs/cgp2003_entirepermit.pdf.

Permit Applications Forms and Instructions

- Construction General Permit Fact Sheet:
http://www.epa.gov/npdes/pubs/cgp2003_fs.pdf.
- Notice of Intent:
<http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.

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- Notice of Termination:
http://www.epa.gov/npdes/pubs/cgp_appendixf.pdf.
- USEPA web site for Applying for Coverage under the Construction General Permit (CGP):
http://cfpub.epa.gov/npdes/stormwater/application_coverage.cfm

Points of Contact - New Mexico

- New Mexico Environment Department
PO Box 26110 - 1190
St. Francis Drive N4050
Santa Fe, NM 87502-0110
- Surface Water Quality Bureau
Richard Powell, Geoscientist, Team Leader
Telephone: 505- 827-2798
Email: richard_powell@nmenv.state.nm.us

Point of Contact - USEPA

USEPA Region 6
Water Quality Protection Division
Regional Storm Water Coordinator
Everett Spencer
Telephone: 214-665-8060
Email: spencer.everett@epa.gov

Additional Stormwater Compliance Resources - New Mexico

Santa Fe Municipal Stormwater Ordinance:
http://www.nmenv.state.nm.us/swqb/Santa_Fe_Municipal_Stormwater_Ordinance-2002-20.pdf.

Additional Stormwater Compliance Resources - USEPA

- USEPA NOI Information Center:
<http://cfpub.epa.gov/npdes/stormwater/noicontact.cfm>.
- Storm Water Pollution Prevention Plans for Construction Activities: <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>.
- USEPA Region 6 NPDES Storm Water Program, Storm Water Discharges Associated with Construction Activities:
<http://www.epa.gov/earthlr6/6wq/npdes/sw/construction/index.htm>.

NEW YORK

Permitting Authority

New York is the NPDES stormwater permitting authority for all regulated stormwater discharges except those within Indian Country.

Permit Requirements

As of 10 March 2003, in order to discharge storm water from a construction site, all construction projects that disturb 1 acre or more of land must have either an individual stormwater permit or coverage under one of New York's general permits.

Disturbance includes, but is not limited to, soil disturbance, clearing, grading, and excavation. Operators of sites disturbing less than 1 acre are also required to obtain a permit if their activity is part of a "larger common plan of development or sale" with a planned disturbance of 1 acre or greater.

To apply for an individual permit or for coverage under a statewide general permit, the operator must file an application with the Department of Environmental Conservation prior to commencement of construction activities.

In addition to these statewide rules, operators may be required to meet additional local stormwater and erosion control regulations. Check with city or county government to determine if additional local rules apply to the construction project.

USEPA recommends that procedures for site plan review include the review of individual pre-construction site plans to ensure consistency with local (ESC) requirements. Procedures for site inspections and enforcement of control measures could include steps to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and receiving water quality. It is encouraged that appropriate educational and training measures be given to construction site operators. New York has additional permit conditions.

Construction General Permits

General Stormwater Permit for Construction Sites (Phases I and II) (GP-02-01, 1/8/03):
http://www.dec.state.ny.us/website/dow/gen_constr.pdf.

Permit Applications Forms and Instructions

- Notice of Intent:
<http://www.dec.state.ny.us/website/dow/toolbox/constrnoi.pdf>.
- Draft Notice of Intent which may be finalized:
http://www.dec.state.ny.us/website/dow/toolbox/constrnoi_draft.pdf.
- Notice of Termination:
<http://www.dec.state.ny.us/website/dow/toolbox/IndusNOIT.pdf>.
- Frequently Asked Questions - Phases I and II:
<http://www.dec.state.ny.us/website/dow/qphase2.htm>.

Points of Contact

Regional Environmental Permit Offices
Internet Address:
<http://www.dec.state.ny.us/website/dcs/regions/index.html>

Additional Stormwater Compliance Resources

- Frequently Asked Questions - Permit Requirements Discharges from Construction Activity:
<http://www.dec.state.ny.us/website/dow/toolbox/constrfaq.pdf>.
- Future Storm Water Requirements (includes Phase II information):
<http://www.dec.state.ny.us/website/dow/futurreg.htm>.
- Stormwater Construction Permit Instruction Manual:
http://www.dec.state.ny.us/website/dow/toolbox/instr_man.pdf.
- Phase II information:
<http://www.dec.state.ny.us/website/dow/futurreg.htm>
- Stormwater Program Guidance Documents for Construction:
<http://www.dec.state.ny.us/website/dow/toolbox/swguid.html>.
- Construction Site Storm Water Runoff Control:
http://cfpub.epa.gov/npdes/stormwater/menuofbmps/con_site.cfm.

NORTH CAROLINA

Permitting Authority

North Carolina is the NPDES permitting authority for all regulated stormwater discharges except those within Indian Country.

As of 10 March 2003, this permit will be applicable to point source discharges of storm water from construction activities disturbing 1 or more acres of land.

Permit Requirements

The submission of a proposed Erosion and Sedimentation Control Plan to the Division of Land Resources or delegated local program is considered to take the place of an NOI for coverage under this General Permit for those projects requiring this Permit coverage. Coverage under this General Permit shall become effective upon issuance of an approval for the Erosion and Sedimentation Control Plan by the Land Quality Section of the Division of Land Resources or delegated local program.

Construction General Permits

General Stormwater Permit (NCG010000, 10/1/01):
http://h2o.enr.state.nc.us/su/PDF_Files/SW_General_Permits/NCG010000.pdf.

Permit Application Forms and Instructions

- Storm Water Management Permit Application Form:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU101_State_Stormwater_Mngt_Application.pdf.
- Stormwater Inspections For General Permit NCG010000 - Land Disturbing Activities:
http://h2o.enr.state.nc.us/su/PDF_Files/SW_General_Permits/NCG0101_Inspect_log.pdf.
- Wet Detention Basin Supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU102_Wet_Pond_Supplement.pdf.
- Infiltration Basin Supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU103_Infiltration_Basin_Supplement.pdf.

- Curb Outlet System Supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU105_Curb_Outlet_Supplement.pdf.
- Underground Infiltration Trench Supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU107_Infiltration_Trench_Supplement.pdf
- NCDOT Linear Road supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU112_NCDOT_Linear_Road_Supplement.pdf.
- Off-Site System Supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU106_Off_Site_Supplement.pdf.
- Low Density Supplement:
http://h2o.enr.state.nc.us/su/PDF_Files/State_SW_program_forms/SWU104_Low_Density_Supplement.pdf.

Points of Contact

- Permit Coordination Offices
DENR Mooresville Regional Office
919 North Main Street
Mooresville, North Carolina 28115
Telephone: 704-799-2987
- DENR Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, North Carolina 28405
Telephone: 910-790-2317
- DENR Customer Service Center: 1-877-623-6748

Additional Stormwater Compliance Resources

- North Carolina Department of Environment and Natural Resources
List of Storm Water BMP and Site Planning Manuals:
http://h2o.enr.state.nc.us/su/Manuals_Factsheets.htm.
- Phase II information:
http://h2o.enr.state.nc.us/su/NPDES_Phase_II_Stormwater_Program.htm.

- Phase II flowchart:
http://h2o.enr.state.nc.us/su/PDF_Files/PhaseII_Docs/PII_Application_Flowchart.PDF.
- Erosion & Sediment Control for North Carolina:
<http://www.dlr.enr.state.nc.us/eros.html>
- Erosion And Sedimentation Control Plan Checklist:
<http://www.dlr.enr.state.nc.us/forms/e&scchecklist.doc>.
- Sedimentation Pollution Control Act of 1973:
<http://www.dlr.enr.state.nc.us/erospca.html>.

NORTH DAKOTA

Permitting Authority

North Dakota is the NPDES permitting authority for all regulated stormwater discharges except those within Indian Country. For regulated stormwater discharges on Tribal Lands, USEPA Region 8 is the NPDES permitting authority. Indian Country construction activities within the State of North Dakota, as well as that portion of the Standing Rock Reservation located in South Dakota (except for the portion of the lands within the former boundaries of the Lake Traverse Reservation) must apply for coverage under the USEPA Construction General Permit for North Dakota. The Permit Number is NDR10000I.

This permit applies to all new and existing discharges of storm water from construction activity involving land disturbance of equal to or greater than 1 acre. This includes the disturbance of less than 1 acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than 1 acre.

Permit Requirements

A construction site owner/operator must submit an NOI form to the North Dakota Department of Health (NDDH) to obtain coverage for stormwater discharges from all of their small construction sites. The NOI for small construction activity must be submitted to the Department prior to the start of construction.

For small construction activities, an SWPPP must be developed and implemented, but not submitted to the Department unless requested.

The operator of large construction activity must submit an NOI and SWPPP 30 days before construction starts to obtain coverage for stormwater discharges for each construction project. Large construction activity involves land disturbance of equal to or greater than 5 acres and also includes the disturbance of less than 1 acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than 5 acres.

The NOT can be used by large construction activities to notify the Department that a site has been stabilized to 70 percent of pre-existing conditions. However, small construction activities must submit the NOT when all activity is completed.

Construction General Permits

North Dakota Pollutant Discharge Elimination System Permit for Construction: NDR03-0000:
http://www.health.state.nd.us/wq/Storm/Construction/NDR03_2003Permit.pdf.

Permit Applications Forms and Instructions

- Notice of Intent:
http://www.health.state.nd.us/wq/Storm/Construction/sf-19145_NOI.pdf.
- Notice of Termination:
http://www.health.state.nd.us/wq/Storm/Construction/sf-19146_NOT.pdf.

Points of Contact

- North Dakota Department of Health
Division of Water Quality
1200 Missouri Avenue
Bismarck, ND 58506
Internet address:
<http://www.health.state.nd.us/wq/Storm/Construction/ConstructionHome.htm>
- Storm Water Program Coordinator:
Randy Kowalski
E-mail: kowalsk@state.nd.us
Telephone: 701-328-5244
Fax: 701-328-5200

Additional Stormwater Compliance Resources - North Dakota

- Construction SWPPP Plan Forms:
<http://www.health.state.nd.us/wq/Storm/Construction/ConstructionSWPPP.pdf>.
- Fact Sheet for Storm Water Discharges from Construction Activity:
http://www.health.state.nd.us/wq/Storm/Construction/NDR03_FactSheet2003.pdf

Additional Stormwater Compliance Resources - USEPA

- USEPA Region 8, Storm Water Requirements for Construction Activities:
<http://www.epa.gov/Region8/water/stormwater/construction.html>.

OHIO

Permitting Authority

Ohio is the NPDES Permitting Authority for all regulated stormwater discharges.

Permit Requirements

The 21 April 2003 renewal of the CGP OHC000002 requires a Storm Water Pollution Prevention Plan (SWP3) be completed prior to the submittal of an NOI application to obtain coverage under the CGP. The NOI application must be submitted at least 21 days prior to the initiation of construction activities.

Although the SWP3 does not need to be submitted to Ohio EPA to obtain coverage under the CGP, it must be retained at the construction site at all times during the construction activity. However, the local governing authority (i.e., county, city, village, or township) may require approval of an SWP3 or a sediment and erosion control plan prior to initiation of construction activities.

The CGP renewal contains some new clarifying language and some new requirements including NOI submittal timeframe, new SWP3 requirements including sediment and erosion control standards, new structural post-construction BMP design standards, new inspection and maintenance requirements, new NOT requirements, and a new definition of operator.

Construction General Permits

Authorization for Storm Water Discharges Associated with
Construction Activity:

<http://www.cicacenter.org/pdf/ohpermit.pdf>

Permit Applications Forms and Instructions

- CGP Notice of Intent:
http://www.epa.state.oh.us/dsw/documents/NOI_app.pdf.
- Individual Lot Notice of Intent Form:
http://www.epa.state.oh.us/dsw/storm/ILOT_instructions.html
- NOI Instructions: <http://www.cicacenter.org/pdf/ohnoii.pdf>
- Notice of Termination Instructions:
http://www.epa.state.oh.us/dsw/documents/NOT_instructions.html

Points of Contact

- Ohio EPA
Division of Surface Water
122 S. Front St.
Columbus, OH 43215
- Mike Joseph
Storm Water Section
Telephone: 614-752-0782
Email: michael.joseph@epa.state.oh.us
Internet address:
http://www.epa.state.oh.us/dsw/storm/contacts_storm.html.

Additional Stormwater Compliance Resources

- Stormwater Program Information:
<http://www.epa.state.oh.us/dsw/storm/index.html>.
- Storm Water Program Phase II Fact Sheet:
http://www.epa.state.oh.us/dsw/storm/phase2_fs.html.
- Phase I Fact Sheet:
<http://www.epa.state.oh.us/dsw/storm/storfact.html>.
- Storm Water Pollution Prevention Plan Checklist for
Construction Sites:
http://www.epa.state.oh.us/dsw/storm/const_SWP3_check.html

- Stormwater Program Fact Sheet:
<http://www.epa.state.oh.us/dsw/storm/phase2factsheet.pdf>
- Construction Site Inspection Checklist:
http://www.epa.state.oh.us/dsw/storm/CGP_Ins1.pdf

OKLAHOMA

Permitting Authority

Oklahoma is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country and specific discharges. Oklahoma in its regulation OAC 252:605 1-5(b)(3) adopted the Federal requirements for the NPDES Permit. The Oklahoma Department of Environmental Quality (ODEQ) administers the stormwater permitting program.

Permit Requirements

In order for stormwater discharges from construction activities to be authorized under this general permit, a construction site operator must develop an SWPPP and submit an NOI to ODEQ. The SWP3 must be implemented upon commencement of construction activities.

Unless the project is located within an aquatic resource of concern and the construction site owner/operator has not certified option (c) or (d) of the general permit, the SWP3 does not need to be submitted with the NOI.

All permittees must submit an NOT within 30 days after final stabilization has been achieved on all portions of the site for which the permittee is responsible (including, if applicable, returning agricultural land to its pre-construction agricultural use).

Construction General Permits

General Permit OKR10 for Storm Water Discharges from Construction Activities within the State of Oklahoma:
http://www.deq.state.ok.us/WQDnew/stormwater/construction/okr10_final_permit_13_sep_2002.pdf.

Permit Applications Forms and Instructions

- Notice of Intent:
http://www.deq.state.ok.us/WQDnew/stormwater/construction/okr10_notice_of_intent_13_sep_2002.pdf.

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- Notice of Termination:
<http://www.deq.state.ok.us/WQDnew/stormwater/swnot.pdf>.

Oklahoma Stormwater Regulations

ODEQ regulations website:
<http://www.deq.state.ok.us/mainlinks/deqrules.htm>.

Points of Contact

- Oklahoma Department of Environmental Quality
Water Quality Division
Storm Water Program
P.O. Box 1677
Oklahoma City, OK 73101-1677
Telephone: 405-702-8101
- Environmental Complaints & Local Services
Robert Huber
Telephone: 405-702-6100
Email: Robert.Huber@deq.state.ok.us

Additional Stormwater Compliance Resources

- Oklahoma Department of Environmental Quality, Water Quality Division, Stormwater Program website:
<http://www.deq.state.ok.us/WQDnew/stormwater/index.html>.
- Developing Storm Water Pollution Prevention Plans and Best Management Practices - Summary Guidance:
<http://www.epa.gov/npdes/pubs/owm0307.pdf>.

OREGON

Permitting Authority

Oregon is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country.

Permit Requirements

A Land Use Compatibility Statement (LUCS) is required for nearly all Department of Environmental Quality (DEQ) permits, some general permits, and certain approvals of plans or related activities that affect land use. Oregon law requires state agency activities that impact land use be consistent with local comprehensive plans.

To obtain an NPDES Permit, the applicant must contact the appropriate DEQ regional office and complete an application. The application must include location of the site, description of the site activities, site evaluation for discharges other than storm water, site drainage map, and a Land Use Compatibility Statement signed by the local land use authority.

Construction projects must have a DEQ-approved Erosion and Sediment Control Plan prior to beginning any on-site activities.

Several municipalities are issuing the construction permits for DEQ. The processing time and application procedure for these agencies may differ. Generally, the processing time is shorter and the application is part of the process required to obtain a building permit.

The NPDES Storm Water Discharge General Permit #1200-C for construction activities does not authorize the excavation or fill in state waterways, including wetlands, or in any way replace the requirement for receiving authorization to do this type of work under Section 404 of the Clean Water Act.

The permit applicant may be the property owner, the consulting engineer, or the development contractor, provided the applicant is responsible for assuring that erosion and sediment control measures are implemented and maintained at the site. If permit conditions are violated, the DEQ will take enforcement action against the applicant.

Construction General Permits

- General Stormwater Permit for Large Construction Sites (Phase I) (1200-C):
<http://www.deq.state.or.us/wq/wqpermit/Gen1200C.pdf>.
- General Stormwater Permit for Construction Activities by Governmental Agencies:
<http://www.deq.state.or.us/wq/wqpermit/Gen1200CA.pdf>.

Permit Applications Forms and Instructions

- NPDES Storm Water Regulations and Forms for Construction Projects:
<http://www.deq.state.or.us/wq/wqpermit/Gen1200CGuidance.pdf>.
- Land Use Compatibility Statement (LUCS):
<http://www.deq.state.or.us/pubs/permithandbook/generallucs.pdf>

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Points of Contact

Oregon Department of Environmental Quality Headquarters
811 SW Sixth Avenue
Portland, Oregon 97204-1390
Telephone: 503- 229-5696
Toll Free in Oregon: 800-452-4011

Internet address:
<http://www.deq.state.or.us/about/locations.htm>

Additional Stormwater Compliance Resources

- List of Cities and Counties Acting as DEQ Agent (2001):
<http://www.deq.state.or.us/wq/wqpermit/Gen1200cAgents.pdf>.
- NPDES Storm Water Permit Application Forms and Fees:
<http://www.deq.state.or.us/wq/wqpermit/stormwaterfeestable.htm>

PENNSYLVANIA

Permitting Authority

Pennsylvania is the NPDES Permitting Authority for all regulated stormwater discharges. The Pennsylvania Department of Environmental Protection (DEP) administers the stormwater permitting program.

Permit Requirements

A construction site owner/operator proposing stormwater discharges associated with construction activities must file an application at the earliest possible date but no later than 30 days prior to the proposed commencement of construction for general permits, and no later than 120 days for individual permits.

For purposes of this permit, the Erosion and Sediment Control Plan must contain BMPs designed to minimize point source discharges to surface waters, preserve the integrity of stream channels, and protect the physical, biological, and chemical qualities of the receiving water. An E&S Control Plan must be submitted to the Department or authorized County Conservation District along with the completed application.

If there is the potential for causing accidental pollution of air, land, or water, or for causing endangerment of public health and safety through accidental release of toxic,

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hazardous, or other polluting materials, the applicant must develop a Preparedness, Prevention and Contingency (PPC) Plan.

Construction General Permits

General Stormwater Permit for Large and Small Construction Sites: <http://www.cicacenter.org/pdf/papermit.pdf>.

Permit Applications Forms and Instructions

- Notice of Intent Form (3930-PM-WM0035, Rev. 12/2002):
http://www.dep.state.pa.us/dep/subject/advcoun/oil_gas/2003/3930_PM_WM0035_notice_intent.pdf
- Instructions:
http://www.dep.state.pa.us/eps/docs/cab200149b1126000/flldr200149c53020bb/flldr200149c53170c1/flldr20025pc3240055/flldr2002b8e4706002/flldr2002b8f131401a/doc2002b9b391501f/01_3930-PM-WM0035_Instructions_2.pdf.
- Supplement 1: PA Natural Diversity Inventory Search Form:
http://www.dep.state.pa.us/eps/docs/cab200149b1126000/flldr200149c53020bb/flldr200149c53170c1/flldr20025pc3240055/flldr2002b8e4706002/flldr2002b8f131401a/doc2002bcf3611001/07_PNDI_3930-PM-WM0041.pdf.
- Notice of Termination:
<http://www.dep.state.pa.us/eps/default.asp?P=flldr200149c53020bb%5Cflldr200149c53170c1%5Cflldr200149c58420e3%5Cflldr20025r75733053>.
- Application Checklist for Stormwater Permit Application:
http://www.dep.state.pa.us/eps/docs/cab200149b1126000/flldr200149c53020bb/flldr200149c53170c1/flldr20025pc3240055/flldr2002b8e4706002/flldr2002b8f131401a/doc2002b9b365401d/03_3930-PM-WM0035_Checklist.pdf.

Point of Contact

Department of Environmental Protection
Bureau of Watershed Management
Division of Waterways, Wetlands and Erosion Control
P.O. Box 8775
Harrisburg, PA 17105-8775
Telephone: 717-787-6827

Additional Stormwater Compliance Resources

- Pennsylvania Handbook of Best Management Practices for Developing Areas:
<http://www.dep.state.pa.us/dep/deputate/watermgt/WC/subjects/StormwaterManagement/JustReleased.htm>.
- Pennsylvania DEP Storm Water Permits For Construction Activities - NPDES:
http://www.dep.state.pa.us/dep/deputate/enved/EnviroEd/Can_Do/construc.htm.
- Approved Stormwater Management Plans:
http://www.dep.state.pa.us/dep/deputate/watermgt/Wc/Subjects/StormwaterManagement/Approved_1.html.
- Index of Designated Stormwater Management Watersheds:
<http://www.dep.state.pa.us/dep/deputate/watermgt/Wc/Subjects/StormwaterManagement/IndexDesignatedWatersheds.PDF>.
- Pennsylvania Storm Water Management Program:
<http://www.dep.state.pa.us/dep/deputate/watermgt/Wc/Subjects/StormwaterManagement/SWMPROG2.PDF>.
- Pennsylvania Storm Water Management Act:
<http://www.dep.state.pa.us/dep/deputate/watermgt/Wc/Subjects/StormwaterManagement/StormwaterMgmtAct.pdf>.
- Notice of Revised NPDES General Permit Pag-2 For Discharges of Storm Water Associated With Construction Activities:
http://www.dep.state.pa.us/dep/deputate/watermgt/Wc/Subjects/WEC/pag2_annc.htm.
- Storm Water Regulations:
<http://www.pacode.com/secure/data/025/chapter102/chap102toc.html>

RHODE ISLAND

Permitting Authority

Rhode Island is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country. The Rhode Island Department of Environmental Management (RIDEM) administers the General Permit Rhode Island Pollutant Discharge Elimination System (RIPDES) Storm Water Discharge Associated with Construction Activity program.

Permit Requirements

There are three situations in which a construction owner/operator may need to submit an NOI or both an NOI and an SWPPP to the RIDEM RIPDES program to obtain General Permit coverage. A copy of the SWPPP must be kept on-site for all construction sites at all times.

An NOI only must be submitted to RIPDES for (1) construction activities that disturb an area equal to or greater than 5 acres which receive a Coastal Resource Management Council (CRMC) permit or a Qualifying Local Program (QLP) approval, and an RIDEM Water Quality Certification (if applicable) and (2) construction activities that disturb an area equal to or greater than 1 acre but less than 5 acres that do not require a CRMC permit, QLP approval, RIDEM Water Quality Certification, or a RIDEM or Freshwater Wetlands permit.

Both an SWPPP and an NOI must be submitted to the Department for construction activities that disturb an area equal to or greater than 5 acres that do not require a CRMC permit, QLP approval, or a RIDEM Water Quality Certification.

In instances where only an NOI is required to be submitted to RIPDES, the NOI must contain a signed certification by a Registered Professional Engineer, a Soil and Water Conservation Society Certified Professional Soil Erosion and Sediment Control Specialist, or Registered Landscape Architect certifying that the SWPPP has been developed in accordance to requirements of the permit.

Construction General Permits

General Permit RIPDEM Storm Water Discharge Associated with Construction Activity:
<http://www.state.ri.us/dem/pubs/regs/REGS/WATER/ripdesca.pdf>.

Permit Applications Forms and Instructions

- Notice of Intent:
<http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/pdfs/swconweb.pdf>.
- Notice of Termination:
<http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/pdfs/stconnot.pdf>.

Rhode Island Stormwater Regulations

Regulations for the RIPDES:

<http://www.state.ri.us/DEM/pubs/regs/REGS/WATER/RIPDES03.pdf>.

Points of Contact

Greg Goblick

Email: ggoblick@dem.state.ri.us

Telephone: 401-222-4700 ext. 7265

Internet address:

<http://www.state.ri.us/DEM/programs/benviron/water/permits/ripdes/index.htm>.

Additional Stormwater Compliance Resources

- RIPDES Storm Water Presentations:
<http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/stwater/t5pres/present.htm>.
- Phase II information:
<http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/stwater/t6faq/faq.htm>
- Overview: Rhode Island NPDES Storm Water Discharge Associated With Construction Activity:
<http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/stwater/pdfs/over.pdf>
- Frequently Asked Questions concerning the RIPDES Program:
<http://www.state.ri.us/dem/programs/benviron/water/permits/ripdes/stwater/pdfs/faq.pdf>.

SOUTH CAROLINA

Permitting Authority

South Carolina is the NPDES Permitting Authority for all regulated stormwater discharges. The South Carolina Department of Health and Environmental Control (DHEC) has decided to reissue the existing NPDES general permit for construction activity to include small construction sites. This permit is being modeled after USEPA's NPDES General Permit for Storm Water Discharges from Construction Activities (also known as the CGP).

The State Sediment, Erosion, and Stormwater Management Program (SESM) and the NPDES Stormwater Program overlap when the area disturbed is 5 acres or greater except for projects that are

exempt from one of the programs. Also, the State SESM Program has been delegated by law to DHEC's Office of Ocean and Coastal Resource Management (OCRM) in the eight coastal counties of South Carolina. The SESM program may also be delegated by the DHEC to other local entities upon their request for program delegation.

Permit Requirements

Under the SESM Program, an SWPPP must be prepared, submitted, and approved by the implementing agency before the land-disturbing activity is allowed. Under the NPDES Stormwater Program, the SWPPP must be submitted to DHEC's Industrial, Agricultural, and Stormwater Permitting Division for review and approval before general permit coverage can be granted. The land disturbing activity may begin after general permit coverage is granted.

South Carolina regulations require submission of site plans showing controls and a written approval on construction projects with more than 2-acre disturbances. The SWPPPs are reviewed and approved for sites that disturb more than 2 acres. Sites that disturb 2 acres or less must submit and implement a SWPPP, but they are exempt from the approval process once they have met the administrative requirements. Therefore, the State SESC Program does not regulate the same activities as the Stormwater Construction NPDES Permit Program. Those construction sites regulated by the NPDES program, but not the SESM program, must submit their SWPPP for review by the Bureau of Water in order to receive general NPDES permit coverage

When a project falls under both programs, two reviews of the same SWPPP by different agencies could be required. However, the Department has merged these programs to the extent allowed by law to minimize this duplication of reviews. For those projects that fall under just the NPDES Stormwater Program, the Construction NPDES General Permit requires the submission and approval of the SWPPP before general permit coverage is granted. For those projects that fall under both the SESM Program and NPDES Stormwater, the approval of the SWPPP by the delegated entity (including OCRM) serves as an NOI for coverage under the general permit. Coverage is automatically granted 48 hours after the date of approval by the delegated entity unless the Department notifies the applicant otherwise. In these situations, the SWPPP is not submitted to the Bureau of Water's Industrial, Agricultural, and Stormwater Permitting Division for review and approval unless specifically requested.

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Every construction site covered under the general permit must perform inspections. The results of these inspections are not routinely submitted to the Department but they must be kept on site by the permittee.

Construction General Permits

General Stormwater Permit for Large and Small Construction Sites: <http://www.scdhec.net/eqc/water/pubs/gr100000.pdf>.

Permit Application Forms and Instructions

- Standard Application Form for Construction Sites Disturbing More Than 2 Acres: <http://www.scdhec.net/eqc/water/forms/d-3306.pdf>.
- Standard Reporting Form for Construction Sites Disturbing 2 Acres or Less: <http://www.scdhec.net/eqc/water/forms/d-3307.pdf>.

Points of Contact

- Bureau of Water
2600 Bull Street
Columbia, S.C. 29201
Telephone: 803-898-4300
Fax: 803-898-4315
Internet address:
<http://www.scdhec.gov/water/html/programs.html>
- Construction Storm Water
Dwayne Creel
Telephone: 803-898-4028
Email: CREELDE@dhec.sc.gov

Additional Stormwater Compliance Resources

- Comparison of the State Sediment, Erosion, & Flood Control Program & the NPDES Storm Water Program as of 11/06/2001:
<http://www.scdhec.net/eqc/water/pubs/compare.pdf>.
- NPDES Stormwater Program:
<http://www.scdhec.net/eqc/water/html/swnpdes.html>.
- South Carolina DHEC NPDES Storm Water Program Construction Program:
<http://www.scdhec.net/eqc/water/html/swnconprog.html>.

- How the Plan Review and Approval Process Works:
<http://www.scdhec.net/eqc/water/html/npdesadminapp.html>.
- A Guide to DHEC's Approval Process for Land Disturbance Activities:
<http://www.scdhec.net/eqc/water/pubs/sedguide.pdf>.

SOUTH DAKOTA

Permitting Authority

South Dakota is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country. The South Dakota Department of Environmental and Natural Resources (DENR) administers the General Permit for Storm Water Discharges Associated With Construction Activities.

Any construction activity that disturbs one or more acres must have coverage under a storm water permit. Any sites that are part of a larger plan or sale may also need a permit, if the total plan meets the acreage requirement. Construction activities include clearing, grading, or excavation; road building; construction of residential, commercial, and industrial buildings; installing pipelines, cable lines, and telephone lines; and demolition activities.

Permit Requirements

To apply for an individual permit or for coverage under a statewide general permit, the operator must file an application with the Department of Environment and Natural Resources prior to commencement of construction activities.

In addition to these statewide rules, operators may be required to meet additional local stormwater and erosion control regulations. Check with city or county government to determine if additional local rules apply to the construction project.

An NOI form must be submitted to DENR to request coverage under this general permit for storm water discharges from construction sites. This information must be submitted at least 15 days prior to when the operator commences work at the site.

The SWPPP must be developed prior to the start of construction and implemented for all construction activity.

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Permittees wishing to terminate coverage under this permit must submit an NOT within 30 days after the conditions of the permit have been met.

Construction General Permits

General Stormwater Permit for Large and Small Construction Sites (Phases I and II):
<http://www.state.sd.us/denr/DES/Surfacewater/IPermits/ConstructionPermit.pdf>.

Permit Applications Forms and Instructions

- Notice of Intent:
<http://www.state.sd.us/denr/DES/Surfacewater/IPermits/NOI2001.pdf>.
- Notice of Termination:
<http://www.state.sd.us/denr/DES/Surfacewater/IPermits/NOT2001.pdf>.

Point of Contact

South Dakota Department of Environment and Natural Resources
Surface Water Quality Program
523 East Capitol Avenue
Pierre, SD 57501-3181
Telephone: 605-773-3351 or 1-800-SDSTORM

Additional Stormwater Compliance Resources

- SD Non-Point Source Management Plan (1999):
<http://www.state.sd.us/denr/DFTA/WatershedProtection/1999Mngmntplan.pdf>
- Stormwater Permit Information for Construction Activities:
<http://www.state.sd.us/denr/DES/Surfacewater/stormcon.htm>.
- Federal Environmental Requirements for Construction:
<http://www.cicacenter.org/fedenvconstruction.pdf>

TENNESSEE

Permitting Authority

Tennessee is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country. The Tennessee Department of Environment and Conservation (TDEC)

administers Tennessee General Permit Number TNR10-0000, Storm Water Discharges from Construction Activities.

Permit Requirements

As of 10 March 2003, in order to discharge stormwater from a construction site, all construction projects that disturb 1 acre or more of land must have either an individual stormwater permit or coverage under one of Tennessee's general permits.

Disturbance includes, but is not limited to, soil disturbance, clearing, grading, and excavation. Operators of sites disturbing less than 1 acre are also required to obtain a permit if their activity is part of a "larger common plan of development or sale" with a planned disturbance of 1 acre or greater.

To apply for an individual permit or for coverage under a statewide general permit, the operator must file an application with the Department of Environment and Conservation prior to commencement of construction activities.

In addition to these statewide rules, operators may be required to meet additional local stormwater and erosion control regulations. Check with city or county government to determine if additional local rules apply to the construction project.

Operators of construction sites involving clearing, grading, or excavation that results in an area of disturbance of 1 or more acres, and activities that result in the disturbance of less than 1 acre if it is part of a larger common plan of development or sale. Permitted activities have included housing subdivisions, commercial and industrial buildings, golf courses, utility lines, sewage treatment plants, and roads. Various land clearing activities such as borrow pits for fill material have also been covered under this general permit.

A construction site owner/operator must submit the Division of Water Pollution Control NOI under the General Permit for Construction Storm Water form to the appropriate Environmental Assistance Center. NOIs must be submitted 30 days prior to the commencement of construction.

Applicants must prepare a pollution prevention plan prior to submitting the NOI.

Operators wishing to terminate coverage must submit an NOT after final stabilization of the site.

Construction General Permits

- General Stormwater Permit for Large and Small Construction Sites (Phases I and II) (TNR-10-0000):
<http://www.state.tn.us/environment/permits/conststrmrul.pdf>
- Fact Sheet for General Stormwater Permit for Large and Small Construction Sites:
<http://www.state.tn.us/environment/wpc/stormh2o/constfact.pdf>

Permit Applications Forms and Instructions

- Division of Water Pollution Control Notice of Intent under the General Permit for Construction Storm Water (CN-0940 (rev. 9-00), RDAs 2399 and 2400):
<http://www.cicacenter.org/pdf/tnnoi.pdf>
- Storm Water Construction Notice of Termination:
<http://www.state.tn.us/environment/wpc/forms/appdxb.pdf>.
- Storm Water Construction Inspection Report:
<http://www.state.tn.us/environment/wpc/forms/conststrmrpt.pdf>.

Point of Contact

Environmental Assistance Center
1-888-891-TDEC (8332)
<http://www.state.tn.us/environment/contact.php>

Additional Stormwater Compliance Resource

Tennessee DEC: <http://www.state.tn.us/environment/>

TEXAS

Permitting Authority

Texas is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country and for specific discharges including activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline.

The Texas Pollutant Discharge Elimination System (TPDES) program implements the Federal NPDES program in the State of Texas. USEPA Region 6 (located in Dallas) has administered the Phase I storm water general permit for construction activities

disturbing 5 or more acres within the State of Texas until the TPDES permit had been issued.

On 5 March 2003, the Texas Commission on Environmental Quality (TCEQ) became the permitting authority for these discharges. General Permit Number TXR-150000 covers storm water discharges from construction activities that disturb at least 1 acre and less than 5 acres.

Permit Requirements

For construction projects that will disturb 1 or more acres but less than 5 acres, including the larger common plan of development, a construction owner/operator must develop and implement an SWP3. Additionally, the permittee must complete and post a site notice.

Before construction begins, if the site qualifies, a construction owner/operator may submit a Low Rainfall Erosivity Waiver Form.

For construction projects that will disturb 5 or more acres, the construction owner/operator must submit an NOI to the TCEQ prior to the commencement of construction. An SWP3 must be developed and implemented to be in compliance with this permit.

The permittee must submit an NOT once the site has reached final stabilization as defined in the permit.

Construction General Permits

General Stormwater Permit f (TXR-150000) (3/5/2004):
<http://www.tnrcc.state.tx.us/permitting/waterperm/wwperm/txr150000.pdf>.

Permit Application Forms and Instructions

- Notice of Intent:
<http://www.tnrcc.state.tx.us/permitting/forms/20022.pdf>.
- NOI Instructions:
<http://www.tnrcc.state.tx.us/permitting/forms/20022ins.pdf>.
- Notice of Termination:
<http://www.tnrcc.state.tx.us/permitting/forms/20023.pdf>.
- NOT Instructions:
<http://www.tnrcc.state.tx.us/permitting/forms/20023ins.pdf>.

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- Low Rainfall Erosivity Waiver Form:
<http://www.tnrcc.state.tx.us/permitting/forms/20064.pdf>

Points of Contact

- Texas Commission on Environmental Quality
MC 148
P.O. Box 13087
Austin, TX 789711-3087
- Storm Water and General Permits Team
Telephone: 512-239-4527
- Wastewater Permitting Section
Water Quality Division
Telephone: 512-239-4671

Additional Stormwater Compliance Resources

- TCEQ Construction Storm Water Web Page
<http://www.tnrcc.state.tx.us/permitting/waterperm/wwperm/construct.html>
- Fact Sheet: TPDES Storm Water Permitting for Construction Activity
<http://www.tnrcc.state.tx.us/permitting/waterperm/wwperm/construct.pdf>
- Stormwater Management in North Central Texas:
<http://www.dfwstormwater.com>
- North Central Texas Council of Government Integrated Storm Water Management (ISWM) Design Manual for Construction Brochure:
<http://www.iswm.dfwinfo.com/Documents/Construction/Final/pdf/Brochure.pdf>

UTAH

Permitting Authority

Utah is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country. For construction stormwater discharges on Indian country within the State of Utah, except Goshute and Navajo Reservation lands (see Region 9), USEPA is the permitting authority. The State of Utah Permit Number is UTR10000I.

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The Utah Department of Environmental Quality, Division of Water Quality, administers the Utah Pollution Discharge Elimination System (UPDES) Storm Water General Permit for Construction Activities. The Permit Number is UTR100000.

Permit Requirements

Construction projects that disturb 5 acres or more (large construction) must be covered under the general construction permit. Coverage under this permit must be obtained and erosion and sediment controls must be installed prior to any grading activities at a site, which will disturb 5 acres or more per common plan.

Construction projects that disturb greater than or equal to 1 acre and less than 5 acres (small construction) must be covered under the general construction permit. Small construction sites may qualify for a waiver from the permit based on low erosivity at the site. A certification form must be filled out and sent to the Division of Water Quality to obtain this waiver.

A Stormwater Pollution Prevention Plan must be developed prior to submitting the NOI for the general permit.

Construction General Permits

- Permit Number UTR100000, UPDES Storm Water General Permit for Construction Activities:
<http://waterquality.utah.gov/updes/SWCON02.pdf>.
- Construction Storm Water Fact Sheet, Utah Pollutant Discharge Elimination System (UPDES):
http://waterquality.utah.gov/updes/online_SW_FactSheet_rev0104.pdf

Permit Application Forms and Instructions

- Storm water Permit Issuance System:
<https://secure.utah.gov/swp/client;jsessionid=b050UNpgfnCf?page=index&apply=1>.
- Small Construction Waiver Form:
<http://waterquality.utah.gov/updes/ErosivityWaiverForm.pdf>.

Utah Stormwater Regulations

Rule R317-8. Utah Pollutant Discharge Elimination System:
<http://www.rules.utah.gov/publicat/code/r317/r317-008.htm>

Points of Contact - Utah

- Utah Department of Environmental Quality
Division of Water Quality
P.O. Box 144870
288 N. 1460 West
Salt Lake City, UT 84114-4870
- Tom Rushing
Phone: 801-538-6146
FAX: 801-538-6016
Email: trushing@utah.gov

Points of Contact - USEPA

Information concerning the USEPA Region 9 Stormwater Program may be obtained from Eugene Bromley, bromley.eugene@epa.gov, 415-972-3510.

Additional Stormwater Compliance Resources - Utah

- Utah Department of Environmental Quality, UPDES Storm Water Permits web site:
<http://waterquality.utah.gov/updes/stormwater.htm>
- Answers to Frequently Asked Questions:
http://waterquality.utah.gov/updes/online_SW_FactSheet_rev0104.pdf.

VERMONT

Permitting Authority

Vermont is the NPDES Permitting Authority for all regulated stormwater discharges except Federal facilities, which are regulated by the USEPA.

Permit Requirements

The Department has elected to postpone the issuance of a general permit for small construction sites until the fall of 2004, making it available to cover projects undertaken during the 2005 construction season. The general permit was placed on public notice in July 2003 and has been revised. Before it is issued, it will be sent to USEPA for final review. To be notified of permit adoption through the Stormwater Notification List, please contact Dennis Works at <http://www.anr.state.vt.us/dec/waterq/contacts.htm#dennisw>.

Construction projects that are scheduled to begin before the final permit is issued may proceed as scheduled. The project owners must notify the Department that the project is commencing so that the Department may notify when the permit has been adopted. Once the final permit is issued, coverage must be sought through submittal of an NOI. An erosion prevention and sediment control plan must be developed and used during the construction to protect water quality.

For large construction activities, construction may commence once the signed NOI is posted.

Construction General Permits

- General Stormwater Permit for Large Construction Sites (Phase I):
http://www.anr.state.vt.us/dec/waterq/stormwater/docs/construction/sw_cgpphase1.pdf.
- The Department has finalized the small construction site permit and is awaiting administrative approval from the Agency of Natural Resources and USEPA. If you wish to be notified of permit adoption through the Stormwater Notification List, please contact Stephanie Lanphear:
<http://www.anr.state.vt.us/dec/waterq/contacts.htm#stephl>

Permit Application Forms and Instructions

- Notice of Intent:
http://www.anr.state.vt.us/dec/waterq/stormwater/docs/construction/sw_cgppnoi-application.pdf
- Notice of Intent Instructions:
http://www.anr.state.vt.us/dec/waterq/stormwater/docs/construction/sw_cgppnoi-instructions.pdf.
- Permit deferral:
http://www.anr.state.vt.us/dec/waterq/stormwater/docs/sw_deferral-notice.doc.
- Notice of Termination:
http://www.anr.state.vt.us/dec/waterq/stormwater/docs/construction/sw_cgppnot.pdf.

Points of Contact

- Pete LaFlamme
Section Chief
Office: Waterbury
Telephone: 802.241.3765
Email: pete.laflamme@anr.state.vt.us
- Stormwater Section contacts are at
<http://www.anr.state.vt.us/dec/waterq/storm>.

Additional Stormwater Compliance Resources

- Vermont DEC Stormwater Section:
<http://www.anr.state.vt.us/dec/waterq/stormwater.htm>.
- Storm Water Pollution Prevention - Erosion Control and Sedimentation Checklist:
http://www.anr.state.vt.us/dec/waterq/stormwater/docs/construction/sw_checklist.pdf.

VIRGINIA

Permitting Authority

Virginia is the NPDES Permitting Authority for all regulated stormwater discharges. The Virginia Department of Environmental Quality (DEQ) administers the Federal program as the Virginia Pollutant Discharge Elimination System (VPDES) permit program, which is authorized under the State Water Control Law. The permit is Permit Number VAR10, VPDES General Permit for Storm Water Discharges from Construction Activities.

Permit Requirements

DEQ's construction site stormwater permits are based upon USEPA's construction stormwater general permit, and require construction site operators to develop and implement an SWPPP that uses BMPs for erosion and sediment control at the construction site.

During the development of DEQ's construction permit requirements, specific USEPA erosion and sediment control permit requirements were modified to make them as consistent as possible with the Department of Conservation and Recreation's (DCR's) erosion and sediment control requirements. Permits for construction sites do not typically contain monitoring

requirements; however, they do require the operator to regularly inspect stormwater discharges from the site to ensure that the BMPs are controlling the discharge of pollutants to the maximum extent practicable, and are meeting water quality standards.

If a construction site has an approved Erosion and Sediment Control (ESC) plan from the locality or from DCR, a pollution prevention plan must still be developed, but DEQ allows construction site owners to satisfy identical pollution prevention plan requirements by simply referencing the approved ESC plan. The permit pollution prevention plan requires the operator to manage other wastes on site, such as building materials, garbage and debris, and to have controls to minimize the exposure of these materials to storm water, and to minimize the discharge of pollutants to State waters.

DEQ does not specify which BMPs must be implemented at a construction site, but leaves that choice up to the permittee. DCR and the Chesapeake Bay Local Assistance Department (CBLAD) have developed a consistent BMP criteria that is appropriate to use, but is not a DEQ permit requirement.

A complete general permit Registration Statement must be submitted prior to commencing construction for construction storm water general permits, or before the expiration date of an existing general permit. The DEQ regional office will send the applicant a copy of the general permit and will indicate the date of coverage.

Construction General Permits

Permit Number VAR10, VPDES General Permit for Storm Water Discharges from Construction Activities:
<http://www.deq.virginia.gov/vpdes/pdf/gpconstructswnew2.pdf>.

Permit Application Forms and Instructions

- Registration for VPDES:
<http://www.deq.state.va.us/pdf/waterpermits/con-rs.pdf>
- Notice of Termination:
<http://www.deq.state.va.us/pdf/waterpermits/con-not.pdf>

Virginia Stormwater Regulations

VPDES Regulation:
<http://leg1.state.va.us/000/reg/TOC09025.HTM#C0031>.

Points of Contact

- General questions about the DEQ stormwater permitting program:
Burt Tuxford
DEQ's Central Office
Telephone: 804-698-4086
Email: brtuxford@deq.virginia.gov.
- Stormwater permitting questions about specific construction projects should be directed to the DEQ Regional Office that serves the area where the project separate storm sewer system is located: <http://www.deq.state.va.us/regions/homepage.html>.

Additional Stormwater Compliance Resources

- Erosion & Sediment Control for Virginia:
<http://www.dcr.state.va.us/sw/e&s.htm>.
- Overview of Virginia Stormwater Management Program:
<http://www.deq.state.va.us/water/stormwtr.html>.
- Fact Sheet Reissuance of A General VPDES Permit:
<http://www.deq.virginia.gov/vpdes/pdf/factconstructdischargene w2.pdf>

WASHINGTON

Permitting Authority

Washington is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country and Federal facilities.

Permit Requirements

A permit is required for all soil-disturbing activities (including grading, stump removal, demolition), where 5 or more acres will be disturbed, and have a discharge of stormwater to a receiving water (e.g., wetlands, creeks, unnamed creeks, rivers, marine waters, ditches, estuaries), and/or storm drains that discharge to a receiving water. Permit coverage is also required if all stormwater is retained on site, but detention facilities need to be constructed.

The permit for 1-5 acre sites was not available in time to meet USEPA's Phase II deadline of 10 March 2003. The Department of Ecology intends to have permit coverage available in 2004.

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Construction site operators of 1-5 acre sites seeking coverage under a general permit during this interim time period may seek coverage under the current construction stormwater general permit.

In order to operate under a general permit, an NOI must be submitted to the Washington Department of Ecology, Stormwater Unit, on or before the date of the first public notice and at least 38 days prior to the start of construction activities. Ecology cannot grant permit coverage until 31 days after the date of the second Public Notice.

The notice must be published at least once each week for 2 consecutive weeks, in a single newspaper, which has general circulation in the county in which the construction is to take place. Ecology is no longer requiring the submittal of the affidavit of publication. However, a typed copy of what will be submitted to the newspaper must be sent along with the NOI. The dates that the first and second public notices will run and the name of the newspaper in which the public notices will appear must also be provided.

An NOI is deemed complete only after the following conditions are met: a final State Environmental Policy Act (SEPA) determination has been made; the applicant has certified that a SWPPP will be developed prior to the start of construction; the 30-day public comment period has been satisfied, and all other NOI information has been supplied.

Coverage will begin from the date of Ecology's written authorization or will automatically commence on the date specified in Ecology's letter.

Construction activities that discharge stormwater to a storm drain operated by any of the following municipalities must also submit a copy of the NOI to the municipality: Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County, Spokane County, and Washington Department of Transportation

On 29 August 2001, the Pollution Control Hearings Board issued a partial stay of the construction stormwater general permit. This partial stay applied to waters listed under Section 303(d) of the Clean Water Act and waters subject to TMDL determinations. The waters and conditions identified by the Department of Ecology subject to the order granting partial stay construction stormwater general permit are listed in http://www.ecy.wa.gov/programs/wq/stormwater/construction/const_stay.html.

Construction General Permit for Stormwater Discharges

- General Permit for Stormwater Discharges Associated With Construction Activities (effective 11/18/2000):
http://www.ecy.wa.gov/programs/wq/stormwater/construction/cnst_prmt_fin.pdf.
- Waters Identified by Ecology Subject to the Order Granting Partial Stay Construction Stormwater General Permit:
http://www.ecy.wa.gov/programs/wq/stormwater/construction/const_stay.html.

Permit Application Forms and Instructions

- Notice of Intent:
http://www.ecy.wa.gov/programs/wq/stormwater/construction/const_form.pdf.
- Instructions for NOI:
http://www.ecy.wa.gov/programs/wq/stormwater/construction/const_inst.doc.
- Notice of Termination:
http://www.ecy.wa.gov/programs/wq/stormwater/term_con.pdf

Points of Contact

- Linda Matlock
Telephone: 360-407-6437
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>
- Questions or comments on the proposed general permit for 1-5 acre construction sites should be directed to:
Jeff Killelea
Telephone: 360-407-6127
Email: jkil461@ecy.wa.gov

Additional Stormwater Compliance Resources

- Construction Stormwater General Permit Information:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>.
- Stormwater Management Manual:
<http://www.ecy.wa.gov/pubs/9911.pdf>.
- Stormwater Management Manual, Volume II:
<http://www.ecy.wa.gov/pubs/9912.pdf>.

- Stormwater Management Manual, Volume III:
<http://www.ecy.wa.gov/pubs/9913.pdf>.
- Stormwater Management Manual, Volume IV:
<http://www.ecy.wa.gov/pubs/9914.pdf>.
- Stormwater Management Manual, Volume V:
<http://www.ecy.wa.gov/pubs/9915.pdf>.
- Construction Permit Fact Sheet
http://www.ecy.wa.gov/programs/wq/stormwater/construction/cnst_fact_fin.pdf
- Commonly Required Environmental Permits for Washington State
Publication No. 90-29 Revised August 2004:
<http://www.ecy.wa.gov/pubs/9029.pdf>.
- Information Regarding Reissuing the Construction Stormwater
General Permit:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/reissue.html>.
- Focus Sheet on Washington State Environmental Policy Act:
<http://www.ecy.wa.gov/pubs/0206013.pdf>.

WEST VIRGINIA

Permitting Authority

West Virginia is the NPDES Permitting Authority for all regulated stormwater discharges.

The Division of Water Resources developed and issued a General WV/NPDES Water Pollution Control Permit to regulate sediment laden stormwater flowing into the waters of the State from discharges associated with construction activities. This General Permit was issued on 5 November 2002, became effective on 5 December 1998, and will expire on 4 December 2007.

Permit Requirements

Any person proposing a construction activity, 3 acres or greater of land disturbance in size, must submit a site registration application form 45 days prior to commencing the operation. For projects that will disturb between 1 acre and less than 3 acres, the responsible party must submit an NOI at least 10 days prior to starting earth disturbing activities.

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When the construction activity is owned by one person but operated by another, it is the responsibility of the owner (developer) to obtain the permit.

When the construction activity is completed and all disturbed areas are stabilized, the responsible party must submit an NOT in order to end coverage under the General Permit.

Construction General Permits

Storm Water Construction General Permit:
<http://www.dep.state.wv.us/alt.cfm?asid=65#Construction>.

Permit Applications Forms and Instructions

- Notice of Intent for Sites between 1 and less than 3 acres:
http://www.dep.state.wv.us/Docs/5134_SW_Construction_NOI_FORM04.pdf.
- Instructions for Notice of Intent for Sites between 1 and less than 3 acres:
http://www.dep.state.wv.us/Docs/3504SW_Cons_NOI_1-3acres.pdf.
- Storm Water Construction Site Registration for 3 acres and greater:
http://www.dep.state.wv.us/Docs/3502SW_Cons_regstrn_3acres.pdf.
- Instructions for Storm Water Construction Site Registration for 3 acres and greater:
http://www.dep.state.wv.us/Docs/5146_SW_Construction_Site_Registration_FORM_3%20acres%20or%20more.pdf.
- Ground Water Protection Plan for Construction Sites:
http://www.dep.state.wv.us/show_blob.cfm?ID=3507&Name=SW_Cons_generic_gpp.pdf.
- Notice of Termination (updated 2/11/03):
http://www.dep.state.wv.us/Docs/3508_SW_Cons_Termination_Notice_NOT.pdf.
- Permit Modification Form:
http://www.dep.state.wv.us/Docs/3509SW_Cons_Permit_Mod_Form_M.pdf.

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Points of Contact

Mailing Address:

WV Department of Environmental Protection
1356 Hansford Street
Charleston, WV 25301

Internet address:

<http://www.dep.state.wv.us/item.cfm?ssid=24&sslid=74>

Additional Stormwater Compliance Resources

- Fact Sheet, Rationale, and Information for the General NPDES Permit:
http://www.dep.state.wv.us/Docs/3500_SW_Const_genprmt_factsheet.pdf
- Generic Ground Water Prevention Plan for Construction Sites:
http://www.dep.state.wv.us/Docs/3507_SW_Cons_generic_gpp.pdf.

WISCONSIN

Permitting Authority

Wisconsin is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country.

Permit Requirements

Although the web sites for the general permits and application form listed below apply to large construction activities, Wisconsin is applying these rules to small construction activities (1 to 5 acres) as of 1 August 2004. Wisconsin regulations do not allow for either the R-value or the TMDL exemption analysis.

Disturbance includes, but is not limited to, soil disturbance, clearing, grading, and excavation. Operators of sites disturbing less than 1 acre are also required to obtain a permit if their activity is part of a "larger common plan of development or sale" with a planned disturbance of 1 acre or greater.

To apply for an individual permit or for coverage under a statewide general permit, the operator must file an application with the Department of Natural Resources prior to commencement of construction activities.

In addition to these statewide rules, operators may be required to meet additional local stormwater and erosion control regulations. Check with city or county government to determine if additional local rules apply to the construction project.

Construction General Permits

Large Construction General Permit To Discharge Under WPDES-Land Disturbing Construction Activities:

http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/permits/construction/construction_permit_S067831-2.pdf.

Permit Applications Forms and Instructions

- Construction Site Inspection Report:
http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/3400187_Construction_Site_Inspection_Report.pdf
- Land Disturbing construction Activities:
http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/permits/construction/construction_fs_S067831-2.pdf
- Construction Stormwater Permit Forms and Manuals:
<http://www.dnr.state.wi.us/org/water/wm/nps/stormwater/constrforms.htm>
- Notice of Intent (Form 3400-161):
<http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/3400161.pdf>.
- Notice of Termination (Form 3400-162):
<http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/3400162.pdf>.
- Storm Water Pollution Prevention Form:
<http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/3400167.PDF>.
- Construction Site Fact Sheet:
http://www.dnr.state.wi.us/org/water/wm/nps/pdf/stormwater/permits/construction/construction_fs_S067831-2.pdf.

Points of Contact

- Runoff Management Central Office Staff:
<http://www.dnr.state.wi.us/org/water/wm/nps/staff.htm#Stormwater>.

- Regional Office Contacts:
<http://www.dnr.state.wi.us/org/water/wm/nps/stormwater/contact.htm>

Additional Stormwater Compliance Resources

- WI Storm Water Regulations
<http://www.legis.state.wi.us/rsb/code/nr/nr216.pdf>
- Wisconsin Storm Water Manual:
<http://www.dnr.state.wi.us/org/water/wm/nps/stormwater/publications.htm#uwex>
- Wisconsin Construction Site Best Management Practice Handbook
(Text is not available on-line; however, it can be ordered by mail or on-line.)

WYOMING

Permitting Authority

Wyoming is the NPDES Permitting Authority for all regulated stormwater discharges except those within Indian Country. Wyoming has two NPDES permits, large construction (land disturbance of 5 acres or more) and small construction (land disturbance of at least 1 acre but less than 5 acres.) For a large construction general permit the five acres of disturbance does not have to be contiguous.

Permit Requirements

The small construction general permit does not require an NOI or application. A construction site is considered authorized under the permit when all applicable provisions of the permit are met. For example, a small construction site owner/operator must develop and implement an SWPPP. The construction site operator must conduct and document that required periodic inspections of BMPs are implemented. In other respects, this permit is very similar to the permit for large construction activities.

USEPA has postponed stormwater permit requirements for stormwater discharges associated with small construction activities from oil and gas exploration, production, processing, and treatment operations or transmission facilities until 10 March 2005. The postponement is effective in Wyoming. The postponement affects only small construction activities from oil- and gas-related construction. Oil and gas construction

activities that are part of a larger common plan of development or sale that will disturb 5 or more acres is considered a large construction activity and does not qualify for the postponement.

Disturbance includes, but is not limited to, soil disturbance, clearing, grading, and excavation. Operators of sites disturbing less than 1 acre are also required to obtain a permit if their activity is part of a "larger common plan of development or sale" with a planned disturbance of 1 acre or greater.

To apply for an individual permit or for coverage under a statewide general permit, the operator must file an application with the Department of Natural Resources prior to commencement of construction activities.

In addition to these statewide rules, operators may be required to meet additional local stormwater and erosion control regulations. Check with your city or county government to determine if additional local rules apply to your construction project.

Construction General Permits

- Large Construction General Permit:
<http://deq.state.wy.us/wqd/npdesprogram/Storm/downloads/2-0924-doc.pdf>.
- Small Construction General Permit:
http://deq.state.wy.us/wqd/npdesprogram/Storm/downloads/3-0087-doc_final_SCGP_12_22_03.pdf.

Permit Applications Forms and Instructions

- Storm water pollution prevention plan:
<http://deq.state.wy.us/wqd/npdesprogram/Storm/downloads/2-0924-doc.pdf>.
- Notice of Intent:
<http://deq.state.wy.us/wqd/npdesprogram/Storm/downloads/2-0927-doc.pdf>
- Notice of Termination:
<http://deq.state.wy.us/wqd/npdesprogram/Storm/downloads/2-0925-doc.pdf>

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Points of Contact

- Todd Parfitt, Program Manager
Telephone: 307-777-6709
Email: tparfi@state.wy.us
- Leah Krafft, Permitting
Supervisor
Telephone: 307-777-7093
Email: lkraff@state.wy.us
- Brian Bohlmann, Compliance Supervisor
Telephone: 307-777-8669
Email: bbohlm@state.wy.us
- Barb Sahl, Staff Contact
Telephone: 307-777-7570
Email: bsahl@state.wy.us

Appendix B:
Federal Stormwater Regulations for Construction Sites

The Federal NPDES Construction General Permit (CGP) for discharges from large and small construction activities became effective on 1 July 2003 and expires at midnight 1 July 2008. Discharge from a construction activity is authorized 7 calendar days after acknowledgement or receipt of the completed Notice of Intent (NOI).

The CGP allows specific non-stormwater discharges including:

1. Discharges from fire-fighting activities;
2. Fire hydrant flushings;
3. Waters used to wash vehicles where detergents are not used;
4. Water used to control dust in accordance with Subpart 3.4.G;
5. Potable water including uncontaminated water line flushings;
6. Routine external building wash down that does not use detergents;
7. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
8. Uncontaminated air conditioning or compressor condensate;
9. Uncontaminated ground water or spring water;
10. Foundation or footing drains where flows are not contaminated with process materials such as solvents;
11. Uncontaminated excavation dewatering;
12. Landscape irrigation.

The CGP does not authorize the following discharges:

1. Post construction dischargers after the construction activities have been completed and the site has achieved final stabilization;
2. Discharges mixed with non-stormwater;

3. Discharged associated with individual permit;
4. Discharges that have the reasonable potential to cause, or contribute, to an excursion above a water quality standard;
5. Discharges into receiving waters with approved Total Maximum Daily Load (TMDL);
6. Discharges that jeopardize or 'take' of federally listed endangered or threatened species;
7. Discharges that jeopardize the protection of historic properties or places;

The following information must be provided on the NOI form:

1. The applicable permit number for which coverage is requested;
2. Operator name, address, telephone number, and Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service;
3. Project/site name, address, county or similar governmental subdivision, and latitude/longitude of the construction project or site;
4. Whether the site is located in Indian Country and, if so, the name of the Reservation, if applicable;
5. Whether the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in advance of filing of this NOI and the location where the applicable SWPPP may be viewed (information on the SWPPP and required contents are found in Appendix A);
6. Name of the water(s) of the United States into which the site discharges;
7. Indication whether your discharge is consistent with the assumptions and requirements of applicable USEPA-approved or established TMDLs;
8. Estimated dates of commencement of construction activity and final stabilization (i.e., project start and completion dates);
9. Total acreage (to the nearest quarter acre) to be disturbed for which permit coverage is requested;
10. Whether any federally listed threatened or endangered species, or federally-designated critical habitat are in the

project area to be covered by this permit, and the basis for certifying eligibility for permit coverage based on the instructions in Appendix C;

11. A certification statement signed and dated by an authorized representative as defined in Appendix G, Section 11, and the name and title of that authorized representative.

An SWPPP must be prepared prior to submission of an NOI as stated above. At least one SWPPP must be developed for each construction project. A SWPPP must contain the following:

- description of the construction sites and activities;
- controls to reduce pollutants;
- non-stormwater discharge management controls;
- document of permit eligibility related to endangered species;
- copies of the permit, the signed and certified NOI form that was submitted, and the letter notifying of the administrative receipt of the complete NOI;
- applicable State, Tribal, or local programs;
- inspection;
- update plan requirements;
- plan review;
- management practices;
- documentation of permit eligibility related to TMDLs.

**Appendix C: Corps Divisions Stormwater Regulations for
Construction Sites**

Introduction

Corps districts were contacted for information regarding the language, model phrases or regulations specified in construction contracts regarding stormwater discharges at construction sites. Responding Districts offered the following points of contact, information, and documents:

GREAT LAKES AND OHIO RIVER DIVISION (CELRD)

Buffalo District (CELRB)

Point of Contact:
Michael F. Barton
Team Leader, General Design Section
Buffalo District Corps of Engineers
Phone: (716) 879-4231
FAX: (716) 879-4355
Email: michael.f.barton@usace.army.mil

Buffalo District does not do military construction. The District has stormwater requirements for civil works construction contracts. Contract language comes from the Unified Facilities Guide Specifications. For installation of stormwater pipe, manholes, drainage structures, etc., we use 02630. For prevention of damage and containment of stormwater during construction we use 01356A. There also might be some information in 01355A and 02370A that can help you.



UF02370A.pdf



UF01355A.pdf



UF01356A.pdf



UF02630.pdf

Chicago District (CELRC)

Point of Contact:
Casey L. Pittman
Environmental Engineer
U.S. Army Corps of Engineers
111 North Canal Street, Suite 600
Chicago, Illinois 60606-5506
Phone: 312-846-5506
Email: Casey.L.Pittman@lrc02.usace.army.mil

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As we discussed, attached are the standard specifications that Chicago uses to address environmental protection measures during construction. We have taken the Army Guide Specification 01355 and modified it with state specific requirements. Within each file are highlighted excerpts that have the specific requirements (for Indiana and Illinois) related to stormwater construction site runoff and permitting (email from Casey L. Pittman) Relevant sections are highlighted in the attachments.



specification 1355
for IL.doc



specification 1355
for IN.doc

Detroit District (CELRE)

Point of Contact - No information.

Huntington District (CELRH)

Point of Contact:

Joseph M. McCallister, P.E.

Civil Engineer

Civil Design Section, Design Branch

Engineering and Construction Division

U.S. Army Corps of Engineers

Huntington District

Phone: (304) 399-5969

FAX: (304) 399-5209

Email: Joseph.M.Mccallister@Lrh01.usace.army.mil

Here are the standard Stormwater related specifications that are included in the contract documents. Section 01355 is called "Environmental Protection," and it covers some water-related issues. Section 01356 is a section called "Stormwater Pollution Prevention Measures," and it covers silt checks and silt fence. Section 02318 is a section specific to one of Joseph McCallister's recent projects and it covers a Sediment Pond - but this pond was required by permit; therefore, this is not one of their "standard" sections.



02318.pdf



01356.pdf



01355.pdf

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Louisville District (CELRL)

Point of Contact - No information.

Nashville District (CELRN)

Point of Contact - No information.

Pittsburgh District (CELRP)

Point of Contact - No information.

MISSISSIPPI VALLEY DIVISION (CEMVD)

Memphis District (CEMVM)

Point of Contact - No information.

New Orleans District (CEMVN)

Point of Contact:

Stanley B. Green

Project Manager

Telephone: (504) 862-1486

Email: Stanley.B.Green@MVN02.USACE.ARMY.MIL

Stan is Senior Project Manager of the SELA project (\$700 million project). Project Fact Sheet at:

http://www.mvn.usace.army.mil/pao/visitor/SelaFactSheet_current.pdf and New Release in 2004:

http://www.mvn.usace.army.mil/pao/RELEASES/SELA_UPTOWN_mm.pdf .

The attached portable document format (PDF) file contains the entire set of specifications for a recent contract. The relevant section begins on file page 235. Stormwater General Permit for Construction Activities (Permit No. LAR100000 Authorization to Discharge under the Louisiana Pollutant Discharge Elimination System).



div00_09.pdf

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Rock Island District (CEMVR)

Point of Contact:
Perry A. Hubert MVR
Telephone: (309) 794-5424
Email: Perry.A.Hubert@mvr02.usace.army.mil

St. Louis District (CEMVS)

Point of Contact:
Mike Rector
Chief, Civil, Cost & Specifications Engineering Section
St. Louis District
Phone: (314) 331-8251
Email: Michael.R.Rector@mvs02.usace.army.mil

Attached is a typical Environmental Protection section of the specifications that addresses environmental protection in general, and stormwater in particular, in various places.



EnvironProt.pdf

St. Paul District (CEMVP)

Point of Contact:
Douglas Crum, P.E.
Cost Estimating and Specifications Section
St. Paul District

St. Paul District is a civil works district. The District uses a local master spec for NPDES permits. The District feels the contractual responsibilities to meet state NPDES requirements are important and they are not addressed in the guide specs. UFGS 01356 only touches on some random highlights of what is covered in the state permits. Attached is a copy of the District master for NPDES permits. The District attaches the State permits in the construction contracts (Minnesota is included).



01565forms MN.pdf



01565.sec



01565.pdf

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Vicksburg District (CEMVK)

Point of Contact:
David L. Wallace, P.E.
Environmental Engineer
U.S. Army Corps of Engineers
4155 Clay Street
Vicksburg, MS 39183
Phone: (601) 631-5981
FAX: (601) 631-7231
Email: David.L.Wallace@mvk02.usace.army.mil

The attached guide specs are used by the Vicksburg District designer as a guide for implementing the particular State's requirements involving discharges from construction projects. The Specifications 01354 and 01356 have been adapted from the Unified Guide Specifications listed on the second row to form our local (MVK) guide specs.



01354.pdf (114 KB) 01356.pdf (125 KB) 01354.pdf (63 KB) 01356.pdf (99 KB)



01355A.pdf (149 KB) 01356A.pdf (106 KB) 01355A.pdf (82 KB) 01356A.pdf (56 KB)

NORTH ATLANTIC DIVISION (CENAD)

Baltimore District (CENAB)

Point of Contact - No information.

New England District (CENAE)

Point of Contact - No information.

New York District (CENAN)

Point of Contact:
Robert J. Gerrits
Chief, Engineering Management Branch
Engineering Division, NY District
Phone: (212) 264-9100
FAX: (212) 264-6494
Email: Robert.Gerrits@nan02.usace.army.mil

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Norfolk District (CENAO)

Point of Contact - No information.

Philadelphia District (CENAP)

Point of Contact - No information.

NORTHWESTERN DIVISION (CENWD)

Kansas City District (CENWK)

Point of Contact - No information.

Omaha District (CENWO)

Point of Contact:

Vickie R. Dennis NOW

CENWO-ED-DI

Phone: (402) 221-3791

Email: Vickie.R.Dennis@nw02.usace.army.mil



01562.SEC (11 KB)



NOI.pdf (893 KB)



NOT.pdf (59 KB)



RE npdes.oft (3
MB)



01355.sec (67 KB)



01565.sec (24 KB)



Swppp.pdf (294 KB)



01565AT1.pdf (2
MB)

The NOT and NOI are included because they are filled out and give an indication how they handle their responsibilities.

Portland District (CENWP)

Point of Contact:

James Fogelsong NWP

Civil Engineer

CENWP-EC-DC

Phone: (503) 808-4918

Email: James.B.Fogelsong@nw01.usace.army.mil

01355: see para 3.3.3

01565: see para 3.1.2 breaks erosion control into three phases so interest in the requirement does not lag.

01565 exhibit B: helps our contractor in a general way.

In addition, we usually have three or four contract drawings detailing site-specific BMP's for the initial SWPPP plan.



01355.doc (113 KB)



01565.doc (50 KB)



01565-EXHIBIT
B.pdf (146 KB)

The Construction General Permit (CGP) also allows certain non-stormwater discharges, provided the non-stormwater component of the discharge is in compliance with Subpart 3.5 (Non-Storm Water Discharge Management).

B. Allowable Non-Storm Water Discharges

You are authorized for the following non-storm water discharges, provided the non-storm water component of the discharge is in compliance with Subpart 3.5 (Non-Storm Water Discharge Management):

1. Discharges from fire-fighting activities;
2. Fire hydrant flushings;
3. Waters used to wash vehicles where detergents are not used.
4. Water used to control dust in accordance with Subpart 3.4.G;
5. Potable water including uncontaminated water line flushings;
6. Routine external building wash down that does not use detergents;
7. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
8. Uncontaminated air conditioning or compressor condensate;
9. Uncontaminated ground water or spring water;

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10. Foundation or footing drains where flows are not contaminated with process materials such as solvents;
11. Uncontaminated excavation dewatering.
12. Landscape irrigation.

From CGP, para 1.3.C.4, note the last sentence that allows non-stormwater discharges of process water under the CGP:

4. This permit does not authorize discharges that USEPA, prior to authorization under this permit, determines will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard. Where such a determination is made prior to authorization, USEPA may notify you that an individual permit application is necessary in accordance with Subpart 4.2. However, USEPA may authorize your coverage under this permit after you have included appropriate controls and implementation procedures in your SWPPP designed to bring your discharge into compliance with water quality standards.

Seattle District (CENWS)

Points of Contact:

Jill M. Gough
Civil Engineer
U.S. Army Corps of Engineers
CENWS-EC-DB-CS
4735 E. Marginal Way S.
Seattle, WA 98134-2385
Telephone: (206) 764-3549
Email: Jill.M.Gough@NWS02.usace.army.mil

Carl V. Steiger
Specification Section
Telephone: (206) 764-6554
Email: Carl.V.Steiger@NWS02.usace.army.mil

We do have stormwater specifications that deal with compliance and plans the contractor is required to submit before beginning construction. The specifications are 01355 ENVIRONMENTAL PROTECTION and 01356 STORMWATER POLLUTION PREVENTION MEASURES. I believe these have been specifically edited for Fort Lewis. We are currently using these specifications for the FY05 Whole

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Barracks Renewal at Fort Lewis. They are not yet in final form, and we have not received comment from Fort Lewis PW's Environmental Group (from Jill Gough).

Here's what we have in our "Fort Lewis" (01355 and 01356) master folder, but I believe they are identical to the standard UFGS (from Carl Steiger).



01356A.sec (32 KB)01355A.sec (77 KB)

Walla Walla District (CENWW)

Point of Contact
Steven J. Thompson NWW
CENWW-OD-MC
Telephone: (509) 527-7162
Email: Steven.J.Thompson@nww01.usace.army.mil

PACIFIC OCEAN DIVISION (CEPOD)

Alaska District (CEPOA)

Point of Contact - No information.

Honolulu District (CEPOH)

Point of Contact - No information.

SOUTH ATLANTIC DIVISION (CESAD)

Charleston District (CESAC)

Point of Contact - No information.

Jacksonville District (CESAJ)

Point of Contact - No information.

Mobile District (CESAM)

Point of Contact:
Randall T. Goff
CESAM-EN-DA
P.O. Box 2288
Mobile AL 36628-0001

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Phone: (251) 690-2788
Email: Randall.T.Goff@usace.army.mil

Savannah District (CESAS)

Point of Contact - No information.

Wilmington District (CESAW)

Point of Contact - No information.

SOUTH PACIFIC DIVISION (CESPD)

Albuquerque District (CESPA)

Point of Contact - No information.

Los Angeles District (CESPL)

Point of Contact:
Arthur Y. Yung
Engineering Department
Los Angeles District
CESPL-ED
911 Wilshire Blvd. #1300
Los Angeles, CA 90017
Phone: (213) 452-3630
Email: ajung@spl.usace.army.mil

The current WORK INSTRUCTION 4-01-01 TO PREVENT STORMWATER POLLUTION is posted at http://www.spk.usace.army.mil/projects/environmental/stormwater/wi_04-01-01.pdf and we are planning to update it.

We also have Section 01356A STORM WATER POLLUTION PREVENTION MEASURES we are using in the Folsom Dam Upper Tier Outlet Works Modifications specifications 1276.

http://www.wbdg.org/ccb/browse_org.php?o=70

Sacramento District (CESPK)

Point of Contact:
John "J.J." Baum P.E.
Environmental Engineer
U.S. Army Corps of Engineers, Sacramento District
Environmental Chemistry Section
1325 J. Street

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Sacramento CA, 95814
Phone: (916) 557-6656
Fax: (916) 557- 5307
Email: John.J.Baum@usace.army.mil

Attached are the documents and links that we discussed over the phone. The first attachment is a copy of the 01356 specifications in specs intact format (you will need specs intact installed to open it). This is generally included in all construction specifications on sites disturbing greater than 1 acre of land.



01356B.sec (40 KB)

The second is an older draft of an in house instruction for handling storm water permitting issues in the district. It needs to be updated before it can be distributed for use, but you may find it interesting as a reference.



Draft of
_06-01-03.doc (132

The first link below is to the web page for the California State General Storm Water Permit for Construction. Since most of our work is in California, and the restrictions are tighter, it is the guidance that we most often try to meet.

<http://www.swrcb.ca.gov/stormwtr/construction.html>

The second link is to a great reference document prepared by a non profit agency with the approval of the California State Water Quality Control Board about managing storm water. I generally use their construction handbook as a reference due to them setting the standard for what should be in a Storm Water Pollution Prevention Plan. Their site also has excellent reference materials for the management of storm water for industrial sites.

<http://www.cabmphandbooks.com/>

San Francisco District (CESPN)

Point of Contact - No information.

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SOUTHWESTERN DIVISION (CESWD)
Fort Worth District (CESWF)

Point of Contact:
Poy Har Kathleen Wu, P.E.
U.S. Army Corps of Engineers
819 Taylor Street (Rm 3A12)
Fort Worth, TX 76102-0300
Phone: (817) 886-1883
FAX: (817) 886-6490
Email: Kathleen.p.wu@swf02.usace.army.mil

Fort Worth District is currently working on about 1,500 projects. They have a mix of military, civil, support for others and people deployed supporting GRD.

Here is a typical spec that goes out with a construct SECTION 01421 OUTLINE OF STORM WATER POLLUTION PREVENTION a Unified Fac SWF (Fort Worth District Guide).

Texas Pollutant Discharge Elimination Permit (TPDES) TXR 150000 is the Storm Water General Permit for construction site discharge

If need National Pollutant Discharge Elimination Permit (NPDES), go to USEPA website and search for the title.

     
TPDES 150000 - Construction Storm W 01421R.pdf 01421-TX NOT.pdf 01421-TX NOI.pdf 01356A.pdf 01421.pdf

Galveston District (CESWG)

Point of Contact - No information.

Little Rock District (CESWL)

Point of Contact - No information.

Tulsa District (CESWT)

Point of Contact:
Stephen Walters SWT
Mechanical Engineer
E&C Design Branch, Cost Engineering
Phone: (918) 669-7268
Email: Stephen.Walters@swt03.usace.army.mil

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The attachment contains Section 01561 Environmental Protection from the Guide Specification for Military construction that Tulsa district uses in every job.



01561.pdf

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