

NEW GENERAL CONSTRUCTION PERMIT REQUIREMENTS EFFECTIVE JULY 1, 2010



Obtaining Coverage

For a project site to obtain coverage under this General Permit, the Legally Responsible Person (LRP) must electronically file Permit Registration Documents (PRD) that include the Notice of Intent (NOI), Storm Water Pollution Prevention Plan (SWPPP), and all other required documents of the New General Permit, and mail the appropriate fees to the State Water Board. LRPs must file a Notice of Termination (NOT) with the Regional Water Board when construction is complete and final stabilization has been reached or ownership has been transferred. The discharger must certify that all State and local requirements have been met in accordance with the General Permit. In order for construction to be found complete, the discharger must install post-construction storm water management measurements and establish a long term maintenance plan. The discharger is responsible for all compliance issues, including all annual fees until the NOT has been filed and approved by the local Regional Water Board.

Risk Based Permitting

When applying for coverage under the new Permit, sites must calculate their Risk Level (Risk Level 1, 2, or 3) based on sediment transport and receiving water risk. The Permit specifies minimum levels of Best Management Practices (BMPs) for each risk level.

SWPPP Requirements

A site specific Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a Qualified SWPPP Developer (QSD). BMPs implemented onsite to control sediment and other pollutants must be overseen by a Qualified SWPPP Practitioner (QSP). The Permit specifies the qualifications for these personnel.

Numeric Action Levels

The permit also establishes Numeric Action Levels (NALs) for pH (6.5 to 8.5) and turbidity (250 NTUs) that apply to Risk Level 2 and 3 sites. The Permit contains specific corrective action and reporting requirements when NALs are not achieved.

Numeric Effluent Limitations

The Permit includes Numeric Effluent Limitations (NEL) for pH (6.0-9.0) and turbidity (500 NTUs) that apply to Risk Level 3 sites. **Exceedance of the NELs are considered a violation of the Permit and requires immediate reporting to the Regional Water Quality Control Board and the submittal of a violation report.**

Rain Event Action Plan

A Rain Event Action Plan (REAP) must be prepared for each probable storm event if your project is Risk Level 2 or 3 (excluding LUP projects). The REAP must show that the site has adequate erosion and sediment controls in place prior to the onset of wet weather. **This permit no longer defines a rainy season and sites must have adequate protection during the entire year for all active and inactive areas.**

Discharge Prohibitions

This General Permit authorizes the discharge of stormwater to surface waters from construction activities that result in the disturbance of one or more acres of land, provided that the discharger satisfies all permit conditions set forth in the Order. Permits for Stormwater discharges associated with construction activity must meet all applicable provisions of Section 301 and 402 of the CWA. These provisions require controls of pollutants discharges that utilize best available technology (BAT) economically achievable for toxic pollutants and non-conventional pollutants and best conventional pollutant control technology (BCT) for conventional pollutants. Additionally, these provisions require controls of pollutant discharges to reduce pollutants and more stringent controls necessary to meet water quality standards.

Receiving Water Limitations

Construction related activities that cause or contribute to an exceedance of water quality standards must be addressed. This Permit requires that stormwater discharges and authorized non-stormwater discharges must not contain pollutants that cause or contribute to an exceedance of any applicable water quality objective or water quality standard.

Monitoring Requirements

The new General Permit requires all dischargers develop a sampling and analysis strategy for monitoring pollutants that are not visually detectable in stormwater. Monitoring for non-visible pollutants, including pH and turbidity, is required at all construction sites when the exposure of construction materials occurs and where a discharge can cause or contribute to an exceedance of water quality objectives in receiving waters.

Annual Reporting

All dischargers shall prepare and electronically submit an Annual Report no later than September 1st of each year. The Annual Report must include an evaluation of the site sampling and analysis results, visual inspection records, a summary of all violation and corrective actions and staff training.