

# Draft Construction Stormwater General Permit

2015 Public Workshops

Amy Moon

Department of Ecology

360-407-6467

[amy.moon@ecy.wa.gov](mailto:amy.moon@ecy.wa.gov)

# Purpose of Today's Session

- **Explain CSWGP Reissuance Schedule and Public Process**
- **Present proposed changes to the CSWGP**
- **Answer Questions**

# Reissuance Background

- **Federal regulations: NPDES Permits cannot be issued for more than 5 years.**
- **Current CSWGP expires December 31, 2015.**
- **Federal regulations: Permittees must reapply 180 days before the expiration of the permit.**
  - **Ecology sent instructions in April 2015**
  - **Electronic Renewal Applications**
  - **Due date: July 3, 2015**

# Reissuance Schedule

- **July 1: Ecology released *Draft* Permit and Fact Sheet.**
  - **Began Public Comment Period (41 days)**
- **July - August: Public Workshops & Hearing.**
- **August 10: Close Public Comment Period.**
  - **Ecology reviews public comments**
  - **Ecology makes appropriate revisions**



# Reissuance Schedule

- **November 18: Issue Final Permit.**
  - Response to Comments.
  - Permit coverage issued to Permittees.
  - Appealable.
- **January 1, 2016: Final Permit Effective.**
  - Supersedes existing permit.

# Construction Stormwater Website

The screenshot shows a web browser window displaying the Washington Department of Ecology's Construction Stormwater General Permit page. The browser's address bar shows the URL <http://www.ecy.wa.gov/programs/wq/stormwater/construction/index.html>. The website header includes the Department of Ecology logo and navigation links for Home, WATER, AIR, WASTE, CLEANUP, TOXIC HAZARDS, and GREEN. A search bar is located in the top right corner. The main content area is titled "Water Quality" and features a sidebar with links to various water quality topics. The central text explains the Construction Stormwater General Permit, which requires operators to develop pollution prevention plans, implement sediment control measures, and obtain coverage under the permit. A list of proposed permit documents is provided, including a Draft Permit, Fact Sheet, Draft Notice of Intent, List of Proposed Changes, and Economic Impact Analysis. A sidebar on the right contains a photo of a construction site and links to reapplication information, a waiver calculator, and an online application form.

**DEPARTMENT OF ECOLOGY**  
State of Washington

Home | WATER | AIR | WASTE | CLEANUP | TOXIC HAZARDS | GREEN | About Us | Jobs

Programs Services Publications & Forms Databases Laws & Rules Public Involvement Calendar Public Records

## Water Quality

**WATER QUALITY**

- Aquatic Plants, Algae & Lakes
- Ground/Surface Waters
- Nonpoint Pollution
- Permits-Point Source
- Puget Sound Water Quality Stormwater

**Construction Permit**

- Contact Us
- Permit, Forms & Application
- High Turbidity Phone Reporting
- Resources and Guidance
- CESCL Training & Certification Programs
- Historical Information

Industrial Permit  
Municipal Permit  
Sand and Gravel Permit

[Water Quality](#) > [Stormwater](#) > Construction Stormwater General Permit

### Construction Stormwater General Permit

Construction site operators are required to be covered by a Construction Stormwater General Permit if they are engaged in clearing, grading, and excavating activities that disturb one or more acres and discharge stormwater to surface waters of the state. Smaller sites may also require coverage if they are part of a larger common plan of development that will ultimately disturb one acre or more. Operators of regulated construction sites are required to:

1. Develop stormwater pollution prevention plans.
2. Implement sediment, erosion, and pollution prevention control measures.
3. Obtain coverage under this permit.

The current Construction Stormwater General Permit (CSWGP) will expire December 31, 2015. Ecology plans to issue the new CSWGP in November 2015 with an effective date of January 1, 2016. **All Permittees must reapply per Section G8 of the current permit. [Reapplication Instructions and Information](#)**

#### Proposed Permit Documents

- Draft Permit - [Redline](#) | [Clean](#)
- [Fact Sheet](#)
- [Draft Notice of Intent \(Application\)](#)
- [List of Proposed Changes](#)
- [Economic Impact Analysis](#)

**It's Time to Reapply**  
All Permittees must reapply by **July 3, 2015**. Permittees can now reapply online.

[Erosivity Waiver Calculator](#)

[Construction Stormwater Site Inspection Form](#)

[Online Application \(eNOI\) Now Available](#)

[Sampling Frequently Asked Questions](#)

# Proposed Changes

- Most permit conditions unchanged
- Revisions proposed to:
  - Improve clarity and reduce confusion
  - Implement new Federal terminology

# Proposed Changes

- **Permit Coverage**
- **Application Requirements**
- **Monitoring Requirements**
- **Reporting Requirements**
- **SWPPP**

# Proposed Changes

- **Notice of Termination**
- **Signatory Requirements**
- **Duty to Reapply**
- **Definitions**

# Proposed Changes

- **Permit Coverage**
- **Application Requirements**
- **Monitoring Requirements**
- **Reporting Requirements**
- **SWPPP**

# S1. Permit Coverage

- Federal Operators are exempt from coverage
- Indian Country is not covered by the permit, except land within the Puyallup Reservation
- Discharges to surface water on land held in trust by the federal government within the Puyallup Reservation are exempt from coverage

# Proposed Changes

- Permit Coverage
- **Application Requirements**
- Monitoring Requirements
- Reporting Requirements
- SWPPP



## S2. Application Requirements

- Require electronic applications (eNOI)
  - eNOI tutorial video will be available
- Restored Erosivity Waiver calculator link
- Contaminated sites (soil and/or groundwater) require additional information
  - List or table with lab test results
  - Map with sample locations
  - TESC plans
  - Relevant portions of the SWPPP
  - Dewatering plan (or dewatering contingency plan)

# Proposed Changes

- Permit Coverage
- Application Requirements
- **Monitoring Requirements**
- Reporting Requirements
- SWPPP

# S4. Monitoring Requirements, Benchmarks, & Reporting Triggers

- Inactive sites may reduce sampling to once per month
- Do not have to sample discharge points outside the Permittees operational control
- High turbidity reporting (250 NTU or greater) through Ecology's ERTS system
  - Either by telephone, or
  - Electronically through ERTS
  - In the near future, high turbidity can be submitted through the WQWebPortal

## S4. Continued

- Clarified sampling threshold for recycled concrete
  - Weekly pH monitoring when the recycled concrete is first exposed to precipitation
  - Continue weekly until the recycled concrete is fully stabilized and stormwater pH is in the range of 6.5 to 8.5 su

# Proposed Changes

- Permit Coverage
- Application Requirements
- Monitoring Requirements
- **Reporting Requirements**
- SWPPP

# S5. Reporting and Recordkeeping Requirements

- High turbidity reporting (250 NTU or greater) through Ecology's ERTS system
  - Either by telephone or electronically
- DMRs are required from issuance to termination
- Retain a copy of the Transfer of Coverage documentation
- Submit detailed written reports of non-compliance through the WQWebPortal
- Erosivity Waiver should be kept on site or reasonably accessible

# Proposed Changes

- **Permit Coverage**
- **Application Requirements**
- **Monitoring Requirements**
- **Reporting Requirements**
- **SWPPP**

# S9. Stormwater Pollution Prevention Plan

- Engineering calculations for ponds, treatment systems, & any other designed structures
- BMPs must be consistent with most current approved edition of the SWMMWW and SWMMEW at the time this permit was issued
- Corrected slope drain & on-site conveyance channel calculation criteria to handle the peak 10-minute flow rate (rather than velocity of flow)



## S9. Continued

- Added recycled concrete stockpiles to the list of potential pH-modifying sources
- Clarified that pH must be adjusted in stormwater and authorized non-stormwater if necessary to prevent an exceedance of groundwater and/or surface water quality standards
- Clarified concrete handling equipment washout must be performed off-site or in a designated concrete washout area

## S9. Continued

- Clarified that written approval is required for all chemical treatment
  - Except for use of CO<sub>2</sub> sparging or dry ice to adjust pH
- Uncontaminated water from water-only based shaft drilling may be infiltrated
  - No discharge to surface water
  - pH neutralization may be necessary

# S9. Continued

## Element 13. Protect (LID) BMPs

- Protect bioretention facilities and rain gardens from sedimentation
- Restore if sedimentation occurs



# S9. Continued

## Element 13. Protect (LID) BMPs



- Prevent compaction of bioretention facilities and rain gardens
- Clean permeable pavements that no longer pass an initial infiltration test

# S9. Continued

## Element 13. Protect (LID) BMPs

- Avoid introducing sediment onto permeable pavements
- Keep heavy equipment off existing soils under LID features to retain the soil infiltration rates



# Proposed Changes

- **Notice of Termination**
- **Signatory Requirements**
- **Duty to Reapply**
- **Definitions**



# S10. Notice of Termination

- Future NOT form
  - May submit electronic termination form through the WQWebPortal when available
- Comply with all conditions and effluent limitations in the permit until permit has been terminated

# Proposed Changes

- **Notice of Termination**
- **Signatory Requirements**
- **Duty to Reapply**
- **Definitions**



## G2. Signatory Requirements

- Aligned the permit application signatory requirements with the federal regulations (40 CFR 122.22)
  - Corporations require signature by a responsible corporate officer
    - Person who performs policy or decision-making functions for the corporation (such as president, vice president, secretary, treasurer, etc.)
    - Manager of 1 or more manufacturing, production, or operating facilities (provided they have decision making authority)

# Proposed Changes

- **Notice of Termination**
- **Signatory Requirements**
- **Duty to Reapply**
- **Definitions**

## G8. Duty to Reapply

- Electronic reapplication (renewal by eNOI)

# Proposed Changes

- **Notice of Termination**
- **Signatory Requirements**
- **Duty to Reapply**
- **Definitions**

# Appendix A. Definitions

- Benchmark
- Chemical treatment
- Federal Operator
- Process wastewater
  - Clarified that comingled stormwater is considered process wastewater
- Responsible Corporate Officer
- Transfer of Coverage
- Water-only Based Shaft Drilling

# Benchmark

- A pollutant concentration used as a permit threshold
  - Below which a pollutant is considered unlikely to cause a WQ violation
  - Above which it may
- When pollutant concentrations exceed benchmarks
  - Corrective Action is required

# Chemical Treatment

The addition of chemicals to stormwater and/or authorized non-stormwater prior to filtration and discharge to surface waters.

# Appendix A. Definitions

- Benchmark
- Chemical treatment
- **Federal Operator**
- **Process wastewater**
  - Clarified that comingled stormwater is considered process wastewater
- Responsible Corporate Officer
- Transfer of Coverage
- Water-only Based Shaft Drilling



# Responsible Corporate Officer

This definition is for the purpose of signatory authority

Must be in charge of a principal business function or performs policy or decision making functions. Such as a president, vice president, secretary, treasurer, or manager authorized to make management decisions.

# Appendix A. Definitions

- Benchmark
- Chemical treatment
- Federal Operator
- Process wastewater
  - Clarified that comingled stormwater is considered process wastewater
- Responsible Corporate Officer
- **Transfer of Coverage**
- **Water-only Based Shaft Drilling**

# Reissuance Schedule

- **July 1: Ecology released *Draft* Permit and Fact Sheet.**
  - **Began Public Comment Period (41 days)**
- **July - August: Public Workshops & Hearing.**
- **August 10: Close Public Comment Period.**
  - **Ecology reviews public comments**
  - **Ecology makes appropriate revisions**

# Reissuance Schedule

- **November 18: Issue Final Permit.**
  - **Response to Comments.**
  - **Permit coverage issued to Permittees.**
  - **Appealable.**
- **January 1, 2016: Final Permit Effective.**
  - **Supersedes existing permit.**

# Questions?

Amy Moon

Department of Ecology

360-407-6467

[amy.moon@ecy.wa.gov](mailto:amy.moon@ecy.wa.gov)