

Construction Stormwater General Permit (CSWGP)



Presented by:

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October 2014

Permit Reissuance –

Listening Sessions

Purpose of Today's Session

- 1) Explain Permit Reissuance Schedule and Process**
- 2) Provide Open Forum for Interested Parties to Provide Feedback to Ecology**
- 3) Answer Questions**

Background

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

CSWGP Reissuance Process

- **October 2014: Listening Sessions for Informal Feedback to Ecology.**
- **July 1, 2015: Ecology releases Draft Permit and Fact Sheet.**
 - **Begins Public Comment Period (41 days)**
- **July 2015: Public Workshops & Hearing.**
- **August 10, 2015: Close Public Comment Period.**

CSWGP Reissuance Process Continued

- **August 10: Close Public Comment Period.**
 - Ecology reviews public comments
 - Ecology makes revisions to draft permit
- **December 2, 2015: Issue Final Permit.**
 - Response to Comments.
 - Permit coverage issued to Permittees.
 - Appealable.
- **January 1, 2016: Permit Effective.**

Ecology wants feedback on Current Permit.



What's Working

What's Not?

Clarification Needed?

Areas of Confusion?

Main Areas of Permit

S1. Permit Coverage

S2. Application Requirements

S3. Compliance with Standards

S4. Monitoring Requirements, Benchmarks and Reporting

S5. Reporting and Recordkeeping Requirements

Main Areas of Permit Continued

S6. Permit Fees

S7. Solid and Liquid Waste Disposal

S8. Discharges to 303(d) or TMDL Water Bodies

S9. Stormwater Pollution Prevention Plan

S10. Notice of Termination

S1. Permit Coverage

- Operators of the following construction activities that disturb:
 - One or more acres
 - Less than 1 acre, but are part of a common plan of development
 - Significant contributor of pollutants to waters of the state**and** discharge stormwater.

S1. Permit Coverage

Considering

Clarification to Prohibited Discharges:

Slurry materials and waste from shaft drilling, *including process wastewater from shaft drilling for construction of building, road, and bridge foundations unless managed according to Special Condition S9.D.9.*

Special Condition S9.D.9.

Considering

S9.D.9.j.

Uncontaminated water from water-only based shaft drilling for construction of building, road, and bridge foundations may be infiltrated provided the wastewater is managed in a way that prohibits discharge to surface waters.

S1. Permit Coverage Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

S2. Application Requirements

- Notice of Intent
- Transfer of Coverage Form
- Public Notice
- Erosivity Waiver

S2. Application Requirements

Permit Application Forms

Considering adding:

- *Contaminated soils and/or groundwater associated with the construction activity.*
 - 1) *Provide information (as known and readily available) on the nature and extent of the contamination.*
 - 2) *Provide information on pollution prevention and or treatment BMPs proposed to control the discharge of soil and/or groundwater contaminants.*

S2. Application Requirements Cont. Considering

Examples of such detail include, but are not limited to:

- i. List or table of all known contaminants with laboratory test results showing concentration and depth,*
- ii. Map with sample locations,*
- iii. Temporary Erosion and Sediment Control (TESC) plans,*
- iv. Stormwater Pollution Prevention Plan (SWPPP)*
- v. Dewatering plan and/or dewatering contingency plan.*

S2. Application Requirements Cont. Considering

- Update Erosivity Calculator Link
 - Link to EPA “Welcome to the Rainfall Erosivity Factor Calculator!”
 - Calculator
 - Construction Rainfall Erosivity Waiver Fact Sheet

S2. Application Requirements Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

S3. Compliance with Standards

- Water quality standards
 - Surface water quality standards
 - Ground water quality standards
 - Sediment management standards
 - Human health-based criteria
- Apply AKART
 - Prepare and implement SWPPP
- Implement stormwater BMPs

S3. Compliance with Standards

Considering

- Contaminated Sites
 - *Implement Advanced Treatment Systems for on-site pollution control*
 - *To meet AKART*
 - *To comply with standards*
- Update Erosivity Calculator Link

S3. Compliance with Standards Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

S4. Monitoring Requirements, Benchmarks and Reporting Triggers

1) Site Log Book

2) Site Inspections

- Once every calendar week & within 24 hours of any discharge from site.

3) Turbidity/Transparency Sampling

- Once every calendar week when stormwater discharges from the site or enters on-site surface water

S4. Continued

Benchmark Values & Reporting Triggers

- Turbidity 26-249 NTU, transparency 32-7 cm
 - Review SWPPP & implement BMPs
- Turbidity ≥ 250 NTUs, transparency 6 cm or less
 - ERTS reporting
 - Review SWPPP & implement BMPs
 - Daily sampling of discharge until turbidity is 25 NTU (or less) or transparency 33cm (or greater)
 - Demonstrate compliance with water quality limit

S4. Continued

pH Sampling Requirements

- Significant concrete work ($\geq 1,000$ yd³ over the life of the project)
 - Weekly from first pour to end of curing period
 - Monitor stormwater from the affected area
- Engineered soils
 - Weekly when soil amendments are first exposed to precipitation until fully stabilized
 - Monitor stormwater from the affected area

pH Benchmark value for engineered soils and significant concrete work is 8.5 su. Adjust until pH range is 6.5 to 8.5 su.

S4. Monitoring Requirements, Benchmarks and Reporting Triggers Considering

- Responsible Party
 - *Inspect stormwater discharge points under the Permittee's operational control*
 - *Permittee may discontinue sampling at discharge points in areas of the project that have been sold and/or transferred, and where the Permittee no longer has operational control of the construction activity.*

S4. Monitoring Requirements, Benchmarks and Reporting Triggers Considering

- Turbidity/Transparency Sampling Frequency
 - *Reduce the sampling frequency for temporarily stabilized, inactive sites to once every calendar month.*

S4. Monitoring Requirements, Benchmarks and Reporting Triggers Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

S5. Reporting and Recordkeeping Requirements

- 1) High turbidity phone reporting
- 2) Discharge Monitoring Reports
 - Monthly by the 15th.
- 3) Records Retention
 - Minimum of 3 years.
- 4) Recording Results (date, place, sample, etc.)
- 5) Additional Monitoring by the Permittee
- 6) Noncompliance Notification
- 7) Access to Plans and Records

S5. Reporting & Recordkeeping Requirements Feedback

1) What's Working?

2) What's Not?

3) Areas of Confusion?

4) Clarification Needed?

S6. Permit Fee Requirements & S7. Solid & Liquid Waste Disposal

- S6. Fees are established by Chapter 173-224 WAC
 - Fees are subject to change and are not set by the permit (typically fees change every 2 years)
 - Fees are charged until the permit is terminated
- S7. Handle & dispose of solid and liquid waste in accordance to regulations and standards

S6. Permit Fees and S7. Solid & Liquid Waste Disposal Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

S8. Discharges to 303(d) or TMDL Waterbodies

- 1) Sampling & Numeric Effluent Limits for Certain Discharges to 303(d)-listed Waterbodies
- 2) Limits on Coverage for New Discharges to TMDL or 303(d)-listed Waters
- 3) Sampling & Numeric Effluent Limits for Discharges to Waterbodies on the 303(d) List for Turbidity, Fine Sediment, or Phosphorus
- 4) Discharges to Waterbodies on the 303(d) List for High pH
- 5) Sampling & Limits for Sites Discharging to Waters Covered by a TMDL or Another Pollution Control Plan

S8. Discharges to 303(d) or TMDL Waterbodies Considering

- *Extending the 25 NTU effluent limit for Category 5 listed waters to Category 4 listed waters*
 - *if impaired for turbidity, fine sediment, or phosphorus*
- *8.5 su effluent limit for Category 4 listed waters for pH*

S8. Discharges to 303(d) or TMDL Waterbodies Feedback

1) What's Working?

2) What's Not?

3) Areas of Confusion?

4) Clarification Needed?

S9. Stormwater Pollution Prevention Plan

- 1) General Requirements
- 2) Stormwater Best Management Practices
- 3) SWPPP- Narrative Contents and Requirements

S9. SWPPP Cont.

Elements

1. Preserve Vegetation/Mark Clearing Limits
2. Establish Construction Access
3. Control Flow Rates
4. Install Sediment Controls
5. Stabilize Soils
6. Protect Slopes
7. Protect Drain Inlets
8. Stabilize Channels and Outlets
9. Control Pollutants
10. Control Dewatering
11. Maintain BMPs
12. Manage the Project

S9. SWPPP

Considering

- *Preserve Topsoil*
- *Expand list of pH-modifying sources*
 - *Recycled concrete stockpiles*
- *Infiltration of uncontaminated water from water-only based shaft drilling*
- *Element 13 – Protect Low Impact Development BMPs*

S9. SWPPP Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

S10. Notice of Termination

Eligible for termination if:

- 1) Undergone final stabilization
- 2) Portions of site not undergone final stabilization have been sold and/or transferred – No longer have Operational Control of the construction activity
- 3) Residential construction – temporarily stabilized & homeowner has taken possession

S10. Notice of Termination Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

General Conditions

G2. Signatory Requirements

G6. Reporting A Cause for Modification

G9. Transfer of General Permit Coverage

G11. Duty to Provide Information

G13. Additional Monitoring

G20. Reporting Planned Changes

General Conditions

Considering

- G2. Signatory Requirements - Align signatory requirements with federal rule
 - *For corporation. By a responsible corporate officer as defined in 40 CFR 122.22*
- G9. Transfer of General Permit Coverage
 - *Administrative Order will automatically transfer with transfer of permit coverage*

General Conditions Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

Appendix A - Definitions

Considering

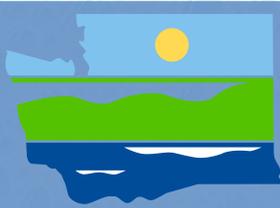
- *Chemical Treatment*
- *Federal Operator*
- *Responsible Corporate Officer*
- *Water-only Based Shaft Drilling*

Appendix A - Definitions Feedback

- 1) What's Working?**
- 2) What's Not?**
- 3) Areas of Confusion?**
- 4) Clarification Needed?**

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<http://www.ecy.wa.gov/programs/wq/stormwater/construction/index.html>