

Construction General Permit Overview

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Division of Water Quality
Industrial/Construction Storm Water Unit

Who does this apply to?

- Construction or demolition activity resulting in land disturbance of equal to or greater than one acre (or less than 1 acre if part of a common plan of development)
- Construction activity related to residential, commercial, or industrial development on agricultural lands
- Construction activity associated with Linear Utility Projects.
- Construction activities associated with oil and gas exploration
- Discharges from dredge spoil placement outside of US Army Corp jurisdiction (1 acre or larger)

Construction Permit Timeline

- Previous permit – **Order 99-08-DWQ** - “expired” in 2004
- **Spring 2007** - Preliminary draft CGP
- **Spring 2008** - Tentative draft CGP
- **Spring 2009** – Revised Tentative draft CGP
- **September 2, 2009** – 2009-0009-DWQ Adopted

Construction Permit Timeline

EFFECTIVE DATE:

JULY 1, 2010

CGP Coverage Timeline

- **Existing Dischargers** - Continue to comply with the existing permit until July 1, 2010. Projects active on or after the July 1, 2010 effective date shall file electronically for coverage under the new permit.

99-08-DWQ

2009-0009-DWQ

July 1, 2010

A diagram illustrating the transition of CGP coverage. It features two horizontal bars: a blue bar on the left labeled '99-08-DWQ' and a green bar on the right labeled '2009-0009-DWQ'. A black arrow points upwards from the date 'July 1, 2010' to the boundary between the two bars, indicating the effective date of the new permit.

- **New dischargers** - File Permit Registration Documents (PRDs) electronically on our after July 1, 2010.

Permit Registration Documents (PRDs)

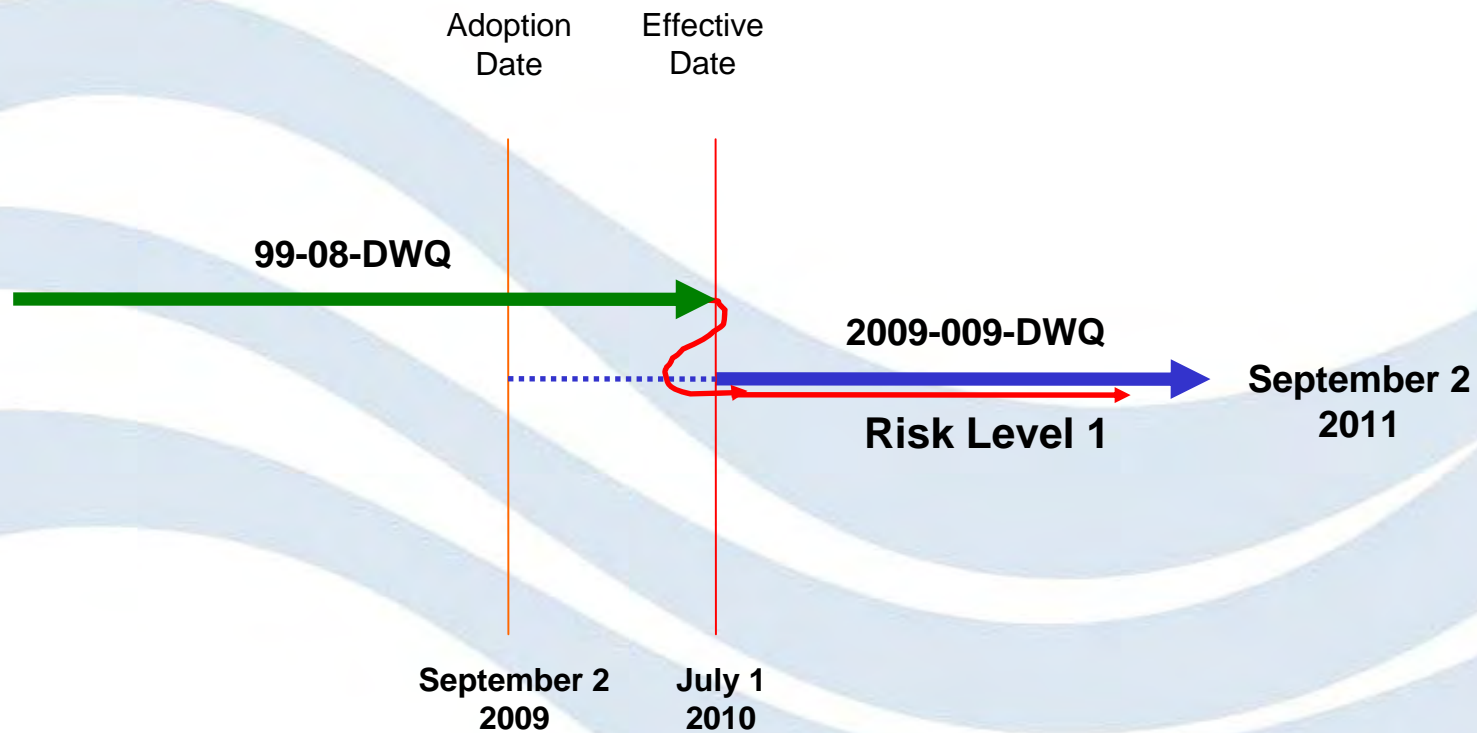
PRD's consist of:

Notice of Intent (NOI), Risk Assessment, Site Map, SWPPP, Signed Certification Statement, First Annual Fee.

- Electronically Filed by **Legally Responsible Person (LRP)** = landowner
- State Water Board's **Stemwater Multi-Application & Report Tracking System (**SMARTS**) website.**



Grandfathering: Existing projects will be granted Risk Level 1 status



- May 1st letters to existing dischargers with re-certification instructions

Grandfathering Exceptions

- Grandfathered Projects must be completed by 2 years after permit adoption (September 2, 2011)
- Regional Water Boards may require a risk assessment when:
 - 1) Site has a history of non-compliance
 - 2) Site poses a significant risk to water quality

99-08-DWQ (Old Permit) & 2009-0009-DWQ (New Permit)

- 1. Risk Based Permitting Approach**
- 2. Rainfall Erosivity Waiver Option**
- 3. Technology Based Numeric Action Levels**
- 4. Technology Based Numeric Effluent Limitations**
- 5. Compliance Storm Event**
- 6. Active Treatment System Requirements**
- 7. Effluent Monitoring**
- 8. Receiving Water Monitoring**
- 9. Post Construction Requirements**
- 10. Rain Event Action Plan**
- 11. Annual Reporting Requirements**
- 12. Certification and Training Requirements**
- 13. Linear Utility Project Requirements**

1. Risk Based Permitting Approach

A project's overall risk is broken up into two elements:

1) Project Sediment Risk -the relative amount of sediment that can be discharged, driven largely by scheduling and site characteristics.

2) Receiving Water Risk - the risk sediment discharges pose to the receiving waters.



Step 1:

Project Sediment Risk

Revised Universal Soil Loss Equation (RUSLE)

$$A = (R)(K)(LS)(C)(P)$$

A = the rate of sheet and rill erosion (tons/acre)

R = rainfall – runoff erosivity factor

*www.epa.gov/npdes/stormwater/cgp

K = soil erodibility factor

*provided GIS map of K factor for the State

OR

*particle size analysis

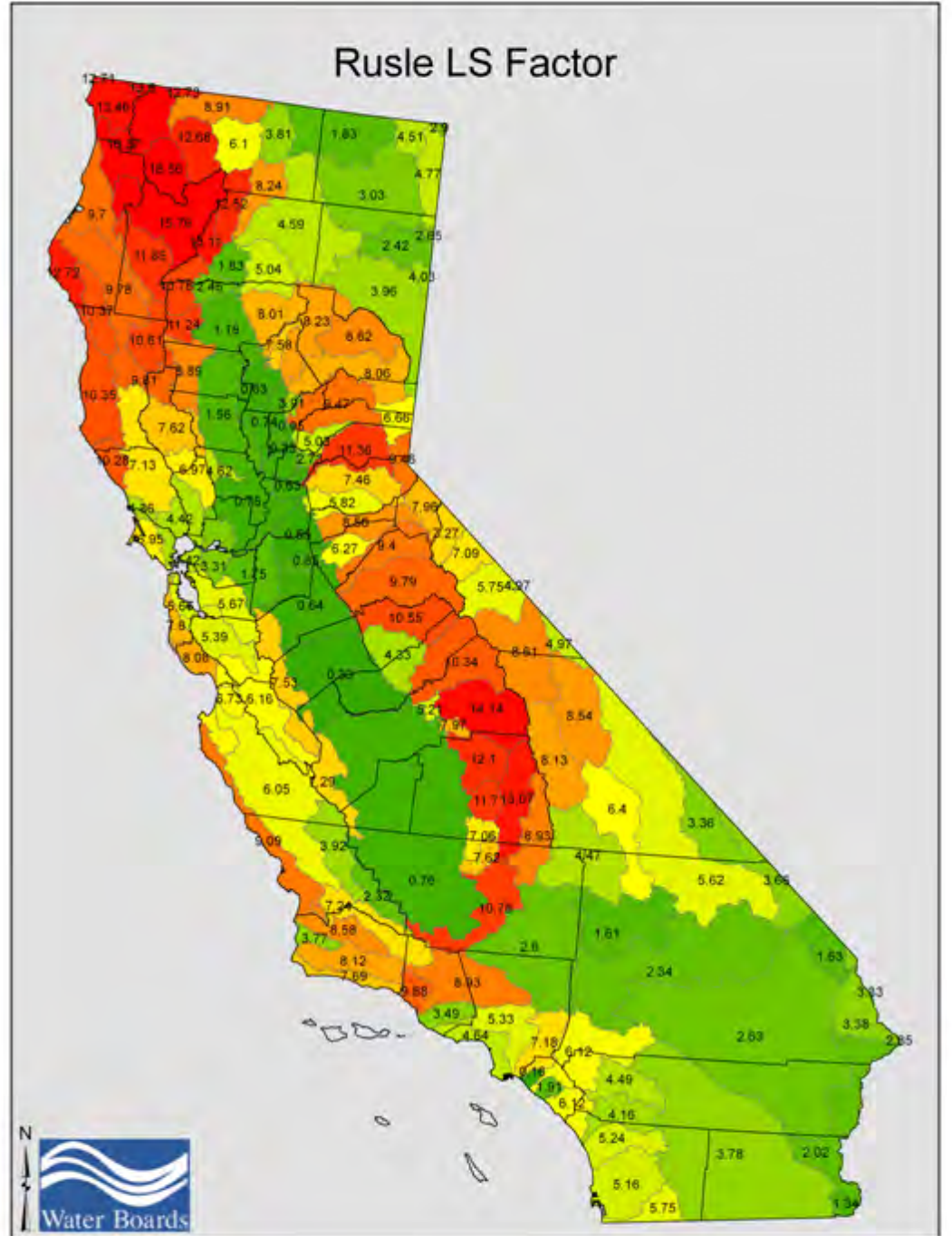
LS = length slope factor

*provided GIS map of LS factor for the State

Rusle K Factor



Rusle LS Factor



Step 2: Receiving Water Risk

Sediment Sensitive Waterbodies

1. CWA 303(d) list for waterbodies impaired for a sediment pollutant (TSS, turbidity, etc).
USEPA – approved Total Maximum Daily Load implementation plan for sediment.

-OR-

2. Beneficial uses of COLD, SPAWN, *and* MIGRATORY



Receiving Water Risk



Data Source: UC Davis GeoWBS
Dynamic Query System and SWRCB

0 50 100 Miles

Receiving Water Risk

Step 3: Project Risk Determination

		Project Sediment Risk		
		LOW	MED	HIGH
Receiving Water Risk	LOW	Level 1	Level 2	
	HIGH	Level 2		Level 3

Risk Level 1 Requirements (Attachment C)

“BMPs only”

- Narrative Effluent Standards
- Good Site “Housekeeping”
- Sediment Controls
- Run-on & Runoff Controls (limited)
- Inspection, Maintenance & Repair
- Visual Monitoring

Risk Level 1

Risk Level 2 Requirements (Attachment D)

Risk Level 1 Requirements, **PLUS**

- Numeric Action Levels
 - Turbidity: 250 NTU
 - pH: 6.5-8.5
- Additional Sediment Controls
- Rain Event Action Plan
- Effluent Monitoring

Risk Level 2

Risk Level 3 Requirements (Attachment E)

Risk Level 2 Requirements, **PLUS**

- Numeric Effluent Limitations
 - Turbidity 500 NTU
 - pH: 6.0-9.0
- Additional Sediment Controls
- Receiving Water Monitoring
- Bioassessment (limited cases)

Risk Level 3



Back to Old and New Permit Differences.....



2. Rainfall Erosivity Waiver

Permit Exemption for projects:

- 1) >1 and <5 acres, and
 - 2) Rainfall erosivity value (R value) less than or equal to 5
<http://cfpub.epa.gov/npdes/stormwater/lew/lewcalculator.cfm>
- Certification done through the PRD process in SMARTS.
 - If schedule changes and R value is above 5, must apply for coverage



National Pollutant Discharge Elimination System (NPDES)

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Basic Information

Municipal MS4s

Construction Activities

Industrial Activities

Road-Related MS4s

Menu of BMPs

Green Infrastructure

Urban BMP Tool

Stormwater Home

Rainfall Erosivity Factor Calculator for Small Construction Sites

Please enter the name of your construction project/site

Project/Site Name:

Select a construction period

Start Date:
(Format: mm/dd/yyyy)

End Date:
(Format: mm/dd/yyyy)

The start date is the date of initial earth disturbance. The end date is the date of final site stabilization.

NOTE: If your construction project extends beyond the estimated end date, you will need to either recalculate the R factor based on a new end date, or apply for NPDES permit coverage.

Stormwater Information

- [Recent Additions](#)
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Initial earth disturbance

Final site stabilization



3. Technology Based Numeric Action Levels (NALs)

Risk Level 2 and 3 sites:

- pH NAL = 6.5 – 8.5
- Turbidity NAL = 250 NTU

For an NAL exceedance, the Regional Water Board may require the submittal of an NAL Exceedance Report.



4. Technology Based Numeric Effluent Limitations (NELs)

Risk Level 3 sites:

- pH NEL = 6.0 – 9.0
- Turbidity NEL = 500 NTU

For an NEL exceedance: NEL Violation Report submitted within 24 hours after the NEL exceedance identified with:

- sampling results
- description of the onsite BMPs, and
- corrective actions taken

5. Compliance Storm Event

Permit Establishes a **5 year, 24 hour** compliance storm event exception from NEL's

6. Active Treatment Systems (ATS)

- Specific Requirements for ATS use in **Attachment F** of Permit
- NEL's based on effective ATS performance:
 - 10 NTU – Daily Flow Weighted Average
 - 20 NTU – Single Sample
- Compliance Storm Event: 10 year 24 hour
- Proper Personnel Training

7. Effluent Monitoring

Risk Level 2 and 3 sites:

- pH & Turbidity compliance

A minimum of 3 samples per day collected from discharges subsequent to a qualifying rain event (producing precipitation of ½ inch or more at the time of discharge).

Samples characteristic of discharge off the site

Results submitted electronically into SMARTS

8. Receiving Water Monitoring

Risk Level 3 sites:

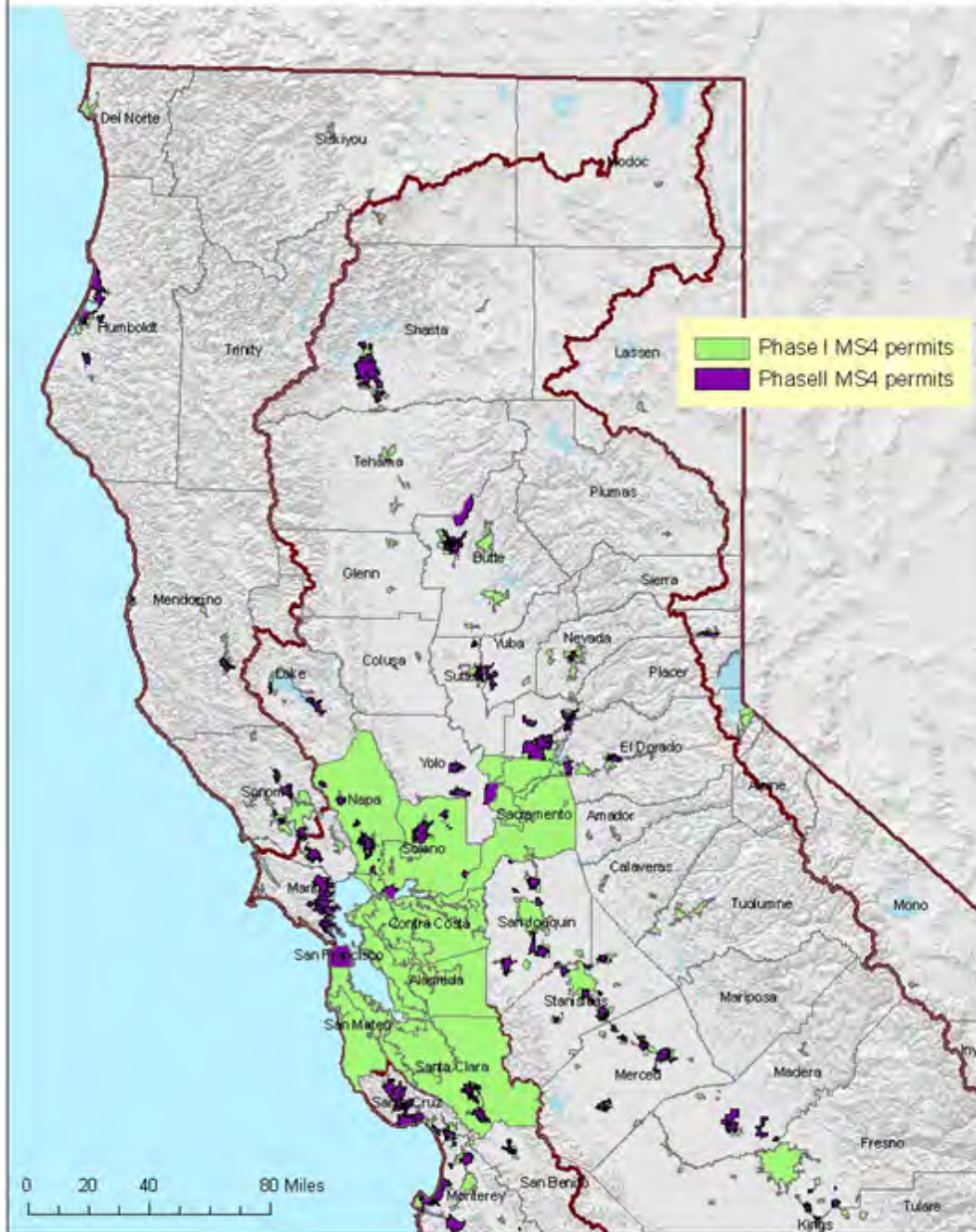
- Receiving Water – NEL exceedance & direct discharge to receiving waters
- Bioassessment – 30 acres or larger & direct discharge to receiving waters



9. Post-Construction

- Match Pre and Post runoff volumes
Emphasis on Low Impact Development (LID)
- Calculator in **Appendix 2**
- Not covered by an active Phase I or Phase II
Municipal Separate Storm Sewer System (MS4)
NPDES permit that has an approved Storm
Water Management Plan
- Effective 3 years after permit adoption
(September 2, 2012)

Stormwater Municipal Permit Coverage for California





Stormwater Municipal Permit Coverage for California

10. Rain Event Action Plan (REAP)

Risk Level 2 and 3 sites:

- Designed to protect all exposed portions of the site within 48 hours prior to any likely precipitation event. (forecast: 50% or greater probability)
(per NOAA - <http://www.wrh.noaa.gov>)
- Templates provided in the California Storm water Quality Association (CASQA) Construction Best Management Practices Handbook (www.casqa.org)

11. Annual Reporting

- Projects enrolled for **more than one continuous three month period** shall prepare and electronically submit an Annual Report no later than September 1 of each year using SMARTS.
- First Submittal: September 1, 2011
 - July 1st – June 30th
- Provide information needed for overall program evaluation and public information.
 - summary and evaluation of all sampling and analysis results
 - laboratory reports
 - summary of all corrective actions taken during the compliance year, and
 - identification of any compliance activities

12. Certification and Training

- Qualified SWPPP developer (QSD) - registrations and certifications listed in **Section VII** of the CGP by **July 1, 2010**
- Qualified SWPPP practitioner (QSP) - registrations and certifications listed in **Section VII** of the CGP by **September 2, 2011**.
- Attended a State Water Board sponsored or approved QSD/QSP training course within two years after the permit adoption date - **September 2, 2011**.
- Information: www.CASQA.org (Available June 2010)

13. Linear Utility Projects

- Includes requirements for all Linear Underground/Overhead Projects (LUPs) over one acre.
- **Risk Based** - LUPs will be broken into project segments designated as LUP Type 1, Type 2, and Type 3.
- Types are analogous to the risk levels for traditional construction projects.

Questions

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