



Translating the
**2014 General Permit for
Discharges of Stormwater
from Construction Activities
(VAR10)**

**Rappahannock-Rapidan Regional Commission
Land Use and Environment Committee
May 30, 2013**



**Construction General Permit
Regulatory Action to Amend, Modify & Reissue**

- NOIRA Comment Period ended June 20, 2012
- Comments Received
 - VAMSA
 - Chesapeake Bay Foundation
 - James River Association
 - Culpeper Soil & Water Conservation District
 - Wetlands Studies & Solutions, Inc.
- Regulatory Advisory Panel Input
 - 7 RAP Meetings (Aug. 2012 – Jan. 2013)





Construction General Permit Authorized Activities

- Stormwater Discharges from Large Construction Activities
 - Land Disturbance \geq 5 acres unless Part of a Common Plan of Development
- Stormwater Discharges from Small Construction Activities
 - Land Disturbance $<$ 5 acres and \geq 1 acre unless Part of a Common Plan of Development
 - No longer includes Chesapeake Bay Land Disturbing Activities



Construction General Permit Authorized Activities cont.

- Stormwater discharges from Emergency-Related Construction Activities
 - Necessary to avoid endangerment to human health, public safety, or the environment
- Stormwater discharges from Onsite or Offsite Support Activities
 - Concrete & Asphalt Batch Plants
 - Equipment Staging Yards
 - Borrow Areas, etc.






Construction General Permit

How to Obtain Permit Coverage

- Submit Registration Statement
 - Online Permitting Application (e-permitting)
 - Reissuance: 90 Days Prior to July 1, 2014
- Submit Registration Fee
 - New Fee Schedule beginning July 1, 2014
- Operators must prepare a Stormwater Pollution Prevention Plan (SWPPP)
 - Prepared prior to Land Disturbance





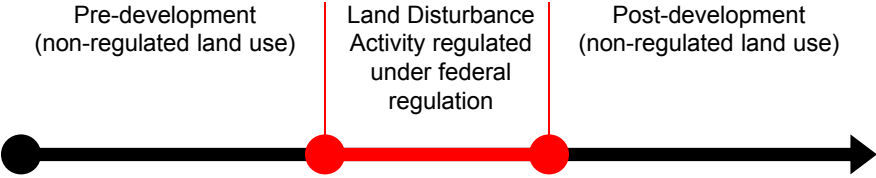
Construction General Permit

Duration of Permit Coverage


Pre-development
(non-regulated land use)

Land Disturbance
Activity regulated
under federal
regulation

Post-development
(non-regulated land use)



- Red Bar indicates the timeframe of CGP coverage
- CGP provides authorization to discharge during construction activities
- CGP governs the Operator of the construction activity
- CGP coverage is Statewide





Construction General Permit Permit Requirements

- Technology-Based Narrative Limitations
 - Federal Effluent Limitation Guidelines (ELGs)
 - 40 CFR Part 450 – Construction & Development Point Source Category
 - Promulgated December 1, 2009
 - Effective February 1, 2010
 - “Minimize” or “Prohibit” the discharge of pollutants
 - Utilized ESC Minimum Standards to address ELGs where applicable



Construction General Permit Permit Requirements cont.

- Water Quality-Based Narrative Limitations
 - Develop, implement & maintain a Stormwater Pollution Prevention Plan (SWPPP) to address:
 - Applicable TMDL Wasteload Allocations
 - Discharges to Nutrient & Sediment Impaired Waters
 - Discharges to Exceptional Waters
 - Select, implement & maintain BMPs to ensure that any applicable Water Quality Standard is not exceeded





Construction General Permit

Permit Requirements cont.

- Stormwater Pollution Prevention Plan (SWPPP)
 - Operators must prepare a SWPPP prior to Land Disturbance
 - SWPP Contents:
 - Approved Erosion & Sediment Control Plan
 - Approved Stormwater Management Plan
 - Pollution Prevention Plan
 - SWPPP Modification Documentation
 - Operator's Site Inspection Reports
 - Corrective Action Documentation



Construction General Permit

Notable Changes from 2009 CGP

- Inclusion of Federal ELGs
 - Utilized ESC Minimum Standards to address ELGs where applicable
- Discharges to Impaired Waters and Exceptional Waters; TMDL Wasteload Allocations
 - Increased Inspection Frequencies
 - More Aggressive Soil Stabilization Schedule
 - Nutrient Application Restrictions
- SWPPP Availability
 - Previous Language Removed from Permit





Construction General Permit Pathway Forward

- 60 Day Public Comment Period
 - April 8, 2013 through June 7, 2013
- 3 Public Hearings Held
 - Richmond → May 13, 2013
 - Spotsylvania → May 16, 2013
 - Roanoke → May 20, 2013
- Address EPA & Public Comments
- Regulations adopted by SWCB
 - Effective date: July 1, 2014



Question and Answer



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