New Construction General Permit

Goes into effect July 1, 2010

Get your permit grandfathered at Risk Level 1 before the deadline!

TRADITIONAL PROJECTS - changes will require:

- Risk-Based Permitting Approach: Projects will be categorized as Risk Levels 1, 2 or 3. These categories are based on the combined sediment risk and receiving water risk factors. Increasing risk level results in increasing requirements.

- "Grandfather Clause" for Existing Dischargers: Existing dischargers will be enrolled as Risk Level 1 projects. This exemption applies until 2 years from the date of Permit adoption.

- New Development and Re-Development Storm Water Performance Standards: Specifies post development runoff reduction requirements for all sites not covered by a Phase I or Phase II MS4 NPDES permit (Hydromodification Management).

- Technology-Based Numeric Action Levels (NALs) and Numeric Effluent Limitations (NELs): for pH and turbidity. Mandatory minimum penalties for NEL violations. Small Construction Erosivity Factor: Allows permitting authorities to waive those sites between 1 and 5 acres that do not have adverse water quality impacts (rainfall erosivity factor is less than 5).

- Minimum Requirements Specified: Specifies minimum BMPs. Effluent Monitoring and Reporting: Requires effluent monitoring and reporting for PH and turbidity in storm water discharges.

- Receiving Water Monitoring and Reporting: Risk Level 3 dischargers with NEL violations will be required to monitor receiving waters and conduct bioassessments.

- Rain Event Action Plan (REAP): Developed within 48 hours and on-site no later than 24 hours prior to a likely precipitation event for Risk Level 2 and 3 dischargers. Construction Site Monitoring Program (CSMP): Prepare a CSMP prior to the start of construction and revise as necessary to reflect project revisions.

- Permit Registration Documents (PRDs): Legally Responsible Person (LRP) or LRP's approved signatory to electronically submit PRDs to the SWRCB's Storm Water Multi-Application and Report Tracking System (SMARTS) website. PRDs will include an NOI, Site Map(s), SWPPP, Risk Assessment, Post-Construction Water Balance Calculator & Active Treatment System (ATS) Design Document and Certification (if applicable) to obtain coverage under this Construction General Permit. Annual Reporting: Requires electronic submittal of information and annual certification that the site is in compliance with the Construction General Permit requirements.

- Certification/Training Requirements for Key Project Personnel: Requires specific training and certifications for key personnel (i.e., preparing, amending and implementing SWPPPs).

New Construction General Permit (continued)

LINEAR UNDERGROUND/OVERHEAD PROJECTS (LUPs) – Proposed changes will require:
The permit now includes requirements for Linear Underground/Overhead Projects (LUPs).

- Risk-Based Permitting Approach: Projects will be categorized as Types 1, 2 or 3 for LUP projects. These categories are based on the combined sediment risk and receiving water risk factors. Increasing risk types results in increasing requirements.

- "Grandfather Clause" for Existing Dischargers: Dischargers of ongoing LUPs that are currently covered under State Water Board Order No. 2003-0007 and are greater than 50% complete shall continue to be covered under the Small LUP General Permit until the construction activities are complete.

- Technology-Based Numeric Action Levels (NALs) and Numeric Effluent Limitations (NELs): for pH and turbidity

- Minimum Requirements Specified: Specifies minimum BMPs.

- Effluent Monitoring and Reporting: Requires effluent monitoring and reporting for pH and turbidity in storm water discharges.

- Receiving Water Monitoring and Reporting: Type 3 dischargers to monitor receiving waters and conduct bioassessments.

- Monitoring and Reporting Requirements: Prepare a Monitoring and Reporting Program (M&RP) prior to the start of construction.

- Permit Registration Documents (PRDs): LRP or LRP'S approved signatory to electronically submit PRDs to the SWRCB's Storm Water Multi-Application and Report Tracking System (SMARTS) website. PRDs will include NOI, Site Map(s), Drawings, SWPPP, and contact information to obtain coverage under this Construction General Permit.

- Annual Reporting: Requires electronic submittal of information and annual certification that the site is in compliance with the Construction General Permit requirements.

- Certification/Training Requirements for Key Project Personnel: Requires specific training and certifications for key personnel (i.e., preparing, amending and certifying SWPPPs).

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