

General Permits for Stormwater Associated with Construction Activity

Status and Transition to Next
Version

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What is the General Permit

- ◆ Clean Water Act
- ◆ National Pollutant Discharge Elimination System, Stormwater
- ◆ Delegated to MDE
- ◆ Construction sites one acre or more
- ◆ Smaller sites that will become one acre or more
- ◆ Issue General Permit once for similar discharges

2014 General Permit

Roadmap to Implementation

- ◆ Expect Final Determination announcement soon
- ◆ Likely effective date: January 1, 2015
- ◆ Can use online NOI system
- ◆ Current General Permittees resubmit NOIs
- ◆ Significant changes to permit language

Final Determination

- ◆ Required by COMAR when MDE receives adverse comments
- ◆ Advises public that General Permit is issued
- ◆ Can file for judicial review within 30 days

Information on Final Determination

- ◆ Newspaper publications
- ◆ Post on MDE General Permit webpage
 - <http://go.usa.gov/gFMW>
- ◆ Email to interest list
- ◆ Documents:
 - General Permit text
 - Fact sheet (highlights changes)
 - Response to comments

Online NOI System

- ◆ Developed and hosted by Statewide contractor
- ◆ "Cradle to Grave":
 - NOIs
 - Permits
 - Transfers
 - Terminations
- ◆ Email notifications/delivery
- ◆ Log on any time to see status/retrieve documents
- ◆ Discontinue use of current NOI form

Online NOI System

- ◆ Contractor completing new release with many useful new functions
- ◆ Site will be “under construction” for a few days
- ◆ Emails/MDE’s webpage will indicate release date for new version of system
- ◆ Pay fee with credit card or ACH
- ◆ Agents/engineers can create/edit NOI, pass to signatory for submittal

Sites with Current Coverage

- ◆ Individual Permits: have own expiration date
- ◆ General Permittees:
 - Current GP coverage will expire on effective date of 2014 GP
 - Need to reapply
 - Expected deadline: December 31, 2014
 - No public notification period for continuing coverage
 - If meet deadline, covered by new GP until MDE issues coverage documents or denies coverage
 - Fee required if permit coverage issued before January 1, 2013

Significant Changes in 2014 General Permit

- ◆ New projects: 14-day public notification period, regardless of size
- ◆ Different webpage for public notification
- ◆ Non-numeric effluent limitation guidelines in effect
- ◆ Numeric effluent limitation reserved by EPA, not in effect
- ◆ Emergency authorization: requires approval, NOI within 7 days

Significant Changes in 2014 General Permit

- ◆ Clarifications to discharges eligible/ineligible for coverage
- ◆ Reminder: 3 or 7 day stabilization already in effect for all sites
- ◆ Significant release of sediment: must also notify MDE Compliance Program
- ◆ Post notice of coverage onsite

Self-Inspections under the 2014 General Permit

- ◆ Must have responsible personnel certification (“green card”)
- ◆ Begin after earth disturbance
- ◆ Stabilized areas: monthly
- ◆ Some changes to standard inspection form necessary
 - Will post on webpage

Things to Remember

- ◆ Apply when final Erosion and Sediment Control Plan goes to approval authority
- ◆ Plan ahead for 14-day public notification period
- ◆ Exercise care in NOI preparation
 - Electronic system has pick lists/required fields
 - MDE staff may electronically return NOIs with problems
 - Public notification does not begin until resubmitted
- ◆ Terminate when reach final stabilization

Conclusion

- ◆ Key contact points:
 - <http://go.usa.gov/gFMW>
 - mde.constructionswnoi@maryland.gov
 - (410) 537-3019
- ◆ Send email to get on General Permit email interest list
- ◆ MDE thanks you for your attention to the permit and compliance
- ◆ Questions