



NEW CONSTRUCTION PERMIT STORM WATER POLLUTION PREVENTION

Nebraska Stormwater Cooperative

What is a Stormwater Pollution Prevention Plan and how does it affect me? Volume 1, Issue 3

May 15, 2008

Welcome to the third issue of the *Storm Water Pollution Prevention Bulletin*. This bulletin is distributed by the cooperative Storm Water Management Programs to support the local development community in achieving compliance with storm water pollution prevention regulatory requirements. Topics will include technical information regarding practices and solutions, Storm Water Management Program activities and findings, sources of additional information, and examples of effective practices encountered during inspections. Please feel free to submit topics.



Construction sites across the county are dealing with new regulations associated with Non-Point Source Pollution. In most areas of Nebraska, the regulatory agency is the Nebraska Department of Environmental Quality which issues the construction stormwater (CSW) general permit that authorizes the discharge of pollutants in stormwater associated with construction activity, including clearing, grading and excavation. Regardless of whether or not you will be responsible for this permit paperwork, you should be aware of the conditions it requires. Even the smallest subcontractor on site will be affected by more stringent requirements to prevent pollution.

Land Disturbance Activities must receive CSW Permit Coverage.

Construction activities are required to apply for and receive coverage under the Construction Stormwater permit if the project will disturb more than one acre including all support activity, or less than one acre in a common plan of development or sale. Additionally, this includes land grading and clearing for land development even without current plans for construction of structures.

What does this mean? If you have a construction project that needs CSW permit coverage, a series of actions are required to receive coverage and “maintain compliance” with the permitting conditions.

To receive coverage under the permit, a Notice of Intent (NOI) must be properly filled out and submitted to the NDEQ at least seven days before any land disturbance on the site. After seven days, permit coverage is assumed.

So I fill out this NOI form and I'm done, right?
No, your just getting started.

What is an NOI? Submitting the NOI is how you request permit coverage. The NOI will ask several

questions. One of the first questions is “Has a Storm Water Pollution Prevention Plan (SWPPP) been developed for this project?”. The NOI will then ask several questions about the SWPPP. The NOI will also ask several questions about the project itself including its geographical location and project contacts.

What is a SWPPP? A SWPPP is a plan to minimize pollution leaving your construction site. It must be developed prior to submitting the NOI. It is a living document, which means it should continue to be updated throughout the project to reflect the most recent and accurate information available for the project. A SWPPP is unique to each individual project; a SWPPP designed for a residential subdivision will contain very different information than the SWPPP designed for a Big-Box store. The SWPPP must be available on site whenever activity is going on. It should be prepared by a “qualified individual”, as defined in the CSW permit application.

What are the contents of a SWPPP? The SWPPP can be organized however it works best for you, however, certain information is required. Typically, it will contain several sub-plans including a Site and Activity Description, Erosion and Sediment Control plan, Spill Prevention and Countermeasures plan, an implementation schedule for all measures designed to minimize the pollutants being discharged from the site and several records on implementation of pollution controls and construction activity. This document is designed to help communicate the required pollution controls to all individuals on the project site. It is recommended that you use a SWPPP template to help in this process.

Site & Activity Description Includes: a description of the nature of the activity (low density residential, highway, shopping mall), *intended* sequence & timing of soil disturbing activity, estimate of the total area to be disturbed (includes off site areas),

The new construction general permit has become active & is available online at the NDEQ website, www.deq.state.ne.us

This new permit requires all regulated sites to reapply, even if coverage was secured under the previous permit.



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and location map showing site and surface waters within one mile of the site (USGS quad, or other).

Site maps These should show the entire site during grading, construction and post-construction. These maps should show run-off flow directions and slope before and after, disturbed areas, undisturbed areas (protected from disturbance), locations of **Best Management Practices (BMPs)**, locations where soil stabilization practices will occur, locations of off-site areas (material, waste, borrow, equipment storage or staging areas), waters of the state (including wetlands), run-off discharge locations, and areas where final stabilization has been accomplished.

Support Activity The SWPPP should also include locations and descriptions of support activity such as asphalt plants and concrete plants and their stormwater discharges.

Controls to reduce pollutants The SWPPP should describe pollution control measures and the sequence of implementation (i.e., install construction entrance before beginning grading, construct concrete washout before pouring, exact dates of implementation are not needed). Control measures should be identified for all major activities identified in the project description (i.e., pouring concrete requires a place to washout, dewatering requires sediment control, grading requires track-out management). Describe soil stabilization practices (temporary & permanent) and when they will be implemented (i.e., temporary seeding of wheat after rough grade, permanent turf establishment after parking lot completion). Describe structural practices to divert flows, or limit run-off & pollutant discharges from exposed areas of the site. Describe measures to prevent the discharge of solid materials to waters of the state (building materials, concrete washout, ect.). Describe measures to minimize off-site vehicle tracking of sediment and dust generation. Describe construction and waste materials that will be stored on site including controls to minimize stormwater exposure and spill prevention and countermeasures. Describe pollutant sources other than construction (dedicated asphalt plants, ect.) and control measures to minimize pollutant discharges.

The following records are to be kept in the SWPPP; dates of major grading activities, dates when construction activities cease on a portion of the site (permanently and temporarily), dates when soil stabilization measures begin. Describe post construction pollution controls installed during construction, and

provide maintenance plans.

A copy of correspondence with the NDEQ should be kept with your SWPPP.

Non-Stormwater Discharges The SWPPP should identify all allowable non-stormwater discharges, any non-allowable non-stormwater discharge should be eliminated or reduced the extent feasible.

Endangered species Your project must be evaluated for potential impacts to endangered species.

Inspections Your project must be inspected by a qualified individual every 14 days and after a rain event of .5 inches or more. Inspections can be reduced after the entire site is stabilized. A report must be kept with the SWPPP and certified by the inspector. There are significant penalties for false reporting.

Maintenance of Controls All controls installed as part of the SWPPP must be maintained in working order. If any control is not functioning or is determined to be inadequate, it must be maintained or replaced.

Updating the SWPPP All changes and maintenance to controls should be documented in the SWPPP. All changes to planned construction or pollution controls must be documented in the SWPPP.

Final Stabilization All areas of the site must be permanently stabilized before the permit can be closed. Stabilization must be perennial vegetation with a density of at least 70% of the native vegetation. All erosion problems should be rectified. Temporary controls must be removed, and maintenance duties for the permanent controls must be assigned. All sediment buildup should be removed and permanent drainages must be stabilized to prevent erosion. Once final stabilization is reached you can submit the **Notice of Termination**. Your permit responsibilities terminate 180 days after you submit the **NOT**.

Even if you are not responsible for the permit, you need to refer to the SWPPP to be aware of BMPs that relate to you. The SWPPP should contain information on proper disposal of wastes and storage of materials on site. Avoid disturbing or re-disturbing areas. Soil Stabilization and Erosion Control are important aspects of the SWPPP. All workers on site must be aware of the efforts being undertaken to stabilize and vegetate the site. Be aware of BMPs around the site so you can avoid damaging them and creating repair work for others.

For additional information on your local Stormwater Program, or if you have any questions please visit:

www.nebraskah2o.org

The SWPPP needs to be updated as your work progresses. Please visit www.epa.gov/npdes/stormwater/cgp for more information on how to develop your SWPPP.