



NEW CONSTRUCTION PERMIT STORM WATER POLLUTION PREVENTION

Nebraska Stormwater Cooperative

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Welcome to the inaugural 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.



Nebraska Covers Smaller Sites in New General Permit

Nebraska Department of Environmental Quality is reissuing the construction stormwater general permit that authorizes the discharge of pollutants in stormwater associated with construction activity, including clearing, grading and excavation. The new permit now covers discharges associated with both small and large construction activity.

This construction stormwater general permit replaces the previous permit that was issued July 1997. The new permit covers small, as well as large, construction activity in response to the Phase II Stormwater Regulations promulgated in 1999. The Phase II regulations add permitting requirements for stormwater discharges from small construction activities that disturb from one to five acres.

Phase I Stormwater Regulations promulgated in 1990 established permitting requirements for stormwater discharges from construction activities that disturb five acres or more. Construction activity as defined by this permit includes a disturbance to the land that results in a change in the topography, existing soil cover, or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into waters of the state or urban drainage systems.

Construction activity, under the new permit, includes the disturbance of less than one acre of total land area that is a part of a larger Common Plan of Development or Sale if the larger common plan will ultimately disturb one acre or more, and includes all areas of support activity. One of the most significant changes from the 1997 construction stormwater general permit is that construction sites discharging to Combined Sewer Overflows, CSO, are required to obtain coverage.

It is likely the new construction general permit will become active in early 2008.

Please keep your eyes open for these upcoming changes by the NDEQ.



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Stormwater Pollution Prevention Plan, SWPPP, requirements have been modified as follows:

- The SWPPP must be prepared by a qualified individual such as a Professional Engineer, Certified Landscape Architect, and / or Certified Professional in Erosion and Sediment Control.
- Site inspections have been changed to “once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.
- Inspections must be conducted by qualified personnel - defined as one knowledgeable and possessing skills in the principles and practices of erosion and sediment control and who has the ability to assess the effectiveness of any sediment and erosion control measures selected to control the quality of stormwater discharges from the construction site.
- A copy of the stormwater Pollution Prevention Plan may also be retained at a location other than on the construction site. It must be at a location easily accessible during normal business hours to NDEQ from the first to day of construction activity to the date of final stabilization.
- A sign or other notice must be posted conspicuously near the main entrance of the construction site. If it is infeasible to post at the main entrance, an alternative is provided.
- Transfer of permit coverage is allowed under the new permit and includes a separate form as an attachment to the permit.
- The percent cover required for Final Stabilization has been changed from 95% of the site stabilized to a minimum density of 70% of the native background vegetative cover.
- A Construction Stormwater Notice of Termination form replaces the Construction Stormwater End form as an attachment to the permit.
- Includes coverage of land disturbances of one acre to five acres and those less than one acre if part of a larger common plan of development or sale.

Find out more at: <http://www.deq.state.ne.us/> or www.stormwaterauthority.org

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For additional information on your local Storm Water Program, or if you have any questions please contact:

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