Quick facts on Construction Site Run-Off Permitting...

Proposed changes and new requirements for Construction Sites in Indiana

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Proposed Construction Site Run-off General Permit

The Draft CGP Table of Contents covers a comprehensive list of program elements from Permit Coverage, to Performance Standards, Construction Plan requirements, Notice of Termination Content, and Storm Water Pollution Prevention Plan (SWPPP) modifications. A short list of notable permit expansions and new requirements is provided at right and a more comprehensive listing is included on the back side of this Fact Sheet.

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Notable Permit Expansions and New Requirements

**Section 1.2: Permit Expansions for Offsite Construction Support Activities**
- 1.2(c) Storm water discharges from construction support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided the support activity is directly related to the construction site required to have permit coverage for storm water discharges.
  1. The support activity is not a commercial/industrial operation, nor does it serve multiple unrelated construction projects.
  2. The support activity does not continue to operate beyond the completion of the construction activity at the project it supports; and
  3. Storm water measures are implemented in accordance with the storm water pollution prevention plan and performance standards.

**Section 1.3: Permit Expansions for Discharges that are not Authorized**
- 1.3(c) Discharges of concrete wash water from concrete washout containment systems.
- 1.3(d) Other discharges, including but not limited to concrete washout, fuel, oil, soaps, solvents, detergents, and hazardous substances.

**Section 3: Permit Expansions/New Requirements related to Construction Site Stormwater Discharges**
- This section of the proposed permit contains 33 Performance Standards that are required to be met. The Performance Standards include the selection, design, inspection, and post-construction elements of a project. See the reverse side of this Fact Sheet for detailed information on the notable expansions and new requirements.

**Section 6.1: New Requirements for Submitting a Notice of Termination (NOT)**
- 6.1(c)(1)(C) All discharges of potential pollutants associated with active construction and pollutant-generating activities have ceased.
- 6.1(c)(1)(D) All construction materials, waste, waste handling devices, equipment and vehicles have been removed.

**Section 7: New Requirements for the Post-Construction Plan**
- The post-construction plan must meet the performance requirements in Section 3.0 (c)(3) and (c)(4)(D) and include:
  - 7.0(c)(10)(B): A description of storm water quality and storm water management measures that will be installed to address post-construction sources that are expected to generate pollutants in storm water discharges after construction activities have been completed. The measures selected should achieve, at a minimum, the following objectives:
    1. Storm water quality measures that target pollutants of concern and are designed to remove or minimize pollutants from storm water run-off.
    2. Storm water quality measures that will be implemented to prevent or minimize adverse impacts to aquatic resources including, but not limited to, wetlands, streams, karst features, and riparian habitats.
    3. Storm water management measures that will address the potential impacts of increased run-off from the project. Measures must be designed and approved according to current local requirements and drainage ordinances. An engineer must certify that the design meets the local requirement.
    4. Measures, including structural and those based on low impact development principles, selected to address the pollutant(s) of concern, reduction of peak flows, and ability to infiltrate.
    5. Protective measures that will be implemented during active construction when the type of post-construction measure(s) are expected to be susceptible to pollutants, specifically sediment that may be generated during land-disturbing activities.
Proposed NEW MINIMUM REQUIREMENTS Related to Managing Construction Site Stormwater Discharges

CONSTRUCTION ENTRANCE

Current Rule: 

New Requirements: Maintain pre-existing natural buffers up to fifty (50) foot in width that are adjacent to waters of the state to prevent erosion of the water resource, unless infeasible. Run-off directed to the natural buffer must be: (A) Treated with appropriate erosion and sediment control measures during active construction. (B) Managed with appropriate run-off control measures to prevent erosion from occurring within the buffer area. 3.0(3)(G)

ROADWAY SEDIMENT

Current Rule: 

New Requirements: The design, selection, and implementation of all storm water quality and management measures must take into consideration the nature and characteristics of the project to ensure that a minimum of pre-development conditions are maintained. The nature of storm water run-off and run-on, including factors such as expected flow from impervious surfaces, slopes, and site drainage features. 3.0(4)(C)

INFORMER

Current Rule: 

New Requirements: Implement and manage channel protection volume measures where possible to protect against sheet erosion. The complete written evaluation report must include evidence that the site was assessed for sheet erosion potential and that alternative measures to site stabilization are acceptable if the project site owner or their representative can demonstrate they have implemented erosion and sediment control measures adequate to protect against sheet erosion. 3.0(4)(E)

UNVEGETATED AREAS

Current Rule: 

New Requirements: The outfall of a basin must be stabilized and non-erosive in nature, and pipe outlets must be stabilized with appropriate erosion and sediment control measures. 3.0(4)(F)

TEMPORARY AND PERMANENT SOIL STABILIZATION

Expanded Requirements: Landscaping that is part of the final project, results in the creation of a plantable area with a non-erosive material and/or project. Projects. Use of storm water measures that utilize native vegetation and/or special vegetative plantings that are either required by a water quality permit/authority or that are a part of the Final SWAPP, or both, to ensure that runoff from un-stabilized areas do not contain at least 70% of the pollutants from the disturbed soils and sediments. 3.0(4)(F)

MANUAL HANDLING

Expanded Requirements: Where the selected measure is not effective, an alternative measure or additional controls must be utilized to reduce tracking. Alternative measures may include, but are not limited to, wheel wash systems and rumples. 3.0(4)(G)

RECORD RETENTION

Proposed EXPANSIONS Related to Managing Construction Site Stormwater Discharges

Proposed NEW MINIMUM REQUIREMENTS Related to Managing Construction Site Stormwater Discharges

CONSTRUCTION ENTRANCE

Current Rule: 

Expanded Requirements: Expanding all unpaved areas and areas not covered by permanent structures. 

ROADWAY SEDIMENT

Current Rule: 

Expanded Requirements: Bulk clearing of sediment shall not include flushing water unless the flushed water is directed to an appropriate sedimentation collection structure or other collection method. The incidental sediment discharged or tracked onto public streets that are open to traffic must be removed as directed or at minimum, on the day which the tracking or deposition occurs. 3.0(4)(I)

INFORMER

Current Rule: 

Expanded Requirements: Information may be provided through formal, presconstruction meetings, written notification, contracts, or other means that effectively communicate the provisions and requirements of the permit and plan. Personnel include, but are not limited to: General contractors, construction management firms, property owners, and representatives of trade industry associations. 3.0(4)(K)

UNVEGETATED AREAS

Current Rule: 

Expanded Requirements: Unvegetated areas that are scheduled or likely to be left inactive for fifteen (15) days or more must be temporarily or permanently stabilized with measures appropriate for the season to minimize erosion potential. Alternative measures to site stabilization are acceptable if the project site owner or their representative can demonstrate they have implemented erosion and sediment control measures adequate to protect against sheet erosion. 3.0(4)(L)

Self-monitoring

Current Rule: 

Expanded Requirements: Develop and manage project construction and storm water activities (self-monitoring) through administration of a storm water management program (SWAMP) that includes: a written evaluation of the project site, performed by a qualified individual and completed by the end of the next business day following each measurable storm event (see GDP for enhanced storm event definitions and inspection frequencies). The purpose of the evaluation is to: 1) Assess overall plan implementation; 2) Assess the performance of existing storm water measures based on industry standards and identified in Section 7 (E)(6)(D) to ensure each measure is operational and functioning properly; 3) Identify additional or alternative measures that are necessary to ensure that the site is stabilized and that the design of the basin can be adjusted to control sediment and/or erosion, discharges to a surface water within the site or adjacent to the site that results in bank erosion, and operational activities that potentially lead to spills and/or leaks that can pollute a surface water. The complete written evaluation report must include: 1) Name of the individual performing the evaluation, including their professional affiliation; 2) Time of the evaluation; 3) The date of the evaluation; 4) A list of all individuals that will be responsible for implementing the corrective action or the initiation of reasonable steps will occur to remediate the discharge of pollutants; 5) Documentation of corrective action taken from the previous self-monitoring report. 3.0(4)(M)

MATERIAL HANDLING

Current Rule: 

Expanded Requirements: Property management and utilization of appropriate erosion and sediment control measures during construction, storage, and maintenance of storm water measures 

FINAL STABILIZATION

Current Rule: 

Expanded Requirements: Landscaping that is part of the final project, results in the creation of a plantable area with a non-erosive material and/or project. Projects. Use of storm water measures that utilize native vegetation and/or special vegetative plantings that are either required by a water quality permit/authority or that are a part of the Final SWAPP, or both, to ensure that runoff from un-stabilized areas do not contain at least 70% of the pollutants from the disturbed soils and sediments. 3.0(4)(I)

MANUAL HANDLING

Current Rule: 

Expanded Requirements: Moisture content of all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures have been employed; and (B) Construction works on unpaved areas, or areas not stabilized, has been completed. 3.0(4)(I)

RECORD RETENTION

Proposed Requirements: Retain all records for at least three (3) years from the date the project permit is terminated. 3.0(4)(X)