



Does Your Construction Site Need a Stormwater Permit?

A Construction Site Operator's Guide to the Stormwater Permit Program

Why should we be concerned about stormwater runoff?

As stormwater flows over a construction site, it picks up pollutants like sediment, debris, oil, grease and other pollutants and carries them to storm drains or directly to nearby waterbodies. Because most storm drain systems do not provide any treatment to the water they collect, preventing contamination of stormwater is crucial, or polluted runoff will be discharged, untreated, into the waterbodies we use for swimming, fishing, and drinking water.

So what's being done to reduce these pollutants from construction activities?

Under the Clean Water Act, new regulations require many construction sites to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for stormwater runoff. These permits require operators of these sites to implement steps to prevent sediment and other pollutants from washing into nearby streams, rivers, lakes, and coastal waters.

What activities need stormwater permit coverage?

All land-disturbing activities, including clearing, grading, and excavation, that disturb 1 or more acres of land are required to be covered under a NPDES construction stormwater permit prior to land disturbance. Small construction activities that disturb less than 1 acre but are part of a larger common plan of development or sale, such as a single lot within a larger subdivision, are also required to obtain permit coverage.

I need a permit... What do I need to do?

1. Read the Construction General Permit (CGP)

You can download a copy of the Alabama Department of Environmental Management (ADEM) General NPDES Permit No. ALR100000 from ADEM's Construction Stormwater website. Read the permit carefully, and remember operators are legally responsible for complying with all its provisions.

2. Develop a Construction Best Management Practice Plan (CBMPP)

The CBMPP is a plan for how you will control stormwater runoff from your construction site and helps assure compliance with the terms and conditions of the CGP. It is more detailed than a typical erosion and sediment control plan, and it must be certified by a Qualified Credentialed Professional (QCP). The CBMPP must be completed before you file an NOI to apply for coverage under the NPDES construction permit and must be available on-site once permit coverage is obtained.

For Priority Construction Sites that fall within designated construction stormwater watersheds, the CBMPP must also be submitted to ADEM, for review, along with the NOI. The Priority Construction Sites Map, as well as details on how to develop and maintain a CBMPP, can be found on ADEM's Construction Stormwater website. Contact ADEM for additional guidance.

3. File a Notice of Intent (NOI)

The "operator" must submit a Notice of Intent (NOI) form before beginning any land disturbance on the site. The operator is the entity that has operational control over the construction plans or day-to-day activities that are necessary to implement the CBMPP. On some sites, several entities may meet the definition of operator and all must file NOIs. Operators may include companies, owners, general contractors, and subcontractors.

The NOI form lets ADEM know you are filing for permit coverage. It is also your certification that you have read, understood, and implemented the requirements of the permit. The fastest and easiest way to obtain permit coverage is through ADEM's eNOI online permit application system. Guidelines for the NOI contents can be found in the General Permit.

4. Implement and Maintain all Best Management Practices (BMPs) outlined in your CBMPP

Remember to follow your CBMPP. It is the responsibility of the operator(s) to implement and maintain all BMPs during each stage of the project. BMPs are the techniques (buffers, silt fences, detention ponds, swales, etc.), schedules of activities, prohibitions of practices, and maintenance procedures to prevent or reduce the discharge of pollutants.

All BMPs must be inspected, maintained regularly and repaired when necessary, and the plan must be updated as site conditions and BMPs change. Specific inspection requirements, and who must conduct the inspections, can be found in the General Permit. Remember to keep records of maintenance activities, inspections and any CBMPP modifications.

5. File a Notice of Termination (NOT)

You should terminate permit coverage when your project is completed and the property has been stabilized or when another operator has assumed control over the site (new operators will need to file a NOI and meet the requirements of ADEM's permit). The NOT form informs ADEM your construction project is complete and ends your responsibilities under the permit.

Construction Stormwater Resources

ADEM's Construction Stormwater website - www.adem.state.al.us/programs/water/constructionstormwater.cnt

eNOI - <https://app.adem.alabama.gov/eNOI/>

Construction General Permit Forms - links are located on ADEM's Construction Stormwater website

EPA's menu of BMPs - <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm>

Construction sites that discharge unpermitted stormwater are in violation of the Clean Water Act and may be subject to fines.

An ounce of prevention is worth a pound of cure! It's far more efficient and cost effective to prevent pollution than it is to try to correct problems later.

SILT FENCING



GOOD



BAD

Do You Need a Construction Stormwater Permit?



All construction sites disturbing 1 or more acres (with few exceptions) need stormwater permit coverage!

References

ADEM Construction Stormwater -
www.adem.state.al.us/programs/water/constructionstormwater.cnt

EPA Stormwater Outreach Materials and Reference Documents
<http://cfpub.epa.gov/npdes/stormwatermonth.cfm>

How Do I Get Stormwater Permit Coverage for My Construction Site? A Construction Site Operator's Guide to EPA's Stormwater Permit Program EPA 833-F-04-002

The Role of Local Governments in Implementing the NPDES Stormwater Program for Construction Sites EPA 833-F-06-0022

Stormwater and the Construction Industry Poster EPA 833-H-03-001

Contacts

FEDERAL ~ U.S. Environmental Protection Agency
www.epa.gov/npdes
www.epa.gov/npdes/stormwater

STATE ~ Alabama Department of Environmental Management
Water Division, Stormwater Management Branch
(334) 271-7700
www.adem.state.al.us/programs/water/constructionstormwater.cnt

MADISON COUNTY ~ Public Works Department
(unincorporated areas) **(256) 746-2900**

- Will your construction project disturb 1 or more acres of land?
- Will your construction project disturb less than 1 acre but is part of a larger plan of development or sale, such as a single lot within a larger subdivision?

If you answered "yes" to either of these questions...

YOU NEED PERMIT COVERAGE!

If you need a permit, here's where you start...

1. Read the Construction General Permit
2. Develop a Construction Best Management Practice Plan
3. File a Notice of Intent
4. Implement and Maintain all Best Management Practices outlined in your Plan

...detailed instructions inside