EPA'S FINAL 2022 CONSTRUCTION GENERAL PERMIT



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Before We Get Started



Language in this presentation is not the equivalent of the final EPA permit. We have attempted to be accurate as to the contents of the final permit. To the extent there are differences between the language in this presentation and the final permit, the permit is what governs.

Abbreviations that will be used

- CGP EPA's Construction General Permit
- **SWPPP** Stormwater Pollution Prevention Plan
- NOI Notice of Intent
- **NOT** Notice of Termination

IN THIS WEBINAR

- Issuance of the 2022 CGP
- CGP Background
- Summary of 2022 CGP Changes
- Permit Clarifications
- Added Specificity
- State / Tribal Requirements
- Questions



ISSUANCE OF THE 2022 CGP

FINAL 2022 CGP ISSUED

- January 18: EPA issued the final 2022 CGP
- February 17: Effective date of the 2022 CGP
 - New and existing eligible construction projects can now request permit coverage.
 - May 18 is the deadline for projects already permitted under the 2017 CGP and that will continue needing permit coverage to request permit coverage.
- The permit will remain in effect for 5 years until February 16, 2027

WHERE TO FIND 2022 CGP MATERIALS

Posted Materials	Webpage Name
Permit documentsFrequent questions	<u>2022 CGP</u>
TemplatesDischarge mapping tool	CGP Resources, Tools, and Templates
 How to submit and modify forms 	Submitting an NOI, NOT, or Low Erosivity Waiver under the CGP
EPA and non-EPA training course details	CGP Inspector Training
Explanation of monitoring requirementsMonitoring and Inspection Guide	<u>Turbidity Benchmark Monitoring under the</u> <u>CGP</u>

WEBPAGE NAVIGATION



<u>quirements</u>

nt Questions

us CGP Versions

ground

d its 2022 Construction General Permit (CGP) for er discharges from construction activities on 8, 2022. The 2022 CGP, which will become in February 17, 2022, replaces the 2017 CGP. The provides permit coverage to eligible construction er discharges in the following areas where EPA is 6 permitting authority:

- chusetts, New Hampshire, New Mexico, and the tof Columbia
- an Samoa, Guam, Johnston Atoll, Midway and slands, Northern Mariana Islands, and Puerto
- Country lands within Alabama, Alaska, Arizona, nia, Colorado, Connecticut, Florida, Idaho, Iowa, s, Louisiana, Massachusetts, Michigan, sota, Mississippi, Montana, Nebraska, Nevada,

Permitting Topics

- Overview
- 2022 CGP
- <u>Threatened and</u> <u>Endangered Species</u>
- <u>Turbidity Benchmark</u> <u>Monitoring</u> (<u>Dewatering</u>)
- <u>Getting Permit</u>
 <u>Coverage / NeT CGP</u>
 <u>Waivers</u>
- <u>Submitting CGP</u>
 <u>Forms</u>
- <u>CGP Inspector</u>
 <u>Training</u>
- <u>Resources</u>, <u>Tools</u>, and <u>Templates</u>
- <u>Report Non-</u>
 <u>Compliance or</u>
 <u>Violations</u>

CLEAN AND REDLINE VERSIONS OF PERMIT

2022 Construction General Permit (CGP)

2.2.3 Install sediment controls along any perimeter areas of the site that are downslope from any exposed soil or other disturbed areas.²⁰

- a. The perimeter control must be installed upgradient of any natural buffers established under Part 2.2.1, unless the control is being implemented pursuant to Part 2.2.1a.ii-iii;
- b. To prevent stormwater from circumventing the edge of the perimeter control, install the perimeter control on the contour of the slope and extend both ends of the control up slope (e.g., at 45 degrees) forming a crescent rather than a straight line;
- c. After installation, to ensure that perimeter controls continue to work effectively:
 - Remove sediment before it has accumulated to one-half of the above-ground height of any perimeter control; and
 - After a storm event, if there is evidence of stormwater circu undercutting the perimeter control, extend controls and/o to fix the problem.
- d. Exception. For areas at "linear construction sites" (as defined in perimeter controls are infeasible (e.g., due to a limited or restriimplement other practices as necessary to minimize pollutant areas of the site.

2.2.4 Minimize sediment track-out.

- a. Restrict vehicle use to properly designated exit points;
- b. Use appropriate stabilization techniques²¹ at all points that exit
- Exception: Stabilization is not required for exit points at line sites that are used only episodically and for very short dura project, provided other exit point controls²² are implement sediment track-out;
- Implement additional track-out controls²³ as necessary to ensuremoval occurs prior to vehicle exit; and
- d. Where sediment has been tracked-out from your site onto pay

2022 Construction General Permit (CGP)

2.2.3 Install sediment controls along any perimeter areas of the site that <u>are downslope from</u> any exposed soil or other disturbed areas will receive pollutant discharges.²⁰¹⁴

- a. The perimeter control must be installed upgradient of any natural buffers established under Part 2.2.1, unless the control is being implemented pursuant to Part 2.2.1a.ii-iii;
- b. To prevent stormwater from circumventing the edge of the perimeter control, install the perimeter control on the contour of the slope and extend both ends of the control up slope (e.g., at 45 degrees) forming a crescent rather than a straight line;
- c. After installation, to ensure that perimeter controls continue to work effectively:
 - i. Remove sediment before it has accumulated to one-half of the above-ground height of any perimeter control,; and
 - After a storm event, if there is evidence of stormwater circumventing or undercutting the perimeter control, extend controls and/or repair undercut areas to fix the problem.
- d. Exception. For areas at "linear construction sites" (as defined in Appendix A) where perimeter controls are infeasible (e.g., due to a limited or restricted right-of-way), implement other practices as necessary to minimize pollutant discharges to perimeter areas of the site.

2.2.4 Minimize sediment track-out.

- a. Restrict vehicle use to properly designated exit points;
- **b.** Use appropriate stabilization techniques²¹⁺⁵ at all points that exit onto paved roads-
 - Exception: Stabilization is not required for exit points at linear utility construction sites that are used only episodically and for very short durations over the life of the project, provided other exit point controls²²¹⁶ are implemented to minimize sediment track-out;
- c. Implement additional track-out controls²³¹⁷ as necessary to ensure that sediment removal occurs prior to vehicle exit; and
- d. Where sediment has been tracked-out from your site onto paved roads, sidewalks, or

Previous Versions of the CGP

Previous Construction General Permit Versions

Year	Permit	Fact Sheet	Federal Register Notice
2017 CGP	<u>2017 CGP Permit</u> <u>(pdf)</u>	2017 CGP Fact Sheet (pdf)	Federal Register Notice
2012	<u>■ 2012 CGP Permit</u>	2012 CGP	Federal Register Notice
CGP	<u>(pdf)</u>	Factsheet (pdf)	
2008 CGP	■ <u>2008 CGP Permit</u> (<u>pdf)</u>	2008 CGP Fact Sheet (pdf)	<u>Federal Register Notice</u> (modification, 7/14/2008) <u>Federal Register Notice</u> (final, 6/16/2015)
2003	<u>2003 CGP Permit</u> <u>(pdf)</u>	2003 CGP Fact	<u>Federal Register Notice</u>
CGP		Sheet (pdf)	(modification, 12/22/2004)
1998	Included in Federal	Included in Federal	Federal Register Notice
CGP	Register Notice	Register Notice	
1992	Included in Federal	Included in Federal	Federal Register Notice
CGP	Register Notice	Register Notice	

FREQUENTLY ASKED QUESTIONS

Frequent Questions on EPA's Construction General Permit

The following is a compilation of frequent questions related to <u>EPA's Construction General Permit (CGP)</u> and the Agency's corresponding responses. These questions and answers have been updated for consistency with the <u>2022 CGP</u>. EPA may update this document to add questions and answers to this document that are submitted by the public.

This document does not impose any new legally binding requirements on EPA, States, Tribes, territories, or the regulated community, and does not confer legal rights or impose legal obligations upon any member of the public. In the event of a conflict between this document and any statute, regulation, or permit, this document would not be controlling.

Interested parties are free to raise questions and objections about the substance of this guide and the appropriateness of the application of this guide to a particular situation. EPA retains the discretion to adopt approaches on a case-by-case basis that differ from those described in this document, where appropriate.



ABOUT EPA'S NPDES CONSTRUCTION STORMWATER PERMITTING PROGRAM

- What is the National Pollutant Discharge Elimination System (NPDES) program?
- What is the EPA CGP?
- Why is it important to minimize construction stormwater discharges?
- Do State-issued permits have to include requirements identical to the EPA CGP for stormwater discharges from construction activities?



ACTIVITIES THAT CAN BE COVERED UNDER THE 2022 EPA CGP

 What types of construction activities must obtain NPDES permit coverage for their stormwater discharges?



OBTAINING EPA CGP AUTHORIZATION

- Who is an "operator" under the EPA CGP and therefore responsible for obtaining permit coverage?
- What if I am required to obtain NPDES permit coverage and eligible for coverage under EPA's CGP, but fail to obtain permit coverage?
- What is a Notice of Intent (NOI)?
- What type of information must be submitted in an NOI?
- Who is responsible for submitting the NOI for EPA CGP coverage?
- What is my responsibility as an operator for subcontractors under EPA's CGP?
- If I want to obtain EPA CGP coverage, how many NOIs will I have to submit?
- My site's disturbances will occur in an area covered by EPA's CGP and in an area covered

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A'S NPDES CONSTRUCTION TER PERMITTING PROGRAM

- lational Pollutant Discharge ystem (NPDES) program?
- vsiem (INPDES) programe
- PA CGP?
- ortant to minimize construction discharges?
- ed permits have to include
- identical to the EPA CGP for
- discharges from construction

THAT CAN BE COVERED

of construction activities must obtain t coverage for their stormwater

OBTAINING EPA CGP AUTHORIZATION

- Who is an "operator" under the EPA CGP and therefore responsible for obtaining permit coverage?
- What if I am required to obtain NPDES permit coverage and eligible for coverage under EPA's CGP, but fail to obtain permit coverage?
- What is a Notice of Intent (NOI)?
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- Who is responsible for submitting the NOI for EPA CGP coverage?
- What is my responsibility as an operator for subcontractors under EPA's CGP?
- If I want to obtain EPA CGP coverage, how many NOIs will I have to submit?
- My site's disturbances will occur in an area

FREQUENTLY ASKED QUESTIONS



OBTAINING EPA CGP AUTHORIZATION

 Who is an "operator" under the EPA CGP and therefore responsible for obtaining permit coverage?

Operators requiring permit coverage include any party associated with a construction activity that meets either of the following two criteria:

- i. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (e.g., in most cases this is the owner of the site); or
- ii. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the permit; in most cases this is the general contractor (as defined in <u>CGP Appendix A</u>) of the project).

Where there are multiple operators associated with the same project, all operators must obtain permit coverage. Subcontractors generally are not considered operators for the purposes of this permit.

EPA emphasizes that it is the party's operational control over the construction project that is determinative of whether they are considered an "operator" under the permit. In many cases, there will be two separate parties that have the necessary operational control over the project, and they will fall fairly distinctly into either one of the two types of parties described in the definition in Parts 1.1.1.a and 1.1.1.1.b. In other cases, there will be one party that exercises both types of operational control over the project. EPA frequently finds that parties with the type of operational control over specific projects within the permit's meaning of operator are involved in one or more of the following activities:

- Authorizing development/construction activities;
- Procuring project plans and specifications;
- Approving/disapproving project plans and specifications;
- Approving/disapproving project bids;
- Approvina/disapprovina SWPPPs, and SWPPP modifications:

CGP BACKGROUND

Can you use EPA's CGP?

1



Is this a regulated construction activity?

Is there a stormwater discharge?

Is your project located in an area where EPA is the permitting authority?

Are you an operator?

3

Is this a regulated construction activity?

Construction activity includes earth-disturbing activities such as clearing, grading, and excavating land and other construction-related activities that could generate pollutants.

An NPDES permit is required for stormwater discharges from any construction activity disturbing:

- 1 acre or more of land, or
- Less than 1 acre, but part of a common plan of development or sale that will disturb 1 or more acres of land.





Are you an operator?

Only "Operators" Need Permit Coverage

An operator is a person or entity that either ...

- a. Has operational control over construction plans/specifications, and has the ability to make modifications to those plans/specifications; or
- b. Has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

Are you an operator?

An operator is a person or entity that either ...

- a. Has operational control over construction plans/specifications, and has the ability to make modifications to those plans/specifications; or
- b. Has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

Operators are typically involved in one or more of the following activities:

- Authorizing development/construction activities;
- Procuring project plans and specifications;
- Approving/disapproving project plans and specifications;
- Approving/disapproving project bids;
- Approving/disapproving SWPPPs, and SWPPP modifications;
- Issuing cease and desist orders of construction activities;
- Carrying out or managing construction activities on the project site.



Flow chart available at:

https://www.epa.gov/npdes/gettingcoverage-under-epas-constructiongeneral-permit-waivers



SUMMARY OF 2022 CGP CHANGES

TYPES OF CHANGES

Clarifications	Added Permit Specificity
Selection and design of stormwater controls	Perimeter control installation and maintenance
Routine maintenance vs. corrective action	Pollution prevention for chemical containers
Inspections in seasonally dry periods	Construction dewatering requirements
Inspection and corrective action records	Inspector training
	Site stabilization photos for NOT

CGP Fact Sheet includes complete listing of all permit changes.

See p. 12-14

https://www.epa.gov /system/files/docume nts/2022-01/2022cgp-final-factsheet.pdf

	Summary of Permit Change	Part(s) Where Change Appears
	Clarify that the SWPPP site map must be updated following site inspection to reflect any changes to stormwater controls, where applicable Clarify that inspection reports and SWPPPs may be kept in electronic form as long as they are accessible in the same way as a paper report Streamline corrective action documentation Consolidate stormwater team and training requirements Reformat Appendix D requirements for the determination of eligibility related to endangered species protection so that what is included is streamlined	4.6.4 4.7.3, 5.4.3, 7.3 5.4 6.1, 6.2 1.1.5, Appendix D
Added Specificity	down to a worksheet More specifically describe where perimeter controls are needed, how to install them to ensure effectiveness, and when to conduct repairs Specify what types of pollution prevention requirements apply to petroleum and chemical containers based on the volume of the container Specify that waste containers are not required for the waste remnant of certain non-polluting construction materials or products	2.2.3 2.3.3.c, 7.2.6.b.ix 2.3.3.e, 7.2.4.i, 7.2.6.b.ix
	 Add specificity to dewatering discharge requirements: Improve clarity of required controls for sediment and other pollutant discharges from dewatering activities Establish turbidity benchmark monitoring requirements for dewatering discharges to sensitive waters Include more detailed inspection requirements for dewatering activities, including: Indicate on NOI if dewatering will occur on site and whether dewatering will occur on a current or former remediation site More frequent inspections for ground water dewatering Specify areas of dewatering operation that must be inspected, and what to look for Operators required to record date, names of personnel making the inspection, times, estimated rate, visual qualities of discharge, and whether there are visual signs of sediment deposition, and to take and keep photos of dewatering controls and discharge 	2.4, 3.3, 4.3.2, 4.6.3, 5.1.5, 5.2.2, 7.2.4, 7.2.8, Appendix K

PERMIT CLARIFICATIONS

SELECTION AND DESIGN OF STORMWATER CONTROLS

EPA doesn't recommend or endorse specific vendors or products (2.1, 7.1)

New design considerations:

- Use most recent data available to accurately account for the amount, frequency, intensity, and duration of precipitation (2.1.1.a)
- Account for whether the site has previously experienced major storms (2.1.1)
- Consider whether use of infiltration at specific sites may be inadvisable (2.2.2)

SELECTION AND DESIGN OF STORMWATER CONTROLS

New design considerations:

- Requirement to install inlet protection measures doesn't apply if inlet conveys stormwater to a sediment basin or similar control (2.2.10)
- For stabilization products, EPA recommends using erosion controls that are considered "wildlife friendly" (2.2.14)







INSPECTIONS, ROUTINE MAINTENANCE, CORRECTIVE ACTION

Differentiate between routine maintenance and corrective actions (2.1.4, 4.6.1.d, 5.1.1)

Type of Required Action	What Is Included
Inspections	During inspections, operator may observe conditions requiring follow-up action in the form of routine maintenance or corrective action.
Routine Maintenance	Triggered by the need for minor repairs or other upkeep performed to ensure site's controls remain in effective operating condition. Minor repairs are those that generally can be completed by the close of the next business day.
Corrective Action	Triggered by the need for a significant repair or a new or replacement control, or by the occurrence of specific conditions.

SWPPPs, inspection reports, and corrective action logs may be kept in electronic form as long as they are accessible in the same way as paper records (4.7.3, 5.4.3, 7.3)

Changed the corrective action report so that it is in a more streamlined log format (5.4)

Updated templates for Site Inspection Report, Dewatering Inspection Report, Corrective Action Log, and SWPPP (available on EPA's <u>website</u>)

Inspection and Corrective Action Report Templates

EPA developed the following templates to help you document your findings for site inspections, dewatering inspections, and corrective actions as required by the 2022 CGP. These templates are formatted to be filled out electronically or manually and include text fields that direct you to populate the forms with your site-specific information.

- Site Inspection Report Template (docx) This inspection report template is designed to assist you in preparing inspection reports that meet the requirements in Part 4.7 of the 2022 CGP.
- Dewatering Inspection Report Template (docx) This dewatering inspection report template is designed to assist you in preparing inspection reports related to dewatering activities required by Part 4.6.3 of the 2022 CGP.
- Corrective Action Log Template (docx) This corrective action log form is designed to assist you in recording the required corrective action documentation that meet the requirements in Part 5.4 of the 2022 CGP.

https://www.epa.gov/npdes/con struction-general-permitresources-tools-and-templates

CORRECTIVE ACTION LOG TEMPLATE

Section A – Individual Completing this Log		
Name:	Title:	
Company Name:	Email:	
Address:	Phone Number:	
Section Complete this section <u>within</u>	on B – Details of the Problem (CGP Part 5.4.1.a) n 24 hours of discovering the condition that triggered corrective action.	
Date problem was first identified:	Time problem was first identified:	
I I		
Specific location where problem identified: Provide a description of the specific condition that trigg	ered the need for corrective action and the cause (if idenlifiable):	
Specific location where problem identified: Provide a description of the specific condition that trigg Section C Complete this se	ered the need for corrective action and the cause (if identifiable): - Corrective Action Completion (CGP Part 5.4.1.b) action within 24 hours after completing the corrective action.	
Specific location where problem identified: Provide a description of the specific condition that trigg Section C Complete this se For site condition # 1, 2, 3, 4, or 6 (those not related to a	- Corrective Action Completion (CGP Part 5.4.1.b) ction within 24 hours after completing the corrective action. dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1):	
Specific location where problem identified: Provide a description of the specific condition that trigg Section C Complete this se For site condition # 1, 2, 3, 4, or 6 (those not related to a Immediately took all reasonable steps to address in subsequent storm events. AND	ered the need for corrective action and the cause (if identifiable): - Corrective Action Completion (CGP Part 5.4.1.b) sction within 24 hours after completing the corrective action. dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1): the condition, including cleaning up any contaminated surfaces so the material will not discharge	
Specific location where problem identified: Provide a description of the specific condition that trigg Section C Complete this se For site condition # 1, 2, 3, 4, or 6 (those not related to a Immediately took all reasonable steps to address in subsequent storm events. AND Completed corrective action by the close of the	ered the need for corrective action and the cause (if identifiable): - Corrective Action Completion (CGP Part 5.4.1.b) ction within 24 hours after completing the corrective action. dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1): the condition, including cleaning up any contaminated surfaces so the material will not discharge next business day, unless a new or replacement control, or significant repair, was required. OR	
Specific location where problem identified: Provide a description of the specific condition that trigg Section C Complete this se For site condition # 1, 2, 3, 4, or 6 (those not related to a Immediately took all reasonable steps to address in subsequent storm events. AND Completed corrective action by the close of the Completed corrective action within seven (7) ca repair, was necessary to complete the installatio	ered the need for corrective action and the cause (if identifiable): - Corrective Action Completion (CGP Part 5.4.1.b) ction within 24 hours after completing the corrective action. dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1): the condition, including cleaning up any contaminated surfaces so the material will not discharge next business day, unless a new or replacement control, or significant repair, was required. OR lendar days from the time of discovery because a new or replacement control, or significant n of the new or modified control or complete the repair. OR	
Specific location where problem identified: Provide a description of the specific condition that trigg Section C Complete this se For site condition # 1, 2, 3, 4, or 6 (those not related to a Immediately took all reasonable steps to address in subsequent storm events. AND Completed corrective action by the close of the Completed corrective action within seven (7) ca repair, was necessary to complete the installatio I the was infeasible to complete the installation or re information:	ered the need for corrective action and the cause (if identifiable): - Corrective Action Completion (CGP Part 5.4.1.b) ection within 24 hours after completing the corrective action. dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1): the condition, including cleaning up any contaminated surfaces so the material will not discharge next business day, unless a new or replacement control, or significant repair, was required. OR lendar days from the time of discovery because a new or replacement control, or significant n of the new or modified control or complete the repair. OR expair within 7 calendar days from the time of discovery. Provide the following additional	

Provide your schedule for installing the stormwater control and making it operational as soon as feasible after the 7 calendar days:

For site condition # 5a, 5b, or 6 (those related to a dewatering discharge), confirm that you met the following deadlines:

Immediately took all reasonable steps to minimize or prevent the discharge of pollutants until a solution could be implemented, including shutting
off the dewatering discharge as soon as possible depending on the severity of the condition taking safety considerations into account.

Determined whether the dewatering controls were operating effectively and whether they were causing the conditions.

Made any necessary adjustments, repairs, or replacements to the dewatering controls to lower the turbidity levels below the benchmark or remove the visible plume or sheen.

Describe any modification(s) made as part of corrective action: (Insert additional rows below if applicable)	Date of completion:	SWPPP update necessary?	If yes, date SWPPP was updated:
1.		🗆 Yes 🔲 No	
2.		🗆 Yes 🔲 No	

Section D - Signature and Certification (CGP Part 5.4.2)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel property gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

MANDATORY: Signature of Operator or "Duly Authorized Representative:"		
gnature: Date:		
Printed Name: Affiliation:		
OPTIONAL: Signature of Contractor or Subcontractor		
ignature: Date:		
rinted Name: Affiliation:		

2022 CGP Corrective Action Log Project Name: _____ NPDES ID Number: _____

Section A – Individual Completing this Log		
Name:	Title:	
Company Name:	Email:	
Address: Phone Number:		
Section B – Details of the Problem (CGP Part 5.4.1.a) Complete this section <u>within 24 hours</u> of discovering the condition that triggered corrective action.		
Date problem was first identified:	Time problem was first identified:	
What site conditions triggered this corrective action? (Check the box that applies. See instructions for a description of each triggering condition (1 thru 6).) 1 2 3 4 5 5 6		
Specific location where problem identified:		
Provide a description of the specific condition that triggered the need for con	rective action and the cause (if identifiable):	
Section C – Corrective Action Completion (CGP Part 5.4.1.b) Complete this section <u>within 24 hours</u> after completing the corrective action.		
For site condition # 1, 2, 3, 4, or 6 (those not related to a dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1):		

Immediately took all reasonable steps to address the condition, including cleaning up any contaminated surfaces so the material will not discharge

Provide a description of the specific condition that triggered the need for corrective action and the cause (if identifiable):

Section C – Corrective Action Completion (CGP Part 5.4.1.b) Complete this section <u>within 24 hours</u> after completing the corrective action.

For site condition # 1, 2, 3, 4, or 6 (those not related to a dewatering discharge) confirm that you met the following deadlines (CGP Part 5.2.1):

- Immediately took all reasonable steps to address the condition, including cleaning up any contaminated surfaces so the material will not discharge in subsequent storm events. AND
- Completed corrective action by the close of the next business day, unless a new or replacement control, or significant repair, was required. OR
- Completed corrective action within seven (7) calendar days from the time of discovery because a new or replacement control, or significant repair, was necessary to complete the installation of the new or modified control or complete the repair. OR
- It was infeasible to complete the installation or repair within 7 calendar days from the time of discovery. Provide the following additional information:

Explain why 7 calendar days was infeasible to complete the installation or repair:

Provide your schedule for installing the stormwater control and making it operational as soon as feasible after the 7 calendar days:				
For site condition # 5a, 5b, or 6 (those related to a dewatering discharge), confirm that you met the following deadlines: Immediately took all reasonable steps to minimize or prevent the discharge of pollutants until a solution could be implemented, including shutting off the dewatering discharge as soon as possible depending on the severity of the condition taking safety considerations into account. 				
Determined whether the dewatering controls were operating effort	ectively and whether th	ey were causing the condition	vns.	
Made any necessary adjustments, repairs, or replacements to the dewatering controls to lower the turbidity levels below the benchmark or remove the visible plume or sheen.				
Describe any modification(s) made as part of corrective action: (Insert additional rows below if applicable)	Describe any modification(s) made as part of corrective action: Date of completion: SWPPP update If yes, date SWPPP was (Insert additional rows below if applicable) Date of completion: Date of completion: necessary? Updated:			
1.		Yes No		
2.		Yes No		
Section D - Signature and Certification (CGP Part 5.4.2)				
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."				
MANDATORY: Signature of Operator or "Duly Authorized Representative:"				
Signature:	Date:			

INSPECTIONS IN ARID/SEMI-ARID AREAS

Help permittees determine when they may qualify for reduced inspection frequencies for "seasonally dry periods" (2.2.14.b and c, 4.4.2)

- "Seasonally dry period" defined as: a month in which the long-term average total precipitation is less than or equal to 0.5 inches
- <u>Seasonally Dry Period Locator Tool</u>

SEASONALLY DRY PERIOD LOCATOR TOOL



Seasonally Dry Period Locator Tool Supplement to Appendix A of the 2022 Construction General Permit

This tool allows permittees to determine if their construction project site is in an arid or semi-arid area. and if any months out of the year are considered seasonally dry. Classifications are based on long-term (1981-2010) climate data obtained from the PRISM Climate Group. Maps of arid and semi-arid areas, as well as seasonally dry areas by month, can be found on EPA's Construction General Permit website.

Definitions:

Arid area: Areas with average annual rainfall of 0 to 10 inches.

Semi-arid area: Areas with average annual rainfall of 10 to 20 inches.

Seasonally dry: In arid and semi-arid areas, a month in which the long-term average total precipitation is less the inches.

Enter your five-digit ZIP Code in the cell to the right: 87101

Your project site is located in an arid area.

The months of January, February, May & November are considered seasonally dry at your project site.



Seasonally Dry Period Locator Tool

Supplement to Appendix A of the 2022 Construction General Permit

This tool allows permittees to determine if their construction project site is in an arid or semi-arid area. and if any months out of the year are considered seasonally dry. Classifications are based on long-term (1981-2010) climate data obtained from the PRISM Climate Group. Maps of arid and semi-arid areas, as well as seasonally dry areas by month, can be found on EPA's Construction General Permit website.

U.S. EPA Construction General Permit Website

PRISM Climate Group Website

Definitions:

Arid area: Areas with average annual rainfall of 0 to 10 inches.

Semi-arid area: Areas with average annual rainfall of 10 to 20 inches.

Gene Seasonally dry: In arid and semi-arid areas, a month in which the long-term average total precipitation is less than or equal to 0.5 inches.

Enter your five-digit ZIP Code in the cell to the right:



Your project site is NOT located in an arid or semi-arid area.

No D16dmonths are considered seasonally dry at your project site.



Seasonally Dry Period Locator Tool

Supplement to Appendix A of the 2022 Construction General Permit

This tool allows permittees to determine if their construction project site is in an arid or semi-arid area, and if any months out of the year are considered seasonally dry. Classifications are based on long-term (1981-2010) climate data obtained from the PRISM Climate Group. Maps of arid and semi-arid areas, as well as seasonally dry areas by month, can be found on EPA's Construction General Permit website.

U.S. EPA Construction General Permit Website PRISM Climate Group Website

Definitions:

Arid area: Areas with average annual rainfall of 0 to 10 inches.

Semi-arid area: Areas with average annual rainfall of 10 to 20 inches.

Seasonally dry: In arid and semi-arid areas, a month in which the long-term average total precipitation is less than or equal to 0.5 inches.

Enter your five-digit ZIP Code in the cell to the right: **87101**

Your project site is located in an arid area.

The months of January, February, May & November are considered seasonally dry at your project site.



Seasonally Dry Period Locator Tool

Supplement to Appendix A of the 2022 Construction General Permit

This tool allows permittees to determine if their construction project site is in an arid or semi-arid area, and if any months out of the year are considered seasonally dry. Classifications are based on long-term (1981-2010) climate data obtained from the PRISM Climate Group. Maps of arid and semi-arid areas, as well as seasonally dry areas by month, can be found on EPA's Construction General Permit website.

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Enter your five-digit ZIP Code in the cell to the right:



Your project site is NOT located in an arid or semi-arid area.

No D16dmonths are considered seasonally dry at your project site

Questions?



ADDED SPECIFICITY

Perimeter Controls – Focus on Common Problems

Installation:

Install controls along perimeter areas of the site that are downslope from exposed soil

To prevent stormwater from flowing around the ends of the control:

- Install on the contour of the slope, and
- Extend both ends of the control up slope forming a crescent rather than straight line



Perimeter Controls – Focus on Common Problems

Maintenance:

To ensure the perimeter control continues to work effectively:

- Remove sediment before it has accumulated to one-half of the above-ground height of the control
- After a storm event, if there is evidence of stormwater flowing around or undercutting the control, extend the control and/or repair undercut areas





CHEMICAL USE AND STORAGE

For any size chemical containers on site:



Container must be water-tight, and kept closed, sealed, and secured.

Have a spill kit available.

Clean up spills immediately, using dry clean-up methods. Do not hose area down to clean surfaces. Eliminate spill source to prevent a discharge.

If container storage capacity is less than 55 gallons:



Use spill containment pallet to capture small leaks or spills.

If container storage capacity is 55 or more gallons:



Store containers a minimum of 50 feet from receiving waters and drainage features, or, if infeasible, as far away as possible.

Provide either (1) cover or (2) secondary containment.

DEWATERING DISCHARGES



- Untreated water from construction dewatering operations may contain pollutants that, if inadequately treated, may exceed water quality standards of the receiving water
- The most common pollutant discharged from dewatering operations is sediment

Use greater specificity to describe requirements for dewatering controls

Part 2.4

Design objective for dewatering sediment controls is to prevent discharges with visual turbidity

Discharge must not cause formation of visible sheen or hydrocarbon deposits on the bottom or shoreline of the water body.

To prevent erosion: (1) use stable, erosion-resistant surfaces for the discharge, and (2) do not place controls on steep slopes



Modify inspection protocols for dewatering

Inspections required daily when discharging dewatering water.

- For each inspection report, include:
 - Approximate times discharge began and ended;
 - Estimated rate of discharge;
 - Whether there are obvious signs of a pollutant discharge; and
 - Photographs must be taken of (1) the dewatering water prior to and following treatment, (2) the dewatering controls, and (3) the point of discharge





Part 3.3

Which Sites Are Required to Conduct Monitoring?

Any site discharging dewatering water to a sensitive water.

Sensitive waters

Receiving waters listed as impaired for sediment or a sediment-related parameter, or receiving waters designated as a Tier 2, Tier 2.5, or Tier 3 for antidegradation purposes.

What is Required to be Sampled?

At least one sample for turbidity must be taken every day there is a dewatering discharge.

How Should Turbidity Samples be Measured?

Use a turbidity meter that reports results in nephelometric turbidity units (NTUs) and conforms with a Part 136approved method (e.g., 180.1, 2130).





What is the Turbidity Benchmark for This Requirement?

The default benchmark is 50 NTUs.

Is There an Alternative to the 50 NTU Benchmark?

Yes. EPA may approve a higher, site-specific benchmark if information submitted demonstrates that the alternate value is the same as the water quality standard for turbidity.

What if the Discharge Exceeds the Benchmark?

If the weekly average of the turbidity results exceeds the benchmark, corrective action is required.



Shut off the dewatering discharge as soon as possible if it is safe to do so and if any single sample is 355 NTUs or higher;

- 2. Determine if ineffective controls are causing the exceedance; and
- 3. Make changes to the controls that are necessary to lower turbidity levels to below the benchmark.

Are Turbidity Data Required to be Submitted to EPA?

Yes. The weekly average of the site's turbidity data must be submitted to EPA no later than 30 days following the end of each monitoring quarter.

How Does the Operator Submit Turbidity Data?

Submit the weekly average turbidity data using EPA's electronic reporting system or file a paper form (if approved to do so by EPA).

Quarter #	Months	Reporting Deadline
1	January 1 – March 31	April 30
2	April 1 – June 30	July 30
3	July 1 – September 30	October 30
4	October 1 – December 31	January 30

What Other Information Must be Kept Related to Monitoring?

The following additional information must be retained on site:

- Sample location
- Turbidity meter (make and model)
- Test method (e.g., EPA 180.1)
- Name of person collecting and analyzing sample
- Date and time of sample collection and analysis
- Sample result

Operator: Dewatering Discharge Point ID (if multiple discharge points): Turbidity Meter (make and model):				Project	Project Name: Sample Location: Test Method (e.g., EPA 180.1):			
				Sample				
				Test M				
Sample Collection			Turbidity Analysis					
Name of Individual Collecting Sample	Date	Time	Name of Individual Analyzing Sample	Date	Time	Meter Calibrated?	Turbidity Result (NTUs)	Notes
	· · · · ·					□ Yes		
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	·					□ Yes		





EPA 833-B-22-001



Inspection and Monitoring Guide for Construction Dewatering EPA's 2022 Construction General Permit February 2022



Available at:

https://www.epa.gov/npdes/turbiditybenchmark-monitoring-dewatering-underconstruction-general-permit

INSPECTOR TRAINING



Only "qualified persons" may conduct inspections at CGPpermitted sites.

To be considered a qualified person for conducting inspections:

For projects obtaining permit coverage on or after <u>February 17, 2022</u>, you must have the general knowledge, skills, and training required by the 2017 CGP.





Only "qualified persons" may conduct inspections at CGPpermitted sites.



To be considered a qualified person for conducting inspections:

For projects obtaining permit coverage on or after <u>February 17, 2023</u>, you must either:

Have completed the EPA inspector training course and passed the exam;

OR

- Hold a current certification or license from a non-EPA program that covers the following:
 - Principles and practices of erosion and sediment control and pollution prevention practices at construction sites;
 - Proper installation and maintenance of construction site controls; and
 - Performance of inspections and completion of required reports.

INSPECTOR TRAINING

EPA's Training Program

- Available to take starting August 2022
- Consists of an 8-hour training and exam
- Offered free of charge on EPA's website to anyone
- Spanish language translation will be made available













INSPECTOR TRAINING

EPA's Training Program

Module #	Торіс
Module 1	General Overview and Introduction
Module 2	2022 CGP Overview
Module 3	Erosion and Sediment Controls
Module 4	Pollution Prevention Controls
Module 5	Conducting Construction Stormwater Inspections

Erosion and Sediment Controls vs. Pollution Prevention Controls





Pollution Prevention Controls (Part 2.3) Programmatic practices paired with physical control measures to minimize exposure and prevent the release of pollutants.

Both Required Under the CGP

VIRTUAL 360 SITE INSPECTION

• Module 5 of the EPA training will include a guided, interactive virtual inspection of two construction sites



FINAL EXAM

- 30 questions randomly pulled from a question bank.
- Trainees must pass the final exam with a score of 80% or higher.
- Upon passing, trainees will receive a completion certificate. This certificate must be included in the site to demonstrate the inspector's compliance with the training requirements.



INSPECTOR TRAINING

Non-EPA Training Programs

There are a significant number of existing, non-EPA stormwater courses that provide the required training for construction inspectors.

Individuals can rely on these non-EPA courses as long as they cover the minimum topics and they can demonstrate that they have an up-to-date certification of completion for that course.

• EPA's Inspector Training webpage identifies examples.

Notes:

- 1. Including a course on the list does not constitute an EPA endorsement of the course
- 2. EPA may update this list based on information submitted

Non-EPA Inspector Trainings

There are a number of existing state and third-party stormwater courses that offer alternatives to the inspector training program EPA is releasing for the 2022 CGP. As long as the non-EPA course covers the minimum topics listed in Part 6.3.b of the CGP, an individual completing the course and having an up-to-date certification of completion can rely on the course to comply with the CGP's requirements. Examples of non-EPA training programs that may cover these minimum topics include the following:



EPA's reference to these training programs does not constitute an Agency endorsement of any individual product or vendor. EPA may update this list from time to time as it learns of additional training programs that may meet the CGP Part 6.3.b requirements. If you are aware of any training programs not listed here that you believe satisfy these requirements, you may contact EPA to provide information for the Agency's consideration.

Note: If one of the minimum training topics from the CGP Part 6.3.b list (e.g., installation and maintenance of pollution provention practices) is not covered by a non-EPA training program

PHOTO DOCUMENTATION OF SITE STABILIZATION

To terminate CGP coverage, the operator must submit ground or aerial photos that show the site's compliance with the final stabilization requirements.

- Include before and after photos
- All photos must be clear, in focus, and in the original format and resolution
- Include date the photo was taken
- Include a brief description of the area of the site captured by the photo



Note: Don't need to take photos of every distinct stabilized portion of the site, however submitted photos must be substantially similar to the areas not photographed



PHOTO DOCUMENTATION OF SITE STABILIZATION

To terminate CGP coverage, the operator must submit ground or aerial photos that show the site's compliance with the final stabilization requirements.

- Include before and after photos
- All photos must be clear, in focus, and in the original format and resolution
- Include date the photo was taken
- Include a brief description of the area of the site captured by the photo



Note: Don't need to take photos of every distinct stabilized portion of the site, however submitted photos must be substantially similar to the areas not photographed



Note: No specialized equipment required for taking photos



Note: EPA's electronic reporting system can accommodate large-sized photos

STATE / TRIBAL REQUIREMENTS

States and Tribes may establish additional permit requirements through their CWA Section 401 authorities.

As a result of the 401 certification process for the 2022 CGP, additional permit conditions are included in Part 9 of the permit.

State-Imposed Requ	irements	Requirements Applicable to Indian Country Lands in Certain States		
Delaware District of Columbia Guam Massachusetts New Hampshire	New Mexico Oklahoma Vermont Washington	California Idaho Montana New Mexico New York	Oklahoma Oregon Washington Wisconsin	

Questions?





THANK YOU!

GREG SCHANER

