Department of Environmental Quality

Annette Lucas, PE
Erosion and Sedimentation Control Workshop
Renewal of the Construction General Permit
May 4, 2018

Department of Environmental Quality
“You can't just turn on creativity like a faucet. You have to be in the right mood.

What mood is that?

Last-minute panic.”

- Bill Watterson, cartoonist
**NOT** to change the technical requirements for Construction Projects in NC!

Main goal: Better Organization!

Table of Contents of Permit

More Tables, Less Text

Coordination Between the E&SC Manual & the Permit
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*Department of Environmental Quality*
NCG01 and the Manual . . .

More on this during June stakeholder meeting!
PART I  NCG01 PERMIT COVERAGE

PART II  STORMWATER POLLUTION PREVENTION PLAN
  Section A:  Stormwater Pollution Prevention Plan Components
  Section B:  Bypasses
  Section C:  Upsets

PART III  SELF-INSPECTION, RECORDKEEPING AND REPORTING
  Section A:  Self-Inspection and Recordkeeping
  Section B:  Reporting

PART IV  STANDARD CONDITIONS
  Section A:  Compliance and Liability
  Section B:  Permit Administration

PART V  DEFINITIONS
PART I | NCG01 PERMIT COVERAGE

This permit applies to:
Projects that disturb > 1 acre EVEN if they are exempt from the Sediment Pollution Control Act.

This permit does not apply to:
Projects that disturb < 1 acre but are subject to a local government’s E&SC Program.
1. Develop an E&SC Plan.

2. Obtain approval of E&SC Plan from state or delegated local entity.

3. Submit an electronic Notice of Intent (NOI) with documentation of plan approval uploaded. DEMLR issues a Certificate of Coverage (COC) w/in 5 business days.

4. Commence construction activity after receipt of the COC.

5. Abide by the conditions of the NCG01 permit and the E&SC Plan.

6. After the construction is complete and site is permanently stabilized, contact the authority that approved the E&SC plan to close out.

7. Submit an electronic request to rescind coverage under the NCG01 permit with the close-out documentation uploaded.

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What are we asking local programs to do regarding e-NOIs?

Upon approval of an Erosion and Sediment Control Plan, let the Financially Responsible person know that s/he needs to apply for an e-NOI.

Upon close-out of an Erosion and Sediment Control Plan, let the Financially Responsible person know that s/he need to go on line to have the Certificate of Coverage under the NCG01 permit rescinded.
PART II  STORMWATER POLLUTION PREVENTION PLAN

Section A: Stormwater Pollution Prevention Plan Components
1. Erosion and Sediment Control Plan
2. Ground Stabilization
3. Materials Handling
4. Disturbed Area Limit for Special and Threatened Waters

Section B: Bypasses
1. A Bypass Without Notice
2. Any Other Bypass

Section C: Upsets
1. Unintentional and Temporary Noncompliance
2. Demonstration of an Upset
II-A-2. Ground Stabilization

<table>
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<th>Site Area (slopes are horizontal:vertical)</th>
<th>Maximum time for stabilization after last land disturbance</th>
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<td>Within High Quality Water Zones (defined in 15A NCAC 04A. 0105), the entire site</td>
<td>7 calendar days</td>
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**Outside of High Quality Water Zones:**
- Perimeter dikes, swales, ditches and slopes
- Slopes 3:1 or steeper\(^1\)
- Slopes 3:1 or flatter and less than or equal to 50’ in length
- Slopes 3:1 or flatter and greater than 50’ in length
- Slopes 4:1 or flatter
  
  \(^1\) If the slope is 10 feet or less and is not steeper than 2:1, then slope stabilization shall be relaxed to 14 days.

E&SC Plans approved by local governments should comply with these standards.
II-A-3. Materials Handling

- Polyacrylamides (PAMS) and flocculants
- Fuels, lubricants, coolants, hydraulic fluids, and other petroleum products
- Herbicide, pesticide, and rodenticides
- Building material and land clearing waste
- Paint and other liquid building material waste
- Hazardous or toxic waste
- Concrete materials
- Earthen-material stock piles
- Litter and sanitary waste
- Equipment, vehicle, and other wash waters
II-A-4. Sensitive waters and threatened/endangered species

Disturbed areas w/in one mile of and draining to HWQs or waters where federally-listed threatened or endangered aquatic species are present shall be limited at any to a max of 20 acres disturbed area.

Per 15A NCAC 04B .0124 – Design Standards in Sensitive Watersheds, E&SC measures in HQWs should be designed for the 25-year storm.
PART III SELF-INSPECTION, RECORDKEEPING AND REPORTING

Section A: Self-Inspection and Recordkeeping
  1. Self-Inspections
  2. Recordkeeping
  3. No Numeric Limits

Section B: Reporting
  1. Occurrences that Must be Reported
  2. Reporting Timeframes and Other Requirements
Part III

What has to be inspected?

*Visual monitoring of the following:*

- Rain gauge maintained in good working order
- E&SC Measures
- Stormwater discharge outfalls (SDOs)
- Perimeter of site
- Streams or wetlands onsite or offsite (where accessible)
- Ground stabilization measures
Part III

What has to be reported?

• Visible sediment deposition in a stream or wetland
• Oil spills if they:
  • Are > 25 gallons,
  • Are < 25 gallons but cannot be cleaned up w/in 24 hours,
  • Cause sheen on surface waters, or
  • Are within 100 feet of surface waters.
• Releases of hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act
• Anticipated bypasses
• Unanticipated bypasses
• Noncompliance
Parts IV and V

PART IV    STANDARD CONDITIONS
Section A: Compliance and Liability
Section B: Permit Administration

PART V    DEFINITIONS
Renewal of the N.C. General Permit for Construction Activities

The N.C. Stormwater Program is renewing and updating the [Current NCG01 Permit](#) this spring and summer.

The technical requirements for construction activities in this [New Draft NCG01 Permit](#) have not changed from the current permit, except for minor updates to references and clarification of permit language known to cause confusion for North Carolina stakeholders. However, there are two significant changes to note:

- The technical requirements have undergone a major reorganization to increase clarity and understanding for our permittees and the public. Many of the permit requirements have been organized into tables as a preferred alternative to the lengthy paragraphs that characterize the current version of the permit.

- The permitting process for the NCG010000 has been updated and improved to require
### Planned Schedule

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Thank You and Next Steps

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Questions?

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