

Overview of State and Federal Construction Activities Requirements



Elaine Webb, Engineer IV
DNREC Sediment & Stormwater Program

**Delaware
NPDES Stormwater Program
General Permit Category:
Construction Activities**

**US EPA
NPDES Stormwater
Program**

Delegation

**DNREC
Division of Water
NPDES Program
7 Del. C.
Chapter 60**

**Individual Permits
General Permits
MS 4 Program**

**Stormwater General Permit
7 Del. C. Chapter 60
Section 9 , Part 2 Construction**

**DNREC
Division of Watershed
Stewardship
Sediment and Stormwater Program
7 Del. C. Chapter 40**

M.O.U.

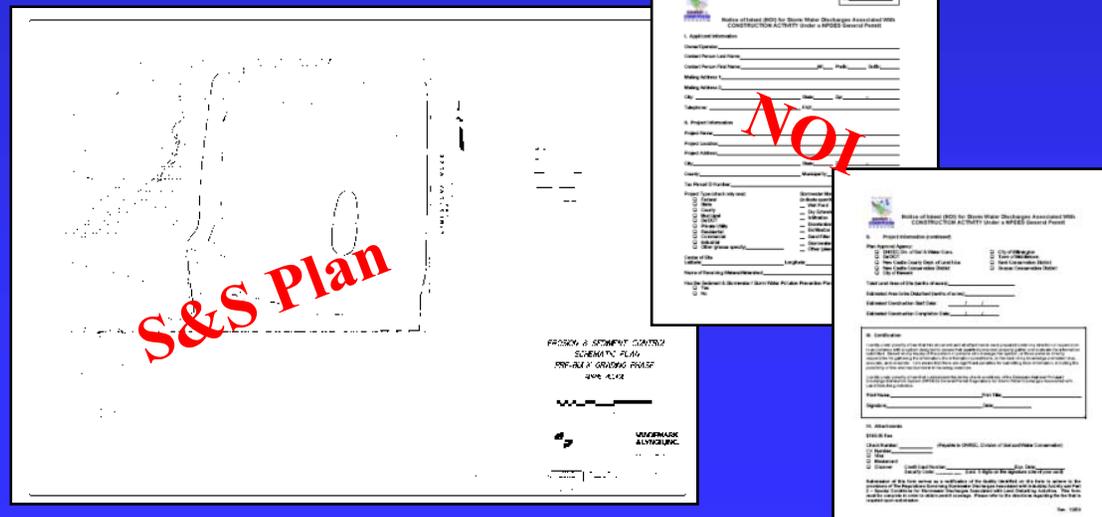
Who needs to have coverage?

- Owner / developer
- Homebuilder



Gaining Federal Permit Coverage

- Comply with regulations
- Two components:
 - Approved Sediment and Stormwater Plan
 - Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity



Forms

1. Notice of Intent (NOI)
2. Notice of Termination (NOT)
3. Transfer of Authorization Application
4. Co-Permittee Application
5. Notice of Termination for Shared Operational Control

Notice of Intent (NOI)

- Submit to DNREC prior to plan approval

- \$195 fee

- Signed by

OWNER

The screenshot shows the DNREC Notice of Intent (NOI) Search interface. The browser address bar displays <http://apps.dnrec.state.de.us/noi/>. The page header includes the State of Delaware logo and the text "State of Delaware The Official Website for the First State". Below the header is a search bar with the text "NOI Search".

The search criteria section includes a dropdown menu for "Delegated Agency" and input fields for "Received Date Between", "Program ID", and "Name Begins With". A "Search" button is located below these fields.

The search results section shows "3095 Record(s) Found." and a table titled "List of NOI's for Storm Water Discharges Associated CONSTRUCTION ACTIVITY Under a NPDES General Permit". The table has columns for "Expand", "Project Name", "Project Date", "Date Received", "Delegated Agency", and "Delegated Assessor".

Expand	Project Name	Project Date	Date Received	Delegated Agency	Delegated Assessor
➔	3103 Eden Square Connector	DelDOT	01/29/2009	Delaware Department of Transportation	Delaware (State of) Department of Transportation - Highway Operations Field Services
➔	3102 Br 1-503 on St. Annes Church Road	DelDOT	01/29/2009	Delaware Department of Transportation	Delaware (State of) Department of Transportation - Highway Operations Field Services
➔	3101 St. Annes Church Rd, Levels Rd to East of Wiggins Mill Rd.	DelDOT	01/29/2009	Delaware Department of Transportation	Delaware (State of) Department of Transportation - Highway Operations Field Services
➔	3100 Eden Square Connector	DelDOT	01/29/2009	Delaware Department of Transportation	Delaware (State of) Department of Transportation - Highway Operations Field Services
➔	3099 Proposed Office Building - L&W Insurance	Commercial	01/29/2009	GGG/LLC / L&W Insurance	Kent Conservation District
➔	3098 Route 13 Interceptor	Municipal	01/29/2009	City of Dover - Public Utilities Department	Kent Conservation District
➔	3097 5721 Kennett Pike	Commercial	01/29/2009	Mumford Properties LLC	New Castle County Dept of Land Use
➔	3096 Eastgate	Residential	01/29/2009	Milford Housing Development Corporation	Sussex Conservation District
➔	3095 The Harrow Subdivision	Residential		BG Ventures	Kent Conservation District

Notice of Termination (NOT)

- Submit NOT to DNREC when:
 - All items and conditions of Plan have been met,
 - As-builts have been approved, and
 - Final Stabilization has been achieved.

Final Stabilization



- EPA Definition:
 - Uniform perennial vegetative cover with a density of 70% of native background vegetation
 - Equivalent measures such as riprap, gabions, or geotextiles

Final Stabilization



Co-Permittees

- Original Developer
- All Subsequent Owners:
 - Homebuilders
 - Individual lot owners
 - Individual pad developers
- Original Developer is responsible for bringing in co-permittees



Transfer of Authorization



- Transfer of control
 - Original landowner transfers all control of project to another person (i.e. lessee, general contractor)
- Transfer of property
 - Original landowner gets plan approved and sells the whole project to developer
- Transfer of Authorization Form

Notice of Termination of Shared Operational Control

- Allows co-permittee to terminate their own coverage before the entire site is complete
- Separate form



Monitoring

- Effluent Limitations
 - BAT Performance Standards
- Self-inspections
 - Weekly
 - May coincide with CCR reports



The Plan



The Plan

Stormwater Pollution
Prevention Plan
(SWPPP)

=

Delaware Sediment and
Stormwater Plan
*Including 3.6 Pollution
Prevention Practices
from Delaware Erosion
and Sediment Control
Handbook

Documentation

- Keep the following on the site:
 - Approved Sediment & Stormwater Plan
 - Notice of Intent
 - Site review reports
 - Delegated Agency reports
 - CCR reports

Construction Site Pollution Prevention

- Four Categories of BMPs:
 - Construction Site Waste Management
 - Vehicle & Equipment Maintenance
 - Spill Prevention
 - Education



CCR Responsibilities

- Weekly CCR reviews fulfill owner's monitoring requirement
- CCR reviews cover:
 - Erosion and sediment
 - Permanent stabilization
 - Stormwater management
 - Construction site pollution prevention

Updating Construction General Permit

- Within 12 months
- Define active and inactive sites
 - Inactive can be reviewed less frequently
- “Common Plan of Development”
 - Allow termination of coverage prior to full build-out

POP

QUIZ!

Two horizontal lines drawn with a brush, one above the other, in a light blue-grey color.

Multiple Choice Question

Federal NPDES permit coverage requires the construction site to be monitored through self inspections conducted how often?

- a. Daily
- b. Weekly
- c. Monthly
- d. Annually

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Questions?