

Effective December 16<sup>th</sup>, 2005 clearing, grading, and/or excavation activities that disturb an acre or more are subject to Ecology's (DOE's) new Construction Stormwater General Permit. Any such sites not yet in possession of the new permit should apply for one. Applications (or Notices of Intent, NOIs) are found at <http://www.ecy.wa.gov/programs/wq/stormwater/construction>.

Background

Ecology issued the current Construction Stormwater General Permit on October 4, 2000. The permit was appealed by a coalition of environmental groups who charged that the permit did not meet the intent of the federal Clean Water Act and Washington State's Water Pollution Control Law. The Washington State Department of Transportation and the Association of Washington Business later intervened Ecology's behalf. Revising and reissuing the permit was a condition of settling the appeal.

The new Construction Stormwater General Permit also reflects the following:

- EPA's Phase II Stormwater Rule which lowers the permitting threshold from five acres to one;
- DOE's Phase II Municipal Stormwater Permit which requires an on-site or on-call Certified Erosion and Sediment Control Lead (CESCL), and which outlines twelve elements of construction stormwater pollution prevention; and
- Washington State's Water Pollution Control Law which now requires some monitoring and reporting.



Changes

The permit has doubled in size, as measured by the number of words and pages. So what's new?

- Sites disturbing one or more acres of soil must be permitted. Previously, the threshold was five acres.
- Visual site inspections and discharge turbidity sampling are required weekly. Permittees must:
  - Maintain a site logbook with detailed records of plan implementation including inspection checklists, sampling notes, and BMP installation and maintenance activities.
  - Review/improve the plan and even notify DOE if discharges are too muddy.
  - Monitor pH if pouring >1,000-yrds concrete or using engineered soils.
  - Submit Monthly Discharge Monitoring Reports (DMRs) to DOE (once sampling begins).
- SWPPP requirements for the narrative, map, and BMPs are more explicit. For example, instead of two general BMP categories, Stabilization and Structural, the new permit outlines twelve elements of Construction Stormwater Pollution Prevention.
- A Certified Erosion and Sediment Control Lead (CESCL) is required to be on-site or on-call.
- Permits are not needed for certain dry season (6/15 – 9/15) projects disturbing <5 acres.

Additional Information and Upcoming Training

- DOE's Website: <http://www.ecy.wa.gov/programs/wq/stormwater/construction>
- DOE's Permit Writer: Jeff Killelea (360) 407-6127 or [jkil461@ecy.wa.gov](mailto:jkil461@ecy.wa.gov)
- Longview's Stormwater Manager: 442-5210 or [josh.johnson@ci.longview.wa.us](mailto:josh.johnson@ci.longview.wa.us)
- Upcoming training: Two-day Certified Erosion and Sediment Control Lead (CESCL) certification classes with UW:
  - Feb 15-16, 2006. Hosted by King County in Renton, WA
  - Other opportunities may be found on Ecology's website (same as above).