

Overview

Stormwater Program for Construction Activity

When stormwater drains off a construction site, it carries sediment and other pollutants that harm lakes, streams and wetlands. According to the 1996 National Water Quality Inventory, stormwater runoff is a leading source of water pollution. The U.S. Environmental Protection Agency (EPA) estimates that 20 to 150 tons of soil per acre is lost every year to stormwater runoff from construction sites.



Many studies indicate that controlling erosion can significantly reduce the amount of sedimentation and other pollutants transported by runoff from construction sites. To keep Minnesota's valuable water resources clean the Minnesota Pollution Control Agency (MPCA) issues permits to construction site owners and their operators to prevent stormwater pollution during and after construction.

Site owners and their construction operators must sign off on a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater General Permit. As part of the application for this legal document, the owner and operator must create a stormwater pollution prevention plan (SWPPP) that explains how they will control stormwater.

Once they complete their stormwater pollution prevention plan, applicants may choose to apply online in order to receive quicker permit coverage and prevent errors in their application.

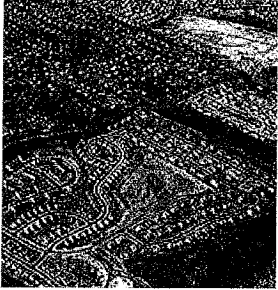

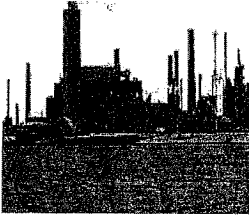
Who Needs an NPDES/SDS Permit

You need an NPDES/SDS permit if you are the owner or operator for any construction activity disturbing:

- One acre or more of soil.
- Less than one acre of soil if that activity is part of a "larger common plan of development or sale" that is greater than one acre.
- Less than one acre of soil, but the MPCA determines that the activity poses a risk to water resources.

Most construction activities are covered by the general NPDES stormwater permit for construction activity, but some construction sites need individual permit coverage. Owners and operators are both responsible for submitting the permit application.

MPCA Stormwater NPDES/SDS Permitting Program

1987- Federal Clean Water Act amended to require stormwater be addressed in two phases	Phase I EPA Rules: Nov. 16, 1990 Deadline: 1991-1996	Phase II EPA Rules: Dec. 8, 1999 Deadline: March 10, 2003
Municipal (MS4) 	Large and medium MS4s (Under federal definition, populations over 100,000) <i>Minneapolis/St. Paul - 2 Individual Permits</i>	Small regulated MS4s (up to populations of 100,000) <ul style="list-style-type: none"> • In an Urbanized Area <ul style="list-style-type: none"> - Cities, townships, counties - Non-traditional MS4s • Designated by the MPCA (under MN Rules) <ul style="list-style-type: none"> - >10,000 population (city or town) - >5,000 population and discharge to special/impaired waters • Petition • Commissioner determination ~234 General Permits
Construction 	<ul style="list-style-type: none"> • Activity disturbing <u>> 5 acres</u> • Smaller sites that are part of a common plan of development disturbing > 5 acres ~900 General Permits/yr., ~1800 active on average (sites open for ~2 yrs. on average)	<ul style="list-style-type: none"> • Activity disturbing <u>>1 acre</u> • Smaller sites that are part of a common plan of development disturbing > 1 acre ~1800 General Permits/yr., ~2700 active on average (project sites open for ~1.5 yrs. on average)*
Industrial 	10 Industrial Categories (Construction = 11 th) <ul style="list-style-type: none"> • Only "Light Industrial" category could apply for 'no exposure certification' and not need a permit • 29 Sectors within the 10 categories 2,200 Multi-sector General Permit 1,900 No Exposure Certifications	<ul style="list-style-type: none"> • Allowed all categories (except construction) to be able to apply for the 'no exposure certification' • Municipally owned or operated industrial facilities (Hwy shops) required to have coverage that had been exempt 1,200 Multi-sector General Permits 1,400 No Exposure Certifications*

Terms:

- **MS4s** - Municipal Separate Storm Sewer Systems. Publicly owned/operated storm sewer conveyance systems that are separate from the sanitary sewer. Includes gutters, piping, ditches, etc.
- **Urbanized Areas** - defined in federal law by the Federal Bureau of Census, includes areas of Twin Cities, Rochester, St. Cloud, Duluth, Fargo, ND, Grand Forks, ND, and LaCrosse, WI. (Mankato area predicted for 2010 census)
- **Non-traditional MS4s** - MS4s that are not cities, counties, or townships. Publicly owned/operated systems on universities, prisons, Dept. of Transportation's highways, etc.
- **Designated MS4s** (Designation Criteria)- At a minimum, cities and townships with populations over 10,000 must be considered by the MPCA for permit coverage according to federal law.
- **NPDES/SDS** - National Pollutant Discharge Elimination System (delegated permitting program by EPA to the MPCA) and State Disposal System (addresses MN specific rules).
- *Many variables impact # of permits/yr. including the recession (construction/industrial)