

Construction Stormwater 2017 General Permit OKR10 for Stormwater Discharges from Construction Activity



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Water Quality Division

Department of Environmental Quality

Outline

- 2017 OKR10 Permit Overview
- Changes from 2012 Permit
- Permit Components
- SWP3, and NOI

Changes from 2012

- Terminating Coverage
- Notice of Intent (NOI) Requirements
- Modification of NOI
- Stormwater Pollution Prevention Plan Submittal
- Electronic Reporting
- Notice of Change of Ownership

Permit Components

- Eligibility and Coverage
- Notice of Intent (NOI) Requirements
- Notice of Termination (NOT) Requirements
- Special Conditions and Effluent Limitations
- Stormwater Pollution Prevention Plan
- Retention of Records
- Standard Conditions
- Definitions
- Addendums

Eligibility and Coverage

- Applies to construction activities as defined in 40 CFR § 122.26(b)(14)(x) for construction sites of 5 or more acres and 40 CFR § 122.26(b)(15)(i) for construction sites of 1 or more acres.
- Located within the State boundary with the exception in Indian Country Land
- Oil & Gas Extraction and Agricultural Production and Services are not covered by the OKR10 permit

Eligibility and Coverage

- Allowable Stormwater Discharges in Part 1.2
 - Construction stormwater discharges associated with construction activity from sites that disturb 1 acre or more
 - Construction stormwater discharges associated with construction activity from sites that disturb less than 1 acre, but is part of a larger common plan of development or sale
 - Construction stormwater discharges from construction support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas)
 - Stormwater discharges from facilities subject to any stormwater-specific effluent limitations guidelines listed in Table 1-1
- Allowable Non-Stormwater Discharges in Part 1.2.1.C

Eligibility and Coverage

■ Limitations on Coverage

- Post construction discharges
- Discharges mixed with non-stormwater
- Discharges covered by another permit
- Discharges threatening water quality
- Discharges not protective of listed endangered species
- Discharges to Total Maximum Daily Load (TMDL) Watersheds – unless they are consistent with the approved TMDL plan

Obtaining an Authorization

- Meet the eligibility requirements in Part 1.3
- Develop and implement a stormwater pollution prevention plan (SWP3)
- Submit a complete and accurate NOI using the form in Addendum B
- Submit your SWP3 to DEQ for review if your facility is located in a sensitive watershed or in a watershed with an approved TMDL
- Pay the application fee (\$100) and applicable annual permit fee (\$347.71)

Notice of Intent (NOI)

- A complete and accurate NOI must be submitted to DEQ for permit coverage. SWP3 must be prepared or updated consistent with Part 4
- All existing permittee's must reapply using the new 2-page NOI form
- Submit NOIs within 90 days (by January 16, 2018) from the effective date of the permit
- Any discharge will be considered unauthorized, if you miss the deadline, DEQ may take enforcement action for an unpermitted discharge
- For a new operator, you must receive an authorization prior to commencing earth disturbing activities
- You are not considered covered until you receive an authorization from DEQ

Terminating an Authorization

- Notice of Termination (NOT) must be submitted within 30 days after one or more of the following conditions have been met:
 - Final stabilization has been achieved on all portions of the site
 - Residential subdivision – final stabilization has been completed and all lots have been sold and permittee is no longer responsible for the construction activity in the subdivision
 - A new owner or operator has assumed responsibility for the facility
- DEQ will perform a site inspection and your permit is not terminated until DEQ issues a termination letter

Transfer of Permit Coverage

- Coverage under this Permit is **not transferable**
- Any change in ownership or operational control, NOT by current owner and NOI by new owner must be submitted to DEQ
- Any change in ownership/operational control of a portion of the site, new operator submits an NOI and existing operator must revise its SWP3 and submit an NOI for modification
- Residential subdivision – as lots are sold to builders, developer must submit Notification of Change of Ownership (NCO) form to DEQ and update their SWP3
- Any change in the company name, operator must submit NOI for modification. Original permit number will be retained



Control Measures and Effluent Limits

- Stormwater control measures can be actions (processes, procedures, schedules of activities, prohibitions on practices and other management practices), structural, or installed devices to minimize or prevent water pollution
- Select, design, install, and implement to meet non-numeric technology-based effluent limits, applicable numeric effluent limits, and water quality-based effluent limits
- Selection, design, installation, and implementation of control measures must be based on good engineering practices and manufacturer's specifications
- Modify these control measures, if you find any ineffective control measures

Non-numeric Technology-Based Effluent Limits – Part 3.3

- Erosion and Sediment Control Requirements – Part 3.3.1
 - Minimize area of disturbance
 - Design requirements
 - Direct stormwater to vegetated areas
 - Natural buffers or equivalent erosion and sediment controls
 - Perimeter controls
 - Sediment track-out
 - Stockpiled soil or sediment
 - Dust control
 - Disturbance of steep slopes
 - Topsoil preservation

Non-numeric Technology-Based Effluent Limits Cont.

- Soil compaction
- Storm drain inlets
- Stormwater conveyance channels
- Sediment basins
- Dewatering practices
- Stabilization Requirements – Part 3.3.2
 - Stabilization deadlines
 - Stabilization criteria

Non-numeric Technology-Based Effluent Limits Cont.

- Pollution Prevention Requirements – Part 3.3.3
 - Prohibited discharges
 - Maintenance requirements
 - Emergency spill notification
 - Fertilizer discharge restrictions

Numeric Technology-Based Effluent Limits – Part 3.4

- Requirements for Asphalt Batch Plants – Part 3.4.1

Parameter	Limitation	Monitoring Frequency	Sample Type
TSS	23 mg/l daily max 15 mg/l monthly avg	1/year	Grab
Oil & Grease	15 mg/l daily max 10 mg/l monthly avg	1/year	Grab
pH	6.5 – 9.0 s.u.	1/year	Grab

Water Quality-Based Effluent Limits – Part 3.5

- Your discharge must not cause or contribute to an exceedance of applicable water quality standards
- Discharges to water quality-impaired waters – Part 3.5.1
 - Considered discharge to an impaired water if your facility or discharge point is located within 1 mile of a receiving water body
 - Waterbody impaired for sediment and/or turbidity
 - Site inspection requirements
 - Corrective actions
 - Stabilization requirements
- Discharges to ORW or ARC water – Part 3.5.2
 - Outstanding Resource Water
 - Aquatic Resources of Concern

Operators – Part 3.6

- Operational control over plans and specs – Part 3.6.1
- Operational control over day-to-day activities – Part 3.6.2
- Large common plan of development – Part 3.6.3
 - Primary operator
 - Secondary operator
- Utility installer – Part 3.6.4

Stormwater Pollution Prevention Plan (SWP3) – Part 4

- Requirements listed in Part 4 of OKR10
- Must be prepared or updated prior to submission of NOI
- SWP3 itself does not contain effluent limits; rather, it constitutes a tool to assist permittees, inspectors, and other authorities in ensuring and documenting that effluent limits are met
- SWP3 is to document the specific **control measures that** the permittee will use to meet the numeric and non-numeric effluent limits contained in the Permit along with other permit requirements
- Should be prepared in accordance with good engineering practices, licensed PE only required for those parts of SWP3 involving the practice of engineering

Inspections – Part 4.3.13

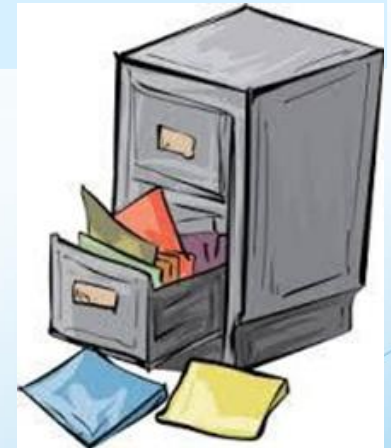
- Qualified inspector
- Frequency of inspections
 - At least every 14 days and within 24 hours of the end of a storm event of 0.5 inches or greater
- Requirements for inspections – Part 4.3.13.D
- Inspection report – Part 4.3.13.E

Corrective Actions – Part 4.3.14

- Requirements for taking corrective action – Part 4.3.14.A.1
- Corrective action report – Part 4.3.14.B
- Recordkeeping requirements – Part 4.3.14.C

Retention of Records – Part 5

- Documents
- Accessibility



Remaining Components

- Standard Conditions – Part 6
- Re-opener Clause – Part 7
- Definitions – Part 8
- Historic Preservation – Part 9
- Endangered Species – Part 10
- Addendums
 - Aquatic Resources of Concern (ARC)
 - Notice of Intent (NOI) form
 - Notice of Termination (NOT) form
 - Contractor certification form
 - Oklahoma Outstanding Resource Waters (ORW)
 - Concrete and Asphalt Batch Plants
 - Annual Comprehensive Site Compliance Evaluation Report (ACSER)

Remaining Components Cont.

- Addendums
 - Buffer requirements
 - Stormwater runoff coefficients
 - Notification of Change of Ownership

Questions & Answers



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