



# Wetlands & Stormwater Program

Indiana Department of Environmental Management  
Office of Water Quality  
Surface Water and Operations Branch  
Wetlands and Stormwater Section

# Stormwater Construction General Permit



# Eligibility

- Eligibility for Coverage:
  - One (1) acre of land disturbance
  - Exclusions (NPDES):
    - ◆ Agricultural land-disturbing activities
    - ◆ Silvicultural activities (40 CFR 122.27)
    - ◆ Oil and gas exploration production, processing or treatment operations, or transmission facilities (40 CFR 122.26)
    - ◆ Ditch maintenance performed on regulated drains as performed by a county drainage board and defined in IC 36-9-27
    - ◆ Travel lanes associated with utility work on agricultural land

# Performance Standards

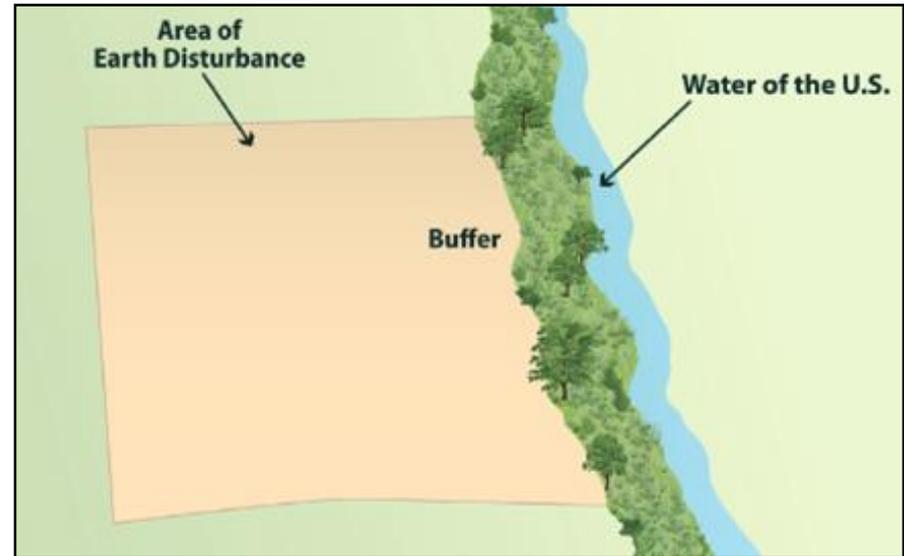
- Dewatering:
  - Direct to an appropriate sediment control measure
  - Contaminated discharge water may require an alternative method of disposal
  - Discharges may require an individual wastewater permit or a general dewatering permit



# Performance Standards

- Natural Buffer Preservation: (U.S. EPA Requirement)

- Preserve existing natural buffers adjacent to a water of the state to promote infiltration and provide protection of the water resource, unless infeasible.



The buffer is required to be:

- ◆ Maintained at a minimum width of fifty (50) foot where the existing buffer is fifty (50) foot or more
- ◆ Maintained in its entirety where the buffer is less than fifty (50) foot

# Performance Standards

- Standards for Individual Stormwater Measures:
  - Sediment basins, where feasible, must be designed to withdraw from the surface of the water column (skimmers) (U.S. EPA Requirement)
  - Design alternatives such as increasing basin length to width ratio, use of polymers, etc.
  - Consider alternative options during freezing periods



# Performance Standards

- Waste containers/trash receptacles must be covered when not in use and at the end of the workday
  - Permit modified to be performance based and focuses on management of waste
  - If not managed, the containers must be covered, or other methods selected to minimize the discharge of pollutants
- Use of Anionic Polymers:
  - Notification required:
    - ◆ Identified in the SWP3
    - ◆ Email notification to IDEM or the MS4

(U.S. EPA currently requires notification in the Notice of Intent in non-delegated states)

# Performance Standards

- Stabilization and Vegetation Establishment:
  - IDEM has established one standard in the permit and eliminated the requirement to:
    - ◆ Initiate stabilization immediately and complete stabilization within seven (7) days for sites discharging to a water on the current 303(d) List of Impaired Waters or with a U.S. EPA-approved TMDL
  - Initiate stabilization by the end of the seventh (7) day for those areas of the site that are left idle and complete stabilization within 14 days



# Performance Standards

- Final Stabilization:
  - Standard of 70% density remains
  - Provision to exclude activities from the requirement to achieve 70% density when the activity is associated with:
    - ◆ Another permit such as DNR, 401 Water Quality Certification, etc.
    - ◆ A post-construction measure that utilizes special plantings
  - Projects, due to function/operation, may leave disturbed areas. These include off-road recreational businesses.





# Performance Standards

- Project Management and Self-monitoring:
  - IDEM has established one standard in the permit and eliminated the requirement to:
    - ◆ Perform self-monitoring once per week and following one-quarter (0.25) inch of rainfall for projects discharging directly to a water on the current 303(d) List of Impaired Waters or with a U.S. EPA-approved TMDL
  - IDEM has one standard that includes:
    - ◆ Inspect by the end of the next business day following a rain event of one-half (.5) inch or more, but no more than three inspections within the business week
    - ◆ An Inspection twenty-four hours prior to a qualifying rain event is acceptable
    - ◆ If a rain event does not occur during the business week at least one inspection must be completed

# Performance Standards

- Project Management and Self-monitoring:
    - Perform a written evaluation of the project site:
      - ◆ Establish a timeline for which the corrective action will occur:
        - Repairing a measure: on the day the deficiency was discovered or when it is not practical, no later than the following workday
        - Installation of a new measure or replacement of an existing measure: within seven days of discovery unless a shorter time frame is required as part of a regulatory inspection
        - If corrective action cannot be completed – provide a reason and alternative timeline
- Note:** The inspecting authority may also allow additional time to take corrective action



# Performance Standards

- Project Management Log:
  - Off-site borrow sites, disposal areas, and staging areas, including location
  - Information and/or documents related to all project activities including, but not limited to:
    - ◆ Self-monitoring reports
    - ◆ Regulatory inspections
    - ◆ Responses to a compliance action
    - ◆ SWP3 modifications

# Individual Building Sites

- Residential building sites within a permitted site:
  - 327 IAC 15-5 allowed the builder to operate under the permit of the developer of the project and the SWP3.
  - The Construction Stormwater General Permit (CSGP) now requires:
    - ◆ Develop a lot specific SWP3
    - ◆ Complete a Residential Development Registration form certifying compliance that must be kept on the building site, which requires a builder to sign onto the project if they do not have their own permit coverage



# Application and Termination Process

- NOI Continuation of Coverage:
  - Within 90 days of notification/NOI made available
  - Process to continue coverage and implement new CSGP
  - Permit effective dates will not change
  - SWP3 is not required to be reviewed
  - Procedural compliance in the permit that must be modified:
    - ◆ Stabilization program
    - ◆ Self-monitoring program
    - ◆ Use of polymers
- Notice of Termination – Verification by MS4

# Construction Stormwater Citizens Portal

- Database and interactive permitting system:
  - Increase interaction with the regulated community:
    - ◆ Online submittals of SWP3, Notices of Intent, and Notices of Termination
  - IDEM complies with the U.S. EPA:
    - ◆ Electronic reporting rule
    - ◆ Requirement to migrate all data to the U.S EPA database
- Implementation schedule:
  - The use of the Regulatory ePortal is required with new CSGP

# Post-construction Performance Standards

- Post-construction Requirement:

- Stormwater discharges must be managed to control both quantity and quality based on local requirements
- If local requirements are not available, the project design must include a standard that:



- ◆ The post-development discharge must not exceed the pre-development discharge based on the two-year, ten-year, and one-hundred year peak events
- ◆ Will treat the water quality volume or water quality flow rate

# Post-construction Performance Standards

- Post-construction Requirement:
  - Utilize at least one and, as necessary, two or more post-construction measures
  - Promotes the use of low impact development strategies and infiltration
  - Infiltration requires pretreatment to protect groundwater resources when warranted

# Questions?

