



Statewide NPDES Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities **Draft CGP Workshop**

Presented By:

CASQA Construction and Training Subcommittees
CGP Training Team

July 2021

Draft CGP – Proposed Changes

- Monitoring and Reporting Requirements
- Dewatering Activity Requirements
- Demolition Activity Requirements
- Statewide Plans (Ocean Plan/Statewide Trash)
- Notice of Termination Approval Timeline
- Total Maximum Daily Load Requirements
- Lack of Grandfathering Period
- Road and Highway Projects
- Passive Treatment Technology Allowed

MAY 2021 DRAFT

nNATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION AND LAND DISTURBANCE ACTIVITIES

DRAFT ORDER WQ 2021-XXXX-DWQ

NPDES NO. **CAS000002**

This Order was adopted by the State Water Resources Control Board on:	XXXX XX, 20XX
This Order shall become effective on:	XXXX XX, 20XX
This Order shall expire on:	XXXX XX, 20XX

IT IS HEREBY ORDERED, that this Order supersedes Order 2009-0009-DWQ as amended by Order 2010-0014-DWQ and 2012-0006-DWQ except for: (1) the requirement to submit annual reports by September 1, 20XX, and (2) enforcement purposes. The Discharger shall comply with the requirements in this Order to meet the provisions contained in Division 7 of the California Water Code (commencing with Section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act and regulations and guidelines adopted thereunder.

I, Jeanine Townsend, Clerk to the Board, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the State Water Resources Control Board, on XXXX XX, XXXX.

AYE:

NAY:

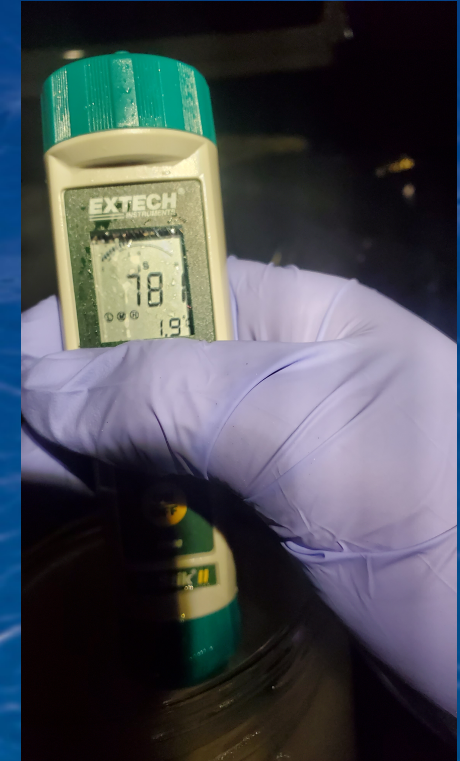
ABSENT:

ABSTAIN:

Clerk to the Board: _____

Monitoring and Reporting

- Qualifying Precipitation Event Change
 - Events that produce 0.5" of precipitation within a 24-hr period.
 - Extended for each subsequent 24-hour period resulting ≥ 0.25 "
 - Ends with 2 consecutive 24-hour periods of less than 0.25 inches
- Sampling Changes
 - First sample within first 2 hours of discharge
 - Record time discharge ends in monitoring report



Monitoring and Reporting

- QSD On-site Inspection Responsibilities
 - Within 30 days of construction commencement/QSD replacement
 - Twice Annually (Aug-Oct & Jan-March)
 - Within 14 days of NAL exceedance
- QSP On-site Inspection Responsibilities
 - Once per calendar month
 - Within 72-hours prior to forecast precipitation event
 - Within 14 days of NAL exceedance
 - Prior to submittal of NOT or COI acreage changes
- REAP requirement removed

Dewatering Activity Requirements

- Attachment J
 - requirements for construction site dewatering activities to build upon existing requirements established by the EPA 2017 CGP
 - Proposed requirements apply to mechanical pumping or syphoning of non-potable water collected in surface impoundments and subsurface areas
- Dischargers are required to comply with:
 - specific dewatering prohibitions, monitoring requirements, and best management practices (BMPs)
 - Regional Water Board requests

Demolition Activity

- Prevent demolition materials from being exposed to precipitation, or non-visible sampling for pollutants that may be present such as asbestos, lead paint, PCBs
- Protecting/Covering demolition areas and materials may be infeasible, potentially resulting in additional sampling
- Requirements only apply to demolition activities for projects that trigger CGP coverage



Statewide Water Quality Control Plans

- Implementation of the statewide Ocean Plan and Inland Surface Waters, Enclosed Bays, and Estuaries Plan (known as ISWEBE)
- Attachment I incorporates additional requirements for construction sites with direct discharges to Areas of Special Biological Significance to comply with the Ocean Plan
- Discharging directly into ocean waters must comply with CGP in order to be deemed in compliance with Ocean Plan model monitoring provisions
- Statewide Trash Provisions –a statewide prohibition of the discharge of debris/trash from construction sites

Notice of Termination Approvals/NONA

- Automatic NOT approval after 30 calendar days if the Regional Board does not take action
- Note: accepting the NOT for review is an action, and there is no stated timeline for action after that
- Notice of Non-Applicability option
 - Projects hydraulically disconnected from waters of the US
 - Must submit technical justification prepared by CA RCE or PG and confirmed by Regional Board

Total Maximum Daily Loads

- Sediment is no longer the only focus
 - 11 additional TMDLs have been included
- Required actions and elements vary
 - Implement minimum BMPs
 - RUSLE2 modeling and BMP implementation
 - Numeric Action Levels
 - Numeric Effluent Limitations
 - Active Treatment
- Potential for 10% - 50% SWPPP implementation cost increase

Region	TMDL
North Coast (1)	Sediment
North Coast (1)	Temperature
San Francisco Bay (2)	Sediment
Central Coast (3)	Nutrients
Central Coast (3)	Sediment
Los Angeles (4)	Bacteria
Los Angeles (4)	Chloride and Salts
Los Angeles (4)	Diazinon
Los Angeles (4)	Nutrients
Los Angeles (4)	Metals/Toxics
Lahontan (6)	Sediment
Santa Ana (8)	Metals/Toxics
Santa Ana (8)	Nutrients
Santa Ana (8)	Sediment
San Diego (9)	Diazinon
San Diego (9)	Metals/Toxics
San Diego (9)	Sediment

Lack of Grandfathering Period

- 2009 CGP: Allowed all existing dischargers to enter as Level or Type 1
- 2021 Draft CGP: Dischargers will be subject to all provisions of the draft CGP on the Effective Date
- As noted, TMDL provisions may introduce large cost impacts
- For active projects or planned projects with approved budgets, additional funding will be required if a grandfathering period is not included
 - Potential cost of SWPPP implementation may increase 20% - 60%

Road and Highway Projects

- 2009 CGP – Traditional Construction Projects Not Covered (Order.II.C.1.a)
 - “Routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility.”

Road and Highway Projects

- Draft 2021 CGP – Construction Projects Not Subject to this General Permit (Order.II.B.1)
 - “Routine maintenance. Routine maintenance is defined as activities intended to maintain the original grade, hydraulic capacity and/or purpose of the facility. This General Permit further defines routine maintenance for road and highway projects as the replacement of the structural section, but not when the activity exposes the underlying soil or pervious subgrade. The road surface and base are not part of the subgrade. As such, those portions of a project that remove the road surface and base down to the pervious subgrade and/or underlying soil would not be considered routine maintenance.”

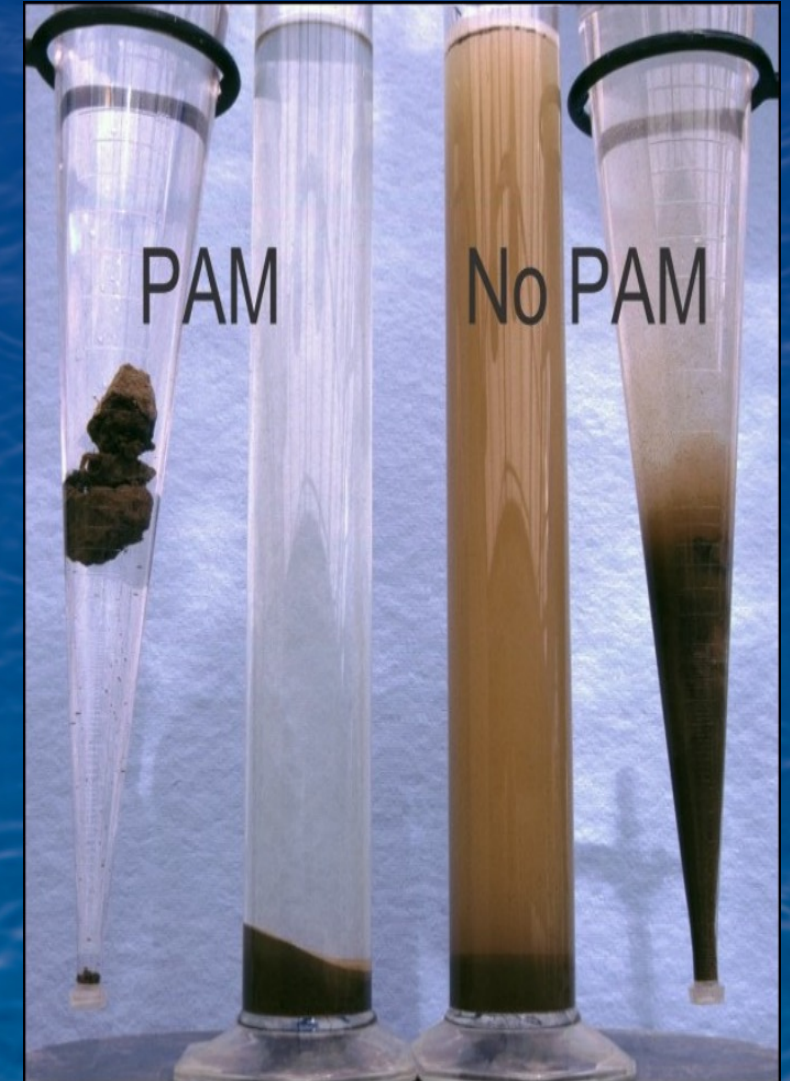
Passive Treatment

- What is it?
 - Application of a chemical to reduce turbidity
 - Potential to collect fine sediment
 - Existing BMPs better for coarse sediment
 - Differs from Active Treatment
- Polymer Flocculation includes three main processes
 - Chemical Binding
 - Settling
 - Floc Collection



Passive Treatment

- Permit Approach
 - Not a standalone BMP
 - Develop Passive Treatment Plan
 - High level of QSD/QSP/contractor involvement
 - Sprayed erosion control products are excluded



CGP Training Related Comments

- Construction General Permit Training Team (CGPTT) will not be commenting on permit as the State Water Board co-leads the CGPTT and cannot comment on its own permit
 - Comments will come in the form of a letter from members of the CGPTT and not officially the CGPTT
 - Comments will only focus on training related items of the draft CGP
- CGPTT approach for evaluating the training elements of the draft CGP
 - CGPTT has 5 sub-committees which will be convening for comment development related to their area of focus
 - Content
 - Deployment
 - Exam
 - ToR Qualifications and Oversight
 - QSD/QSP Prerequisites/Qualification

CGP Training Related Comments

- Potential Permit Sections for Training Related Comments
 - IV. PERMIT REQUIREMENTS
 - O. Stormwater Pollution Prevention Plan (SWPPP) Requirements
 - V. DISCHARGER ROLES AND SITE PERSONNEL
 - B. Becoming a Qualified SWPPP Developer (QSD) or Qualified SWPPP Practitioner (QSP)
 - E. Discharger's Responsibilities for Delegates' Performance
 - G. QSP and QSD Prerequisite course qualification
 - H. Water Board Rescission of a QSP or QSD Certification
 - Attachment F - ACTIVE TREATMENT SYSTEM REQUIREMENTS
 - Attachment G - REQUIREMENTS FOR THE USE OF PASSIVE TREATMENT TECHNOLOGIES
 - Attachment H - TOTAL MAXIMUM DAILY LOAD IMPLEMENTATION REQUIREMENTS APPLICABLE TO CONSTRUCTION STORMWATER DISCHARGES

CGP Training Related Comments

- Potential Fact Sheet Sections for Training Related Comments
 - F. Cost Considerations – Section 2. Training
 - G. Incorporation of TMDL Requirements and Cost
 - P. Training Qualifications and Requirements
 - Q. Sampling, Monitoring, Reporting, and Record Keeping for Linear Underground and Overhead Projects and Traditional Construction Monitoring Requirements
 - S. Active Treatment System (ATS) Requirements
 - T. Passive Treatment Requirements
 - W. Total Maximum Daily Loads (TMDLs)

Next Steps

- Public Hearing will be held on:
Wednesday **August 4, 2021**, at **9:00 a.m.**
(Video and Teleconference Only)
Video Broadcast: <https://video.calepa.ca.gov/>
- Written and Oral Comments will be accepted. Oral comments must be made at the public hearing.
- Written comment letters are due by:
12:00 pm (noon) on Friday August 13, 2021

Commenting: How to Get Involved

- Become a member of CASQA
 - www.casqa.org
- Join the CASQA Construction Subcommittee
 - <https://www.casqa.org/about/subcommittees>

CASQA Subcommittee Registration

Note: If you would like to join more than one subcommittee, after you submit your first request, you can return to this page and select additional subcommittees.

* Required

Select the Subcommittee you would like to join *

- ☐ BMP Effectiveness
- ☐ BMP Handbooks
- ☐ Conference
- ☐ Construction
- ☐ Funding
- ☐ Industrial
- ☐ Legislation
- ☐ Non-Traditional Phase II
- ☐ Monitoring and Science
- ☐ Phase II
- ☐ Policy and Permitting
- ☐ Public Info / Public Participation (PIPP)
- ☐ Training
- ☐ Stormwater Capture and Use
- ☐ True Source Control

Volunteer

- Participate in the Construction Subcommittee Meetings
 - Held on the 2nd Tuesday in the even Months
- Volunteer to participate in special projects or comment letter efforts

Comment Letter Process

- Subcommittee Co-Chairs organizes comment preparation effort
 - Collaborates with Members on comments
 - Culminates comments into a comment letter and submits to the CASQA Board of Directors (BoD) for review and approval
- CASQA BoD submits comment letter to Agency

Draft CGP Workshop

- Questions?