

DRAFT 2013 STORMWATER CONSTRUCTION GENERAL PERMIT (CGP)

The stormwater Construction General Permit (CGP) authorizes the discharge of stormwater and allowable non-stormwater associated with construction activities from large and small sites (see 40 CFR 122.26(b)(14)(x) and 122.26(b)(15), respectively). Since 1992, US EPA has issued a series of stormwater CGPs that provide permit coverage in states where US EPA is the permitting authority. US EPA delegated authority to ADEQ for the NPDES permitting program on December 5, 2002 and the Department issued its first, five-year CGP in February 2003, which was renewed in February 2008. The 2008 CGP will expire on February 28, 2013 and ADEQ proposes to replace it with the 2013 CGP.

The 2013 CGP includes modifications to the 2008 CGP that were necessary to implement US EPA's new narrative technology-based effluent limitations for Construction and Development point sources, known as the "C&D rule." The C&D rule, which became effective February 1, 2010, applies to all permitted discharges from construction sites. As a result of the new rule operators must minimize the discharge of pollutants by implementing erosion and sediment, stabilization and pollution prevention controls (see 40 CFR 450.21(a) through (f)) to assure that Surface Water Quality Standards are maintained.

Under the 2013 CGP, operators must: implement stormwater control measures and develop site-specific stormwater pollution prevention plans (SWPPP) to comply with the CGP requirements; inspect and evaluate the performance of existing control measures; and perform "follow-up" or corrective actions to correct identified problems. In addition, if the site lies within 1/4 mile of an impaired or outstanding Arizona water, the operator must conduct monitoring at each outfall that discharges to the waterbody. As with previous permits, to obtain coverage under the 2013 CGP, an eligible operator must first prepare a SWPPP and then submit a completed Notice of Intent form to the Department.

The proposed general permit covers stormwater discharges associated with construction activities in Arizona, except for Indian Country as defined in 18 U.S.C. 1151. US EPA Region 9 is the permitting authority for Indian lands in Arizona. Permit coverage is required for construction sites that disturb one acre or more of land. Smaller areas of disturbance may also require coverage, if the total project, or common plan of development, exceeds 1 acre.

The public notice and related documentation are available for review, Monday through Friday, between 8:30 a.m. and 4:30 p.m., at the [ADEQ Records Center](#), 1110 W. Washington St., Phoenix, AZ, 85007. In Phoenix, please call (602) 771-4380 or email recordscenter@azdeq.gov 24 hours in advance to schedule an appointment to review the file.

The public notice period is in effect from **November 23, 2012 to January 11, 2013**. Persons may submit comments or request a public hearing on the proposed action, in writing, to Dennis Turner, ADEQ, Water Quality Division, 1110 W. Washington St., 5415A-1, Phoenix, AZ 85007, via email dt1@azdeq.gov, by fax (602) 771-4528. Comments must be received or postmarked by **January 11, 2013**.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Linda Morrison, (602) 771-4793, via email lm1@azdeq.gov. TDD line for hearing impaired individuals, (602) 771-4829. Requests should be made as early as possible to allow time to arrange the accommodation.