



Minnesota
Pollution
Control
Agency

Major Changes to the 2008 Construction Stormwater Permit – NPDES/SDS

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Minnesota's Construction Stormwater General Permit was revised and became law August 1, 2008. The items below are some of the most significant changes included in NPDES/SDS General Permit No. MN R1000001:

Previously permitted projects

Previously permitted projects may continue under their current permit for 18 months after issuance of the new permit. By February 1, 2010 all projects that are still permitted must modify their SWPPP to meet the requirements of the new permit. Some small exceptions for additional permanent treatment near impaired waters and projects located between 2000 feet and one mile of special waters. (Part I.A.6)

Special and Impaired Waters

There are new requirements for projects located within one mile of, and have stormwater that flows to impaired waters (with or without a USEPA approved Total Maximum Daily Load) where the identified pollutant(s) or stressor(s) are phosphorus (nutrient eutrophication biological indicators), turbidity, dissolved oxygen, or biotic impairment (fish bioassessment, aquatic plant bioassessment and aquatic macroinvertebrate bioassessment). These additional BMPs can be found in Appendix A of the permit. (Part I.A.7, Part III.A.9, Appendix A .B.9)

Streamlined change of coverage process

The permit change-of-coverage process is streamlined and clarified. Changes to this

section include new requirements for the original/current owner at the time they sell portions of the property to various homebuilders or sell the entire site to a new owner. The original/current owner must submit a notice of termination/permit modification form within 7 days after selling the site to another party. A copy of this notice of termination/permit modification form must go to the new owner. The original current owner must provide a SWPPP to the new owner that specifically addresses the remaining construction activity. (Part II.B.5 and Part II.C.2)

New training requirements

New training requirements are added. Required for all permitted projects after February 1, 2010. Permittees must ensure that certain individuals identified in Part III.A.2 of the permit are trained in accordance with the permit's training requirements. Who must be trained?

- Individual(s) preparing the SWPPP for the project
- Individual(s) overseeing the implementation of, revising and amending the SWPPP and individuals performing inspections required by the permit
- Individuals performing or supervising the installation, maintenance or repair of BMPs.

Training must be focused on the individual's job duties as they relate to the permit requirements. Training must be documented and provided by local, state, federal agencies, professional organizations or other entities with expertise in erosion prevention, sediment control or permanent stormwater management. (Part III.A.2)

Project estimates

SWPPPs must include an estimated preliminary quantities tabulation anticipated at the start of the project for the life of the project for all erosion prevention and sediment control BMPs in the SWPPP. (Part III.A.4.b)

Calcareous fens

If runoff from the site discharges to a calcareous fen listed in Minn. R. 7050.0180, subp. 6.b., a letter of approval from the Minnesota Department of Natural Resources must be obtained prior to application for this permit. (Part I.B.6 and Part III.A.8)

Erosion-prevention practices

Streamlined, expanded and easier to understand requirements for erosion prevention practices. There is a new requirement that all exposed soils (not just 200 feet back from a surface water as required in the current permit) must be stabilized no later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. (Part IV.B.2)

Ditch requirements

Ditch stabilization requirements are changed. (Part IV.B.3)

Concrete washouts

There are new requirements regarding concrete washouts onsite. All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. (Part IV.F.4)

Appendix A

There are changes to Appendix A for BMPs both during construction and post-construction. All exposed soils must be stabilized no later than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased. The water quality volume to treat is still one inch of runoff from each acre of new impervious surface, but the new permit requires that ½ inch of runoff be infiltrated on site when possible.

Contact the MPCA

If you have questions about the administrative details of the permit process go to: www.pca.state.mn.us/water/stormwater or call the MPCA Stormwater Hotline at 651-757-2119 or 800-657-3804.