

Changes to NPDES Applicable requirements Document and FAQs

NPDES Applicable Requirements



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MEMORANDUM

To: Johnie Marion, Roadside Environmental Unit, NCDOT 

From: Jeff Poupart, Water Quality Permitting Section, NCDWR 

Subject: NCDOT Applicable Requirements from NPDES General Permit No. NCG010000 for Construction Activities and Guidance for Complying with Those Applicable Requirements

Pursuant to NCDOT's NPDES Permit No. NCS000250, Part II, Section D, paragraph 1)(b)(ii) Sediment and Erosion Control Program, NCDOT shall incorporate the applicable requirements of NCG010000, the North Carolina General Permit to Discharge Stormwater under the National Pollutant Discharge Elimination System associated with construction activities disturbing one or more acres of land. To enable NCDOT to incorporate these "applicable requirements", NCDWR has provided below the "applicable requirements" from the NCG010000 as well as guidance for complying with those requirements and frequently asked questions (FAQs) related to the requirements and the guidance. The guidance and FAQs are applicable only to the current NCG010000 NPDES General Permit, effective August 3, 2011. Should changes be made to the NCG010000 NPDES General Permit during its renewal, the guidance and FAQs are subject to change.

Guidance for Complying with the Requirements from NCG010000

The purpose of this section is to provide guidance for complying with the requirements of the NCG010000. This section will provide definitions of terms, specific details on monitoring and recordkeeping, and recommendations to maintain compliance with the NCG010000. It is important to note that although all requirements of the NCG010000 permit are applicable to NCDOT projects, this guidance only addresses requirements where there may be some question on implementation. Should questions arise regarding requirements not currently addressed in this guidance, the guidance will be modified to address these questions. **Please read the NCG010000 permit to ensure that you are aware of the requirements.**

Definitions

303(d) listed stream – Stormwater discharge outfalls (SDOs) to streams listed on the 303(d) impaired waters list may be required to perform additional monitoring at the discretion of NCDWR if the receiving stream is 303(d) listed for turbidity and the project has had documented problems managing turbidity. **Unnamed tributaries draining to the impaired stream reach are assumed to carry the 303(d) listing as well unless otherwise determined by NCDWR.**

Idle projects – Idle projects are projects that have not been completed but where no construction activity occurs for 21 calendar days or more and have been adequately stabilized with temporary vegetation pursuant to Division of Energy, Mineral and Land Resources

Revised 303d monitoring

- Additional monitoring required at the discretion of DWR **IF** the stream is listed for turbidity **AND** the project has had **DOCUMENTED** problems managing turbidity.
- NO longer an automatic 2X a week monitoring and removes reference to the construction-related 303d list

NEW: Changes to the monitoring requirements for the “waiting for grass to grow” time period

- Once construction has been **completed**, and erodible slopes have been sufficiently stabilized to restrain erosion by **application of permanent ground cover varieties** and **installation of temporary ground cover** to include appropriate erosion control matting and/or other approved **mulch materials**, all remaining erosion control measures and SDOs shall be inspected **once** every **30** calendar days and within **24 hours after a 0.5”** rainfall per 24 hour period.

Time to do repairs-updated to be in sync with NPDES forms

- If maintenance, modifications, additions, or corrective actions are needed on any control- measures to prevent the discharge of pollutants to waters of the State or beyond the NCDOT property limits, these actions must be performed ~~as soon as possible or before the next rain event~~ within 24 hours for urgent items and within 5 days of discovery for routine items (see FAQ section for differentiation of routine and urgent items). Any maintenance, modifications, additions, or corrective actions shall be recorded on the inspection form, SPPPFORM30, effective July 2010.
- *note the **red** text is new to the Applicable Requirements document

New FAQ-clarification for when to sign off on the forms

- The combined form, SPPPFORM30, effective July 2010, should be signed at the end of each week **or once all corrective actions have been completed** . **In the event that corrective actions are not completed prior to the end of the week, and those corrective actions are within the 24 hour or 5 day time frame, the corrective actions can be carried over to the next week's report. Under no circumstances should the same corrective actions be carried over more than one week. The report should be signed when the corrective actions have been completed.**
- If there are items that aren't being corrected, inspectors need to bring that to attention of the project management (i.e. Resident's, CME's, etc) so it can be handled.

* note the **red** text is new to the FAQ document.

New FAQ-added new FAQ to clarify what's routine and what's urgent

- **How does the inspector know the difference between an “Urgent” and a “Routine” corrective action items?**
- Any erosion control device that is damaged that has the potential to lose sediment and/or pollutants off-site and/or into surface waters should be treated as an “Urgent” item. “Routine items” include corrective actions on-site that don't have the potential to lose sediment and/or pollutants off-site or into surface water.