



ADEM's Construction General Permit: Reissuance and Points of Emphasis

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TTL, Inc.



ADEM's Construction Stormwater Program

Involves the civil engineering profession in many ways:

- Planning and Design Considerations:
 - Balance design approaches with protecting water quality
 - Project phasing
 - Low impact development approaches
 - Preparation of Construction Best Management Practices Plans
 - ADEM permitting
- Construction Phase
 - Site inspections
 - Change management with the CBMPP
 - Noncompliance notification
 - Termination
 - Coordination with ADEM
 - Communication Skills



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT

DISCHARGE AUTHORIZED: DISCHARGES FROM CONSTRUCTION ACTIVITIES THAT RESULT IN A TOTAL LAND DISTURBANCE OF ONE ACRE OR GREATER AND SITES LESS THAN ONE ACRE BUT ARE PART OF A COMMON PLAN OF DEVELOPMENT OR SALE

AREA OF COVERAGE: THE STATE OF ALABAMA

PERMIT NUMBER: ALR100000

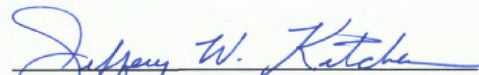
RECEIVING WATERS: ALL WATERS OF THE STATE OF ALABAMA

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE: March 12, 2021

EFFECTIVE DATE: April 1, 2021

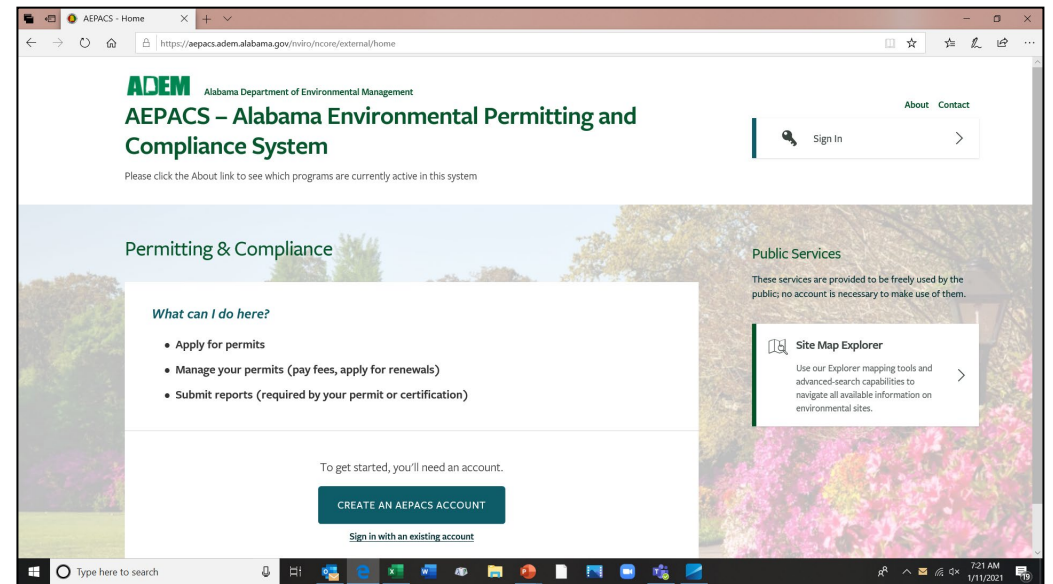
EXPIRATION DATE: March 31, 2026


Alabama Department of Environmental Management

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Alabama Environmental Permitting and Compliance System

- Electronic Notice of Intent (eNOI) must be submitted through ADEM's Alabama Environmental Permitting and Compliance System (AEPACS).
- The current interface with ADEM for all aspects of permitting and compliance for your facilities:
 - Apply for permits
 - Renew and manage permits
 - Pay fees
 - Submit reports and certifications



Changes in ALR100000

New Definition:

Construction Support Activity a construction-related activity that specifically supports the construction activity **solely related to the construction site covered under this permit** and involves earth disturbance or pollutant-generating activities of its own, and may include activities including but not limited to:

- Equipment staging yards
- Materials storage areas
- Excavated material disposal areas
- Temporary borrow areas.



Changes in ALR100000

Stormwater discharges from construction support activities may be covered under the permit provided:

- Solely related to the construction site covered under this permit;
- Not an operation serving multiple unrelated construction projects and does not operate beyond the completion of the construction activity at the construction project it supports;
- Located in close proximity (two-mile radius) to the construction site covered under this permit;
- Stormwater controls are implemented for discharges from the support activity area; and
- Pollutant discharges from support activity areas are minimized to the maximum extent practicable and do not pose a reasonable potential to exceed applicable water quality standards.



Changes in ALR100000

Discharges Exempt from Permitting

1. Coverage under this permit is not required for the following:
 - (a) Animal feeding operation (AFO) or concentrated animal feeding operation (CAFO) construction activity that has been granted NPDES registration coverage pursuant to Chapter 335-6-7;
 - (b) Normal agricultural; and
 - (c) Silvicultural activities.
2. Coverage under this permit is not required for discharges associated with minor land disturbing activities such as the following:
 - (a) Home gardens or individual home landscaping;
 - (b) Home repairs and/or maintenance;
 - (c) Fence installation or maintenance;
 - (d) Directional boring, hand hole digging; and
 - (e) Guardrail, shoulder, and minor improvements associated with roadway pavement resurfacing



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Changes in ALR100000

- The Notice of Intent must provide a list of all flocculants or chemical stabilization products, to be used at the site, including the most recent published Safety Data Sheets and the dosage(s) to be used and the location(s) where these materials will be applied.
- If this information is not known at the time of the NOI submittal, the information shall be submitted to ADEM for review prior to the implementation of the products.



Changes in ALR100000

- Construction Best Management Practices Plan (CBMPP) minimum requirements have been revised to include additional factors to consider when designing controls for the construction site to include:
 - Complete installation of stormwater controls by the time each phase of construction activities has begun
 - Manage stockpiles or land clearing debris composed of sediment and/or soil
 - Sediment basin, impoundment, or detention/retention basins used as a sediment basin during construction shall be installed and **stabilized** prior to commencement of other construction activity; and
 - Factors to consider regarding treatment chemicals



Point of Emphasis - Ground Cover

Final stabilization of disturbed areas must, at a minimum, be initiated **immediately** whenever any clearing, grading, excavating or other earth disturbing activities have **permanently ceased** on any portion of the site.



Point of Emphasis - Ground Cover

Temporary stabilization of disturbed areas must be initiated immediately whenever work toward project completion and final stabilization of any portion of the site has temporarily ceased on any portion of the site and will not resume for a period exceeding thirteen (13) calendar days.



Immediately Means...

The requirement to initiate stabilization immediately is triggered as soon as you know that construction work on a portion of the site is temporarily ceased and will not resume for more than thirteen (13) calendar days, or as soon as you know that construction work has permanently ceased.

In the context of this provision, immediately means as soon as practicable, but no later than the end of the next business day, following the day when the construction activities have temporarily or permanently ceased.



Inspection Requirements

- Generally the same as with the current permit
 - Preconstruction Observation
 - Monthly comprehensive inspections; ALDOT is weekly
 - Rainfall inspections
 - Non-compliance inspections
 - Termination Inspections
 - Daily observations

Point of Emphasis

Daily Observations

- Each day there is activity at the site, the Permittee shall visually observe that portion of the construction project where active disturbance, work, or construction occurred to note any rainfall measurements occurring since the previous observation and any apparent BMP deficiencies in the area of active disturbance;
- Daily observations may be performed by [appropriate site personnel](#); and
- The Permittee shall maintain a log of all daily observations and record in such log any rainfall measurements and BMP deficiencies observed.

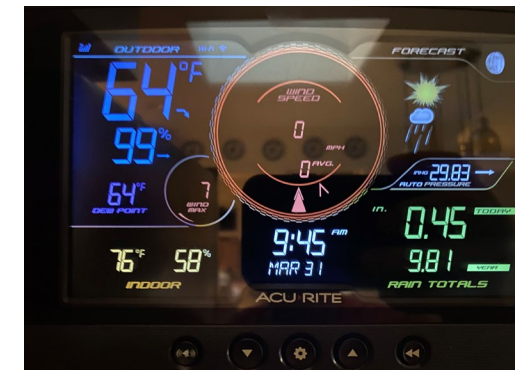


Inspection Requirements

- Generally the same as with the current permit
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 - Daily observations
- The CBMPP inspection by the QCP has been changed from once every 6 months to **once every 3 months for priority construction sites**; remains once every 6 months for non-priority sites.

Precipitation Measurement

- Measure and record all precipitation as part of the Daily Observation.
- Records shall be maintained and available for ADEM inspection.
- Precipitation measurements should be read and recorded during normal operating hours, even if no precipitation occurs.
- The measuring device or method should have a scale that is readable to 0.5 inches or smaller unit.
- Recording of rainfall outside of normal operating hours may be read and recorded on the next business day and noted as “accumulated.” If the outside of normal operating hours accumulation is greater than 0.75 inches, a qualifying rainfall event inspection must occur regardless of whether that accumulation occurred over 24 hours.
- Precipitation measurements shall be taken using one or more of the following:
 - Continuous recorders,
 - Daily readings of an onsite rain gauge,
 - Daily readings of an offsite precipitation gauge located adjacent to or in close proximity (for non-linear projects a maximum one (1) mile distance) to the facility, or
 - Other measurement devices acceptable to ADEM (e.g., online resources)



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Points of Emphasis

Most Common Noncompliance Issues

- Facility ID sign not posted
- Improperly installed BMPs
- Failure to maintain BMPs
- Failure to keep good records (communicate)
- Fuels/Chemicals improperly stored on-site
- Failure to implement and maintain energy dissipation/velocity reduction practices at outlets
- Failure to temporarily stabilize area not worked in over 13 days



Points of Emphasis

Most Common Noncompliance Issues

- Failure to clean out sediment controls
- Failure to use BMPs on stream banks and crossings
- Failure to record precipitation data
- Off-site sedimentation
- Improper placement of portable toilets
- Good groundskeeping practices
- Failure to respond to ADEM requests

Sometimes, my greatest accomplishment is just keeping my mouth shut.



A photograph of a lush green field with a fence and trees in the background. The text "Green is good!" is overlaid in the center.

Green is good!

Questions?

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