

Ohio Environmental Protection Agency

Fact Sheet for

National Pollutant Discharge Elimination System (NPDES)

General Permit for Discharges of Storm Water Associated with
Construction Activity (OHC000005)**I. Background**

Several pollutants are associated with discharges from construction sites, including: sediment, solid and sanitary wastes, fertilizer, pesticides, oil and grease, concrete truck washout, construction chemicals, and debris. Sediment is the greatest pollutant of concern amongst these. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several years. The resulting siltation, and the contribution of other pollutants from construction sites and the new land uses, can cause physical, chemical and biological harm to surface waters. For example, excessive sediment can quickly fill rivers and lakes, requiring dredging and destroying aquatic habitat.

The federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]), which was enacted in 1972, provides that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The Clean Water Act amendments of 1987 (referred to as the Water Quality Act of 1987) explicitly required the U.S. Environmental Protection Agency (EPA) to adopt regulations to require NPDES permits of storm water dischargers associated with construction activities. Construction sites disturbing one or more acres of land have been required to obtain NPDES permit coverage since March 10, 2003.

This fact sheet addresses the fifth generation of the Construction Storm Water general permit (Permit No. OHC000005).

II. Description of General Permit Coverage and Type of Discharges

The permit authorizes storm water discharges from construction activity disturbing one or more acres and is applicable statewide. Also, the permit authorizes some discharges that are not entirely considered construction storm water (such as trench dewatering), as well as storm water discharges associated with on-site concrete and asphalt batch plants.

OHC000005 has combined the following three NPDES construction storm water general permits (CGPs) into one general permit:



General Permit	General Permit Number	Effective Date	Expiration Date
Statewide CGP	OHC000004	April 21, 2013	April 20, 2018
Big Darby Creek Watershed CGP	OHCD00002	October 1, 2012	September 30, 2017
Portions of Olentangy River Watershed CGP	OHCO00002	June 2, 2014	May 31, 2019

The Portions of Olentangy River Watershed CGP (OHCO00002) expires on May 31, 2019. Projects can continue to obtain coverage under OHCO00002 until May 31, 2019. After this date, such projects would apply for coverage under OHC000005.

III. Application and Termination Procedures

New Dischargers: To obtain initial coverage, a discharger needs to submit a complete Notice of Intent (NOI) form and appropriate application fee prior to the commencement of construction activity. These shall occur at least 45 days prior for sites within the Big Darby Creek and portions of the Olentangy River watersheds; and at least 21 days elsewhere. Projects within the Big Darby Creek and portions of the Olentangy River watersheds shall also submit a storm water pollution prevention plan (SWP3) with their NOI.

Existing Dischargers: Existing permittees having coverage under previous generations of this general permit, Big Darby Creek Watershed general permit and Portions of the Olentangy River Watershed general permit shall have continuing coverage under OHC000005 with the submittal of a timely renewal application. Within 180 days from the effective date of this permit, existing permittees shall submit a completed renewal application expressing their intent for continued coverage if needed. In accordance with Ohio Administrative Code (OAC) 3745-38-02(E)(2)(a)(i), a renewal application fee will only apply to existing permittees having general permit coverage for 5 or more years as of the effective date of this general permit. Existing permit coverage will be terminated if Ohio EPA does not receive the renewal application within this 180-day period.

Permit Expiration: The general permit renewal will expire five years after the effective date.

Notice of Termination: Permittees must submit a Notice of Termination (NOT) form within 45 days of completing all permit requirements in accordance with Part IV of this draft general permit renewal. To terminate coverage, a discharger needs to complete and submit the NOT application using the NOT electronic application form available through the Ohio EPA eBusiness Center at ebiz.epa.ohio.gov. For guidance, please see the following epa.ohio.gov/dsw/eps.aspx#170645012-streams-applications.

IV. Description of Permit Conditions

In comparison to the previous NPDES statewide construction storm water general permit (OHC000004), OHC000005 contains the following noteworthy changes:

1. Permit Area (Part I.A). Incorporates the Big Darby Creek watershed CGP and Portions of the Olentangy River watershed CGP requirements as appendices. These two watersheds' previous conditions, that exceed the statewide CGP, have been included as appendices. This will combine all three general permits into one with this general permit.
2. Electronic Submittal of Applications and SWP3 (Part I.E.1 and Part I.F). OHC000005 requires Notice of Intent (NOI), Notice of Termination (NOT), Individual Lot NOI/NOT and

Co-Permittee NOI/NOT applications to be submitted electronically using Ohio EPA's electronic application forms which are available through the Ohio EPA eBusiness Center at **ebiz.epa.ohio.gov**.

Submission through the Ohio EPA eBusiness Center requires establishing an Ohio EPA eBusiness Center account and obtaining a unique Personal Identification Number (PIN) for final submission of the applications. Existing eBusiness Center account holders can access the applications through their existing account and submit using their existing PIN. Ohio EPA has developed specific guidance for setting up an account, obtaining a PIN and submitting each type of application. For guidance, please see the following **epa.ohio.gov/dsw/ebs.aspx#170645012-streams-applications**.

3. Sediment Basin and Sediment Barriers (Part III.G.2.d). Language has been revised to clarify that sediment basins are appropriate for sites less than 10 acres and that all sediment basins have a minimum drain time of 48 hours. The term "sediment barrier" has replaced the terms silt fence in some instances. And it is specified that a standard silt fence may be substituted with a 12-inch diameter sediment barrier.

4. Post-Construction Requirements (Part III.G.2.e). Evaluation of previous post-construction requirements found that the application of the previous methodology is not expected to capture average annual runoff and 80% total suspended solids (TSS), the following changes to post-construction requirements have been made to improve expected performance to this level:
 - Increase precipitation depth from 0.75 to 0.90 inches.
 - Alter the volumetric runoff coefficient (weighted calculation) method
 - From $C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04$ to $Rv = 0.05 + 0.9i$
 - Require the capture of the WQv with a standard post-construction practice approved for general use on all sites disturbing over 2 acres.
 - Revise and increase the of post-construction practices approved for general use. Extended detention practices have been separated from infiltrating practices and each provided appropriate drain times and notes critical to design and performance.
 - Clarify that use of regional storm water best management practices is acceptable if it meets permit design requirements and a legal agreement is provided for this service.
 - A list is provided of runoff reducing practices (green infrastructure) that may be utilized to reduce the required WQv.
 - Alternative post-construction practices must be tested using a defined particle size distribution and protocol comparable to the New Jersey DEP or Washington State TAPE Programs.
 - A water quality flow (comparable to the water quality volume) is provided to facilitate the design of flow-through type BMPs.

5. Inspections (Part III.G.2.i). Allows the next inspection after a rainfall to occur on the next work day and requires that reduced inspection frequency be documented in the SWP3.

6. Big Darby Creek Watershed Appendix (Appendix A). Adds the watershed specific conditions that exceed the statewide CGP for the Big Darby Creek watershed including: sediment basin sizing and monitoring requirements; riparian setback/mitigation requirements; and groundwater recharge/mitigation requirements. Pertaining to groundwater recharge, an option has been added of calculating a recharge value for utilizing infiltrating green infrastructure practices on-site.
7. Portions of the Olentangy River Watershed Appendix (Appendix B). Adds the watershed specific conditions that exceed the statewide CGP for portions of this watershed, specifically pertaining to riparian setback and mitigation requirements.
8. Definitions (Part VII). The definition of “Operator” has been clarified and definitions have been added for “General Contractor” and “Subcontractor.”

V. Additional Information

The final general permit and associated documents can be viewed at:
<http://epa.ohio.gov/dsw/storm/index.aspx>

For additional information regarding this general permit, please contact one of the following:

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