

February 1, 2010

Construction Stormwater Runoff Guidelines Go Into Effect

On December 1, 2009, the U.S. Environmental Protection Agency (EPA) published effluent limitations guidelines (ELGs) and new source performance standards (NSPS) to control the discharge of pollutants from construction sites.

The regulation is effective on February 1, 2010. After this date, all permits issued by EPA or states must incorporate the final rule requirements. All construction sites required to obtain permit coverage must implement a range of erosion and sediment controls and pollution prevention measures.

The final rule requires construction site owners and operators that disturb one or more acres to use best management practices to ensure that soil disturbed during construction activity does not pollute nearby water bodies.

In addition, owners and operators of sites that impact 10 or more acres of land at one time will be required to monitor discharges and ensure they comply with specific limits on discharges to minimize the impact on nearby water bodies.

This is the first time that EPA has imposed national monitoring requirements and enforceable numeric limitations on construction site stormwater discharges.

Examples of regulated entities are construction activities required to obtain NPDES permit coverage and performing the following activities: construction of buildings, including building, developing and general contracting, heavy and civil engineering construction, including land subdivision.

For more information go to <http://www.epa.gov/guide/construction/> or call one of the contacts listed to the right.

Future dates to note: *Beginning on August 1, 2011 all sites that disturb 20 or more acres of land at one time are required to comply with the turbidity limitation. On February 2, 2014 the limitation applies to all construction sites disturbing 10 or more acres of land at one time. These sites must sample stormwater discharges and comply with a numeric limitation for turbidity.*



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