Construction Stormwater
2017 General Permit OKR10
for Stormwater Discharges
from Construction Activity

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Department of Environmental Quality
Outline

- 2017 OKR10 Permit Overview
- Changes from 2012 Permit
- Permit Components
- SWP3, and NOI
Changes from 2012

- Terminating Coverage
- Notice of Intent (NOI) Requirements
- Modification of NOI
- Stormwater Pollution Prevention Plan Submittal
- Electronic Reporting
- Notice of Change of Ownership
Permit Components

- Eligibility and Coverage
- Notice of Intent (NOI) Requirements
- Notice of Termination (NOT) Requirements
- Special Conditions and Effluent Limitations
- Stormwater Pollution Prevention Plan
- Retention of Records
- Standard Conditions
- Definitions
- Addendums
Eligibility and Coverage

- Applies to construction activities as defined in 40 CFR § 122.26(b)(14)(x) for construction sites of 5 or more acres and 40 CFR § 122.26(b)(15)(i) for construction sites of 1 or more acres.

- Located within the State boundary with the exception in Indian Country Land

- Oil & Gas Extraction and Agricultural Production and Services are not covered by the OKR10 permit
Eligibility and Coverage

- **Allowable Stormwater Discharges in Part 1.2**
  - Construction stormwater discharges associated with construction activity from sites that disturb 1 acre or more
  - Construction stormwater discharges associated with construction activity from sites that disturb less than 1 acre, but is part of a larger common plan of development or sale
  - Construction stormwater discharges from construction support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas)
  - Stormwater discharges from facilities subject to any stormwater-specific effluent limitations guidelines listed in Table 1-1

- **Allowable Non-Stormwater Discharges in Part 1.2.1.C**
Eligibility and Coverage

- Limitations on Coverage
  - Post construction discharges
  - Discharges mixed with non-stormwater
  - Discharges covered by another permit
  - Discharges threatening water quality
  - Discharges not protective of listed endangered species
  - Discharges to Total Maximum Daily Load (TMDL) Watersheds – unless they are consistent with the approved TMDL plan
Obtaining an Authorization

- Meet the eligibility requirements in Part 1.3
- Develop and implement a stormwater pollution prevention plan (SWP3)
- Submit a complete and accurate NOI using the form in Addendum B
- Submit your SWP3 to DEQ for review if your facility is located in a sensitive watershed or in a watershed with an approved TMDL
- Pay the application fee ($100) and applicable annual permit fee ($347.71)
A complete and accurate NOI must be submitted to DEQ for permit coverage. SWP3 must be prepared or updated consistent with Part 4.

All existing permittee’s must reapply using the new 2-page NOI form.

Submit NOIs within 90 days (by January 16, 2018) from the effective date of the permit.

Any discharge will be considered unauthorized, if you miss the deadline, DEQ may take enforcement action for an unpermitted discharge.

For a new operator, you must receive an authorization prior to commencing earth disturbing activities.

You are not considered covered until you receive an authorization from DEQ.
Notice of Termination (NOT) must be submitted within 30 days after one or more of the following conditions have been met:

- Final stabilization has been achieved on all portions of the site
- Residential subdivision – final stabilization has been completed and all lots have been sold and permittee is no longer responsible for the construction activity in the subdivision
- A new owner or operator has assumed responsibility for the facility

DEQ will perform a site inspection and your permit is not terminated until DEQ issues a termination letter.
Coverage under this Permit is **not transferable**

Any change in ownership or operational control, NOT by current owner and NOI by new owner must be submitted to DEQ

Any change in ownership/operational control of a portion of the site, new operator submits an NOI and existing operator must revise its SWP3 and submit an NOI for modification

Residential subdivision – as lots are sold to builders, developer must submit Notification of Change of Ownership (NCO) form to DEQ and update their SWP3

Any change in the company name, operator must submit NOI for modification. Original permit number will be retained
Stormwater control measures can be actions (processes, procedures, schedules of activities, prohibitions on practices and other management practices), structural, or installed devices to minimize or prevent water pollution.

- Select, design, install, and implement to meet non-numeric technology-based effluent limits, applicable numeric effluent limits, and water quality-based effluent limits.
- Selection, design, installation, and implementation of control measures must be based on good engineering practices and manufacturer’s specifications.
- Modify these control measures, if you find any ineffective control measures.
Erosion and Sediment Control Requirements – Part 3.3.1

- Minimize area of disturbance
- Design requirements
- Direct stormwater to vegetated areas
- Natural buffers or equivalent erosion and sediment controls
- Perimeter controls
- Sediment track-out
- Stockpiled soil or sediment
- Dust control
- Disturbance of steep slopes
- Topsoil preservation
Soil compaction
Storm drain inlets
Stormwater conveyance channels
Sediment basins
Dewatering practices

Stabilization Requirements – Part 3.3.2
- Stabilization deadlines
- Stabilization criteria
Non-numeric Technology-Based Effluent Limits Cont.

- Pollution Prevention Requirements – Part 3.3.3
  - Prohibited discharges
  - Maintenance requirements
  - Emergency spill notification
  - Fertilizer discharge restrictions
### Numeric Technology-Based Effluent Limits – Part 3.4

#### Requirements for Asphalt Batch Plants – Part 3.4.1

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Limitation</th>
<th>Monitoring Frequency</th>
<th>Sample Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>TSS</td>
<td>23 mg/l daily max 15 mg/l monthly avg</td>
<td>1/year</td>
<td>Grab</td>
</tr>
<tr>
<td>Oil &amp; Grease</td>
<td>15 mg/l daily max 10 mg/l monthly avg</td>
<td>1/year</td>
<td>Grab</td>
</tr>
<tr>
<td>pH</td>
<td>6.5 – 9.0 s.u.</td>
<td>1/year</td>
<td>Grab</td>
</tr>
</tbody>
</table>
Your discharge must not cause or contribute to an exceedance of applicable water quality standards.

Discharges to water quality-impaired waters – Part 3.5.1

- Considered discharge to an impaired water if your facility or discharge point is located within 1 mile of a receiving water body
  - Waterbody impaired for sediment and/or turbidity
  - Site inspection requirements
  - Corrective actions
  - Stabilization requirements

Discharges to ORW or ARC water – Part 3.5.2

- Outstanding Resource Water
- Aquatic Resources of Concern
Operators – Part 3.6

- Operational control over plans and specs – Part 3.6.1
- Operational control over day-to-day activities – Part 3.6.2
- Large common plan of development – Part 3.6.3
  - Primary operator
  - Secondary operator
- Utility installer – Part 3.6.4
Stormwater Pollution Prevention Plan (SWP3) – Part 4

- Requirements listed in Part 4 of OKR10
- Must be prepared or updated prior to submission of NOI
- SWP3 itself does not contain effluent limits; rather, it constitutes a tool to assist permittees, inspectors, and other authorities in ensuring and documenting that effluent limits are met

SWP3 is to document the specific control measures that the permittee will use to meet the numeric and non-numeric effluent limits contained in the Permit along with other permit requirements

- Should be prepared in accordance with good engineering practices, licensed PE only required for those parts of SWP3 involving the practice of engineering
Inspections – Part 4.3.13

- Qualified inspector
- Frequency of inspections
  - At least every 14 days and within 24 hours of the end of a storm event of 0.5 inches or greater
- Requirements for inspections – Part 4.3.13.D
- Inspection report – Part 4.3.13.E
Corrective Actions – Part 4.3.14

- Requirements for taking corrective action – Part 4.3.14.A.1
- Corrective action report – Part 4.3.14.B
- Recordkeeping requirements – Part 4.3.14.C
Retention of Records – Part 5

- Documents
- Accessibility
Remaining Components

- Standard Conditions – Part 6
- Re-opener Clause – Part 7
- Definitions – Part 8
- Historic Preservation – Part 9
- Endangered Species – Part 10
- Addendums
  - Aquatic Resources of Concern (ARC)
  - Notice of Intent (NOI) form
  - Notice of Termination (NOT) form
  - Contractor certification form
  - Oklahoma Outstanding Resource Waters (ORW)
  - Concrete and Asphalt Batch Plants
  - Annual Comprehensive Site Compliance Evaluation Report (ACSER)
Addendums

- Buffer requirements
- Stormwater runoff coefficients
- Notification of Change of Ownership
Questions & Answers
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