NPDES Storm Water Construction Compliance

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NPDES GENERAL PERMITS

NPDES General Permits (HAR, Chapter 11-55. Appendices B through L)
The Department of Health (DOH), Clean Water Branch (CWB) has adopted the NPDES General Permits as Appendices to the Hawaii Administrative Rules (HAR), Chapter 11-55. If you would like to request coverage under one (1) of these NPDES General Permits, you are required to:

1. Download, read, and understand the NPDES General Permit for which you would like to request coverage. Please see below for the NPDES General Permits with Standard General Permit Conditions.

   - (EXPIRED) HAR 11-55, Appendices B and A - NPDES General Permit Authorizing Discharges of Storm Water Associated with Industrial Activities (Expired December 5, 2017)
     - HAR 11-55, Appendices C and A - NPDES General Permit Authorizing Discharges of Storm Water Associated with Construction Activities (Expires February 8, 2024)
   - HAR 11-55, Appendices D and A - NPDES General Permit Authorizing Discharges of Treated Effluent from Leaking Underground Storage Tank Remedial Activities (Expires July 12, 2023)
Appendix C

Parts of the Permit

**Permit: When and for What**
1. Coverage under the General Permit
2. Limitations of the General Permit
3. Term of the General Permit

**Minimum Requirements/BMPs**
4. Standard Conditions
5. Effluent Limitations
6. Water Quality Based Effluent Limitations

**Design and Implement a Plan**
7. SWPPP
8. SWPPP Implementation
9. Inspections
10. Corrective Actions

**Paperwork Requirements**
11. NOI Req.
12. Reporting Req.
13. Submittal Req.
14. Additional Conditions
15. No Falsifying
When Do You Need a Permit/What Does it Allow

- Earth disturbance (e.g. grading, grubbing, etc.) of 1 acre or more or apart of common plan of development
- Includes staging area, offsite area that are non-permanent
- Issued to owner or operator

• Discharge ONLY storm water

• Good for 5 years or less
NPDES Permits

- What your going to discharge
- Where your going to discharge it
- How much your going to discharge

Triggers For a New Permit

- Change in disturbed area
- Change in discharge location
- Change in receiving water
What You Need To Do

Minimum Requirements/BMPs

4. Standard Conditions

5. Effluent Limitations

6. Water Quality Based Effluent Limitations

• Must comply with Chapter 11-55, Appendix A

• Minimum BMP requirements

• No violation of the basic water quality criteria
Pollution Sources on your Site (and Minimum BMPs)

- Dirt/Sediment
  - Erosion BMPs (Source Control)
  - Sediment BMPs (Treatment)

- Chemicals, Materials, Wastewater
  - Cover
  - Contain
  - Clean-up

Minimum BMP Requirements
Minimum BMPs

BMPs for Dirt/Sediment
1. Perimeter Sediment Control- Silt Fence type BMPs (Double if by a stream or ocean)
2. Stabilize your entrances/exits- Don’t Track Out or Wash Down
3. Stockpile Protection- Cover small ones, perimeter control big ones
4. Minimize Dust- Water Truck
5. Deal with Steep Slopes- Intercept swales and/or EROSION CONTROL MATTING
6. Storm Drain Inlet Protection- last defense
7. Treat contaminated soil differently- treat it like chemical waste
Minimum BMPs

Fueling, Equipment Maintenance, Material Chemical Storage

1. Isolate and Contain: Don’t let storm water touch any chemicals
2. Clean up spills immediately: Have spill kits and people trained to use them

Wash water, wastewater, drum rinse

1. Contain and dispose of legally
2. NO WASHWATER ON THE GROUND
How You Need To Do It

Design and Implement a Plan

- 7. SWPPP
- 8. SWPPP Implementation
- 9. Inspections
- 10. Corrective Actions

- Developed prior to submitting an NOI
- Contains the minimum requirements
- Include revisions
- On-site availability

- Only required during normal working hours
- Record rainfall

- Immediately stop, reduce, or modify
Storm Water Pollution Prevention Plans

Who, What, When, Where, Why and How of BMPs on your Site

1. **Who** - Identifies who is responsible for BMP implementation, maintenance, and reporting
2. **What** - What pollution sources are around and what BMPs are being used to deal with them
4. **Where** - Site Map
5. **Why** - Clearly defines why each BMP is being implemented
6. **How** - BMP specs, details on how to report, document, etc.
Construction Storm Water Program

Physical BMPs
- Erosion Control
- Sediment Control

Administrative BMPs
- Written Plan (SWPPP)
- Training
- Habits
- Self Monitoring
- Construction Practices

Section 9 - Inspections

Corrective Actions
Inspections

Triggers, requirements, documentation
1. Weekly or every two weeks and whenever it rains 0.25” or more
2. Looks for BMPs, condition of BMPs and if there are sources that need BMPs
3. Conducted by someone who received Storm Water training
4. Includes a signed report
5. Onsite availability
6. Reports must be maintained for 3 years after permit expiration

The Inspection Reports are IMPORTANT if you want to avoid fines
Construction Storm Water Program

Physical BMPs
- Erosion Control
- Sediment Control

Administrative BMPs
- Written Plan (SWPPP)
- Training
- Habits
- Self Monitoring
- Construction Practices
- Corrective Actions

Section 10 – Corrective Actions
Corrective Actions

If it’s Broke, fix it. If it keeps breaking, do something different

1. Stop Polluted Discharges if they are occurring
2. Replace/Rebuild BMPs as necessary
3. Redesign if that’s the problem
4. Includes a signed corrective action report
5. Must Document
6. Must Report
Reporting

If you’ve had a polluted discharge, you must report it
1. Environmental health is about public health
2. Don’t make protecting the public your decision, make it ours
3. If you don’t report it, someone else probably will
4. Know the number to call
5. Have an SOP
6. Do the corrective action report
7. Submit your NOC when construction is complete

The failure to report is an added violation for any enforcement action
What’s the Expectation

- Have your paperwork on site
- Do your training and inspections
- Have a tidy site (good housekeeping)
- Manage Storm water run on
- Phase construction to reduce pollution risk
How to Avoid a Fine

- Good BMP Design/Approach
- Good implementation/maintenance
- Good record keeping
- No discharge of pollutants
- NO DISCHARGE

Easy to Do

Hard to Do

Least Effective

Most Effective
Clean Water Branch
2827 Waimano Home Road #225
Pearl City, Hawaii 96782
Phone: 586-4309

THANK YOU