



Your Oil and Gas Construction Activities May Need Coverage Under the Clean Water Act's Stormwater Program!

Are you subject to the Clean Water Act's Stormwater Program?

The Clean Water Act's construction stormwater permitting program is intended to lessen soil erosion, reduce stormwater runoff volumes, and prevent pollutants, including sediment, from reaching surface waters (streams, rivers, lakes) through the use of best management practices (BMPs). Construction is defined as any activity, including clearing, grading, and excavating (CGE), that changes the natural topography of the land, removes the natural vegetative soil covering, or compacts the soils to prevent infiltration (i.e., access roads). If you disturb five acres or more of land during construction of an oil and gas exploration or production site, you need to obtain coverage under a federal or state stormwater permit. **If your oil and gas construction site disturbs between one and five acres, the requirement to obtain coverage under the federal EPA Construction General Permit is postponed until March 10, 2005.**

What are Your Requirements?

Determine Your Eligibility:

All oil and gas construction activity that disturbs 5 acres or more of land, as well as activity that disturbs less than 5 acres but is part of a larger common plan of development, must obtain permit coverage. Please note, if waterbodies in your area have been designated as special protection areas or have designated load limits, such as TMDLs, additional permitting requirements and restrictions exceeding general federal and state performance standards, may apply to your construction projects.

Go to www.cicacenter.org/tmdl.html to find specific information for your state.

Read and Understand Your Construction General Permit (CGP) Requirements:

Get a copy of the applicable permit for stormwater discharges from your construction activities. **For a copy of the federal EPA CGP which applies to oil and gas and pipeline construction in New Mexico, Oklahoma, and Texas, go to:**

www.epa.gov/npdes/stormwater/cgp. For a copy of Arkansas state requirements go to: www.adeq.state.ar.us/water/branch_npdes/stormwater/construction/construction.htm#GenPermit. For a copy of Louisiana state requirements go to: www.deq.state.la.us/permits/lpdes/lpdesgenpermits.htm.

Develop a Plan:

Develop a **Stormwater Pollution Prevention Plan (SWPPP)** before you request permit coverage and construction begins. The SWPPP describes how you will minimize soil erosion and control sediment, how you will control stormwater flow from your site, who is responsible for each activity, and the protocol you will use to inspect your site. For detailed information on SWPPP requirements go <http://cfpub1.epa.gov/npdes/stormwater/swppp.cfm>. One of the easiest ways to minimize stormwater pollution at an oil or gas site is to choose your location wisely! Moving the site by only a few hundred feet may help you to save valuable time and money.

Apply for Permit Coverage:

Once you understand your permit requirements and have developed a SWPPP, submit a **Notice of Intent (NOI)** to your permitting

For answers to your specific stormwater questions contact one of the following:

Arkansas: Kim Fuller, Arkansas DEQ, Phone: (501) 682-0627, Email: Fuller@adeq.state.ar.us

Louisiana: Yvonne Wingate, Louisiana DEQ, Phone: (225)219-3111, Email: Yvonne.Wingate@la.gov

Region 6 Contact: Brent Larsen, Phone: (214) 665-7523, Fax: (214) 665-2191, Email: Larsen.Brent@epa.gov

Casey Lockett Snyder, Phone: (281) 983-2112, Fax: (281) 983-2248, Email: Lockett.Casey@epa.gov

EPA's Storm Water Website: www.epa.gov/npdes/stormwater

authority. **For the federal permit, the NOI must be submitted 7-10 days before beginning any construction activities at the site.** When you submit your NOI, it certifies your eligibility for permit coverage to EPA or the appropriate state permitting authority. To complete an NOI online for the federal EPA construction permit, go to www.epa.gov/npdes/stormwater/enoi.

Implement the Plan:

Be prepared to implement Best Management Practices (BMPs) in your SWPPP before construction begins. Ensure that BMPs are properly maintained, and upgrade and repair them as necessary. An ounce of prevention is worth a pound of cure! **It's far more efficient and cost-effective to prevent pollution than it is to try to correct problems later.**

Finish the Project:

Submit a **Notice of Termination** (NOT) to close permit coverage when you have achieved final stabilization at the site, as defined in the applicable state or federal permit. To complete an NOT online for the federal EPA construction permit, go to www.epa.gov/npdes/stormwater/enoi.

How Do You Select Effective Best Management Practices (BMPs) When Designing the SWPPP?

A well designed SWPPP applies a combination of BMPs designed to minimize the amount of disturbed soil, prevent runoff from flowing over disturbed areas, reduce runoff velocity, and remove sediment from the runoff before it leaves the site. To be effective, BMPs must be chosen based on soil type, slope, expected rainfall amount, and discharge location.

The list below includes a few popular construction stormwater BMPs. For more information on each of these BMPs go to EPA's Stormwater web page at www.epa.gov/npdes/stormwater and click on "Menu of BMPs".

Runoff Control	Erosion Control	Sediment Control
Diversions	Construction sequencing	Vegetative filter strips
Check dams	Temporary and permanent seeding	Silt fencing
Grass-lined channels	Erosion control blankets	Aggregate entrance roads
Riprap-lined channels	Sodding	Sedimentation basins
Detention and retention ponds	Surface roughening	
Gradient terraces		

BMPs Commonly Used for Location and Access Road Construction

- Avoid constructing locations and access roads in: creeks, forests, wetlands, flood plains, sensitive/critical habitats;
- Keep the location as small as possible to decrease the environmental impacts;
- Retain existing vegetation wherever possible;
- Build far enough from a water body to maintain stream-side vegetation or to plant vegetative buffers;
- If site is less than 20 feet from the water body, use additional BMPs such as riprap, hay bales, and silt fences to control sediment;
- Minimize slopes and keep access road slopes less than 2:1 (horizontal:vertical);
- Divert flow away from water bodies;
- Seed disturbed soil as soon as possible to minimize erosion;
- Keep removed topsoil for reuse when seeding;
- If topsoil is to remain in piles until use, seed or cover immediately to prevent erosion; and
- Use existing roads or follow ridgelines where possible.

BMPs Commonly Used for Stream Crossings

- Install culverts to assure the natural stream flow;
- Minimize stream crossing; use existing culverts, bridges, fords and/or other crossings if possible;
- Make all necessary stream crossings at right angles to the main stream channel;
- Minimize slopes to slow runoff flow and reduce erosion;
- Maintain streamside vegetation and plant vegetative buffers to help trap sediment; and
- Seed disturbed soil as soon a possible to minimize erosion.



Check Dams



Riprap Slope



Temporary and Permanent Seeding



Silt Fencing



Aggregate Entrance Roads