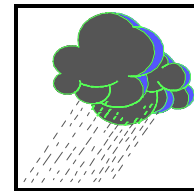




**U.S. Environmental Protection Agency
Office of Wastewater Management
401 M Street, S.W.
Washington, D.C. 20460**



**ANNOUNCEMENT on RE-ISSUANCE of the
NPDES STORM WATER CONSTRUCTION GENERAL PERMIT**

General

The United States Environmental Protection Agency is issuing a new National Pollutant Discharge Elimination System (NPDES) Phase I Storm Water Construction General Permit. EPA intends to issue the new permit to coincide with the expiration of the Baseline Construction General Permit in order to allow for continued general permit availability. The Baseline Construction General Permit was issued by EPA on September 9, 1992 in most areas (58 *FR* 41297) and September 25, 1992 in other areas (57 *FR* 44412) and will expire on September 9, 1997 or September 25, 1997, respectively. EPA Region IV is issuing a separate permit for construction activities in the State of Florida. Issuance of the new Construction General Permit will not affect areas where the State is the NPDES permitting authority.

The proposed Construction General Permit was published in the *Federal Register* on June 2, 1997 (62 *FR* 29785).

Background

The 1987 Congressional Amendments to the Clean Water Act required EPA to control pollution from storm water discharges. Regulations were finalized by EPA in 1990, and storm water permits for construction sites disturbing five or more acres were required beginning in 1992.

What's New?

Revisions to the technical aspects of the permit involve improvements in clarity and certain new requirements.

The most significant proposed changes include expanded conditions to protect endangered and threatened species, new conditions to protect historic properties, a requirement to post a copy of confirmation of permit coverage and a brief description of the project, a requirement to provide for public access to copies of a pollution prevention plan on the site or in another nearby location, terms for construction activities transitioning from the existing permit, clarification of who must become a permittee and their requirements, a streamlined permitting option for utility companies, a requirement to submit a Notice of Termination (NOT) when construction is completed, the ability to acquire permit coverage for other construction dedicated industrial activities (e.g., concrete batching plant) under one general permit, and pollution prevention plan performance standards.

Endangered species and historical preservation requirements were modeled after those in the 1995 NPDES Storm Water Multi-Sector General Permit for industrial activities. The process was changed to allow the developer of a site to comply with the requirements of the Endangered Species Act and National Historical Preservation Act while avoiding duplication of effort on the part of subsequent operators (e.g., contractors, etc.).

The Endangered Species Act and the National Historic Preservation Act require EPA to consult with the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and Advisory Council on Historic Preservation on the effect that discharges authorized under this permit have on endangered species and historic properties. In general, these Acts prohibit EPA from authorizing discharges that would jeopardize the survival of endangered species or adversely impact historic properties.

Public Comment

Public comments on the proposed permit will be accepted through August 1, 1997.

Public Hearings

Public hearings will be held during the months of June and July in Boston, MA, Portland, ME, Concord, NH, Houston, TX, Albuquerque, NM, Dallas, TX, Phoenix, AZ, Boise, ID, Seattle, WA, and Anchorage, AK. Consult with local EPA Storm Water Coordinators for exact times, dates, and locations.

Additional Information

Copies of the proposed permit as published in the *Federal Register* are available through the EPA Office of Water Resources Center at (202) 260-7786 or through the following internet sites:

<http://www.epa.gov/owmitnet/pipes/storm.htm>

<http://www.epa.gov/earth1r6/6en/w/sw/home.htm>