

## Summary of Construction Permits and Legislative Compliance Requirements

Following is a list of permits and other legislative requirements that are typically part of construction planning and preparation. The list is not comprehensive.

**A. Local Construction Permits.** The permit applicant is responsible for obtaining all construction permits a locality requires within the timeframes necessary to meet the project schedule.

**B. National Environmental Policy Act Compliance (NEPA).** NEPA requires that for certain Federal projects we perform analysis and prepare environmental documents within specified timeframes. Before beginning a project, NEPA may require that we identify project alternatives, select a preferred alternative, and involve the public. See 550 FW 3 for more information about NEPA requirements.

**C. Clean Water Act Compliance.** Federal and State laws and regulations may require us to complete and submit forms to the appropriate Corps of Engineers, State, or county office during the project planning or early engineering design phase of any project. See 561 FW 3 for more information on the requirements of the Clean Water Act.

**D. Safe Drinking Water Act Compliance.** Federal, State, or localities may require us to complete and submit forms to the appropriate Environmental Protection Agency (EPA) regional office, State, or county health or environmental department during the project planning or early engineering design phase of any project. See 561 FW 4 for more information on the requirements of the Safe Drinking Water Act.

**E. National Pollution Discharge Elimination System Permits.** Service facilities with effluent and storm water discharges must have valid, current National Pollution Discharge Elimination System (NPDES) permits. Regional/CNO Engineers or the Chief, Division of Engineering, or their designees, must provide the Project Leader and the Regional/CNO Division of Environmental Contaminants with technical engineering assistance on NPDES. Their involvement is especially necessary to help solve problems related to discharge permit noncompliance. See 561 FW 3 for more information on NPDES requirements.

**F. Soil Erosion and Sedimentation Control Permits.** As part of the NPDES, State and local governments require that we file soil erosion and sedimentation control plans and get permits. We must incorporate soil erosion and sedimentation control measures into project engineering drawings and specifications, as necessary.

**G. Sanitary Permits.** Regional/CNO Engineers or the Chief, Division of Engineering, or their designees, assist Project Leaders to file and update sanitary permits that State or local governments require. Regional/CNO Engineers or the Chief, Division of Engineering also are responsible for performing or obtaining the services to perform the necessary percolation tests and borings and for getting the soil profiles required for sanitary waste disposal systems.

**H. Cultural Resources Compliance.** In cooperation with the appropriate Regional Historic Preservation Officer, Regional/CNO Engineers, or the Chief, Division of Engineering, or their designees provide technical assistance to Project Leaders to help them meet the requirements of section 106 of the National Historic Preservation Act of 1966. They also help Project Leaders get the necessary archaeological permits to conduct cultural resources studies. See 614 FW 1 for more information about complying with archaeological and historic preservation requirements.

**I. Clean Air Act Compliance.** Federal and State laws and regulations may require us to complete and submit forms to the Occupational Safety and Health Administration, EPA, State, or county office during the construction phase of any project involving demolition, asbestos abatement, or lead-based paint abatement. The National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 61) set the standards for compliance with the requirements of the Clean Air Act.