

Town of Hampton



Date: August 31, 2022

To: All Persons Considering Land Development in the Town of Hampton

CC: Jason Bachand, Town Planner - Hampton Planning Board
James Sullivan, Town Manager

From: Joe Lynch, P.E. – Deputy Director DPW

RE: NPDES Construction General Permit Changes
New Hampshire Small MS4 General Permit
Stormwater Outreach - Construction Activities

As a potential applicant, or a firm representing an applicant the Town of Hampton, NH wishes to make you aware that recent regulatory changes may affect your project. The Environmental Protection Agency (EPA) has released a new version of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) which became effective on February 17, 2022. Your project may be subject to these permit changes. To learn more about the other the changes to the CGP, please see EPA's CGP webpage which is located at <https://www.epa.gov/npdes/2022-construction-general-permit-cgp>.

Construction projects that require coverage under the CGP are projects or activities that disturb one, or more, acres of land. This also includes construction activities that are part of a larger common plan that would cumulatively disturb one, or more, acres of land. The purpose of the CGP is to reduce the amount of materials, such as sediment, that are picked up by stormwater and deposited into oceans, lakes, rivers, streams, wetlands and natural resources. If construction sites are not properly prepared or maintained the deposited materials can cause negative effects to the water quality of these waterbodies.

The new version of the Construction General Permit has many changes from the previous version that may affect how your project moves forward. One of the major changes to the new CGP is that all **stormwater inspections** conducted for any projects that receive coverage on or after February 17, 2023, **must be conducted by a qualified inspector**. For an inspector to become qualified, they must complete the EPA construction inspection course developed for this permit and pass the exam OR hold a current valid certification or license from a non-EPA training program that covers the same principles. For more information about becoming a qualified inspector, visit this link <https://www.epa.gov/npdes/construction-general-permit-inspector-training>.

The Town of Hampton hopes that by sharing these resources as well as the attached fact sheet we are able to collectively reduce stormwater pollution and improve water quality as a whole within our community, and throughout New Hampshire. If you have any further questions, or would like more information about Hampton's efforts, please reach out to Hampton's Deputy Public Works Director at 603-926-3202 or visit our Drainage, Stormwater and Our Natural Resources Webpage at <https://www.hamptonnh.gov/645/Drainage-Stormwater-Our-Natural-Resource>. Together we can have a large impact to help improve water quality in New Hampshire

New 2022 Construction General Permit

Fact Sheet

New Version of the Construction General Permit

The Environmental Protection Agency (EPA) released a new version of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) which became effective on February 17, 2022. The new version of the CGP is known as the 2022 CGP. The purpose of the 2022 CGP is to reduce the amount of sediment that is washed off construction sites by stormwater. Sediment has the potential to

contain pollutants such as nutrients or oils and greases. Stormwater runoff from rain or snowmelt picks up this sediment, and the pollutants it contains, and transports them directly in a waterbody or through Hampton's storm drains which flow untreated into nearby waterbodies and degrade water quality. These pollutants harm fish and wildlife, make our water

unsafe to drink, and can impact recreational use of waters.

The new 2022 CGP contains several important changes that operators of construction sites should know. An online version of the 2022 CGP and FAQs can be found on EPA's website at <https://www.epa.gov/npdes/2022-construction-general-permit-cgp>

New and Updated Changes to the 2022 Construction General Permit

New and Updated Changes:

- Perimeter control installation and maintenance
- Pollution prevention for chemical containers
- Construction dewatering requirements
- Site stabilization photos
- Turbidity benchmark monitoring for sensitive waters
- Certified inspectors
- A recording of a webinar presented by EPA on February 24, 2022 explaining the changes to the 2022 CGP can be found at <https://www.youtube.com/watch?v=9-FfqaYlCI>

Certified Inspector Training:

- Inspections conducted for all projects that require coverage on, or after, February 17, 2023, must be conducted by a qualified inspector who is trained in accordance with Part 6.3.b of the 2022 CGP.
- A qualified inspector must complete the EPA construction inspection training course developed for this permit and pass the exam, *or*, hold a current valid certification or license from a non-EPA training program that covers the minimum topics listed in Part 6.3.b of the 2022 CGP.

- EPA has free virtual training and exam for all inspectors looking to become certified. For more information about becoming a qualified inspector visit this link <https://www.epa.gov/npdes/construction-general-permit-inspector-training>.
- There are a variety of non-EPA inspector trainings and certification programs offered by states and third party entities.

Obtaining Coverage Under the 2022 CGP and Permit Requirements

Projects that Require Coverage:

- Construction projects that require coverage under the 2022 CGP are any projects or activities that disturb one, or more, acres of land. This also includes construction activities that are part of a larger common plan that would cumulatively disturb one, or more, acres of land as well.



Stormwater Pollution Prevention Plan (SWPPP):

- A Stormwater Pollution Prevention Plan (SWPPP) must be submitted for each construction project or activity by the project operator. A SWPPP contains all of the Best Management Practices (BMPs) and plans you will have in place during construction to minimize the amount of sediment and other pollutants that could be discharged in stormwater. A SWPPP template can be found at <https://www.epa.gov/system/files/documents/2022-01/swppp-template.docx>

Notice of Intent (NOI):

- All operators associated with the construction site must submit a Notice of Intent (NOI) to EPA before construction can begin on a project. You must use EPA's NPDES eReporting Tool (NET) to electronically prepare and submit your NOI. To access NET, go to <https://cdx.epa.gov/cdx>. More information on the NOI and process can be found at <https://www.epa.gov/npdes/submittin-notice-intent-noi-notice-termination-not-or-low-erosivity-waiver-low-under#submit>



As part of the USEPA's 2017 National Pollutant Discharge Elimination Systems (NPDES) general Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4) in New Hampshire, the Town of Hampton is required to educate construction operators on pollution prevention. This fact sheet is intended to fulfill permit requirements.