



North Carolina Department of Environment and Natural Resources  
Division of Water Quality

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## CHANGES IN THE NCG010000 NPDES PERMIT

Effective August 3, 2011, the North Carolina Division of Water Quality (DWQ) issued a new NPDES General Stormwater Permit for Construction Activities (NCG010000 Permit). A copy of the permit can be found at: <http://portal.ncdenr.org/web/wq/ws/su/construction>. Also on that web page, DWQ has provided a summary entitled "Major Elements of DWQ Construction General Permit." There are some significant changes in what is required at a construction site to comply with the NCG010000 Permit, including:

- Ground stabilization in 7 days on perimeter areas and slopes greater than 3:1
- Ground stabilization in 14 days on other areas
- Basin outlet structures withdraw water from the surface

### Why did the Permit Change?

As a result of a national court case, the federal Environmental Protection Agency (EPA) was required to develop Effluent Limitations Guidelines (ELGs) that apply to construction sites. Those guidelines mandate quicker ground cover for all areas of a site with additional controls in areas of high slopes or sensitive waters. The more-stringent controls are required by EPA to be included in any state's Construction General Permit issued after February 2010.

DWQ staff worked with Division of Energy, Minerals and Land Resources (DEMLR) staff to consider what changes should be made and co-chaired a group to provide guidance. The group, called the Construction General Permit Technical Advisory Group (CTAG), was comprised of 14 members who represented a broad range of environmental, regulatory, government and development interests.

### How Will the New Conditions Be Implemented?

The new permit does not modify the current state laws or rules. However, coverage under the NCG010000 Permit shall only become effective upon approval of an Erosion and Sedimentation Control Plan by DEMLR or the delegated local program that includes the following:

- Designation where the new 7-day and 14-day ground stabilization requirement applies
- Basin designs with surface withdrawal mechanisms for all basins draining over one acre

If the approved plan does not contain these conditions, the project does not qualify for coverage under the NCG010000 Permit and is not permitted to discharge stormwater. In order to obtain coverage, the plan must be modified to comply with the conditions listed above or an application for an Individual NPDES Stormwater Permit must be submitted to DWQ.

DWQ recognizes that the changes in this permit will lead to significant changes in the planning, design and implementation of construction projects. We will focus our efforts towards education and consistency and work with those affected in implementing these changes.

If you have questions about the NCG010000 Permit, please contact Shelton Sullivan with the Division of Water Quality at 919-807-6361 or at [shelton.sullivan@ncdenr.gov](mailto:shelton.sullivan@ncdenr.gov).