

**National Pollutant Discharge Elimination System  
General Permit for Discharges from  
Construction Activities**

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 et. seq., (hereafter CWA or the Act), as amended by the Water Quality Act of 1987, P.L. 100-4, operators of construction activities that are described in Parts 1.1 and 1.2 and meeting the requirements of Part 1.3 of this National Pollutant Discharge Elimination System (NPDES) general permit, except for those activities excluded from authorization of discharge in Part 1.4.2 of this permit, are authorized to discharge pollutants to waters of the United States in accordance with the effluent limitations and conditions set forth herein. Permit coverage is required from the commencement of "earth-disturbing activities" until "final stabilization" as required in Part 2.2.

This permit becomes effective on **[insert date of FR publication]**.

This permit and the authorization to discharge expire at midnight, **[insert date 5 years from date of FR publication]**.

Signed and issued this      day of                      ,  
2011  
Name  
Title, Region 1

Signed and issued this      day of                      ,  
2011  
Name  
Title, Region 4

Signed and issued this      day of                      ,  
2011  
Name  
Title, Region 2

Signed and issued this      day of                      ,  
2011  
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Title, Region 5

Signed and issued this      day of                      ,  
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Title, Region 2, Caribbean Office

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2011  
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Title, Region 6

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2011  
Name  
Title, Region 3

Signed and issued this      day of                      ,  
2011  
Name  
Title, Region 7

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Proposed Construction General Permit (CGP)

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Signed and issued this      day of      ,  
2011

Name

Title, Region 8

Signed and issued this      day of      ,  
2011

Name

Title, Region 10

Signed and issued this      day of      ,  
2011

Name

Title, Region 9

The signatures are for the permit conditions in Parts 1 through 10 and Appendices A through M, and for any additional conditions that apply to facilities located in the corresponding State, Indian Country lands, or other areas.

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## **1. HOW TO OBTAIN PERMIT COVERAGE UNDER THE CGP**

### **1.1. APPLICABILITY OF THIS PERMIT.**

You may submit a Notice of Intent (NOI) to be covered by this permit if you are an “operator” of a construction project that:

- will disturb 1 or more acres of land, or will disturb less than one acre, but is part of a common plan of development or sale that will ultimately disturb one acre or more; and
- is located in an area where EPA is the permitting authority. For a list of such areas, see Appendix B. See 40 CFR 122.26(b)(14)(x) and (15).

You may qualify for a waiver from NPDES permit requirements under which stormwater discharges associated with construction activities are not required to be covered by a permit. Details of the waiver options and procedures for requesting a waiver are provided in Appendix C.

### **1.2. PERSON(S) RESPONSIBLE FOR OBTAINING PERMIT COVERAGE.**

You are required to obtain NPDES permit coverage for stormwater discharges from a construction project described in Part 1.1 if you are an “operator”, as defined below.

For the purposes of this permit, an “operator” is any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the permit).

Where there are multiple operators associated with the same project, all operators are required to obtain permit coverage. Once covered by a permit, all such operators are to be considered as co-permittees if their involvement in the construction activities affects the same project site, and are held jointly and severally responsible for complying with the permit. Where there are multiple operators associated with the same project, the following definitions apply to the different types of operators that may be covered by this permit:

Primary operator – for a construction project that has more than one operator, an operator who has received coverage under this permit for discharges from all earth-disturbing activities at a construction site.

Secondary operator – for a construction project that has more than one operator, an operator who seeks permit coverage under this permit for discharges from earth-disturbing activities on all or a portion of a site that has already received permit coverage under this permit for a primary operator. All areas of the site from which discharges result from the secondary operator’s earth-disturbing activities must have already received permit coverage before the operator can be treated as a secondary operator under this section.

### **1.3. ELIGIBILITY CONDITIONS.**

#### **1.3.1. Eligibility Conditions for All Projects.**

In order to determine if you are eligible for permit coverage, you must first determine that your construction project meets all of the following eligibility conditions:

- 1.3.1.1 You are an operator of a construction project;
- 1.3.1.2 Your project will disturb 1 or more acres of land, or will disturb less than 1 acre but is part of a common plan of development or sale that will ultimately disturb 1 or more acres;
- 1.3.1.3 Your project is located in an area where EPA is the permitting authority. For a list of such areas, see Appendix B;
- 1.3.1.4 Your project is not:
  - a. Already covered by another NPDES stormwater permit for the same discharge, except where a site requires permit coverage under this permit and a state construction stormwater permit because earth-disturbing activities will take place in areas covered by both permits;
  - b. In the process of having coverage under another NPDES stormwater permit denied, terminated, or revoked; or
  - c. Covered by another NPDES stormwater permit in the past five (5) years where that permit established site-specific water quality-based effluent limits developed for the stormwater component of the discharge.

Note: If you do not meet a, b, or c, above, but EPA has specifically authorized you in writing to submit a Notice of Intent (NOI) for coverage under this permit, you may still be eligible for coverage.

- 1.3.1.5 You are able to demonstrate that you meet one of the criteria listed in Appendix D with respect to the protection of any species that are federally-listed as endangered or threatened under the Endangered Species Act (ESA) or of habitat that is federally-designated as "critical habitat" under the ESA;
- 1.3.1.6 You have determined that discharges from your site will not adversely affect historic properties. To do this, you must meet one of the criteria listed in Appendix E, following the procedures set forth in that appendix;
- 1.3.1.7 You have already obtained any necessary CWA Part 404 dredge and fill permit(s) for any disturbances (e.g., stream crossings, infrastructure work, stream restoration) to waters of the U.S., including wetlands, associated with your construction project; and
- 1.3.1.8 You have complied with any specific requirements for your construction project respecting your eligibility imposed by the state, Indian tribe, or territory listed in Part 10 of this permit.

You must also satisfy, if applicable, the conditions in Parts 1.3.2 through 1.3.4 in order to obtain coverage under this permit.

#### **1.3.2. Eligibility for Emergency-Related Construction Activities**

If you are conducting earth-disturbing activities in response to a public emergency (e.g., tornado, hurricane, earth quake, flood), and the related work requires immediate

authorization to avoid imminent endangerment to human health or the environment, you are authorized to discharge on the condition that a complete and accurate NOI is submitted within 7 days of commencing earth-disturbing activities (see Part 1.5.3.6) establishing that you are eligible under this permit and you comply with all relevant requirements in the permit regarding discharges associated with your construction activities.

### **1.3.3. Water Quality Standards – Eligibility for New Sources and Existing Unpermitted Dischargers.**

If you are a “new source” or “existing unpermitted discharger” (see Parts 1.5.3.1 and 1.5.3.4), you are not eligible for coverage under the permit for discharges that EPA, prior to authorization under this permit, determines will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard. Where such a determination is made prior to authorization, EPA may notify you that an individual permit application is necessary in accordance with Part 1.5.6. However, EPA may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to bring your discharge into compliance with water quality standards.

### **1.3.4. Eligibility for New Sources and Existing Unpermitted Dischargers Discharging to Waters with High Water Quality.**

Your project will be considered to discharge to a water identified by a state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 for antidegradation purposes if the first water of the U.S. to which you discharge is identified by a state or EPA as a Tier 2, Tier 2.5, or Tier 3 water. For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system.

If you are a new source or existing unpermitted discharger, you are eligible to discharge to a Tier 2, Tier 2.5, or Tier 3 water only if your discharge will not lower the water quality of the applicable water. In the absence of information demonstrating otherwise, EPA expects that compliance with the stormwater control requirements of this permit, including the requirements applicable to such discharges in Part 4.3.2, will result in discharges that will not lower the water quality of the applicable water.

See list of Tier 2, Tier 2.5, and Tier 3 waters in Appendix F.

## **1.4. TYPES OF DISCHARGES AUTHORIZED UNDER THE CGP.**

### **1.4.1. List of Allowable Discharges.**

The following is a list of discharges that are allowed under the permit provided that all applicable permit limits and conditions are met:

- 1.4.1.1 Stormwater discharges, including stormwater runoff, snowmelt runoff, and surface runoff and drainage, associated with construction activity under 40 CFR § 122.26(b)(14) or § 122.26(b)(15)(i);
- 1.4.1.2 Stormwater discharges designated by EPA as needing a permit under 40 CFR § 122.26(a)(1)(v) or § 122.26(b)(15)(ii);
- 1.4.1.3 Stormwater discharges from construction support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided:

- a. The support activity is directly related to the construction site required to have permit coverage for stormwater discharges;
  - b. The support activity is not a commercial operation serving multiple unrelated construction projects;
  - c. The support activity does not continue to operate beyond the completion of the construction activity at the project it supports; and
  - d. Appropriate control measures are identified in the SWPPP covering the discharges from the support activity areas.
- 1.4.1.4 Non-stormwater discharges from your construction activity, including:
- a. Discharges from emergency fire-fighting activities;
  - b. Fire hydrant flushings;
  - c. Water used to wash vehicles where soaps, solvents, or detergents are not used;
  - d. Water used to control dust;
  - e. Potable water including uncontaminated water line flushings, provided the water line flushings are directed towards appropriate stormwater controls to remove sediment prior to discharge;
  - f. Routine external building wash down that does not use detergents;
  - g. Pavement wash waters provided spills or leaks of toxic or hazardous material have not occurred (unless all spill material has been removed) and where detergents are not used, provided these waters are directed towards the appropriate stormwater control to remove sediment prior to discharge;
  - h. Uncontaminated air conditioning or compressor condensate;
  - i. Uncontaminated, non-turbid discharges of groundwater or spring water;
  - j. Foundation or footing drains where flows are not contaminated with process materials such as solvents or contaminated groundwater; and
  - k. Uncontaminated construction dewatering wastewaters that have been treated by an appropriate control under Part 2.1.4.6. Wastewaters that have been treated in accordance with Part 2.1.4.6, but still contain trace amounts of sediment, are not considered contaminated; and
- 1.4.1.5 Discharges of stormwater listed above in Parts 1.4.1.1, 1.4.1.2, and 1.4.1.3, or authorized non-stormwater discharges in Part 1.4.1.4 above commingled with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

#### **1.4.2. List of Discharges Not Addressed by this Permit.**

The following is a list of discharges that are not addressed under this permit because they are either covered by another permit or they are not within the scope of designated discharges requiring NPDES permit coverage:

- 1.4.2.1 Discharges mixed with non-stormwater discharges, unless they are listed as allowable non-stormwater discharges in Part 1.4.1, above;

- 1.4.2.2 Discharges of fill or dredged material regulated by Part 404 of the CWA;
- 1.4.2.3 Stormwater discharges associated with construction activities that have been covered under an individual NPDES permit or a different NPDES general permit, unless authorized in writing by EPA; and
- 1.4.2.4 Stormwater and/or allowable non-stormwater discharges associated with construction activities that are discharged to a combined sewer system.

## **1.5. SUBMITTING YOUR NOTICE OF INTENT (NOI).**

To be covered under this permit, you must submit to EPA a complete and accurate NOI prior to commencing construction activities, except for emergency-related construction activities, in which case the NOI must be submitted within 7 days after the commencement of earth-disturbing activities (see Part 1.3.2). The NOI certifies to EPA that you are eligible for coverage according to Part 1.3 and provides information on your construction operation and discharge. Note that there are actions, such as the completion of a Stormwater Pollution Prevention Plan (SWPPP), which must be completed prior to submitting your NOI for coverage under this permit.

You are not authorized to discharge if your NOI is incomplete or inaccurate, or if you are not eligible for permit coverage.

### **1.5.1. Information Required in Your NOI.**

You are required to provide the following in your NOI:

- NPDES permit number (see Appendix B);
- Operator information;
- Project/site information;
- Receiving water quality information, including whether you discharge to an impaired water (as defined in Part 4.2), or a water identified as Tier 2 or Tier 2.5 or Tier 3;
- Buffer information;
- Chemical treatment information, if applicable;
- SWPPP information;
- Threatened and endangered species information;
- Historic property information;
- Certification of NOI; and
- Contact information for NOI preparer.

### **1.5.2. How to Submit Your NOI.**

You are required to use EPA's electronic NOI system, or "eNOI system", to prepare and submit your NOI, unless your relevant EPA Regional Office specifically authorizes your use of a paper NOI. The electronic NOI form you are required to complete is found at [www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI).

**Request for Comment:** It is EPA's strong preference to require all construction operators to use the eNOI system in the interest of developing a "paperless" application process and of minimizing the administrative cost of continuing to process paper NOIs. Nevertheless, EPA is

aware that the permitting program is still in the process of making the transition to a paperless process, and therefore has preserved in the proposed permit the ability to accept paper NOIs in limited circumstances, where the relevant Regional Office authorizes their use. EPA requests comments on the proposed requirement in the CGP to require the use of the eNOI except where a paper NOI is specifically authorized. EPA also requests comments on the experiences construction operators have had in using the existing eNOI system, recommendations for improving the system, and recommendations on the specific circumstances under which paper NOIs should still be accepted.

### **1.5.3. Deadlines for Submitting Your NOI.**

Table 1-1 provides the deadlines for submitting your complete and accurate NOI. The deadlines vary depending on whether you are a “new source”, a “previously permitted new source”, an “existing permitted discharger”, an “existing unpermitted discharger”, or a “new operator of a new source or existing permitted discharger”, or whether your activity is considered an “emergency-related project.” The following definitions apply to the different types of construction activities and construction operators:

- 1.5.3.1 New source – a construction project that commences construction activities after February 1, 2010, and that requires NPDES permit coverage for its construction discharges under Part 1.1.
- 1.5.3.2 Previously permitted new source – a construction project that commenced construction activities after February 1, 2010, but that already received prior coverage for its construction discharges under an effective NPDES permit, such as the 2003 CGP or 2008 CGP.
- 1.5.3.3 Existing permitted discharger - a construction project that is not a new source, because construction activities commenced prior to February 1, 2010, and that received prior coverage for its construction discharges under an effective NPDES permit, such as the 2003 CGP or 2008 CGP.
- 1.5.3.4 Existing unpermitted discharger – a construction project that is not a new source, because construction activities commenced prior to February 1, 2010, but has never received coverage for its construction discharges under an effective NPDES permit.
- 1.5.3.5 New operator of a new source or existing permitted discharger – an operator that replaces an existing operator on a construction project through transfer of ownership and/or operation.
- 1.5.3.6 Emergency-related project – a construction project in which earth-disturbing activities require immediate authorization in response to a public emergency.
- 1.5.3.7 Primary operator – for a construction project that has more than one operator, an operator who has received coverage under this permit for discharges from all earth-disturbing activities at a construction site.
- 1.5.3.8 Secondary operator – for a construction project that has more than one operator, an operator who seeks permit coverage under this permit for discharges from earth-disturbing activities on all or a portion of a site that has already received permit coverage under this permit for a primary operator. All areas of the site from which discharges occur resulting from the secondary operator’s earth-disturbing activities must have already received permit coverage before the operator can be treated as a secondary operator under this section.

See Table 1-1 for a list of applicable deadlines.

If you have missed the deadline to submit your NOI, you are required to submit your NOI immediately to minimize the time discharges from the project are unauthorized. EPA reserves the right to take enforcement action for any unpermitted discharges or permit noncompliance that occurs between the commencement of earth-disturbing activities and discharge authorization.

**Table 1-1 NOI Submittal Deadlines.**

Type of Construction Project	Deadlines for Operators to Submit NOI
New source	Except for secondary operators, at least 30 days prior to commencing earth-disturbing activities. For secondary operators, at least 7 days prior to commencing earth-disturbing activities.
Previously permitted new source	By no later than [90 DAYS AFTER PERMIT ISSUANCE], if earth-disturbing activities commenced after February 1, 2010 and prior to [DATE OF PERMIT ISSUANCE], and the operator is currently covered under the 2003 or 2008 CGPs. Provided you submit your NOI by this deadline, your coverage under the 2003 or 2008 CGP will be automatically continued under those permits until you have been granted coverage under this permit or an alternative NPDES permit, or you are denied coverage under this permit.
Existing permitted discharger	By no later than [90 DAYS AFTER PERMIT ISSUANCE]. Provided you submit your NOI by this deadline, your coverage under the 2003 or 2008 CGP will be automatically continued under those permits until you have been granted coverage under this permit or an alternative NPDES permit, or you are denied coverage under this permit.
Existing unpermitted discharger	Immediately.
New operator of a new source or existing permitted discharger	A minimum of 7 days prior to the date that the transfer to the new operator will take place.
Emergency-related project	Within 7 days after commencing earth-disturbing activities.

#### **1.5.4. Your Official Start and End Dates for Permit Coverage.**

Following your submittal of a complete and accurate NOI consistent with this Part, unless you are a secondary operators, new operators of a new source or existing permitted discharger, and operators of emergency-related projects, you are considered covered under the terms and conditions of this permit 30 calendar days after EPA acknowledges receipt of your NOI through posted information on EPA's website ([www.epa.gov/npdes/stormwater/noisearch](http://www.epa.gov/npdes/stormwater/noisearch)), unless EPA notifies you that your authorization has been delayed or denied.

For secondary operators and new operators of a new source or existing permitted discharger, following your submittal of a complete and accurate NOI consistent with this Part, you are considered covered under the terms and conditions of this permit 7 calendar days after EPA acknowledges receipt of your NOI through posted information on EPA's website ([www.epa.gov/npdes/stormwater/noisearch](http://www.epa.gov/npdes/stormwater/noisearch)), unless EPA notifies you that your authorization has been delayed or denied.

For operators of emergency-related projects, you are considered provisionally covered under the terms and conditions of this permit immediately, and unprovisionally covered 30 calendar days after EPA acknowledges receipt of your NOI through posted information on EPA's website ([www.epa.gov/npdes/stormwater/noisearch](http://www.epa.gov/npdes/stormwater/noisearch)), unless EPA notifies you that your authorization has been delayed or denied.

If your relevant EPA Regional Office authorizes your use of the paper NOI, the 30-day period, or whichever waiting period applies, that precedes your permit coverage is the same as above; however this period commences only after the NOI Processing Center completes manual entry of your paper NOI information into the eNOI system. Note that if your paper NOI contains errors or is incomplete this will result in delaying the commencement of the waiting period.

If covered under the CGP, your permit coverage will last until the date that:

- You terminate permit coverage consistent with Part 9; or
- Your project receives coverage under a different NPDES permit after being notified by EPA of your need to apply for coverage under an individual or different NPDES general permit; or
- Your project is still active, but the date for this permit's expiration has passed, and a replacement permit has been issued.

#### **1.5.5. Continuation of Coverage for Existing Permittees if the Permit Expires.**

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with the Administrative Procedure Act and remain in force and effect for discharges that were covered prior to expiration. If you were granted permit coverage prior to the expiration date, you will automatically remain covered by this permit until the earliest of:

- Your authorization for coverage under a reissuance or replacement of this permit following your timely submittal of a complete and accurate NOI requesting coverage under the new permit; or
- Your submittal of a Notice of Termination; or
- Issuance or denial of an individual permit for the project's discharges; or
- A final permit decision by EPA not to reissue a general permit, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will terminate at the end of this time period.

EPA reserves the right to modify or revoke and reissue this permit under 40 CFR 122.62 and 63, in which case you will be notified of any relevant changes or procedures to which you may be subject.

#### **1.5.6. Procedures for Denial of Coverage.**

Following your submittal of a complete and accurate NOI, you may be notified by EPA that you are not covered, and that you must either apply for and/or obtain coverage under an individual NPDES permit or an alternate general NPDES permit. This notification will include a brief statement of the reasons for this decision and will provide application information. Any interested person may request that EPA consider requiring an individual permit under this paragraph. If EPA requires you to apply for an individual NPDES permit or alternate general NPDES permit, EPA will notify you in writing that an alternative permit application is required.

If you are already a permittee with coverage under this permit, the notice will set a deadline to file the permit application, and will include a statement that on the effective date of the individual NPDES permit or alternate general NPDES permit, as it applies to you, coverage under this general permit will terminate. EPA may grant additional time to submit the application if you request it. If you are covered under this permit and fail to submit an individual NPDES permit application or an NOI for an alternate general NPDES permit as required by EPA, then the applicability of this permit to you is terminated at the end of the day specified by EPA as the deadline for application submittal. EPA may take appropriate enforcement action for any unpermitted discharge. When an individual NPDES permit is issued to you or you are provided with coverage under an alternate general NPDES permit, your coverage under this permit is terminated on the effective date of the individual permit or date of coverage under the alternate general permit.

#### **1.6. REQUIREMENT TO POST A NOTICE OF YOUR PERMIT COVERAGE.**

You must post a sign or other notice conspicuously near the main entrance of the construction site, which at a minimum, must include the NPDES Permit tracking number and a contact phone number for obtaining permit information, such as the SWPPP. The notice must be located so that it is visible from a public road that is nearest to the active part of the construction site, and it must use a font large enough to be readily viewed from a public right-of-way.

## 2. EFFLUENT LIMITATIONS APPLICABLE TO ALL DISCHARGES FROM CONSTRUCTION SITES

You are required to comply with the stormwater control requirements included in Part 2. Part 2 includes requirements in the following areas:

- Erosion and sediment control (Part 2.1)
- Site stabilization (Part 2.2)
- Pollution prevention (Part 2.3)

The stormwater control requirements in this Part are the technology-based, effluent limitations that apply to all discharges from construction sites eligible for coverage under this permit. These requirements apply the national effluent limitations guidelines and new source performance standards found at 40 CFR Part 450.

The requirements in Part 2 apply in addition to any applicable state or local requirements, regardless of whether they are more or less stringent.

### 2.1. EROSION AND SEDIMENT CONTROL REQUIREMENTS.

You are required to minimize the discharge of pollutants from your site. To meet this requirement, you must comply with the requirements in this Part. Each subpart includes requirements that apply to the following distinct phases of construction activity:

- Site planning
- Designing, installing, and maintaining stormwater controls

#### **REQUIREMENTS FOR SITE PLANNING:**

You must comply with the following site planning requirements in order to minimize the discharge of pollutants from the site:

##### 2.1.1. Avoid Sensitive Areas.

- 2.1.1.1 **Mark off any sensitive areas.** You must delineate, and clearly mark off, with flags, tape, or other similar marking device, the following areas of your construction site:
- a. All buffer areas established under Part 2.1.2;
  - b. All steep slopes that will be left undisturbed, consistent with Part 2.1.1.2;
  - c. Any points where a water of the U.S. will be crossed;
  - d. Any areas of federally-listed critical habitat for endangered or threatened species on areas of the property that may be impacted by the discharge; and
  - e. Any historic properties on areas of the property that may be impacted by the discharge.
  - f. All marking devices should be removed after construction has been completed, after all areas that were disturbed have been stabilized, and once the site meets the criteria for terminating permit coverage in Part 9.2.
- 2.1.1.2 **Avoid steep slopes.** Avoid earth-disturbing activities on steep slopes (i.e., slopes of 15% or greater), unless infeasible or inconsistent with the

requirements of the project. Where avoiding disturbance to such areas is infeasible, you must comply with the design requirements in Part 2.1.4.2.

- 2.1.1.3 **Minimize stream crossings.** Limit construction of stream crossings on your site to the minimum necessary to provide access to your construction site, and to install required infrastructure. Where stream crossings are required for your project, you must comply with any limits to such activity covered by a CWA Part 404 permit. Note that the CWA Part 404 permit must have been obtained prior to any discharge of dredge or fill materials to waters of the U.S.

## 2.1.2. Protection of Surface Waters: Natural Buffers and Equivalent Sediment Controls.

In order to minimize sediment discharges, if any waters of the U.S. are located on or immediately adjacent to your site, you must ensure that any discharges through the area between the disturbed portions of your site and such waters are treated by an area of undisturbed natural vegetation that alone or with additional sediment and erosion controls achieves a reduction in sediment load equivalent to that achieved by a 50-foot buffer of undisturbed natural vegetation. Refer to Appendix M (Buffer Guidance) for information to assist you in complying with this requirement.

- 2.1.2.1 **Compliance Alternatives.** You may choose to comply with this requirement in one of the following ways:

- a. Provide and maintain a 50-foot buffer of undisturbed natural vegetation between the disturbed portions of your site and the waters of the U.S.; or
- b. Provide an undisturbed naturally vegetated buffer that is less than 50 feet between the disturbed portions of your site and the waters of the U.S. that is supplemented by additional sediment and erosion controls, which in combination achieves the equivalent sediment load reduction as a 50-foot buffer of undisturbed natural vegetation. Appendix M provides the sediment load reduction that you are required to meet; or
- c. If it is infeasible to provide an undisturbed naturally vegetated buffer of any size between the disturbed portion of your site and the waters of the U.S., implement sediment and erosion controls that achieve the equivalent sediment load reduction as an undisturbed naturally vegetated, 50-foot buffer. Appendix M provides the sediment load reduction that you are required to meet.

The compliance alternative selected above must be maintained throughout the duration of permit coverage. If you choose compliance alternative a or b above, throughout your period of coverage under this permit you must keep the buffer naturally vegetated and no construction activities may be conducted in this area. All discharges through the buffer must be non-channelized or non-concentrated, and must first be treated by the site's sediment and erosion controls.

- 2.1.2.2 **Additional Requirements for Compliance Alternatives in Parts 2.1.2.1b and 2.1.2.1c.** If you choose either of the compliance alternatives in Parts 2.1.2.1b or 2.1.2.1c, you must comply with the following:

- a. **Documentation.** Document in your SWPPP the following:
  - i. If the buffer is less than 50 feet, the width of the buffer vegetation to be retained; and

- ii. Information you relied on to comply with the requirement to achieve the equivalent sediment load reduction as an undisturbed naturally vegetated 50-foot buffer.

Note that you are required to provide this information in your NOI.

- b. **Stabilization Requirements.** For any disturbances within the 50-foot buffer area, you must comply with the following stabilization requirements, which replace the corresponding requirements in Part 2.2.1:
  - i. You must immediately initiate stabilization in any exposed areas of the buffer where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days. For the purposes of this permit, earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of your construction site will not resume for a period of 7 or more days, and earth-disturbing activities have permanently ceased when clearing and excavation within any area of your construction site has been completed, and final grade has been reached.
  - ii. Within 3 work days of initiating stabilization, you are required to have completed:
    - (1) For vegetative cover, all soil conditioning, seeding, watering, mulching, and any other required activities related to the planting and establishment of vegetation; and/or
    - (2) For non-vegetative cover, the installation or application of all non-vegetative measures.

**Request for Comment:** EPA requests comments on the buffer compliance alternatives in Part 2.1.2.1, and on the guidelines provided in Appendix M. EPA is also interested in comments relating to whether additional flexibility is warranted for small sites that intend to implement the buffer alternative. Please provide specific ideas on what alternative requirements such sites should be subject to that in general achieves the goal of equivalent sediment reduction as the 50-foot buffer. EPA welcomes the submission of performance and cost data for treatment devices that might be implemented under compliance alternatives 2.1.2.1b and 2.1.2.1c.

- 2.1.2.3 **Exceptions.** You are not required to comply with this requirement for the following types of construction projects, provided that you limit the area of disturbance to the minimum needed to complete the construction and to access the site, and that you retain the natural vegetation in the buffer outside this area:
  - a. Construction of water crossings authorized under a CWA Part 404 permit (where required) for water lines, sewer lines, utility lines, and roadways;
  - b. Construction of water-dependent structures and water access areas (piers, boat ramps, etc.) approved under a CWA Part 404 permit (where required); or
  - c. Development of a site where no naturally vegetated buffer area exists due to prior disturbances.
- 2.1.2.4 **State and Local Requirements.** You must meet any local or state requirements affecting construction in the buffer.

**REQUIREMENTS FOR DESIGNING, INSTALLING, AND MAINTAINING STORMWATER CONTROLS:**

**2.1.3. Requirements Applicable to All Construction Sites.**

You must design, install, and maintain stormwater erosion and sediment controls that minimize discharges of pollutants from earth-disturbing activities. To meet this requirement, you must comply with the following requirements.

**2.1.3.1 General design requirements:**

- a. **Required design factors.** Account for the following factors in designing your stormwater controls:
  - i. The expected amount, frequency, intensity, and duration of precipitation;
  - ii. The nature of stormwater runoff at the site, including factors such as expected flow from impervious surfaces, slopes, and site drainage features; and
  - iii. The soil characteristics at the site. Sediment controls must be designed with consideration of the range of soil particle sizes expected to be present on the site. If fine silts, clay or colloidal soils are present, then the use of enhanced sediment controls such as sand filtration and/or polymers or flocculants may be necessary.

**Request for Comment:** EPA considered proposing a 2-year, 24-hour design storm standard for stormwater controls, which would need to be met unless it was infeasible to achieve at the particular site. EPA could envision including an additional design requirement in the section above that would require something like the following: *sediment controls must be sized so that they are effective at treating stormwater discharges that result from the local 2-year, 24-hour storm event or smaller.* EPA believes that the inclusion of such a standard would have the benefit of assisting construction operators in the design and selection of controls by introducing a definitive standard by which to assess compliance. For background, the 2-year, 24-hour storm was also used in the 2003 and 2008 CGPs as the sizing criteria for sediment basins. See Section 3.1.A.1 of the 2008 CGP. EPA also adopted the 2-year, 24-hour storm in the C&D rule for the purposes of applying the numeric turbidity limit; where the storm causing a discharge is greater than the 2-year, 24-hour storm, the permittee is not required to comply with the turbidity limit. EPA requests comments on the advisability of adopting a design storm standard, and specifically on whether the 2-year, 24-hour design storm is the appropriate size storm for the design of stormwater controls.

- b. **Control stormwater discharges.** Design stormwater controls to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
- c. **Use of vegetated areas for sediment control.** Direct discharges from your stormwater controls to vegetated areas of your site, including any naturally vegetated buffers established under Part 2.1.2.1, unless infeasible. Use level spreaders or other practices to establish a non-concentrated or non-channelized flow of stormwater through such vegetated areas.
- d. **Routing of non-stormwater to sediment controls.** Direct the discharge of any allowed non-stormwater into sediment controls that are or will be installed at your site.

2.1.3.2 **General installation requirements:**

- a. **Install stormwater controls before construction starts.** Prior to commencing earth-disturbing activities in any portion of your site, you must first install and make operational all stormwater controls required in this Part and described in your SWPPP. Note that this requirement does not apply to earth disturbances related to initial site clearing and establishing entry, exit, and access of the site, which may require that stormwater controls be installed immediately after the earth disturbance.

**Request for Comment:** EPA requests comment on whether there are other situations where it would be infeasible or impractical to install and make operational all stormwater controls before commencing earth disturbances. If so, please describe these situations.

- b. **Install perimeter controls.** You must install stormwater controls along all down slope areas of disturbance at your site, including areas to be used for stockpiling soils removed during construction, and along those side slope boundaries that will receive stormwater flow from disturbed areas of your construction site. All down slope sediment controls should be installed on the level contour of the site, in the flattest area possible, at a distance down slope from the toe of the slope, and with the ends of the control placed up slope from the rest of the control. Note that storm drain inlets that receive stormwater discharges from your construction site are considered part of your site's down slope control area. Examples of down slope controls are filter berms, silt fences, and temporary diversion dikes.
- c. **Use good engineering practices and follow manufacturer's specifications.** You must install all stormwater controls in accordance with standard industry and good engineering practices, including manufacturer's specifications where appropriate.

2.1.3.3 **Maintenance requirements:**

- a. **Keep stormwater controls in effective operating condition.** You must ensure that all stormwater controls remain in effective operating condition and are protected from activities that reduce their effectiveness.
- b. **Remove accumulated sediment.** Remove sediment before it has accumulated to a height of  $\frac{1}{2}$  of any exposed silt fence fabric or  $\frac{1}{2}$  of the height of any filter berm. Manage removed sediment by spreading evenly over exposed areas of the site that have adequate stormwater controls in place, by utilizing as fill material, by stockpiling and stabilizing, or by disposing with other construction and domestic wastes.
- c. **Take corrective actions.** Take corrective actions required under Part 6 to repair, replace, and/or supplement sediment and erosion controls.

2.1.3.4 **Good housekeeping requirements:**

- a. **Remove deposited sediment.** You must comply with the following requirements:
  - i. Where track-out of sediment occurs at your site onto streets, sidewalks, and other paved areas, by the end of the same work day

in which the track-out is discovered you must sweep, shovel, or vacuum these surfaces to remove track-out material or other sediment deposits.

- ii. Immediately begin to remove sediment that has been deposited in or near any stormwater conveyance channel or storm drain inlet and complete the removal by the close of the next full work day.
  - iii. Manage removed sediment by spreading evenly over exposed areas of the site; utilizing as fill material; stockpiling and stabilizing (note: for sediment or soil piles, you must meet the requirements below in Part 2.1.3.4.b); or disposing of with other construction and domestic waste.
  - iv. Do not wash sediment deposits or other debris, which have accumulated on your site, into stormwater conveyance channels, storm drain inlets, or waters of the U.S., including when cleaning stormwater controls.
- b. **Control discharges from sediment or soil piles.** For any stockpiled or land clearing debris composed, in whole or in part, of sediment or soil, you must:
- i. Locate the piles outside of any buffers established consistent with Part 2.1.2;
  - ii. Protect from contact with stormwater (including run-on) using a temporary perimeter sediment barrier such as berms, dikes, fiber rolls, silt fences, sandbag, gravel bags, or straw bale;
  - iii. Provide cover or other appropriate temporary or permanent stabilization to avoid direct contact with precipitation or to prevent sediment discharge;
  - iv. Do not hose down debris accumulated on pavement or other impervious surfaces;
  - v. To the extent possible, contain and securely protect from wind unless actively being used; and
  - vi. To the extent you are removing native topsoil, comply with the requirements for stockpiling and reapplying such material in Part 2.1.3.5.
- c. **Minimize dust.** In order to avoid pollutants from being discharged into waters of the U.S., you must minimize the generation of dust and off-site tracking through the application of water or other dust suppression techniques.

2.1.3.5 **Use of native topsoil.** Where disturbance to native topsoil will occur at your site, unless infeasible, you should stockpile and reuse it in areas that will be stabilized with vegetation if applicable. To maximize the native topsoil's continued function, when stockpiling native topsoil, you should mound the soil and cover to prevent soil erosion and weed growth. As a guideline, soil should be mounded no higher than 4 feet high for less than 1 year, and preferably for less than 6 months.

- 2.1.3.6 **Minimize soil compaction.** In areas where vegetative stabilization will occur at your site, you should either:
- a. **Restrict vehicle / equipment use.** Restrict vehicle and equipment use in these locations to avoid soil compaction; or
  - b. **Use soil conditioning techniques.** Prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary. For example, techniques such as deep-ripping and decompaction or sub-soiling may be used to condition soils, except as otherwise prohibited by state or local regulations, or as otherwise necessary for load-bearing capability.

2.1.3.7 **Entrance and exit points.**

- a. **Stabilize construction entrance and exit points.** You must stabilize all construction entrance and exit points for a minimum of 50 feet from the point of entry/exit so that no soil is left exposed and no sediment is discharged during storm events. Examples of stabilization techniques include use of a 6-inch thick pad of crushed rock, coarse aggregate, or stone (greater than 1.5 inches) with an underlying filter fabric.

**Request for Comment:** EPA requests comment on the feasibility of the requirement to stabilize entrance and exit points for a minimum of 50 feet. If this distance is not practicable at sites, explain why and what would you suggest as a minimum threshold for stabilizing these areas and for what size sites.

- b. **Eliminate track-out from vehicles.** Prior to vehicle exit, you must wash vehicle tires or provide a similarly effective way of removing sediment from wheels and preventing track-out (e.g. through the use of rumble strips or aggregate stone either alone or in combination with other practices). No visible signs of soil tracking from vehicles should be present on public or private roadways exiting the site.

All track-out controls should be maintained to minimize the potential for accumulated tracked sediment to be discharged in stormwater.

- c. **Wheel washdown requirements.** If you wash vehicle tires before exiting the site:
  - i. Identify and designate wheel washdown areas to be used at your site, and clearly flag off such areas or mark them with signs;
  - ii. Conduct wheel washdown outside of any buffers established consistent with Part 2.1.2;
  - iii. Refrain from the use of soaps and solvents; and
  - iv. Direct wash water into a sediment trap or alternative control that provides equivalent or better treatment prior to discharge.

- 2.1.3.8 **Compliance with Safe Drinking Water Act underground injection control requirements for certain subsurface stormwater controls.** If you are using any of the following stormwater controls at your site, as they are described below, you must comply with any applicable requirements for underground injection wells in the Safe Drinking Water Act and EPA's implementing regulations at 40 CFR Parts 144 -147:

- a. Infiltration trenches (if stormwater is directed to any bored, drilled, driven shaft or dug hole that is deeper than its widest surface dimension, or has a subsurface fluid distribution system);
- b. Commercially manufactured pre-cast or pre-built proprietary subsurface detention vaults, chambers, or other devices designed to capture and infiltrate stormwater flow; and
- c. Drywells, seepage pits, or improved sinkholes (if stormwater is directed to any bored, drilled, driven shaft or dug hole that is deeper than its widest surface dimension, or has a subsurface fluid distribution system).

#### 2.1.4. Requirements Applicable to Specific Stormwater Controls.

You are required to comply with the following specific requirements for any of the following stormwater controls installed on your site:

##### 2.1.4.1 **Constructed stormwater conveyance channels:**

- a. **Design channels to avoid disturbed areas and to reduce erosion.** Divert concentrated flows of stormwater running onto the site and within the site to avoid contact with soils exposed during construction, unless infeasible. Prevent erosion of channel embankments, outlets, adjacent streambanks, slopes, and downstream waters during discharge conditions through the use of velocity dissipation devices (e.g., check dams, sediment traps, riprap, or grouted riprap at outlets) within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.
- b. **Stabilize stormwater conveyance channels.** Complete stabilization of stormwater conveyance channels before the first predicted storm event, or within 7 days, whichever is sooner. Examples of vegetative and non-vegetative stabilization techniques include channel liners, rolled erosion control products (e.g., erosion control blankets and turf reinforcement mats), riprap, geotextiles, or other armoring materials that are suitable for use in areas with concentrated or channelized flow. You are prohibited from applying mulch, hydromulch, tackifier, or similar erosion prevention practices that are not suitable for use in areas with concentrated or channelized flow in stormwater conveyance channels.

##### 2.1.4.2 **Steep slope controls:** If the avoidance of disturbances to steep slopes (i.e., slopes of 15% or greater) is infeasible (see Part 2.1.1.2), you must:

- a. **Divert flows around steep slope disturbances.** Divert concentrated or channelized flows of stormwater away from and around areas of disturbance to steep slopes;
- b. **Use specialized controls.** Use specialized erosion and sediment controls for steep slopes, such as temporary and permanent seeding with soil binders, erosion control blankets, surface roughening, reducing continuous slope length with terracing or diversions, gradient terraces, interceptor dikes and swales, grass-lined channels, pipe slope drains, subsurface drains, level spreaders, check dams, seep berms, and triangular silt dikes; and

- c. **Stabilization requirements.** For all disturbances to steep slopes, you must comply with the following stabilization requirements, which replace the corresponding requirements in Part 2.2.1:
  - i. You must immediately initiate stabilization in any exposed steep slope areas where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days. For the purposes of this permit, earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of your construction site will not resume for a period of 7 or more days, and earth-disturbing activities have permanently ceased when clearing and excavation within any area of your construction site has been completed, and final grade has been reached.
  - ii. Within 3 work days of initiating stabilization, you are required to have completed:
    - (1) For vegetative cover, all soil conditioning, seeding, watering, mulching, and any other required activities related to the planting and establishment of vegetation; and/or
    - (2) For non-vegetative cover, the installation or application of all non-vegetative measures.

Note that for all other areas of your site that are disturbed during construction, and that are outside of the steep slope areas, you are subject to the stabilization requirements in Part 2.2.

- 2.1.4.3 **Storm drain inlet protection:** For any storm drain inlets that are located on your site or that receive stormwater discharges from your site, and for which you have access, you must comply with the following:

- a. **Inlet protection measures.** You must install inlet protection measures that remove sediment from your discharge prior to entry into the storm drain inlets. Examples of inlet protection measures include excavations around the perimeter of the drop inlet, fabric barriers around inlet entrance, block and gravel protection, stone-filled bag berms, and sandbags.
- b. **Maintenance requirements.** Clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. The protection measures must be serviced, cleaned, or removed and replaced when sediment has filled to ½ of the capacity of available storage.

- 2.1.4.4 **Sediment basins and impoundments.**

- a. **Design requirements.** For any sediment basins or impoundments installed at the site, in order to minimize the discharge of pollutants, you must utilize outlet structures that withdraw water from the surface, unless infeasible (e.g., you would not be required to use such an outlet structure for a small sediment trap installed at your site).
- b. **Maintenance requirements.** Remove accumulated sediment before it reaches ½ of the capacity of the sediment basin.

- 2.1.4.5 **Chemical treatment.** If you are using polymers, flocculants, or other treatment chemicals (e.g., chitosan, polyacrylamide (PAM)) to enhance sediment removal, you must:
- a. **Storage requirements.** Store all treatment chemicals in leak-proof containers that are kept under storm-resistant cover or surrounded by secondary containment structures designed to eliminate potential discharge of stormwater from this area.
  - b. **Manufacturer/vendor specifications.** Use treatment chemicals in accordance with dosing specifications and application rates provided by the manufacturer or supplier, or document departures from the manufacturer specifications where appropriate.
  - c. **Use restrictions.**
    - i. Do not apply within areas established under Part 2.1.2;
    - ii. Do not apply in areas with a shallow water table (i.e., 4 feet or less);
    - iii. Limit any use of sediment containing polyacrylamide, chitosan, and other bio-polymers as fill material on-site to not closer than 100 feet from waters of the U.S.;
    - iv. Route stormwater treated with polymers, flocculants, or other treatment chemicals through sediment trapping, filtering, and/or settling device(s) to ensure adequate removal of sediment flocculent;
    - v. Comply with all Material Safety Data Sheet (MSDS) requirements under the Occupational Safety and Health Standards (29 CFR 1910) and recommendations provided by the product manufacturer; and
    - vi. Do not discharge cationic polymers, except for chitosan, except in compliance with state and/or local requirements designed to protect water quality from such discharges.

**Request for Comment:** EPA is interested in comments regarding the above proposed requirements on the use of chemicals for stormwater control. EPA is also interested specifically in whether commenters believe that it is necessary to require residual testing in connection with the use of chitosan, and whether a maximum dosage rate should be included in the permit.

- 2.1.4.6 **Dewatering practices:** You are prohibited from discharging groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults, or other points of accumulation associated with a construction activity, unless such waters are first treated by an appropriate control for sediment. Appropriate controls include, but are not limited to, sediment basins or traps, dewatering tanks, tube settlers, weir tanks, or filtration systems (e.g., bag or sand filters) that are designed to remove sediment. Uncontaminated, non-turbid dewatering wastewater, such as well-point ground water, can be discharged without being routed to a control provided the dewatering flow complies with the velocity dissipation requirements of Part 2.1.4.1. You must also meet the following requirements for dewatering activities:

- a. **Discharge requirements.**
  - i. Do not discharge floating solids or visible foam other than in trace amounts;

- ii. Use an oil-water separator or suitable filtration device (such as a cartridge filter) that is designed to remove oil, grease, or other products if dewatering wastewater is found to contain these materials;
  - iii. Utilize vegetated areas of the site to infiltrate wastewater from dewatering activities, unless infeasible;
  - iv. Provide energy dissipation at all points where dewatering wastewater is discharged. Dewatering discharges must not cause erosion at the discharge point or scouring of the banks of the water of the U.S.;
  - v. With sediment that has been removed during the maintenance of a dewatering device, you must manage such sediment in accordance with Part 2.1.3.4a(3), above;
  - vi. With backwash water, either haul away for disposal or return it to the beginning of the treatment process for another pass through the series of dewatering devices; and
  - vii. Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.
- b. **Treatment chemical restrictions.** If you are using polymers, flocculants, or other treatment chemicals to treat dewatering wastewater, you must comply with the requirements in Parts 2.1.4.5.

## 2.2. STABILIZATION REQUIREMENTS.

You are required to stabilize exposed portions of your site in accordance with the requirements of this Part. For the purposes of this permit, the following definitions apply:

- "Stabilization" is the process of covering exposed ground surfaces with vegetative or non-vegetative practices that reduce erosion and prevent sediment discharge from occurring.
- "Temporary stabilization" refers to the stabilization of exposed portions of the site in order to provide temporary cover (1) during the establishment and growth of vegetation, and/or (2) in areas where earth-disturbing activities will occur again in the future.
- "Final stabilization" refers to the stabilization of exposed portions of the site using practices that provide permanent cover and qualify the permittee for permit termination.

### 2.2.1. Deadlines for Initiating and Completing Stabilization.

2.2.1.1 **Deadline to initiate stabilization.** You must immediately initiate stabilization on exposed portions of your site where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 14 calendar days.

- a. For the purposes of this permit, earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of your construction site will not resume for a period of 14 or more days, or for a period of 7 or more days if any of the conditions in Part 2.2.1.3a apply to your site, but such activities will resume in the future.

- b. For the purposes of this permit, earth-disturbing activities have permanently ceased when clearing and excavation within any area of your construction site has been completed, and final grade has been reached.

2.2.1.2 **Deadline to complete stabilization activities.** Within 7 calendar days of initiating stabilization on exposed portions of your site consistent with Part 2.2.1.1, you are required to have completed:

- a. For vegetative cover, all soil conditioning, seeding, watering, mulching, and any other required activities related to the planting and establishment of vegetation; and/or
- b. For non-vegetative cover, the installation or application of all such non-vegetative measures.

**Request for Comment:** EPA requests comment generally on the practicability of these timeframes. EPA requests comment on specific instances when the 7-day deadline to complete certain aspects of stabilization may not be practicable or where exceptions should be provided.

2.2.1.3 **Stabilization criteria and deadlines for discharges/disturbances to sensitive areas.**

- a. **Criteria for special stabilization deadlines.** Your stabilization deadlines differ from those specified above if any of the following will take place as a result of your construction activities:
  - i. You will conduct earth-disturbing activities within 50 feet of a water of the U.S. located on or immediately adjacent to your sites;
  - ii. You discharge to a water that is impaired for sediment or sediment-related parameters, or for nutrients, including impairments for nitrogen and/or phosphorus, as defined in Part 4.2 ;
  - iii. You discharge to a water identified by your state, tribe, or EPA, as Tier 2, Tier 2.5, or Tier 3 for antidegradation purposes as defined by Part 4.3; or
  - iv. You disturb slopes of 15 percent or greater.
- b. **Special stabilization deadlines.** If one of the conditions listed in Parts 2.2.1.3.i through 2.2.1.3.iv will occur on your site, you must comply with the specialized stabilization deadlines specified in Parts 2.1.2.1.i.4, 2.1.4.2c, and 4.2.2.2,.

2.2.1.4 **Deadlines for arid/semi-arid areas.** If your site is located in an arid area (i.e., areas with an average annual rainfall of less than 10 inches) or semi-arid area (i.e., areas with an average annual rainfall of 10 to 20 inches), you must initiate stabilization as soon as practicable following the temporary or permanent cessation of construction activities, in lieu of meeting the deadlines in Parts 2.2.2.1 and 2.2.2.2. Note that you are required to have stabilized the exposed portions of your site consistent with Part 2.2.2 prior to terminating permit coverage under Part 9.2.

**Request for Comment:** EPA requests comments on the above stabilization requirements applicable to sensitive areas and arid and semi-arid areas. Specifically regarding sensitive areas, EPA is interested in comment on treating as a sensitive area for stabilization purposes sites that will conduct construction activities in critical habitat areas or areas where listed

endangered species exist. EPA also welcomes comments on the appropriateness of combining the proposed “as soon as practicable” deadline above with a specific fallback deadline (e.g., not later than 28 days after the cessation of construction activities in an area).

## 2.2.2. Criteria for Stabilization.

To be considered adequately stabilized, you must meet the criteria below depending on the type of cover you are using, either vegetative or non-vegetative.

2.2.2.1 **Vegetative Stabilization.** For both temporary and final stabilization, if you are using vegetative cover to stabilize an exposed portion of your site, you must comply with one of the following criteria:

- a. Provide an established uniform perennial vegetative cover (e.g., evenly distributed without large bare areas), which covers 70 percent or more of the area that was covered by vegetation prior to commencing earth-disturbing activities authorized by this permit. When background vegetation covered less than 100 percent of the ground prior to commencing earth-disturbing activities, the 70 percent coverage criteria is adjusted as follows: if vegetation covered 50 percent of the ground prior to construction, then the requirement would be to provide a total vegetative cover at final stabilization of 70 percent of 50 percent ( $0.70 \times 0.50 = 0.35$ ), or 35 percent of the site.
  - i. For *arid* or *semi-arid* regions - You must select, design, and install erosion control measures (e.g., degradable rolled erosion control products) with an appropriate seed base to provide erosion control for at least three years to achieve 70 percent vegetative cover within 3 years.
  - ii. For *agricultural lands* – Disturbed areas that are restored to their pre-construction agricultural use are not subject to these final stabilization criteria. Areas disturbed that were not previously used for agricultural activities, such as areas that are not being returned to preconstruction agricultural use, must meet the conditions for final stabilization in this Part.
- b. Design, install, and maintain vegetative cover methods that have been shown to achieve a level of stabilization that equals, once established, a cover management factor or “C-factor” value of 0.05 or less. To achieve this C-factor value, you must implement either:
  - i. One or a combination of cover methods described in Table H-1 of Appendix H, which have each been shown to achieve the 0.05 or less C-factor value; or
  - ii. An alternative cover method that has been shown to achieve the 0.05 or less C-factor value.

Refer to Appendix H for a list of C-factor values for commonly-used stabilization cover methods and additional information relating to compliance with this requirement.

**Request for Comment:** In the proposed permit, EPA provides two options for vegetatively stabilizing exposed portions of the site, including the 2008 CGP’s 70 percent criteria and the new C-factor value approach. EPA requests comments on whether the final permit should include only the C-factor value approach, and what the advantages would be of doing so.

- c. You must also comply with the following requirements:
  - i. If you are relying on the C-factor values in Appendix H, you must apply and maintain the cover measure(s) consistent with the specifications provided in Table H-1 in Appendix H;
  - ii. If soil compaction has occurred in areas that you intend to apply vegetative stabilization, you must use techniques that condition the soils in locations where soil compaction has occurred to support vegetative growth, consistent with Part 2.1.3.6;
  - iii. If you are using seed to establish vegetation, you must:
    - (1) Prior to application, roughen the area with furrows trending along the contours of the slope. After seeding, you must water, as applicable, until the seeds germinate and grow, re-seed areas that failed to germinate, and protect seeded areas from further disturbance; and
    - (2) Immediately after seeding, protect seeded areas with a temporary, non-vegetative cover (e.g., straw mulch, erosion control blankets, turf reinforcement matting) which has been shown to achieve a level of stabilization that equals a C-factor value of 0.1 for slopes less than 15%, or 0.3 for slopes of 15% or greater. You may either use non-vegetative cover methods that have been shown in Table H-1 of Appendix H to achieve these C-factor values, or choose to use alternative methods that have been shown to achieve these same C-factor values. If you elect to use an alternative cover method, you must provide documentation in the SWPPP from the product vendor or other source that supports your use of the specific method(s) to meet required C-factor value. You must comply with all specifications for design, application, and maintenance of the cover measure(s) included in Appendix H, and/or with any manufacturer's specifications if you are using alternative cover measures; and
  - iv. If you are using previously grown vegetative cover, such as sod grass, which will be rolled on to the exposed areas of the site, you must continue to water, re-seed, and protect planted areas as needed to ensure the growth of vegetation complies with Part 2.2.2.1a or Part 2.2.2.1b, whichever applies-.

**2.2.2.2 Non-Vegetative Stabilization.** If you are using non-vegetative cover methods (e.g., hydromulch or straw/fiber with netting, soil bonding agents with polyacrylamide, riprap, geotextiles, gravel) to stabilize an exposed portion of your site, you must comply with one of the following criteria depending on whether you are providing temporary or final stabilization:

- a. **Temporary Stabilization.** If you are using non-vegetative cover methods to provide temporary stabilization in exposed portions of your site, you must use one or a combination of practices that have been shown to achieve a level of stabilization that yields a C-factor value of no greater than 0.1 for slopes less than 15 percent, and no greater than 0.3 for slopes of 15 percent or greater. To achieve this C-factor value, you must use either:

- i. One or a combination of cover methods described in Table H-1 of Appendix H, which have each been shown to achieve the required C-factor value; or
  - ii. An alternative cover method that has been shown to achieve the required C-factor value. If you elect to use an alternative cover method, you must provide documentation in the SWPPP from the product vendor or other source that supports your use of the specific method(s) to meet the required C-factor value (i.e., no greater than 0.1 for slopes less than 15 percent; no greater than 0.3 for slopes of 15 percent or greater).
- b. **Final Stabilization.** To achieve final stabilization for the purposes of terminating permit coverage, you must use one or a combination of practices that have been shown to achieve a level of stabilization that yields a C-factor value of 0.05 or less. You must use either:
- i. One or a combination of cover methods described in Table H-1 of Appendix H, which have each been shown to achieve the required C-factor value; or
  - ii. An alternative cover method that has been shown to achieve the required C-factor value. If you elect to use an alternative cover method, you must provide documentation in the SWPPP from the product vendor or other source that supports your use of the specific method(s) to meet the 0.05 C-factor value.
- c. **Compliance with Design, Application, and Maintenance Specifications.** If you are relying on the C-factor values in Appendix H, you must apply and maintain the cover measure(s) consistent with the specifications provided in Table H-1 in Appendix H, and/or with any manufacturer's specifications as appropriate if you are using alternative cover measures.

### **2.2.3. Use of Site Stabilization to Reduce Disturbed Acres Counted Towards Application of Numeric Turbidity Limit.**

If you have reduced the total acreage disturbed at your site to an amount that is below the acreage threshold for applying the numeric turbidity limit in Part 3, because your site has met the temporary or final stabilization requirements in Part 2.2.2, you are no longer required to comply with the numeric turbidity limit. Note that if stabilized areas will be re-disturbed in the future or further construction activities at the site will result in a total area of land disturbance that exceeds the minimum acreage threshold for triggering the application of the numeric turbidity limit, you are again immediately subject to the numeric turbidity limit and the requirements of this Part once such disturbance occurs.

### **2.3. POLLUTION PREVENTION REQUIREMENTS.**

You are required to design, install, and maintain effective pollution prevention measures in order to minimize or prohibit the discharge of pollutants. To meet this requirement, you are required to:

- Eliminate certain pollutant discharges from your site (see Part 2.3.1); and
- Comply with pollution prevention standards for pollutant-generating activities that occur at your site (see Part 2.3.2).

These requirements apply to all areas of your construction site and any support activities covered by this permit consistent with Part 1.4.1.

### 2.3.1. Prohibited Discharges.

You are prohibited from discharging the following from your construction site:

- 2.3.1.1 Wastewater from washout of concrete;
- 2.3.1.2 Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- 2.3.1.3 Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- 2.3.1.4 Soaps or solvents used in vehicle and equipment washing;
- 2.3.1.5 Toxic or hazardous substances from a spill or other release; and
- 2.3.1.6 Waste, garbage, floatable debris, construction debris, and sanitary waste.

### 2.3.2. Pollution Prevention Standards.

You are required to comply with the pollution prevention standards in this Part if you conduct any of the following activities at your site or at an off-site location covered by this permit for construction support activities (see Part 1.4.1.3):

- Fueling and maintenance of equipment or vehicles;
- Washing of equipment and vehicles;
- Staging and storage of building materials, equipment, or vehicles;
- Washing of containers used for paint, concrete, or other materials; and
- Storage, handling, and disposal of construction waste.

#### The pollution prevention standards are as follows:

- 2.3.2.1 **Fueling and maintenance of equipment or vehicles.** If you conduct fueling and/or maintenance activities at your site for equipment or vehicles used for your construction activities, the following requirements apply:
  - a. *Location restrictions.* You must:
    - i. Locate any fueling and maintenance activities for equipment or vehicles outside of any buffers established consistent with Part 2.1.2; and
    - ii. Clearly flag off and designate areas to be used for fueling and maintenance activities and conduct such activities only in these areas.
  - b. *Design requirements for stormwater controls.* For on-site fueling and maintenance, you must provide secondary containment structures or other similarly effective means of preventing the discharge of spilled or leaked chemicals from the area designated for this activity. Note that, if applicable, you are required to comply with the Spill Prevention Control and Countermeasures (SPCC) requirements in 40 CFR 112 and Section 311 of the CWA.

**Request for Comment:** EPA requests comment on the practicability of providing secondary containment or cover for fueling and maintenance areas on the site, and whether having provisions like spill kits available at the site is sufficient. Please identify specifically the situations where this requirement may not be practical.

- c. *Pollution prevention standards.* To comply with the prohibition in Part 2.3.1.3, you must not discharge fuels, oils, or other pollutants used during fueling and maintenance, and you must comply with the following:
  - i. Do not allow spilled or leaked chemicals to reach stormwater conveyance channels, storm drain inlets, or waters of the U.S.;
  - ii. Ensure adequate supplies are available at all times to handle spills (e.g., spill kits), leaks (e.g., drip pans), and disposal of used liquids;
  - iii. Use drip pans and absorbents under or around leaky vehicles;
  - iv. Do not clean surfaces by hosing the area down;
  - v. Dispose of oil and oily wastes, such as crankcase oil, cans, rags, and paper dropped into oils and lubricants in proper receptacles or recycle them; and
  - vi. Clean up spills or contaminated surfaces immediately, using dry clean up measures.
- d. *Maintenance requirements.* At least once per week, inspect all construction vehicles and equipment for signs of leaks, spills, and other releases of pollutants. If a leak, spill, or other release is detected, take the corrective action required in Part 6.3.2. You must document maintenance procedures in your SWPPP as described in Part 8.2.12.

#### 2.3.2.2 **Washing of equipment or vehicles.**

- a. *Location restrictions.* You must:
  - i. Locate any equipment or vehicle washing operations outside of any buffers established consistent with Part 2.1.2; and
  - ii. Clearly flag off and designate areas to be used for washing and conduct such activities only in these areas.
- b. *Design requirements for stormwater controls.* Install secondary containment structures or similarly effective means to eliminate the potential discharge of wash waters from the area designated for this activity.
- c. *Pollution prevention standards.* To comply with the prohibition in Part 2.3.1.4 and the restriction in Part 1.4.1.4c, the discharge of soaps, detergents, or solvents used in vehicle and equipment washing is strictly prohibited.
- d. *Maintenance requirements.* At least once per week, inspect and, as necessary, maintain and repair containment devices to ensure their structural integrity to prevent discharges. You must document maintenance procedures in your SWPPP as described in Part 8.2.12.

#### 2.3.2.3 **Staging and storage areas.**

- a. *Location restrictions.* You must locate areas to be used for staging and storage of building materials, equipment, or vehicles outside of any

buffers established consistent with Part 2.1.2. You must also clearly flag off and designate areas to be used for staging and storage, and conduct such activities only in these areas.

- b. *Design requirements for stormwater controls.* For all areas designated for staging and storage activities, you must install secondary containment structures or similarly effective means to eliminate discharges of stormwater from these areas.

**Request for Comment:** EPA requests comment on the practicability of providing secondary containment or cover for staging and storage areas on the site.

- c. *Pollution prevention standards.* You must:
  - i. Protect exposed construction materials with plastic sheeting or temporary roofs to prevent contact with rainwater, or provide secondary containment structures designed to eliminate the potential discharge of runoff from these areas.
  - ii. For pesticide, herbicide, insecticide, and fertilizer storage, handling, use, and disposal:
    - (1) Prevent exposure of pesticide, herbicide, insecticide, and fertilizer storage areas to stormwater; and
    - (2) Comply with all application and disposal requirements included on the registered pesticide, herbicide, insecticide, and fertilizer label.
  - iii. Store diesel fuel, oil, hydraulic fluids, other petroleum products, chemicals, and other materials that could contaminate stormwater in covered, water-tight containers, or provide secondary containment.
  - iv. Label all containers that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur.
  - v. Clean up spills or contaminated surfaces immediately, using dry clean up measures.
- d. *Maintenance requirements.* At least once per week, inspect any containers, coverings, or secondary containment structures to ensure their structural integrity and to check for leaks. If there are signs of a leak or of holes or other gaps in the containers that could lead to a spill, take the corrective action required in Part 6.3.2. You must document maintenance procedures in your SWPPP as described in Part 8.2.12.

**2.3.2.4 Washing of applicators and containers used for paint, concrete, or other materials.**

- a. *Location restrictions.* You must:
  - i. Conduct washout outside of any buffers established consistent with Part 2.1.2; and
  - ii. Clearly flag off and designate areas to be used for washing and conduct such activities only in these areas.

- b. *Design requirements for stormwater controls.* You must:
  - i. Direct all washwater into a leak-proof container or pit; and
  - ii. Design washwater containers or pits so that no overflows can occur during rainfall or after snowmelt.
- c. *Pollution prevention standards.* You must comply with the following requirements:
  - i. Dumping of liquid wastes in storm sewers is prohibited;
  - ii. Dispose of liquid wastes in accordance with Part 2.3.2.5; and
  - iii. Remove and dispose of hardened concrete waste consistent with your handling of other construction wastes in Part 2.3.2.5.
- d. *Maintenance requirements.* At least once per week, you must inspect any containers or pits used for washout to ensure structural integrity, adequate holding capacity, and to check for leaks. If there are signs of a leak or of holes or other gaps in the containers or pits that could lead to a discharge, repair them prior to further use, and take the corrective action required in Part 6.3.2. For concrete washout areas, remove hardened concrete waste whenever necessary to avoid overflows, such as whenever the hardened concrete has accumulated to a height of  $\frac{1}{2}$  of the container or pit. You must document maintenance procedures in your SWPPP as described in Part 8.2.12.

**2.3.2.5 Storage, handling, and disposal of construction waste.**

- a. *Location restrictions.* You must identify and locate areas dedicated for management or disposal of land clearing and demolition debris, construction and domestic waste, hazardous or toxic waste, and sanitary waste (e.g., toilet facilities) outside of any buffers established consistent with Part 2.1.2.
- b. *Design requirements for stormwater controls.*
  - i. *Construction and Domestic Waste* (e.g., packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, and other trash or building materials). You must:
    - (1) Provide waste containers (e.g., dumpster or trash receptacle) of sufficient size and number to contain construction and domestic wastes;
    - (2) Ensure waste containers have lids or covers that can be placed over the container to prevent loss of wastes during rainy and/or windy conditions; and
    - (3) Store wastes that cannot be disposed of in a container under cover or indoors.
  - ii. *Hazardous or Toxic Waste* (e.g., paints, solvents, petroleum-based products, pesticides, wood preservatives, additives, curing compounds, acids, fertilizers, roofing tar). You must:
    - (1) Store waste in sealed containers constructed of suitable materials. Label all containers that could be susceptible to spillage or leakage to encourage proper handling and facilitate

- rapid response if spills or leaks occur. Label containers as follows: "Hazardous/Toxic Waste", or as otherwise required by federal, state or local requirements;
- (2) Store sealed containers outside of any buffers established consistent with Part 2.1.2;
  - (3) Separate storage of hazardous or toxic waste from construction and domestic waste; and
  - (4) Provide secondary containment to prevent spills from being discharged.
- iii. *Sanitary Waste*. You must stabilize portable toilets so that they are secure, and will not be tipped or knocked over.
- c. *Pollution prevention standards*.
- i. *Construction and Domestic Waste*. You must comply with the following:
    - (1) On a daily basis, clean up and dispose of waste in designated waste containers required in Part 2.3.2.5bii;
    - (2) Clean up immediately if containers overflow;
    - (3) Do not hose down spilled waste; and
    - (4) Do not dispose of hazardous or toxic materials in areas designated for construction and domestic wastes.
  - ii. *Hazardous or Toxic Waste*. You must eliminate the discharge of hazardous or toxic waste. To do this, you must comply with the following:
    - (1) On a daily basis, clean up hazardous or toxic waste and place it in applicable containers required in Part 2.3.2.5bii;
    - (2) Do not hose down waste that has spilled onto pavement or other impervious surfaces. Use dry clean-up methods, and dispose of used materials properly; and
    - (3) Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended method of disposal where appropriate and federal, state, or local requirements.
  - iii. *Sanitary Waste*. To comply with the prohibition in Part 2.3.1.6, you must eliminate the discharge of sanitary wastes.
- d. *Maintenance requirements*. At least once per week, you must inspect all containers or other devices used for the collection, storage, detention, and/or disposal of wastes for leaks or overflows. If such a leak or overflow is detected, take the corrective action required in Part 6.3.2. You must document maintenance procedures in your SWPPP as described in 8.2.12.

### **2.3.3. Emergency Spill Notification.**

You are prohibited from discharging toxic or hazardous substances from a spill or other release, consistent with Part 2.3.1.5. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity

established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the discharge. State or local requirements may necessitate reporting spills or discharges to local emergency response, public health, or drinking water supply agencies.

#### **2.3.4. Fertilizer Discharge Restrictions.**

You are required to minimize discharges of fertilizers containing nitrogen and phosphorus. To meet this requirement, you must comply with the following requirements:

- 2.3.4.1 Apply at a rate or amount based on manufacturer's specifications, or document departures from the manufacturer specifications where appropriate in Part 8.2.8.2 of the SWPPP;
- 2.3.4.2 Apply at the appropriate time of year based on your location, and preferably timed to coincide as closely as possible to the period of maximum vegetation uptake and growth;
- 2.3.4.3 Avoid applying before heavy rains;
- 2.3.4.4 Never apply to frozen ground;
- 2.3.4.5 Limit application on steep slopes;
- 2.3.4.6 Never apply to stormwater conveyance channels; and
- 2.3.4.7 Follow other state or local requirements regarding fertilizer application.

### 3. NUMERIC TURBIDITY LIMIT AND SAMPLING REQUIREMENTS

If you meet the applicability requirements in Part 3.1, you are required to comply with the numeric effluent limitation for the pollutant turbidity in Part 3.2.

If you are subject to the numeric turbidity limit, you must continue to comply with this limit until you either terminate coverage under this permit pursuant to Part 9, or you can claim the exception in Part 3.1.3.2, below.

**Note:** If EPA has not finalized its recalculation of the C&D rule's numeric turbidity limit prior to the final issuance of this permit, the numeric limit and associated monitoring requirements will not be included in the permit.

#### 3.1. APPLICABILITY OF NUMERIC TURBIDITY LIMIT.

##### 3.1.1. Types of construction activities whose discharges are covered by the numeric turbidity limit.

You are required to comply with the numeric turbidity limit in Part 3.2 if your site is a new source or existing unpermitted discharger, and your construction activity meets the characteristics of # 2 or 3 in Table 3-1, below.

**Table 3-1 Who Is Subject to the Numeric Turbidity Limit?**

Scenario	If your construction activity will commence ...	and you will disturb a total amount of land area at one time equal to ...	Are your discharges subject to the numeric turbidity limit?
1	Prior to August 1, 2011	Any amount	No
2	Between August 1, 2011 and before February 2, 2014	20 or more acres	Yes
		Less than 20 acres	No
3	On or after February 2, 2014	10 or more acres	Yes
		Less than 10 acres	No

In accordance with Table 3-1, you are subject to the numeric turbidity limit if your construction activity meets any of the following:

- 20-acre land disturbances:** Your construction activities will commence between August 1, 2011 and before February 2, 2014, and will disturb 20 or more acres of land at one time, including non-contiguous land disturbances that take place at the same time and are part of a larger common plan of development or sale; and
- 10-acre land disturbances:** Your construction activities will commence on or after February 2, 2014, and will disturb 10 or more acres of land at one time, including non-contiguous land disturbances that take place at the same time and are part of a larger common plan of development or sale.

Parts 3.1.2 and 3.1.3 include additional information on which construction activities are covered and which activities are not covered.

**3.1.2. Exceptions to the application of the numeric turbidity limit.**

Despite the fact that by virtue of Part 3.1 the numeric limit applies to your project's discharges, you are nevertheless not required to comply with the limit if any of the following exceptions apply:

- 3.1.2.1 **Storms larger than the local 2-year, 24-hour storm:** If you determine that your stormwater discharges in any day are generated by a storm event in that same day that is larger than the local 2-year, 24-hour storm, you are not required to comply with the numeric turbidity limit for that day. In order to demonstrate that you qualify for this exception following a particular storm event, you must record the amount of rainfall (in inches) that occurred at your site using a rain gauge, or similar device, or using data from other sources that are no more than 5 miles distance from your site. Refer to Appendix I for further information regarding how to determine the volume of rain that equates to your area's local 2-year, 24-hour storm, and how to qualify for this exception.
- 3.1.2.2 **Disturbed areas are less than the threshold for application of numeric turbidity limit:** If as a result of meeting the requirements for temporary or final stabilization in Part 2.2.2, the total disturbed portions of your site are less than the amount needed to require application of the numeric turbidity limit, the numeric limit would not apply to the discharges from the site. See also Part 2.2.3. For instance, if site stabilization reduces the total amount of disturbed acres to below 20 (assuming the project takes place between August 2, 2011 and February 2, 2014), the site no longer meets the minimum applicability requirements in Part 3.1.2 and the numeric limit would no longer apply to discharges from the site.
- 3.1.2.3 **Construction of interstate natural gas pipelines.** If your discharge is from the construction of interstate natural gas pipelines that are under the jurisdiction of the Federal Energy Regulatory Commission (FERC), you are not required to comply with the numeric turbidity limit.

**3.2. NUMERIC EFFLUENT LIMIT.**

If you determine based on Part 3.1 that you are subject to the numeric turbidity limit, the average turbidity of any discharge for any day must not exceed the value listed in Table 3-2:

**Table 3-2 Numeric Effluent Limit.**

Pollutant	Daily Maximum Value (NTU) <sup>1</sup>
Turbidity	<b>Placeholder for final, recalculated numeric turbidity limit - 40 CFR 450.22</b>

<sup>1</sup> Nephelometric turbidity units.

**3.3. SAMPLING REQUIREMENTS.**

You are required to demonstrate compliance with the numeric effluent limit for turbidity in Part 3.2 by taking samples of stormwater discharges from your site. Samples must be taken consistent with the requirements in this Part. Note that these sampling requirements also

apply to EPA, states, local governments, or third parties who may take samples of your project's discharge(s).

### 3.3.1. When to sample.

- 3.3.1.1 **Types of discharge conditions requiring sampling.** You are required to take samples of your stormwater discharges during any storm event or snowmelt condition that results in a discharge of stormwater from your construction site, or when there is an authorized non-stormwater discharge from your site.

**Request for Comment:** EPA requests comment on whether the permit should include a minimum rainfall amount associated with this requirement below which no sampling is required. The Agency has some concerns about this approach, for instance, how it would be implemented in the field prior to the permittee knowing how much precipitation will end up falling, but is interested in feedback on this issue.

- 3.3.1.2 **Site conditions not requiring sampling.** You are not required to take samples of stormwater flow that exits your site in a non-discernible, non-confined, and non-discrete form. For example, if stormwater enters an infiltration device and is allowed to completely infiltrate, then no sampling would be required.
- 3.3.1.3 **Time of day.** You are only required to take samples during normal working hours. For the purposes of this permit, normal working hours are considered to be Monday through Friday, between the hours of 8:00 am and 6:00 pm, unless your working hours are different at your site. You are required to document your working hours as part of your SWPPP in accordance with Part 8.2.12.2c.

If sampling is discontinued due to the end of normal working hours, you are required to resume sampling the following morning or the next morning of the next working day following a weekend or holiday, as long as the discharge continues.

- 3.3.1.4 **Unsafe storm conditions under which sampling is not required.** You are only required to take samples during conditions that are safe to sampling personnel. Where your site is experiencing, or will imminently experience, conditions such as high winds, lightning, or intense rainfall, which would cause a reasonable person to believe that the safety of the members of the stormwater team taking samples to be in jeopardy, you are relieved from sampling during those conditions. You must take samples as soon as such unsafe conditions are no longer present or threatening, as long as at that time a discharge continues to occur.

### 3.3.2. Sampling frequency.

You must collect your first sample within the first hour that the discharge begins. After you take your first sample (as required in Part 3.3.1), you must take a minimum of 2 additional samples (a total of 3 samples) during the remaining hours of the work day (for normal working hours) that the discharge continues. The 3 samples must be distributed in such a way that the beginning, middle, and end of the discharge for that day are represented. If the discharge continues on the subsequent day(s), you must take a minimum of 3 samples per day that there is a discharge. If you are unable to conduct the required minimum number of samples in any one day, you must notify EPA of this fact when you submit your monthly report and indicate the reason why the 3 samples were not taken. You may take more than 3 samples in a given day provided the samples,

taken as a whole, are representative of your discharge for that day. You must use all valid sample results in calculating compliance with the numeric limit.

**Request for Comment:** EPA requests comments on the above sampling frequency and on the alternative option of requiring samples to be taken once every 2 hours following the first sample. Which option would be clearer in terms of implementation (and why), and which option would be more likely to generate representative samples (and why)?

### **3.3.3. Sampling location.**

You must take samples of all discharge points where stormwater or allowable non-stormwater is discharged, except for linear projects as defined in Appendix B, which are authorized to take representative samples in accordance with Part 3.3.3.4. You must also meet the following requirements relating to the location where samples are taken:

- 3.3.3.1 Prior to taking the first sample, you must clearly mark all discharge points on your site with flags, stakes, tape, or other visible markers that will last for the duration of your construction activity;
- 3.3.3.2 Your sampling points must be positioned at locations that are downstream from disturbed portions of the site and downstream from any stormwater controls installed on your site in compliance with this permit. For instance, if the discharge occurs after stormwater and/or authorized non-stormwater flows into a sediment basin, and the sediment basin is the last stormwater control prior to discharging from the site, the sampling point must be positioned after the basin outfall;
- 3.3.3.3 If your discharge enters a storm drain inlet, you should take samples at the point where stormwater flow enters the inlet; and
- 3.3.3.4 If you are required to comply with the numeric turbidity limit for a linear project, and you have two or more discharge points that you believe discharge substantially identical effluents, based on the similarities of the exposed soils, slope, and type of stormwater controls used, you may take samples of the discharge from just one of the discharge points and report that the results also apply to the substantially identical discharge point(s). If your project continues for more than one year, you must rotate once per year the location where samples are taken so that a different discharge point is sampled every year. As required in Part 8.2.12.2a, your SWPPP must identify each outfall authorized by this permit and describe the rationale for any substantially identical outfall determinations.

**Request for Comment:** The Agency's preference is to limit the use of representative monitoring (allowing a single representative sample location for more than one discharge point) to linear-type projects. However, EPA requests comment on whether there are other specific situations where the permit should allow representative samples for other types of construction projects.

### **3.3.4. Sampling discharges consisting of stormwater originating outside your construction site.**

If prior to discharging, your stormwater flow commingles with sources of stormwater that originate outside of your construction site, on property that is not owned or operated by you, the following applies:

- 3.3.4.1 You are required to take samples of discharges from your construction site that come into contact with earth-disturbing activities on your site and that

consist in part of stormwater that originates outside of your construction site from property that is not owned or operated by you; and

- 3.3.4.2 You are not required to sample sources of stormwater that originate outside of your construction site from property that is not owned or operated by you, which discharge from your site, but which do not come into contact with earth-disturbing activities on your site.

### **3.3.5. Sampling protocols.**

You are required to comply with the following procedures in collecting each of your turbidity samples:

- 3.3.5.1 You must take either manual or automated grab samples; and
- 3.3.5.2 To ensure that each sample is representative of the flow conditions and other characteristics of the discharge, you must comply with the following sampling requirements:
- a. Take samples from the horizontal and vertical center of the stormwater outfall channel(s) or other sources of concentrated or channelized flow;
  - b. Avoid stirring the bottom sediments in the stormwater channel in which samples are taken by not walking through the areas of stormwater flow or disturbing the sediment with the sampling device;
  - c. Hold sampling container so that the opening faces the upstream direction of the stormwater channel in which samples are taken;
  - d. Do not overfill the sampling container; and
  - e. Keep the samples free from floating debris.

### **3.3.6. Sample analysis.**

To ensure accurate analysis of your sample(s), you must:

- 3.3.6.1 Begin sample analysis as soon as possible after sample collection;
- 3.3.6.2 If you will analyze your sample results on site, use a field-calibrated nephelometer or turbidity meter (also referred to as a "turbidimeter").
- a. To ensure proper calibration, you are required to recalibrate your nephelometer or turbidity meter prior to each day's use of the device.
  - b. You are required to maintain the nephelometer in proper operating condition. Do not subject the nephelometer to mechanical shock, extreme heat, or humidity. Prevent moisture or dust from entering and accumulating inside the nephelometer; and
- 3.3.6.3 Comply with additional requirements in accordance with 40 CFR Part 136 procedures and manufacturer's specifications.

### **3.3.7. Recording of sampling results.**

You must record the value of all turbidity samples taken. For each sample, you are required to record in a sampling log the following:

- 3.3.7.1 Results of the sample(s) for each day in nephelometric turbidity units (NTUs);
- 3.3.7.2 Arithmetic average of the samples for each day;

- 3.3.7.3 If the arithmetic average exceeds **[placeholder for final, recalculated numeric turbidity limit - 40 CFR 450.22]**, then indicate “exceedance” in the inspection log;
- 3.3.7.4 Date, name of discharge point, and time of sample;
- 3.3.7.5 Name(s) of the individual(s) who performed the sampling and analysis; and
- 3.3.7.6 Analytical technique used.

You are required to keep a current copy of your sampling log at the site or at an easily accessible location, such as a downloadable file, so that it can be made available at the time of an onsite inspection or upon request by EPA.

### **3.3.8. Actions Required if You Violate Numeric Turbidity Limit.**

If the average value of your turbidity samples in any day exceeds **[placeholder for final, recalculated numeric turbidity limit - 40 CFR 450.22]**, you must implement the corrective actions required in Part 6.3.2 and document all related findings in accordance with that Part.

**Request for Comment:** EPA solicits comments on whether the permit should require an immediate notification (e.g., 24 hours) of EPA for extremely high turbidity levels. For instance, do commenters believe the permittee should be required to notify EPA within 24 hours of an exceedance that is two times or greater than the numeric limit? If you disagree with this approach, do you support some alternative threshold that would require immediate notification of EPA?

### **3.3.9. Reporting Turbidity Sample Results to EPA.**

For each discharge point on your site, you are required to submit a report of your sampling results once per month as long as you are required to comply with the turbidity limit. Your first report is due 30 days after the first day of the first full month of coverage under this permit, and every 30 days thereafter. (For example, if you receive coverage under this permit on July 4, your first report is due on September 1, which must include the results of any samples taken between July 4 and August 1. For this same site, the next report would be due October 1 (with subsequent reports due every 30 days thereafter), which would include results from any samples taken between August 1 and August 31.)

**Request for Comment:** EPA requests comment on whether allowance should be made in the permit for quarterly reporting for those sites where no exceedances occur.

- 3.3.9.1 **Report all sampling data through eNOI system.** You must submit all sampling results electronically by using EPA's electronic NOI system, or “eNOI system”, at [www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI), unless your EPA Regional Office specifically authorizes you to use a paper form.
- 3.3.9.2 **Report “no discharge” periods.** If there was no discharge from particular discharge points on your site, you must report that no discharge occurred and the particular discharge point(s) to which that applies.
- 3.3.9.3 **Contents of sampling reports.** For each discharge point, you must include the following information:
  - a. Identification of discharge point. If the discharge point is from a linear project and is representative of one or more substantially similar

discharge points, include the names or locations of the other discharge points;

- b. Date sample(s) taken;
- c. Arithmetic average of samples taken on each day of discharge, or, if there was no discharge during the sampling period for that discharge point indicate "no discharge." You must also indicate in your report if there were days when a discharge occurred, but you were not able to take the minimum required 3 samples; and
- d. If you have precipitation data demonstrating that you qualify for the exception for exceedances caused by the 2-year, 24-hour storm, indicate the amount of rainfall (in inches) that occurred at your site during this storm event, based on precipitation data collected at your site or from an alternate location no greater than 5 miles from your site.

## 4. WATER QUALITY-BASED EFFLUENT LIMITATIONS

### 4.1. GENERAL EFFLUENT LIMITATION TO MEET APPLICABLE WATER QUALITY STANDARDS

Your discharge must be controlled as necessary to meet applicable water quality standards. You must also comply with any additional requirements that your state or tribe requires you to meet in Part 10.

In the absence of information demonstrating otherwise, EPA expects that compliance with the conditions in this permit will result in stormwater discharges being controlled as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that your discharge is not being controlled as necessary to meet applicable water quality standards, you must take corrective action as required in Part 6.3.2, document the corrective actions as required in Part 6.4, and report the corrective actions to EPA as required in Part 6.6.

EPA may also impose additional water quality-based limitations on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your NOI, required reports, or from other sources indicate that your discharges are not controlled as necessary to meet applicable water quality standards.

### 4.2. DISCHARGE LIMITATIONS FOR IMPAIRED WATERS

For the purposes of this Part, "impaired waters" are waters identified as impaired on the CWA Section 303(d) list, or waters with an EPA-approved or established TMDL.

Your construction site will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system. For further instructions regarding whether your site discharges to an impaired water, refer to Appendix J.

**Request for Comment:** EPA requests comments on the way in which this permit determines whether there is a discharge to impaired waters. EPA notes that it is developing an on-line mapping tool to assist construction operators in determining their receiving water, whether the waterbody is impaired, and, if so, for what pollutant. This tool will be available prior to the issuance of the final permit.

If you discharge to an impaired water that is impaired for sediment or a sediment-related parameter, such as total suspended solids (TSS) or turbidity, and/or nutrients, including impairments for nitrogen and/or phosphorus, you are required to comply with the requirements in Part 4.2.2.

If you discharge to an impaired water that is impaired for a parameter other than a sediment-related parameter or nutrients, you are required to comply with the stormwater control requirements in Part 4.2.3. EPA will inform you if any additional limits or controls are necessary for your discharge to be consistent with the assumptions of any available wasteload allocation in the TMDL, or if coverage under an individual permit is necessary in accordance with Part 1.5.6.

If during your coverage under a previous permit, you were required to install and maintain stormwater controls to meet the requirements of an EPA-approved or established TMDL (for any parameter), you must continue to implement such controls as part of this permit.

#### **4.2.1. Identify If You Discharge To An Impaired Water.**

If you discharge to an impaired water, you must provide the following information in your NOI:

- The latitude and longitude location of your discharge point(s);
- A list of all impaired waters to which you discharge;
- The pollutant(s) for which the water of the U.S. is impaired;
- Whether a TMDL has been approved or established by EPA for that pollutant; and
- If so, the title or reference of the TMDL document.

If you indicate in your NOI that you do not discharge to an impaired water, EPA may determine, based on additional information, that you are considered to be discharging to an impaired water. If this is the case, you will be notified of EPA's determination, and be provided with an opportunity to comply with additional requirements as a condition of your permit coverage, consistent with Part 4.2.2.

#### **4.2.2. Requirements for Discharges to Sediment or Nutrient-Impaired Waters.**

If you discharge to an impaired water (as defined in Part 4.2) that is impaired for sediment or a sediment-related parameter (e.g., total suspended solids (TSS) or turbidity) and/or nutrients (e.g., nitrogen and/or phosphorus), including impaired waters for which a TMDL has been approved or established for the impairment, you are required to comply with the following stormwater control requirements, which supplement the requirements applicable to your site in other corresponding parts of the permit.

Additionally, you must comply with any additional state or tribal impairment-related requirements included in Part 10.

- 4.2.2.1 **Water quality benchmark monitoring.** If your construction activities disturb 10 or more acres of land at any one time, you must conduct water quality benchmark monitoring for the sediment and/or nutrient parameter(s) for which the receiving water is impaired during the period of time when you disturb 10 or more acres. You may discontinue benchmark sampling when you have met the temporary or final stabilization criteria in Part 2.2.2 for an area of land sufficient to reduce your total amount of disturbed land to less than 10 acres.

**Request for Comment:** EPA requests comment on the utility of benchmark monitoring and whether it is an appropriate tool for use in assessing the effectiveness of construction stormwater controls in not contributing to existing impairments. EPA also requests comment on whether benchmark monitoring should be required for impaired waters regardless of whether or not a TMDL has been approved or established, or only for those impaired waters without an approved or established TMDL. EPA solicits feedback on the 10-acre disturbance threshold in Part 4.2.2.1 below which no benchmark monitoring is required. Among other things, EPA is interested in whether the disturbance threshold should be set at a different size, either lower or higher. EPA also requests comment on the specific benchmark levels in Appendix J. EPA also requests comment on whether use of nitrogen or phosphorous fertilizer on vegetative cover for stabilization would impact the permittee's ability to achieve benchmark levels and if so, should

the benchmark provisions include an exception for this situation. EPA also requests comment on whether it should account for natural variability in stormwater discharges in establishing benchmark requirements, and if so, how. Finally, in addition to requiring benchmark monitoring for discharges to sediment and nutrient-impaired waters, EPA also welcomes comment on how benchmark monitoring might be used for discharges to waters that are habitat for listed (i.e., threatened or endangered) fish species (e.g., white sturgeon, sockeye salmon).

- a. **Benchmark levels:** The benchmark level you are assigned is included in Table J-1 in Appendix J, which is organized by specific impaired waters. The benchmark level to which you are assigned appears in the column entitled “benchmark level.”
- b. **Benchmark monitoring requirements:** All benchmark samples must be taken consistent with the requirements in this Part. Table 4-1 summarizes the benchmark monitoring requirements to which you are subject.

**Table 4-1 Benchmark Monitoring Requirements.**

Impairment Pollutant	Benchmark Level	Unit of Measurement	Type of Sample	Monitoring Frequency	Minimum # of Samples Per Day	Analytical Method
Turbidity	See Table J-1.1 - J-1.7	NTU	Grab	Once per week when discharge occurs	3	40 CFR Part 136
Total Nitrogen	See Table J-1.1 - J-1.7	mg/l	Grab	Once per week when discharge occurs	3	40 CFR Part 136
Total Phosphorus	See Table J-1.1 - J-1.7	mg/l	Grab	Once per week when discharge occurs	3	40 CFR Part 136

- i. **When samples are required to be taken:** You must comply with the requirements in Part 3.3.1 with respect to when to take benchmark samples.
- ii. **Sampling frequency:** You are required to monitor your discharge once per week at a minimum, unless there is no discharge from your site during a particular week.

You must collect your first sample within the first hour that the discharge begins. After you take your first sample, you must take a minimum of 2 additional samples (a total of 3 samples) during the remaining hours of the work day (normal working hours, unless you choose to conduct sampling outside of normal working hours) that the discharge continues. The 3 samples must be distributed in such a way that the beginning, middle, and end of the discharge for that day are represented. If you are unable to conduct the required minimum number of samples in any one day, you must notify EPA of this fact when you submit your monitoring report and indicate the reason why the 3 samples were not taken.

- iii. **Sampling location:** You must comply with the requirements in Part 3.3.3 with respect to where benchmark samples must be taken.
  - iv. **Representative sampling requirements for linear projects:** For linear projects subject to the requirements in this Part, you may take samples consistent with Part 3.3.3.4.
  - v. **Sampling discharges consisting of stormwater originating outside your construction site:** If prior to discharging, your stormwater flow commingles with sources of stormwater that originate outside of your construction site, on property that is not owned or operated by you, you must comply with the requirements in Part 3.3.4.
  - vi. **Sampling protocols:** You must comply with the requirements in Part 3.3.5 with respect to the sampling protocols that apply to benchmark monitoring required under this Part.
  - vii. **Sample analysis:** If you are taking benchmark samples for turbidity, you must comply with the requirements in Part 3.3.6 with respect to the proper procedures for analyzing samples. For all other pollutants, you must analyze corresponding samples consistent with 40 CFR Part 136 analytical methods and using test procedures with quantitation limits at or below benchmark values for all benchmark parameters for which you are required to sample.
- c. **Recording of monitoring results:** You must record the value of all samples taken from your discharge points. For each discharge point from which you took samples, you are required to record in a monitoring log, which you must keep in the same location as your SWPPP or at an easily accessible location (such as a downloadable file), the following:
- i. Results of the sample(s) for each day in which you conducted monitoring. The results must be recorded in the same units in which the benchmark is expressed in Table J-1 (e.g., NTUs for turbidity);
  - ii. Arithmetic average of the samples taken in any one day;
  - iii. If the arithmetic average exceeds your water quality benchmark, then indicate "exceedance" in the monitoring log;
  - iv. Date, name of discharge point, and time of sample;
  - v. Name of the individual who performed the sampling and analysis; and
  - vi. Analytical technique used.
- d. **If samples exceed the benchmark, conduct corrective action:** If the average value of your benchmark samples in any day exceed the applicable benchmark level, you must implement the corrective actions required in Part 6.3.1. Note that an exceedance of a benchmark does not constitute a violation of the permit. However, a violation would result if you fail to implement the required corrective actions in Part 6.3.1.

If you are subject to both the numeric turbidity limit in Part 3.2, and the benchmark requirement in this Part, the following applies, assuming the numeric turbidity limit is a higher turbidity value than the benchmark

level. If your sample results indicate that you have exceeded both the numeric turbidity limit and the benchmark level, you will still be considered to have violated the turbidity limit and exceeded the benchmark level. If you exceed the benchmark level, but your turbidity levels are below the numeric limit, you will only have exceeded the benchmark level, and no violation will have occurred.

- e. **Reporting benchmark monitoring results to EPA:** For each discharge point on your site, you are required to report your monitoring results to your EPA Regional Office on a quarterly basis. The following is a list of the 3-month intervals to be used for this permit's reporting quarters and the deadline for submitting the reports to EPA that correspond to each quarter:

Quarter	Reports Must be Submitted to EPA No Later Than ...
January 1 – March 31	April 30
April 1- June 30	July 31
July 1 – September 30	October 31
October 1 – December 31	January 31

You must submit your sampling results within 30 days of the end of each quarter. If you have just received coverage under the permit, your date of coverage will determine which quarter you will use for reporting. For instance, if you receive coverage under this permit on July 4, your reporting period is July 1 – September 30; data for your first reporting period must be submitted to EPA by October 31, which is 30 days after the end of the reporting quarter.

- i. **Report sampling data to EPA Regional Office.** You must submit all sampling results to your applicable EPA Regional Office.
  - ii. **Contents of sampling reports.** For each discharge point, you must include the information you recorded in Part 4.2.2.1c for all samples for which you have received results from that quarter.
  - iii. **Report “no discharge” periods.** If there was no discharge from particular discharge points on your site for any particular week, you must report that no discharge occurred and the particular discharge point(s) to which that applies.
- 4.2.2.2 **Stabilization requirements.** You must comply with the following stabilization requirements, which replace the corresponding requirements in Parts 2.2.1:
- a. You must immediately initiate stabilization in any exposed areas of your site where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days. For the purposes of this permit, earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of your construction site will not resume for a period of 7 or more days, and earth-disturbing activities have permanently ceased when

- clearing and excavation within any area of your construction site has been completed, and final grade has been reached.
- b. Within 3 work days of initiating stabilization, you are required to have completed:
    - i. For vegetative cover, all soil conditioning, seeding, watering, mulching, and any other required activities related to the planting and establishment of vegetation; and/or
    - ii. For non-vegetative cover, the installation or application of all non-vegetative measures.
- 4.2.2.3 **Site Inspection Requirements.** You are required to comply with the following modified inspection requirements:
- a. **Weekly site inspections.** You must conduct site inspections once every 7 calendar days at a minimum, and within 24 hours of a storm event of 0.25 inches or greater or within 24 hours of a discharge caused by snowmelt, instead of the frequency specified in Part 5.1.2.
  - b. **Daily visual examination.** In addition to being required to conduct weekly site inspections, you must also conduct a daily visual examination of certain portions of your site. During your daily visual examination, you must at a minimum:
    - i. Check whether all stormwater controls are installed, appear to be operational, and are working as intended to remove sediment prior to discharge. Determine if any stormwater controls need to be replaced, repaired, or maintained. As necessary, initiate corrective action under Part 6.2.1; and
    - ii. Check for the presence of deposited sediment. Initiate corrective action under Part 6.3 as necessary.

**Request for Comment:** EPA requests comment on the practicability of conducting daily visual examinations as proposed above, and on the practicability of the timeframes for stabilization in Part 4.2.2.2.

**Request for Comment:** EPA requests feedback on the appropriateness of the proposed additional requirements for sites discharging to impaired waters in this part of the permit. If you have concerns with the proposed requirements, please specify alternate requirements that you believe would work better for these discharges.

EPA also solicits comment on whether the focus on impairments for sediment and nutrients (and related parameters) should be expanded to cover certain biological impairments that are attributable to either sediment or nutrients.

#### **4.2.3. Requirements for Discharges to Waters Impaired for Other Pollutants.**

If you discharge to an impaired water (as defined in Part 4.2) that is impaired for a pollutant other than sediment or sediment-related pollutants or for nutrients, including impairments for nitrogen and/or phosphorus, EPA will inform you if you are required to comply with additional limits or controls that are necessary for your discharge to be controlled to meet applicable water quality standards, or that are necessary to be consistent with the wasteload allocations in an approved or established TMDL, or if coverage under an individual permit is necessary in accordance with Part 1.5.6.

**4.3. DISCHARGES TO WATERS IDENTIFIED AS TIER 2, TIER 2.5, OR TIER 3.**

**4.3.1. Identification of Discharges to a Tier 2, Tier 2.5, or Tier 3 Water.**

You are considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water of the U.S. to which you discharge is identified by a state, Tribe, or EPA as Tier 2, Tier 2.5, or Tier 3. Tiers 2, 2.5 and 3 refer to waters either identified by the state as high quality waters or Outstanding National Resource Waters under 40 CFR §131.12(a)(2) and (3). For discharges that enter a storm sewer system prior to discharge, the water of the U.S. to which you discharge is the first water of the U.S. that receives the stormwater discharge from the storm sewer system. If you discharge to a Tier 2, Tier 2.5, or Tier 3 water, you must provide on your NOI a list of waters identified as Tier 2, Tier 2.5, or Tier 3 to which you discharge.

**4.3.2. Requirements for New Sources Discharging to Tier 2, Tier 2.5, or Tier 3 Waters.**

If you are a new source or an existing unpermitted discharge that will discharge to a Tier 2, Tier 2.5, or Tier 3 water, you are required to comply with the requirements in Parts 4.2.2.2 and 4.2.2.3. In addition, EPA may notify you that additional analyses, stormwater controls, or other permit conditions are necessary to comply with the applicable antidegradation requirements, or notify you that an individual permit application is necessary in accordance with Part 1.5.6.

## 5. INSPECTIONS

### 5.1. SITE INSPECTIONS.

#### 5.1.1. Person(s) Responsible for Inspecting Site.

You are required to conduct inspections of your site consistent with this Part. The person(s) inspecting your site may be a person on your staff or a third party you hire to conduct such inspections.

You are responsible for ensuring that the person who conducts inspections is a "qualified person." A "qualified person" is a person knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possesses the skills to assess conditions at the construction site that could impact stormwater quality, and the skills to assess the effectiveness of any stormwater controls selected to control the quality of stormwater discharges from the construction activity.

#### 5.1.2. Frequency of Inspections.

At a minimum, you must conduct a site inspection once every 14 calendar days and within 24 hours of the end of a storm event of 0.25 inches or greater and within 24 hours of a discharge generated by snowmelt. If the storm event of 0.25 inches or greater, or snowmelt, causes your site to discharge, within 24 hours of the end of the storm event or the beginning of the snowmelt discharge, you must conduct a site inspection when the discharge is occurring and comply with the requirements of Part 5.1.4.3. If the storm event does not cause your site to discharge or if the site did not discharge within 24 hours of the end of the storm event you must conduct a site inspection that complies with the requirements of Part 5.1.4.2. If there is a discharge from your site on multiple days, you are required to conduct an inspection within 24 hours of the end of the storm. EPA notes that inspections are only required during the project's normal working hours.

#### 5.1.3. Reductions in Inspection Frequency.

Your inspection frequency may be reduced as follows:

5.1.3.1 **For stabilized areas.** You may reduce the frequency of inspections to once per month in areas of your site where you have initiated vegetative stabilization that meets the criteria in Part 2.2.2.1, once you have completed the initial seeding or planting, and provided protection with non-vegetative cover pursuant to Part 2.2.2.1ciii, or you have installed temporary, non-vegetative stabilization that meet the criteria in Part 2.2.2.2. If construction activity resumes in this portion of the site at a later date, the inspection frequency immediately increases to that required in Part 5.1.2.

5.1.3.2 **For arid and semi-arid areas.** You may reduce the frequency of inspections to once per month if your site is located in an arid area (i.e., areas with an average annual rainfall of less than 10 inches) or semi-arid area (i.e., areas with an average annual rainfall of 10 to 20 inches).

#### 5.1.4. Requirements for Inspections.

5.1.4.1 **Areas that need to be inspected.** During your site inspection, you must at a minimum inspect the following areas of your site:

- a. All areas that have been cleared, graded, or excavated;

- b. All stormwater controls, installed and maintained at the site to comply with this permit;
- c. Areas where sediment and other pollutants may have accumulated or deposited, including locations of on-site and off-site material, waste, borrow, or equipment storage and maintenance areas;
- d. All areas where stormwater typically flows within the site, including drainageways designed to divert, convey, and/or treat stormwater;
- e. All points of discharge from the site; and
- f. All locations where stabilization measures have been initiated.

5.1.4.2 **Inspection requirements when no discharge is occurring.** During your site inspection, you must at a minimum:

- a. Check whether all stormwater controls are installed, appear to be operational, and are working as intended to remove pollutants prior to discharge. Determine if any stormwater controls need to be replaced, repaired, or maintained. As necessary, initiate corrective action under Part 6.3;
- b. Check for the presence of sediment that is deposited in sufficient quantities and in locations on the site, such as roadways or parking lots, drainageways, sewer inlets, or discharge points, which, if left there, would likely be discharged. As necessary, initiate corrective action under Part 6.3;
- c. Check for the presence of conditions that could lead to spills, leaks, or other accumulations of pollutants on the site, which, if left as they are, would likely lead to a discharge of pollutants. As necessary, initiate corrective action under Part 6.3;
- d. Describe areas of visible erosion that have occurred in any portion of the site, at points of discharge, and on the banks of any waters of the U.S. flowing within your property boundaries or immediately adjacent to your property;
- e. Identify any locations where new or modified stormwater controls are necessary to meet the requirements of Parts 2, 3, and/or 4;
- f. Identify any incidents of noncompliance observed; and
- g. Document progress made on completion of any corrective actions.

5.1.4.3 **Inspection requirements during discharge conditions.** If a discharge is occurring during your inspection, you are required, in addition to Part 5.1.4.1 above, to:

- a. Observe and document the visual quality of the discharge, and take note of the characteristics of the stormwater discharge, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollutants;
- b. Identify all points of the property from which there is a discharge; and
- c. Document whether your stormwater controls are operating effectively, and describe any such controls that are clearly not operating as intended or are in need of maintenance.

**Request for Comment:** In past versions of the CGP, representative inspections were allowed for linear construction projects at or near access points where a roadway, undisturbed right-of-way, or other similar feature intersected the construction site. See Part 4.G of the 2008 CGP. After revisiting this requirement, EPA is of the opinion that site inspections at linear sites should be performed at the same frequency and include the same requirements as any other construction site. First, EPA is concerned that a continued exception of this kind will stand as an impediment to the proper upkeep of stormwater controls. Second, it is EPA's understanding that most linear construction projects are completed in phases, and therefore regular inspections of the area of disturbance is both feasible and reasonable. EPA requests comments on this proposed change from the 2008 CGP.

#### **5.1.5. Recordkeeping Requirements.**

- 5.1.5.1 **Requirement to Keep Inspection Log.** You must keep an inspection log that records your findings from all site inspections you conduct during permit coverage. You are required to keep a current copy of your inspection log at the site or at an easily accessible location, such as a downloadable file, so that it can be made available at the time of an onsite inspection or upon request by EPA.
- 5.1.5.2 **Required Inspection Records.** Within 24 hours of completing your site inspection, you must record the following in your inspection log:
  - a. The inspection date; and
  - b. Summary of findings covering all information required in Part 5.1.4.
- 5.1.5.3 **Signature and 3-Year Record Retention Requirements.** Each inspection record must be signed in accordance with Appendix L, Part L.11 of this permit. These records must be retained for at least 3 years from the date that your permit coverage expires or is terminated.

#### **5.2. INSPECTION REQUIREMENTS FOR SITES DISCHARGING TO IMPAIRED WATERS.**

If you discharge to an impaired water (as defined in Part 4.2) that is impaired for sediment or a sediment-related pollutant, or for nutrients, including nitrogen and/or phosphorus, in addition to being required to conduct the inspections specified above, you are also required to meet the inspection requirements in Part 4.2.2.3.

#### **5.3. INSPECTIONS BY EPA OR APPLICABLE LOCAL GOVERNMENT AUTHORITY.**

You must allow an authorized representative of the EPA, or other federal, state, or local agency, to:

- 5.3.1. Enter onto your premises, at reasonable times, where a regulated construction activity is being conducted (or has been temporarily ceased), or where records are kept under the conditions of this permit;
- 5.3.2. Access and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- 5.3.3. Inspect at reasonable times your construction site, including any off-site staging areas or material storage areas, and any stormwater controls installed and maintained at the site; and
- 5.3.4. Sample or monitor, at reasonable times, for the purpose of ensuring compliance.

## 6. CORRECTIVE ACTIONS

### 6.1. "CORRECTIVE ACTIONS" DEFINED.

Corrective actions are any actions you take to:

- Repair, modify, or replace any stormwater control used at the site;
- Clean up and dispose of spills, releases, or other deposits found on the site; and
- Remedy a permit violation.

### 6.2. SITE CONDITIONS REQUIRING CORRECTIVE ACTION.

You must take corrective actions whenever you identify, discover, or are made aware that any of the following conditions are present at your site:

#### 6.2.1. Condition A.

Your stormwater controls are not designed, installed, and/or maintained as required in Part 2.1.3. Some of the specific conditions that trigger corrective action include the following:

- 6.2.1.1 A required stormwater control was never installed, was installed incorrectly or not in accordance with the requirements in Parts 2 and/or 4 (e.g., controls for washout of concrete, paint, etc. were insufficiently sized to contain typical washout volume), or was installed in a prohibited location;
- 6.2.1.2 A stormwater control is malfunctioning;
- 6.2.1.3 A stormwater control has not been maintained in effective operating condition, was not maintained as specified in this permit, or is in need of repair (e.g., a sediment control requires removal of accumulated sediment before it can be returned to proper function);
- 6.2.1.4 Sediment or other pollutants have been tracked out onto roadways or parking lots, or have visibly accumulated in or near any stormwater conveyance channels, in the immediate vicinity of your stormwater controls, or at outfall locations or entry points into the storm sewer system;
- 6.2.1.5 The stormwater discharge from your site appears excessively muddy or cloudy;
- 6.2.1.6 **[PLACEHOLDER: DETECTION OF CHITOSAN IN RESIDUAL TESTING (if included in final permit – see Part 2.1.4.6 "request for comment")]** If you are using a treatment chemical that contains chitosan, residual testing detects chitosan in your discharge; or
- 6.2.1.7 If you are subject to the benchmark sampling requirements in Part 4.2.2.1, samples indicate that you have a discharge that exceeds the applicable benchmark level.

#### 6.2.2. Condition B.

A prohibited discharge of the type specified in Parts 2.3.1, 3.3.7.3, or 4.1 is occurring, or will occur if effective corrective actions are not taken, as evidenced by the fact that:

- 6.2.2.1 One of the prohibited discharges in Part 2.3.1 is occurring or has occurred;
- 6.2.2.2 If applicable to the site, turbidity samples indicate that a discharge exceeds the numeric turbidity limit in Part 3.2; or

- 6.2.2.3 The stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 4.1.

### **6.3. REQUIRED CORRECTIVE ACTIONS AND APPLICABLE DEADLINES.**

You must complete the following corrective actions in accordance with the deadlines specified in this Part. However, if based on further analysis of the site conditions, you find that the source of the problem or violation is unrelated to your construction activity, you do not have to comply with the following required corrective actions and deadlines, and must document the reasons supporting your conclusion in Part 6.4.2.3.

#### **6.3.1. Deadlines for Correcting Condition A.**

If condition A occurs at your site, you must:

- 6.3.1.1 Initiate work to fix the problem immediately after discovering the problem, and complete such work by the close of the next full work day, if the problem can be easily fixed through a quick repair or the performance of regular maintenance of the stormwater control or pollution prevention measure;
- 6.3.1.2 If installation of a new stormwater control is needed, or an existing control requires significant redesign and reconstruction or replacement, install the new or modified control, and make it operational, by no later than 7 days from the time of discovery of this condition at your site. In such a situation, you must take immediate action to temporarily control stormwater discharges in this area until a permanent solution is installed; or
- 6.3.1.3 [PLACEHOLDER: If residual chitosan testing detects the presence of chitosan in your discharge, report the positive test to EPA within 24 hours of learning of the results, and immediately take action to reduce residual levels in the discharge. You must continue to conduct residual testing once per hour until residual levels are below the detection level of the residual test, at which point testing must be conducted once every 2 hours during normal working hours until the discharge ends.]

**Request for Comment:** EPA requests comment on whether there is a level of chitosan residual below which the proposed corrective action would not be necessary.

Where your corrective actions result in changes to any of the stormwater controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 7 days of completing corrective action work.

#### **6.3.2. Deadlines for Correcting Condition B.**

If condition B occurs at your site, you must:

- 6.3.2.1 Make every effort to minimize the prohibited discharge;
- 6.3.2.2 Initiate work to fix the problem immediately after discovering the problem, and complete such work by the close of the next full work day, if the problem can be easily fixed through a quick repair or the performance of regular maintenance of the stormwater control or pollution prevention measure (e.g., accumulated sediment on roads not swept up, perimeter controls knocked down, piles of graded or discarded soil left unstabilized or uncontained, spent fuels/oils dumped in leaky construction waste bin);

- 6.3.2.3 Upon discovery of any surfaces contaminated with pollutants or where there has been an accumulation of pollutants, immediately clean and dispose of pollutants and contaminated cleaning supplies using approved disposal procedures; or
- 6.3.2.4 When installation of a new stormwater control is needed, or an existing pollution prevention measure requires significant redesign and reconstruction or replacement, you must install the new or modified control, and make it operational, by no later than 7 days from the time of discovery of this condition at your site.

**Request for Comment:** EPA requests comment on whether there are situations when the 7-day deadline is not feasible. Please provide specific examples, and suggest alternative timeframes.

Where your corrective actions result in changes to any of the stormwater controls or procedures documented in your SWPPP, you must modify your SWPPP accordingly within 7 days of completing corrective action work.

#### **6.4. CORRECTIVE ACTION RECORDS.**

##### **6.4.1. Within 24 hours of discovering the occurrence of one of the triggering conditions in Part 6.2 at your site, you must provide a record of the following:**

- 6.4.1.1 Which condition was identified at your site;
- 6.4.1.2 The nature of the condition identified; and
- 6.4.1.3 The date and time of the condition identified and how it was identified.

##### **6.4.2. Within 14 days of discovering the occurrence of one of the triggering conditions in Part 6.2 at your site, you must provide a record of the following:**

- 6.4.2.1 Any follow-up actions taken, including the dates such actions occurred, to review the design, installation, and maintenance of stormwater controls, and the nature of the condition identified on your site;
- 6.4.2.2 A summary of stormwater control modifications taken or to be taken, including a schedule of activities necessary to implement changes, and the date the modifications are completed or expected to be completed; and
- 6.4.2.3 Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action.

If you conclude that, based on further analysis of the site conditions, the source of the problem or violation is unrelated to your construction activity, you must document this fact and the reasons supporting your conclusion.

Each new record of a triggering condition and any updates to those records for corrective actions taken must be signed and certified in accordance with Appendix L, Part L.11 of this permit. You are required to keep a current copy of these corrective action records at the site or at an easily accessible location, such as a downloadable file, so that it can be made available at the time of an onsite inspection or upon request by EPA. These records must be retained for at least three years from the date that permit coverage expires or is terminated.

#### 6.5. COMPLIANCE IMPLICATIONS OF CORRECTIVE ACTIONS.

If the condition identified in this Part constitutes a permit violation (e.g., a violation of the numeric turbidity limit, evidence of tracked out sediment, excessively muddy discharge, occurrence of a prohibited discharge, exceedance of an applicable water quality standard), correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this Part is an additional permit violation. EPA will consider the appropriateness and promptness of the corrective action in determining enforcement responses to permit violations.

#### 6.6. REPORTING TO EPA.

You must notify your applicable EPA Regional Office by the end of the next full work day after discovering any of the following conditions at your site:

- [PLACEHOLDER: Detection of chitosan in the discharge (Part 2.1.4.5)]; or
- Occurrence of any of the conditions in Part 6.2.2.

You are required to submit your notification through EPA's electronic NOI system, or "eNOI", at [www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI). You will use your NOI tracking number (i.e., the EPA number you were assigned upon authorization under the permit) to upload a fillable notification form, which will ensure that EPA properly receives and processes your notice.

**Request for Comment:** EPA requests comments on whether the proposed deadline to submit these notifications is reasonable, or whether a different deadline is appropriate.

## **7. STAFF TRAINING REQUIREMENTS**

You must ensure that all members of the stormwater team receive the necessary training to ensure that they understand the requirements of this permit and their specific responsibilities with respect to those requirements. The requirements in this Part do not apply to emergency-related construction activities that are eligible for permit coverage under Part 1.3.2.

### **7.1. PERSON(S) REQUIRING TRAINING.**

The following members of your stormwater team must receive training:

- 7.1.1.** Personnel preparing and/or modifying the SWPPP for the construction activity at your site;
- 7.1.2.** Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls;
- 7.1.3.** Personnel who are responsible for conducting inspections as required in Part 5.1.1;
- 7.1.4.** Personnel who are responsible for taking corrective actions as required in Part 6; and
- 7.1.5.** If applicable, personnel who are responsible for taking samples as required in Parts 3.3 and 4.2.2.1.

### **7.2. WHEN TRAINING IS REQUIRED.**

Members of the stormwater team must receive training, at a minimum:

- 7.2.1.** Prior to the commencement of earth-disturbing activities or pollutant-generating activities, whichever occurs first; and
- 7.2.2.** If the stormwater team member is a new employee, who starts after you commence earth-disturbing or pollutant-generating activities, prior to assuming particular responsibilities related to compliance with this permit.

### **7.3. WHAT TRAINING MUST INCLUDE.**

The content and extent of training must be tailored to match the stormwater team member's duties and responsibilities related to this permit's requirements. At a minimum, training must enable the applicable stormwater team member to understand:

- The location of all stormwater controls on the site required by this permit, and how they are to be maintained;
- The proper procedures to follow with respect to the permit's pollution prevention requirements;
- When and how to conduct inspections, record applicable findings, take corrective actions, and, where appropriate, report violations to EPA; and
- When and how to take effluent samples, record the results, and submit reports to EPA.

### **7.4. TRAINING DOCUMENTATION.**

You must keep records of the following related to your training of your stormwater team members:

- 7.4.1.1 Date of the training;
- 7.4.1.2 Names and titles of persons trained; and
- 7.4.1.3 Summary of the information covered in the training.

## 8. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

### 8.1. GENERAL REQUIREMENTS.

#### 8.1.1. Requirement to Develop SWPPP.

You are required to develop a stormwater pollution prevention plan (SWPPP) that describes:

- Your construction activities, including the physical attributes of your site, the nature of your construction activities, certain characteristics of your stormwater discharge, and the people responsible for implementation activities under this permit; and
- The selection, design, installation, and maintenance of stormwater control measures used to control pollutants in discharges from your site in order to satisfy the effluent limitations in Parts 2, 3, and 4 of this permit.

At a minimum, your SWPPP must include the information required in Part 8.2. The SWPPP does not contain narrative or numeric effluent limits. You must also update the SWPPP as required in Part 8.4.

#### 8.1.2. Person(s) Responsible for Developing SWPPP.

Any operator who seeks coverage under this permit must develop a SWPPP. Note that you have the option of developing a group SWPPP where you are one of several operators who will be engaged in construction activities at your site. For instance, if the construction site has a “primary operator” and at least one “secondary operator” (see Part 1.5.3), the primary operator may be the party responsible for SWPPP development, and the secondary operator(s) can choose to use this same SWPPP, as long as the SWPPP addresses all of the secondary operator(s) scope of construction work.

**Request for Comment:** During the development of this proposed permit, EPA was asked to consider modifying the SWPPP requirements to require that, where there are multiple operators associated with the same construction activity, the party who possesses the title of the land where the construction activity will take place and has operational control over construction plans and specifications, typically the property owner, be responsible for developing the SWPPP. Part III.A of Minnesota's 2008 CGP was suggested as a good model for this type of requirement, which requires the owner to develop the SWPPP, and that “as part of the SWPPP the owner must identify a person knowledgeable and experienced in the application of erosion prevention and sediment control BMPs” who will oversee implementation. The Minnesota CGP is viewable at <http://www.pca.state.mn.us/water/water-types-and-programs/stormwater/construction-stormwater/construction-stormwater.html#spermit>. The advantage of this approach in multiple operator situations, according to the group recommending this modification, is that the owner and the site designer are required to be integrally involved in developing SWPPPs that comply with the CGP requirements. It has been the experience of some general contractors that on especially large transportation and commercial construction projects, where the contract is awarded to the lowest bid, and the site design may have been developed without sufficient regard for stormwater management and CGP compliance, it is very difficult to then later develop a SWPPP that complies with the permit, but conflicts with the site plans. The result of these conflicts can be that the owner and the general contractor are forced to negotiate changes to the site plan, which arguably should have been part of the original design.

The proposed CGP, as well as the 2008 CGP, does not specify which party is responsible for SWPPP development in multiple operator situations. EPA requests comments on the

recommendation to require that the owner be responsible for SWPPP development. If you are in favor of such a modification, please specify how this would benefit the type of construction activities in which you are involved. EPA also requests comments on how this approach would work with residential developments, where the owner may be relying exclusively on his/her general contractor to develop site plans that comply with all relevant permits, including the CGP.

### **8.1.3. Requirement to Develop SWPPP Prior to Submitting Your NOI.**

You are required to develop your site's SWPPP prior to submitting your NOI. If you prepared a SWPPP for coverage under a previous version of this NPDES permit, you must review and update your SWPPP to ensure that this permit's requirements are addressed prior to submitting your NOI. For emergency-related construction activities eligible for permit coverage under Part 1.3.2, the SWPPP must be developed within 7 days of submitting your NOI.

## **8.2. SWPPP CONTENTS.**

Your SWPPP must include the following information, at a minimum.

### **8.2.1. Stormwater Team.**

Each operator, or group of multiple operators, must assemble a "stormwater team," which is responsible for overseeing the development of the SWPPP, any later modifications to it, and for compliance with the requirements in this permit.

The SWPPP must identify the personnel (by name or position) that are part of the stormwater team, as well as their individual responsibilities. Each member of the stormwater team must have ready access to an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWPPP, and other relevant documents or information that must be kept with the SWPPP.

### **8.2.2. Nature of Construction Activities.**

In order to understand the measure(s) you will undertake to control discharges, the SWPPP must describe the nature of your construction activities, including size of the property (in acres) and the total area expected to be disturbed by the construction activities (in acres), including areas dedicated for onsite and off-site borrow and fill areas, and the maximum area expected to be disturbed at any one time.

### **8.2.3. Identification of Other Site Operators.**

The SWPPP must include a list of all other operators who will be engaged in construction activities at your site, and the areas of the site over which each operator has control.

### **8.2.4. Sequence and Estimated Dates of Construction Activities.**

The SWPPP must include a description of the intended sequence of construction activities, including a schedule of the estimated start dates and the duration of the activity, for the following activities:

- 8.2.4.1 Flagging or marking off of no disturbance areas, including all steep slope areas (see Part 2.1.1.1) and buffers (see Part 2.1.2), and of setbacks for pollutant-generating activities (see Part 2.3.2);
- 8.2.4.2 Installation of stormwater control measures, and when they will be made operational;

- 8.2.4.3 Commencement and duration of earth-disturbing activities, including clearing and grubbing, mass grading, site preparation (i.e., excavating, cutting and filling), final grading, and creation of soil and vegetation stockpiles requiring stabilization;
- 8.2.4.4 If applicable, dates when total disturbances occurring at one time will require compliance with the numeric turbidity limit in Part 3.2;
- 8.2.4.5 Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of the site;
- 8.2.4.6 Final or temporary stabilization of areas of exposed soil. The dates for stabilization must reflect the applicable deadlines to which you are subject in Part 2.2.1.3 or Part 2.2.1.4; and
- 8.2.4.7 Removal of temporary stormwater conveyances/channels and other stormwater control measures, removal of construction equipment and vehicles, and cessation of any pollutant-generating activities.

**8.2.5. Site Map.**

The SWPPP must contain a legible site map or series of maps showing:

- 8.2.5.1 Boundaries of the property and of the locations where construction activities will occur, including:
  - a. Locations where earth-disturbing activities will occur, noting any phasing of construction activities;
  - b. Approximate slopes before and after major grading activities. Note areas of steep slopes (i.e., greater than 15 percent) both before and after grading;
  - c. Locations where sediment, soil, or other construction materials will be stockpiled;
  - d. Locations of structures and other impervious surfaces upon completion of construction; and
  - e. Locations of off-site construction support activities.
- 8.2.5.2 Locations of all waters of the U.S., including wetlands that exist within or in the immediate vicinity of your site. Indicate which waterbodies are listed as impaired, and which are identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 waters;
- 8.2.5.3 Areas protected by buffers (i.e., either the 50-foot buffer or other buffer areas retained on site) consistent with Part 2.1.2. The site map must show the boundary line of all such buffers;
- 8.2.5.4 Topography of the site, existing vegetative cover (e.g., forest, pasture, pavement, structures), and drainage pattern(s) of stormwater and authorized non-stormwater flow onto, over, and from the site property before and after major grading activities;
- 8.2.5.5 Stormwater discharge locations, including:
  - a. Locations of any inlets to municipal separate storm sewer systems (MS4s); and

- b. Locations where stormwater discharges and/or authorized non-stormwater are discharged to waters of the U.S. (including wetlands).
- 8.2.5.6 Locations of all potential pollutant-generating activities identified in Part 8.2.8 below;
- 8.2.5.7 Locations of stormwater control measures;
- 8.2.5.8 If applicable, sampling locations if the project is subject to the Part 3 numeric turbidity limit and/or to the benchmark sampling requirements in Part 4.2.2.1. For linear projects, indicate the sampling location(s) and all discharge points, and indicate which sampling locations are considered "substantially identical", in accordance with Part 3.3.3.4; and
- 8.2.5.9 Locations where any non-stormwater specifically allowed under Part 1.4.1.4 will be discharged.

#### **8.2.6. Site Planning Documentation.**

- 8.2.6.1 **Steep slope disturbances.** If avoiding disturbance to such steep slopes is considered infeasible, or inconsistent with the requirements of the project, you must document how you intend to comply with the Part 2.1.4.2 requirements applicable to steep slope disturbances.
- 8.2.6.2 **Native topsoil disturbances.** If disturbance to native topsoil is necessary, you must document how you intend to comply with the Part 2.1.3.5 requirements applicable to stockpiling and reapplication of the removed native topsoil.
- 8.2.6.3 **Buffer establishment.** If you are required to comply with Part 2.1.2 because a water of the U.S. is located on or immediately adjacent to your site, and you choose to implement the buffer alternative in Part 2.1.2.1b or 2.1.2.1c, you must include the documentation described in Appendix M.

#### **8.2.7. Compliance with Impaired Waters and Antidegradation Requirements.**

If you are subject to the requirements in Part 4.2.2 due to the fact that your site discharges to an impaired water, or to a water identified as Tier 2, Tier 2.5, or Tier 3 by your state, tribe, or EPA, you must specifically document how you will comply with these specific requirements.

#### **8.2.8. Construction Site Pollutants.**

The SWPPP must identify all pollutants that you expect to be found at your site and that could be discharged from the site. The SWPPP must also list and describe the activities that are expected to generate these pollutants (or "pollutant-generating activities"). You must provide the following documentation in order to demonstrate your compliance with the permit requirements:

- 8.2.8.1 **Pollutant-generating activities at the site.** The SWPPP must include a list and description of all the pollutant-generating activities on your site. Examples of pollutant-generating activities include, but are not limited to: paving operations; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations.
- 8.2.8.2 **Pollutants.** For the areas identified in Part 8.2.5.6 above, the SWPPP must include an inventory of pollutants or pollutant constituents (e.g., sediment, fertilizers and/or pesticides, paints, solvents, fuels) that will be exposed to rainfall, snowmelt, or authorized non-stormwater on your site, and discharged

from your construction site. You must take into account where potential spills and leaks could occur that contribute pollutants to stormwater discharges. You must also document any departures from the manufacturer's specifications for applying fertilizers containing nitrogen and phosphorus, as required in Part 2.3.4.1.

### 8.2.9. Non-Stormwater Discharges.

In addition to identifying the locations of non-stormwater discharges on the site map, as required in Part 8.2.5.8, the SWPPP must also identify all allowable sources of non-stormwater discharges listed in Part 1.4.1.4, and describe the measures taken to comply with the requirements in Part 2.1.3.1d to route non-stormwater discharges to sediment controls.

### 8.2.10. Description of Stormwater Control Measures.

- 8.2.10.1 **Stormwater control measures to be used during construction activity.** The SWPPP must describe all stormwater control measures that are or will be installed and maintained at your site to meet the requirements of Part 2 and, if applicable, Parts 3 and 4 (if applicable) requirements of this permit. For each stormwater control measure, you must include a description of:
- a. The type of stormwater control measure to be installed and maintained;
  - b. If you are using sediment basins or other impoundments, and it is infeasible to utilize outlet structures that withdraw water from the surface, consistent with Part 2.1.4.4a, document why you believe this to be the case;
  - c. If it is infeasible for you to direct discharges from your stormwater controls to vegetated areas of your site consistent with Part 2.1.3.1b, document why you believe this to be true;
  - d. If you will use polymers, flocculants, or other treatment chemicals to treat your stormwater, copies of jar test reports or other documentation provided by the chemical supplier or laboratory indicating the chemical formulations to be employed and the dosage or application rates, as well as copies of the Material Safety Data Sheets (MSDS) for the treatment chemicals;
  - e. Description of the locations on the site where polymers, flocculants, or other treatment chemicals will be applied, the periods of construction activity during which chemical treatments will be applied, and expected duration of the chemical treatments;
  - f. The name of the operator(s) or stormwater team member responsible for installation and maintenance of these control measures; and
  - g. Any manufacturer's specifications for installation or maintenance.
- 8.2.10.2 **Stabilization practices.** The SWPPP must describe the specific vegetative and/or non-vegetative practices that will be used to achieve temporary and final stabilization on the exposed portions of your site as required in Part 2.2.

### 8.2.11. Pollution Prevention Procedures.

The SWPPP must describe procedures for the following activities:

8.2.11.1 **Spill prevention and response procedures.** The SWPPP must describe procedures that you will follow to prevent and respond to spills and leaks consistent with Part 2.3, including:

- a. Procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases. Identify the name or title of the employee(s) responsible for detection and response of spills or leaks; and
- b. Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity consistent with Part 2.3.3 and established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period. Contact information must be in locations that are readily accessible and available.

You may also reference the existence of Spill Prevention Control and Countermeasure (SPCC) plans developed for the construction activity under Part 311 of the CWA, or spill control programs otherwise required by an NPDES permit for the construction activity, provided that you keep a copy of that other plan onsite and make it available for review consistent with Part 2.4. Note: Even if you already have an SPCC or other spill prevention plan in existence, your plans will only be considered adequate if they meet all of the requirements of this Part, either as part of your existing plan or supplemented as part of the SWPPP.

8.2.11.2 **Procedures for the clean-up of sediment.** The SWPPP must describe procedures for:

- a. Sweeping or removal of sediment and other debris that has been tracked or deposited onto streets and other paved surfaces;
- b. Removal of sediment or other pollutants that have accumulated in or near any sediment control measures, stormwater conveyance channels, storm drain inlets, or water course within or immediately outside of the construction site; and
- c. Removal of accumulated sediment that has been trapped by sediment control measures, in accordance with the maintenance requirements in Part 2.1.3.3b, and if applicable Parts 2.1.4.5 and 2.1.4.6.

8.2.11.3 **Waste management procedures.** The SWPPP must describe procedures for how you will handle and dispose of all wastes generated at your site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste.

### 8.2.12. Procedures for Inspection, Maintenance, Corrective Action, and Monitoring.

8.2.12.1 **Inspection, Maintenance, and Corrective Action.** The SWPPP must describe the procedures you will follow for conducting site inspections, conducting routine maintenance activities for stormwater control measures, and, where

necessary, taking corrective actions, in accordance with Part 2.1.3.3a and the maintenance requirements in Part 2.3, Part 5, and Part 6 of the permit, respectively, including:

- a. Personnel responsible for conducting inspections;
- b. How this personnel will be notified when a storm event that meets the minimum 0.25 inch requirement for conducting inspections has occurred or is occurring;
- c. Specific schedules to be followed for conducting inspections and routine maintenance, including any higher frequency inspections consistent with Parts 2.1.4.2c and 4.2.2.2;
- d. Any inspection or maintenance checklists or other forms that will be used; and
- e. Specific procedures for taking corrective action in accordance with Part 6.

8.2.12.2 **Monitoring (if applicable).** If the discharges from the project are subject to the numeric turbidity limits in Part 3 or the benchmark monitoring requirements in Part 4.2.2.1, the SWPPP must document the procedures you will follow for taking samples consistent with Part 3.3 of the permit, including:

- a. Locations where samples will be collected. For linear projects, document which locations are considered substantially identical under Part 3.3.3.4, and why they are substantially identical;
- b. Personnel responsible for taking and handling samples, analyzing samples for turbidity, and recording the results;
- c. The normal working hours associated with the project (see Part 3.3.1.3);
- d. Equipment to be used for taking samples and for analysis;
- e. Procedures to be followed for ensuring that samples are taken in compliance with Part 3.3; and
- f. Procedures for notifying and activating your sampling team when a discharge is occurring or is expected to occur.

### 8.2.13. Training.

The SWPPP must describe how you will comply with the training requirements in Part 7, including:

- 8.2.13.1 How the training will be conducted (e.g., who will conduct the training, where it will take place);
- 8.2.13.2 What members of the stormwater team or what positions will receive training; and
- 8.2.13.3 Approximate dates of training.

### 8.2.14. Documentation to Support Eligibility Considerations Under Other Federal Laws.

8.2.14.1 **Documentation Regarding Endangered Species.** The SWPPP must include documentation supporting your determination with respect to Part 1.3.1.5 and Appendix D.

8.2.14.2 **Documentation Regarding Historic Properties.** The SWPPP must include documentation supporting your determination with respect to Part 1.3.1.6 and Appendix E.

### **8.2.15. SWPPP Certification.**

You must sign and date your SWPPP in accordance with Appendix L, Part L.11.

All modifications made to the SWPPP consistent with Part 8.4 must be authorized by a person identified in Appendix L, Part L.11.b

### **8.2.16. Post-Authorization Additions to SWPPP.**

Once you are notified of your coverage under this permit, you must include the following documents as part of your SWPPP:

8.2.16.1 A copy of your NOI submitted to EPA along with any correspondence exchanged between you and EPA related to coverage under this permit;

8.2.16.2 A copy of the acknowledgment letter you receive from the NOI Processing Center or eNOI system assigning your permit tracking number; and

8.2.16.3 A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable).

### **8.3. ON-SITE AVAILABILITY OF YOUR SWPPP.**

You are required to keep a current copy of your SWPPP at the site or at an easily accessible location, such as a downloadable file, so that it can be made available at the time of an onsite inspection or upon request by EPA; a state, tribal or local agency approving stormwater management plans; the operator of a storm sewer system receiving discharges from the site; or representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS).

EPA may provide access to portions of your SWPPP to a member of the public upon request. Confidential Business Information (CBI) will be withheld from the public, but may not be withheld from EPA, USFWS, or NMFS. (Note: Information covered by a claim of confidentiality will be disclosed by EPA only to the extent of, and by means of, the procedures set forth in 40 CFR Part 2, Subpart B. In general, submitted information protected by a business confidentiality claim may be disclosed to other employees, officers, or authorized representatives of the United States concerned with implementing the CWA. The authorized representatives include employees of other executive branch agencies, who may review CBI during the course of reviewing draft regulations.)

If an onsite location is unavailable to keep the SWPPP when no personnel are present, notice of the plan's location must be posted near the main entrance of your construction site.

### **8.4. REQUIRED SWPPP MODIFICATIONS.**

#### **8.4.1. You must modify your SWPPP, including the site map(s), in response to any of the following conditions:**

8.4.1.1 Whenever new operators become active in construction activities on your site, or you make changes to your construction plans, stormwater control measures, pollution prevention measures or other activities at your site that are no longer accurately reflected in your SWPPP. This includes changes made in response to corrective actions triggered under Part 6. You do not

need to modify your SWPPP if the estimated dates provided for Part 8.2.4 change during the course of construction;

- 8.4.1.2 To reflect areas on your site map where operational control has been transferred (and the date of transfer) since initiating permit coverage;
- 8.4.1.3 If inspections or investigations by site staff, or by local, state, tribal, or federal officials determine that SWPPP modifications are necessary for compliance with this permit;
- 8.4.1.4 Where EPA determines it is necessary to impose additional requirements on your discharge, the following must be included in your SWPPP:
  - a. A copy of any correspondence describing such requirements; and
  - b. A description of the stormwater control measures that will be used to meet such requirements.
- 8.4.1.5 To reflect any revisions to applicable federal, state, tribal, or local requirements that affect the stormwater control measures implemented at the site; and
- 8.4.1.6 If applicable, if a change in chemical treatment methods is made, including use of a different treatment chemical, different dosage or application rate, or different area of application.

**8.4.2. Log of SWPPP Modifications.**

You are required to maintain a log showing the dates of all SWPPP modifications. The log must include the name of the person authorizing each change (see Part 8.2.15 above) and a brief summary of all changes.

**8.4.3. Deadlines for SWPPP Modifications.**

You must complete required revisions to the SWPPP within 7 calendar days following the occurrence of any of the conditions listed in Parts 8.4.1.

**8.4.4. Required Notice of Other Operators.**

Upon determining that a modification to your SWPPP is required, if there are multiple operators covered under this permit, you must immediately notify any operators who may be impacted by the change to the SWPPP.

## 9. HOW TO TERMINATE COVERAGE

Until you terminate coverage under this permit, you are required to comply with all conditions and effluent limitations in the permit. To terminate permit coverage, you must submit to EPA a complete and accurate Notice of Termination (NOT), which certifies that you have met the requirements for terminating in Part 9.

### 9.1. MINIMUM INFORMATION REQUIRED IN NOT.

You will be required to provide the following in your NOT:

- 9.1.1. NPDES permit tracking number provided by EPA when you received coverage under this permit;
- 9.1.2. Basis for submission of the NOT (see Part 9.2);
- 9.1.3. Operator contact information;
- 9.1.4. Name of project and address (or a description of location if no street address is available); and
- 9.1.5. NOT certification.

### 9.2. CONDITIONS FOR TERMINATING PERMIT COVERAGE.

You may terminate permit coverage only if one of the following conditions occurs at your site:

#### 9.2.1. **You have completed all earth-disturbing activities at your site and, if applicable, construction support activities permitted under Part 1.1, and you have met the following requirements:**

- 9.2.1.1 For any areas that (1) were disturbed during construction, (2) are not covered over by permanent structures, and (3) over which you had control during the construction activities, you have met the requirements for final vegetative or non-vegetative stabilization in Part 2.2;
- 9.2.1.2 You have removed and properly disposed of all construction materials, waste and waste handling devices, and have removed all equipment and vehicles that were used during construction, unless intended for long-term use following your termination of permit coverage;
- 9.2.1.3 You have removed all stormwater controls that were installed and maintained during construction, except those that are intended for long-term use following your termination of permit coverage;
- 9.2.1.4 You have removed all potential pollutants and pollutant-generating activities associated with construction, unless needed for long-term use following your termination of permit coverage;
- 9.2.1.5 You must identify who is responsible for ongoing maintenance of any stormwater controls left on the site for long-term use following your termination of permit coverage; or

**9.2.2.** You have transferred control of all areas of the site for which you are responsible under this permit to another operator, and that operator has submitted an NOI and obtained coverage under this permit; or

**9.2.3.** Coverage under an individual or alternative general NPDES permit has been obtained.

**9.3. SUBMIT NOTS THROUGH ENOI SYSTEM.**

The NOT template you are required to complete is found on EPA's electronic NOI system, or "eNOI", at [www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI). You are required to use the eNOI system to prepare and submit your NOT, unless your EPA Regional Office specifically authorizes you to use a paper NOT form. You will use your NOI tracking number (i.e., the EPA number you were assigned upon authorization under the permit) to upload the fillable NOT form, which will ensure that EPA properly records your termination of coverage.

**9.4. DEADLINES FOR SUBMITTING NOTS.**

You must submit your NOT within 30 days after any one of the triggering conditions in Part 9.2 occur.

**9.5. EFFECTIVE DATE OF TERMINATION OF COVERAGE.**

Your authorization to discharge under this permit terminates at midnight of the day that a complete NOT is processed and posted on EPA's website ([www.epa.gov/npdes/noisearch](http://www.epa.gov/npdes/noisearch)).

**10. PERMIT CONDITIONS APPLICABLE TO SPECIFIC STATES, INDIAN COUNTRY LANDS, OR TERRITORIES**

**Note:** This part of the permit will be completed as the states, Indian Country lands, and U.S. territories complete their Section 401 certifications for this permit.

## Appendix A - Definitions and Acronyms

### Definitions

"Action Area" - for the purposes of this permit and for application of the Endangered Species Act requirements, the following areas are included:

- The areas on the construction site where stormwater discharges originate and flow toward the point of discharge into the receiving waters (including areas where excavation, site development, or other ground disturbance activities occur) and the immediate vicinity. (Example: 1. Where bald eagles nest in a tree that is on or bordering a construction site and could be disturbed by the construction activity or where grading causes stormwater to flow into a small wetland or other habitat that is on the site that contains listed species.)
- The areas where stormwater discharges flow from the construction site to the point of discharge into receiving waters. (Example: Where stormwater flows into a ditch, swale, or gully that leads to receiving waters and where listed species (such as amphibians) are found in the ditch, swale, or gully.)
- The areas where stormwater from construction activities discharge into receiving waters and the areas in the immediate vicinity of the point of discharge. (Example: Where stormwater from construction activities discharges into a stream segment that is known to harbor listed aquatic species.)
- The areas where stormwater controls will be constructed and operated, including any areas where stormwater flows to and from the stormwater controls. (Example: Where a stormwater retention pond would be built.)
- The downstream from the stormwater discharge into a stream segment that may be affected by these discharges. (Example: Where sediment discharged to a receiving stream settles downstream and impacts a breeding area of a listed aquatic species.)

"Agricultural Land" - cropland, grassland, rangeland, pasture, and other agricultural land, on which agricultural and forest-related products or livestock are produced and resource concerns may be addressed. Agricultural lands include cropped woodland, marshes, incidental areas included in the agricultural operation, and other types of agricultural land used for the production of livestock.

"Antidegradation Policy" - the water quality standards regulation that requires States and Tribes to establish a three-tiered antidegradation program:

1. Tier 1 maintains and protects existing uses and water quality conditions necessary to support such uses. An existing use can be established by demonstrating that fishing, swimming, or other uses have actually occurred since November 28, 1975, or that the water quality is suitable to allow such uses to occur. Where an existing use is established, it must be protected even if it is not listed in the water quality standards as a designated use. Tier 1 requirements are applicable to all surface waters.
2. Tier 2 maintains and protects "high quality" waters -- water bodies where existing conditions are better than necessary to support CWA § 101(a)(2) "fishable/swimmable" uses. Water quality can be lowered in such waters. However, State and Tribal Tier 2 programs identify procedures that must be followed and questions that must be

answered before a reduction in water quality can be allowed. In no case may water quality be lowered to a level which would interfere with existing or designated uses.

3. Tier 3 maintains and protects water quality in outstanding national resource waters (ONRWs). Except for certain temporary changes, water quality cannot be lowered in such waters. ONRWs generally include the highest quality waters of the United States. However, the ONRW classification also offers special protection for waters of exceptional ecological significance, i.e., those which are important, unique, or sensitive ecologically. Decisions regarding which water bodies qualify to be ONRWs are made by States and authorized Indian Tribes.

"Arid Areas" - areas with an average annual rainfall of 0 to 10 inches.

"Bank" (e.g., stream bank or river bank) - the rising ground bordering the channel of a water of the U.S.

"Benchmark Monitoring" - for the purposes of this permit, the requirement to sample stormwater discharges for sediment-related parameters and nutrients, including nitrogen and phosphorus, to determine if established water quality criteria, which is also the benchmark level, is exceeded. As used in this permit, the benchmark monitoring requirement only applies to sites with disturbances of 10 or more acres that discharge to sediment and/or nutrient-impaired waters without an EPA-approved or established TMDL.

"Bluff" - a steep headland, promontory, riverbank, or cliff.

"Borrow and Fill Areas" - the areas where materials are dug for use as fill and the areas where the fill is used, either onsite or off-site.

"Buffer" - for the purposes of this permit, an area of natural vegetation surrounding streams, rivers, lakes, wetlands, or other waters of the U.S within which construction activities are restricted.

"C-Factor" - the 'cover management factor' from the Revised Universal Soil Loss Equation (RUSLE), which is used to determine the relative effectiveness of soil and vegetative management systems in preventing soil loss. The C-Factor is a ratio comparing the soil loss from land under a specific soil or vegetative system to the corresponding loss from continuously fallow and tilled land. The continuous fallow soil condition reflects a cover factor value equal to one. Vegetative or other cover systems reduce erosion, which is reflected in a C-factor value of less than one.

"Combined Sewer System" - sewers that are designed to collect rainwater runoff, domestic sewage, and industrial wastewater in the same pipe.

"Commencement of Earth-Disturbing Activities" - the initial disturbance of soils (or 'breaking ground') associated with clearing, grading, or excavating activities or other construction-related activities (e.g., stockpiling of fill material).

"Commencement of Pollutant-Generating Activities" - at construction sites (for the purposes of this permit) occurs in any of the following circumstances:

- Clearing, grubbing, grading, and excavation has begun;
- Raw materials related to your construction activity, such as building materials or products, landscape materials, fertilizers, pesticides, herbicides, detergents, fuels, oils, or other chemicals have been placed at your site;

- Use of authorized non-stormwater for washout activities, or dewatering activities, have begun; or
- Any other activity has begun that causes the generation of or the potential generation of pollutants.

“Construction Activities” - earth-disturbing activities, such as the clearing, grading, and excavation of land.

“Construction and Development Rule” (C&D Rule) - as published in 40 CFR § 450 is the regulation requiring effluent limitations guidelines (ELG's) and new source performance standards (NSPS) for controlling the discharge of pollutants from construction sites.

“Construction Site” - the land or water area where construction activities will occur and where stormwater controls will be installed and maintained. The construction site includes construction support activities, which may be located at a different part of the property where the primary construction activity will take place, or on a different piece of property altogether. The construction site is often a smaller subset of the lot or parcel within which the project is taking place.

“Construction Support Activities” - the various construction-related activities that occur alongside the construction activity, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas.

“Construction Waste” - discarded material (such as packaging materials, scrap construction materials, masonry products, timber, steel, pipe, and electrical cuttings, plastics, and styrofoam) and soil generated by construction activities.

“Control Measure” - refers to any stormwater control, BMP, or other method (including narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

“Conveyance Channel” - a temporary or permanent waterway designed and installed to safely convey stormwater flow within and out of a construction site.

“Corrective Action” - for the purposes of the permit, any action taken to (1) repair, modify, or replace any stormwater control used at the site; (2) clean up and dispose of spills, releases, or other deposits found on the site; and (3) remedy a permit violation.

“Critical Habitat” - as defined in the Endangered Species Act at 16 U.S.C. 1531 for a threatened or endangered species, (i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the Endangered Species Act, upon a determination by the Secretary that such areas are essential for the conservation of the species.

“CWA” - the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. section 1251 et seq.

“Dewatering” - the act of draining rainwater and/or groundwater from building foundations, vaults, and trenches.

“Discharge” - when used without qualification means the “discharge of a pollutant.”

“Discharge of a Pollutant” - any addition of any “pollutant” or combination of pollutants to “waters of the United States” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

“Discharge of Stormwater Associated with Construction Activity” - as used in this permit, a discharge of pollutants in stormwater from areas where land-disturbing activities (e.g., clearing, grading, or excavation), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck chute washdown, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants), are located.

“Discharge Point” - for the purposes of this permit, the location where collected and concentrated stormwater flows are discharged from the construction site.

“Discharge-Related Activity” - activities that cause, contribute to, or result in stormwater and allowable non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged.

“Discharge to an Impaired Water” - for the purposes of this permit, a discharge to an impaired water occurs if the first named water of the U.S. to which you discharge is identified by a State, Tribe, or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting an applicable water quality standard, or is included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the water of the U.S. to which you discharge is the first named water of the U.S. that receives the stormwater discharge from the storm sewer system.

“Domestic Waste” - for the purposes of this permit, typical household trash, garbage or rubbish items generated by construction activities.

“Drainageway” means an open linear depression, whether constructed or natural, that functions for the collection and drainage of surface water.

“Earth-Disturbing Activity” or “Land-Disturbing Activity” - actions taken to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, and excavating.

“Effluent Limitations Guideline” (ELG) - defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

“Electronic Notice of Intent” (e-NOI) - EPA's online system for submitting electronic Construction General Permit forms.

“Endangered Species” - defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is in danger of extinction throughout all or a significant portion of its range other than a

species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

“Entrance and Exit Points” - any points of entry to and exit from the construction site to be used by vehicles and equipment during construction activities.

“Eligible” - qualified for coverage for stormwater (and allowable non-stormwater) discharges under this general permit.

“Ephemeral Stream” - one that flows only in direct response to precipitation, and whose channel is at all times above the water table.

“Existing permitted discharger” - a construction project that is not a new source, because construction activities commenced prior to February 1, 2010, and that received prior coverage for its construction discharges under an effective NPDES permit, such as the 2003 CGP or 2008 CGP.

“Existing unpermitted discharger” - a construction project that is not a new source, because construction activities commenced prior to February 1, 2010, but has never received coverage for its construction discharges under an effective NPDES permit.

“Exposed Soils” - for the purposes of this permit, soils that have been disturbed due to the commencement of construction activities.’

“Federal Facility” - any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the Federal government.

“Final Stabilization” - on areas not covered by permanent structures, either (1) vegetation has been established, or for arid or semi-arid areas, will be established that provides (1) a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70 percent of the native background vegetative cover, or (2) a vegetative or non-vegetative cover sufficient to achieve a C-factor of 0.05. Certain exceptions to this rule exists for final stabilization of individual lots within a larger common plan of development or sale.

“Footprint” - for the purposes of this permit, the ground area that will be subject to earth-disturbing activities.

“Hazardous Waste” - for the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

“Historic Property” - defined in the “Protection of Historic Properties Regulations” at 36 CFR § 800.16 as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

“Impaired Water” (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) - for purposes of this permit, waters identified by a State, Tribe, or EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both

waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

“Impervious Surface” - for the purpose of this permit, any land surface with a low or no capacity for soil infiltration including, but not limited to, pavement, sidewalks, parking areas and driveways, packed gravel or soil, or rooftops.

“Indian Country” - defined at 40 CFR §122.2 as:

1. All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
2. All dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and
3. All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-ways running through the same.

“Install” or “Installation” - when used in connection with stormwater controls, to connect or set in position stormwater controls to make them operational.

“Intermittent (or Seasonal) Stream” - one which flows at certain times of the year when groundwater provides water for stream flow, as well as during and immediately after some precipitation events or snowmelt.

“Jar test” - a test designed to simulate full-scale coagulation/flocculation/sedimentation water treatment processes by taking into account the possible conditions.

“Landward” - positioned or located away from a waterbody, and towards the land.

“Large Construction Activity” - defined at 40 CFR §122.26(b)(14)(x) and incorporated here by reference. A large construction activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than five acres of land or will disturb less than five acres of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than five acres. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.

“Level Spreader” - a temporary stormwater control used to spread stormwater flow uniformly over the ground surface as sheet flow to prevent concentrated, erosive flows from occurring.

“Linear Project” - includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

“Material Handling and Staging Area” - a temporary area on the construction site used for receiving, processing, storing materials to prevent the material from being spilled or coming into contact with runoff.

“Material Washout Area” - a temporary containment area used for the washing of applicators and containers of paint, concrete, and other materials.

“Minimize” - to reduce and/or eliminate to the extent achievable using stormwater controls (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

“Municipal Separate Storm Sewer System” or “MS4” - defined at 40 CFR §122.26(b)(8) as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. Owned and operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;
2. Designed or used for collecting or conveying stormwater;
3. Which is not a combined sewer; and
4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2.

“National Pollutant Discharge Elimination System (NPDES)” - defined at 40 CFR §122.2 as the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an ‘approved program.’

“Native Topsoil” - the uppermost layer of naturally occurring soil for a particular area, and is often rich in organic matter, biological activity, and nutrients.

“Native Vegetation” - the species of plants that have developed over hundreds or thousands of years for a particular region or ecosystem and are considered endemic to that region or ecosystem.

“Nephelometer” - refer to “turbidimeter”.

“New operator of a new source or existing permitted discharger” - an operator that replaces an existing operator on a construction project through transfer of ownership and/or operation.

“New Source” - for the purpose of this permit, a construction project that commenced construction activities after February 1, 2010, and that requires NPDES permit coverage for its construction discharges under Part 1.2.

“New Source Performance Standards (NSPS)” - for the purposes of this permit, NSPS are technology-based standards that apply to construction sites that are new sources under 40 CFR 450.24.

“Non-Stormwater Discharges” - discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.

“Notice of Intent” (NOI) - the form (electronic or paper) required for authorization of coverage under the Construction General Permit.

“Notice of Termination” (NOT) - the form (electronic or paper) required for terminating coverage under the Construction General Permit.

“NTU” (Nephelometric Turbidity Unit) - an expression of the optical property that causes light to be scattered and absorbed rather than transmitted in a straight line through the water.

“Operational” - for the purpose of this permit, stormwater controls are made “operational” when they have been installed and implemented, are functioning as designed, and are properly maintained.

“Operator” - for the purpose of this permit and in the context of stormwater associated with construction activity, any party associated with a construction project that meets either of the following two criteria:

1. The party possesses the title of the land where the construction activity will take place and has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform permittees of EPA’s interpretation of how the regulatory definitions of “owner or operator” and “facility or activity” are applied to discharges of stormwater associated with construction activity.

“Outfall” - see “Discharge Point.”

“Perennial Stream” - one which flows year-round during a typical year. Baseflow is maintained by groundwater discharge, as the stream channel is usually below the water table.

“Permitted Ongoing Project” - a construction project that commenced prior to the effective date of this permit, which has been covered by a prior NPDES permit for stormwater discharges associated with construction activities.

“Permitting Authority” - for the purposes of this permit, EPA, a Regional Administrator of EPA, or an authorized representative.

“Point Source” - any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

“Pollutant” - defined at 40 CFR §122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

“Pollutant-Generating Activities” - at construction sites (for the purposes of this permit), those activities that lead to or could lead to the generation of pollutants, either as a result of earth-disturbance or a related support activity. Some of the types of pollutants that are typically found at construction sites are:

- sediment;

- nutrients;
- heavy metals;
- pesticides and herbicides;
- oil and grease;
- bacteria and viruses;
- trash, debris, and solids;
- treatment polymers; and
- any other toxic chemicals.

“Pollution Prevention Measures” - stormwater controls designed to reduce or eliminate the addition of pollutants to construction site discharges through analysis of pollutant sources, implementation of proper handling/disposal practices, employee education, and other actions.

“Polymers” - for the purposes of this permit, coagulants and flocculants used to control erosion on soil or to enhance the sediment removal capabilities of sediment traps or basins. Common construction site polymers include polyacrylamide (PAM), chitosan, alum, polyaluminum chloride, and gypsum.

“Prohibited Discharges” - discharges that are not allowed under this permit, including:

1. Wastewater from washout of concrete;
2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. Soaps or solvents used in vehicle and equipment washing;
5. Toxic or hazardous substances from a spill or other release; and
6. Waste, garbage, floatable debris, construction debris, and sanitary waste from pollutant-generating activities.

“Primary Operator” - for the purposes of this permit, for a construction project that has more than one operator, a primary operator is an operator who has received coverage under this permit for discharges from all earth-disturbing activities at a construction site.

“Provisionally Covered Under this Permit” - for the purposes of this permit, EPA provides temporary coverage under this permit for emergency-related projects prior to receipt of a complete and accurate NOI. Discharges from earth-disturbing activities associated with the emergency-related projects are subject to the terms and conditions of the permit during the period of temporary coverage.

“Receiving Water” - the “Water of the United States” as defined in 40 CFR §122.2 into which the regulated stormwater discharges.

“Run-on” - sources of stormwater that drain from land located upslope or upstream from the regulated site in question.

“Sampling Point” - for the purposes of this permit, the point at which stormwater samples are collected where the stormwater or authorized non-stormwater is discharged from the site.

“Secondary Operator” – for the purposes of this permit, for a construction project that has more than one operator, a secondary operator is an operator who seeks permit coverage under this permit for discharges from earth-disturbing activities on all or a portion of a site that has already received permit coverage under this permit for a primary operator. All areas of the site from which discharges resulting from the secondary operator's earth-disturbing activities must have already received permit coverage before the operator can be treated as a secondary operator under this section.

“Semi-Arid Areas” - areas with an average annual rainfall of 10 to 20 inches.

“Sheet Flow” - slow-velocity runoff that flows or is directed to flow across an overland area where there are no defined channels and the water spreads out over a large area at a uniform depth.

“Site” - for construction activities, the land or water area where earth-disturbing activities take place, including construction support activities.

“Small Construction Activity” - defined at 40 CFR § 122.26(b)(15) and incorporated here by reference. A small construction activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than one (1) acre and less than five (5) acres of land or will disturb less than one (1) acre of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one (1) acre and less than five (5) acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.

“Snowmelt” - the conversion of snow into overland stormwater and groundwater flow as a result of warmer temperatures.

“Spill” - for the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

“Stabilization” - the use of vegetative and/or non-vegetative cover to prevent erosion and sediment loss in areas exposed through the construction process.

“Steep Slopes” - for the purposes of this permit, any slopes occurring on the construction site that are 15 percent or greater in grade.

“Stormwater” - stormwater runoff, snow melt runoff, and surface runoff and drainage.

“Stormwater Controls” - see “Control measure.”

“Stormwater Inlet” - a structure placed below grade to conduct water used to collect stormwater runoff for conveyance purposes.

“Stormwater Team” - the group of individuals responsible for oversight of the development and modifications of the SWPPP, and oversight of compliance with the permit requirements. The individuals on the “Stormwater Team” must be identified in the SWPPP.

“Storm Event” - a precipitation event that results in a discharge.

“Storm Sewer” - a system of pipes (separate from sanitary sewers) that carries stormwater runoff from buildings and land surfaces.

“SWPPP” (Stormwater Pollution Prevention Plan) - a site-specific, written document that: (1) identifies potential sources of stormwater pollution at the construction site; (2) describes stormwater control measures to reduce or eliminate pollutants in stormwater discharges from the construction site; and (3) identifies procedures the operator will implement to comply with the terms and conditions of this general permit.

“Temporary Stabilization” - a condition where exposed soils or disturbed areas are provided a temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area.

“Threatened Species” - defined in the Endangered Species Act at 16 U.S.C. 1531 as any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

“Tier 2 Waters” - for antidegradation purposes, pursuant to 40 CFR 131.12(a)(2), are characterized as having water quality that exceeds the levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water.

“Tier 2.5 Waters” - for antidegradation purposes, those waters designated by States or Tribes as neither Tier 2 nor Tier 3. States have special requirements for these waters. These waters are given a level of protection equal to and above that given to Tier 2 waters, but less than that given Tier 3 waters.

“Tier 3 Waters” - for antidegradation purposes, pursuant to 40 CFR 131.12(a)(3), Tier 3 waters are identified by states as having high quality waters constituting an Outstanding Natural Resource Water (ONRW), such as waters of National Parks and State Parks, wildlife refuges, and waters of exceptional recreational or ecological significance.

“Total Maximum Daily Load” or “TMDL” - the sum of the individual wasteload allocations (WLAs) for point sources and load allocations (LAs) for nonpoint sources and natural background. If a receiving water has only one point source discharger, the TMDL is the sum of that point source WLA plus the LAs for any nonpoint sources of pollution and natural background sources, tributaries, or adjacent segments. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure.

“Toxic Waste” - see “Hazardous Waste.”

“Turbidimeter” - for the purposes of this permit, an instrument that measures the amount of light scattered at right angles to an incident light beam by particles present in a stormwater sample.

“Turbidity” - a condition of water quality characterized by the presence of suspended solids and/or organic material.

“Unprovisionally Covered Under this Permit - for the purposes of this permit, after providing provisional coverage under this permit for discharges from emergency-related projects, and after receipt of a complete and accurate NOI, EPA provides full, or “unprovisional”, coverage under this permit.

“Upland” - the dry land area above and ‘landward’ of the ordinary high water mark.

“Unpermitted Ongoing Project” - a construction project that commenced prior to the effective date of this permit, but the discharges related to this project have not been authorized under an NPDES permit.

“Water-Dependent Uses” - structures or facilities that require the proximity of structures to be directly adjacent to a waterbody or wetland, such as a marina, pier, boat ramp, etc.

“Waterfront Setback” - for the purposes of this permit, a minimum distance that separates where construction and/or structures can be placed from waterbodies. A waterfront setback does not include front yard, side yard, or rear yard setbacks that do not specifically include waterbodies as the reference point from which to measure the setback.

“Water Quality Impaired” - see “Impaired Water.”

“Water Quality Standards” - defined in 40 CFR § 131.3, and are provisions of State or Federal law which consist of a designated use or uses for the waters of the United States and water quality criteria for such waters based upon such uses. Water quality standards protect the public health or welfare, enhance the quality of water and serve the purposes of the Act.

“Waters of the United States” - defined at 40 CFR § 122.2 as:

1. All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters, including interstate wetlands;
3. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - c. Which are used or could be used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (1) through (4) of this definition;
6. The territorial sea; and
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (1) through (6) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United

States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

"Wetland" - those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

### **Acronyms**

C&D - Construction & Development

CGP - Construction General Permit

CFR - Code of Federal Regulations

CWA - Clean Water Act

eNOI - Electronic Notice of Intent

EPA - United States Environmental Protection Agency

ESA - Endangered Species Act

FWS - United States Fish and Wildlife Service

MS4 - Municipal Separate Storm Sewer System

MSGP - Multi-Sector General Permit

NHPA - National Historic Preservation Act

NMFS - United States National Marine Fisheries Service

NOI - Notice of Intent

NOT - Notice of Termination

NPDES - National Pollutant Discharge Elimination System

NRC - National Response Center

NRCS - National Resources Conservation Service

NTU - Nephelometric Turbidity Units

POTW - Publicly Owned Treatment Works

SHPO - State Historic Preservation Officer

SPCC - Spill Prevention Control and Countermeasure

SWPPP - Stormwater Pollution Prevention Plan

THPO - Tribal Historic Preservation Officer

TMDL - Total Maximum Daily Load

USGS - United States Geological Survey

WQS - Water Quality Standard

## Appendix B - Permit Areas Eligible for Coverage

Permit coverage for stormwater discharges from construction activity occurring within the following areas is provided by legally separate and distinctly numbered permits:

### 1. EPA Region 1: CT, MA, ME, NH, RI, VT

US EPA, Region 0  
Office of Ecosystem Protection  
NPDES Stormwater Program  
1 Congress St, Suite 1100 (CMU)  
Boston, MA 02114-2023

The States of Connecticut, Maine, Rhode Island, and Vermont are the NPDES Permitting Authority for the majority of discharges within their respective states.

<u>Permit No.</u>	<u>Areas of Coverage/Where EPA is Permitting Authority</u>
<b>MAR100000</b>	Commonwealth of Massachusetts (except Indian country)
<b>MAR10000I</b>	Indian country within the State of Massachusetts
<b>CTR10000I</b>	Indian country within the State of Connecticut
<b>NHR100000</b>	State of New Hampshire
<b>RIR10000I</b>	Indian country within the State of Rhode Island
<b>VTR10000F</b>	Federal Facilities in the State of Vermont

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### 2. EPA Region 2: NJ, NY, PR, VI

For NJ, NY, and VI:  
US EPA, Region 02  
NPDES Stormwater Program  
290 Broadway, 24th Floor  
New York, NY 10007-1866

For PR:  
US EPA, Region 02  
Caribbean Environmental Protection Division  
NPDES Stormwater Program  
1492 Ponce de Leon Ave  
Central Europa Building, Suite 417  
San Juan, PR 00907-4127

The State of New York is the NPDES Permitting Authority for the majority of discharges within its state. The State of New Jersey and the Virgin Islands are the NPDES Permitting Authority for all discharges within their respective states.

<u>Permit No.</u>	<u>Areas of Coverage/Where EPA is Permitting Authority</u>
<b>NYR10000I</b>	Indian country within the State of New York
<b>PRR100000</b>	The Commonwealth of Puerto Rico

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**3. EPA Region 3: DE, DC, MD, PA, VA, WV**

US EPA, Region 03  
NPDES Stormwater Program  
1650 Arch St  
Philadelphia, PA 19103

The State of Delaware is the NPDES Permitting Authority for the majority of discharges within its state. Maryland, Pennsylvania, Virginia, and West Virginia are the NPDES Permitting Authority for all discharges within their respective states.

<u>Permit No.</u>	<u>Areas of Coverage/Where EPA is Permitting Authority</u>
DCR100000	The District of Columbia
DER10000F	Federal Facilities in the State of Delaware

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**4. EPA Region 4: AL, FL, GA, KY, MS, NC, SC, TN**

US EPA, Region 04  
Water Protection Division  
NPDES Stormwater Program  
61 Forsyth St SW  
Atlanta, GA 30303-3104

The States of Alabama, Florida, Mississippi, and North Carolina are the NPDES Permitting Authority for the majority of discharges within their respective States. EPA Region 4 is the NPDES Permitting Authority for all Indian country lands within any other Region 4 State except Catawba lands in South Carolina.

<u>Permit No.</u>	<u>Areas of Coverage/Where EPA is Permitting Authority</u>
ALR10000I	All Indian Country lands within the State of Alabama
FLR10000I	All Indian Country lands within the State of Florida
MSR10000I	All Indian Country lands within the State of Mississippi
NCR10000I	All Indian Country lands within the State of North Carolina
RE410000I	All Indian Country lands within any other Region 4 State (except Catawba lands in South Carolina)

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**5. EPA Region 5: IL, IN, MI, MN, OH, WI**

US EPA, Region 05  
NPDES & Technical Support  
NPDES Stormwater Program  
77 W Jackson Blvd  
(WN-16J)  
Chicago, IL 60604-3507

The States of Michigan, Minnesota, and Wisconsin are the NPDES Permitting Authority for the majority of discharges within their respective states. The States of Illinois, Indiana, and Ohio are the NPDES Permitting Authorities for all discharges within their respective states.

<b><u>Permit No.</u></b>	<b><u>Areas of Coverage/Where EPA is Permitting Authority</u></b>
<b>MIR10000I</b>	Indian country within the State of Michigan
<b>MNR10000I</b>	Indian country within the State of Minnesota, except the Grand Portage Band of Chippewa
<b>WIR10000I</b>	Indian country within the State of Wisconsin, except the Sokaogon Chippewa (Mole Lake) Community.

**6. EPA Region 6: AR, LA, OK, TX, NM (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands)**

US EPA, Region 06  
 NPDES Stormwater Program  
 1445 Ross Ave, Suite 1200  
 Dallas, TX 75202-2733

The States of Louisiana, Oklahoma, and Texas are the NPDES Permitting Authority for the majority of discharges within their respective state. The State of Arkansas is the NPDES Permitting Authority for all discharges within its respective state.

<b><u>Permit No.</u></b>	<b><u>Areas of Coverage/Where EPA is Permitting Authority</u></b>
<b>LAR10000I</b>	Indian country within the State of Louisiana
<b>NMR100000</b>	The State of New Mexico, except Indian country
<b>NMR10000I</b>	Indian country within the State of New Mexico, except Navajo Reservation Lands that are covered under Arizona permit AZR10000I and Ute Mountain Reservation Lands that are covered under Colorado permit COR10000I.
<b>OKR10000I</b>	Indian country within the State of Oklahoma
<b>OKR10000F</b>	Discharges in the State of Oklahoma that are not under the authority of the Oklahoma Department of Environmental Quality, including activities associated with oil and gas exploration, drilling, operations, and pipelines (includes SIC Groups 13 and 46, and SIC codes 492 and 5171), and point source discharges associated with agricultural production, services, and silviculture (includes SIC Groups 01, 02, 07, 08, 09).
<b>TXR10000F</b>	Discharges in the State of Texas that are not under the authority of the Texas Commission on Environmental Quality (formerly TNRCC), including activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline.
<b>TXR10000I</b>	Indian country within the State of Texas.

**7. EPA Region 7: IA, KS, MO, NE (except see Region 8 for Pine Ridge Reservation Lands)**

US EPA, Region 07  
 NPDES Stormwater Program  
 901 N 5th St  
 Kansas City, KS 66101

The States of Iowa, Kansas, and Nebraska are the NPDES Permitting Authority for the majority of discharges within their respective states. The State of Missouri is the NPDES Permitting Authority for all discharges within its state.

<u>Permit No.</u>	<u>Areas of Coverage/Where EPA is Permitting Authority</u>
<b>IAR10000I</b>	Indian country within the State of Iowa
<b>KSR10000I</b>	Indian country within the State of Kansas
<b>NER10000I</b>	Indian country within the State of Nebraska, except Pine Ridge Reservation lands (see Region 8)

**8. EPA Region 8: CO, MT, ND, SD, WY, UT (except see Region 9 for Goshute Reservation and Navajo Reservation Lands), the Ute Mountain Reservation in NM, and the Pine Ridge Reservation in NE.**

US EPA, Region 08  
 NPDES Stormwater Program  
 999 18th St, Suite 300  
 (EPR-EP)  
 Denver, CO 80202-2466

The States of Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming are the NPDES Permitting Authority for the majority of discharges within their respective states.

<u>Permit No.</u>	<u>Areas of Coverage/Where EPA is Permitting Authority</u>
<b>COR10000F</b>	Federal Facilities in the State of Colorado, except those located on Indian country
<b>COR10000I</b>	Indian country within the State of Colorado, as well as the portion of the Ute Mountain Reservation located in New Mexico
<b>MTR10000I</b>	Indian country within the State of Montana
<b>NDR10000I</b>	Indian country within the State of North Dakota, as well as that portion of the Standing Rock Reservation located in South Dakota (except for the portion of the lands within the former boundaries of the Lake Traverse Reservation which is covered under South Dakota permit SDR10000I listed below)
<b>SDR10000I</b>	Indian country within the State of South Dakota, as well as the portion of the Pine Ridge Reservation located in Nebraska and the portion of the lands within the former boundaries of the Lake Traverse Reservation located in North Dakota (except for the Standing Rock Reservation which is covered under North Dakota permit NDR10000I listed above)
<b>UTR10000I</b>	Indian country within the State of Utah, except Goshute and Navajo Reservation lands (see Region 9)
<b>WYR10000I</b>	Indian country within the State of Wyoming

**9. EPA Region 9: CA, HI, NV, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in UT and NV, the Navajo Reservation in UT, NM, and AZ, the Duck Valley Reservation in ID, and the Fort McDermitt Reservation in OR.**

US EPA, Region 09  
 NPDES Stormwater Program  
 75 Hawthorne St  
 San Francisco, CA 94105-3901

The States of Arizona, California and Nevada are the NPDES Permitting Authority for the majority of discharges within their respective states. The State of Hawaii is the NPDES Permitting Authority for all discharges within its state.

<b><u>Permit No.</u></b>	<b><u>Areas of Coverage/Where EPA is Permitting Authority</u></b>
<b>ASR100000</b>	The Island of American Samoa
<b>AZR100001</b>	Indian country within the State of Arizona, as well as Navajo Reservation lands in New Mexico and Utah
<b>CAR100001</b>	Indian country within the State of California
<b>GUR100000</b>	The Island of Guam
<b>JAR100000</b>	Johnston Atoll
<b>MWR100000</b>	Midway Island and Wake Island
<b>MPR100000</b>	Commonwealth of the Northern Mariana Islands
<b>NVR100001</b>	Indian country within the State of Nevada, as well as the Duck Valley Reservation in Idaho, the Fort McDermitt Reservation in Oregon and the Goshute Reservation in Utah

**10. EPA Region 10: AK, WA, ID (except see Region 9 for Duck Valley Reservation Lands), and OR (except see Region 9 for Fort McDermitt Reservation).**

US EPA, Region 10  
 NPDES Stormwater Program  
 1200 6th Ave (OW-130)  
 Seattle, WA 98101-1128  
 Phone: (206) 553-6650

The States of Oregon and Washington are the NPDES Permitting Authority for the majority of discharges within their respective states.

<b><u>Permit No.</u></b>	<b><u>Areas of Coverage/Where EPA is Permitting Authority</u></b>
<b>AKR100001</b>	Indian country within the state of Alaska
<b>AKR10-000F</b>	Facilities operating in the Denali National Park and Preserve
<b>IDR100000</b>	The State of Idaho, except Indian country
<b>IDR100001</b>	Indian country within the State of Idaho, except Duck Valley Reservation lands (see Region 9)
<b>ORR100001</b>	Indian country within the State of Oregon, except Fort McDermitt Reservation lands (see Region 9)
<b>WAR10000F</b>	Federal Facilities in the State of Washington, except those located on Indian country
<b>WAR100001</b>	Indian country within the State of Washington

## Appendix C - Small Construction Waivers and Instructions

These waivers are only available to stormwater discharges associated with small construction activities (i.e., 1-5 acres). As the operator of a small construction activity, you may be able to qualify for a waiver in lieu of needing to obtain coverage under this general permit based on: (A) a low rainfall erosivity factor, (B) a TMDL analysis, or (C) an equivalent analysis that determines allocations for small construction sites are not needed. Each operator, otherwise needing permit coverage, must notify EPA of its intention for a waiver. It is the responsibility of those individuals wishing to obtain a waiver from coverage under this general permit to submit a complete and accurate waiver certification as described below. Where the operator changes or another is added during the construction project, the new operator must also submit a waiver certification to be waived.

### A. Rainfall Erosivity Waiver

Under this scenario the small construction project's rainfall erosivity factor calculation ("R" in the Revised Universal Soil Loss Equation) is less than 5 during the period of construction activity. The operator must certify to EPA that construction activity will occur only when the rainfall erosivity factor is less than 5. The period of construction activity begins at initial earth disturbance and ends with final stabilization. Where vegetation will be used for final stabilization, the date of installation of a stabilization practice that will provide interim non-vegetative stabilization can be used for the end of the construction period, provided the operator commits (as a condition of waiver eligibility) to periodically inspect and properly maintain the area until the criteria for final stabilization as defined in the construction general permit have been met. If use of this interim stabilization eligibility condition was relied on to qualify for the waiver, signature on the waiver with its certification statement constitutes acceptance of and commitment to complete the final stabilization process. The operator must submit a waiver certification to EPA prior to commencing construction activities.

*Note: The rainfall erosivity factor "R" is determined in accordance with Chapter 2 of Agriculture Handbook Number 703, Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE), pages 21–64, dated January 1997; United States Department of Agriculture (USDA), Agricultural Research Service.*

EPA has developed an online rainfall erosivity calculator to help small construction sites determine potential eligibility for the rainfall erosivity waiver. You can access the calculator from EPA's website at: [www.epa.gov/npdes/stormwater/lew](http://www.epa.gov/npdes/stormwater/lew). The R factor can easily be calculated by using the construction site latitude/longitude or address and estimated start and end dates of construction. This calculator may also be useful in determining the time periods during which construction activity could be waived from permit coverage. You may find that moving your construction activity by a few weeks or expediting site stabilization will allow you to qualify for the waiver. Use this online calculator or the Construction Rainfall Erosivity Waiver Fact Sheet

([www.epa.gov/npdes/pubs/fact3-1.pdf](http://www.epa.gov/npdes/pubs/fact3-1.pdf)) to assist in determining the R Factor for your small construction site.

If you are the operator of the construction activity and eligible for a waiver based on low erosivity potential, you can submit a rainfall erosivity waiver electronically via EPA's eNOI system ([www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI)) or provide the following information on the waiver certification form in order to be waived from permitting requirements:

1. Name, address and telephone number of the construction site operators;
2. Name (or other identifier), address, county or similar governmental subdivision, and latitude/longitude of the construction project or site;
3. Estimated construction start and completion (i.e., final stabilization) dates, and total acreage (to the nearest quarter acre) to be disturbed;
4. The rainfall erosivity factor calculation that applies to the active construction phase at your project site; and
5. A statement, signed and dated by an authorized representative as provided in Appendix L, Subsection L.11, which certifies that the construction activity will take place during a period when the value of the rainfall erosivity factor is less than five.

You can access the waiver certification form from EPA's website at:

([http://www.epa.gov/npdes/pubs/construction\\_waiver\\_form.pdf](http://www.epa.gov/npdes/pubs/construction_waiver_form.pdf)). Paper copies of the form must be sent to one of the addresses listed in Part D of this section.

*Note: If the R factor is 5 or greater, you cannot apply for the rainfall erosivity waiver, and must apply for NPDES permit coverage, unless you qualify for the Water Quality Waiver as described below.*

If your small construction project continues beyond the projected completion date given on the waiver certification, you must recalculate the rainfall erosivity factor for the new project duration. If the R factor is below five (5), you must update all applicable information on the waiver certification and retain a copy of the revised waiver as part of your SWPPP. The new waiver certification must be submitted prior to the projected completion date listed on the original waiver form to assure your exemption from permitting requirements is uninterrupted. If the new R factor is five (5) or above, you must obtain NPDES permit coverage.

## **B. TMDL Waiver**

This waiver is available if EPA has established or approved a TMDL that addresses the pollutant(s) of concern for the impaired water and has determined that controls on stormwater discharges from small construction activity are not needed to protect water quality. The pollutant(s) of concern include sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the construction activity. Information on TMDLs that have been established or approved by EPA is available from EPA online at <http://www.epa.gov/owow/tmdl/> and from state and tribal water quality agencies.

If you are the operator of the construction activity and eligible for a waiver based on compliance with an EPA-established or approved TMDL, you must provide the following information on the Waiver Certification form in order to be waived from permitting requirements:

1. Name, address and telephone number of the construction site operator(s);
2. Name (or other identifier), address, county or similar governmental subdivision, and latitude/longitude of the construction project or site;

3. Estimated construction start and completion (i.e., final stabilization) dates, and total acreage (to the nearest quarter acre) to be disturbed;
4. The name of the water body(s) that would be receiving stormwater discharges from your construction project;
5. The name and approval date of the TMDL;
6. A statement, signed and dated by an authorized representative as provided in Appendix L, Subsection L.11, that certifies that the construction activity will take place and that the stormwater discharges will occur, within the drainage area addressed by the TMDL.

### **C. Equivalent Analysis Waiver**

This waiver is available for non-impaired waters only. The operator can develop an equivalent analysis that determines allocations for his/her small construction site for the pollutant(s) of concern or determines that such allocations are not needed to protect water quality. This waiver requires a small construction operator to develop an equivalent analysis based on existing in-stream concentrations, expected growth in pollutant concentrations from all sources, and a margin of safety.

If you are a construction operator who wants to use this waiver, you must develop your equivalent analysis and provide the following information to be waived from permitting requirements:

1. Name, address and telephone number of the construction site operator(s);
2. Name (or other identifier), address, county or similar governmental subdivision, and latitude/longitude of the construction project or site;
3. Estimated construction start and completion (i.e., final stabilization) dates, and total acreage (to the nearest quarter acre) to be disturbed;
4. The name of the water bodies that would be receiving stormwater discharges from your construction project;
5. Your equivalent analysis;
6. A statement, signed and dated by an authorized representative as provided in Appendix L, Subsection L.11, that certifies that the construction activity will take place and that the stormwater discharges will occur, within the drainage area addressed by the equivalent analysis.

### **D. Waiver Deadlines and Submissions**

1. Waiver certifications must be submitted prior to commencement of construction activities.
2. If you submit a TMDL or equivalent analysis waiver request, you are not waived until EPA approves your request. As such, you may not commence construction activities until receipt of approval from EPA.
3. Late Notifications: Operators are not prohibited from submitting waiver certifications after initiating clearing, grading, excavation activities, or other construction activities. The Agency reserves the right to take enforcement for any unpermitted discharges that occur between the time construction commenced and waiver authorization is granted.

Submittal of a waiver certification is an optional alternative to obtaining permit coverage for discharges of stormwater associated with small construction activity, provided you qualify for the waiver. Any discharge of stormwater associated with small construction activity not covered by either a permit or a waiver may be considered an unpermitted discharge under the Clean Water Act. As mentioned above, EPA reserves the right to take enforcement for any unpermitted discharges that occur between the time construction commenced and either discharge authorization is granted or a complete and accurate waiver certification is submitted. EPA may notify any operator covered by a waiver that they must apply for a permit. EPA may notify any operator who has been in non-compliance with a waiver that they may no longer use the waiver for future projects. Any member of the public may petition EPA to take action under this provision by submitting written notice along with supporting justification.

Complete an accurate Rainfall Erosivity waiver certifications not otherwise submitted electronically via EPA's eNOI system ([www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI)) must be sent to one of the following addresses:

Regular U.S. Mail Delivery

EPA Stormwater Notice Processing Center  
Mail Code 4203M  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Overnight/Express Mail Delivery

EPA Stormwater Notice Processing Center  
Room 7420  
U.S. EPA  
1201 Constitution Avenue, NW  
Washington, DC 20004

Complete and accurate TMDL or equivalent analysis waiver requests must be sent to the applicable EPA Region office specified in Appendix B.

## Appendix D - Endangered Species Act Requirements

### Eligibility Criteria

You must certify in your NOI that you meet one of the eligibility criteria below. Guidance is provided below on the steps you should take to determine which eligibility criterion applies to discharges from your construction site. Regardless of the Criterion selected, you must provide documentation in your SWPPP that is sufficient to support your determination that you satisfy the requirements of the particular Criterion.

**EPA Note:** These eligibility criteria are draft, and subject to change as EPA continues its consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service.

- Criterion A. No federally-listed threatened or endangered species or their designated critical habitat are likely to occur in your site's action area as defined in Appendix A.
- Criterion B. The construction site's discharges were already addressed in another operator's valid certification of eligibility for the same construction project under eligibility Criterion A, B, C, D, or E and there is no reason to believe that federally-listed species or federally-designated critical habitat not considered in the prior certification may be present or located in the "action area". To certify eligibility under this criterion there must be no lapse of coverage in the other operator's certification. By certifying eligibility under this criterion, you agree to comply with any effluent limitations or conditions upon which the other operator's certification was based. If your certification is based on another operator's certification under Criterion C, it is valid only if you have documentation showing that the other operator had certified under Criterion C, and you provide EPA with the relevant supporting information required of existing dischargers in Criterion C in your NOI form.
- Criterion C. Federally-listed threatened or endangered species or their designated critical habitat are likely to occur in or near your site's "action area," and your site's discharges are not likely to adversely affect listed threatened or endangered species, or critical habitat. To make this certification, you must document: 1) what species and/or habitat are listed in the county or region; 2) their location in your relation to your discharges; 3) what the species' habitat needs are; 4) where the project site is in relation to those species and/or habitat; and 5) how it was determined that your discharge is not likely to adversely affect any listed species or critical habitat.
- Criterion D. Coordination between you and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service (together, the "Services") has been concluded. The coordination must have addressed the effects of your site's discharges on federally-listed threatened or endangered species and federally-designated critical habitat, and must have resulted in a written concurrence from the relevant Service(s) that your site's discharges is not likely to adversely affect listed species or critical habitat. You must include copies of the correspondence between yourself and the Services.

- Criterion E. Consultation between a Federal Agency and the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service under section 7 of the ESA has been concluded. The consultation must have addressed the effects of the construction site's discharges on federally-listed threatened or endangered species and federally-designated critical habitat. The result of this consultation must be either:
- i. a biological opinion that concludes that the action in question (taking into account the effects of your site's discharges) is not likely to jeopardize the continued existence of listed species, nor the destruction or adverse modification of critical habitat; or
  - ii. written concurrence from the applicable Service(s) with a finding that the site's discharges are not likely to adversely affect federally-listed species or federally-designated habitat.
- Criterion F. Your construction activities are authorized through the issuance of a permit under section 10 of the ESA, and this authorization addresses the effects of the site's discharges on federally-listed species and federally-designated critical habitat; or

You must comply with any applicable terms, conditions, or other requirements developed in the process of meeting the eligibility requirements of the criteria in this section to remain eligible for coverage under this permit. Documentation must be kept with your SWPPP.

## Appendix E - Historic Properties Requirements

### Eligibility Criteria

You must certify on your NOI that you meet one of the eligibility criteria below. Suggested steps are included below as a guide to how to determine the correct eligibility criterion that applies to your site.

**EPA Note:** These eligibility criteria are draft, and subject to change as EPA continues its consultation with the Advisory Council on Historic Preservation (ACHP), the State Historic Preservation Offices (SHPOs), and the Tribal Historic Preservations Offices (THPOs). The eligibility criteria included below are modeled after the criteria used in EPA's multi-sector general permit (MSGP) for stormwater discharges associated with industrial activity.

- Criterion A. Your stormwater discharges and allowable non-stormwater discharges do not have the potential to have an effect on historic properties; or
- Criterion B. Your stormwater discharges and allowable non-stormwater discharges will not affect historic properties; or
- Criterion C. Your stormwater discharges allowable non-stormwater discharges have the potential to have an effect on historic properties, and you have consulted with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), or other tribal representative regarding measures to mitigate or prevent any adverse effects on historic properties, and you have obtained and are in compliance with a written agreement that outlines all such measures; or
- Criterion D. You have contacted the State Historic Preservation Officer, Tribal Historic Preservation Officer, or other tribal representative and EPA in writing informing them that you have the potential to have an effect on historic properties and you did not receive a response from the SHPO, THPO, or tribal representative within 30 days of receiving your letter.

If you have been unable to reach agreement with a SHPO, THPO, or other tribal representative regarding appropriate measures to mitigate or prevent adverse effects, you must notify EPA's Regional Office NHPA contact prior to submitting your NOI.

### Guidelines on Determining the Eligibility Criterion Applicable to Your Site

**EPA note:** These procedures have been left intentionally blank because of the ongoing consultation between EPA and the ACHP, SHPOs, and THPOs.

## Appendix F - List of Tier 3, Tier 2, and Tier 2.5 Waters

EPA's CGP has special requirements for discharges to waters designated by a State or Tribe as Tier 2/2.5 or Tier 3 for antidegradation purposes under 40 CFR 131.12(a). See Parts 1.2.4, 1.2.5, and 4.3.

The list below is provided as a resource for industrial dischargers who must determine whether they discharge to a Tier 2/2.5 or Tier 3 water. Only Tier 2/2.5 or Tier 3 waters specifically identified by a water quality standard authority (e.g., a State, Territory, or Tribe) are identified in the table below. Many authorities evaluate the existing and protected quality of the receiving water on a pollutant-by-pollutant basis and determine whether water quality is better than the applicable criteria that would be affected by a new discharge or an increase in an existing discharge of the pollutant. In instances where water quality is better, the authority may choose to allow lower water quality, where lower water quality is determined to be necessary to support important social and economic development. Permittees are not required to identify those waters which are evaluated on an individual basis.

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
MAR100000	<b>Commonwealth of Massachusetts, except Indian Country lands</b>	
	Tier 2 and Tier 2.5 waters are identified and listed in 314 CMR 4.06 Basin Classification. (314 CMR 4 can be found at DEP's web page at <a href="http://www.mass.gov/dep/service/regulations/314cmr04.pdf">http://www.mass.gov/dep/service/regulations/314cmr04.pdf</a> )	
	Tier 2	Tier 2 waters are listed on a parameter-by-parameter basis.
	Tier 2.5	Tier 2.5 waters are listed as "outstanding resource waters" on the website: <a href="http://www.mass.gov/dep/water/laws/tblfig.pdf">http://www.mass.gov/dep/water/laws/tblfig.pdf</a>
NHR100000	<b>State of New Hampshire</b>	
	Tier 2/2.5	There is no list of Tier 2/Tier 2.5 waters. New dischargers should contact Thelma Murphy (EPA Region 1's stormwater coordinator) at <a href="mailto:murphy.thelma@epa.gov">murphy.thelma@epa.gov</a> .
	Tier 3	Env-Ws 1708.05(a) Surface waters of national forests and surface waters designated as "natural" under RSA 483:7-a, I shall be considered outstanding resource waters (ORW). "Natural waters" are listed at <a href="http://www.gencourt.state.nh.us/rsa/html/L/483/483-15.htm">http://www.gencourt.state.nh.us/rsa/html/L/483/483-15.htm</a> . Surface waters of national forests are not included in an official list. For further questions, new dischargers should contact Thelma Murphy (EPA Region 1's stormwater coordinator) at <a href="mailto:murphy.thelma@epa.gov">murphy.thelma@epa.gov</a> .
PRR100000	<b>Commonwealth of Puerto Rico</b>	
	Tier 3	Tier III waters are those which are classified as either Class SA or Class SE. Class SA waters are defined as "Coastal waters and estuarine waters of high quality and/or exceptional ecological or recreational value whose existing characteristics shall not be altered, except by natural causes, in order to preserve the existing natural phenomena." Class SA waters include bioluminescent lagoons and bays such as La Parguera and Monsio José on the Southern Coast, Bahía de Mosquito in Vieques, and any other coastal or estuarine waters of exceptional quality of high ecological value or recreational which may be

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
		designated by Puerto Rico, through Resolution, as requiring this classification for protection of the waters. Class SE waters are defined as "Surface waters and wetlands of exceptional ecological value, whose existing characteristics should not be altered in order to preserve the existing natural phenomena." Class SE waters include Laguna Tortuguero, Laguna Cartagena and any other surface water bodies of exceptional ecological value as may be designated by Puerto Rico through Resolution.
DCR100000	<b>District of Columbia</b>	
	Tier 2/2.5	Rock Creek and its tributaries and Battery Kemble Creek and its tributaries are considered Special Waters of the District of Columbia (SWDC) under its antidegradation program.
MNR100001	<b>Fond du Lac Band of MN Chippewa</b>	
	Tier 3	Six lakes are presently identified as Tier 3: (1) Dead Fish, (2) Jaskari, (3) Miller (Mud), (4) Perch, (5) Rice Portage, (6) Wild Rice.
	<b>Grand Portage Band of MN Chippewa</b>	
	Tier 2/2.5	All waters, not already classified as Tier 3, are high quality Tier 2 waters. (see Grand Portage Reservation Water Quality Standards, Section VI & VII, Pages 14-16).
	Tier 3	"The portion of Lake Superior north of latitude 47 degrees, 57 minutes, 13 seconds, east of Hat Point, south of the Minnesota-Ontario boundary, and west of the Minnesota-Michigan boundary." (see Section VII, Page 16).
WIR100001	<b>Lac du Flambeau Band of the Lake Superior Chippewa</b>	
	Tier 2	All named waters, including wetlands, not specified under an antidegradation classification.
	Tier 2.5	Bills Lake, Birch Lake, Bobidosh Lake, Bog Lake (SE SE Sec. 31, T40NR6E), Bolton Lake, Broken Bow Lake, Chewalah Lake, Clear Lake (Sec. 2, T39NR4E), Corn Great, Great, Corn Lake, Little "Least/Lesser", Crawling Stone Lake, Big, Crawling Stone Lake, Little, Crescent Lake, Crooked Lake, Big, David Lake, Ellerson Lake, Middle, Ellerson Lake, West, Elsie Lake "Boundary Lake", Fat Lake, Fence Lake, Gresham Creek, Green Lake (NW NW Sec. 19, T41R6E), Grey Lake, Gunlock Lake, Haskell Lake, Headflyer Lake (Sec. 19, T41NR5E), Highway Lake (NW NW Sec. 19, T41NR5E), Horsehead Lake (SE SW Sec. 9, T40NR5E), Hutton's Creek, Ike Walton Lake, Lily Lake (SE SW Sec. 35, T40NR5E), Little Ten Lake, Lodge Lake "L. Rice" (NW NW Sec. 8, T41NR6E), Lucy Lake, Mindys Lake (Sec. 8, T40NR5E), Minette Lake, Mitten Lake, Monk's Lake (Sec. 13, T40NR5E), Moving Cloud Lake, Mud Creek, Muskesin Lake, Patterson Lake, Placid Twin Lake (North), Placid Twin Lake (South), Plummer Lake, Poupart Lake, Prairie Lake (NE SW Sec. 13, T40NR4E), Raven Lake, Ross Allen Lake, Sand Lake, Little, Scott Lake (Sec. 22, T40N, R4E), Shishebogama Lake, Signal Lake, Snort Lake (Sec. 5, T41N, R6E), Spring Lake "Jerms", Squirrel Lake, Statenaker Lake "Hollow", Stearns Lake "Hourglass", Sugarbush "Hidden Lake" (NW NW Sec. 17, T41NR5E), Sugarbush Creek, Sugarbush Lake, Little, Sugarbush Lake, Lower, Sugarbush Lake, Middle, Sugarbush Lake, Upper, Sunfish

Permit Number	Areas of Coverage/Where EPA Is Permitting Authority	
		Lake, Tippecanoe Lake, Tomahawk River, To-To Tom Lake, Toulish Lake, Trout River, Warrior Lake, White Sand Lake, Whitefish Lake "Cattail Lake" (Sec. 34, T40N5R), Wishow Lake, Wyandock Lake
	Tier 3	Bear River (1st bridge to Reservation boundary), Big Springs (Sec. 25, T40NR4E), Black Lake, Cranberry Lake, Doud Lake, Eagle Lake, Gene Lake, Johnson Springs, Little Trout Lake, Lost Lake (Sect. 1, T41NR4E), Mishonagon Creek, Munnomin (Jesse, Duck) Lake, Negani (Hegani) Lake, Reservation Line Lake, Spring Creek, Tank Lake, Thomas Lake, Wild Rice Lake, Zee Lake
NMR100000	<b>State of New Mexico</b>	
	Tier 3	<p>(1) Rio Santa Barbara, including the west, middle and east forks from their headwaters downstream to the boundary of the Pecos Wilderness; and</p> <p>(2) the waters within the United States forest service Valle Vidal special management unit including:</p> <p>(a) Rio Costilla, including Comanche, La Cueva, Fernandez, Chuckwagon, Little Costilla, Holman, Gold, Grassy, LaBelle and Vidal creeks, from their headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit;</p> <p>(b) Middle Ponil creek, including the waters of Greenwood Canyon, from their headwaters downstream to the boundary of the Elliott S. Barker wildlife management area;</p> <p>(c) Shuree lakes;</p> <p>(d) North Ponil creek, including McCrystal and Seally Canyon creeks, from their headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit; and</p> <p>(e) Leandro creek from its headwaters downstream to the boundary of the United States forest service Valle Vidal special management unit.</p>

## **Appendix G - Notice of Intent (NOI) Form and Instructions**

Part 1.5.2 requires you to use the electronic NOI system, or "eNOI" system, to prepare and submit your NOI. However, where your EPA Regional Office specifically authorizes you to use a paper NOI form, you are required to complete and submit the following form.





What is the latitude and longitude of your discharge point(s)? (Use one of three possible formats, and specify method)

	Latitude	Longitude
<b>Discharge Point 1:</b>	1. ____° ____' ____" N (degrees, minutes, seconds) 2. ____° ____' ____" N (degrees, minutes, decimal) 3. ____° ____' ____" N (degrees decimal)	1. ____° ____' ____" N (degrees, minutes, seconds) 2. ____° ____' ____" N (degrees, minutes, decimal) 3. ____° ____' ____" N (degrees decimal)
<b>Discharge Point 2:</b>	1. ____° ____' ____" N (degrees, minutes, seconds) 2. ____° ____' ____" N (degrees, minutes, decimal) 3. ____° ____' ____" N (degrees decimal)	1. ____° ____' ____" N (degrees, minutes, seconds) 2. ____° ____' ____" N (degrees, minutes, decimal) 3. ____° ____' ____" N (degrees decimal)
<b>Discharge Point 3:</b>	1. ____° ____' ____" N (degrees, minutes, seconds) 2. ____° ____' ____" N (degrees, minutes, decimal) 3. ____° ____' ____" N (degrees decimal)	1. ____° ____' ____" N (degrees, minutes, seconds) 2. ____° ____' ____" N (degrees, minutes, decimal) 3. ____° ____' ____" N (degrees decimal)

Latitude/Longitude Data Source:  U.S.G.S. topographic map  EPA web site  GPS  Other: \_\_\_\_\_

If you used a U.S.G.S. topographic map, what was the scale? \_\_\_\_\_

Do you discharge to a water of the U.S. that is impaired?  YES  NO

If "yes", provide the following information for any impaired waters of the U.S. to which you discharge. (Attach an additional list if necessary).

List the names of the impaired waters of the U.S. to which you discharge:	Lists all pollutant(s) causing the impairment(s):	Has a TMDL been completed for the pollutant(s) causing the impairment?
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO

If a TMDL has been approved or established, identify the title or reference of the TMDL document: \_\_\_\_\_

**High Quality Waters:**

Are any of your discharges into any portion of a receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water) as a Tier 3 water (Outstanding Natural Resource Water)? (See Appendix F.)

YES  NO

If yes, name(s) of receiving water(s) designated as Tier 2, Tier 2.5 or Tier 3: \_\_\_\_\_

**V. Buffer Information**

Do any waters of the U.S. exist within or immediately adjacent to your site?  YES  NO

If "yes", will you provide a 50-foot, naturally vegetated buffer separating your construction activities from the edge of these waters?  YES  NO

If "no", can your project be characterized as construction of any of the following:

1. Water crossings authorized under a CWA Part 404 permit for water lines, sewer lines, utility lines, and roadways:  YES  NO
2. Water-dependent structures and water access areas (piers, boat ramps, etc.) approved under a CWA Part 404 permit:  YES  NO
3. Development of a site where no naturally vegetated buffer area exists due to prior disturbances:  YES  NO

If "no" (to whether you will provide a 50-foot natural vegetated buffer), and your project does not involve either of the above types of construction, provide the following information:

1. The width of the naturally-vegetated buffer to be retained at your site:  feet

2. Describe the controls you will use to treat stormwater discharges on your site to achieve the equivalent sediment reduction of the 50-foot buffer:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VI. Chemical Treatment Information**

Will you employ sediment controls enhanced with polymers, flocculants, or other treatment chemicals at your construction site?  YES  NO

If yes, select any of the following types of polymers, flocculants, or other treatment chemicals that will be used on-site:

- Polyacrylamide (PAM)
- Chitosan acetate
- Chitosan lactate
- Alum
- Polyaluminum chloride
- Gypsum
- DADMAC (polydiallyldimethylammonium chloride)
- Other: \_\_\_\_\_

**VII. Stormwater Pollution Prevention Plan (SWPPP) Information**

Has the SWPPP been prepared in advance of filing this NOI?  YES  NO

Location of SWPPP for Viewing:  Address in Section II  Address in Section III  Other (Provide address for viewing below)

**SWPPP Location:**

Street/Location: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_ - \_\_\_\_\_

**SWPPP Contact Information (if different than that in Section II):**

Name: \_\_\_\_\_

Phone: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Ext. \_\_\_\_\_ Fax (optional): \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

E-mail: \_\_\_\_\_

**VIII. Endangered Species Protection**

Using the instructions in Appendix D of the CGP, under which criterion listed in Appendix D are you eligible for coverage under this permit?

- A  B  C  D  E  F

If you select criterion E from Appendix C:

What federally-listed species or federally-designated critical habitat are in your "action area?" \_\_\_\_\_

What is the distance between your "action area" and the listed species or critical habitat (miles): \_\_\_\_\_

On what basis did you make the determination that your discharge is not likely to adversely affect any listed species or critical habitat? (e.g., communication with U.S. Fish and Wildlife Service or National Marine Fisheries Service, specific study) \_\_\_\_\_

**IX. Historic Preservation**

Using the instructions in Appendix E of the CGP, under which criterion listed in Appendix E are you eligible for coverage under this permit?

- A  B  C  D

**X. Certification Information**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Email: \_\_\_\_\_

**Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Under an NPDES General Permit**

NPDES Form Date (6/11)

This Form Replaces Form 3510-9 (11/08)

Form Approved OMB Nos. 2040-XXXX and 2040-XXXX

**Who Must File an NOI Form**

Under the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et. seq.; the Act), federal law prohibits storm water discharges from certain construction activities to waters of the U.S. unless that discharge is covered under a National Pollutant Discharge Elimination System (NPDES) Permit. Operator(s) of construction sites where one or more acres are disturbed, smaller sites that are part of a larger common plan of development or sale where there is a cumulative disturbance of at least one acre, or any other site specifically designated by the Director, must submit an NOI to obtain coverage under an NPDES general permit. Each person, firm, public organization, or any other entity that meets either of the following criteria must file this form: (1) they have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or (2) they have day-to-day operational control of those activities at the project necessary to ensure compliance with SWPPP requirements or other permit conditions. If you have questions about whether you need an NPDES storm water permit, or if you need information to determine whether EPA or your state agency is the permitting authority, refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) or telephone the Storm Water Notice Processing Center at (866) 352-7755.

**Where to File NOI Form**

Completed NOI forms must be sent to the Regional EPA Office corresponding to the area where your construction site is located. The following is a list of Regional Office addresses:

**Region 1: Connecticut, Massachusetts, and New Hampshire, Rhode Island, Vermont.**

U.S. EPA Region 1  
Office of Ecosystem Protection  
One Congress Street – CIP  
Boston, MA 02114

**Region 2: New Jersey, New York, Puerto Rico, and Virgin Islands.**

*For Puerto Rico and the Virgin Islands:*  
U.S. EPA Region 2  
Caribbean Environmental Protection Division  
Environmental Management Branch  
Centro Europa Building  
1492 Ponce de Leon Avenue, Suite 417  
San Juan, PR 00907-4127

*For New Jersey and New York:*  
U.S. EPA Region 2  
Division of Environmental Planning and Protection  
290 Broadway  
New York, NY 10007-1866

**Region 3: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia.**

U.S. EPA Region 3  
Water Protection Division (3WP40)  
Stormwater Coordinator  
1650 Arch Street  
Philadelphia, PA 19103

**Region 4: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.**

U.S. EPA Region 4  
Clean Water Act Enforcement Section  
Water Programs Enforcement Branch  
Water Management Division  
Atlanta Federal Center  
61 Forsyth Street SW  
Atlanta, GA 30303

**Region 5: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.**

U.S. EPA Region 5  
Water Division  
NPDES Programs Branch  
77 W. Jackson Blvd.  
Mail Code WN16J  
Chicago, IL 60604

**Region 6: Arkansas, Louisiana, Oklahoma, Texas, and New Mexico (except see Region 9 for Navajo lands, and see Region 8 for Ute Mountain Reservation lands).**

U.S. EPA Region 6  
Stormwater Coordinator  
Compliance Assurance and Enforcement Division (6EN-WC)  
EPA SW MSGP  
P.O. Box 50625  
Dallas, TX 75205

**Region 7: Iowa, Kansas, Missouri, Nebraska.**

U.S. EPA - Region 7  
901 N. 5th Street  
Kansas City, KS 66101

**Region 8: Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah (except see Region 9 for Goshute Reservation and Navajo Reservation lands), the Ute Mountain Reservation in New Mexico, and the Pine Ridge Reservation in Nebraska.**

U.S. EPA Region 8  
Stormwater Coordinator (8P-W-P)  
999 18<sup>th</sup> Street, Suite 300  
Denver, CO 80202-2466

**Region 9: Arizona, California, Hawaii, Nevada, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Goshute Reservation in Utah and Nevada, the Navajo Reservation in Utah, New Mexico, and Arizona, the Duck Valley Reservation in Idaho, Fort McDermitt Reservation in Oregon.**

U.S. EPA Region 9  
Water Management Division, WTR-5  
Stormwater Coordinator  
75 Hawthorne Street  
San Francisco, CA 94105

**Region 10: Alaska, Idaho, Oregon (except see Region 9 for Fort McDermitt Reservation), Washington.**

U.S. EPA Region 10  
Office of Water and Watersheds OWW-130  
Stormwater Coordinator  
1200 6th Avenue  
Seattle, WA 98101

**Notice of Intent (NOI) for Storm Water Discharges Associated with  
Construction Activity Under an NPDES General Permit**

NPDES Form Date (6/11)

This Form Replaces Form 3510-9 (11/08)

Form Approved OMB Nos. 2040-XXXX and 2040-XXXX

**Completing the Form**

Obtain and read a copy of the 2011 Construction General Permit, viewable at [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp). To complete this form, type or print uppercase letters, in the appropriate areas only. Please place each character between the marks (abbreviate if necessary to stay within the number of characters allowed for each item). Use one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions on this form, refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) or telephone the Storm Water Notice Processing Center at (866) 352-7755. Please submit original document with signature in ink. do not send a photocopied signature.

**Section I. Permit Number**

Provide the number of the permit under which you are applying for coverage (see Appendix B of the general permit for the list of eligible permit numbers).

**Section II. Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the project described in this application. An operator of a project is a legal entity that controls at least a portion of site operations and is not necessarily the site manager. Provide the employer identification number (EIN from the Internal Revenue Service; IRS), also commonly referred to as your taxpayer ID. If the applicant does not have an EIN enter "NA" in the space provided. Also provide the operator's mailing address, telephone number, fax number (optional) and e-mail address (to be notified via e-mail of NOI approval when available). Correspondence for the NOI will be sent to this address.

**Section III. Project/Site Information**

Enter the official or legal name and complete street address, including city, state, zip code, and county or similar government subdivision of the project or site. If the project or site lacks a street address, indicate the general location of the site (e.g., Intersection of State Highways 61 and 34). Complete site information must be provided for permit coverage to be granted.

Indicate whether stormwater discharges from the site has been previously covered under an NPDES permit, and if "yes", provide the CGP Tracking Number or the NPDES permit number, if coverage was under an individual permit.

Indicate whether the applicant is a "secondary operator", as defined in Part 1.5.3.7, on a site at which a "primary operator", as defined in Part 1.5.3.6, is already covered under the 2011 CGP for discharges under this permit. If the answer is "yes", provide the Tracking number that EPA provided to the "primary operator" upon notification of permit coverage.

Indicate whether the applicant is an operator of an "emergency-related project" as defined in Part 1.5.3.5. If the answer is "yes", provide the date on which construction associated with the project commenced using four digits for the year (i.e., 10/06/2011).

Indicate if the construction project is taking place on a Federal facility as defined in Appendix A.

Indicate whether the project is in Indian country, and if so, provide the name of the Reservation. If the project is in Indian Country Lands that are not part of a Reservation, indicate "not applicable" in the space provided.

Enter the estimated construction start and completion dates using four digits for the year (i.e., 10/06/2010). Enter the estimated total area of the property on which the construction activities are occurring. Enter the estimated area to be disturbed including but not limited to: grubbing, excavation, grading, and utilities and infrastructure installation. Indicate to the nearest quarter acre. Note: 1 acre = 43,560 sq. ft.

Provide estimates of the total area of the site (to the nearest quarter acre), and the total area to be disturbed during the project (to the nearest quarter acre). This information will be used to determine whether you are required to comply with the numeric turbidity limit and associated requirements in Part 3.

**Section IV. Discharge Information**

Indicate whether discharges from the site will enter into a municipal separate storm sewer system (MS4), as defined in Appendix A. If the answer is "yes", provide the name of the MS4 operator, as well as contact information for this operator. The applicant must also provide the latitude and longitude of the MS4 outfall(s) where discharges from your facility will be discharged to waters of the U.S. This information will be used to determine if the site discharges to an impaired waterbody, which triggers additional requirements in Part 4.2.2 of the permit. The applicant can provide the latitude and longitude of the outfall(s) either in degrees, minutes, seconds; degrees, minutes, decimal; or decimal format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps, and EPA's web-based siting tools, among others. Refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) for further guidance on the use of these methodologies. Applicants must specify which method they used to determine latitude and longitude. If a U.S.G.S. topographic map is used, applicants are required to specify the scale of the map used.

For those sites that do not discharge to an MS4, specify the latitude and longitude of all discharge points from the site. This information will be used to determine if the site discharges to an impaired waterbody, which triggers additional requirements in Part 4.2.2 of the permit. The applicant can provide the latitude and longitude of the outfall(s) either in degrees, minutes, seconds; degrees, minutes, decimal; or decimal format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps, and EPA's web-based siting tools, among others. Refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) for further guidance on the use of these methodologies. Applicants must specify which method they used to determine latitude and longitude. If a U.S.G.S. topographic map is used, applicants are required to specify the scale of the map used.

If the operator chooses to determine whether his/her site discharges to an impaired water based on other information, such as local mapping information and consultations with applicable state or tribal agencies, the operator must complete the information in the Impaired Waters section. Describe the method used to determine whether or not the site discharges to an impaired water. Specify the latitude and longitude of all discharge points from the site. The applicant can provide the latitude and longitude of the outfall(s) either in degrees, minutes, seconds; degrees, minutes, decimal; or decimal format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps, and EPA's web-based siting tools, among others. Refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) for further guidance on the use of these methodologies. Applicants must specify which method they used to determine latitude and longitude. If a U.S.G.S. topographic map

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is used, applicants are required to specify the scale of the map used. Next, indicate whether according to the information used the operator discharges to an impaired water. If the answer is "yes", complete the table, which requires information on the name of the impaired water, the pollutants for which it is impaired, and whether a TMDL has been approved or established for the impairment. If a TMDL has been approved or established, identify the title or reference of the document.

In the High Quality Waters section, indicate whether discharges from the site will enter into a water of the U.S. that is designated as a Tier 2, Tier 2.5, or Tier 3 water. A list of Tier 2, 2.5, and 3 waters is provided as Appendix F. If the answer is "yes", name the waters designated as Tier 2 or Tier 2.5 to which the site will discharge.

**Section V. Buffer Information**

Indicate whether any waters of the U.S. exist within or immediately adjacent to your site. If the answer is "yes", indicate whether you have elected to comply with the buffer requirement in Part 2.1.2 by providing a 50-foot buffer of undisturbed natural vegetation between the disturbed portions of your site and any waters of the U.S. If the answer is "no", indicate whether your project can be characterized as a water crossing authorized under Clean Water Act Section 404 for water lines, sewer lines, utility lines, or roadways; a water-dependent structure or water access area, such as pier or boat ramp, approved under Clean Water Act Section 404, or a development of a site where no naturally vegetated buffer exists due to prior disturbances. If your site fits none of these descriptions, and you will not be providing a 50-foot buffer, (1) indicate the width of the naturally vegetated buffer to be retained, and (2) describe the controls you will use to treat stormwater discharges on your site to achieve the equivalent sediment load reduction from a 50-foot buffer. Refer to Appendix M to determine your area's predicted sediment removal efficiency from a 50-foot buffer.

**Section VI. Chemical Treatment Information**

Indicate whether the site will employ sediment controls enhanced with polymers, flocculants, or other treatment chemicals. If the answer is "yes", indicate which chemical you will use.

**Section VII. Stormwater Pollution Prevention Plan (SWPPP) Information**

All sites eligible for coverage under this permit are required to prepare a SWPPP in advance of filing the NOI, in accordance with Part 8. Indicate whether the SWPPP has been prepared in advance of filing the NOI.

Indicate the location of the SWPPP for viewing by the public. Specifically, indicate whether the SWPPP is located at the operator's address, the site address (if different), or another location. If it is another location, specify that location.

Indicate the street, city, state, and zip code where the SWPPP can be found. Indicate the contact information (name, phone, fax (option), and email, for the person who developed the SWPPP for this project.

**Section IX. Endangered Species Information**

Indicate for which criterion (i.e., A, B, C, D, E, or F) of the permit the applicant is eligible with regard to protection of federally listed endangered and threatened species, and designated critical habitat. See Appendix D.

If you criterion E is selected, provide a list of the federally-listed species or federally-designated critical habitat in the "action area" of the project, the distance between your construction activities and any listed endangered species or their critical habitat, and your basis for

determining that your activities are not likely adversely affect those species and/or critical habitat.

**Section X. Historic Preservation**

Indicate for which criterion (i.e., A, B, C, D) of the permit the applicant is eligible with regard to the protection of historic properties. See Appendix E.

**Section VII. Certification Information**

All applications, including NOIs, must be signed as follows:

*For a corporation:* By a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name and title of the person signing the form and the date of signing. An unsigned or undated NOI form will not be considered eligible for permit coverage.

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the name, organization, phone number and email address of the NOI preparer.

Instructions for Completing EPA Form 3510-X

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**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 3.7 hours. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch 2136, U.S. Environmental Protection, Agency, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Include the OMB control number on any correspondence. Do not send the completed form to this address.

Visit this website for mailing instruction:

[www.epa.gov/npdes/stormwater/mail](http://www.epa.gov/npdes/stormwater/mail)

Visit this website for instructions on how to submit electronically:

[www.epa.gov/npdes/stormwater/enoi](http://www.epa.gov/npdes/stormwater/enoi)

## Appendix H – Compliance with the C-Factor Stabilization Criteria

### Background

Part 2.2.2 of this permit requires that you stabilize exposed portions of your site if construction activities in these areas will be suspended either permanently or for a minimum length of time (i.e., either 14 days, or 7 days depending on the project site). The permit further requires that, in order to be considered stabilized, you must use stabilization cover methods that have been proven to be effective at minimizing soil loss after their application. These requirements are based on extensive studies, using approved research protocols (ASTM 6459), on the erosion control effectiveness of commonly-used cover methods. These studies rate each type of cover method according to its erosion control effectiveness, or “C-factor” (Cover management factor (C)). The derivation of the C-factor is the Revised Universal Soil Loss Equation (RUSLE), a regression formula which computes the average annual erosion from an acre of land, accordingly:

$$A \text{ (tons of sediment per acre per year)} = R * K * S * L * C * P$$

Where the six contributing factors are:

1. Rainfall-runoff erosivity factor (R)
2. Soil erodibility factor (K)
3. Slope-length factors (S and L)
4. Cover management factor (C)
5. Support practice factor (P)

Through these C-factor studies, it has been shown that the higher the C-factor, the greater the amount of soil will be discharged from a construction site during rainfall events. For example, most earthmoving activities result in a denuded surface condition associated with a C-factor value between 0.9 and 1.2. Part 2.2.2 of this permit requires you to install surface covers that significantly lower the site C-factor value in order to minimize soil erosion. In Part 2.2.2.a of this permit, the maximum C-factor values for cover methods used for *temporary stabilization* (using vegetative or non-vegetative covers) are 0.1 for slopes less than 15 percent, and 0.3 for slopes 15 percent or greater. In comparison, cover methods used for *final stabilization* are to have a C-Factor value of less than 0.05 (vegetative or non-vegetative).

### Use of Appendix H

For your assistance in complying with the Part 2.2.2 requirements, Table H-1 (see below) includes a compilation of published C-factor values for commonly-used stabilization cover methods. See Table H-1. Table H-1 is provided to you as a guide for you to utilize in selecting and applying appropriate covers with proven C-factor values. Table H-1 is intended to provide a good starting point for permittees needing to identify covers and cover material most appropriate for their location. The cover types referenced in Table H-1 are not exhaustive, and there are a variety of commercially-available stabilization covers that are not specifically listed in the table, either because they employ a combination of the types in Table H-1, or sufficient studies were not available for those cover types prior to the publication of this permit. In compiling Table H-1, EPA attempted to provide the range of probable C-factor values for the major cover types (e.g., erosion control blankets, straw, mulches, etc.), enabling the permittee to rapidly focus on the type(s) of covers that meets the Part 2.2.2 cover criteria.

In choosing the stabilization cover types for your site, you may elect to use any of the cover types that fit the description of the practices specifically listed in Table H-1, or you may use other commercially available methods that have been shown, using tests conducted consistent with accepted industry testing standards (e.g., ASTM 6459), to result in C-factors that are equal to or less than the required values. Regardless of the type of stabilization cover you choose, it not only must meet the required C-factor criteria, but you must also make sure that your application of the vegetative or non-vegetative cover to your site is consistent with the site conditions and application rates used during testing conditions. The values provided in Table H-1 indicate the performance under strict laboratory conditions. Cover materials will only perform to reported levels if they are carefully installed and maintained at the construction site in such a way that roughly parallels the site conditions and application rates used in laboratory conditions to achieve the C-factor values that meet the permit's criteria.

For example, if you need to temporarily stabilize your site to meet the required 0.1 C-factor criterion, and you choose to use straw that is anchored with netting, you will need to make sure that the straw and netting is applied on parts of your site that have slopes of less than 15 percent, and applied so that 92 percent of the exposed soil is covered or that you have applied the straw at a rate of 2 tons dry wt/ac. You may determine that a different application rate will meet the 0.1 C-factor criterion, however, you will need to document the study you relied on for this determination.

In some cases, the range of C-factor values reported in literature for a single cover type may suggest that in some cases the cover method will meet the required C-factor criterion, while other studies may yield C-factor values that fail to meet the criterion. In these cases, permittees can consider several options:

1. selecting another cover type;
2. performing site-specific analysis of conditions using state-of-practice methods, including computer programs such as RUSLE2 [NRCS, 2010];
3. contacting providers/manufactures for additional information; or
4. consulting references provided by State/local environmental and transportation agencies.

Note that the C-factor values in Table H-1 are generally higher for steep slopes than those reported for flatter slopes. This correlation serves as the basis for the two part C-factor criteria for temporary covers (i.e., a maximum temporary cover C-Factor of 0.1 for less than 15 percent slope and 0.3 for 15 percent or greater slope). The C-factor data available in current literature also indicates cover performance varies with construction site soil type, the overland flow path length, duration of use, and cover application rate. Accordingly, it is recommended that permittees utilize any available information on how these features affect performance when selecting stabilization covers and cover material.

For additional guidance regarding the use of Table H-1, refer to the section following the table, which provides a few case examples that illustrate proper use of the table and compliance with the C-factor criteria.

**Table H-1. Reported RUSLE C-Factor Cover Values**

Types of Cover Material/ Cover Condition	Reported C-Factor Values	Site Slope	Additional Technology Description	References
<b>Physical Roughing of Bare Soil</b>				
Surface roughening, disking, and tracking with and across contours	Greater than 0.3	< 5 percent		TRB, 1980
	Greater than 0.3	5 to 15 percent		
	Greater than 0.3	> 15 percent		
<b>Straw/Fiber Freely Dispersed</b>				
Straw/Fiber applied by hand or mechanical without anchoring	Less than 0.1	< 5 percent	2 tons dry wt/ac (92% cover)	Wischmeier and Smith, 1978
	See Note 1	5 to 15 percent		
	See Note 1	> 15 percent		
<b>Straw/Fiber with Tackifier or Binder</b>				
Straw/Fiber anchored with Tackifier (eg. Hydrophilic polymers and Guar Gum)	Less than 0.1	< 5 percent	2 tons dry wt/ac (92% cover)	Wischmeier and Smith, 1978; and EPA, 1979
	Less than 0.1	5 to 15 percent		
	Less than 0.3	> 15 percent		
<b>Straw/fiber with Netting</b>				
Straw/Fiber anchored with Netting	Less than 0.1	< 5 percent	2 tons dry wt/ac (92% cover)	Wischmeier and Smith, 1978; and EPA, 1979
	Less than 0.1	5 to 15 percent		
	Less than 0.3	> 15 percent		
<b>Soil Stabilizers [See Note 2]</b>				
Applying soil bonding agents such as the anionic form of polyacrylamide (PAM) directly to soil to minimize bare soil erosion.	Insufficient Data Available	< 5 percent	Dry and wet PAM applications include in C-Factor value range	StormwaterAuthority, 2010; and Filtrex 2010
	0.13 to 0.65	5 to 15 percent		
	0.13 to 0.65	< 15 percent		

Types of Cover Material/ Cover Condition	Reported C-Factor Values	Site Slope	Additional Technology Description	References
<b>Hydromulch/Tackifier Combinations [See Notes 1 and 2]</b>				
Mechanically applied fiber mulch with tackifier (e.g. Guar Gum or Latex-based)	From less than 0.1 to 0.4	< 5 percent	Between 0.5 and 2 tons/ac	ENCAP 2010; EPA 1979; and North America Green 2010
	From less than 0.1 to 0.4	5 to 15 percent		
	0.1 to 0.6	> 15 percent		
<b>Hydromulch with Netting [See Notes 1 and 2]</b>				
Mulch hydraulically applied upon previously installed netting.	From less than 0.1 to 0.4	< 5 percent	Between 0.5 and 2 tons/ac	ENCAP 2010; EPA 1979; and North America Green 2010
	From less than 0.1 to 0.4	5 to 15 percent		
	0.1 to 0.6	> 15 percent		
<b>Rock Surface Covers</b>				
1/4 to 1 1/2 inch crushed stone	Less than 0.05	< 5 percent	135 tons/acre or more	Wischmeier and Smith, 1978
	Less than 0.05	5 to 15 percent		
	Less than 0.05	> 15 percent		
<b>Vegetative Surface Covers</b>				
Mature crop (growth covers 75 to 96%)	Less than 0.05	< 5 percent		Wischmeier and Smith, 1978
	Less than 0.05	5 to 15 percent		
	Less than 0.05	> 15 percent		
Thin stalk grass (>60% density) w/mulch	Less than 0.05	< 5 percent		Wischmeier and Smith, 1978
	Less than 0.05	5 to 15 percent		
	Less than 0.05	> 15 percent		
Sod	Less than 0.05	< 5 percent		Wischmeier and Smith, 1978
	Less than 0.05	5 to 15 percent		
	Less than 0.05	> 15 percent		

Types of Cover Material/ Cover Condition	Reported C-Factor Values	Site Slope	Additional Technology Description	References
<b>Netless Rolled Erosion Control Blankets (ECBs)</b>				
ECBs are constructed of various degradable organic/synthetic fibers that are woven, glued or structurally bound with nettings or meshes. Open weave jute and woven coir (coconut husk) are examples.	Less than 0.1	< 5 percent	C-Factor range represents a range of blanket thickness and composition	Beltron Ind, 2010; and Filtrex 2010
	Less than 0.1	5 to 15 percent		
	From less than 0.05 to 0.5	> 15 percent		
<b>Single-Net Erosion Control Blankets (ECBs)</b>				
Processed degradable natural and/or polymer fibers mechanically bound together by a single rapidly degradable, synthetic or natural fiber netting	Less than 0.1 [See Note 3]	< 5 percent	C-Factor range represents a range of blanket thickness and composition	KY BMP Manual; American Excelsior 2010; East Coast Erosion, 2010; and Filtrex 2010
	Less than 0.3 [See Note 3]	5 to 15 percent		
	From less than 0.3 to 0.6	> 15 percent		
<b>Double-Net Erosion Control Blankets (ECBs)</b>				
Processed degradable natural and/or polymer fibers mechanically bound together between two degradable, synthetic or natural fiber nettings.	Less than 0.1 [See Note 3]	< 5 percent	C-Factor range represents a range of blanket thickness and composition	KY BMP Manual; and Filtrex 2010
	Less than 0.3 [See Note 3]	5 to 15 percent		
	From less than 0.2 to 0.44	> 15 percent		

## Specific Notes on Cover Materials:

[1] On steep slopes (> 15 percent) or where mulch is susceptible to movement by wind or water, the mulch material should be appropriately anchored.

[2] Many State Environmental and Transportation Agencies have developed guidelines relating features such as soil type and slope with a minimum application rate.

[3] Probable performance, see Manufacture for specifics.

## General Notes:

Values above provide information for assessing erosion control products targeted at meeting EPA's minimum C-factor criteria for stabilization covers. The performance of a stabilization cover is to be considered independently of any additional protection provided by erosion and sediment controls such as silt fences and sediment basins.

Manufactures should be contacted to determine how their products perform with various soil types and slope lengths, and provide key installation information including the duration of use.

### Case Examples

The following case examples are provided to illustrate how permittees should interpret the permit's stabilization requirements and how they may go about using Table H-1 or other available C-factor information to comply with the required criteria.

**EXAMPLE 1:** A large retail superstore is being developed within City XYZ on a square 6 acre site with relatively uniform soils. The construction activity will disturb 5 acres of the site. The site will be cleared, grubbed, and then graded at the very beginning of construction. The final grades for the acreage are as follows:

Average Slope	Project acreage disturbed
<5 percent	3 acres
>5 to 15 percent	1 acre
Greater than 15 percent	1 acre

The permittee plans to install temporary and permanent cover on disturbed portions of the site to achieve the required C-factor values.

Permittees should note that physically conditioning denuded soil surfaces (e.g., tracking with a compacting dozer) alone is insufficient to meet EPA's temporary and permanent C-factor criteria. As shown in Table H-1, the physical conditioning of bare soils result in C-factor values between 0.9 and 1.3; values too high to meet the criteria for stabilization. As a result, the permittee in this example must identify, install, and maintain vegetative or non-vegetative covers to meet the applicable stabilization criteria.

#### Consideration of temporary stabilization covers:

When selecting a temporary cover, the permittee needs to consider the stabilization requirements for areas of the site with slopes greater than 15 percent (i.e., 1 acre for this example) separately from the remaining site acreage that averages less than 15 percent (i.e., 4 acres). In accordance with Part 2.2.2.2.a.ii, the permittee must use one or a combination of practices that have been shown to achieve a level of stabilization that yields a C-factor value of no greater than 0.1 for slopes less than 15 percent, and no greater than 0.3 for slopes of 15 percent or greater.

As shown in Table H-1, there are several types of covers that can be employed at the example site, including Hydromulch, Erosion Control Blankets (ECBs), and Freely Dispersed Straw. By reviewing the individual C-factors listed in these cover types, the permittee can assess which cover type and application rate is most applicable to the site. A review of Table H-1 indicates the following options are available for temporary cover for a permittee seeking to use less expensive cover where plausible.

Site Conditions	Possible Cover Options	Timeframe
Acreage with slope < 5 percent	<ul style="list-style-type: none"> <li>• Freely dispersed straw</li> <li>• Hydromulch *</li> <li>• Straw/Fiber with Tackifier</li> </ul>	Immediately initiate stabilization where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 14 calendar days. Complete stabilization within 7 calendar days of initiation.
Acreage with slope between 5 and 15 percent	<ul style="list-style-type: none"> <li>• Straw/fiber with netting</li> <li>• Hydromulch *</li> <li>• Hydromulch with Netting*</li> <li>• Straw/Fiber with Tackifier</li> </ul>	
Acreage with slope > 15 percent	<ul style="list-style-type: none"> <li>• Netless ECBs *</li> <li>• Single-Net ECBs *</li> <li>• Double-Net ECBs *</li> <li>• Hydromulch with Netting*</li> <li>• Sod **</li> <li>• Rock Surface Cover **</li> </ul>	Immediately initiate stabilization where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days. Complete stabilization within 3 calendar days of initiation.

\* Performance varies. Contact manufacturer for information on their product performance

\*\* C-Factor values for these covers make them permanent covers.

As noted in Table H-1, the permittee should contact the manufacturer to determine how specific commercially available products perform with various soil types and slope lengths, and to obtain key installation information (e.g. the duration of use). For this construction site, a number of the possible cover materials will meet the temporary cover requirement, as shown in the table above; however, details about the application rate and the cover composition are needed to ensure the cover will have a C-Factor value that meets the required criteria. For instance, suppose the permittee chooses to use hydraulically applied mulch on top of previously installed netting, and the permittee is relying on any of the studies referenced in Table H-1 to support his/her belief that this cover will achieve the required C-factor criterion. The permittee, under this scenario, would be required to ensure that the application rate (e.g., between 0.5 and 2 tons/acre) for this particular installation of hydromulch at this site, as well as other site factors, such as slope length, must be consistent with the study conditions to be assured of complying with the stabilization criteria.

As indicated in the options table above, for the 4 acres of the permittee's disturbed land with slopes of 15 percent or less, temporary stabilization must be immediately initiated where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 14 calendar days. For these areas, installation must be completed within seven (7) days after initial application. For the 1 acre of the permittee's disturbed land that has a slope of greater than 15 percent, temporary stabilization must be immediately initiated within 7 calendar days of the permanent or temporary cessation of earth-disturbing activities, and it must be completed within 3 calendar days of initiation.

As discussed in more detail below, two of the covers considered for slopes greater than 15 percent on the site (Sod and Rock Surface Cover) have C-factor values that are less than 0.05. As a result they meet the C-factor requirement for final stabilization. Therefore, if the permittee chooses, he/she could elect to install these covers shortly after steep cuts/fills are contoured, and thereby meet their stabilization requirements for both temporary and final stabilization.

**Consideration of final stabilization covers:**

When considering cover options for final stabilization, the permittee must recognize that regardless of land slope, the final cover material must be shown to perform at the required C-factor level of with a C-Factor value of 0.05 or less. Using Table H-1, the cover options available to the permittee are the following:

Site Conditions	Possible Cover Options	Completion Point
Acreage with slope < 5 percent	<ul style="list-style-type: none"> <li>• Grass from planted seed</li> <li>• Sod</li> <li>• Rock Surface Cover</li> </ul>	Grass/Sod must provide a uniform vegetative cover with a density of 70 percent or more of the native background vegetative cover.
Acreage with slope between 5 and 15 percent		
Acreage with slope > 15 percent		Rock surface cover must provide a stable surface.

As shown in Table H-1, both vegetative and non-vegetative covers can meet the C-factor requirement. For this example, it would be possible to use only vegetative cover (grown with the assistance of fiber or straw mulch), or a combination of vegetative and non-vegetative cover. For acreage with steeper slopes (> 5 percent), final stabilization cover can be used in combination with an ECB or netting used to retain the temporary cover on the slope.

**EXAMPLE 2:** A large retail superstore is being developed within City XYZ on a 15 acre site with relatively uniform soils. The construction activity will disturb all 15 acres of the site, which will be cleared and grubbed. All of the site drainage discharges from a single point and construction is to begin in the summer of 2014.

The final grades for the acreage are as follows:

Average Slope	Project acreage disturbed
5 percent or less	14 acres
Greater than 15 percent	1 acre

**Consideration of temporary stabilization covers:**

If the permittee clears the whole 15 acre site and does not cease earth-moving activities until final cover or permanent structures are installed then no temporary cover need be applied. For example, a permanent structure can be a building and either a paved or gravel parking lot. Temporary cover is only needed for a portion of a site where the permittee temporarily ceases earth-disturbing activities.

The permittee must be aware that the average land slope establishes the temporary land cover C-Factor requirement and timeframe for action. In accordance with Part 2.2.2.2, the permittee must use one or a combination of practices that have been shown to achieve a level of stabilization that yields a C-factor value of no greater than 0.1 for slopes less than 15 percent, and no greater than 0.3 for slopes of 15 percent or greater. For 15 percent or less land slope, stabilization must be initiated where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 14 calendar days. For greater than 15

percent, stabilization must be initiated where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days.

A review of Table H-1 indicates the following options are available for temporary covers for a permittee.

Site Conditions	Possible Cover Options	Timeframe
Acreage with slope < 5 percent	<ul style="list-style-type: none"> <li>Freely dispersed straw</li> <li>Hydromulch *</li> <li>Straw/Fiber with Tackifier</li> </ul>	Immediately initiate stabilization where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 14 calendar days. Complete stabilization within 7 calendar days of initiation.
Acreage with slope > 15 percent	<ul style="list-style-type: none"> <li>Netless ECBs *</li> <li>Single-Net ECBs *</li> <li>Double-Net ECBs *</li> <li>Hydromulch with Netting*</li> <li>Sod **</li> <li>Rock Surface Cover **</li> </ul>	Immediately initiate stabilization where earth-disturbing activities have permanently or temporarily ceased, and will not resume for a period exceeding 7 calendar days. Complete stabilization within 3 calendar days of initiation.

\* Performance varies. Contact manufacturer for information on their product performance

\*\* C-Factor values for these covers make them permanent covers.

**Consideration of final stabilization covers:**

Prior to terminating permit coverage for construction activities at this site, the permittee will be required to provide final stabilization for any areas that were disturbed and not covered by permanent structures. Regardless of the land slope on the site, in order to meet the final stabilization requirements in the permit, stabilization measures must be used that are shown to achieve a C-factor value of 0.05 or less. Using Table H-1, the final stabilization cover options available to the permittee are the following:

Site Conditions	Possible Cover Options	Completion Point
Acreage with slope < 5 percent	<ul style="list-style-type: none"> <li>Grass from planted seed</li> <li>Sod</li> <li>Rock Surface Cover</li> </ul>	Grass/Sod must provide a uniform vegetative cover with a density of 70 percent or more of the native background vegetative cover.
Acreage with slope > 15 percent		Rock surface cover must provide a stable surface.

**References:**

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- USDA, 1997; Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE). United States Department of Agriculture, AH-703
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## Appendix I – 2-Year, 24-Hour Storm Frequencies

This appendix is intended to provide a guide to permittees to determine the volume of precipitation associated with their local 2-year, 24-hour storm event. If the permittee is subject to the numeric turbidity limit in Part 3 of the permit, the C&D rule and Part 3.1.2.1 of the permit provide an exception for storms that are larger than the 2-year, 24-hour storm event during which the limit does not apply. In order to claim this exception during permit coverage, the permittee is required to record and document the amount of rainfall that fell on the site (in inches) either by using a rain gauge or precipitation data from another source within 5 miles of the site. If the volume of rainfall for a particular storm exceeds the 2-year, 24-hour storm volume for the area, then any exceedance of the turbidity limit measured during or after the storm is not considered violations of the limit.

The permittee should start out by determining their local 2-year, 24-hour storm volume. The rainfall frequency atlases, technical papers, and the Precipitation Frequency Data Server (PFDS) developed by the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS) serve as national standards for rainfall intensity at specified frequencies and durations in the United States. Operators of construction projects subject to the numeric effluent limits can use these standards to determine their local 2-year, 24-hour storm. Table I-1 identifies methods for determining precipitation frequency based on permit area.

**Table I-1 – Method to Determine Precipitation Frequency Based on Permit Area**

PERMIT AREA	METHOD TO DETERMINE PRECIPITATION FREQUENCY
District of Columbia	PFDS; Technical Paper 40; NOAA Atlas 14, Vol. 2
Idaho	NOAA Atlas 2, Vol. 5; Technical Paper 40
Massachusetts	Technical Paper 40; Northeast Regional Climate Center: Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada
New Hampshire	Technical Paper 40; Northeast Regional Climate Center: Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada
New Mexico	PFDS; Technical Paper 40
Selected Pacific Islands	PFDS; Technical Paper 40
Puerto Rico and the U.S Virgin Islands	PFDS; Technical Paper 40
Other	PFDS; Technical Paper 40; NOAA Atlas 2 or 14

### How to Claim the 2-Year, 24-Hour Storm Exception in Part 3.1.3.1

The steps you should take to determine if your stormwater discharge in any day is generated by a storm event in that same day that is larger than the local 2-year, 24-hour storm are as follows:

Step 1: Determine your local 2-year, 24-hour storm size.

Projects located in the **District of Columbia, New Mexico, Puerto Rico, U.S. Virgin Islands, or Pacific Islands** can use the PFDS at <http://hdsc.nws.noaa.gov/hdsc/pfds/index.html> or use NOAA's Atlas 14 Volumes 2, 3, and 5, respectively at <http://www.nws.noaa.gov/oh/hdsc/currentpf.htm> to determine their precipitation frequency.

The PFDS is an easy to use, point-and-click interface to official U.S. precipitation frequency estimates and intensities. The opening PFDS screen is a clickable map of the United States. Upon clicking on a state, a state-specific interface appears. From this page the user selects the following:

- A location: Either via clicking on the map or manually entering a longitude/latitude coordinate;
- Type of output: Depth-Duration Frequency (DDF) or Intensity-Duration-Frequency (IDF)
- Units: millimeters or inches; and
- Type of estimate: Point or areal.

Additionally, PFDS also serves as a tool for providing references and other information for other current precipitation frequency standards that are not yet updated.

Projects located in the **District of Columbia, Puerto Rico, U.S. Virgin Islands, or Pacific Islands** can use NOAA's Atlas 14 Volumes 2, 3, and 5, respectively at <http://www.nws.noaa.gov/oh/hdsc/currentpf.htm> or access the PFDS at <http://hdsc.nws.noaa.gov/hdsc/pfds/index.html> to determine their precipitation frequency.

Projects located in **Massachusetts and New Hampshire**, or other areas not covered by the PFDS or NOAA Atlases will need to use TP-40 to identify the precipitation frequency. TP-40 provides a map of the continental U.S. for the 2-year, 24-hour rainfall. TP40 can be accessed at [http://www.nws.noaa.gov/oh/hdsc/PF\\_documents/TechnicalPaper\\_No40.pdf](http://www.nws.noaa.gov/oh/hdsc/PF_documents/TechnicalPaper_No40.pdf). (See also attached map of TP-40)

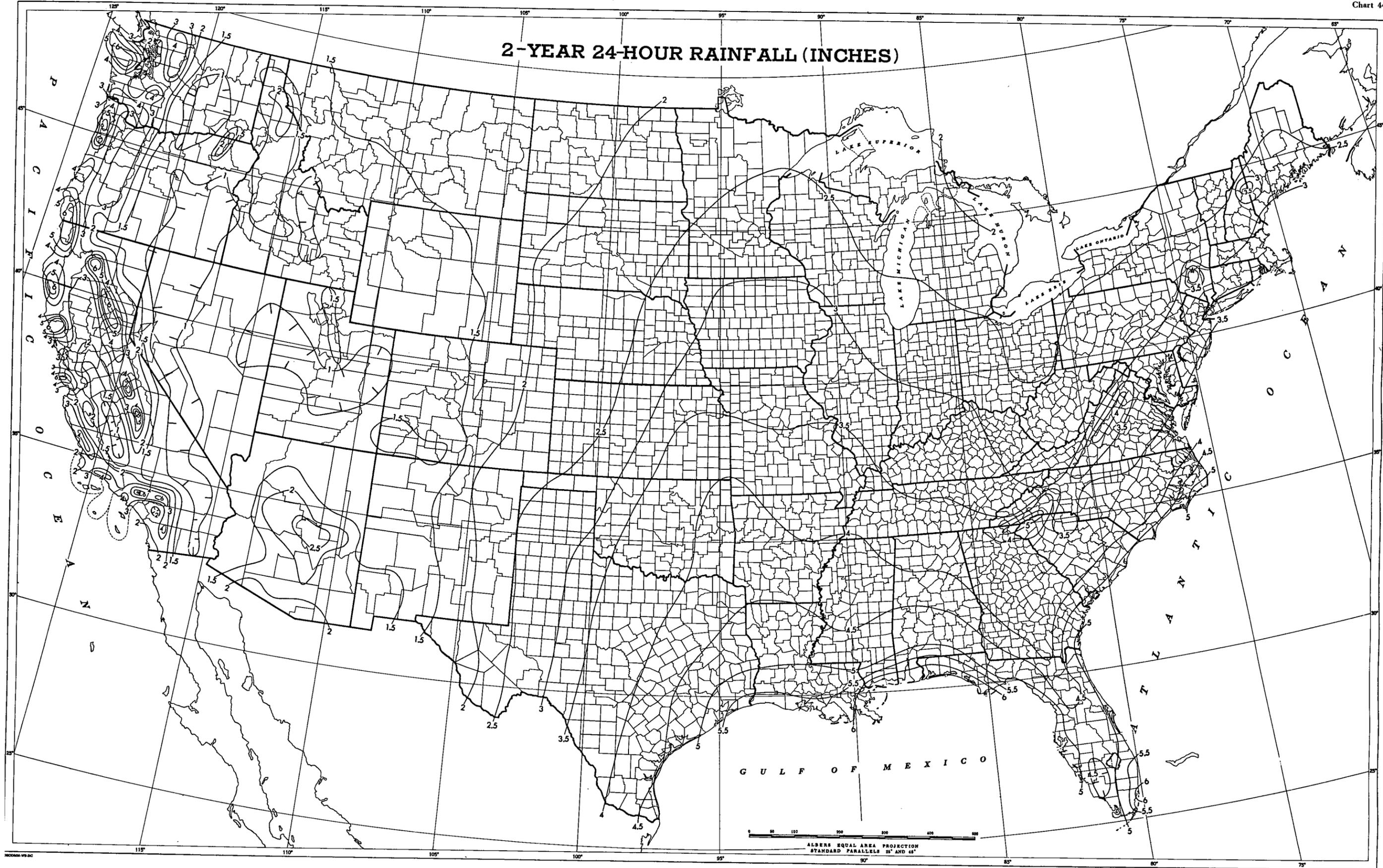
Projects located in **Massachusetts and New Hampshire** can also use data from the Northeast Regional Climate Center: Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada. (See attached map of Northeastern United States)

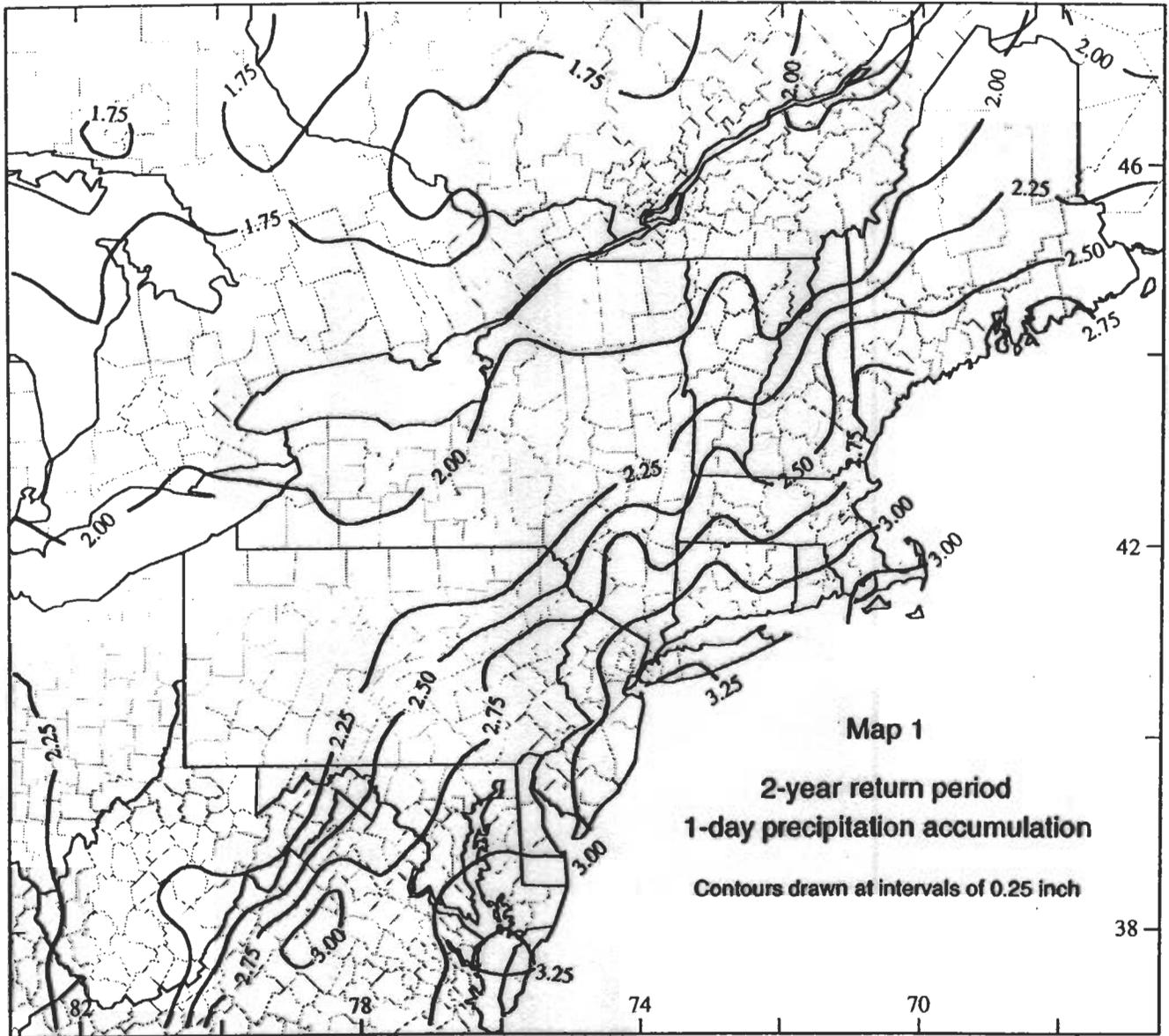
Projects located in **Idaho** can use the NOAA Atlas 2, Vol. 5 to determine their precipitation frequency. NOTE: Precipitation Frequencies on the NOAA Atlas 2, Vol. 5 are in tenths of an inch and will have to be converted to inches to determine precipitation frequency. NOAA Atlas 2, Vol. 5 can be accessed at [http://www.nws.noaa.gov/oh/hdsc/PF\\_documents/Atlas2\\_Volume5.pdf](http://www.nws.noaa.gov/oh/hdsc/PF_documents/Atlas2_Volume5.pdf). (See also attached map of NOAA Atlas 2, Vol. 5)

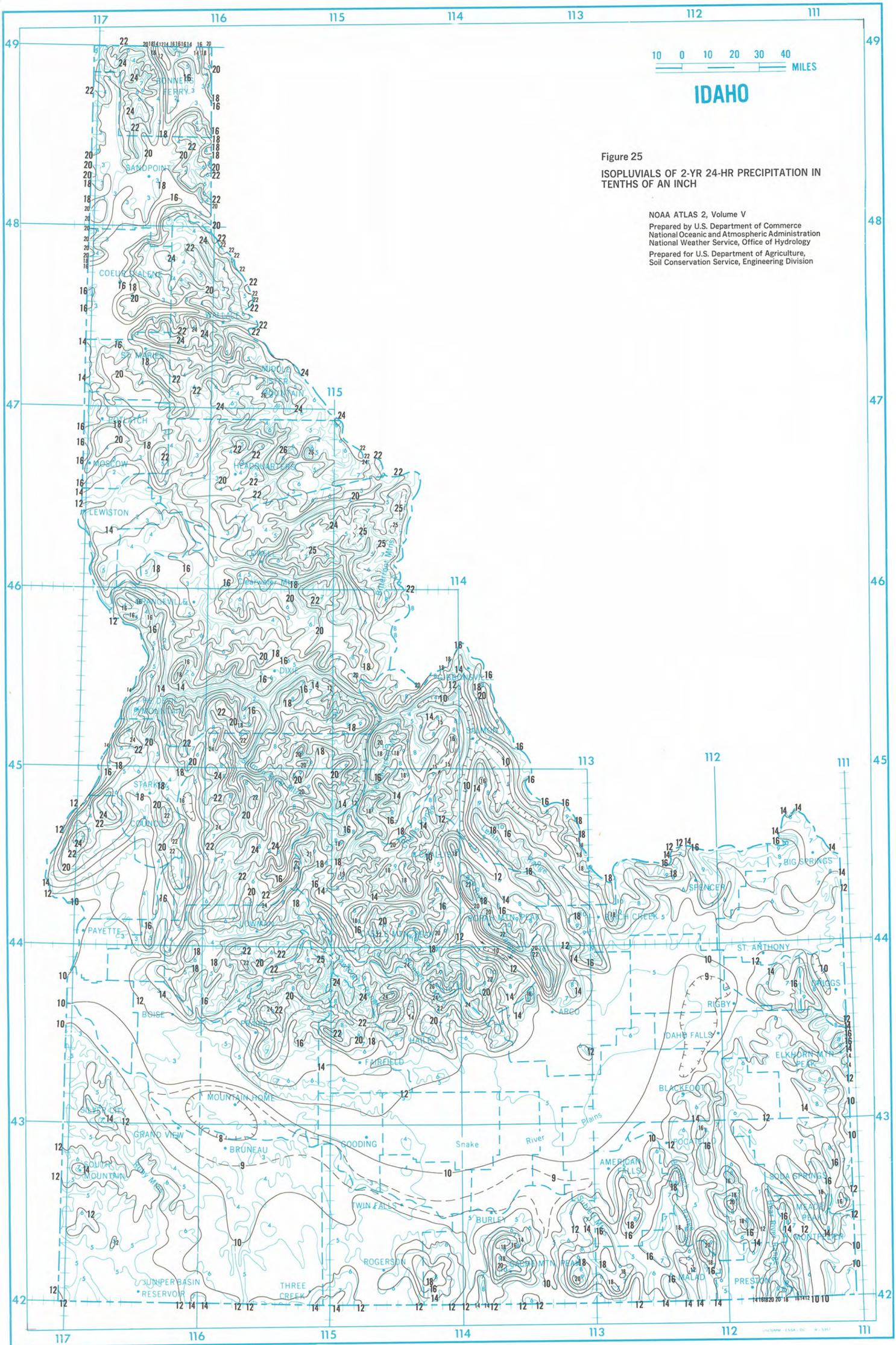
Step 2: Record the amount of rainfall (in inches) that occurred at your site using a rain gauge, or similar device, or using data from other sources that are no more than 5 miles distance from your site, in accordance with Part 3.1.2.1 of the permit.

Step 3: Compare the measured storm event to the precipitation frequency. If you determine that your stormwater discharges in any day are generated by a storm event in that same day that is larger than the local 2-year, 24-hour storm as determined from the above references, you are not required to comply with the numeric turbidity limit for that day.

# 2-YEAR 24-HOUR RAINFALL (INCHES)







## Appendix J - Impaired Water Requirements

This appendix helps you to comply with the requirements in the 2011 CGP related to impaired waters. Part 1 of this appendix includes information to assist you in determining whether your site discharges to an impaired water. Part 2 of this appendix helps you to determine your applicable benchmark monitoring level if you are required to conduct benchmark monitoring pursuant to Part 4.2.2.1 of the 2011 CGP.

### Part 1. Determining if Your Site Discharges to an Impaired Water

In Part 4.2 of the 2011 CGP, EPA defines a site that discharges to impaired waters as follows:

*Your construction site will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA pursuant to Section 303(d) of the Clean Water Act as impaired, or are included in an EPA-approved or established total maximum daily load (TMDL). For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the sewer system.*

To assist you in determining whether your site discharges to an impaired water, EPA is developing an online Discharge Mapping Tool that will automate the determination of whether you discharge to an impaired water. The Discharge Mapping Tool will be accessible from EPA's website, where you will be able to find additional information about the use of the tool. The Discharge Mapping Tool performs a geospatial analysis to determine if the discharge points that you provide are located within any catchments that include waters of the U.S. that are impaired. A "catchment" is a land area that drains to an individual segment of a stream or other waterbody. See Figure 1. During conditions that generate stormwater runoff from a point within a catchment area, it is assumed that this runoff will eventually reach the water segment associated with the catchment. Using this concept to determine whether a construction site discharges to an impaired water, if the point of discharge from the site is located within a catchment area that drains to an impaired stream segment, pond, lake or to a water segment that is addressed by an approved or established TMDL, then EPA considers that site to be discharging to an impaired water. Likewise, if the point of discharge is located within a catchment that does not include such a water segment, then your site is not considered to discharge to an impaired water. See Figure 2.

In order determine whether your site discharges to an impaired water, the following information is needed:

1. The geographic location (latitude and longitude) of the point(s) of discharge from your site;
2. The catchment unit that corresponds to this location; and
3. Whether the water segment that corresponds with the catchment is considered impaired, or whether the water segment is included in an approved or established TMDL.

The Discharge Mapping Tool uses the National Hydrologic Dataset Plus (NHDPlus) catchment datalayer and NHD waters indexed with Section 303(d) listing and TMDL information for the analysis of whether a discharge point is located with the catchment of an impaired water. The NHDPlus datalayer catchments are delineated based on the unique catchment area that drains to each NHD stream segment. Figure 3 shows examples of NHDPlus-delineated catchments within a larger watershed.

Figure 1 Relationship between a catchment and other watershed units.

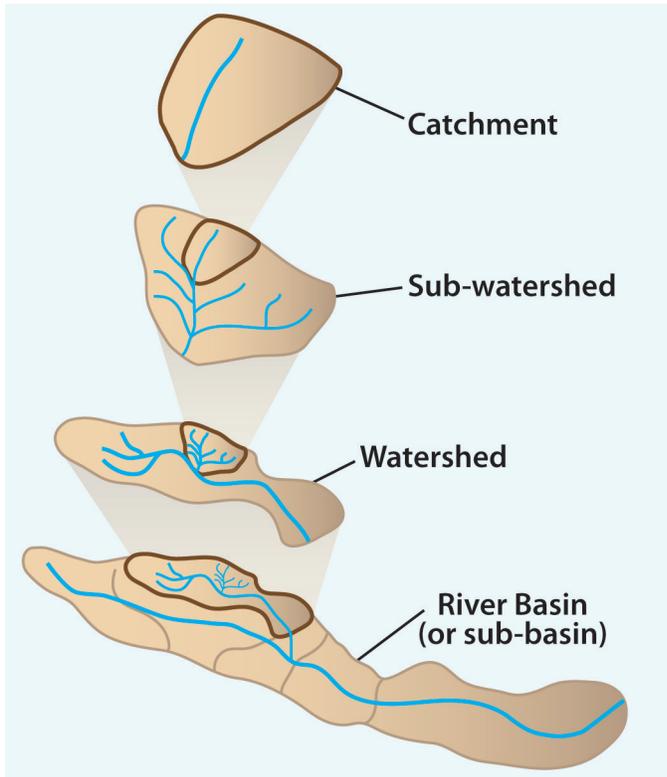


Figure 2 Example of a construction site that discharges to a impaired water.

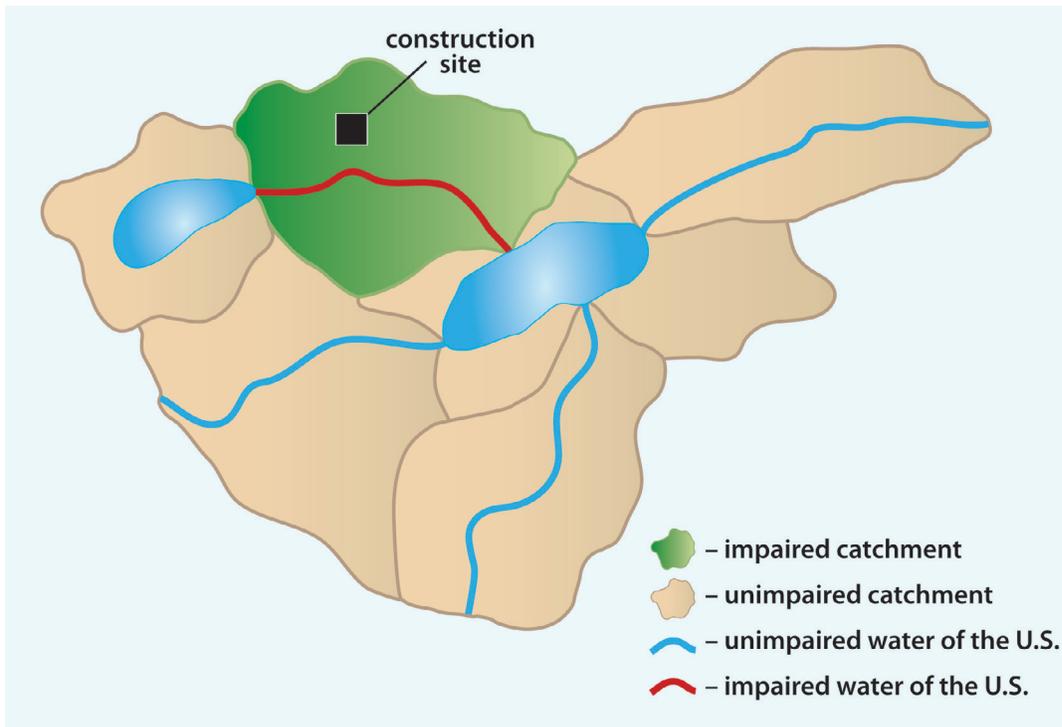
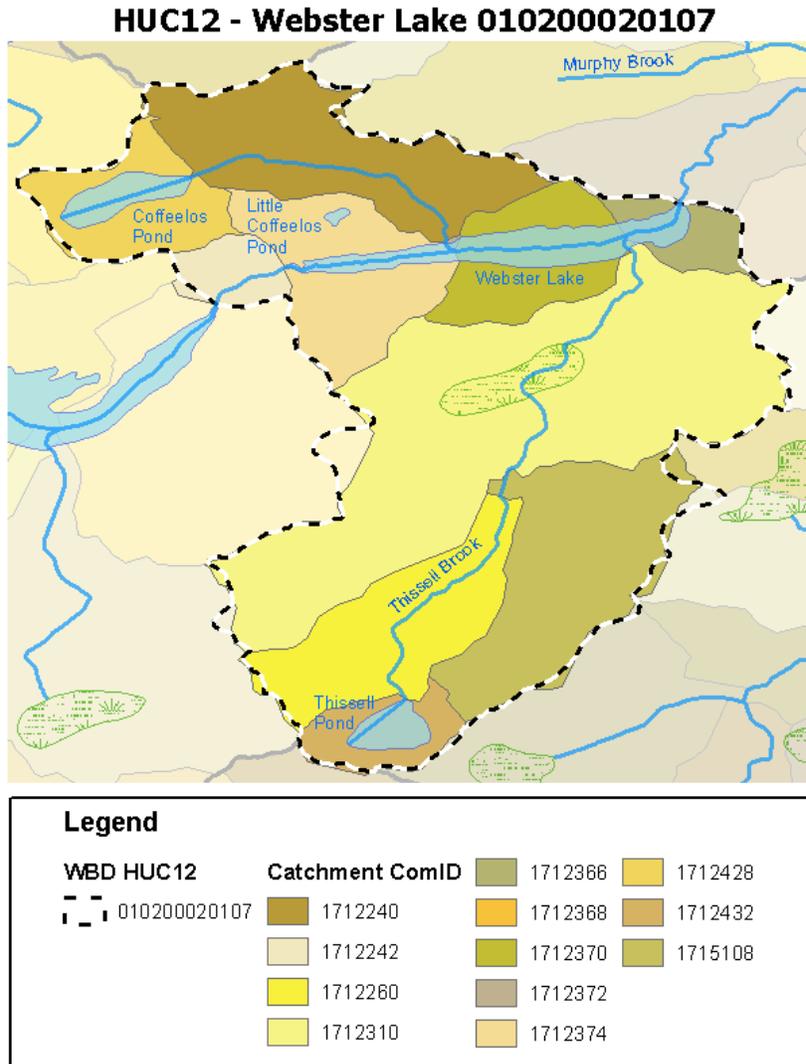


Figure 3 Example of NHDPlus delineated catchments.



To learn more about the data that is used in the CGP Discharge Mapping Tool, refer to the following links:

- Information about the National Hydrography Dataset (NHD): <http://nhd.usgs.gov/>
- 303(d) Listed Impaired Waters NHD Indexed Dataset Metadata Details: <https://geogateway.epa.gov/geoportal/catalog/search/viewMetadataDetails.page?uid=%7b66f27299-6b1b-42bf-8aa0-1127d7646631%7d&innoContentType=livedata>
- 303(d) Listed Impaired Waters NHD Indexed Dataset Metadata: [https://geogateway.epa.gov/geoportal/rest/document?id={66f27299-6b1b-42bf-8aa0-1127d7646631}&xsl=metadata\\_to\\_html\\_full](https://geogateway.epa.gov/geoportal/rest/document?id={66f27299-6b1b-42bf-8aa0-1127d7646631}&xsl=metadata_to_html_full)
- 303(d) Listed Impaired Waters Factsheet: [http://www.epa.gov/waters/doc/factsheets/303d\\_impaired\\_waters\\_gis.pdf](http://www.epa.gov/waters/doc/factsheets/303d_impaired_waters_gis.pdf)

- Impaired Waters with TMDLs NHD Indexed Dataset Metadata Details:  
<https://geogateway.epa.gov/geoportal/catalog/search/viewMetadataDetails.page?uid=%7b73AC1C8A-BBCF-4E7E-A4CE-AA5337D82ACA%7d&innoContentType=livedata>
- Impaired Waters with TMDLs NHD Indexed Dataset Metadata:  
[https://geogateway.epa.gov/geoportal/rest/document?id=%7b73AC1C8A-BBCF-4E7E-A4CE-AA5337D82ACA%7d&xsl=metadata to html full](https://geogateway.epa.gov/geoportal/rest/document?id=%7b73AC1C8A-BBCF-4E7E-A4CE-AA5337D82ACA%7d&xsl=metadata%20to%20html%20full)
- Impaired Waters with TMDLs National Geospatial Dataset Fact Sheet:  
[http://www.epa.gov/waters/doc/factsheets/impaired\\_waters\\_with\\_tmdls.pdf](http://www.epa.gov/waters/doc/factsheets/impaired_waters_with_tmdls.pdf)

Note that you are not required to use the Discharge Mapping Tool to determine if your site discharges to an impaired water. If you are able to determine whether or not your site discharges to an impaired water through other methods, you may do so, but you must document what sources you used to make your determination in your NOI and you must provide the latitude and longitude location of all of your discharge points.

The Discharge Mapping Tool utilizes the best available data to determine whether or not your site is considered to discharge to an impaired water, and in the absence of any other information, EPA assumes that the tool correctly determines if a site discharges to an impaired water. However, due to limitations with the available data, EPA recommends that you verify the tool's results for your site by comparing the the up-to-date and comprehensive list of impaired waters and approved or established TMDLs associated with your state, tribe, territory, etc. Much of this information is accessible through the websites of individual states, tribes, territories, etc.; alternatively, you can conduct searches for this information through EPA's website at located at <http://epamap32.epa.gov/radims/> or <http://www.epa.gov/myenvironment/new/>. If you are able to verify through other means that the tool is not correct for your site, you should indicate this in your electronic NOI form with a detailed explanation supporting your conclusion.

If you are applying for permit coverage using a paper Notice of Intent form , and if you are not able to access the Discharge Mapping Tool on EPA's website, EPA will help you to determine whether you discharge to an impaired water. On your paper NOI form, you must indicate the latitude and longitude for all of the points on your site from which stormwater discharges to a water of the U.S. After EPA receives your paper NOI form with the latitude and longitude of your discharge points, EPA will enter your discharge points into the Discharge Mapping Tool and will notify you if it is determined that your site discharges to any impaired waters. Please note that if any of your discharge points discharge to an MS4, and not directly to a water of the U.S., you should not identify these points on your NOI, and should contact your MS4 operator to determine if the MS4 discharges to an impaired water.

## **Part 2. Determining Your Benchmark Monitoring Level**

Part 2 of this appendix includes instructions for how to use Tables J-1 - J-7 to determine your applicable benchmark level, if you are required to conduct benchmark monitoring pursuant to Part 4.2.2.1 of the 2011 CGP.

The 2011 CGP requires you to conduct benchmark monitoring in Part 4.2.2.1 only if:

- You determine that your site will discharge to an impaired water (as defined in Part 4.2)(see list of such impairments in Tables J-1 thru J-7); and
- You will disturb 10 or more acres at any one time.

You are required to use the benchmark level that you have been assigned in Tables J-1.1 – J-1.7, below. The tables are organized according to a list of sediment and nutrient-impaired waters in your State, Tribe, Protectorate, or Territory, as summarized below:

Table J-1.1 – American Samoa Water Quality Impaired Waters

Table J-1.2 – Guam Water Quality Impaired Waters

Table J-1.3 – Idaho Water Quality Impaired Waters

Table J-1.4 – Massachusetts Water Quality Impaired Waters

Table J-1.5 – New Hampshire Water Quality Impaired Waters

Table J-1.6 – New Mexico Water Quality Impaired Waters

Table J-1.7 – Puerto Rico Water Quality Impaired Waters

The benchmark levels appear in the last column of the table. Each value is based on the underlying water quality criteria that apply to your receiving water. EPA used the following approach in translating the water quality criteria (WQC) into benchmark levels:

- If the WQC is expressed as a concentration limit (e.g., 100 mg/l, 1000 ppm), mass limit (1000 mg/day), or NTU limit for turbidity (e.g., 100 NTU), the benchmark level is set at the same level as the criteria.
- If the WQC is expressed as a “no discharge” limit, the benchmark level is 0.
- If the WQC is expressed as an incremental value above “natural background” levels of the pollutant in the receiving water (e.g., 10 NTUs above background levels of turbidity), the benchmark is set at the value that is specified in the criterion (e.g., in the example, the benchmark would be 10 NTU).

**Request for Comment:** EPA acknowledges that selecting as a benchmark the incremental value used in the water quality criteria, and thereby assigning a value of 0 to the natural background levels of the pollutant, will result in a very stringent benchmark level. Without access to established natural background levels for each of the impaired waters, the Agency was unable for this proposed permit to assign such levels for use in establishing the benchmark. EPA solicits comments on the proposed approach.

EPA also requests feedback on the alternative approach of assigning a default natural background level for the applicable pollutant. For instance, if the pollutant is turbidity, and the water quality criteria is expressed as an amount of turbidity that is no more than 10 NTU above background, could the Agency use a default value of 50 NTU, or some other value, so that the benchmark would be set at 60 NTU? Alternatively, EPA is interested in whether commenters believe it is workable to require permittees to conduct a pre-construction discharge sample in order to determine possible natural background values, so that the benchmark level could be assigned based on this sample. This approach is used in the 2008 MSGP. See Part 6.2.1.2 of the 2008 MSGP at [http://www.epa.gov/npdes/pubs/msgp2008\\_parts1-7.pdf](http://www.epa.gov/npdes/pubs/msgp2008_parts1-7.pdf).

In addition, EPA requests feedback on other alternatives that commenters believe would work to provide a benchmark that is reasonably correlated to criteria that are established in reference to natural background pollutant levels.

- If the WQC is expressed in narrative form only, no benchmark is assigned, and the permittee is only required to conduct monitoring and report the results to EPA.

Once you have determined the benchmark level that applies to your discharge, you must first enter the specific level in your NOI form. If you are subject to the benchmark monitoring requirements after receiving permit coverage, you must notify EPA of the specific benchmark to which you are subject in your first benchmark monitoring report. After making this determination, you are required to take benchmark samples in accordance with the benchmark monitoring requirements set out in (2) below.

### 2.1.1 Using the Benchmark Level Tables

The tables compile information from your area's most recent final 303(d) list of impaired waters as well as the water quality criteria that apply to those waterbodies. The following is a description of what is contained in each of the tables' columns:

- **List ID** – Each State, Territory, or Protectorate assigns a specific identifier that is used for each impaired water segment. EPA included the identifiers for you to use as a reference in case you need to consult with your State, Territory, or Protectorate.
- **Waterbody Name** – This is the name of the individual water segment that is impaired.
- **Description** – If the 303(d) list included specific information to further describe the location of the impaired water, this information is provided in the table as a reference for you to use.
- **Impairment Name** – This is the pollutant or pollutant category for which the particular water is impaired.
- **Pollutant to Monitor** – This indicates which pollutant – turbidity, total nitrogen, and/or total phosphorus – must be monitored.
- **Benchmark** – The benchmark level is provided in this column, unless no benchmark could be determined because the applicable criterion is expressed as a narrative statement.

### 2.1.2 Further Information on Individual Waterbodies and Impairments

You may find that you need further assistance to interpret the information provided in Tables J-1.1 – J-1.7, especially related to whether your project will discharge to one of these waters. You are encouraged to contact the applicable State, Territory, or Protectorate agency to assist you in making any site-specific determinations related to these tables.

**Table J-1.1 – American Samoa Water Quality Impaired Waters**

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
AS-7_Stream	Aasu Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-20_Stream	Amouli Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-25_Stream	Fagaalu Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-21_Stream	Fagaitua Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-2_Stream	Fagalii Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-26_Stream	Matuu Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-27_Stream	Nuuli Pala Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l
AS-24_Stream	Pago Pago Watershed	Tutuila Island	Total Nitrogen (See Note 1.a)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	300 mg/l
			Total Phosphorus (See Note 2.a)	Total Phosphorus (TP)	150 mg/l

Notes:

1. Total Nitrogen:
  - a. Fresh Surface Waters - Total Nitrogen average must not exceed **300 mg/l** as N.
  - b. Embayments - Total Nitrogen average must not exceed **150.0 mg/l** as N.
  - c. Pago Pago Harbor - Total Nitrogen average must not exceed **200 mg/l** as N.
  
2. Total Phosphorus:
  - a. Fresh Surface Waters -Total Phosphorus average must not exceed **150 mg/l** as P.
  - b. Embayments - Total Phosphorus average must not exceed **20.0 mg/l** as P.
  - c. Pago Pago Harbor - Total Phosphorus average must not exceed **30.0 mg/l** as P.

**Table J-1.2 – Guam Water Quality Impaired Waters**

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
GU-PGRL-0	Landfill Leachate Stream	Landfill Leachate Stream	Nitrate-Nitrogen (See Note 2.a)	Nitrate-Nitrogen	0.10 mg/l
GU-PGRL-2	Lonfit River 2	Lonfit River 2	Nitrate-Nitrogen (See Note 2.b)	Nitrate-Nitrogen	0.20 mg/l
			Turbidity (See Note 1.b)	Turbidity	1.0 NTU
GU-PGRL-1-51B	Lonfit River 3	Lonfit River 3	Nitrate-Nitrogen (See Note 2.a)	Nitrate-Nitrogen	0.10 mg/l
			Turbidity (See Note 1.a)	Turbidity	0.5 NTU
GU-G-003A	Pago Bay	Pago Bay	Nitrate-Nitrogen (See Note 2.b)	Nitrate-Nitrogen	0.20 mg/l

Notes:

1. Turbidity:
  - a. M-1 and S-1 Waters – No turbidity increase over **0.5 NTU** above background, except when due to natural conditions.
  - b. M-2, M-3, S-2, and S-3 Waters – No turbidity increase over **1.0 NTU** above background, except when due to natural conditions.
2. Nitrate:
  - a. M-1 and S-1 Waters - Nitrate-nitrogen shall not exceed **0.10 mg/l**.
  - b. M-2 and S-2 Waters - Nitrate-nitrogen shall not exceed **0.20 mg/l**.
  - c. M-3 and S-3 Waters - Nitrate-nitrogen shall not exceed **0.50 mg/l**.

**Table J-1.3 – Idaho Water Quality Impaired Waters**

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID16010102BR001_05	Bear River	Idaho/Wyoming Border To Railroad Bridge (T14N, R45E, Sec. 21)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010102BR002_03	Pegram Creek	HUC: 16010102	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010102BR003_04	Thomas Fork	Idaho/Wyoming Border To Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010102BR005_02	Dry Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010102BR006_02	Preuss Creek	HUC: 16010102	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010102BR008_02	Sheep Creek	HUC: 16010102 Upper Sheep Creek - 2nd Order section that includes West Fork Sheep Creek and Sheep Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR002_02	Bennington Canyon And Unnamed Tributaries	Bennington Canyon And Unnamed Tributaries	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR008_02	Co-Op Creek	Source to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR008_02A	Upper Co-Op Creek	HUC: 16010201	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR015_03	Spring Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR018_0LA	Indian Creek	Indian Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR020_02	Montpelier Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR020_03	Lower Montpelier Creek	HUC: 16010201	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010201BR021_02	Snowslide Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010202BR007_02A	Strawberry Creek	HUC: 16010202	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID16010202BR018_02B	Swan Lake Creek	Burp Site on Main Fork of Swan Lake Creek.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010202BR021_02	Jenkins Hollow (Newton Creek)	Source to Idaho/Utah Border	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010202BR021_02A	Steel Canyon	Steel Canyon	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010204BR001_02B	Four Mile Canyon	Four Mile Canyon	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010204BR001_02D	Henderson Creek	HUC: 16010204	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16010204BR011_03	Dairy Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16020309BR001_03	Deep Creek	HUC: 16020309 - Rock Creek To Idaho/Utah Border	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16020309BR001_03A	Deep Creek	Lower Deep Ck HUC: 16020309	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16020309BR002_02A	Sheep Creek	Located On Curlew National Grassland.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16020309BR003_02A	Meadow Brook Creek	Meadow Brook Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID16020309BR003_03A	Rock Creek	HUC: 16020309	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010214PN001_08	Pend Oreille River	HUC: 17010214 - Priest River To Albeni Falls Dam	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN002_08	Pend Oreille River	HUC: 17010214 - Pend Oreille Lake to Priest River	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN018_02A	Falls Creek	HUC: 17010214	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010214PN022_02	West Gold Creek	West Gold Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010214PN027_03	Granite Creek, Lower	HUC: 17010214	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN031_04	Lower Pack River	HUC: 17010214 - Sand Creek to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN032_02	Trout Creek	Trout Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN038_02	Sand Creek	HUC: 17010214 - Headwaters to Pack R	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN039_03	Upper Pack River	HUC: 17010214 - Hellroaring Creek to Colburn Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN039_04	Upper Pack River	Colburn Creek to Sand Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17010214PN041_02	Upper Pack River	Tributaries above Hellroaring Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN041_03	Upper Pack River	HUC: 17010214 - Mainstem, Zuni Creek to Hellroaring Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN046_03	Colburn Creek	HUC: 17010214 - Berry Creek to Pack River	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010214PN047_02	Colburn Creek	HUC: 17010214 - Headwaters to Berry Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010216PN002_08	Pend Oreille River	Albeni Falls Dam to Idaho/Washington	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010303PN007_06	Coeur d'Alene River	Latour Creek to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN011_02	Willow Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN020_02	Fourth Of July Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN020_03	Fourth Of July Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN025_02	Thompson Lake	Thompson Lake	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN030_02	Cedar Creek	HUC: 17010303	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN030_03	Cedar Creek	HUC: 17010303	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010303PN033_03	Fernan Lake	HUC: 17010303	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010304PN041_02A	Sherlock Creek	HUC: 17010304	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17010305PN003_04	Spokane River	HUC: 17010305 - Post Falls Dam to Idaho/Washington Border	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010305PN004_04	Spokane River	HUC: 17010305 - Coeur D'Alene Lake to Post Falls Dam	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17010305PN014_03	Fish Creek	Mainstem, Idaho/Washington Border to Twin Lakes	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040104SK008_02	Snake River	Palisades Reservoir Dam to Fall Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040104SK022_02	Trout Creek	HUC: 17040104	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040104SK030_02	Black Canyon Creek	HUC: 17040104	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK001_02B	Newswander Canyon	Newswander Canyon	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17040105SK002_02C	Cabin Creek	Cabin Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK003_02	Tincup Creek	HUC: 17040105 - Source to Idaho/Wyoming Border	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK003_02J	Haderlie Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK006_02F	White Canyon	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK006_04	Lower Stump Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK007_02C	Smoky Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK007_02F	Draney Creek	Split From _02B Based on Land ownership between Forest Service Line and Public Lands.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK007_03	Tygee Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK008_02C	Beaver Dam Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK008_04	Crow Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040105SK010_02A	South Fork Deer Creek	HUC: 17040105	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040201SK001_05	Snake River	Dry Bed Creek to River Mile 791 (T01N, R37E, S)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040201SK002_05	South Fork Willow Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040201SK003_05	North Fork Willow Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040201SK007_05	Crow Creek	Source To Willow Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040202SK036_03	Duck Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040202SK044_02	Icehouse Creek	HUC: 17040202 - Source to Island Park Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040202SK045_03	Sheridan Creek	Kilgore Road (T13N, R41E, Sec. 07) To Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040202SK046_04	Willow Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040205SK001_05	Willow Creek	Ririe Reservoir Dam to Eagle Rock Canal	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17040205SK002_03	Ririe Reservoir (Willow Creek)	Ririe Reservoir (Willow Creek)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040205SK002_05	Ririe Reservoir (Willow Creek)	Ririe Reservoir (Willow Creek)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK001_05	American Falls Reservoir (Snake River)	American Falls Reservoir (Snake River)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK001L_0L	American Falls Reservoir (Snake River)	American Falls Reservoir (Snake River)	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17040206SK001L_0L	American Falls Reservoir (Snake River)	American Falls Reservoir (Snake River)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK002_02	Bannock Creek	Source to American Falls Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK002_03	Bannock Creek	Source to American Falls Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK002_04	Bannock Creek	Source to American Falls Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK002_05	Bannock Creek	Source to American Falls Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK006_02	Moonshine Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK008_02	West Fork Bannock Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK009_02	Knox Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK010_02	Rattlesnake Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK010_02B	Rattlesnake Creek	HUC: 17040206	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK010_03	Rattlesnake Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK010_04	Rattlesnake Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK022_02	Snake River	River Mile 791 (T01N, R37E, Sec. 10) to American Falls Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK024_02	Mctucker Creek	Source to American Falls Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040206SK024_02A	Mctucker Creek	HUC: 17040206	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK002_02B	Deadman Creek	Deadman Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK005_02	Grave Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17040207SK005_02A	Grave Creek	Grave Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK005_02B	Warbonnet Creek	HUC 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK005_02C	Wood Creek	HUC 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK005_02D	Coyote Creek	HUC 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK005_02E	Sunday Creek	HUC 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK005_03	Grave Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK006_02A	Chicken Creek	Tributary to Corral Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK006_02B	Bear Creek	Bear Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK006_04	Corral Creek	HUC: 17040207	Turbidity (See Note 2.a)	Turbidity	50 NTU
ID17040207SK008_02	Thompson Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK009_02A	Collett Creek	Collett Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK009_02B	Poison Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK009_03	Little Blackfoot River	Little Blackfoot River	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK010_02A	State Land Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK012_02B	Goodheart Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK015_02A	Upper Mill Canyon	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK021_03	Lower Chippy Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK025_02C	Clarks Cut	HUC: 17040207 - Sheep Creek to HUC Boundary	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK025_03B	Crooked Creek	Crooked Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK027_02	Rawlins Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040207SK029_03	Cedar Creek	HUC: 17040207	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17040207SK031_02	Jones Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
			Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17040208SK006_02A	Arkansas Creek	HUC: 17040208	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040208SK012L_0L	Hawkins Reservoir	HUC: 17040208	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17040209SK002_07	Snake River	HUC: 17040209 - Minidoka Dam to Heyburn/Burley Bridge (T10S, R)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040211SK007_02	Trout Creek	Second Order Segment of Trout Creek. USFS. Source to Idaho/Nevada Border	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040212SK000_03A	Yahoo Creek	03A 3rd Order Segment of Yahoo Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040212SK040_03	Calf Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040213SK008_02	China, Browns, Corral, Whiskey Slough, Player Creeks	These Creeks Flow from the West into Salmon Falls Reservoir.	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17040214SK001_06	Camas Creek	Beaver Creek to Mud Lake	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040214SK003_05	Beaver Creek	Canal (T09N, R36E) to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040214SK013_02	West Camas Creek	HUC: 17040214- Source to Targhee National Forest Boundary	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK007_02	Middle Creek	HUC: 17040215 - Dry Creek to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK008_02	Middle Creek	HUC: 17040215 - Source to Dry Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK009_02	Dry Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK013_02	Warm Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK013_03	Warm Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK015_02	Horse Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK018_02	Deep Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040215SK018_03	Deep Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17040215SK021_02	Crooked Creek	HUC: 17040215	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040217SK007_02	Little Lost River	HUC: 17040217 - Badger Creek to Big Spring Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040217SK009_02	Little Lost River	Wet Creek To Badger Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040218SK002_06	Big Lost River	Spring Creek to Big Lost River Sinks (Playas)	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040218SK013_05	Big Lost River	Jones Creek to Mckay Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040218SK015_05	Big Lost River	Thousand Springs Creek to Jones Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040218SK024_05	Big Lost River	Burnt Creek to Thousand Springs Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17040219SK030_02	Black Canyon Creek	Source to Mouth	Turbidity (See Note 2.a)	Turbidity	50 NTU
ID17040219SK030_03	Black Canyon Creek	Source to Mouth	Turbidity (See Note 2.a)	Turbidity	50 NTU
ID17040221SK009_03	West Fork Fish Creek	Source to Fish Creek Reservoir (Dry).	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW003_03	Browns Creek	HUC: 17050101 - 3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW003_04	Browns Creek	4th Order from confluence with West Fork Browns Creek to Snake River	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW004_02	Browns Creek	HUC: 17050101 - 1st and 2nd Order Tributaries	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW004_03	Browns Creek	HUC: 17050101 - 3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW006_02	Sailor Creek	1st And 2nd Order. Excluding Pothole Creek and its Tributaries	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW006_03	Sailor Creek	HUC: 17050101 - 3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW006_04	Sailor Creek	HUC: 17050101 - 4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW008_02	Deadman Creek	1st And 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050101SW008_03	Deadman Creek	Tributary to Snake River - 3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050102SW004_04	Big Jacks Creek	4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050102SW022_02	Cougar Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17050102SW022_03	Cougar Creek	3rd Order Section	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050102SW025_02	Poison Creek	1st and 2nd Order Section	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050102SW025_03	Poison Creek	3rd order Section	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW004_02	Mcbride Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW004_03	Mcbride Creek	3rd Order Segment flowing into Oregon	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW006_03	Snake River	3rd Order Unnamed Tributaries near Sinker Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW008_02	Hardtrigger Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW016_02	Pickett Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW016_03	Pickett Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW019_02	Brown Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW019_03	Brown Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW019_04	Brown Creek	4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW021_02	Birch Creek & Tributaries	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW021_03	Birch Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW021_04	Birch Creek	4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW024_03	Shoofly & Poison Creeks	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW025_02	Corder Creek	1st and 2nd Order Segments including Corder Creek, Jacks Creek and Several Unnamed Tribs.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050103SW026_02	Rabbit Creek	HUC: 17050103 - 1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW001_02	Jordan Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW004_02	Jordan Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17050108SW004_03	Jordan Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW004_05	Jordan Creek	5th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW013_02	Rock Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW014_02	Louisa Creek	Source to Triangle Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW021_02	Cow Creek	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW021_03	Cow Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW022_02	Soda Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050108SW022_03	Soda Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050111SW014_03	Crooked River	HUC: 17050111 - 3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050111SW016_02	Meadow Creek	HUC: 17050111 - 1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050111SW017_02	French Creek	HUC: 17050111 - 1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050113SW004_02	South Fork Boise River	Tributaries to South Fork Boise River From Anderson Ranch Dam to Arrowrock Reservoir; Granit, Cayuse, Mennecke, Pierce, Rock, Boor, Trail, Dead Horse, Williams, Deer, Bounds, Devils Hole Buffalo, Pony, Big Fiddler, and Long Creek - 1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050113SW007L_0L	Little Camas Creek Reservoir	HUC: 17050113	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW001_06	Boise River	Indian Creek to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17050114SW003_02	Indian Creek	1st and 2nd Order	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW003_03	Indian Creek	HUC: 17050114 - 3rd Order	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17050114SW003_04	Indian Creek	4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW006_02	Mason Creek	Entire Watershed	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW008_03	Tenmile Creek	3rd Order below Blacks Creek Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW016_03	Langley/Graveyard Gulch Complex	Langley/Graveyard Gulch Complex	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW017_03	Sand Hollow Creek	I-84 to Boise River	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW017_06	Sand Hollow Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050114SW001_06	Lower Boise River	Indian Creek to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17050120SW001_05	South Fork Payette River	5th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050122SW012_03	Soldier Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050122SW015_02	Bissel Creek	HUC: 17050122 - 1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050122SW017_04	Big Willow Creek	4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050123SW008_05	Gold Fork	Upper 5th Order, above Gold Fork Ditch	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050123SW011_03	Cascade Reservoir	Cascade Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050123SW015_02	Mud Creek	Includes Several Unnamed Tributaries to Mud Creek - 1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050123SW015_03	Mud Creek	Roughly, between Norwood and The Reservoir. - 3rd Order Section	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050124SW001_05	Weiser River	Keithly Creek to Crane Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17050124SW001_06	Weiser River	Crane Creek to Snake River	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17050124SW002_02	Cove Creek	HUC: 17050124 - Entire Watershed	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17050124SW003_05	Crane Creek	Crane Creek Reservoir Dam to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17050124SW004L_0L	Crane Creek Reservoir	Crane Creek Reservoir	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17050124SW007_05	Weiser River	Hornet Creek to Keithly Creek	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060101SL004_03	Deep Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060101SL024_04	Wolf Creek	This Segment flows from the confluence of Basin Creek, to the Mouth at the Snake River.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060101SL025_02	Wolf Creek	Source to Basin Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060101SL025_03	Wolf Creek	Source to Basin Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060101SL025_04	Wolf Creek	Source to Basin Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060101SL028_02	Divide Creek	Source TO Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060101SL028_03	Divide Creek	Divide Creek flows from the Source into the Snake River.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060103SL014_02	Tammany Creek	This Segment of Tammany Creek flows from Unnamed Tributary WBID Segment 015, to another Unnamed (2nd Order) Tributary.	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060103SL014_03	Tammany Creek	This Segment flows from an Unnamed Tributary into the Snake River, Segment 001.	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060103SL016_02	Tammany Creek	This Segment Flows From Source To An Unnamed Tributary, WBID Segment 015. Source To Unnamed Tributary (T34N, R05W, Sec	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060201SL015_03	Garden Creek	Source to Mouth	Sedimentation/Siltation (See Note 3.a)	Turbidity	5 NTU
ID17060201SL015_04	Garden Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL027_05	Salmon River	Thompson Creek to Squaw Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL034_04	Yankee Fork Creek	Source to Jordan Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL047_05	Salmon River	Valley Creek to Yankee Fork Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL048_03	Basin Creek	HUC: 17060201 - East Basin Creek to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL063_05	Salmon River	Redfish Lake Creek to Valley Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17060201SL072_05	Salmon River	Fisher Creek to Decker Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL131_04	Warm Spring Creek	Hole-In-Rock Creek to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL132_02	Warm Spring Creek	Source to Hole-In-Rock Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL132_03	Warm Spring Creek	Source to Hole-In-Rock Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL132_04	Warm Spring Creek	Source to Hole-In-Rock Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL133_02	Broken Wagon Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060201SL133_03	Broken Wagon Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060202SL002_02	Pahsimeroi River	1st and 2nd Order Tributaries to Pahsimeroi River between Meadow Creek and Patterson Creek including Trail Creek and Blind Fork Trail Creek. Meadow Creek to Patterson Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060202SL002_04	Pahsimeroi River	Meadow Creek to Patterson Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060202SL031_03	Big Creek	Confluence of North and South Fork Big Creeks	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060203SL038_03	Dump Creek	Moose Creek to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060203SL040_02	Wallace Creek	HUC: 17060203	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060204SL026A_02	Mill Creek	Ferry Creek, Source to Mouth, Only. Mill Creek not included in Assessment. Diversion (T16N, R24E, Sec. 22) to Mouth.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060204SL036_03	Texas Creek	3rd Order Segment of Texas Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060205SL008_02	Elkhorn Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060205SL012_04	Bear Valley Creek	4th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060205SL012_05	Bear Valley Creek	5th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060205SL013_03	Bearskin Creek	3rd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17060208SL023_05	East Fork South Fork Salmon River	HUC: 17060208 – 5th Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL003_02	Cottonwood Creek	02 Segment of Cottonwood Creek flows from Headwaters to an Unnamed Tributary. Reach is located primarily in Timbered Habitat.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL007_02	Rice Creek	Segment is Mainstem Rice Creek from Headwaters to Brust Creek, and Tributaries located throughout the drainage.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL028_03	Allison Creek	West Fork Allison Creek to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL056_04	Rock Creek	Grave Creek to Mouth . 04 Segment of Rock Creek Flows between an Unnamed Tributary and into the Salmon River Section from Slate Creek to Rice Creek.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL057_02	Rock Creek	2nd Order Segment	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL057_03	Rock Creek	Source to Grave Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL058_02	Grave Creek	Segment flows from Headwaters to an Unnamed Tributary.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL058_03	Grave Creek	This is the Segment of Grave Creek that flows from an Unnamed Tributary into Rock Creek.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL060_02	Deep Creek	This Segment of Deep Creek Flows From Headwaters to an Unnamed Tributary.  Deep Creek is part of the Idaho/Lewis County Line.	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL062_02	Deer Creek	HUC: 17060209 - Tributaries	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL062_02A	Deer Creek	This Deer Creek Segment flows from the Headwaters to the confluence of West Fork Deer Creek.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060209SL062_03W	Deer Creek	Segment is located between the Second Order AU and a documented Waterfall. Upstream from Waterfall	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17060210SL001_02	Little Salmon River	1st and 2nd Order	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL006_02	Sweetwater Creek	Source to Webb Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL006_03	Sweetwater Creek	Source to Webb Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL006_04	Sweetwater Creek	Source to Webb Creek	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL007_02	Webb Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL019_02	Holes Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL019_03	Holes Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL020_03	Long Hollow Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL023_02	Sixmile Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL023_03	Sixmile Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL024_02	Lawyer Creek	Source to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060306CL024_02	Lawyer Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL024_03	Lawyer Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL025_02	Sevenmile Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL025_03	Sevenmile Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
			Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060306CL031_02	Jim Brown Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
			Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060306CL031_03	Jim Brown Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL041_02	Bedrock Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL043_02	Pine Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	Pollutant to Monitor	BENCHMARK
ID17060306CL043_03	Pine Creek	Source to Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL044_06	Potlatch River	Big Bear Creek To Mouth	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL046_04	Cedar Creek	HUC: 17060306: The 4th Order Main Stem of Cedar Creek from Leopold Creek to the Mouth of Cedar Creek.	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL055_02	Pine Creek	Headwaters	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
ID17060306CL055_02	Pine Creek	Headwaters	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL055_03	Pine Creek	3rd Order Main Stem	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL062_02	Middle Potlatch Creek	Headwaters	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL062_03	Middle Potlatch Creek	3rd Order Main Stem	Sedimentation/Siltation (See Note 2.a)	Turbidity	50 NTU
ID17060306CL067_02	Hatwai Creek	Source to Mouth	Nutrients (See Note 1.a)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only

Notes:

1. IDAPA 58.01.02.200 – General Surface Water Criteria
  - a. Section 200.06 – Excess Nutrients – Surface waters of the state shall be free from excess nutrients that can cause visible slime growths or other nuisance aquatic growths impairing designated beneficial uses.
  - b. Section 200.08 – Sediment – Sediment shall not exceed quantities specified in Sections 250 and 252, or, in the absence of specific sediment criteria, quantities which impair designated beneficial uses. Determinations of impairment shall be based on water quality monitoring and surveillance and the information utilized as described in Section 350.
2. IDAPA 58.01.02.250 – Surface Water Quality Criteria for Aquatic Life Use Designations.
  - a. Section 250.02.e – Cold Water – Turbidity, below any applicable mixing zone set by the Department, shall not exceed background turbidity by more than fifty (50) NTU instantaneously or more than twenty-five (25) NTU for more than ten (10) consecutive days.
3. IDAPA 58.01.02.252 – Surface Water Quality Criteria for Water Supply Use Designations.
  - a. Section 252.01.b.ii – Domestic – Turbidity as measured at the public water intake shall not be: 1) Increased by more than 5 NTU above natural background, measured at a location upstream from or not influenced by any human induced nonpoint source activity, when background turbidity is 50 NTU or less; 2) Increased by more than 10% above natural background, measured at a location upstream from or not influenced by any human induced nonpoint source activity, not to exceed 25 NTU when background turbidity is greater than 50 NTU.

**Table J-1.4 – Massachusetts Water Quality Impaired Waters**

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA51-03_2008	Blackstone River (5131000)	Confluence of Middle River and Mill Brook (Just downstream of American Steel Dam), Worcester to Fisherville Dam, Grafton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-04_2008	Blackstone River (5131000)	Fisherville Dam, Grafton to outlet Rice City Pond, Uxbridge.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-05_2008	Blackstone River (5131000)	Outlet Rice City Pond, Uxbridge to the old Water Quality Monitor(at the Conrail Railroad trestle due north of Collins Drive), Millville.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-06_2008	Blackstone River (5131000)	From the Water Quality Monitor, Millville to the Rhode Island Border west of Route 122 (Main St.), Blackstone, MA/(Harris Avenue) North Smithfield RI.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51012_2008	Burncoat Park Pond (51012)	Worcester	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51020_2008	City Farm Pond (51020)	Shrewsbury	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51033_2008	Curtis Ponds (51033)	Worcester	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-01_2008	Kettle Brook (5132800)	Outlet Waite Pond, Leicester through Leesville Pond Auburn/Worcester to inlet Curtis Pond, Worcester.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA51-02_2008	Middle River (5132775)	Outlet Coes Pond to confluence with Mill Brook (Just downstream of American Steel Dam), Worcester.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51114_2008	Number 1 Pond (51114)	Sutton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51131_2008	Rice City Pond (51131)	Uxbridge	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51134_2008	Riley Pond (51134)	Northbridge	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51136_2008	Riverdale Impoundment (51136)	Northbridge	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA51142_2008	Salisbury Pond (51142)	Worcester	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51163_2008	Sutton Falls (51163)	Sutton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-15_2008	Tatnuck Brook (5133050)	Outlet Holden Reservoir #2, Holden to inlet Williams Millpond, Worcester.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-08_2008	Unnamed Tributary (5131005)	(Also Known as "Mill Brook") Outlet Indian Lake to confluence with Middle River at the downstream side of American Steel Dam, Worcester.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA51-12_2008	West River (5131800)	Upton WWTP, Upton to confluence with Blackstone River, Uxbridge.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA51186_2008	Woolshop Pond (51186)	Millbury	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA70-03_2008	Dorchester Bay (70903)	From the mouth of the Neponset River, Boston/Quincy to the line between Head Island and the north side of Thompson Island and the line between the south point of Thompson Island, Boston and Chapel Rocks, Quincy.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA71-01_2008	Aberjona River (7138350)	Source just south of Birch Meadow Drive, Reading to inlet Upper Mystic Lake at Mystic Valley Parkway, Winchester.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71-04_2008	Alewife Brook (7138250)	Outlet of Little Pond, Belmont to confluence with Mystic River, Arlington/Somerville.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71005_2008	Blacks Nook (71005)	Cambridge	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71-06_2008	Chelsea River (7138100)	Confluence with Mill Creek, Chelsea/Revere to confluence with Mystic River, Chelsea/East Boston/Charlestown.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA71014_2008	Ell Pond (71014)	Melrose	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71021_2008	Judkins Pond (71021)	Winchester	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71-02_2008	Mystic River (7138150)	Outlet Lower Mystic Lake, Arlington/Medford to Amelia Earhart Dam, Somerville/Everett.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71040_2008	Spy Pond (71040)	Arlington	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA71045_2008	Wedge Pond (71045)	Winchester	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA71047_2008	Winter Pond (71047)	Winchester	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73005_2008	Bolivar Pond (73005)	Canton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73009_2008	Cobbs Pond (73009)	Walpole	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73020_2008	Forge Pond (73020)	Canton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73037_2008	Ganawatte Farm Pond (73037)	Walpole/Sharon/Foxborough	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-15_2008	Germany Brook (7341575)	Headwaters, east of Winter Street, to inlet of Ellis Pond, Norwood.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA73028_2008	Manns Pond (73028)	Sharon	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-21_2008	Massapoag Brook (7341375)	Outlet Hammer Shop Pond, Sharon, through Manns Pond, Trowel Shop Pond, and Shephard Pond to the inlet of unnamed pond southwest of Forge Pond, Canton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA73012_2008	Memorial Pond (73012)	Walpole	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-28_2008	Mother Brook (7341180)	Headwaters at the Charles River Diversion, Dedham to confluence with Neponset River, Boston. [Reported as MA72-13 until May 3, 2000]	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA73034_2008	Neponset Reservoir (73034)	Foxborough	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-01_2008	Neponset River (7341000)	Outlet of Neponset Reservoir, Foxborough to confluence with East Branch, Canton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-02_2008	Neponset River (7341000)	Confluence with East Branch, Canton to confluence with Mother Brook, Boston.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-04_2008	Neponset River (7341000)	Milton Lower Falls Dam, Milton/Boston to mouth at Dorchester Bay, Boston/Quincy.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73044_2008	Popes Pond (73044)	Milton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA73003_2008	Russell Pond (73003)	Milton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73059_2008	Turners Pond (73059)	Milton	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA73-32_2008	Unnamed Tributary (7341505)	From the outlet of Town Pond to the confluence with Steep Hill Brook, Stoughton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA73-33_2008	Unnamed Tributary (7341530)	Locally Known as "Meadow Brook" - From where the underground/culverted stream emerges east of Pleasant Street, Norwood to confluence with Neponset River, Norwood.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA73-26_2008	Unquity Brook (7341050)	Isolated (urban): Headwaters east of Sias Lane/west of Randolph Avenue, Milton to confluence with Gulliver Creek, Milton (Note: Confluence not visible on quad, brook culverted underground east of Otis Street/west of Governor Belcher Lane, Milton)	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA74-01_2008	Crooked Meadow River (7442800)	Outlet Cushing Pond to confluence with Weir River, Hingham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA74011_2008	Foundry Pond (74011)	Hingham	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA74-04_2008	Mill River (7442625)	Headwaters, west of Route 18 and south of Randolph Street to inlet Whitmans Pond, Weymouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-31_2008	Acushnet River (9559625)	Outlet New Bedford Reservoir, Acushnet to Hamlin Street culvert, Acushnet.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA95-32_2008	Acushnet River (9559625)	Hamlin Street culvert, Acushnet to culvert at Main Street, Acushnet.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-33_2008	Acushnet River (9559625)	Outlet Main Street culvert, Acushnet to Coggeshall Street bridge, New Bedford/Fairhaven.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-29_2008	Agawam River (9558725)	Wareham WWTP, Wareham to confluence with Wankinco River at Route 6 bridge, Wareham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA95-39_2008	Apponagansett Bay (95919)	From the mouth of Buttonwood Brook, Dartmouth to a line drawn from Ricketsons Point, Dartmouth to Samoset Street near North Avenue, Dartmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-72_2008	Aucoot Creek (9559400)	Estuarine portion east of Holly Pond Road, Marion to confluence with Aucoot Cove, Marion	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-53_2008	Beaverdam Creek (9558925)	Outlet from cranberry bog southeast of Route 6, Wareham to confluence with Wewantic River, Wareham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95033_2008	Crane Brook Bog Pond (95033)	Carver	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-41_2008	East Branch Westport River (9560025)	Old County Road bridge, Westport to the mouth at Westport Harbor, Westport (excluding Horseneck Channel).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-61_2008	Eel Pond (95049)	Coastal pond at the head of Mattapoisett Harbor, Mattapoisett.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-56_2008	Hammett Cove (95922)	Borders Sippican Harbor (along a line from the southwestern most point of Little Neck to the end of the seawall on the opposite point), Marion.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-71_2008	Inner Aucoot Cove (95904)	From the confluence with Aucoot Creek, Marion to the boundary of Division of Marine Fisheries designated shellfish growing area BB31.1, north and southwest from Haskell Island, Marion (formerly part of segment MA95-09).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-70_2008	Inner Sippican Harbor (95903)	The waters landward of a line from Allens Point, Marion around the southeastern tip of Ram Island to the point of land south of Nyes Wharf, Marion excluding Hammett Cove (formerly reported as a portion of segment MA95-08).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-66_2008	Little River (9559775)	Dartmouth	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-67_2008	Nasketucket River (9559600)	From outlet of unnamed pond north of Meadow Lane, Fairhaven to confluence with Little Bay, Fairhaven	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-42_2008	New Bedford Inner Harbor (95920)	Coggeshall Street Bridge to hurricane barrier, Fairhaven/New Bedford.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95110_2008	New Bedford Reservoir (95110)	Acushnet	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA95113_2008	Noquochoke Lake (95113)	(Main Basin) Dartmouth	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA95170_2008	Noquochoke Lake (95170)	(South Basin) Dartmouth	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA95171_2008	Noquochoke Lake (95171)	(North Basin) Dartmouth	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA95-63_2008	Outer New Bedford Harbor (95916)	From the hurricane barrier, Fairhaven/New Bedford to a line drawn from Wilbur Point, Fairhaven to Clarks Point, New Bedford (segment changed 6/4/03, formerly reported as MA95-27).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95115_2008	Parker Mills Pond (95115)	Wareham	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-15_2008	Phinneys Harbor (95907)	From the confluence with the Back River, to the mouth at Buzzards Bay (demarcated by a line from the southeastern point of Mashnee Island to the northwestern point of Toby Island), Bourne.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-34_2008	Slocums River (9559800)	Rock O'Dundee Road (confluence with Paskemanset River), Dartmouth to mouth at Buzzards Bay, Dartmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-55_2008	Squeteague Harbor (95923)	Waters landward of the confluence with Megansett Harbor, Bourne/Falmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-03_2008	Wareham River (9558600)	From confluence of Wankinko and Agawam Rivers at Route 6 bridge, Wareham to Buzzards Bay (at an imaginary line from Cromeset Point to curved point east/southeast of Long Beach Point), Wareham. Including Marks Cove, Wareham	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-37_2008	West Branch Westport River (9559950)	Outlet Grays Mill Pond, Adamsville, Rhode Island to mouth at Westport Harbor, Westport.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-22_2008	West Falmouth Harbor (95912)	From the confluence with Harbor Head at Chappaquoit Road, Falmouth to the mouth at Buzzards Bay at a line connecting the ends of the seawalls from Little Island and Chappaquoit Point, Falmouth (including Snug Harbor).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA95-54_2008	Westport River (9559925)	From the confluences of the East Branch Westport River and the West Branch Westport River to Rhode Island Sound (at a line from the southwestern tip of Horseneck Point to the easternmost point near Westport Light), Westport.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-05_2008	Weweantic River (9558900)	Outlet Horseshoe Pond, Wareham to mouth at Buzzards Bay, Marion/Wareham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95166_2008	White Island Pond (95166)	(East Basin) Plymouth/Wareham	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA95173_2008	White Island Pond (95173)	(West Basin) Plymouth/Wareham	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA95-68_2008	Wild Harbor River (9663075)	Headwaters, Falmouth to mouth at Wild Harbor, Falmouth	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-15_2008	Boat Meadow River (9661450)	Headwaters east of old railway grade to mouth at Cape Cod Bay, Eastham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-57_2008	Bournes Pond (96925)	west of Central Avenue, to Vineyard Sound, including Israel's Cove, Falmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-44_2008	Bucks Creek (9662025)	Outlet from Harding Beach Pond (locally known as Sulfur Springs) to confluence with Cackle Cove, Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-04_2008	Centerville River (9662575)	From headwaters in wetland west of Strawberry Hill Road to confluence with Centerville Harbor, including East Bay, Barnstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-63_2008	Cotuit Bay (96926)	From North Bay at Point Isabella oceanward to a line extended along Oyster Harbors Beach, Barnstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96115_2008	Great Pond (96115)	Eastham	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-54_2008	Great Pond (96922)	From inlet of Coonamessett River to Vineyard Sound (excluding Perch Pond), Falmouth	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-55_2008	Green Pond (96923)	east of Acapesket Road, outlet to Vineyard Sound, Falmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-58_2008	Hamblin Pond (96127)	From inlet of Red Brook to outlet of Little River and inlet/outlet of Waquoit Bay west of Meadow Neck Road, Falmouth/Mashpee.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA96-43_2008	Harding Beach Pond (96128)	locally known as Sulfur Springs (northeast of Bucks Creek), Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-56_2008	Little Pond (96924)	west of Vista Boulevard, outlet to Vineyard Sound, Falmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-61_2008	Little River (9662875)	From outlet of Hamblin Pond to the Great River, Mashpee.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96188_2008	Lower Mill Pond (96188)	Brewster	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA96-24_2008	Mashpee River (9662775)	Quinaquisset Avenue to mouth at Shoestring Bay (formerly to mouth at Popponeset Bay), Mashpee.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-41_2008	Mill Creek (9662075)	Outlet of Taylors Pond to confluence with Cockle Cove, Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-66_2008	North Bay (96928)	From Fox Island to just south of Bridge Street and separated from Cotuit Bay at a line from Point Isabella southward to the opposite shore (including Dam Pond), Barnstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-45_2008	Oyster Pond (96234)	Including Stetson Cove, Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-46_2008	Oyster Pond River (9662000)	Outlet of Oyster Pond to confluence with Stage Harbor, Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-53_2008	Perch Pond (96921)	Connects to northwest end of Great Pond, west of Keechipam Way, Falmouth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-40_2008	Popponeset Bay (96918)	From line connecting Ryefield Point, Barnstable and Punkhorn Point, Mashpee to inlet of Nantucket Sound (including Ockway Bay and Pinquickset Cove), Mashpee/Barnstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-07_2008	Prince Cove (96904)	Includes adjacent unnamed cove east of Prince Cove to North Bay at Fox Island, Barnstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-20_2008	Quashnet River (9662925)	Just south of Route 28 to mouth at Waquoit Bay, Falmouth. Also known as Moonakis River.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96257_2008	Red Lily Pond (96257)	Barnstable	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-50_2008	Ryder Cove (96920)	Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA96268_2008	Ryder Pond (96268)	Truro	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96277_2008	Santuit Pond (96277)	Mashpee	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-08_2008	Shoestring Bay (96905)	Quinaquisset Avenue to Popponeset Bay (line from Ryefield Point, Barnstable to Punkhorn Point, Mashpee, including Gooseberry Island), Barnstable/Mashpee.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-11_2008	Stage Harbor (96907)	From the outlet of Mill Pond (including Mitchell River) to the confluence with Nantucket Sound at a line from the southernmost point of Harding Beach southeast to the Harding Beach Point, Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-42_2008	Taylors Pond (96311)	Chatham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96324_2008	Upper Mill Pond (96324)	Brewster	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA96331_2008	Walkers Pond (96331)	Brewster	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA96-21_2008	Waquoit Bay (96912)	From mouths of Seapit River, Quashnet River (also known as Moonakis River), and Great River to confluence with Vineyard Sound, Falmouth/Mashpee.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA96-65_2008	West Bay (96927)	South of the Bridge Street bridge to Nantucket Sound including Eel River, Barnstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-22_2008	Alder Brook (7239475)	Headwaters northwest of the Route 135 and South Street intersection, Needham to the confluence with the Charles River, Needham.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-28_2008	Beaver Brook (7239125)	Headwaters, north of Route 2, Lexington through culverting to Charles River, Waltham.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA72011_2008	Bulloughs Pond (72011)	Newton	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72156_2008	Cambridge Reservoir, Upper Basin (72156)	Lincoln/Lexington	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72017_2008	Chandler Pond (72017)	Boston	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72-03_2008	Charles River (7239050)	Milford WWTF discharge, Hopedale to outlet Box Pond (formerly segment MA72008), Bellingham.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72-05_2008	Charles River (7239050)	Outlet Populatic Pond, Norfolk/Medway to South Natick Dam, Natick.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72-06_2008	Charles River (7239050)	South Natick Dam, Natick to Chestnut Street, Needham/Dover.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-07_2008	Charles River (7239050)	Chestnut Street, Needham to Watertown Dam, Watertown.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-33_2008	Charles River (7239050)	Outlet Cedar Swamp Pond, Milford to the Milford WWTF discharge, Hopedale (formerly part of segment MA72-02).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-36_2008	Charles River (7239050)	Watertown Dam, Watertown to the Boston University Bridge, Boston/Cambridge (formerly part of segment MA72-08).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-38_2008	Charles River (7239050)	Boston University Bridge, Boston/Cambridge to the New Charles River Dam, Boston (formerly part of segment MA72-08).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-29_2008	Cheese Cake Brook (7239100)	Emerges south of Route 16, Newton to confluence with the Charles River, Newton.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72095_2008	Franklin Reservoir Northeast (72095)	Franklin	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72032_2008	Franklin Reservoir Southwest (72032)	Franklin	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72-18_2008			Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
	Fuller Brook (7239625)	Headwater south of Route 135, Needham to confluence with Waban Brook, Wellesley.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72045_2008	Hardys Pond (72045)	Waltham	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72050_2008	Houghton Pond (72050)	Holliston	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA72052_2008	Jamaica Pond (72052)	Boston	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72055_2008	Kendrick Street Pond (72055)	Needham	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72063_2008	Linden Pond (72063)	Holliston	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72070_2008	Lymans Pond (72070)	Dover	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72078_2008	Mirror Lake (72078)	Wrentham/Norfolk	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
		Headwaters, outlet Ward Pond in Olmstead Park, Boston to confluence with Charles River, Boston.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72-11_2008	Muddy River (7239075)		Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72096_2008	Populatic Pond (72096)	Norfolk	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
		Headwaters in Fisher Meadow, Westwood through Stevens Pond and Lee Pond, Westwood to confluence with Charles River, Dedham.			
MA72-21_2008	Rock Meadow Brook (7239500)		Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
		Headwaters, outlet Rosemary Lake, Needham to confluence with the Charles River, Wellesley.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72-25_2008	Rosemary Brook (7239325)		Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72-23_2008	Sawmill Brook (7239400)	Headwaters, Newton to confluence with Charles River, Boston.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
		From emergence west of Parker Street, Newton to confluence with the Charles River, Newton (sections culverted).	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72-24_2008	South Meadow Brook (7239375)		Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
		Headwaters near Dedham Street (Route 1A), Wrentham to Norfolk-Walpole MCI discharge, Norfolk (through Highland Lake formerly segment MA72047).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA72-09_2008	Stop River (7239925)		Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72-10_2008	Stop River (7239925)	Norfolk-Walpole MCI discharge, Norfolk to confluence with Charles River, Medfield.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA72-19_2008	Trout Brook (7239575)	Headwaters, outlet Channings Pond, Dover to confluence with Charles River, Dover.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
		Locally known as "Millers River" - from emergence near Route 93, Cambridge/Boston to the confluence with the Charles River, Cambridge.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA72-31_2008	Unnamed Tributary (7239055)				

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA72-30_2008	Unnamed Tributary (7239080)	Locally known as Laundry Brook - emerges north of California Street, Watertown to the confluence with the Charles River, Watertown.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA36003_2008	Alden Pond (36003)	Ludlow	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA36021_2008	Brookhaven Lake (36021)	West Brookfield	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA36050_2008	Dean Pond (36050)	Oakham	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA36130_2008	Quaboag Pond (36130)	Brookfield/East Brookfield	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA36165_2008	Lake Whittemore (36165)	Spencer	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82B-01_2008	Assabet River (8246775)	Outlet of the Assabet River Reservoir, Westborough to the Westborough WWTP discharge, Westborough.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82B-02_2008	Assabet River (8246775)	From the Westborough WWTP discharge, Westborough to the Route 20 Dam, Northborough.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82B-03_2008	Assabet River (8246775)	From the Route 20 Dam, Northborough to the Marlborough West WWTP discharge, Marlborough.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82B-04_2008	Assabet River (8246775)	From the Marlborough West WWTP discharge, Marlborough to the Hudson WWTP discharge, Hudson.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82B-05_2008	Assabet River (8246775)	From the Hudson WWTP discharge, Hudson to the USGS gage at Routes 27/62, Maynard.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82B-06_2008	Assabet River (8246775)	From the USGS gage at Routes 27/62, Maynard to the Powdermill Dam, Acton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82B-07_2008	Assabet River (8246775)	From the Powdermill Dam, Acton to the confluence with the Sudbury River, Concord.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82004_2008	Assabet River Reservoir (82004)	Westborough	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82015_2008	Carding Mill Pond (82015)	Sudbury	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82A-07_2008	Concord River (8246500)	From the confluence of the Assabet and Sudbury rivers, Concord to the Billerica Water Supply intake, Billerica.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA82A-08_2008	Concord River (8246500)	From the Billerica Water Supply intake, Billerica to Rogers Street bridge, Lowell.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82A-09_2008	Concord River (8246500)	From the Rogers Street bridge, Lowell to the confluence with the Merrimack River, Lowell.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82029_2008	Dudley Pond (82029)	Wayland	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82035_2008	Farm Pond (82035)	Framingham	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82042_2008	Fort Meadow Reservoir (82042)	Marlborough/Hudson	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82045_2008	Framingham Reservoir #2 (82045)	Framingham/Ashland	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82055_2008	Grist Mill Pond (82055)	Sudbury/Marlborough	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82056_2008	Hager Pond (82056)	Hager Pond (82056)	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82058_2008	Heard Pond (82058)	Wayland	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82A-05_2008	Hop Brook (8247825)	Outlet of Carding Mill Pond, Sudbury to confluence with Allowance Brook, Sudbury (Allowance Brook was identified as Landham Brook on USGS quads prior to 1987).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82A-06_2008	Hop Brook (8247825)	From the confluence of Allowance Brook, Sudbury to the confluence with the Sudbury River, Wayland (this segment was formerly identified as Wash Brook, Hop Brook appeared as Wash Brook and Allowance Brook was previously identified as Landham Brook on USGS quads prior to 1987).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82072_2008	Long Pond (82072)	Littleton	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82104_2008	Stearns Mill Pond (82104)	Sudbury	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82A-17_2008	Unnamed Tributary (8247880)	From the outlet of Grist Mill Pond, Sudbury to the inlet of Carding Mill Pond, Sudbury.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA82A-16_2008	Unnamed Tributary (8247885)	From the outlet of Hager Pond, Marlborough to the inlet of Grist Mill Pond, Marlborough.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82A-15_2008	Unnamed Tributary (8247890)	From the source northeast of Indian Head Hill (near Route 20), Marlborough to the inlet of Hager Pond, Marlborough.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA82112_2008	Washakum Pond (82112)	Framingham/Ashland	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA82120_2008	Whitehall Reservoir (82120)	Hopkinton	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA34005_2008	Arcadia Lake (34005)	Belchertown	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA34-36_2008	Bloody Brook (3420150)	From the railroad tracks north of North Main Street, Deerfield to the confluence with Mill River, Whately.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA34024_2008	Forge Pond (34024)	Granby	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA34-06_2008	Lampson Brook (3418125)	Belchertown WWTP discharge, Belchertown to confluence with Weston Brook, Belchertown.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA34044_2008	Lake Lookout (34044)	Springfield	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA34052_2008	Mill Pond (34052)	Springfield	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA34057_2008	Nashawannuck Pond (34057)	Easthampton	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA34058_2008	Noonan Cove (34058)	Springfield	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA34-19_2008	Stony Brook (3417925)	Headwaters, Granby to confluence with Connecticut River, South Hadley (thru Upper Pond formerly segment MA34095 and Lower Pond formerly segment MA34049).	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA34128_2008	Upper Van Horn Park Pond (34128)	Springfield (Changed from MA36158 to 34128 on 6/21/02, TRD)	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA34096_2008	Venture Pond (34096)	Springfield	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA34099_2008	Watershops Pond (34099)	Springfield	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA34-23_2008	Weston Brook (3418100)	Headwaters, Belchertown to inlet Forge Pond, Granby.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA42-06_2008	French River (4230075)	Webster-Dudley WWTP to Connecticut state line.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA42059_2008	Thayers Pond (42059)	Oxford	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA11002_2008	Cheshire Reservoir (11002)	[North Basin] Cheshire	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA21014_2008	Lake Buel	Monterey/New Marlborough	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA21040_2008	Lake Garfield (21040)	Monterey	Total Nitrogen (See Note 1)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA21-19_2008	Housatonic River (2103450)	Outlet of Woods Pond, Lee/Lenox to the Risingdale Impoundment dam, Great Barrington (impoundment formerly segment MA21121).	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA21057_2008	Laurel Lake (21057)	Lee/Lenox	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA21-17_2008	Southwest Branch Housatonic River (2106025)	Headwaters, outlet Richmond Pond, Pittsfield to confluence with West Branch Housatonic River, Pittsfield.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA92004_2008	Brackett Pond (92004)	Andover	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA92010_2008	Collins Pond (92010)	Andover	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA92013_2008	Crystal Pond (92013)	Peabody	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA92015_2008	Devils Dishfull Pond (92015)	Peabody	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA92-06_2008	Ipswich River (9253500)	Source at confluence of Maple Meadow Brook and Lubbers Brook, Wilmington, to Salem Beverly Waterway Canal, Topsfield.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA92038_2008	Martins Pond (92038)	North Reading	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA92-11_2008	Norris Brook (9253950)	Outlet of Elginwood Pond, Peabody to confluence with Ipswich River, Danvers (Danvers/Middleton town line).	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA92057_2008	Salem Pond (92057)	North Andover/Andover	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA97-28_2008	Hither Creek (9764000)	From the outlet of Madaket Ditch to Madaket Harbor at an imaginary line drawn easterly from Jackson Point to Little Neck, Nantucket	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA97-29_2008	Long Pond (97050)	South of Madaket Road, including White Goose Cove, Nantucket	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA97-01_2008	Nantucket Harbor (97901)	Waters south and east of an imaginary line drawn from Jetties Beach to Coatue Point (excluding Polpis Harbor and Coskata Pond), Nantucket.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA97-26_2008	Polpis Harbor (97909)	Polpis Harbor and all adjacent coves, to an imaginary line drawn from Quaise Point to the opposite shore, Nantucket.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA97085_2008	Seths Pond (97085)	West Tisbury	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-16_2008	Back River (8450325)	New Hampshire state line to confluence with Powwow River, Amesbury.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-18_2008	Bare Meadow Brook (8450750)	Headwaters to confluence with Merrimack River, Methuen.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-11_2008	Beaver Brook (8451075)	New Hampshire state line Dracut to confluence with Merrimack River, Lowell.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84B-02_2008	Beaver Brook (8451475)	Outlet Mill Pond, Littleton to inlet Forge Pond, Westford.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA84A-17_2008	Black Brook (8451175)	Headwaters, Chelmsford to confluence with Merrimack River, Lowell.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-21_2008	Deep Brook (8451550)	Headwaters east of Everett Turnpike, Tyngsboro to confluence with Merrimack River, Chelmsford.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA84A-19_2008	Martins Pond Brook (8451825)	Outlet Martins Pond to inlet Lost Lake, Groton. Most 2.4-0.0	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-02_2008	Merrimack River (8450125)	Pawtucket Dam to Duck Island, Lowell.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA84A-03_2008	Merrimack River (8450125)	Duck Island, Lowell to Essex Dam, Lawrence.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA84A-04_2008	Merrimack River (8450125)	Essex Dam, Lawrence to confluence with Creek Brook, Haverhill.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA84A-25_2008	Powwow River (8450300)	Outlet of Lake Gardner to tidal portion just east/downstream of Main St, Amesbury.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-28_2008	Powwow River (8450300)	Headwaters - Outlet Tuxbury Pond, Amesbury to inlet Lake Gardner, South Hampton, New Hampshire.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84A-10_2008	Spicket River (8450800)	New Hampshire state line Methuen to confluence with Merrimack River, Lawrence.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA84B-03_2008	Stony Brook (8451200)	Outlet Forge Pond to Brookside Road, Westford.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA84B-04_2008	Stony Brook (8451200)	Brookside Road, Westford to confluence with Merrimack River, Chelmsford.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA84B-01_2008	Unnamed Tributary (8451480)	(Locally known as Reedy Meadow Brook) Headwaters, outlet of small unnamed impoundment west/upstream of Bruce Rd. to inlet Mill Pond, Littleton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA35024_2008	Gales Pond (35024)	Warwick	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA35-01_2008	Millers River (3522150)	Outlet of Whitney Pond, Winchendon to Winchendon WWTP, Winchendon.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA35-02_2008	Millers River (3522150)	Winchendon WWTP, Winchendon to confluence with Otter River, Winchendon.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA35-03_2008	Millers River (3522150)	Confluence with Otter River, Winchendon to South Royalston USGS Gage, Royalston.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA35-04_2008	Millers River (3522150)	South Royalston USGS Gage, Royalston to Erving Center WWTP (formerly known as Erving Paper Company), Erving.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA35-07_2008	Otter River (3523800)	Gardner WWTP, Gardner/Templeton to Seaman Paper Dam, Templeton.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA35-08_2008	Otter River (3523800)	Seaman Paper Dam, Templeton to confluence with Millers River, Winchendon.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA35101_2008	Whitney Pond (35101)	Winchendon	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA61-04_2008	Cole River (6134550)	Route 6 to the mouth at Mount Hope Bay at old railway grade, Swansea.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA61-01_2008	Lee River (6134575)	From confluence with Lewin Brook, Swansea to Route 6, Swansea/Somerset.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA61-06_2008	Mount Hope Bay (61901)	The Massachusetts portion from the Braga Bridge, Fall River/Somerset to the MA/RI border Fall River, MA/Tiverton, RI to the line from Braton Point Somerset to MA/RI border approximately 3/4 of a mile due east of Spar Island, RI.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA61-07_2008	Mount Hope Bay (61901)	The Massachusetts portion from mouth of Cole River (at old railroad grade), Swansea to MA/RI border Swansea, MA/Warren, RI to the line from Brayton Point, Somerset to MA/RI border approximately 3/4 of a mile due east of Spar Island, RI to the line between Bay Point, Swansea and Brayton Point, Somerset (the mouth of the Lee River).	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA53-04_2008	Palmer River (5334050)	From confluence of East and West Branches of the Palmer River to the Shad Factory Pond dam, Rehoboth.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA53-01_2008	Runnins River (5334025)	Route 44 to Mobile Dam, Seekonk.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA81046_2008	Fort Pone	Lancaster	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA81-06_2008	Nashua River (8143500)	Confluence with Squannacook River, Shirley/Groton/Ayer to Pepperell Dam, Pepperell.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA81-07_2008	Nashua River (8143500)	Pepperell Dam, Pepperell to New Hampshire state line, Pepperell/Dunstable.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA81-09_2008	Nashua River (8143500)	("South Branch" Nashua River) Clinton WWTP Clinton to confluence with North Nashua River, Lancaster.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA81-03_2008	North Nashua River (8144650)	Fitchburg East WWTP outfall, Fitchburg to Leominster WWTP outfall, Leominster.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA81-04_2008	North Nashua River (8144650)	Leominster WWTP Leominster to confluence with Nashua River, Lancaster.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA81098_2008	Partridge Pond (81098)	Westminster	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA81167_2008	Pepperell Pond (81167)	Pepperell	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA81122_2008	Lake Shirley (81122)	Lunenburg	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93-07_2008	Bass River (9355175)	Headwaters west of Wenham Lake, Beverly to the outlet of "Lower Shoe Pond" north of Route 62, Beverly.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93011_2008	Cape Pond (93011)	Rockport	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93023_2008	Flax Pond (93023)	Lynn	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93024_2008	Floating Bridge Pond (93024)	Lynn	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA93-05_2008	Goldthwait Brook (9355450)	Outlet Cedar Pond, Peabody to confluence with Proctor Brook, Peabody.	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA93032_2008	Hawkes Pond (93032)	Lynnfield/Saugus	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93039_2008	Lily Pond (93039)	Gloucester	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA93-31_2008	Mill River (9355675)	From headwaters in wetlands north of Salem Street, Wakefield to confluence with Saugus River, Wakefield.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93056_2008	Pillings Pond (93056)	Lynnfield	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA93-39_2008	Proctor Brook (9355400)	Outlet of small pond in wetland north of Downing Road, Peabody to Grove/Goodhue Street bridge, Salem (formerly part of MA93-06).	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Nitrogen (See Note 1)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA93060_2008	Lake Quannapowitt (93060)	Wakefield	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93-34_2008	Saugus River (9355550)	Headwaters, outlet of Lake Quannapowitt, Wakefield (thru Reedy Meadow) to Lynn Water & Sewer Commission diversion canal, Wakefield/Lynnfield (canal diverts to Hawks Pond) (formerly part of segment MA93-13).	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
			Total Nitrogen (See Note 1)	Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA93076_2008	Strangman Pond (93076)	Gloucester	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93080_2008	Upper Banjo Pond (93080)	Gloucester	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA93089_2008	West Pond (93089)	Gloucester	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA41-06_2008	Cady Brook (4129125)	Charlton City WWTP, Charlton to confluence with Quinebaug River, Southbridge.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA41-03_2008	Quinebaug River (4128875)	Southbridge WWTP, Southbridge to West Dudley Impoundment, Dudley.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA41-09_2008	Quinebaug River (4128875)	Confluence with Cady Brook to Southbridge WWTP in Southbridge.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA41047_2008	Sibley Pond (41047)	Charlton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA41048_2008	Sibley Pond (41048)	Charlton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA41056_2008	Wielock Pond (41056)	Dudley	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA83003_2008	Butterfield Pond (83003)	Burlington/Lexington	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA83-05_2008	Elm Brook (8349375)	Headwaters, Lincoln to confluence with Shawsheen River, Bedford.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA83010_2008	Long Pond (83010)	Tewksbury	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA83015_2008	Rabbit Pond (83015)	Andover	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA83-04_2008	Rogers Brook (8349050)	From outlet of unnamed impoundment upstream of Morton Street, Andover (Prior to 1997 cycle listed as "Headwaters Billerica...") to confluence with Shawsheen River, Andover.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA94007_2008	Billington Sea (94007)	Plymouth	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94-18_2008	Bound Brook (9456100)	Flow control structure near Beechwood Street, Cohasset to outlet Hunters Pond, Scituate.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94-21_2008	Drinkwater River (9456900)	From Whiting Street, Hanover through Forge Pond to the inlet of Factory Pond, Hanover.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94037_2008	Forge Pond (94037)	Hanover	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94038_2008	Foundry Pond (94038)	Kingston	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94-03_2008	French Stream (9456950)	From the headwaters on the southeast side of the South Weymouth Naval Air Station, Rockland through Studleys Pond to the confluence with Drinkwater River, Hanover.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA94-10_2008	Green Harbor River (9457275)	Outlet Black Mountain Pond, Marshfield to the fidegate at Route 139, Marshfield.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94-04_2008	Indian Head River (9456800)	Outlet of Factory Pond, Hanover/Hanson to Curtis Crossing Dam (also called Ludhams Ford Dam) west of Elm Street, Hanover/Pembroke.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA94-12_2008	Jones River (9457650)	Headwaters outlet Silver Lake, Kingston to dam near Wapping Road, Kingston.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94-13_2008	Jones River (9457650)	From dam near Wapping Road, Kingston to dam at Elm Street, Kingston.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94179_2008	Lily Pond (94179)	Cohasset	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA94-33_2008	Musquashcut Pond (94105)	Scituate (formerly reported as MA94105)	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA94113_2008	Old Oaken Bucket Pond (94113)	Scituate	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA94168_2008	Wampatuck Pond (94168)	Hanson	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62001_2008	Ames Long Pond (62001)	Stoughton/Easton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA62030_2008	Cain Pond (62030)	Taunton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62090_2008	Hobart Pond (62090)	Whitman	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62094_2008	Island Grove Pond (62094)	Abington	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62-32_2008	Matfield River (6236925)	Confluence of Beaver Brook and the Salisbury Plain River, East Bridgewater to the confluence with the Town River and the Taunton River, Bridgewater.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA62119_2008	Monponsett Pond (62119)	[West Basin] Halifax/Hanson	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA62124_2008	Muddy Cove Brook Pond (62124)	Dighton	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62134_2008	Norton Reservoir (62134)	Norton/Mansfield	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA62134_2008	Norton Reservoir (62134)	Norton/Mansfield	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62-39_2008	Rumford River (6235600)	Outlet Gavins Pond, Sharon to inlet Norton Reservoir, Mansfield (formerly part of segment MA62-15).	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62-08_2008	Salisbury Brook (6237275)	From the outlet of Cross Pond, Brockton to the confluence with Trout Brook forming the Salisbury Plain River, Brockton.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62-05_2008	Salisbury Plain River (6237100)	From the confluence of Trout and Salisbury brooks, Brockton to the Brockton Advanced Water Reclamation Facility (AWRF) discharge, Brockton.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62-06_2008	Salisbury Plain River (6237100)	From the Brockton Advanced Water Reclamation Facility (AWRF) discharge, Brockton to the confluence with Beaver Brook forming the Matfield River, East Bridgewater.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA62-06_2008	Salisbury Plain River (6237100)	From the Brockton Advanced Water Reclamation Facility (AWRF) discharge, Brockton to the confluence with Beaver Brook forming the Matfield River, East Bridgewater.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62-33_2008	Shumatuscacant River (6237025)	From a wetland just west of Vineyard Road, Abington to the confluence with Poor Meadow Brook, Hanson.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62182_2008	Stetson Pond (62182)	Pembroke	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA62-07_2008	Trout Brook (6237175)	Source northeast of Argyle Avenue and west of Conrail Line, Avon to the confluence with the Salisbury Brook forming the Salisbury Plain River, Brockton.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62205_2008	Watson Pond (62205)	Taunton	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA62220_2008	Woods Pond (62220)	Middleborough	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA52004_2008	Cargill Pond (52004)	Plainville	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA52006_2008	Central Pond (52006)	Seekonk,MA/Pawtucket,RI/Providence,RI (size indicates portion in Massachusetts)	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA52010_2008	Lake Como (52010)	Attleboro/N. Attleborough	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA52013_2008	Falls Pond [North Basin] (52013)	North Attleborough	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA52-10_2008	Fourmile Brook (5233700)	Headwaters, outlet Manchester Pond Reservoir, Attleboro to inlet Orrs Pond, Attleboro.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA52022_2008	James V. Turner Reservoir (52022)	Seekonk,MA/E. Providence,RI (size indicates portion in Massachusetts)	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA52-05_2008	Speedway Brook (5233725)	(locally known as Thacher Brook) Headwaters, Attleboro to inlet of Dodgeville Pond (a Ten Mile River impoundment), Attleboro.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA52-02_2008	Ten Mile River (5233625)	West Bacon Street, Plainville to North Attleborough WWTP discharge, Attleboro (excluding 0.9 miles thru Falls Pond segment MA52013, but including thru Wetherells Pond formerly segment MA52041).	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA52-03_2008	Ten Mile River (5233625)	North Attleborough WWTP discharge, Attleboro to the MA/RI border near Central Avenue, Seekonk, MA/Pawtucket, RI (thru former segments; Farmers Pond MA52015, Mechanics Pond MA52027, Dodgeville Pond MA52011, and Hebronville Pond MA52020).	Total Phosphorus (See Note 1)	Total Phosphorus (TP)	No benchmark/monitor for information purposes only
MA32-36_2008	Little River (3208725)	From the dam northwest of Gorge Road, Russell to Horton's Bridge, Westfield. (formerly part of segment MA32-26)	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
MA32-23_2008	Moose Meadow Brook (3209700)	Source in wetland west of Bungy Mountain, Montgomery to confluence with Westfield River, Westfield.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA32055_2008	Pequot Pond (32055)	Westfield/Southampton	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark/monitor for information purposes only
MA32-09_2008	Powdermill Brook (3208575)	Source, east of Pitcher Road, Montgomery to confluence with Westfield River, Westfield.	Sedimentation/Siltation (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only
MA32-05_2008	Westfield River (3208250)	Confluence with Middle Branch Westfield River, Huntington to Route 20 Bridge, Westfield.	Turbidity (See Note 2)	Turbidity	No benchmark/monitor for information purposes only

Notes:

1. 314 CMR 4.05(5)(c) Nutrients  
 Unless naturally occurring, all surface waters shall be free from Nutrients in concentrations that would cause or contribute to impairment of existing or designated uses and shall not exceed the site specific criteria developed in a TMDL or as otherwise established by the Department pursuant to 314 CMR 4.00. Any existing point source discharge containing Nutrients in concentrations that would cause or contribute to cultural eutrophication, including the excessive growth of aquatic plants or algae, in any surface water shall be provided with the most appropriate treatment as determined by the Department, including, where necessary, highest and best practical treatment (HBPT) for POTWs and BAT for non POTWs, to remove such Nutrients to ensure protection of existing and designated uses. Human activities that result in the nonpoint source discharge of Nutrients to any surface water may be required to be provided with cost effective and reasonable best management practices for nonpoint source control.
  
2. 314 CMR 4.05 (3)(a), (b) & (c) and 4.05 (4)(a), (b) & (c) Turbidity [Includes Class A, Class B, Class C, Class SA, Class SB, and Class SC Waters]  
 These waters shall be free from color and turbidity in concentrations or combinations that are aesthetically objectionable or would impair any use assigned to this Class.

**Table J-1.5 – New Hampshire Water Quality Impaired Waters**

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NHEST600030406-01	Salmon Falls River	Salmon Falls River, Prohibited/Unclassified, Closed, 181.22, Acres	Total Nitrogen (See Note 1.b)	Total Nitrogen [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NHEST600030709-01	Lamprey River	Lamprey River, Prohibited/Unclassified, Closed, 102.56, Acres	Total Nitrogen (See Note 1.b)	Total Nitrogen [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NHEST600030806-01	Squamscott River	Squamscott River, Prohibited/Unclassified, Closed, 306.51, Acres	Total Nitrogen (See Note 1.b)	Total Nitrogen [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NHEST600030902-01-03	Oyster River	Oyster River, Prohibited/Safety Zone, Closed, 285.520 Acres	Total Nitrogen (See Note 1.b)	Total Nitrogen [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NHIMP600031004-05	Cains Brook	Cains Brook, IMP #215.05, Cains Brook, 3.5 Acres, 2.5 Feet High, Unknown Fishery	Sedimentation/Siltation (See Note 2.b)	Turbidity	10 NTUs
NHIMP700030104-04	Contoocook River	Contoocook River, IMP #191.02, Noone Mill Dam, 20 Acres, 20 feet High, Cold Water Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only
NHIMP700030104-08	Contoocook River	Contoocook River, IMP #191.03, Transcript Printing Company Dam, 1716 Feet Long, 6 Feet High, Cold Water Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only
NHIMP700030104-12	Contoocook River,	Contoocook River, IMP #191.04, NORTH Village Dam, 20 Acres, 12 Feet High, Unknown Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only
NHLAK700020101-07-01	Rust Pond, Wolfeboro	Rust Pond, Wolfeboro, Warm Water Fishery, 84.987 Hectare	Sedimentation/Siltation (See Note 2.b)	Turbidity	10 NTUs
NHLAK700020201-05-01	Winnisquam, Laconia,	Winnisquam, Laconia, Warm/Cold Water Fishery, 1719.65124 Hectare	Turbidity (See Note 2.b)	Turbidity	10 NTUs
NHLAK700020201-07	Railroad Pond	Railroad Pond, Belmont, 0.224 Hectare	Sedimentation/Siltation (See Note 2.b)	Turbidity	10 NTUs
			Turbidity (See Note 2.b)	Turbidity	10 NTUs
NHRIV700020201-22	Hueber Brook	Hueber Brook, Belmont, 0.460 Miles	Sedimentation/Siltation (See Note 2.b)	Turbidity	10 NTUs
			Turbidity (See Note 2.b)	Turbidity	10 NTUs
NHRIV700030104-03	Contoocook River	Contoocook River, Gridley River, Cold Water Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only
NHRIV700030104-12	Contoocook River	Contoocook River, Cold Water Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NHRIV700030104-16	Contoocook River	Contoocook River, Cold Water Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only
NHRIV700030104-17	Contoocook River	Contoocook River, Cold Water Fishery	Total Phosphorus (See Note 1.b)	Total Phosphorus	No benchmark / monitor for information purposes only

Notes:

1. Env-Wq 1703.14 Nutrients (See Note 1).
  - a) Class A waters shall contain no phosphorus or nitrogen unless naturally occurring.
  - b) Class B waters shall contain no phosphorus or nitrogen in such concentrations that would impair any existing or designated uses, unless naturally occurring.
  - c) Existing discharges containing either phosphorus or nitrogen which encourage cultural eutrophication shall be treated to remove phosphorus or nitrogen to ensure attainment and maintenance of water quality standards.
  - d) There shall be no new or increased discharge of phosphorus into lakes or ponds.
  - e) There shall be no new or increased discharge(s) containing phosphorus or nitrogen to tributaries of lakes or ponds that would contribute to cultural eutrophication or growth of weeds or algae in such lakes and ponds.
2. Env-Wq 1703.11 Turbidity.
  - a) Class A waters shall contain no turbidity, unless naturally occurring.
  - b) Class B waters shall not exceed naturally occurring conditions by more than 10 NTUs.
  - c) Waters identified in RSA 485-A:8, III shall contain no turbidity of unreasonable kind or quality.
  - d) For purposes of state enforcement actions, if a discharge causes or contributes to an increase in turbidity of 10 NTUs or more above the turbidity of the receiving water upstream of the discharge or otherwise outside of the visible discharge, a violation of the turbidity standard shall be deemed to have occurred.

**Table J-1.6 – New Mexico Water Quality Impaired Waters**

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2103.A_20	Percha Creek (Perennial Reaches Caballo R to M Fork)	HUC:13030101, Caballo Watershed. Enters Rio Grande at South End of Caballo Reservoir.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2103.A_30	Alamosa Creek (Perennial Reaches Abv Monticello Diversion)	HUC:13020211, Elephant Butte Reservoir Watershed. Enters Elephant Butte Reservoir from west.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2105.5_10	Jemez River	Rio Guadalupe to Soda Dam near Jemez Springs	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	10 NTU
NM-2105_71	Jemez River (Jemez Pueblo Bnd to Rio Guadalupe)	HUC:13020202, Jemez Watershed. From Jemez Pueblo to Rio Guadalupe. This segment is about 2 miles long. Downstream, the Jemez River runs for several miles across the Santa Ana, Zia, and Jemez Pueblos and the Town of San Ysidro.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2106.A_00	Jemez River	Soda Dam near Jemez Springs to East Fork	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_10	East Fork Jemez	VCNP to Headwaters	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_12	Jamarillo Creek	East Fork Jemez to Headwaters	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_13	East Fork Jemez	San Antonio Creek to VCNP boundary	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_20	San Antonia Creek	East Fork Jemez to VCNP boundary	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_21	Redondo Creek	Sulphur Creek to VCNP boundary	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_25	Redondo Creek	VCNP boundary to Headwaters	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_30	Rio Guadalupe	Jemez River to Confluence with Rio Cebolla	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2106.A_40	Rio de Las Vacas (Rio Cebolla to Clear Creek)	HUC:13020202, Jemez Watershed. From Rio Cebolla To Rito de Las Palomas. Rio de Las Vacas and Rio Cebolla join to form the Rio Guadalupe.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2106.A_42	Rito Peñ'as Negras (Rio de Las Vacas to Headwaters)	HUC:13020202, Jemez Watershed.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2106.A_43	Rito de Las Palomas (Rio de Las Vacas to Headwaters)	HUC:13020202, Jemez Watershed.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2106.A_54	Clear Creek	Rio de Las Vacas to San Gregorio Lake	Turbidity (See Note 2)	Turbidity	10 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2106.B_00	Fenton Lake	Fenton Lake	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2107.A_00	Bluewater Creek	Non-Tribal Rio San Jose to Bluewater Reservoir	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2107.A_01	Bluewater Creek	Bluewater Reservoir to Headwaters	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
			Turbidity (See Note 2)	Turbidity	10 NTU
NM-2107.A_10	Rio Moquino	Laguna Pueblo to Seboyettia Creek	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2107.A_40	Rio puerco	Arroyo Chijuilla to Northern Boundary Cuba	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2108.5_00	Las Huertas CK (Perennial Portion R Grande to Headwaters)	HUC:13020201, Rio Grande-Santa Fe Watershed.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2110_00	Santa Fe River (Cochiti Pueblo Bnd to Santa Fe WWTP)	HUC:13020201, Rio Grande-Santa Fe Watershed. From Cochiti Pueblo to Santa Fe WWTP. The WWTP is located about 3 miles below Santa Fe.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2111_00	Rio Grande (Cochiti Reservoir to San Ildefonso Bnd)	HUC:13020201, Rio Grande-Santa Fe Watershed. Guaje Canyon enters the Rio Grande from the west at Otowi bridge (HWY 502). See 2118 for other tributaries to this reach of the Rio Grande.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2111_20	Pojoaque River (San Ildefonso Bnd to Pojoaque Bnd)	HUC:13020101, Upper Rio Grande Watershed. From Rio Grande to Nambe Dam. Only about .25 mile is not on Pueblo land. The Rio Nambe and Rio En Medio join to form the Pojoaque River. A few miles downstream, the Rio Tesuque also 'conflutes'.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2111_41	Embudo Creek	Rio Grande to Canada de Ojo Sarco	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
			Turbidity (See Note 2)	Turbidity	10 NTU
NM-2111_50	Santa Cruz River (San Clara Pueblo Bnd to Santa Cruz Dam)	HUC:13020101, Upper Rio Grande Watershed. From Rio Grande (in espanola) to Santa Cruz Dam.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2112.B_00	Hopewell Lake	HUC:13020102, Rio Chama Watershed. Located in the Rio Vallecitos Watershed about 25 miles southeast of Chama.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2113_30	Rio Tusas (Rio Vallecitos to Headwaters)	HUC:13020102, Rio Chama Watershed. from Rio Vallecitos to Headwaters.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2116.A_011	Polvadera Creek (Caã'Ones Creek to Headwaters)	HUC:13020102, Rio Chama Watershed. from Caã'Ones Creek (about 2-3 miles upstream from Abiquiu Reservoir) to Headwaters.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2116.A_020	RIO Puerco de Chama (Poleo Creek to Headwaters)	HUC:13020102, Rio Chama Watershed. from Poleo Creek to Headwaters. poleo Creek enters Rio Puerco de Chama at HWY 96, about 8 miles southwest of abiquiu Reservoir.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2116.A_025	Rito Resumidero (Rio Puerco de Chama to Headwaters)	HUC:13020102, Rio Chama Watershed. from Rio Puerco de Chama (about 14 miles upstream from Abiquiu Reservoir) to Headwaters.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2116.A_030	Canjilon CK (Perennial portions Abiquiu RSRV to Headwaters)	HUC:13020102, Rio Chama Watershed. drains into the north end of Abiquiu Reservoir.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2116.A_042	Cecilia Canyon Creek (Rio Capulin to USFS Bnd)	HUC:13020102, Rio Chama Watershed. joins Rio capulin about 2 miles southeast of gallina.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2116.A_043	Clear Creek (Rio Gallina To Headwaters)	HUC:13020102, Rio Chama Watershed. joins Rio Gallina about 2 miles south of Gallina.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2116.A_110	Rio Chamita (Rio Chama to CO Border)	HUC:13020102, Rio Chama Watershed. joins Rio Chama from northwest at Chama. Headwaters in Colorado. the lower Rio Chamita receives the effluent from the Chama WWTP.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2118.A_70	Rito de Los Frijoles (Rio Grande to Upper Crossing)	HUC:13020201, Rio Grande-Santa Fe Watershed. Forms northern boundary to Bandelier National Monument and southern boundary to Los Alamos County. Drains Baca (Jemez) through Bandelier to Rio Grande, between white Rock and Alamo Creek.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2120.A_421	Rio Chiquito (Picuris Pueblo Bnd to Headwaters)	HUC:13020101, Upper Rio Grande Watershed. Enters Rio Santa Barbara on Picuris Pueblo.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2120.A_705	Bitter Creek	Red River to Headwaters	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2120.A_703	Pioneer Creek	Red River to Headwaters	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2120.A_823	Cordova Creek	Costilla Creek to Headwaters	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2120.B_12	Goose Lake	Goose Lake	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2201_00	Pecos River (T <sub>x</sub> border to Black River)	HUC:13060011, Upper Pecos-Black Watershed. Black River enters Pecos River from west about 15 miles downstream from Carlsbad.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2202.A_00	Pecos River (Black River to Tansil Lake)	HUC:13060011, Upper Pecos-Black Watershed. Black River enters Pecos River near Town of Malaga. Lower Tansil Dam is just downstream from City of Carlsbad.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2206.A_10	Rio	Pecos River to HWY 24	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2208_00	Rio Peã'Asco	HWY 24 to Headwaters	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2208_20	Rio Ruidoso	Rio Bonito to US HWY 70 Bridge	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2211.A_00	Pecos River (Sumner Reservoir to Santa Rosa Reservoir)	HUC:13060001, Pecos Headwaters Watershed. Sumner Reservoir is about 15 miles southeast of Santa Rosa.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2211.A_10	Pecos River (santa rosa Reservoir to tecolote Creek)	HUC:13060001, Pecos Headwaters Watershed. Sumner Reservoir is about 15 miles southeast of Santa Rosa.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2212_18	Wright Canyon Creek	Tecolote Creek to Headwaters	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2213_00	Pecos River (Tecolote Creek to Canon de Manzanita)	HUC:13060001, Pecos Headwaters Watershed. Canon Del Oso is about 3 river miles upstream from Anton Chico.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2213_21	Gallinas River (San Augustin to Las Vegas Diversion)	HUC:13060001, Pecos headwaters watershed. From San Augustin upstream to the Las Vegas Diversion. San Augustin is about 9 miles southeast of Las Vegas.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2214.A_002	Pecos River	Alamitos Canyon to Willow Creek	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2214.A_003	Pecos River	Canon de Manzanita to Alamitos Canyon	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2214.A_030	Willow Creek (Pecos River to fish barrier above reclamation)	HUC:13060001, Pecos Headwaters Watershed. Willow Creek enters PECOS River about 3 miles south of Cowles.	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2214.A_081	Glorieta Creek (Pecos River to Headwaters)	HUC:13060001, Pecos Headwaters Watershed. Enters Pecos River from northwest about 2 miles south of the Village of Pecos.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
			Turbidity (See Note 2)	Turbidity	10 NTU
			Turbidity (See Note 2)	Turbidity	10 NTU
NM-2214.A_090	Cow Creek	Pecos River to Bull Creek	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2214.A_102	Cow Creek	Bull Creek to Headwaters	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2303_10	Pajarito Creek (Ute Reservoir to Headwaters)	HUC:11080006, Upper Canadian-Ute Reserv watershed.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2304_00	Conchas Reservoir	Conchas Reservoir	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.1.A_10	Cimarron River (Canadian River to Cimarron)	HUC:11080002, Cimarron Watershed. Cimarron River (Canadian River to Cimarron)	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.A_00	Mora River	USGS gage east of Shoemaker to HWY 434	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.3.A_20	Sapello River	Mora River to Manuelitas Creek	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2305.3.A_80	Rayado Creek (Cimarron River to Miami Lake diversion)	Huc:11080002, Cimarron Watershed. Downstream from Miami Lake diversion. joins Cimarron River about 6 miles west of Springer.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.3.B_30	Morphy (Murphy) Lake	Morphy (Murphy) Lake	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.A_030	Uā'a de Gato Creek (HWY 64 to Headwaters)	HUC:11080001, Canadian Headwaters Watershed.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.A_200	Canadian River (Cimarron River to CO Border)	HUC:11080001, Canadian Headwaters Watershed. Cimarron River joins the Canadian River approximately five miles east of the Town of Springer.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.A_253	Raton Creek (Chicorica Creek to Headwaters)	HUC:11080001, Canadian Headwaters Watershed. Raton Creek joins Chicorica Creek about 9 miles upstream from the Canadian River.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2305.A_254	Uā'a de Gato Creek (Chicorica Creek to HWY 64)	HUC:11080001, Canadian Headwaters Watershed.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only (See Note 1)
NM-2306.A_000	Mora River	HWY 434 to luna Creek	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2306.A_24	Little Coyote Creek	Black Lake to Headwaters	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2306.A_060	Moreno Creek (Eagle Nest Lake to Headwaters)	HUC:11080002, Cimarron Watershed. Enters Eagle Nest lake from the north just west of the Town of Eagle Nest.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2306.A_064	Sixmile Creek	Eagle Nest Lake to Headwaters	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2306.A_065	Cieneguilla Creek (Eagle Nest Lake to Headwaters)	HUC:11080002, Cimarron Watershed. Enters Eagle Nest lake from the south.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2306.A_100	Ponil Creek	Cimarron River to US 64	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2306.A_101	Ponil Creek (US 64 to confluence of North & South Ponil)	HUC:11080002, Cimarron Watershed	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2306.A_110	North Ponil Creek (South Ponil Creek to Seally Canyon)	HUC:11080002, Cimarron Watershed	Turbidity (See Note 2)	Turbidity	No benchmark / monitor for information purposes only
NM-2306.A_124	Middle Ponil Creek (Greenwood Creek to Headwaters)	HUC:11080002, Cimarron Watershed	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2306.A_121	Middle Ponil Creek (South Ponil to Greenwood Creek)	HUC:11080002, Cimarron Watershed	Turbidity (See Note 2)	Turbidity	No benchmark / monitor for information purposes only
NM-2306.A_130	Cimarron River (Turkey Creek to Eagle Nest Lake)	HUC:11080002, Cimarron Watershed	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2306.A_140	Vanbremmer Creek (HWY 64 to Headwaters)	HUC:11080001 Joins Vermejo River about 12 miles upstream from the Canadian River. The reach upstream from U.S. Highway 64 is classified, while the lower reach is unclassified and is assumed to have livestock watering and wildlife habitat as existing uses.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2306.A_153	York Canyon (Vermejo River to Headwaters)	HUC:11080001, Canadian Headwaters Watershed. Joins Vermejo River about 32 miles upstream from the Canadian River.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2401_00	San Juan River	Animas River to Canon Largo	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM2402.A_00	La Plata River	San Juan River to Mcdermott Arroyo	Sedimentation/Siltation (See Note 2)	Turbidity	10 NTU
NM-2403.A_00	Animas River	San Juan River to Estes Arroyo	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2503_23	Taylor Creek (Beaver Creek to Wall Lake)	HUC:15040001, Upper Gila Watershed. Beaver and Taylor Creeks join (about 15 miles northeast of the cliff dwellings) to form the east fork of the Gila River.	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2503_24	Taylor Creek	Perennial reaches above Wall Lake	Turbidity (See Note 2)	Turbidity	10 NTU
NM-2504_20	Lake Roberts	Lake Roberts	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
NM-2504_30	Bear Canyon Reservoir	Bear Canyon Reservoir	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2701_10	Oak Creek (Dry Cimarron to Headwaters)	HUC:11040001, Cimarron Headwaters Watershed. Enters the dry Cimarron the river from west about four miles downstream from the Town of Folsom.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2803_00	Mimbres R (perennial reaches downstream of Willow Springs)	HUC:13030202, Mimbres Watershed. Willow Springs enters Mimbres approx.100 feet u/s of existing USGS gage location.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-2804_00	Mimbres R (perennial reaches Willow Springs to Cooney cny)	HUC:13030202, Mimbres Watershed.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-9000.A_001	Tijeras Arroyo (Rio Grande To Headwaters)	HUC:13020203, Rio Grande-Albuquerque Watershed. Enters Rio Grande from east in Albuquerque.	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-9000.B_046	Green Acres Lake	Green Acres Lake	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only
NM-9000.B_083	Mcgaffey Lake	Mcgaffey Lake	Nutrients (See Note 1)	Total Phosphorus (TP) and Total Nitrogen (TN) - [NO <sub>x</sub> + TKN]	No benchmark / monitor for information purposes only

Notes:

1. NMAC 20.6.4.13.E. Plant Nutrients  
Plant nutrients from other than natural causes shall not be present in concentrations that will produce undesirable aquatic life or result in a dominance of nuisance species in surface.
2. NMAC 20.6.4.13.J. Turbidity  
Turbidity attributable to other than natural causes shall not reduce light transmission to the point that the normal growth, function or reproduction of aquatic life is impaired or that will cause substantial visible contrast with the natural appearance of the water. Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or increase more than 20 percent when the background turbidity is more than 50 NTU. Background turbidity shall be measured at a point immediately upstream of the turbidity-causing activity. However, limited-duration activities necessary to accommodate dredging, construction or other similar activities and that cause the criterion to be exceeded may be authorized provided all practicable turbidity control techniques have been applied and all appropriate permits and approvals have been obtained.

Table J-1.7 – Puerto Rico Water Quality Impaired Waters

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
PRSR42A	Rio Chico	Patillas Huc:2101000405	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PREL14A1	Rio Grande De Loiza	Loiza Huc:2101000504	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PRER14H	Rio Grande De Loiza	Loiza Huc:2101000504	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PRWR77A	Rio Guanajibo	Cabo Rojo - Mayaguez Huc:2101000304	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PRSR67A	Rio Guayanilla	Guayanilla Huc:2101000402	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PREL110A1	Rio La Plata	Dorado Huc:2101000507	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PREE13A3	San Juan Bay Estuary	Cataño - Carolina Huc:2101000505	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PREL14A1A	Rio Grande De Loiza	Loiza Huc:2101000504	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PREL110A1A	Rio La Plata	Dorado Huc:2101000507	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PREE13A3A	San Juan Bay Estuary	Cataño - Carolina Huc:2101000505	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PRES0002B_00	Rio La Plata	East Region	Total Phosphorus (TP) (See Note 1)	Total Phosphorus (TP)	1 mg/l TP
PRER12A2	Rio Bayamon	Toa Baja Huc:2101000506	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER12B	Rio Bayamon	Toa Baja Huc:2101000506	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR9A	Rio Cibuco	Vega Baja Huc:2101000201	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR9B1	Rio Cibuco	Vega Baja Huc:2101000201	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRSR57A2	Rio Coamo	Santa Isabel Huc:2101000404	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRSR57B	Rio Coamo	Santa Isabel Huc:2101000404	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR95A	Rio Culebrinas	Aguada - Aguadilla Huc:2101000301	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR95B	Rio Culebrinas	Aguada - Aguadilla Huc:2101000301	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER16A	Rio Espiritu Santo	Rio Grande Huc:2101000503	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER22A	Rio Fajardo	Fajardo Huc:2101000502	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR7A1	Rio Grande De Arecibo	Arecibo Huc:2101000204	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR7A2	Rio Grande De Arecibo	Arecibo Huc:2101000204	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR7B2	Rio Grande De Arecibo	Arecibo Huc:2101000204	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR83A	Rio Grande De Añasco	Añasco Huc:2101000302	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR83D	Rio Grande De Añasco	Añasco Huc:2101000302	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR83I	Rio Grande De Añasco	Añasco Huc:2101000302	Turbidity (See Note 2.b)	Turbidity	50 NTU
PREL14A1	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14A2	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14G1	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14G2	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14H	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14I	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14J	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER14K	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR8A1	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU

LIST ID	WATER BODY NAME	DESCRIPTION	IMPAIRMENT NAME	POLLUTANT TO MONITOR	BENCHMARK
PRNR8A2	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR8A3	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR8C1	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR8D	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR8E1	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR8E2	Rio Grande De Manati	Barceloneta - Manati Huc:2101000202	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRSR43A2	Rio Grande De Patillas	Patillas Huc:2101000405	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR3A1	Rio Guajataca	Isabela - Quebradillas Huc:2101000205	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRNR3A2	Rio Guajataca	Isabela - Quebradillas Huc:2101000205	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR77A	Rio Guanajibo	Cabo Rojo - Mayaguez Huc:2101000304	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR77C	Rio Guanajibo	Cabo Rojo - Mayaguez Huc:2101000304	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRWR77E	Rio Guanajibo	Cabo Rojo - Mayaguez Huc:2101000304	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER35A	Rio Guayanes	Yabucoa Huc:2101000501	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRSR67A	Rio Guayanilla	Guayanilla Huc:2101000402	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER11A	Rio Hondo	Toa Baja Huc:2101000506	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER33A	Rio Humacao	Humacao Huc:2101000501	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER10A1	Rio La Plata	Dorado Huc:2101000507	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER10A4	Rio La Plata	Dorado Huc:2101000507	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER10A5	Rio La Plata	Dorado Huc:2101000507	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER10E	Rio La Plata	Dorado Huc:2101000507	Turbidity (See Note 2.b)	Turbidity	50 NTU
PRER10J	Rio La Plata	Dorado Huc:2101000507	Turbidity (See Note 2.b)	Turbidity	50 NTU
PREE13A2	San Juan Bay Estuary	Cataño - Carolina Huc:2101000505	Turbidity (See Note 2.a)	Turbidity	10 NTU
PREE13A3	San Juan Bay Estuary	Cataño - Carolina Huc:2101000505	Turbidity (See Note 2.a)	Turbidity	10 NTU
PREL14A1A	Rio Grande De Loiza	Loiza Huc:2101000504	Turbidity (See Note 2.b)	Turbidity	50 NTU
PREE13A2A	San Juan Bay Estuary	Cataño - Carolina Huc:2101000505	Turbidity (See Note 2.a)	Turbidity	10 NTU
PREE13A3A	San Juan Bay Estuary	Cataño - Carolina Huc:2101000505	Turbidity (See Note 2.a)	Turbidity	10 NTU

## Notes:

1. Total Phosphorus: 1 mg/l
2. Turbidity:
  - a. Class SB Waters (coastal and estuarine waters) and SC Waters (coastal waters) – Turbidity must not exceed **10 NTU**, except by natural causes.
  - b. Class SD Waters (surface waters for public water supply) – Turbidity must not exceed **50 NTU**, except by natural causes.
  - c. Class SG1 Waters (ground waters for drinking water/ag use) – Narrative standard.

### **Appendix K - Notice of Termination (NOT) Form and Instructions**

Part 9.3 requires you to use the electronic NOI system, or "eNOI" system, to prepare and submit your NOT. However, where your EPA Regional Office specifically authorizes you to use a paper NOT form, you are required to complete and submit the following form.



**Notice of Termination (NOT) of Coverage Under an NPDES General Permit for Stormwater Discharges Associated with Construction Activity**

NPDES Form Date (6/11)

This Form Replaces Form 3510-9 (12/08)

Form Approved OMB Nos. 2040-XXXX and 2040-XXXX

**Who May File an NOT Form**

Permittees who are presently covered under the EPA-issued 2011 Construction General Permit (CGP) for Stormwater Discharges Associated with Construction Activity may submit an NOT form when: (1) earth-disturbing activities at the site are completed and the conditions in Parts 9.2.1.1 thru 9.2.1.7 are met; or (2) the permittee has transferred all areas under its control to another operator, and that operator has submitted and obtained coverage under this permit; or (3) the permittee has obtained coverage under a different NPDES permit for the same discharges.

**Completing the Form**

Type or print, using uppercase letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) or telephone the Stormwater Notice Processing Center at (866) 352-7755. Please submit original document with signature in ink - do not send a photocopied signature.

**Section I. Permit Number**

Enter the existing NPDES Stormwater General Permit Tracking Number assigned to the project by EPA's Stormwater Notice Processing Center. If you do not know the permit tracking number, refer to [www.epa.gov/npdes/stormwater/cgp](http://www.epa.gov/npdes/stormwater/cgp) or contact the Stormwater Notice Processing Center at (866) 352-7755.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box. Check only one:

*You have completed earth-disturbing activities at your site, and you have met all other requirements in Part 9.2.1.*

*Another operator has assumed control over all areas of the site and that operator has submitted an NOI and obtained coverage under the CGP.*

*You have obtained coverage under an individual permit or another general NPDES permit addressing stormwater discharges from the construction site.*

**Section II. Operator Information**

Provide the legal name of the person, firm, public organization, or any other entity that operates the project described in this application and is covered by the permit tracking number identified in Section I. The operator of the project is the legal entity that controls the site operation, rather than the site manager. Provide the employer identification number (EIN from the Internal Revenue Service; IRS). If the applicant does not have an EIN enter "NA" in the space provided. Enter the complete mailing address, telephone number, and email address of the operator. Optional: enter the fax number of the operator.

**Section III. Project/Site Information**

Enter the official or legal name and complete street address, including city, state, zip code, and county or similar government subdivision of the project or site. If the project or site lacks a street address, indicate the general location of the site (e.g., Intersection of State Highways 61 and 34). Complete site information must be provided for termination of permit coverage to be valid.

**Section IV. Certification Information**

All applications, including NOIs, must be signed as follows:

*For a corporation:* By a responsible corporate officer. For the purpose of this Part, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

*For a partnership or sole proprietorship:* By a general partner or the proprietor, respectively; or

*For a municipality, state, federal, or other public agency:* By either a principal executive officer or ranking elected official. For purposes of this Part, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA). Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated NOT form will not be considered valid termination of permit coverage.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hours per notice, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, 2136, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB number on any correspondence. Do not send the completed form to this address.

Visit this website for mailing instruction:

[www.epa.gov/npdes/stormwater/mail](http://www.epa.gov/npdes/stormwater/mail)

Visit this website for instructions on how to submit electronically:

[www.epa.gov/npdes/stormwater/enoi](http://www.epa.gov/npdes/stormwater/enoi)

## Appendix L - Standard Permit Conditions

Standard permit conditions in Appendix L are consistent with the general permit provisions required under 40 CFR 122.41.

### L.1 Duty To Comply.

You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

- a. You must comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards, even if the permit has not yet been modified to incorporate the requirement.
- b. Penalties for Violations of Permit Conditions: The Director will adjust the civil and administrative penalties listed below in accordance with the Civil Monetary Penalty Inflation Adjustment Rule (61 FR 252, December 31, 1996, pp. 69359-69366, as corrected in 62 FR 54, March 20, 1997, pp.13514-13517) as mandated by the Debt Collection Improvement Act of 1996 for inflation on a periodic basis. This rule allows EPA's penalties to keep pace with inflation. The Agency is required to review its penalties at least once every 4 years thereafter and to adjust them as necessary for inflation according to a specified formula. The civil and administrative penalties following were adjusted for inflation starting in 1996.
  1. Criminal Penalties.
    - i. *Negligent Violations.* The CWA provides that any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to criminal penalties of not less than \$2,500 nor more than \$25,000 per day of violation, or imprisonment of not more than one year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation or by imprisonment of not more than two years, or both.
    - ii. *Knowing Violations.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.
    - iii. *Knowing Endangerment.* The CWA provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he or she is placing another person in imminent danger of death or serious bodily injury shall upon conviction be subject to a fine of not more than \$250,000 or by imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision be subject to a fine of not

more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

- iv. *False Statement.* The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
2. *Civil Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$37,500 per day for each violation).
3. *Administrative Penalties.* The CWA provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows
  - i. *Class I Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$16,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$37,500).
  - ii. *Class II Penalty.* Not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$11,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$177,500).

## **L.2 Duty to Reapply.**

If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for and obtain authorization as required by the new permit once EPA issues it.

## **L.3 Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for you in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**L.4 Duty to Mitigate.**

You must take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**L.5 Proper Operation and Maintenance.**

You must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by you to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by you only when the operation is necessary to achieve compliance with the conditions of this permit.

**L.6 Permit Actions.**

This permit may be modified, revoked and reissued, or terminated for cause. Your filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**L.7 Property Rights.**

This permit does not convey any property rights of any sort, or any exclusive privileges.

**L.8 Duty to Provide Information.**

You must furnish to EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), within a reasonable time, any information that EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. You must also furnish to EPA or an authorized representative upon request, copies of records required to be kept by this permit.

**L.9 Inspection and Entry.**

You must allow EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), upon presentation of credentials and other documents as may be required by law, to:

- a. Enter upon your premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

**L.10 Monitoring and Records.**

- a. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
- b. You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by request of EPA at any time.
- c. Records of monitoring information must include:
  1. The date, exact place, and time of sampling or measurements;
  2. The individual(s) who performed the sampling or measurements;
  3. The date(s) analyses were performed
  4. The individual(s) who performed the analyses;
  5. The analytical techniques or methods used; and
  6. The results of such analyses.
- d. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in the permit.
- e. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

**L.11 Signatory Requirements.**

- a. All applications, including NOIs, must be signed as follows:
  1. For a corporation: By a responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  2. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

3. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).
- b. Your SWPPP, including changes to your SWPPP, and all reports submitted to EPA, must be signed by a person described in Appendix L Subsection L.11 above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    1. The authorization is made in writing by a person described in Appendix L, Subsection L.11;
    2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
    3. The signed and dated written authorization is included in the SWPPP. A copy must be submitted to EPA, if requested.
  - c. Inspection reports and any other compliance documentation required under the permit must be signed and dated by the person preparing the change or documentation.
  - d. Changes to Authorization. If an authorization under Part 1.5 is no longer accurate because a different operator has responsibility for the overall operation of the construction site, a new NOI satisfying the requirements of Part 1.5 must be submitted to EPA. See Table 1-1 in Part 1.5.3 of the permit. However, if the only change that is occurring is a change in contact information or a change in the facility's address, the operator need only make a modification to the existing NOI submitted for authorization.
  - e. Any person signing documents in accordance with Appendix L, Subsections L.11.a or L.11.b above must include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
  - f. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

#### **L.12 Reporting Requirements.**

- a. Planned changes. You must give notice to EPA as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
  2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1).
- b. Anticipated noncompliance. You must give advance notice to EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- c. Transfers. This permit is not transferable to any person except after notice to EPA. Where a facility wants to change the name of the permittee, the original permittee (the first owner or operators) must submit a Notice of Termination pursuant to Part 9. The new owner or operator must submit a Notice of Intent in accordance with Part 1.5 and Table 1-1. See also requirements in Appendix L, Subsections L.11.b and L.11.d.
- d. Monitoring reports. Monitoring results must be reported at the intervals specified elsewhere in this permit.
1. All monitoring data collected pursuant to Part 3.3 and Part 4.2.2.1 must be submitted to EPA using EPA's online eNOI system ([www.epa.gov/npdes/eNOI](http://www.epa.gov/npdes/eNOI)).
  2. If you monitor any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in d.1 above.
- e. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date.
- f. Twenty-four hour reporting. In addition to reports required elsewhere in this permit:
1. You must report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time you become aware of the circumstances. A written submission must also be provided within five days of the time you become aware of the circumstances. The written submission must contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
  2. The following shall be included as information which must be reported within 24 hours under this paragraph.
    - i. Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR 122.41(m)(3)(ii))
    - ii. Any upset which exceeds any effluent limitation in the permit
    - iii. Violation of a maximum daily discharge limit for any numeric effluent limitation. (See 40 CFR 122.44(g).)
  3. EPA may waive the written report on a case-by-case basis for reports under Appendix L, Subsection L.12.f.2 if the oral report has been received within 24 hours.

- g. Other noncompliance. You must report all instances of noncompliance not reported under Appendix L, Subsections L.12.d, 12.e, and 12.f, at the time monitoring reports are submitted. The reports must contain the information listed in Appendix L, Subsection L.12.f.
- h. Other information. Where you become aware that you failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Permitting Authority, you must promptly submit such facts or information.

**L.13 Bypass.**

- a. Definitions.
  - 1. Bypass means the intentional diversion of waste streams from any portion of a treatment facility See 40 CFR 122.41(m)(1)(i).
  - 2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. See 40 CFR 122.41(m)(1)(ii).
- b. Bypass not exceeding limitations. You may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Appendix L, Subsections L.13.c and L.13.d. See 40 CFR 122.41(m)(2).
- c. Notice.
  - 1. Anticipated bypass. If you know in advance of the need for a bypass, you must submit prior notice, if possible at least ten days before the date of the bypass. See 40 CFR 122.41(m)(3)(i).
  - 2. Unanticipated bypass. You must submit notice of an unanticipated bypass as required in Appendix L, Subsection L.12.f (24-hour notice). See 40 CFR 122.41(m)(3)(ii).
- d. Prohibition of bypass. See 40 CFR 122.41(m)(4).
  - 1. Bypass is prohibited, and EPA may take enforcement action against you for bypass, unless:
    - i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - iii. You submitted notices as required under Appendix L, Subsection L.13.c.
  - 2. EPA may approve an anticipated bypass, after considering its adverse effects, if EPA determines that it will meet the three conditions listed above in Appendix L, Subsection L.13.d.1.

**L.14 Upset.**

- a. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond your reasonable control. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. See 40 CFR 122.41 (n)(1).
- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Appendix L, Subsection L.14.c are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. See 40 CFR 122.41(n)(2).
- c. Conditions necessary for a demonstration of upset. See 40 CFR 122.41(n)(3). A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  1. An upset occurred and that you can identify the cause(s) of the upset;
  2. The permitted facility was at the time being properly operated; and
  3. You submitted notice of the upset as required in Appendix L, Subsection L.12.f.2.ii (24 hour notice).
  4. You complied with any remedial measures required under Appendix L, Subsection 4.
- d. Burden of proof. In any enforcement proceeding, you, as the one seeking to establish the occurrence of an upset, have the burden of proof. See 40 CFR 122.41(n)(4).

**L.15 Retention of Records.**

Copies of the SWPPP and all documentation required by this permit, including records of all data used to complete the NOI to be covered by this permit, must be retained for at least three years from the date that permit coverage expires or is terminated. This period may be extended by request of EPA at any time.

**L.16 Reopener Clause.**

- a. Procedures for modification or revocation. Permit modification or revocation will be conducted according to 40 CFR §122.62, §122.63, §122.64 and §124.5.
- b. Water quality protection. If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, you may be required to obtain an individual permit in accordance with Part 1.5.6 of this permit, or the permit may be modified to include different limitations and/or requirements.
- c. Timing of permit modification. EPA may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines that may be promulgated in the course of the current permit cycle.

**L.17 Severability.**

Invalidation of a portion of this permit does not necessarily render the whole permit invalid. EPA's intent is that the permit is to remain in effect to the extent possible; in the event that any part of this permit is invalidated, EPA will advise the regulated community as to the effect of such invalidation.

## Appendix M – Buffer Guidance.

### Introduction

The purpose of this guidance is to assist you in complying with the requirements in Part 2.1.2 of the permit regarding the establishment of natural buffers or equivalent controls. This guidance provides you information on the following aspects of Part 2.1.2:

- What sites are required to comply with Part 2.1.2 (**Section 1**).
- How to comply with the three different compliance alternatives in Parts 2.1.2.1.a, 2.1.2.1.b, and 2.1.2.1.c (**Section 2**).

Part 2.1.2 of the permit requires that in order to minimize sediment discharges, if any waters of the U.S. are located on or immediately adjacent to your site, you must ensure that any discharges through the area between the disturbed portions of your site and such waters are treated by an area of undisturbed natural vegetation that alone or through the use of additional sediment and erosion controls achieves a reduction in sediment load equivalent to that achieved by a 50-foot buffer of undisturbed natural vegetation. To meet this requirement, you are provided with the following compliance alternatives:

Part 2.1.2.1.a: Provide and maintain a 50-foot buffer of undisturbed natural vegetation between the disturbed portions of your site and any waters of the U.S.; or

Part 2.1.2.1.b: Provide an undisturbed naturally vegetated buffer that is less than 50 feet between the disturbed portions of your site and any waters of the U.S. that is supplemented by additional sediment and erosion controls, which in combination achieves the equivalent sediment load reduction as a 50-foot buffer of undisturbed natural vegetation; or

Part 2.1.2.1.c: If it is infeasible to provide an undisturbed naturally vegetated buffer of any size between the disturbed portion of your site and any waters of the U.S., implement sediment and erosion controls that achieve the equivalent sediment load reduction as an undisturbed naturally vegetated, 50-foot buffer.

The compliance alternative selected above must be maintained throughout the duration of permit coverage. If you choose compliance alternative 2.1.2.1.a or 2.1.2.1.b, above, throughout your period of coverage under this permit you must keep the buffer naturally vegetated and no construction activities may be conducted in this area. All discharges through the buffer must be non-channelized or non-concentrated, and must first be treated by the site's sediment and erosion controls.

If you choose to implement either alternative 2.1.2.1.b or 2.1.2.1.c, above, you must also comply with the following:

1. Provide documentation in your SWPPP of the buffer to be retained, and information supporting your compliance with the requirement to achieve the equivalent sediment reduction as an undisturbed naturally vegetated 50-foot buffer; and
2. Comply with stabilization deadlines that are tighter than the standard deadlines.

These requirements do not apply to the following types of construction projects, provided that you limit the area of disturbance to the minimum needed to complete the construction and to access the site, and that you retain natural vegetation in the buffer outside this area:

1. Construction of water crossings authorized under a CWA Part 404 permit (where required) for water lines, sewer lines, utility lines, and roadways;
2. Construction of water-dependent structures and water access areas (piers, boat ramps, etc.) approved under a CWA Part 404 permit (where required); or
3. Development of a site where no buffer area exists due to prior disturbances. For example, sites where all vegetation in the buffer area has been removed and replaced with impervious surfaces as a result of prior development are not subject to the buffer requirement at all.

You must also comply with any local or state requirements affecting construction in the buffer.

### **Section 1 – What Sites Are Required to Comply with Part 2.1.2**

Part 2.1.2 applies to you only if there is a water of the U.S. within or immediately adjacent to your construction site. Therefore, you will first need to determine whether such a waterbody exists at your site.

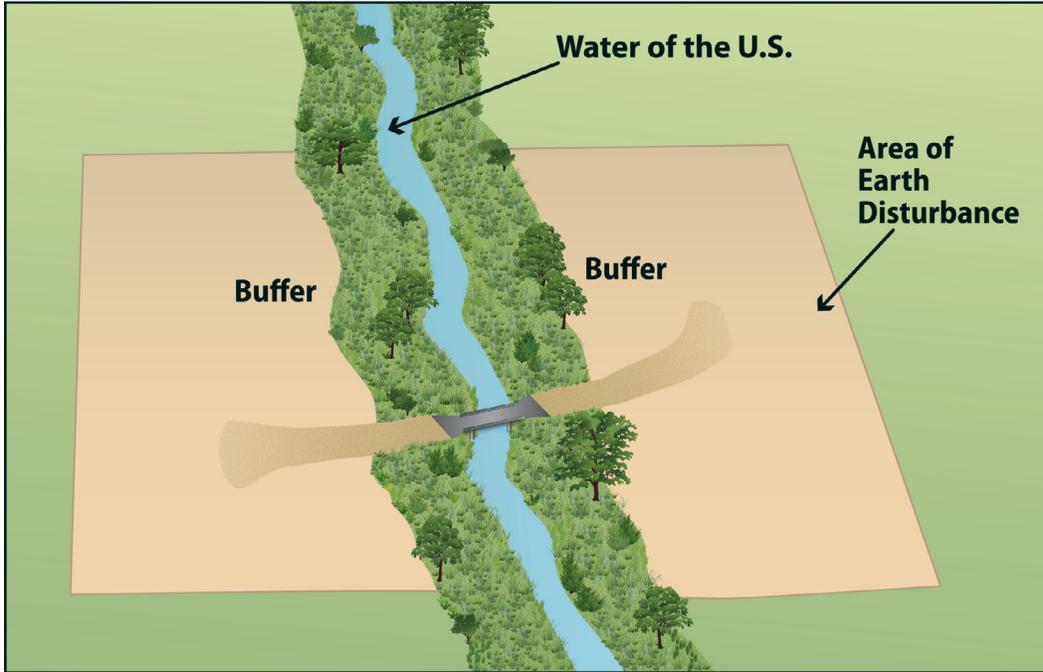
To make a determination as to whether a particular water on or adjacent to your site is considered a “water of the U.S.”, you should refer to the following definition from EPA’s regulations (40 CFR 122.2) describing the types of waters that this definition encompasses:

1. All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters including interstate wetlands;
3. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairiepotholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:
  - (i) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or
  - (ii) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  - (iii) Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (s)(1) through (4) of this section;
6. The territorial sea;
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (s)(1) through (6) of this section; waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.11 (m) which also meet the criteria of this definition) are not waters of the United States.

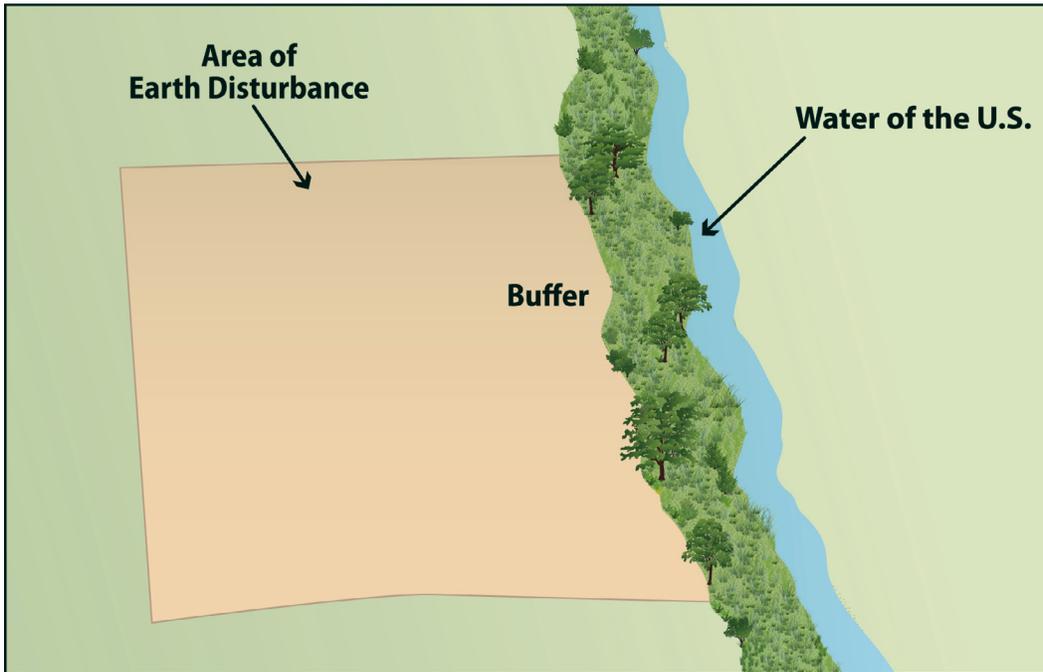
To help illustrate examples of sites that would be required to comply with the requirements in Part 2.1.2 due to their proximity to a water of the U.S., Figure 1 provides a depiction of a water of the

U.S. occurring within a site, while Figure 2 provides a depiction of a water of the U.S. located immediately adjacent to a site.

**Figure 1. Example of a water of the U.S. within the construction site.**



**Figure 2. Example of a water of the U.S. immediately adjacent to the construction site.**



## Section 2 – How to Comply with the Buffer Alternatives

If in Section 1 you determine that your site is required to comply with the requirements in Part 2.1.2, you have three compliance alternatives from which to choose. In this section, EPA provides information to assist you in complying with these alternatives.

### A. Compliance Alternative 2.1.2.1.a: 50-foot Naturally Vegetated Buffer

If you have chosen to comply with Part 2.1.2 by establishing and maintaining a 50-foot buffer surrounding waters of the U.S. on or immediately adjacent to your site, the following guidance is intended to assist you in complying with that requirement.

- Buffer Width Measurement

The buffer must be established on both sides of the water of the U.S. to the extent that the buffer area occurs on your property. The 50-foot buffer area is measured horizontally from any of the following points, whichever is further landward from the water:

1. The ordinary high water mark of the water body as indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, and/or the presence of litter and debris; or
2. The edge of the stream or river bank, bluff, or cliff, whichever is applicable.

Refer to Figures 3 and 4. You may find that specifically measuring these points is challenging if the flow path of the waterbody changes frequently, thereby causing the 50-foot line for the buffer to fluctuate continuously along the path of the waterbody. Where this is the case, EPA suggests that rather than measuring each change or deviation along the water's edge, it may be easier to select regular intervals from which to conduct your measurement. For instance, you may elect to conduct your buffer measurement every 5 to 10 feet along the length of the water.

Figure 3. This image shows buffer measurement from the ordinary high water mark of the water body, as indicated by a clear natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, and/or the presence of litter/debris.

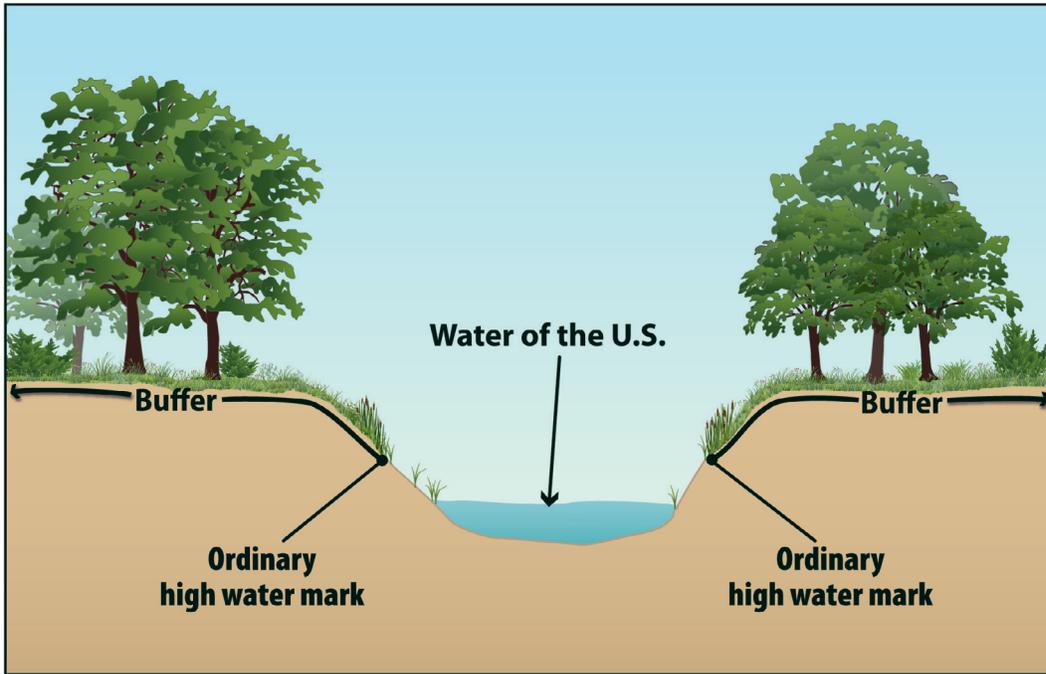
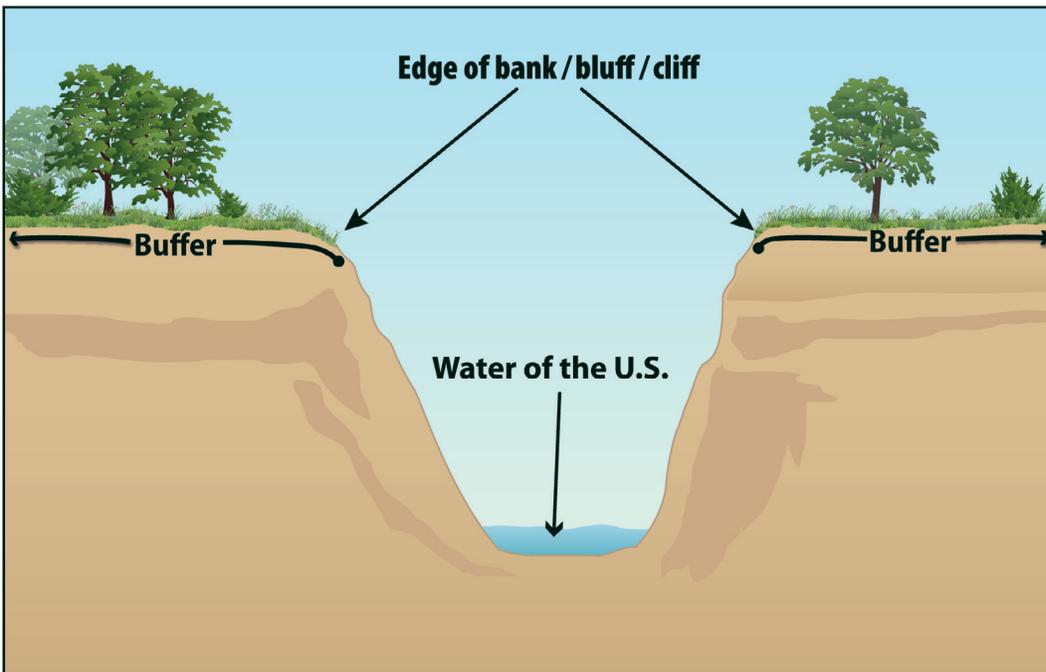


Figure 4. This figure shows buffer measurement from the edge of the bank, bluff, or cliff, whichever is applicable.



- Natural Vegetation in the Buffer

Part 2.1.2.1 requires that the buffer remain naturally vegetated throughout your period of coverage under this permit. EPA recommends that whatever native vegetation exists in the buffer area at the time that construction activities are commenced be retained since this vegetation is likely already providing many of the water quality functions that are well documented for buffers. Similarly, EPA encourages you to maintain, and if necessary, restore the vegetation in your buffer so that the water quality protection benefits of the buffer are maximized. You are also encouraged to limit the removal of leaf litter, woody debris, and other biomass, as this material contributes to the ability of the buffer to retain water and filter pollutants.

You may also want to consider enhancements to the buffer area with targeted plantings or maintenance where either limited vegetation exists or where invasive or noxious plant species (see <http://plants.usda.gov/java/noxiousDriver>) have taken over. For instance, it is suggested that you remove invasive and non-native plant species in the buffer and establish a diversity of native trees, shrubs, and herbaceous plants that are well-adapted to the climatic, soil, and hydrologic conditions on the site.

*Natural Vegetation Considerations in Arid/Semi-Arid Areas:* The climatic, hydrologic, and topographic differences in arid/semi-arid areas influence buffer composition and function. In arid/semi-arid areas, buffers predominantly receive overland flow, and buffer vegetation is generally less dense than in non-arid areas. Buffers in arid/semi-arid areas play an important role in reducing stream channelization, and for that reason, should be designed to maximize their effectiveness at promoting sheet flow through vegetation establishment. Generally, the vegetative target for buffers in arid/semi-arid areas is narrow bands of trees and shrubs, as well as sparse drought-tolerant shrubs, grasses, and herbaceous vegetation. Buffer restoration goals in arid/semi-arid areas should be to stabilize stream banks through the establishment of dense native vegetation that is appropriate for the geomorphology, stream type, and native plant community.

*Additional Considerations:* Many factors influence the effectiveness of buffers in controlling stormwater discharges, apart from vegetation type and density, including, but not limited to:

- Slope gradient and length;
- Soil type and condition;
- Type of water body (buffers around headwater streams are particularly important);
- Climatic conditions;
- Contributing flow length and velocity; and
- Groundwater table.

When providing the buffer on your site, it is important to take into account your site-specific conditions to maximize its pollutant removal effectiveness.

- Limits to Disturbances Within the Buffer

To ensure that the water quality protection benefits of the buffer are provided during your period of permit coverage, Part 2.1.2.1 prohibits any earth-disturbing activities within the buffer. In furtherance of this requirement, prior to commencing earth-disturbing activities on your site you must clearly mark off all buffer areas with flags, tape, or a similar marking device. The purpose of this requirement is to make the buffer area clearly visible to the people working on your site in order to minimize the potential for any unintended disturbances.

EPA recognizes situations where disturbances within the buffer are unavoidable, including but not limited to the following minor disturbances:

- Buffer restoration and maintenance activities, which include those activities such as the removal of non-native or invasive species, and the establishment of native vegetation; and
- Stream restoration activities authorized under a CWA Part 404 permit.

Any impacts to the water quality protection effectiveness of the buffer from these minor disturbances should be minimized where possible.

In addition, if your project involves the construction of a water crossing or water-dependent structures, EPA reminds you that these types of buffer disturbances are authorized under the permit. For any of these buffer impacts, EPA requires that the disturbance be limited to the minimum needed to complete the construction and to access the site, and that you retain the natural vegetation in the buffer outside this area.

- Discharges to the Buffer

Part 2.1.2.1 requires that any discharges to your buffer area be non-channelized or non-concentrated. The purpose of this requirement is to decrease the rate of stormwater flow, and increase the rate of infiltration within the buffer. To comply with this requirement, construction operators typically will use devices that physically dissipate stormwater flows so that the discharge entering the buffer will have the opportunity to remove sediment through infiltration. For instance, you may consider using a level spreader to comply with this requirement. Refer to <http://www.bae.ncsu.edu/stormwater/PublicationFiles/LevelSpreaders2006.pdf>, which is a useful reference to consider relating to the design, installation, and maintenance of level spreaders.

## **B. Compliance Alternatives 2.1.2.1.b or 2.1.2.1.c: Equivalent Sediment Controls**

As described above in the introduction, if it is impracticable or infeasible to retain a 50-foot buffer, you may comply in either of the following ways:

- **Part 2.1.2.1.b:** Provide an undisturbed naturally vegetated buffer that is less than 50 feet between the disturbed portions of your site and any waters of the U.S. that is supplemented by additional sediment and erosion controls, which in combination achieves the equivalent sediment load reduction as a 50-foot buffer of undisturbed natural vegetation.
- **Part 2.1.2.1.c:** If it is infeasible to provide an undisturbed naturally vegetated buffer of any size between the disturbed portion of your site and any waters of the U.S., implement sediment and erosion controls that achieve the equivalent sediment load reduction as an undisturbed naturally vegetated, 50-foot buffer

The information in this section is intended to assist you in complying with either of these two alternatives.

(1) Determine whether it is feasible to provide a buffer of less than 50 feet:

If you determine that it is impracticable or infeasible to comply with the compliance alternative in Part 2.1.2.1.a to provide and maintain 50 feet of buffer on your site, you must next determine if it is feasible to retain a vegetated buffer width of less than 50 feet. Making this determination will be highly site-specific. If you determine that you can retain a buffer of less than 50 feet, you must follow the requirements in Part 2.1.2.1.b to

provide supplemental sediment and erosion controls that, in combination with the buffer area retained, achieves an equivalent sediment load reduction as a 50-foot vegetated buffer. You must also comply with quicker stabilization deadlines for disturbances in the buffer area and additional documentation in your SWPPP (as well as your NOI). You are encouraged to retain as much buffer as possible on your site to maximize the water quality protection benefits and to minimize the additional controls needed on your site to achieve an equivalent reduction as the 50 foot buffer. For guidance on providing and maintain your buffer of less than 50 feet, refer to Section 2.A above in this Appendix. For any buffer width retained, you are reminded that prior to commencing earth-disturbing activities on your site you must comply with the requirement in Part 2.1.1.1 to clearly mark off all buffer areas with flags, tape, or a similar marking device.

EPA recognizes that there will be a number of situations in which it will be infeasible to provide and maintain a buffer of any width on a site. Some examples include, but are not limited to, the following:

- Prevailing patterns of development within the general, urbanized area have eliminated much of the buffer area;
- Subdivided lots exist entirely within the buffer thereby making the retention of vegetated areas infeasible; and
- The nature of the project requires close proximity to the waterfront (e.g, a marina, boardwalk).

Note: If pre-existing development on the site has resulted in significant disturbances within the 50-foot buffer (for example, sites where all vegetation in the 50-foot buffer area has been removed and replaced with impervious surfaces as a result of prior development), you are exempt from complying with the requirements in Part 2.1.2.

If you determine it is infeasible to provide a buffer of any size, then you must follow the requirements in Part 2.1.2.1.c. and must also provide supplemental sediment and erosion controls to achieve the equivalent sediment load reduction as a 50-foot vegetated buffer, as well as quicker stabilization in the buffer area and additional documentation in your SWPPP (as well as your NOI).

## (2) Design Treatment to Provide Equivalent Sediment Reduction as 50-foot Buffer

If you have chosen either of the alternatives in Part 2.1.2.1.b or 2.1.2.1.c, you must next determine what additional controls must be implemented on your site that alone or in combination with any retained buffer vegetation achieve a reduction in sediment loads from stormwater flows discharged into the buffer area equivalent to that achieved by a 50-foot buffer of undisturbed natural vegetation. To comply with this requirement, you will be required to do the following:

1. Estimate the sediment reduction expected from your site if you had established a 50-foot, naturally vegetated buffer;
2. Design controls that alone or in combination with any width of buffer retained achieve the same sediment removal efficiency as that expected from the 50-foot buffer; and
3. Document in your SWPPP how site-specific controls will achieve the sediment removal efficiency of the 50-foot buffer.

Guidelines to help you work through these requirements are provided below.

Step 1: Estimate Sediment Reduction from the 50-foot Buffer

In order to design controls that match the sediment removal efficiency of a 50-foot buffer, you first need to know what this efficiency is for your site. The sediment removal efficiencies of vegetated buffers vary according to a number of site-specific factors, including precipitation, soil type, land cover, slope length, width, and steepness, and the types of sediment controls used to reduce sediment loads prior to the buffer. EPA has simplified this calculation by developing buffer performance tables covering a range of vegetative types and soil types for geographic areas covered by the CGP (Tables 1 – 8). The intent of these buffer performance tables is to provide the estimated sediment removal efficiency of natural buffers for the most commonly encountered conditions in your geographic area.

Using Tables 1 – 8, you can determine the sediment removal efficiency of a 50-foot buffer for your geographic area by matching the vegetative cover type that best describes your buffer area with the type of soils that predominate at your site. For example, if your site is located in Massachusetts (Table 2), and your buffer vegetation corresponds most closely with that of cool season dense grass, and the soil type at your site is best typified as sandy loam, your site's sediment removal efficiency would be 99 %. Note: buffer performance values in Tables 1 – 8 represent percent of sediment retained through the use of perimeter controls (i.e., silt fences) and 50-foot buffers at disturbed sites of fixed proportions and slopes.<sup>1</sup> As perimeter controls are a standard requirement with or without a buffer (see Part 2.1.3.2.b), you must employ a perimeter control as a part of any alternative to the natural buffer.

Because of the wide variety of environmental conditions, including different soil types, slopes, and vegetation types that exist on any given site, you are provided the flexibility to use your professional judgment when choosing the closest match between your site's vegetation and soil type in the table that matches your geographic location. The following Q&A's are provided as guidance for using the buffer performance tables.

- *What if my specific buffer vegetation is not represented in Tables 1 – 8?* Tables 1-8 provide a wide range of factors affecting buffer performance; however, there may be instances where the specific buffer vegetation type on your site is not listed. If you do not see a description of the type of vegetation present at your site, you should choose the vegetation type that most closely matches the vegetation type on your site.
- *What if there is high variability in local soils?* EPA recognizes that there are a wide range of options when assessing the soil type(s) on construction sites. General soil information can be obtained from USDA soil survey reports or from individual site assessments performed by a certified soil expert. Tables 1 – 8 present eleven generic soil texture classes, grouping individual textures where EPA has determined that performance is similar. If your site contains different soil texture classes, you should use the soil type that best approximates the predominant soil type at your site.
- *What if my post-grading site slope is greater than 9 percent?* As indicated in the buffer performance tables, the estimated sediment removal efficiencies are valid for disturbed slopes up to 9 percent grade. Where your graded site has an average slope of greater than 9 percent, you will need to calculate a site-specific buffer performance using the model EPA used (i.e., RUSLE2) or a different model of your choosing.
- *How do I calculate my own estimates for sediment reduction at my specific site?* If you determine that it is necessary to calculate your own sediment removal efficiency using site-specific conditions (e.g., slopes at your site are greater than 9 percent), you

can do so by choosing from a range of available mathematical models that are available to facilitate this calculation, including USDA's RUSLE-series programs and the WEPP erosion model, SEDCAD, SEDIMOT, or other equivalent models.

- *What is my estimated buffer performance if my site location is not represented by Tables 1 – 8?* If your site is located in an area not represented by Tables 1 – 8, you should use the table that most closely approximates conditions at your site. You may also choose to conduct your own, site-specific calculation using one of the mathematical models described above.
- *What if only a portion of my site drains to the buffer area?* If only a portion of your site drains to a water of the U.S. located on or immediately adjacent to your site, you are only required to meet the equivalency requirement for the stormwater flows corresponding to those portions of the site. See Example 2 below for an example of how this is expected to work.

**Table 1. Estimated 50-foot Buffer Performance in Idaho\***

Type of Buffer Vegetation**	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Tall Fescue Grass	42	52	44	48	85
Medium-density Weeds	28	30	28	26	60
Low-density Warm-season Native Bunchgrass (i.e., Grama Grass)	25	26	24	24	55
Northern Mixed Prairie Grass	28	30	28	26	50
Northern Range Cold Desert Shrubs	28	28	24	26	50

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 2 – Estimated 50-foot Buffer Performance in Massachusetts and New Hampshire\***

Type of Buffer Vegetation**	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Warm-season Grass (i.e., Switchgrass, Lemongrass)	79	94	96	98	99
Cool-season Dense Grass (Kentucky Bluegrass, Smooth Bromegrass, Timothy)	78	93	94	96	99
Tall Fescue Grass	76	90	81	89	97
Medium-density Weeds	66	76	60	72	66

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 3 – Estimated 50-foot Buffer Performance in New Mexico\***

Type of Buffer Vegetation **	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Tall Fescue grass	71	85	80	86	96
Medium-density Weeds	56	73	55	66	78
Low-density Warm-season Native Bunchgrass (i.e., Grama Grass)	53	70	51	62	67
Southern Mixed Prairie Grass	53	71	52	63	50
Southern Range Cold Desert Shrubs	56	73	55	65	53

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 4 – Estimated 50-foot Buffer Performance in Washington, DC\***

Type of Buffer Vegetation **	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Warm-season Grass (i.e., Switchgrass, Lemongrass)	82	95	97	98	98
Cool-season Dense Grass (Kentucky Bluegrass, Smooth Bromegrass, Timothy)	81	94	95	97	97
Tall Fescue Grass	79	91	83	89	92
Medium-density Weeds	71	79	66	75	74

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 5 – Estimated 50-foot Buffer Performance in American Samoa\***

Type of Buffer Vegetation **	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Bahiagrass (Permanent cover)	82	93	94	97	83
Warm-season Grass (i.e., Switchgrass, Lemongrass)	82	94	96	98	85
Dense Grass	82	93	92	95	83
Tall Fescue Grass	82	89	82	89	79
Medium-density Weeds	70	73	62	75	59

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 6 – Estimated 50-foot Buffer Performance in Guam\***

Type of Buffer Vegetation **	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Bahiagrass (Permanent cover)	80	94	94	96	89
Warm-season Grass (i.e., Switchgrass, Lemongrass)	80	94	96	97	91
Dense Grass	79	93	90	94	89
Tall Fescue Grass	76	90	80	88	87
Medium-density Weeds	63	73	53	68	61

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 7 – Estimated 50-foot Buffer Performance in Puerto Rico\***

Type of Buffer Vegetation**	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Bahiagrass (Permanent cover)	83	94	96	97	94
Warm-season Grass (i.e., Switchgrass, Lemongrass)	83	94	97	98	96
Dense Grass	83	94	94	96	94
Tall Fescue Grass	82	91	84	91	89
Medium-density Weeds	72	78	65	76	64

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

**Table 8 – Estimated 50-foot Buffer Performance in Virgin Islands\***

Type of Buffer Vegetation**	Estimated % Sediment Removal				
	Clay	Silty Clay Loam or Clay-Loam	Sand	Sandy Clay Loam, Loamy Sand or Silty Clay	Loam, Silt, Sandy Loam or Silt Loam
Bahiagrass (Permanent cover)	85	94	97	98	93
Warm-season Grass (i.e., Switchgrass, Lemongrass)	86	95	97	98	94
Dense Grass	85	94	95	96	92
Tall Fescue Grass	85	92	88	92	89
Medium-density Weeds	75	77	71	78	63

\* Applicable for sites with less than nine percent slope

\*\* Characterization focuses on the under-story vegetation

Step 2: Design Controls That Match the Sediment Removal Efficiency of the 50-foot Buffer

Once you have determined the estimated sediment removal efficiency of a 50-foot buffer in Step 1, you are now required to design sediment controls that will treat stormwater flows discharged into the buffer area to achieve that same expected sediment removal efficiency. These controls can include the installation of a single designed control, such as a sediment pond or other device, or a combination of controls and any retained buffer vegetation. Whichever control(s) you implement, you must meet the sediment removal efficiency for a 50-foot buffer on your site that you determined in Step 1.

To make the determination that your controls and/or buffer area achieve an equivalent sediment load reduction as the 50-foot buffer, you will need to use a model or other calculator. As mentioned above, there are a variety of models available that can be used to support your calculation, including USDA's RUSLE-series programs and the WEPP erosion model, SEDCAD, SEDIMOT, or other equivalent models. A few examples are provided below to help illustrate how this determination could be made.

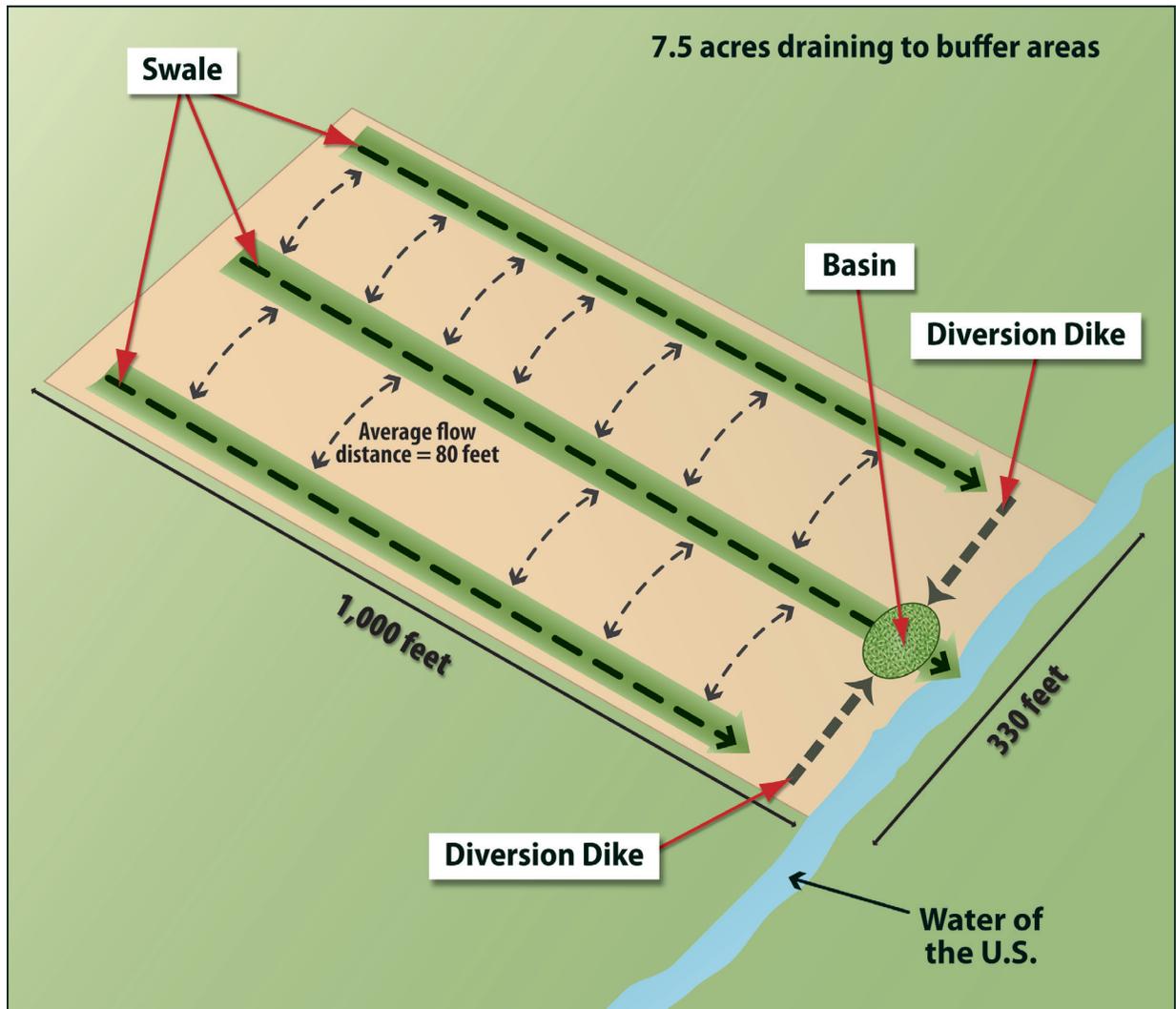
*Example 1. Large Development Site Example in a Comparatively Wet Location (7.5 acre site located in Massachusetts)*

The operator of a 7.5 acre construction site in Massachusetts has determined that it is infeasible to establish a 50-foot buffer, and is required to demonstrate controls used on the site that will achieve an equivalent sediment load reduction as that estimated in Table 2 for her site conditions. The first step is to identify what percentage of eroded sediment is estimated to be retained on a hypothetical 50-foot buffer. For this example problem, it is assumed that the site has a relatively uniform gentle slope (3 percent), so Table 2 can be used to estimate the 50-foot buffer sediment load reduction. If the site's buffer vegetation is best typified by cool-season dense grass and the underlying soil is of a type best described as loamy sand, the 50-foot buffer is projected to capture 96 percent of eroded sediment from the construction site.

The second step is to determine, based on the 96 percent sediment removal efficiency from Table 2, what sediment controls, either alone or in combination with any retained buffer area, will achieve 96 percent or more of eroded sediment. For this example, using the RUSLE2 profile model, it was determined that installing a pair of shallow-sloped diversion ditches to convey runoff to a well-designed and maintained sediment basin provides the equivalent sediment removal. See Figure 5. Because there is no remaining vegetated buffer, the operator is not required to ensure that the discharge be non-concentrated or non-channelized; however, the requirement to provide a non-erosive discharge must still be met.

As shown in Figure 5, the estimated sediment reduction of 99 percent is greater than the required 96 percent. Therefore, the operator will have met the buffer alternative requirement by installing and maintaining the diversion dikes, swales, and sediment pond that were used as the basis for predicting a 99 percent sediment removal.

Figure 5. Example 1 – Equivalent Sediment Load Reductions at a 7.5 ac Site in MA.



*Example 2. Site Development in an Arid Location (6.5 acre site located in New Mexico)*

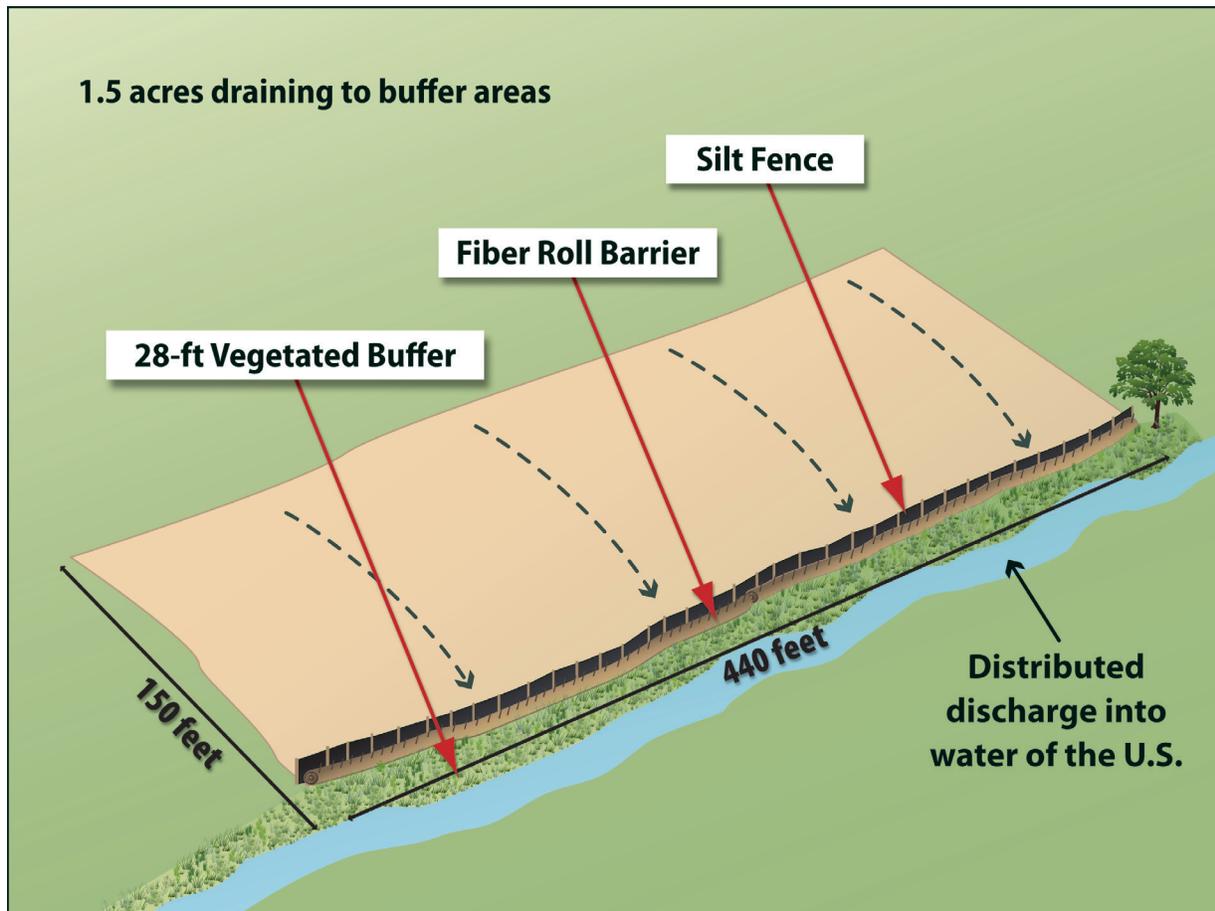
This example assumes that the construction site is disturbing 6.5 acres of land, but that only 1.5 acres of the total disturbed area are flowing to the buffer area. Similar to Example 1, the equivalence analysis starts with Step 1 with a review of the New Mexico buffer performance table (Table 3). Assuming the buffer area is vegetated with prairie grass and the soil type is similar to silt, and that the site is of a uniform, shallow slope (e.g., 3 percent grade), Table 3 estimates the 50-foot buffer to retain 50 percent of eroded soil.

The second step is to determine, based on the 50 percent sediment removal efficiency from Table 3, what sediment controls, either alone or in combination with any retained buffer area, will achieve 50 percent or more of eroded sediment. The site is able to retain 28 feet of the original prairie grass buffer, which can be accounted for in determining what mixture of controls to use. For this example, using the RUSLE2 profile model, it was determined that installing a fiber roll barrier between the silt fence and the 28-foot buffer will meet the requirement to provide controls that meet the 50 percent sediment retention estimate for the 50-foot buffer (See Figure 6). The operator will also be able to

show that the flow through the fiber roll to the buffer is non-channelized and non-concentrated as required.

As shown in Figure 6, the estimated sediment reduction of 84 percent is greater than the required 50 percent. Therefore, the operator will have met the buffer alternative requirement by installing and maintaining the fiber roll and 28-foot buffer that were used as the basis for predicting a 84 percent sediment removal.

**Figure 6. Example 2 – Equivalent Sediment Load Reductions at a 6.5 ac Site in NM.**



Step 3: Document How Site-Specific Controls Will Achieve the Sediment Removal Efficiency of the 50-foot Buffer

In Steps 1 and 2, you determined both the expected sediment removal efficiency of a 50-foot buffer at your site, and you used this number as a performance standard to design controls to be installed at your site, which alone or in combination with any retained buffer vegetation, achieves the expected sediment removal efficiency of a 50-foot buffer at your site. The final step is to document in your SWPPP the following:

- If the buffer is less than 50 feet, the width of the buffer vegetation to be retained; and
- Information you relied on to calculate the equivalent sediment reduction as an undisturbed naturally vegetated buffer on your site.

EPA will consider your documentation to be sufficient if it generally meets the following:

- For Step 1, refer to the table (i.e., any of the Tables 1 – 8) that you used to derive your 50-foot buffer performance, include information about your buffer vegetation and soil type that corresponds with the particular types you selected from the Tables 1 – 8.
- For Step 2, provide information on: (1) the model you used to estimate sediment load reductions from the controls you have designed and/or any retained buffer area; (2) the results of calculations showing how your controls will meet or exceed the required buffer performance.

EPA will also expect to see documentation showing how discharges to the remaining buffer area are non-channelized or non-concentrated.

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<sup>1</sup> EPA used the following when developing the buffer performance tables:

- The sediment removal efficiencies are based on the U.S. Department of Agriculture's RUSLE2 ("Revised Universal Soil Loss Equation 2") model for slope profiles using a 100-foot long denuded slopes.
- Sediment removal was defined as the annual sediment delivered at the downstream end of the 50-foot natural buffer (tons/yr/acre) divided by the annual yield from denuded area (tons/yr/acre).
- As perimeter controls are also required by the CGP, sediment removal is in part a function of the reduction due to a perimeter control (i.e., silt fence) located between denuded land and the upstream edge of the natural buffer and non-concentrated flow traveling through a 50-foot buffer of undisturbed natural vegetation.
- It is assumed that construction sites have a relatively uniform slope without topographic features that accelerate the concentration for erosive flows.
- It is assumed that vegetation has been removed from the denuded portion of the site and a combination of cuts and fills have resulted in a smooth soil surface with limited retention of near-surface root mass

To represent the influence of soil, EPA analyzed 11 general soil texture classifications in its evaluation of buffer performance. To represent different types of buffer vegetation, EPA evaluated 4 or more common vegetative types for each state/territory covered under the CGP. For each vegetation type evaluated, EPA considered only permanent non-grazed and non-harvested vegetation, believing that a natural buffer adjacent to the water of the U.S. will typically be undisturbed. The effectiveness of the buffer at retaining sediment is also a function of vegetative density and retardance, which are not shown in the tables, but included in the permit fact sheet for reference. EPA also evaluated slope steepness and found that sediment removal efficiencies present in Tables 1 – 8 are achievable for slopes that are less than nine percent.