

Construction General Permit: Updates in Maryland

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Maryland General Permit for Stormwater Associated with Construction Activity

- The Maryland Department of Environment (MDE) administers the General Permit for Stormwater Associated with Construction Activity (CGP) on a five-year cycle.
- The current CGP (14GP) was issued on January 1, 2015 with an expiration date of December 31, 2019.
- MDE is currently working on finalizing the General Discharge Permit For Stormwater Associated with Construction Activity with the designation of 20CP0000 (20CP). The 14GP will remain in place until the 20CP is finalized.

Obtaining Permit Coverage Under the Expired 14GP

- MDE has decided that with expiration of 14GP the department will no longer issue permit coverage under an expired permit.
- In order to obtain approval of a new discharge the permittee must agree to terms and conditions of the 14GP by voluntarily consenting to the Declaration of Intent that was issued on May 18, 2020 as part of a Consent Order.
- This can be completed in MDE's 'e-Permit' application while submitting a Notice of Intent. (Any permit coverage issued between December 31, 2020 and May 18, 2020 is required to agree to the Declaration of Intent as well.)

Significant Changes Coming with 20CP

- Addition of an approved list of chemical additives that can be used for sediment control. (Part I.C.3)
- The timeline for taking corrective action for repairs of erosion and sediment controls (ESC) had been updated to ‘immediately after a control has been noted as needing maintenance.’ (Part III.A.1)
- Pollution prevention requirements and details for controls to be implemented for pollution prevention has been added to minimize the discharge of pollutants and prevent discharge of pollutants from spilled or leaked materials. (Part III.A.3)

Significant Changes Continued

- Permittees will now have the option to perform ESC inspections on a weekly and post-rain frequency or every four (4) business day. Additionally, if the project discharges to a Tier II watershed the frequency will be every four (4) business days and after 0.25”+ rainfall event. (Part III.C.2)
- A Stormwater Pollution Prevention Plan (SWPPP) will now be required if the permitted project has specific activities such as on-site fueling or use of chemicals/polymers for sediment control. (Part III.F.1)
- Projects that discharge to Tier II watersheds will have specific requirements to prevent additional impacts to the watershed. (Part III.A.2.a & Appendix B & Appendix C)

What To Do When 20CP Is Issued?

- If an operator with active permit coverage under the 14GP and needs coverage under the 20CP, the operator will have up to 6 months after the effective date of the 20CP to request 'Continuation' on the eNOI portal.
 - There will be no additional fee, documentation or comment period.
- If a new site is requesting permit coverage under the 20CP after it's issuance, the operator will need to submit an NOI on the eNOI portal at least 60 days prior to commencing construction activities.



Thank you

