



National Pollutant Discharge Elimination System General Permit for the Discharge of Stormwater from Construction Activities

Fact Sheet

Permit No: CTR100000

January 2026

This fact sheet sets forth the significant factual, legal, and policy considerations examined during preparation of the general permit. This action has been prepared in accordance with the Connecticut State Statutes and its implementing regulations, the Regulations of Connecticut State Agencies. Issuance of a general permit serves to simplify and streamline the National Pollutant Discharge Elimination System (“NPDES”) and state groundwater permitting process for similar types of discharges; in lieu of each facility having to obtain an individual permit. This general permit provides permit conditions and limitations to protect waters of the State from pollution.

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Table of Contents

1.0	General Permit History and Authority	5
1.1	Regulatory Authority.....	5
1.2	Delegation & Permitting.....	6
2.0	Water Quality & Pollutants of Concern	8
2.1	Sediment.....	8
2.2	Nutrients	9
2.3	Bacteria.....	9
2.4	Metals.....	9
2.5	Oil and Grease.....	10
3.0	Authorization Under This General Permit	11
3.1	Emergency Construction Activity Exception.....	11
3.2	Locally Approvable Small Construction Activities	11
3.3	Construction Activities Greater than 5 Acres and Considered “Locally Approvable”.....	11
3.4	Construction Activities Greater than 1 Acre and Considered “Locally Exempt”.....	12
3.5	Obtaining Permit Coverage	13
3.6	Application Process and eRule.....	13
4.0	Summary of Proposed Modifications to the Stormwater Construction General Permit	15
	The general permit contains the changes below.....	15
4.1	Standardized Language.....	15
4.2	Authorization Under This General Permit.....	15
4.3	Application Requirements.....	16
4.4	New Application Required	16
4.5	Change of Permittee.....	16
4.6	Design-Build Projects for Locally Exempt Projects by a State or Federal Agency	16
4.7	Turbidity Monitoring.....	17
5.0	Permit Termination Requirements	18
5.1	Notice of Termination	18
6.0	Conditions of this General Permit	18
6.1	Stormwater Quality Manual and Soil Erosion Guidelines	18
6.2	Post a Notice of Construction Activities	18
6.3	Water Quality and Technology Based Effluent Limits.....	19
6.4	Discharges to Waters With or Without Total Maximum Daily Loads.....	20
6.5	Long Island Sound Nitrogen TMDL	20
6.6	Connecticut Advance Restoration Plan for Total Phosphorus.....	20
6.7	Connecticut Statewide Bacteria TMDL	21
6.8	Northeast Regional Mercury TMDL.....	21
7.0	Stormwater Pollution Control Plan	21
7.1	Development of the SPCP.....	22
7.2	Stormwater Control Measures.....	22
7.3	Erosion and Sediment Controls	23
7.4	Additional BMPs and Control Measures	25
7.5	Additional Control Measures for Impaired Waters.....	26

7.6	Inspections and Maintenance	26
7.7	Keeping Pollution Control Plan Current	27
7.8	Record Keeping and Reporting	28
8.0	Duty to Correct, Record, and Report Violations	28
9.0	Regulations of Connecticut State Agencies.....	28
10.0	Standard Conditions.....	28
10.1	Antidegradation.....	28
11.0	Appendices	29
11.1	Appendix A - Endangered and Threatened Species.....	29
11.2	Appendix B - RESERVED	29
11.3	Appendix C - Aquifer Protection Guidance Information	29
11.4	Appendix D - Coastal Management Act Determination Form.....	29
11.5	Appendices E & F - Memoranda of Agreement Between DEEP and Conservation Districts	29
11.6	Appendix G - Historic Preservation Review	29
11.7	Appendix H - Wild & Scenic Rivers Guidance.....	29
11.8	Appendix I - Stormwater Management at Solar Array Construction Projects.....	29
11.9	Appendix J - CTDEEP Financial Assurance Irrevocable Letter of Credit.....	29
12.0	Definitions	30
13.0	Public Participation	31
13.1	Public Comments	31
13.2	Changes Made to the Permit After the Public Notice	31
13.3	Changes Made To The Fact Sheet After The Public Notice	33

General Permit for the Discharge of Stormwater from Construction Activities Fact Sheet

1.0 General Permit History and Authority

1.1 Regulatory Authority

In 1965, the Connecticut Clean Water Task Force was commissioned to investigate the condition of rivers and harbors in Connecticut. In 1966, the Connecticut Clean Water Task Force developed an action program called Clean Water for Connecticut. Then, in 1967, Connecticut's Clean Water Bill was signed into law, inaugurating the state's modern water pollution control program. In 1970, the Connecticut Water Quality Standards were first approved by the federal government. The U.S. Environmental Protection Agency (U.S. EPA) was created in 1971, and Congress began writing the federal legislation for the first national Clean Water Act – using Connecticut's Clean Water Act as a guide.

In a broader federal effort, Congress passed the Federal Water Pollution Control Act of 1972 (“Clean Water Act” or “CWA”) on October 18, 1972 (33 U.S.C. 1251 et seq.), with the objective to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters" (section 101(a), 33 U.S.C. 1251(a)). To help achieve this objective, the CWA provides that “the discharge of any pollutant by any person shall be unlawful” except in compliance with other provisions of the statute (CWA section 301(a), 33 U.S.C. 1311(a)).

In 1983, the Soil Erosion and Sediment Control Act was enacted by the Connecticut General Assembly and codified in Connecticut General Statutes (“Conn. Gen. Stat.”) Sections 23a-325 to 23a-329. The Act established a state-wide coordinated Erosion and Sediment Control Program to reduce the impacts of soil erosion from storm water runoff, minimize nonpoint sediment pollution from land development, and to conserve and protect the land, water, air, and other environmental resources of the state. Under this act, all municipalities in the state were required to develop regulations to address erosion and sediment control for construction activities within their jurisdiction. The CT Council on Soil and Water Conservation was tasked with developing guidelines for soil erosion and sediment control and municipalities were required to adopt regulations by 1986. The CT Guidelines for Soil Erosion and Sediment Control (“the Guidelines”) were first published in 1985 and were updated in 2002 and again in 2024. The Guidelines can be found here: <https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines>

The Water Quality Act of 1987 amended the CWA, adding section 402(p) that required implementation of a comprehensive program for addressing municipal stormwater discharges, industrial stormwater discharges, and any other stormwater discharge (or category of discharges) determined to contribute to a violation of an instream water quality standard or is a significant contributor of pollutants to waters of the United States. EPA developed stormwater regulations in two (2) phases and promulgated the Phase I and II Stormwater Rules in 1990 and 1999, respectively. As part of the Phase I rulemaking, EPA interpreted “stormwater discharges associated with industrial activity” to include “stormwater discharges associated with construction activity” greater than five (5) acres. As part of the Phase II rulemaking and in response to a court remand in *Natural Resources Defense Council v. EPA* (966 F.2d 1292, 1306 (9th Cir. 1992)), EPA designated

“small” construction activity, including clearing, grading, and excavation, a construction activity if it:

- will result in land disturbance of equal to or greater than one acre and less than five acres; or
- will result in disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres.

On December 1, 2009, the EPA promulgated Effluent Limit Guidelines (“ELGs” - Technology Based Effluent Limitation Guidelines for the “Construction and Development Point Source Category,” (40 CFR Part 450) regulating stormwater discharges from construction activity. The new C&D ELG required all construction sites disturbing 20 or more acres of land to sample stormwater discharges and meet a daily average turbidity limit of 280 NTU.

The following regulatory history extracted from EPA’s 2022 Construction General Permit Fact Sheet, describes the path leading up to EPA’s 2022 Construction General Permit: 'See 74 Fed. Reg. 62996, and 40 CFR 450.21. These requirements, known as the "Construction and Development Rule" or "C&D rule," became effective on February 1, 2010. Following the promulgation of the C&D rule in 2009, several parties filed petitions for review of the final rule, identifying potential deficiencies with the dataset that EPA used to support its decision to adopt a technology-based numeric turbidity limitation as well as other issues.' On March 6, 2014, pursuant to a settlement agreement to resolve the litigation, EPA finalized amendments to the C&D rule that withdrew the technology-based numeric turbidity limitation and monitoring requirements, and also provided clarification regarding several other requirements of the rule. See 79 Fed. Reg. 12661 and 80 Fed. Reg. 25235.

1.2 Delegation & Permitting

The Connecticut Department of Energy and Environmental Protection (“DEEP” or “Department”) is a delegated authority to implement the federal National Pollutant Discharge Elimination System (“NPDES”) Program. In accordance with this delegation, DEEP has been provided the authority to promulgate regulations, and issue permits in accordance with the Connecticut General Statutes (“Conn. Gen. Stat.”) and Regulations of Connecticut State Agencies (“Regs. Conn. State Agencies”). The purpose of the general permit is to protect waters of the State from erosion and sedimentation as a result of stormwater runoff from construction activities, as well as to manage pollutants that may be present in post-construction stormwater discharges from the finished site.

Additionally, this general permit requires compliance with the “*Connecticut Guidelines for Soil Erosion and Sediment Control*”, as amended (“Guidelines”). These Guidelines provide direction intended to minimize the discharge and unintentional displacement of soil and sediment from land disturbing activities. By requiring incorporation of these guidelines into local planning and zoning regulations, this permit ensures uniform compliance with the conditions of the Erosion and Sediment Control Act (Conn. Gen. Stat. §22a-325 through 329) by all construction activities disturbing one (1) acre or greater.

For more information on sediment and sediment impacts, refer to the Guidelines at the following link: <https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines>.

In 2004, CT DEEP and the Connecticut Council on Soil and Water Conservation developed the *Stormwater Quality Manual* to provide guidance on the measures necessary for protecting waters of the State from adverse impacts of stormwater runoff. The *Stormwater Quality Manual* was most recently updated in 2024 with community partners and stakeholders using updated best management practice and control measures. It's intended to assist communities involved in stormwater quality management with planning and design of post-construction stormwater controls for construction projects. The manual primarily focuses on site planning, source control, pollution prevention, and stormwater treatment processes.

Connecticut Stormwater Quality Manual is available on the DEEP website and here: [CT Stormwater Quality Manual](#)

DEEP first issued the “*General Permit for the Discharge of Stormwater from Construction Activities*” (“general permit” or “Construction GP”) on October 1, 1992. The general permit has been reissued, with and without revisions, several times since then. It was most recently reissued on December 31, 2020, and further modified on November 25, 2022, to incorporate expanded application requirements for construction activities within cold water stream habitats.

2.0 Water Quality & Pollutants of Concern

Stormwater is the result of precipitation that runs off surfaces such as rooftops, paved streets, highways, and parking lots. Along the way, stormwater picks up and transports pollutants including motor oils, gasoline, antifreeze, and brake dust (commonly found on pavements), sediment, fertilizers, herbicides, and pesticides (found in agricultural and landscaped areas), and soils and sediments (particularly from construction sites). The stormwater eventually flows into local streams, rivers, lakes, and ultimately, in CT, the Long Island Sound. Stormwater can result in significant pollution to surface and ground waters affecting public health, recreation (such as swimming and fishing), and aquatic life. Stormwater discharges can be highly intermittent, are usually characterized by high flows occurring over relatively short time intervals, and can carry a variety of pollutants whose source, nature, and extent varies during the duration of the storm event.

The term “pollutant” is defined in CWA section 502(6) and §122.2 and in RCSA 22a-430-3(a)(3). Pollutants are grouped into three (3) categories: conventional, non-conventional, and toxic. By definition, there are five (5) conventional pollutants: 5-day biochemical oxygen demand (“BOD_{5-day}”), total suspended solids (“TSS”), bacteria, pH, and oil and grease. Toxic or “priority” pollutants are those defined in Section 307(a)(1) of the CWA (and listed in 40 CFR §401.15) and include metals and manmade organic compounds. Nonconventional pollutants are those pollutants which do not fall under either of the above categories including such parameters as ammonia, nitrogen, phosphorus, chloride, chemical oxygen demand (“COD”), and whole effluent toxicity (“WET”). Stormwater runoff generated from different land surfaces impacted by the behaviors and activities of humans often contains pollutants.

Construction activity involving grading, vegetation clearing, earthwork, and ground movement leads to the destabilization of soil. Construction sites are exposed to precipitation resulting in the discharge of stormwater carrying exposed soil containing pollutants such as, sediment, bacteria, nutrients, metals, trash, debris, etc. The contaminated stormwater may lead to adverse environmental impacts, including but not limited to: loss of critical topsoil; erosion of construction sites and adjacent property; pollutant discharges to waters of the State; and adverse effects to vegetation and wildlife habitats. The general permit requires the installation of Control Measures and has permit limits and conditions to mitigate these impacts from the discharges. Source control through minimization of soil erosion is therefore the most effective way of controlling the discharge of these pollutants.

Stormwater runoff generated from different land surfaces impacted by construction activities contain various types of pollutants. The major pollutants associated with construction activities are sediment, bacteria, nutrients, and metals. This general permit includes permit terms and conditions to ensure stormwater discharges do not cause or contribute to exceedances of water quality standards.

2.1 Sediment

The primary pollutant of concern from construction activity is sediment due to the disturbance of land. Sediment is transported by various means, but rainfall on exposed soil has the largest impact based on the topography of a site. The stormwater traveling over disturbed soil and impervious surfaces transports and deposits large quantities of potentially contaminated sediment.

Sediment transported by stormwater runoff results in the displacement and covering of aquatic habitats and the resulting turbidity can limit the growth of aquatic plants, damaging aquatic ecosystems. Sediment is a vector transporting other pollutants such as nutrients and bacteria. The

additional pollutants carried by the stormwater can cause further impairment to water quality and habitats in the receiving waterbodies.

This general permit requires the implementation of Control Measures and Best Management Practices (“BMPs”) to minimize the mobilization and offsite discharge of sediment through stormwater runoff. Permittees must implement a range of Control Measures that treat stormwater, divert or disperse runoff, or stabilize soils.

2.2 Nutrients

Nutrients such as nitrogen and phosphorus are essential to the biological health of waterbodies, providing necessary components to support vegetative growth. However, when present in excess, nutrients can contribute to the overgrowth of algae. When this algae decays, it consumes a disproportionate amount of the dissolved oxygen typically available in the water, depriving other plants and animals of necessary oxygen and leading to ecological damage. Human-related activities can contribute to this issue. Activities such as soil disturbance, fertilizer overuse, and improper waste disposal practices can all introduce additional nutrients into the environment. Stormwater can then transport these nutrients to receiving waters.

Due to their relationship to sediment, BMPs effective at controlling sediment will also be effective at reducing the transport of nutrients by that sediment.

2.3 Bacteria

Bacteria and pathogens occur naturally in the environment but can pose a risk to human health if ingested. Water that has been contaminated with bacteria or pathogens can become unsafe to drink and shellfish harvested from contaminated water can become unsafe to eat. Human-related activities can introduce additional bacteria or pathogens to the environment. Activities such as improper waste disposal practices, manure management, soil disturbance, and poor housekeeping can all contribute to higher amounts of bacteria and pathogens. Turbid waters can be associated with elevated levels of bacteria.

In addition to pollution prevention practices and proper material handling and storage, BMPs effective at controlling sediment will also be effective at reducing the transport of bacteria by that sediment.

2.4 Metals

Metals such as lead, zinc, copper, and cadmium are common components of urban stormwater runoff due to their association with vehicle engine, brake, and tire wear. In high concentrations, metals bioaccumulate in aquatic plants and animals and can be toxic if not addressed. Stormwater travelling over impervious surfaces like roads, parking lots, and driveways can transport accumulated metals deposited by vehicles into waterbodies.

Due to their relationship to sediment, BMPs effective at controlling sediment will also be effective at reducing the transport of metals by that sediment.

2.5 Oil and Grease

Oil and grease is the term for a wide range of organic compounds that can be both petroleum-related (e.g., hydrocarbons) and non-petroleum-related (e.g., vegetable and animal oils and greases, fats, and waxes). While constituents in this category have many varying properties, oils and greases most commonly float on the surface of receiving waterbodies or absorb into floating or settled sediment. Oil and grease and related compounds can be lethal to fish, benthic organisms, and water-dwelling wildlife.

Due to their relationship to sediment, BMPs effective at controlling sediment will assist reducing the transport of oil and grease by that sediment. Additionally, permittees must minimize the potential of oil and grease discharges by properly storing containers and utilizing completely enclosed washout areas. For instances where oil or grease come into contact with soil, permittees must immediately clean up the spill and are required to have an emergency spill kit on site.

3.0 Authorization Under This General Permit

This general permit authorizes the discharge from activity(ies) listed in the “Eligible Activities” Section of this general permit. This general permit authorizes the discharge of stormwater and uncontaminated dewatering discharges from construction activities as defined in the permit that disturb a total of one (1) acre or more.

For the purposes of this general permit, the term “Locally Approvable Project” or “Locally Approvable” means a construction activity that is not carried out by or on behalf of a municipal, state or federal entity and is required to obtain municipal approval for the project. The term “Locally Exempt Project” or “Locally Exempt” means a construction activity that is either carried out by or on behalf of a municipal, state, or federal entity, or is not subject to local (municipal) approval.

3.1 Emergency Construction Activity Exception

The general permit automatically authorizes short-term discharges of stormwater from construction activities undertaken in response to a public emergency, such as mudslides, earthquakes, extreme flooding, or widespread disruptions to essential public services, when immediate authorization is necessary to prevent imminent endangerment to human health, public safety, or the environment, or to restore essential public services.

3.2 Locally Approvable Small Construction Activities

EPA regulations at 40 CFR 122.44(s) establish the concept of “qualifying local programs” for construction activity. Under this provision, CT DEEP, as an authorized state agency, can formally recognize a municipal program that meets or exceeds the provisions of its own construction general permit. CT DEEP has recognized that the previously cited ‘Erosion and Sediment Control Act’ (CGS §22a-325 through 329) meets the requirements of a qualifying local program for small construction projects disturbing between one (1) and five (5) acres. Consequently, Locally Approvable Small Construction Projects that will disturb an area equal to or greater than one (1) acre and less than five (5) acres are considered small construction and the submittal of an application under the general permit is not required if the activity is reviewed and approved by a local land-use commission such as a planning and zoning, wetlands or a conservation commission. The Erosion and Sedimentation Control Regulations developed by all Connecticut municipalities, pursuant to the Connecticut Soil Erosion and Sediment Control Act provide assurance that these small construction activities will be in compliance with the general permit. Activities that will disturb one (1) acre or more that are not typically subject to the local approval process, such as projects conducted by state or federal agencies and projects where the municipality is the permittee, must submit an application for coverage under the general permit as a Locally Exempt project.

3.3 Construction Activities Greater than 5 Acres and Considered “Locally Approvable”

Construction activities disturbing equal to or greater than five (5) acres that are required to receive municipal approval are considered “Locally Approvable” and must obtain authorization under this general permit by submitting an application and Stormwater Pollution Control Plan (“Plan” or “SPCP”) to DEEP. The general permit requires a Qualified Professional Engineer or Qualified Soil Erosion and Sediment Control Professional (“Qualified Professional”) to prepare a SPCP that complies with the terms and conditions of this general permit. The Plan must also be reviewed and

certified by a Qualified Professional or one (1) of the five (5) State of Connecticut Soil Conservation Districts (“District”) to ensure the Plan complies with the general permit.

3.4 Construction Activities Greater than 1 Acre and Considered “Locally Exempt”

Construction projects disturbing one (1) or more acres that are conducted under municipal, state, or federal authority and are typically not reviewed and approved by a local land-use commission are considered to be “Locally Exempt” and must submit an application and SPCP to the DEEP prepared by a Qualified Professional.

Consolidated Requirements Table: This table outlines the need for a state General Permit application for construction activities disturbing more than 1 acre, based on size and the requirement for local (municipal) approval.

Project Category	Disturbance Area	Entity Responsible (The "Who")	Local (Municipal) Approval Required?	State Permit Application to CT DEEP?	SPCP Prepared & Certified?
Emergency Exception	Any Size	Any	No	No (Authorization is immediate to prevent danger/restore services)	No
Locally Approvable Small	Greater than 1 and less than 5 acres	Private/Non-Governmental	Yes. Reviewed by P&Z, wetlands, etc.	No. Local review satisfies state permit requirements.	Only for local Erosion & Sediment Control Plan approval.
Locally Approvable Large	Greater than 5 acres	Private/Non-Governmental	Yes. Required to receive municipal approval.	Yes	Yes. By a Qualified Professional and certified by a Qualified Professional or Soil Conservation District.
Locally Exempt	Greater than 1 acre	Municipal, State, or Federal Authority	No. Typically not subject to local review.	Yes	Yes. By a Qualified Professional.

3.5 Obtaining Permit Coverage

Any person or municipality who initiates, creates, originates, or maintains a discharge authorized by this general permit shall, if required by this general permit, submit an application with the Commissioner that meets the application requirements of the general permit. Such application shall be submitted on prescribed forms, within the timeframe specified in the general permit, include the applicable fee(s), and the site's Stormwater Pollution Control Plan ("Plan" or "SPCP").

3.5.1 Existing Construction Activities Authorized by the 2020 Construction Stormwater GP

Permittees with existing permit coverage ("Existing Permittees") under the 2020 Construction Stormwater GP, are eligible for continued permit coverage under this iteration of the general permit on an interim basis provided the Permittee submits a complete application to the Commissioner on or before ninety (90) days from the effective date of this general permit and the permittee is in compliance with the terms and conditions of the permit upon its effective date. If a complete and timely application is not submitted, authorization to discharge may be terminated.

3.5.2 New Construction Activities Not Authorized by the 2020 Construction Stormwater GP

New construction activities must submit an application sixty (60) days prior to the date the construction activity is initiated for Locally Approvable projects and projects conducted by a state agency. For Locally Exempt projects and depending on the amount of disturbance, applications must be submitted sixty (60) or ninety (90) days prior to the start of construction.

3.5.3 New Owner or Operator

This general permit is non-transferable. When an authorized site's permittee is transferred to a new entity, the new entity must submit a new application on or before thirty (30) days following the date of transfer. The existing permittee must submit a Notice of Termination form on or before thirty (30) days following the date of the new entity's permit approval.

3.6 Application Process and eRule

On October 22, 2015, the United States Environmental Protection Agency published the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule ("NPDES eRule"), 40 CFR 127. The rule replaces most paper-based NPDES reporting requirements with electronic reporting and details in Appendix A to Part 127—Minimum Set of NPDES Data. The data is required to be sent to EPA's Central Data Exchange ("CDX"). To comply with the federal regulations, in 2016 DEEP developed an eRule Implementation Plan. As part of that plan, on November 6, 2023, DEEP signed a Memorandum of Understanding ("MOU") with US EPA to develop an online application system.

At the time of drafting this general permit, DEEP was working with US EPA to develop the online application for the Industrial Stormwater General Permit and had been in the beginning phase of developing the online application for this general permit (along with several other general permits). In May 2025, CT DEEP was notified by US EPA that the funding to support the development of

the online application system had been rescinded and the industrial project was indefinitely suspended until further notice. Additionally, the other e-application projects were also indefinitely suspended until further notice. DEEP changed course and began updating its existing online application to continue working towards meeting DEEP's 20by26 Goal 10, "Expand Tools for Online Services." Applicants will continue to use the existing ezFile online application. During the duration of the general permit, DEEP intends to continue working on alternative solutions and may require applicants to use a new process once deployed. Additional information will be provided on the Construction Stormwater webpage.

3.6.1 Registration Review Timelines

Upon receipt of a complete application, if an application is found to be incomplete, the registrant will be notified of the nature of the deficiency, and it may be rejected. The applicant will be required to submit a new application along with a new fee; please note that the registration fee is non-refundable. Once an application is determined to be complete, DEEP's will begin the technical review for further processing.

If a complete application is submitted, applicants should expect the process to take approximately sixty (60) to ninety (90) days from the submittal of a complete application. Delays are possible near the registration deadlines set forth in the permit, as a large volume of registrations are expected to be submitted at once. Registrants are encouraged to submit registrations prior to the deadline

For more information on registration timelines, refer to DEEP's 20by26 Initiative:
<https://portal.ct.gov/deep/about/20by26/20by26-initiative/timely-permitting-decisions>

4.0 Summary of Proposed Modifications to the Stormwater Construction General Permit

The general permit contains the changes below:

4.1 Standardized Language

The format and language of the general permit has been updated for consistency with DEEP and division formats. This change is primarily cosmetic and does not affect the conditions of the permit.

4.2 Authorization Under This General Permit

4.2.1 Eligible Activities

The general permit's Section 2.1.1 now clarifies the allowable non-stormwater discharges associated with construction activities. These discharges are authorized provided the Permittee ensures compliance with the following requirements:

- The discharges are included in the Stormwater Pollution Control Plan.
- The Permittee meets all other applicable permit requirements.
- Routing Restriction: These discharges must not be routed to areas of exposed soil on the construction site, except for:
 - Water used to control dust.
 - Water used to irrigate vegetation in stabilized areas.

Allowable Non-Stormwater Discharges

1. Uncontaminated discharges from construction dewatering operations in accordance with requirements of section 5.2
2. Uncontaminated and non-turbid discharges from natural springs or naturally occurring groundwater.
3. Foundation or footing drains where flows are not contaminated with process materials such as solvents or contaminated groundwater.
4. Discharges from emergency fire-fighting activities.
5. Landscape irrigation.
6. Water used to control dust.
7. Potable water, including uncontaminated waterline or fire hydrant flushing.
8. Uncontaminated air conditioning or compressor condensate.

4.2.2 Requirements for Authorization

The general permit has been modified to include a “Prohibited Discharges” section that expressly lists the types of discharges that are not authorized under this general permit.

4.3 Application Requirements

4.3.1 Natural Diversity Database

If a construction site is located within a habitat that contains an Endangered or Threatened species (a "listed species"), the application form must include a National Diversity Determination Letter (NDDL) identification number. Without this number, the application will be considered incomplete.

4.3.2 Notice of Change (Modification of Existing Authorization to Discharge)

The Permittee shall submit a Notice of Change to the Commissioner at DEEP.StormwaterConstruction@ct.gov if any of the following conditions apply:

- To correct inaccurate or misleading information previously submitted to DEEP.
- Change of contractor.
- Changes to the name of the project or site.
- Changes to the disturbed area on the site that reduce the distance to impaired waters, high quality waters, cold water habitat, endangered or threatened species habitat, or aquifer protection areas from those in the original SPCP.
- Changes to engineered or non-engineered construction or post-construction control measures that have the potential to increase the rate or volume of stormwater discharged.

The Notice of Change shall be submitted before any such increases or changes occur. Changes to the SPCP documented under this section as well as those not requiring notice under this section shall continue to follow the provisions of Section 5.2.6, Keeping Pollution Control Plans Current. A Notice of Change should not be submitted when there is a change in permittee.

4.4 New Application Required

When there is an increase in the amount of disturbed area by more than one (1) acre from the amount specified in the application approved by the Commissioner, the Permittee must submit a new application in accordance with Section 3 of this general permit.

4.5 Change of Permittee

Coverage under this general permit will no longer be transferrable to comply with the electronic reporting requirements of the National Pollutant Discharge Elimination System Electronic Reporting Rule ("NPDES eRule"), 40 CFR 127. Section 3.7 has been added to the permit to address application requirements when there is a change of permittee for an existing permit. Requirements for the Notice of Termination have also been added in Section 4.2.2 to address the termination requirements for existing permits upon a change of permittee.

4.6 Design-Build Projects for Locally Exempt Projects by a State or Federal Agency

Design-build projects aim to increase efficiency and provide higher quality outcomes and more cost-effective project delivery than traditional design-bid-build methods. A design-build project is one in which initial Early Release Construction ("ERC") work is begun on site before a final design has been

completed for the project. This ERC work is used to determine site conditions that will be used to develop the final design of the project. In the general permit, the design-build process will be covered by two (2) separate application submissions. The first submission will be an application for a ‘Site Preparation Phase Permit’ to authorize the ERC work. Once this work is completed and a final design has been developed, the permittee will submit an application for a ‘Final Design Phase Permit’. Upon approval of the Final Design Phase Permit, the Site Preparation Phase Permit will be terminated. Permitting of design-build projects will only apply to state and federal projects. To accommodate this process, DEEP has modified the permit to include provisions in Sections 3.3.1.3 and 3.4.2 to address application requirements and Section 4.2.3 to address termination requirements of these permits. In addition to these sections, DEEP has included definitions in Section 10 for “design-build project”, “ERC”, “Final Design Phase”, and “Site Preparation Phase”.

4.7 Turbidity Monitoring

The primary pollutant from construction activities is sediment, which disrupts aquatic habitats, increases turbidity, and harms aquatic ecosystems by limiting plant growth and transporting other pollutants such as nutrients, bacteria, and metals. Turbidity is the measure of water clarity and cloudiness, which is directly caused by suspended particles. These suspended particles often include sediment (clay, silt, sand) from sources like erosion, runoff, and bottom disturbance. Excess turbidity is linked to reduced photosynthesis, habitat loss, and direct harm to aquatic life.

EPA reports that ten states—Alaska, Arizona, California, Georgia, Hawaii, Montana, Nevada, Wyoming, and EPA-administered permits in Massachusetts and New Hampshire—require turbidity monitoring for dewatering discharges, with some imposing numeric effluent limits.

This general permit already requires control measures and best management practices to minimize sediment mobilization and offsite discharge through stormwater. Permittees must implement stormwater treatment, runoff diversion, and soil stabilization techniques. To verify the design assumptions and ensure these control measures and techniques are being installed and maintained properly, CT DEEP sought feedback on including turbidity monitoring as a permit requirement for dewatering and/or stormwater discharges. Following a review of the feedback as well as the rationale for monitoring detailed in EPA’s 2022 Construction General Permit, and in consideration of existing statewide nutrient TMDLs and action plans, DEEP determined that monitoring data would help evaluate the effectiveness of existing control measures and BMPs to identify areas needing corrective action in order to better protect the waters of the State. Turbidity monitoring of dewatering discharges has been added to Section 5.2.2.8 of general permit requiring an initial analysis at the start of the dewatering discharge followed by weekly monitoring for the duration of dewatering activities. This data will be provided to the Commissioner on the prescribed form available online and submitted by email to DEEP.StormwaterConstruction@ct.gov.

5.0 Permit Termination Requirements

5.1 Notice of Termination

The permittee shall submit a Notice of Termination (“NOT”) to the Commissioner via email at: DEEP.StormwaterConstruction@ct.gov. Paper submissions will not be accepted or processed. The NOT shall be submitted at least one (1) year (two (2) years for solar projects under Appendix I) after a certified Final Stabilization Inspection. It is a requirement of the general permit and the responsibility of the Permittee to ensure that permit coverage is terminated at the appropriate time in the project.

To document that stabilization requirements in the general permit have been met, the permittee must submit certified inspection reports for the Post-Construction, Final Stabilization, and Termination Inspections.

There is an alternative process for projects that have a change in ownership for which a new permit application is required or for a design-build project conducted by a state or federal agency. See general permit Section 4.2.3 for details.

6.0 Conditions of this General Permit

The Permittee shall, at all times, continue to meet the requirements for authorization set forth in this general permit. In the absence of information demonstrating otherwise, DEEP expects that compliance with the conditions in this permit will result in stormwater discharges being controlled as necessary to protect applicable water quality standards. If at any time the Permittee becomes aware, or DEEP determines, that discharges are not being controlled as necessary to meet applicable water quality standards, the Permittee must take corrective actions and document those actions. If during coverage under a previous permit, the Permittee was required to install and maintain stormwater controls specifically to meet the assumptions and requirements of an EPA-approved or established TMDL (for any parameter) or to otherwise control discharges to meet water quality standards, the Permittee must continue to implement such controls as part of their coverage under this permit.

6.1 Stormwater Quality Manual and Soil Erosion Guidelines

All references to the *Connecticut Stormwater Quality Manual* and *Connecticut Guidelines for Soil Erosion and Sediment Control* in this general permit refer to the most recent editions, both went into effect on March 30, 2024 and are available on DEEP’s website.

Connecticut Stormwater Quality Manual is available here: [CT Stormwater Quality Manual](#)

Soil Erosion and Guidelines are available here: [Connecticut Guidelines for Soil Erosion & Sediment Control](#)

6.2 Post a Notice of Construction Activities

Upon commencement of construction activities, the permittee shall post a sign of permit coverage at a safe, publicly accessible location in close proximity to the construction site. The sign must be at least two (2) feet by three (3) feet in dimension, weatherproof, and in English and Spanish, located so it is visible and legible from the public road nearest to the active part of the construction. The notice shall include:

- the name of the permittee.
- the permit number.
- the site address.
- a contact name, email, and phone number.
- the estimated start date and completion date.
- the Permittee-hosted website where the SPCP and application are available.
- the following statement: “If you observe indicators of stormwater pollutants in the discharge from this site or in the receiving water, please contact the CT DEEP through the link for Reporting Water Pollution at: www.ct.gov/deep/stormwater”.

6.3 Water Quality and Technology Based Effluent Limits

Consistent with EPA’s Construction Stormwater permit, this general permit requires permittees to comply with federal and state non-numeric technology and water quality-based effluent limits expressed narratively by implementing Control Measures, commonly referred to as best management practices (“BMPs”) in accordance with 40 CFR 450 Subpart B, Construction and Development Effluent Guidelines. In limited circumstances, BMPs take the place of numeric effluent limitations to control or abate the discharge of pollutants, including, but not limited to, control of stormwater discharges authorized under section 402(p) of the CWA and where reasonable to achieve effluent limitations and standards or to carry out the purpose of the CWA (40 CFR § 122.44(k)(3) and (4)).

Due to the variability associated with stormwater and in accordance with 40 CFR § 122.44(k)(3), BMPs are currently the most appropriate method to regulate discharges of stormwater from construction activities. By designing and installing Control Measures and BMPs in accordance with requirements of this general permit, permittees can significantly reduce the discharge of pollutants. Control Measures must be designed to control pollution to the Best Available Technology Economically Achievable (“BAT”) in accordance with 40 CFR 450.21. DEEP’s expectations align with the EPA’s, which states, “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.” (EPA 2022 Construction Stormwater General Permit Fact Sheet). The non-numeric effluent limits include Erosion and Sediment Controls, Soil Stabilization, Dewatering Requirements, Pollution Prevention Measures, Prohibited Discharges, and Surface Outlets. The effluent limits are discussed throughout this fact sheet and incorporated into the general permit.

The Commissioner may require the permittee to install additional controls on a site-specific basis, or require an individual permit, if information in the application or from other sources indicates that the discharge(s) are not controlled as necessary. This includes situations where additional controls are necessary to comply with a load allocation in a CT DEEP approved TMDL or Watershed Action Plan.

6.4 Discharges to Waters With or Without Total Maximum Daily Loads

DEEP is required by Section 303(d) of the federal Clean Water Act to assess state waterbodies to determine if such waterbodies are meeting their designated use(s). If a waterbody is not meeting the designated use, the waterbody is listed as impaired and DEEP is required to develop a plan – such as a Total Maximum Daily Load (“TMDL”) or Action Plan – which identifies potential sources that may be contributing to the impairment and sets forth a plan aimed at restoring and/or maintaining the designated use of the waterbody.

The general permit continues to implement the applicable TMDLs and Action Plans through permit requirements designed to reduce or eliminate the discharge of pollutants. Permittees discharging to impaired waters with established TMDLs for sediment or sediment-related parameters may be required to implement additional controls as necessary for the discharge to meet water quality standards. The following sections identify applicable TMDLs that may be applicable to a construction activity covered under this general permit.

6.5 Long Island Sound Nitrogen TMDL

Long Island Sound (“LIS”) has an approved TMDL to achieve water quality standards for dissolved oxygen by addressing sources of nitrogen in the watershed. The watershed for the LIS encompasses virtually the entire state of Connecticut as well as portions of Massachusetts, Vermont, New Hampshire, and Quebec, Canada. Nitrogen is the primary limiting nutrient for the growth of algal blooms in LIS. Algal growth and decay contribute to low dissolved oxygen levels and the subsequent impairment of the designated uses of the waterbody. While nitrogen naturally occurs in the environment and is essential to the health of the waterbody, excess nitrogen caused by human-related disturbances can have significant impacts on the receiving water. Stormwater runoff from urban areas is considered a significant source of nitrogen into LIS.

The general permit continues to address potential sources of nitrogen throughout the state through permit conditions and enhanced BMPs designed to reduce or eliminate discharges of nitrogen through stormwater treatment.

For more information on the Long Island Sound Nitrogen TMDL, refer to the core document: https://portal.ct.gov/-/media/DEEP/water/lis_water_quality/nitrogen_control_program/tmdlpdf.pdf.

6.6 Connecticut Advance Restoration Plan for Total Phosphorus

While phosphorus naturally occurs in the environment and is essential to the health of the waterbody, excess phosphorus caused by human-related disturbances can have significant impacts on the receiving water, such as the promotion of algal blooms and subsequent low dissolved oxygen. The *Connecticut Advance Restoration Plan for Total Phosphorus in Non-Tidal Surface Waters* (2024) identifies erosion and/or stormwater runoff from urban areas as potential sources of phosphorus.

The general permit continues to address potential sources of phosphorus throughout the state through permit conditions and enhanced BMPs designed to reduce or eliminate discharges of phosphorus.

For more information on the Connecticut Advance Restoration Plan for Total Phosphorus, refer to the core document: <https://www.epa.gov/system/files/documents/2024-12/ct-statewide-phosphorus-advance-restoration-plan-for-freshwater-rivers.pdf>.

6.7 Connecticut Statewide Bacteria TMDL

The presence of bacteria and other pathogens in surface waters can pose a risk to human health through contact with and ingestion of contaminated waters or through consumption of shellfish harvested from contaminated waters. The draft revised Connecticut Statewide Bacteria TMDL Core Document (2024) identifies several ways by which bacteria and other pathogens can be deposited in surface waters including water pollution control facilities, urban stormwater runoff, construction activities, illicit connections, failing subsurface disposal systems (i.e., septic systems), and waste from pets, livestock, and wildlife. Connecticut uses indicator bacteria such as Total Coliform, *Escherichia coli* (*E. coli*), fecal coliform bacteria, and Enterococcus as evidence of pathogenic contamination.

The general permit continues to address potential sources of bacteria throughout the state through permit conditions and enhanced BMPs designed to reduce or eliminate discharges of bacteria.

For more information on the Connecticut Statewide Bacteria TMDL, refer to the core document: https://portal.ct.gov/-/media/deep/water/water-quality-action-plans/tmdl/2024_draft_bacteria_tmdls/ctbacteriatmdl_core-doc_2024draft.pdf?rev=9e525ad1214b470eb90d9159c85e2b39&hash=1987CA3CC64531CE6EE027878C332D30.

6.8 Northeast Regional Mercury TMDL

The presence of mercury in surface waters can pose a risk to human health primarily through consumption of fish or shellfish harvested from mercury contaminated waters. The majority of mercury released into the environment is released into the air and reaches waterbodies via atmospheric deposition. Although stormwater runoff is included in this TMDL as a potential source, it is expected that “all significant decreases in mercury loading to the region will come from reductions in atmospheric deposition (Northeast Regional Mercury TMDL, 2007).”

The general permit continues to address potential sources of mercury throughout the state through permit conditions and enhanced BMPs designed to reduce or eliminate discharges of mercury.

For more information on the Northeast Regional Mercury TMDL, refer to the core document: https://portal.ct.gov/-/media/DEEP/water/tmdl/CTFinalTMDL/ne_hg_tmdl.

7.0 Stormwater Pollution Control Plan

The Stormwater Pollution Control Plan (“SPCP” or “Plan”) is a site-specific document required by the general permit describing in detail the pre- and post-construction site conditions and BMPs and Control Measures that will be in place to meet the terms and conditions of the general permit. The Plan includes operation and management procedures for the site to minimize or eliminate the potential to discharge pollutants via stormwater run-off as a result of precipitation including rainfall, snow melt, or groundwater intrusion. The SPCP is a living document and is intended to be updated routinely throughout the duration of the construction activity to reflect current site conditions and best practices.

The Plan must address, at minimum, the following elements:

- Site Description.
- Construction Sequencing.
- Best Management Practices and Control Measures.
- Runoff Reduction and Low Impact Development (“LID”) Information.
- Required inspections and associated Checklists.
- Impacted waterbodies, classification, designated use, and status.

7.1 Development of the SPCP

7.1.1 Site Description

The Site Description section of SPCP shall include site plan drawings indicating drainage patterns, approximate post grading slopes, areas of soil disturbance, location of major structural controls, areas currently vegetated and those vegetated after construction, test pit and infiltration test locations, surface waters, impaired waters, wetlands, and discharge locations.

7.1.2 Site Plan Drawings

In addition to the current requirements, the Stormwater Pollution Control Plans must contain the infiltration and test pit locations and results to confirm the design assumptions for the proposed stormwater BMPs.

7.2 Stormwater Control Measures

Control Measures are designed to prevent stormwater pollutants from leaving a site. Control Measures must be designed, installed, and maintained to ensure erosion of disturbed soils and the associated discharge of eroded sediments and/or the dewatering of stormwater to waters of the State, tidal wetlands, inland wetlands, or watercourses are minimized or eliminated. The permittee shall describe in the SPCP how each Control Measure is designed, installed, and implemented.

7.2.1 Perimeter Controls

Perimeter controls must be installed in accordance with The Guidelines to prevent sediment from discharging off sites. Perimeter controls must be regularly inspected and maintained due to continual sediment loading during a project.

7.2.2 Sediment Traps & Basins

As required in the Guidelines, for drainage areas of two (2) to five (5) acres, permittees must install a sediment trap or sediment basin for each outfall. Outfalls in drainage areas that exceed five (5) acres must install a sediment basin.

7.2.3 Flow Reduction Measures

Permittees must implement flow reduction Control Measures on site in areas that have steep slopes or receive significant drainage flows. Such controls must reduce the velocity of runoff or disperse or redirect stormwater to minimize erosion.

7.3 Erosion and Sediment Controls

7.3.1 Soil Stabilization and Protection

The SPCP shall include descriptions of the BMPs used for managing disturbed areas and soil stockpiles. Such BMPs may include, but are not limited to, erosion control matting, stone riprap, erosion control barriers, and/or vegetative growth.

7.3.2 Wetland Protection

The general permit encourages a one hundred (100) foot buffer from wetlands and watercourses. Additional Control Measures are required if the activity or disturbance is within fifty (50) feet upgradient of a wetland(s), or waters of the State and a double row of sediment barriers must be installed and maintained for the entire project.

7.3.3 Structural Measures

SPCPs must include descriptions and drawings of all structural measures used for the storage, diversion, or treatment of stormwater runoff. Such structural measures must be designed and installed in accordance with the *Stormwater Quality Manual* and the Guidelines.

7.3.4 Operation & Maintenance

Operation and maintenance of all BMP and Control Measures are a critical component of the general permit and the Plan must include a standard operating procedures used to maintain BMPs, Control Measures, and erosion and sediment controls. Routine inspections and maintenance must be completed to ensure all practices and controls are in good operating conditions, and if needed, updated. Failure to maintain the practices or controls is a violation of the permit.

7.3.5 Dewatering Discharges

- The Plan shall include a detailed description for the management of dewatering discharges from construction activities in accordance with the Guidelines. The water shall be treated or stored to prevent erosion, and energy dissipation structures shall be utilized to mitigate erosion, scouring, or discoloration of the receiving waters.
- If the Permittee is or becomes aware of or has reasonable suspicion of contamination onsite from historical activities, or the site may have contaminated groundwater, or if any pollutants are known or believed present in the proposed dewatering discharge water, the applicant or permittee shall apply for coverage under the appropriate discharge permit for authorization to discharge to surface water, ground water, or a POTW. This additional permit will only cover the treatment and discharge of the contaminated water and the Permittee is required to maintain the permit until the cessation of dewatering activities.

- **Turbidity Monitoring:** The general permit requires dewatering discharges to be monitored for turbidity. A sample of the dewatering discharge will be collected following all treatment devices and control measures and analyzed using approved methods pursuant to 40 CFR 136. The sample results will be used to evaluate the effectiveness of the treatment and assist the permittee in determining if additional treatment is required prior to discharge. Sampling will begin on the first day within thirty (30) minutes of the start of the dewatering discharge and then on a weekly basis in conjunction with the required routine site inspections.
- Sample results will be submitted to DEEP via email to: DEEP.StormwaterConstruction@ct.gov. See Record Keeping and Reporting below.

7.3.6 Post-Construction Stormwater Management

The Plan shall include descriptions and drawings of Control Measures that will be installed to minimize the discharge of pollutants in stormwater discharges occurring after construction has been completed. Post-construction stormwater management shall be designed and implemented in accordance with the *Stormwater Quality Manual*, Connecticut Department of Transportation (“CTDOT”) Qualified Products list, or as approved by the Commissioner. Plans must also include provisions to address long-term maintenance of such measures, including but not limited to ownership, maintenance, and inspection schedules.

7.3.7 Redevelopment of Existing Sites

Except for linear redevelopment, sites that are currently developed with an effective impervious cover of forty percent (40%) or more and will be redeveloped must design the site in such a manner to retain half the site's water quality volume (“WQV”) and provide additional stormwater treatment without retention for discharges up to the full WQV on-site. Stormwater must be treated to the BAT using Control Measures that are technologically available and economically practicable.

7.3.8 Linear Redevelopment

Linear redevelopment projects that are unable to comply with the retention of the water quality volume or are not increasing the effective impervious cover within a given watershed, shall implement additional stormwater treatment measures and will not be required to retain the appropriate portion of the WQV specified in such paragraphs.

7.3.9 Other Development

Sites that are currently not yet developed or developed with less than 40% effective impervious cover must be designed to retain the water quality volume, unless site constraints limit the ability to retain the full WQV. In such cases, the Permittee must submit an explanation of why the current runoff reduction practices implemented have reached their maximum possible retention; documentation of an alternative WQV with all supporting information; and a proposal for alternative or additional BMPs and Control Measures for stormwater treatment for the Commissioner’s consideration.

7.3.10 Runoff Reduction and Low Impact Design Practices

Low Impact Development (“LID”) practices or other post-construction Control Measures shall be incorporated into site design for the promotion of uncontaminated groundwater recharge and minimization of post-construction impacts to water quality.

7.3.11 Suspended Solids and Floatables Removal

Post-construction Control Measures shall be designed to minimize the discharge of suspended solids and floatables (e.g. oil and grease, gas, debris, liquid waste, trash, etc.) from stormwater prior to being discharged. Control Measures shall be designed to remove eighty percent (80%) of the annual sediment load from stormwater discharges. Plans must provide sufficient documentation and supporting information, such as the calculations for the selected Control Measures.

7.3.12 Velocity Dissipation

The Plan shall include the selected velocity dissipation devices to be installed at discharge locations and along the length of outfall channels. These devices must provide a non-erosive velocity flow to receiving waters to prevent degradation of their physical and biological characteristics.

7.4 Additional BMPs and Control Measures

7.4.1 Waste Disposal

The discharge of litter, debris, building materials, hardened concrete waste, or similar materials from the site into waters of the State is prohibited. The Permittee shall ensure that waste storage containers, such as dumpsters or tanks, be covered and leak proof to prevent runoff of stormwater from coming into contact with solid or liquid waste. A narrative of these practices shall be provided in the SPCP. In addition, the dumping of liquid wastes in storm sewers is prohibited. The Plan shall include BMPs, management procedures, and waste disposal practices to ensure materials do not enter the receiving waterbodies.

7.4.2 Washout Area

Plans shall designate an area on site for the washout of applicators, containers, vehicles, and equipment for concrete, paint and other materials. Washout areas must be positioned outside any buffers and at least fifty (50) feet from any water body, stream, wetland, sensitive resource, or waters of the state. Washout areas must be directed into a leak-proof container or leak-proof and lined pit designed so no overflows can occur due to inadequate sizing or precipitation in accordance with 40 CFR 450.21(e). Containers or pits must be inspected and maintained at least once a week to ensure effectiveness and good operating condition. Hardened concrete must be regularly removed from containers or pits in accordance with the general permit.

7.4.3 Off-site Vehicle Tracking and Dust Suppression

Plans shall include BMPs and Control Measures to minimize the track-out of debris, sediment, and dust generation from vehicles. Implement additional track-out controls as necessary to ensure that sediment removal occurs prior to vehicle exit. If sediment has been

tracked out from the site onto paved roads, sidewalks, or other paved areas, remove the deposited sediment by the end

of the same business day in which the track-out occurs, or by the end of the next business day if track-out occurs on a non-business day.

Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. Examples of additional track-out controls include the use of wheel washing, rumble strips, and rattle plates. Hosing or sweeping track out sediment into any constructed or natural site drainage feature, storm drain, or receiving water is prohibited.

Wet dust suppression shall be used in accordance with Section 22a-174-18(c) of the Regulations of Connecticut State Agencies. Water used in dust suppression shall not contain contaminants that could violate water quality standards.

7.4.4 Storage of Chemical and Petroleum Products

All chemicals and petroleum product containers on site (except those contained in vehicles and equipment) shall be stored in impermeable containment systems. Storage containers must be capable of holding 110% of the volume of the largest container, or 10% of the total volume of all containers in the area, whichever is greater.

7.4.5 Cold Water Stream Habitat

Construction activity within one hundred (100) feet of any surface waterbody included within a cold water stream habitat must have mitigation strategies verified post-construction.

7.5 Additional Control Measures for Impaired Waters

For construction activities that discharge directly to impaired waters for sediment or sediment-related impairments, as specified in “Discharges to Impaired Waters” section of the general permit, the SPCP shall include the following provisions:

- Where an applicable TMDL sets specific load allocations or requirements for discharges authorized by this permit, discharges shall be consistent with any specific load allocations or requirements established by the applicable TMDL.
- Where an applicable TMDL has been established, but no specific requirements have been identified, compliance with this permit will be assumed to be consistent with the approved TMDL.
- The SPCP shall document that Control Measures are in place to ensure there will be no discharge to the waterbody that may impact or exceed the allocations.

7.6 Inspections and Maintenance

Permittees are required to routinely evaluate the condition of the site and respond to observed issues and/or deficiencies in a timely manner.

7.6.1 Plan Implementation Inspections

Prior to commencement of each phase of construction activity, the site shall be inspected at least once within the first thirty (30) days of construction activity and at least three (3) times,

with seven (7) or more days between inspections, within the first ninety (90) days of construction activity to demonstrate compliance with the general permit.

7.6.2 Routine Inspections

The Permittee shall routinely inspect the site to ensure compliance with the permit terms and conditions pursuant to the general permit. Such routine inspections shall be conducted by a Qualified Inspector at least once a week and within twenty-four (24) hours of the end of a storm that generates a discharge. After confirmation of final stabilization, these inspections may be conducted monthly. These inspections are required for the duration of the project until a Notice of Termination is submitted to the Commissioner.

7.6.3 Post-Construction Inspection

Once construction is complete, a post-construction inspection shall be conducted by a Qualified Professional to verify that all post-construction stormwater measures are installed properly in accordance with the Plan, the general permit, and that all construction sediment, debris, and trash have been removed from the site. For state agency projects, the post-construction inspection can be conducted by a Qualified Professional on the Qualified Professional list approved by DEEP in accordance with Section 2 of the permit.

7.6.4 Final Stabilization Inspection

A final stabilization inspection shall be conducted by a Qualified Professional to ensure the site has been fully stabilized, all temporary erosion and sedimentation measures (silt fence, haybales, etc.) have been removed, and all post-construction stormwater BMPs and Control Measures are in place and operational. The inspection report shall include ground and/or aerial photographs to document final stabilization.

7.6.5 Termination Inspection

Once a site has achieved final stabilization, as confirmed by a Final Stabilization Inspection, for at least a year (two years for Solar Array Projects), a Termination Inspection shall be conducted by a Qualified Inspector. The inspection report shall include ground and/or aerial photographs to document final stabilization. The Permittee shall submit the Termination Inspection report with the Notice of Termination form.

7.7 Keeping Pollution Control Plan Current

The permittee must amend the SPCP if the actions required by the SPCP fail to prevent pollution or unauthorized discharges to the waters of the state or fail to comply with any other provision of the general permit. Any revisions of the SPCP must be developed in coordination with the designing Qualified Professional to ensure compliance with the general permit. After the issuance of the 'Notice of Coverage' by the Commissioner, any increase in disturbed area or changes in the SPCP that may result in an increase in the amount or potential pollutants in the discharge requires the submission of a Notice of Change (Section 3.5). If disturbed area increases by more than an acre, a new application and an updated SPCP are required in accordance with the 'New Application Required' section of this General Permit. The Permittee is required to retain as part of the SPCP all modifications and any documentation associated with each modification.

7.8 Record Keeping and Reporting

The permittee must retain a current copy of Stormwater Pollution Control Plan on site from the date construction is initiated until the date construction at the site is complete. All records, communications, inspection reports, logs, data, and reports shall be retained in the SPCP.

Turbidity monitoring results shall be submitted on a monthly basis by email to the Commissioner at DEEP.StormwaterConstruction@ct.gov with the subject line “Construction turbidity monitoring”. The Commissioner may also require other reports to be submitted by email.

For a period of at least five (5) years from the date the Notice of Termination is submitted to the Commissioner, the permittee must retain a copy of the SPCP, including all records, communications, inspection records, logs, reports, and data generated and required by this general permit.

8.0 Duty to Correct, Record, and Report Violations

Consistent with the Regulations of Connecticut State Agencies, permittees are required to immediately take all reasonable actions to correct known noncompliance with the conditions of this general permit. In the event that such noncompliance may endanger human health or the environment, the Permittee must notify DEEP.

In the event that such noncompliance may endanger human health or the environment, the permittee must notify DEEP, following the concise and consistent requirements for how and when to report a permit violation.

<https://portal.ct.gov/DEEP/Water-Regulating-and-Discharges/Stormwater/Stormwater-Management>.

Permittees must report violations in accordance with the timelines prescribed in the state regulations and submit the required five (5) day follow-up report.

9.0 Regulations of Connecticut State Agencies

The permittee shall comply with sections 22a-430-3 and 22a-430-4 of the Regulations of Connecticut State Agencies which are hereby incorporated into this general permit, as fully set forth herein.

10.0 Standard Conditions

The federal and state standard conditions in 40 CFR 122.41, Conditions applicable to all permits, are hereby incorporated into this general permit, as is fully set forth herein.

10.1 Antidegradation

Such activity is consistent with the Antidegradation Standards of section 22a-426 of the RCSA.

11.0 Definitions

Definitions have been added to this section for “Design-Build Project”, “Early Release Construction”, “Final Design Phase”, and “Site Preparation Phase”. The definition of “Developer” was modified to include state and federal agencies and the definition of “Final Stabilization” was modified from a minimum of sixty percent (60%) coverage to one hundred (100) plants per square foot to maintain consistency with the Guidelines.

12.0 Appendices

12.1 Appendix A - Endangered and Threatened Species

Applicants are required to include the identification number from the NDDB Determination Letter on the Application forms.

Failure to include this information may delay DEEP's review of or result in the rejection of the application.

12.2 Appendix B - RESERVED

12.3 Appendix C - Aquifer Protection Guidance Information

The CT DEEP Aquifer Protection Area Interactive Map has been provided to assist applicants in identifying aquifer protection areas: [Connecticut Aquifer Protection Areas](#)

12.4 Appendix D - Coastal Management Act Determination Form

12.5 Appendices E & F - Memoranda of Agreement Between DEEP and Conservation Districts

12.6 Appendix G - Historic Preservation Review

The appendix has been updated by the State Historic Preservation Office to include links to online forms.

12.7 Appendix H - Wild & Scenic Rivers Guidance

A segment of the Housatonic River has been added to the list of National Wild and Scenic Rivers. Visit the National Wild and Scenic Rivers webpage (<https://rivers.gov/river/housatonic>) for additional information.

12.8 Appendix I - Stormwater Management at Solar Array Construction Projects

Appendix I has been modified to provide the option for applicants to submit three (3) separate letters of credit prior to permit approval. Applicants may request a single letter of credit under the condition that the letter of credit will only be returned upon submittal and approval of the Notice of Termination. In addition, the minimum time for a Notice of Termination to be filed following a successful Final Stabilization Inspection is now two (2) years rather than two (2) full growing seasons. Provisions have also been added specific to solar arrays located on top of closed landfills.

12.9 Appendix J - CTDEEP Financial Assurance Irrevocable Letter of Credit

The financial assurance form has been modified to include additional information regarding the Permittee's name, the site name and address, and the permit number.

13.0 Public Participation

13.1 Public Comments

A “Notice of Tentative Determination to Reissue the General Permit for the Discharge of Stormwater from Construction Activities” was published in six (6) newspapers with general circulation covering all areas of the state on June 26, 2025. The notice of tentative determination and draft copy of the permit and its fact sheet were concurrently posted on DEEP’s website. Comments were solicited on the proposed general permit for a period of thirty (30) days ending on July 26, 2025.

In response to public comments, the general permit has been revised. The Commissioners response to the comments are included in the ‘Response to Comments’ document.

The notice of tentative determination also allowed for submission of a request for public hearing during the comment period. No petition for public hearing was received.

13.2 Changes Made to the Permit After the Public Notice

- Grammatical errors, spelling errors and section references corrected throughout the permit.
- Minor language changes not affecting permit conditions made throughout the permit for clarity and ease of reading; language changes potentially affecting permit conditions listed separately.
- Section 2.1.1: Modifications to the descriptions of dewatering discharges and naturally occurring groundwater discharges as allowable non-stormwater discharges.
- Section 2.2.1: For discharges to publicly or privately owned storm sewer systems in the “prohibited discharges” section, changed the requirement for “consent” of the owner of the system to require “notification” to the owner of the system.
- Section 2.2.1.1: Clarified the description of concrete washout wastewater as a prohibited discharge to reference the permit requirements.
- Section 2.2.17.6: Modification here and in Sections 3.3.2 and 3.3.3 to allow projects undertaken by a state agency to be submitted as Locally Approvable projects.
- Section 2.5.4.1: Changed the term “Approval of Registration” to “Notice of Coverage” throughout the permit.
- Section 3.2.1.2: Modified Application Fees to state that new projects conducted by state agencies shall pay the same permit fee (\$1250) as Locally Approvable projects.
- Section 3.3.2: Added “Fisheries Consultation” to the review requirements for Locally Approvable projects.
- Section 3.4.1.3: Added “latitude/longitude” to site description requirements in the application form.
- Section 3.4.1.7.c.iv: Added reference to public water supply watersheds in application form requirements. Added link to Appendix C to the DPH Public Water Supply Mapping Application.

- Section 3.4.1.7.e: Added language to clarify that “for projects conducted by state agencies”, the requirement is to provide documentation of official interagency coordination for activities subject to Cold Water Stream Habitat requirements.
- Section 3.4.1.8: Clarified that only the stormwater outfalls must be identified on the site plan or map and not all internal conveyances or drainage features within the site.
- Section 3.5: References added to clarify that the provisions in Section 5.2.5 for keeping the SPCP updated still apply when a Notice of Change is submitted. Also, added requirement to submit a Notice of Change if the distance to endangered species habitat is reduced.
- Section 3.7: Additional requirements added in Section 4 of the permit to address termination requirements for projects for which there is a change of permittee under Section 3.7
- Section 3.8.1: The term “upon request” has been removed so that Permittees submit their application and all attachments to CTDOT when discharging to a CTDOT storm sewer system. This section is now Section 3.10.1.
- Section 3.11.2: Rejection or denial criteria updated to provide for a fifteen (15) day response time consistent with Section 3.8.
- Section 3.12: The permit has been modified to include provisions in Sections 3 and 4 to address the application and termination requirements of “design-build projects” conducted by state or federal entities. In addition to these sections, DEEP has included definitions in Section 10 for “design-build project”, “ERC”, “Final Design Phase”, and “Site Preparation Phase”.
- Section 4.1: Regarding the requirements for a Notice of Termination, the definition of final stabilization has been changed to “6 inches tall and a minimum of 100 plants per square foot” to remain consistent with the Guidelines for Soil Erosion and Sediment Control. The definition of “final stabilization” has also been changed accordingly.
- Section 4.2.1: The phrase “a description of the post-construction activities at the site” has been moved from Section 4.2.1.2 to Section 4.2.1.1.
- Section 5.1.7: This section has been modified to clarify that, for linear projects, the permittee shall post signs at publicly accessible locations along the project corridor, where feasible.
- Section 5.2.1.2.d: A requirement has been added to show “areas of existing vegetation” on the site plan in the SPCP.
- Section 5.2.2.3: A statement has been added addressing the application of pesticides and herbicides in accordance with applicable laws. Also, the use of pollinator-friendly plant species and integrated pest management practices are encouraged.
- Section 5.2.2.5: A statement has been added encouraging a one hundred (100) foot buffer from any wetland or watercourse.
- Section 5.2.2.8: A new subsection has been added to the requirements for dewatering operations to require turbidity monitoring at initiation and then once a week for dewatering discharges.
- Section 5.2.2.11.a: Language has been added to clarify the requirements for waste storage containers.

- Section 5.2.2.11.b: Clarification has been added to the requirements for the location of washout areas.
- Section 5.2.2.11.g: Clarification has been added that mitigation strategies for activities within a Cold Water Stream Habitat must be verified by the designing qualified professional.
- Section 5.2.5: Provisions have been added to allow routine inspections to proceed on a monthly, rather than weekly, basis once final stabilization of a site has been confirmed. Reference to subsection 5.2.5.2 has also been added for clarity.
- Section 8.24: A reference has been added to clarify that a Notice of Change may be required for certain changes to a permitted site.
- Section 10: The definition of “developer” has been amended to include state or federal agencies.
- Appendix C: A hyperlink has been added for the Public Water Supply Mapping Application.

13.3 Changes Made To The Fact Sheet After The Public Notice

- Grammatical errors, spelling errors, section numbers, and section references corrected throughout the fact sheet.
- Minor language changes not affecting permit conditions made throughout the fact sheet for clarity and ease of reading; language changes potentially affecting permit conditions listed separately.
- Section 3.2: Expanded discussion of EPA regulations pertaining to small construction activities.
- Section 3.5.2: Modified to provide timelines for new applications and to allow state agencies to submit new applications as Locally Approvable.
- Section 4.2.1: Reflects updated language in permit Section 2.1.1 for allowable non-stormwater discharges.
- Section 4.3.2: Moved to Section 7.1.
- Section 4.4: Reflects updated language in permit Section 3.5 regarding conditions for requiring a Notice of Change.
- Section 4.5: Section added to clarify that projects increasing disturbed area by more than an acre will require a new application.
- Section 4.6: Provides details and permit references for permitting of design-build projects by a state or federal agency.
- Section 4.7: Provides details and requirements for turbidity monitoring of dewatering discharges.
- Section 5.3: Moved to Section 7.1.
- Section 5.4: Moved to Section 7.2.
- Section 5.5: Moved to Section 7.7.
- Section 5.6: Moved to Section 5.0.

- Section 6.9: Deleted due to redundancy.
- Section 7.3.5: Modified to reflect permit Section 5.2.2.8 regarding evaluation of existing groundwater quality for dewatering activities and requirements for turbidity monitoring of dewatering discharges.
- Section 7.4.1: Modified to include clarification of waste storage container requirements in permit Section 5.2.2.11.
- Section 7.6.2: Modified to allow routine inspections to be monthly, rather than weekly, following the establishment of final stabilization.
- Section 7.7: Language added to clarify that certain SPCP changes may require a Notice of Change.
- Appendix I: Language added to include provisions for changing the timeline for Notice of Termination submission and for solar arrays located on top of closed landfills.
- Section 13.1: Section added to address the results of the public notice and public comment period.