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west virginia department of environmental protection

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**GENERAL WV/NPDES WATER POLLUTION CONTROL PERMIT  
STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES  
WV/NPDES PERMIT NO. WV0115924 MODIFICATION**

The Division of Water and Waste Management issued the modification to the West Virginia National Pollutant Discharge Elimination System (WVNPDES) General Water Pollution Control Permit for Stormwater Associated with Construction Activities on January 15, 2010. The General Permit covers discharges composed entirely of stormwater associated with construction activities disturbing one acre or greater of land area to waters of the state.

The modification included the following changes:

1. Delete the definition of Tier 2.5 Waters and eliminate all references to Tier 2.5 Waters in the General Permit.
2. Revise the definition of Tier 3 Waters to: "Tier 3 Waters" means waters that meet the definition of 47CSR2-2.10 and 47CSR2-4.1.c.
3. Revise Section G.4.b.3. to read: Projects disturbing one to less than three acres that do not discharge to or upstream of a Tier 3 Water and that have a grading phase of construction that will last less than one year shall submit only the Notice of Intent (NOI) Form 10 days prior to initiating construction. Projects disturbing one to less than three acres that discharge upstream of a Tier 3 Water shall submit the Site Registration Application Form and Stormwater Pollution Prevention Plan (SWPPP) at least 45 days prior to initiating construction. Projects disturbing one to less than three acres that will have a grading phase of construction that will last one year or longer shall submit the Site Registration Application Form and Stormwater Pollution Prevention Plan (SWPPP) at least 90 days prior to initiating construction to allow for the public notice procedure.

4. Revise Section G.4.b.4. to read: Projects that will discharge to Tier 3 Waters, or that will disturb 100 or more acres, or that will have a grading phase of construction that will last one year or longer, shall submit the Site Registration Application Form and SWPPP at least 90 days prior to initiating construction to allow for the public notice procedure.

BY:   
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