

ALR100000 2026 PERMIT CHANGES

This draft general permit renewal contains the same basic framework of requirements as the 2021 Construction General Permit (CGP). However, some language in this 2026 CGP renewal has been revised in order to clarify permit requirements, by streamlining and simplifying language throughout the permit to present the requirements in a generally clear and readable manner. This structure should enhance operators' understanding of and compliance with the permit's requirements.

Although not inclusive of all changes to the permit, the following list contains notable changes:

Eligibility

Permit Part I.B.2. Updated for clarity and readability. Modified to clarify the permit authorizes the non-stormwater discharges associated with uncontaminated construction dewatering water.

Exempt Discharges:

Permit Part I.C. Added eligible exemptions regarding routine maintenance on road projects, water/sewer line maintenance, power line maintenance, and buried utility lines within existing stabilized right-of-way.

Deadlines for Notices of Intent (NOI):

Permit Part II.A. Modified the deadline for submittal of a reissuance NOI to no later than sixty (60) days after the effective date of the 2031 NPDES Construction General Permit.

Prerequisite for NOI Submittal:

Permit Part II.C. Added to clarify the Construction Best Management Practices Plan (CBMPP) must be developed for all proposed sites prior to submitting the NOI requesting permit coverage, the CBMPP is required to be submitted for priority construction sites, and the CBMPP can be requested to be submitted with the NOI based on the scope of the construction project, proximity to waters of the State, amount of proposed disturbed acreage.

Contents of the NOI:

Permit Part II.D.1. Modified to clarify appropriate map submittal information, added requirement to provide construction erosion, sediment and stormwater management control (ESC) site plan sheet or sheet(s), and the site-specific features to be included on the ESC site plan.

Permit Part II.D.2. Modified to include the certification statements for the person signing the NOI as the responsible official.

NOI, Transfer, Modification and Information Update

Permit Part II.E. Added to provide clarity on when an NOI is required to be modified or when an information update is required to be submitted.

Submittal of Document:

Permit Part II.F. Modified to include language related to an approved waiver from electronic submissions pursuant to ADEM Admin Code r. 335-6-1-.04(6).

Authorization to Discharge

Permit Part II.H. Modified to include ADEM expects that full compliance with the requirements of this permit will be protective of instream water quality and ensure consistency with applicable instream State water quality standards.

Erosion Controls, Sediment Controls and Construction Stormwater Management:

Permit Part III.A. Renamed Permit Part to reflect construction stormwater management. Updated for clarity and readability. These requirements have been revised to include factors to consider when designing controls for the construction site to include; preserve and maintain existing vegetation wherever possible, control turbidity levels in discharge to meet permit requirements, construction phasing is recommended on all projects and the permittee is encouraged to disturb no more than 25% of total land disturbance at any one time for projects that have less than 100 acres, for projects over 100 acres to be disturbed to not exceed more than 50 acres of disturbance.

Buffer Zone or Equivalent Sediment Controls

Permit Part III.B. Renamed this Permit Part to reflect buffer zone.

Added an extended 50-ft buffer zone requirement for priority construction sites.

Construction Dewatering

Permit Part III.D. Added this Permit Part to clarify permit requirements regarding construction dewatering.

Pollution Prevention Measures

Permit Part III.E. Updated for clarity and readability.

Construction Best Management Practices Plan (CBMPP):

Permit Part III.F. Modified language to clarify that the CBMPP shall include a site-specific narrative, topographic map(s), and erosion, sediment and stormwater management control (ESC) plan sheets.

ADEM Qualified Credentialed Inspector Program (QCIP)

Permit Part III.H. Renamed this Permit Part and reorganized into two parts to provide clarity on the QCIP Program.

Qualified Credentialed Inspector (QCI)

Permit Part III.I. Added this Permit Part to provide clarity on the QCI.

Inspection Requirements:

Permit Part III.J.4. Added dewatering inspection and the inspection requirements.

Permit Part III.J.5. Added adverse weather conditions and how to properly document.

Permit Part III.J.7. Added a reference table on who can perform required inspections.

Corrective Action

Permit Part III.K. Modified to include corrective actions related to dewatering.

Suspension and Resumption of Monitoring

Permit Part III.L. Renamed part for clarity.

Changed timeframe for submittal of request for suspension to ten (10) days prior to the requested suspension and the notification of resumption to at least five (days) prior to the resumption of disturbance.

Precipitation Measurement:

Permit Part III.M. Expanded to clarify online resources are acceptable if all requirements in this part are met.

Impaired Waters:

Permit Part III.N. Updated for clarity and readability.

Duty to Provide and Update Information

Permit Part IV.H. Updated for clarity and readability.

Transfers

Permit Part IV.M. Updated for clarity and readability.

Definitions:

Permit Part V. The following definitions have been added or updated in the draft permit: buffer zone, common plan of development or sale, construction, dewatering, hazardous substances or toxic substances, phasing, pollutant(s) of concern, Qualified Credentialed Professional (QCP), stand-alone project, uncontaminated discharge, and week.