



State of Vermont
PERMIT AND LICENSE INFORMATION

**NPDES STORMWATER DISCHARGE PERMITS FOR
 CONSTRUCTION ACTIVITY**

**SUMMARY
 DESCRIPTION
 OF PERMIT**

Construction General Permit (CGP) 3-9020

Construction General Permit (CGP) 3-9020 was issued September 13, 2006 and amended February 2008. (Note that a Draft CGP is in development summer 2018.)

Coverage under CGP 3-9020 is required for low and moderate risk projects that will disturb one or more (≥ 1) acres of land. Coverage under CGP also includes smaller projects of less than one (< 1) acres that are part of a larger common plan of development (e.g. residential subdivisions) that will disturb in total 1 or more acres of land.

The most current information about construction stormwater permits is located on the Watershed Management Division web site. Please consult this resource:

<http://dec.vermont.gov/watershed/stormwater/permit-information-applications-fees/stormwater-construction-discharge-permits>

**DELEGATED
 AUTHORITY**

The US Environmental Protection Agency (EPA) has delegated authority to Vermont to issue National Pollutant Discharge Elimination System (NPDES) permits.

**EXAMPLE OF
 REGULATED
 ACTIVITY**

Construction General Permit (CGP)

Disturbing one or more acres of soil at once or phased over time. For the site of a single-family house, this can include driveways, leachfields, and the grading necessary for the house footprint and all outbuildings.

Individual Permit Projects

Certain projects that, due to the nature or scale of the proposed construction activity, or the status of the receiving waters, will not be eligible for permit coverage under the Construction General Permit. These projects may be required to apply under an Individual Construction Permit. Visit the [Stormwater website](#) for information.

**CRITERIA FOR
 JURISDICTION**

CGP 3-9020, Appendix A provides a Risk Evaluation to determine what projects are eligible for coverage under the general permit as “low risk” or “moderate risk” construction activity. As determined by this evaluation, projects that are not eligible must apply for an Individual Construction Permit.

See the [above website](#) for a link to CGP 3-9020, including the Appendix A Risk Evaluation under the instructions for how to apply for coverage.

**APPLICATION &
RELATED FORMS**

<http://dec.vermont.gov/watershed/stormwater/permit-information-applications-fees/stormwater-construction-discharge-permits>

**PUBLIC NOTICE &
COMMENT**

As of January 1, 2018, applications for CGP 3-9020 coverage are required to be noticed publicly on the new [Environmental Notice Bulletin \(ENB\)](#) and must follow new procedural rules under Act 150 ([10 V.S.A. Chapter 170](#)), a law that standardized and consolidated DEC public notice and comment processes.

The CGP 3-9020 low and moderate risk permits are required to adhere to a 14-day public comment period.

FEES

The complete and most current fee summary is available here:

http://dec.vermont.gov/sites/dec/files/wsm/stormwater/docs/Permitinformation/sw_fee_table.pdf

REFUND POLICY

Refunds of application processing fees will not be issued following initiation of administrative review. Refunds of application review fees will not be refunded following initiation of technical review.

**ADMINISTERING
AGENCY**

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION**

CONTACT: The Permit Reviewer for your region:
<http://dec.vermont.gov/watershed/stormwater/contacts>

ADDRESS: One National Life Dr
Davis Building - 3rd Floor
Montpelier, VT 05620
802-828-1115

AUTHORITY

Vermont Water Pollution Control statute, 10 VSA Chapter 47, including §§ 1259, 1263, and 1264; the Vermont Water Pollution Control Rules, Chapter 13, including the general permit rules in Section 13.12; the federal Clean Water Act, as amended, 33 U.S.C. 1251 et seq., including 33 USC 1342(p); and the regulations of the federal Environmental Protection Agency including 40 CFR 122.26 and 40 CFR 122.28.

APPEAL PROCESS

Any person aggrieved by an act or decision of the Secretary may appeal within 30 days of the date of the act or decision in accordance with 10 VSA Chapter 220 and the Vermont Rules of Environmental Court Proceedings.