

The Clean Water Act (CWA) was enacted in 1948 and establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The Clean Water Act (CWA) authorizes EPA and states, which are delegated the authority, to regulate point and non-point sources that discharge pollutants into waters of the United States through the National Pollutant Discharge Elimination System (NPDES) permit program. So-called "point sources and non-point sources" are generated from a variety of municipal and industrial operations, including construction activities. The NPDES program is structured to provide permit coverage to point sources through either an individual or general permit. Construction activities generally fall into the category of "general" permit. A component of the NPDES is the Construction General Permit (CGP) most states amend them every five years.

ADEQ has Authority

Arizona was given authority to implement and administer the NPDES/AZPDES Storm water Permit Program through the Arizona Department of Environmental Quality (ADEQ) in 2002. The state's authority for administering AZPDES and the Aquifer Protection Permit (APP) was in jeopardy for the

first time in 2010 due to state budget constraints. AGC, ADEQ and other industry stakeholders developed a revised fee structure to keep the programs funded and retain authority in Arizona.

To date the Arizona CGP has been revised twice. In 2008 major revisions were made to the permit effecting contractor compliance. The 2008 CGP added new provisions for obtaining a permit, final stabilization measures and reporting requirements. These pale in comparison to the changes proposed for Arizona's permit in 2013. In 2009 U.S. EPA revised its requirements for storm water runoff on construction sites. These requirements are significantly more stringent and will require Arizona to mandate discharge limits, add additional monitoring requirements as well as specific prescriptive control measures. Future Construction Storm water and Water Quality issues facing Arizona



AZAGC Partnering with ADOT

New permit revisions for Arizona's Aquifer Protection Permit and Multi-Sector General Permits.

Although these generally do not impact contractors draft language may conflict with requirements of the CGP. Revisions to Arizona's Construction General Permit in 2013 - National mandates for discharge limits, monitoring requirements and specific prescriptive controls.

AZAGC Message:

- Encourage EPA to address post construction controls for the Construction and Development Effluent Limitations Guidelines in the current rulemaking versus initiating a separate rulemaking.
- Oppose the Development of more stringent Best Management Practices (BMP's) that exclude cost considerations.
- Ensure Stormwater discharge programs do not impede infrastructure construction.
- Organize a stakeholder working group along with ADEQ to develop monitoring protocols and training in order to comply with proposed ELG standards.
- Preserve current funding levels for both the AZPDES and APP programs.
- Support current proposed fee structure.