



ASSOCIATED GENERAL CONTRACTORS OF AMERICA • LEGISLATIVE HEADQUARTERS

February 18, 2009

USEPA Proposes Stricter Stormwater Rules for Construction Site Runoff

Industry Comment Deadline is Feb. 26 - [Submit Comments](#)

Background:

- The U.S. Environmental Protection Agency (EPA) has proposed tighter controls on stormwater runoff from construction sites – called effluent limitation guidelines (ELG).
- The proposed rule would cost the industry nearly \$2 billion annually, which amounts to about \$7,000 per acre, according to EPA estimates (but AGC experts estimate that site operators would actually spend about \$20,000 per acre to monitor and treat their stormwater runoff).
- Once finalized, the new regulations will be incorporated into all state and federal stormwater permits for construction activities. The rule will have a direct and significant impact on virtually all aspects of the construction industry.
- **EPA is considering THREE regulatory options:**
 1. Prescriptive sediment and erosion controls (i.e., best management practices (BMPs));
 2. Prescriptive sediment and erosion controls (i.e., BMPs) **PLUS** a numeric turbidity standard for construction on certain larger sites that meet rainfall and soil-type conditions; and
 3. Prescriptive sediment and erosion controls (i.e., BMPs) **PLUS** a numeric turbidity standard for all sites that disturb at least 10 acres.
- Click here to view additional background information on the AGC [Web site](#).

AGC Message:

- AGC supports Option 1, which would build upon the significant environmental progress made to date (via the National Pollutant Discharge Elimination System (NPDES) stormwater permit program) and require construction site operators to adhere to EPA's list of "effective" principles/practices for erosion and sediment control.
- AGC opposes Options 2 and 3 because they will impose a strict and extremely low compliance limit on the amount of sediment that may be present in stormwater runoff. Construction site operators would need to monitor their stormwater runoff and use active chemical treatment and filtration systems (ATS) at considerable expense.

Action Need:

- It is important for contractors to submit customized comments to EPA on the stormwater runoff regulations. **AGC Chapters and Members can easily send customized comments to EPA using a [template letter](#) on the AGC Web site.** Use the AGC Web site to tell EPA that nationwide numeric

limits and advanced treatment are not suitable to construction. Comments are due by February 26, 2009.

Write your legislator – www.agc.org/LAC



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