



IOWA DEPARTMENT OF NATURAL RESOURCES

Leading Iowans in Caring For Our Natural Resources

Stakeholder Meeting for Renewal of NPDES General Permits 1 -3

- **General Permit 1** – Stormwater Discharges Associated with Industrial Activity
- **General Permit 2** – Stormwater Discharges Associated with Industrial Activity for Construction Activities
- **General Permit 3** – Stormwater Discharges Associated with Industrial Activity from Asphalt Plants, Concrete Batch Plants, Rock Crushing Plants, and Construction Sand and Gravel Facilities

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- All three GPs expire February 29, 2028.
- The GPs are rule-cited documents. Code of Iowa requires state rulemaking to renew GPs.
- The only rule change is the effective dates in 567 IAC 60.13. The remaining changes are to the rule-cited general permits.
- This stakeholder meeting is the first in a series of public input opportunities.

Law changes since current permits were issued

- Iowa Governor's Executive Order #10

- Requires all state agencies to identify which administrative rule chapters will be retained or rescinded.
- The EO10 process includes
 - review of existing rule chapters
 - cost-benefit analysis of each existing rule
 - whether the benefits justify the costs, and
 - whether less restrictive alternatives accomplish those benefits
 - public engagement throughout the process.

Law changes since current permits were issued

- Iowa Governor's Executive Order #10

- The agency “shall remove obsolete, outdated, inconsistent, incompatible, redundant, or unnecessary rule, including instances where rule language is duplicative of statutory language”.
- Resulted in the combination of two NPDES chapters, more references to federal and state code, and changes to many of the references in the GPs.
- Affects all GPs, particularly the standard conditions

GP1-3 Proposed Changes

- Improved language clarity and reduced redundant language
- No new NOIs will be required for this permit renewal.
- Moving from paper to the Stormwater General Permits Database for all regular submittals (NOIs, NODs).
- Ownership transfers = email notification
- Hazardous condition reporting will switch to the NPDES law version.
- Clean up references and language due to EO10.

GP1 Proposed Changes

- Removed “bypass” and “upset” language because those requirements are not applicable to stormwater discharges
- Clarified that a facility can have stormwater discharges covered under an individual permit and other stormwater discharges covered under GP1

GP2 Proposed Changes

- Allowance of coverage of construction stormwater discharges to an OIW. Must submit compliant SWPPP and receive approval.
 - Similar requirements to an individual stormwater permit
 - Reduced permitting timeline, permit cost
- Added definition for “Common Plan of Development or Sale”
 - Similar to MN definition

GP3 Proposed Changes

- Removed “bypass” and “upset” language because those requirements are not applicable to stormwater discharges
- Portable facility relocation form to be submitted via email

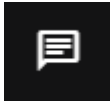
Next Steps – Rulemaking Process

- Make changes in response to early comments
- Draft the Regulatory Analysis – a cost benefit analysis of the proposed rule
- Hold a public hearing on the Regulatory Analysis
- Legal and Governor’s office review and hopefully approval to move forward with rulemaking.
- EPA review

Next Steps – Rulemaking Process (cont)

- Formal rulemaking process begins with the Environmental Protection Commission (EPC) reviewing and hopefully approving the start of rulemaking (NOIA)
- Public hearing and comments
- EPC decides whether to approve the final rule
- Administrative Rules Review Committee (ARRC) has two chances to delay rules as well

Questions/Comments?

- Today we will start with oral comments (recorded).
 - Each person will be limited to 3 minutes.
- If you wish to comment, please type your name and affiliation in the chat
 - (bottom right of your screen, third button in from the right). 
- I will call for people on the phone after we do the video callers
- Alternatively, written comments on these early drafts can be submitted until Tuesday, April 21st. If providing written comments, there is no need to comment orally.
- Submit written comments to: stormwater@dnr.iowa.gov
- After everyone has had a chance to comment, we will do a Q&A session.