

Frequently Asked Questions (FAQ)

General Background

The Department has issued the final General Permit for Discharges from Stormwater Associated with Construction Activity, effective April 1, 2023. Projects must have coverage that will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale (defined in Appendix A) that will ultimately disturb one or more acres of land.

What's New?

Read the [20CP Public Notice of Tentative Determination](#)

Who Should Apply? An “operator” of a construction site for which discharges will be covered under this permit.

For the purposes of this permit and in the context of stormwater discharges associated with construction activity, an “operator” is any party associated with a construction project that meets either of the following two criteria:

- a. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (e.g., in most cases this is the owner of the site); or
- b. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions including authorization to direct workers at a site to carry out activities required by the permit, correct violations (including repair or installation of erosion and sediment controls (E&SC)), and/or halt construction activity until violations of the permit are corrected; in most cases this is the general contractor (as defined in Appendix A) of the project).

Where there are multiple operators associated with the same project, all operators must obtain permit coverage. If the operator of a “construction support activity” (Part I.B.1.c) is different than the operator of the main site, that operator must also obtain permit coverage. See Stormwater Pollution Prevention Plan (SWPPP) Part III.F for clarification on the sharing of permit-related

functions between and among operators on the same site and for conditions that apply to developing a SWPPP for multiple operators associated with the same site.

Subcontractors generally are not considered operators for the purposes of this permit.

A good reference, as this permit is similar to EPA’s CGP: [Frequent Questions on EPA’s Construction General Permit](#)

When to Apply? The 20CP will be effective April 1, 2023. New operators must submit a new NOI and provide the required documentation for coverage under the 20CP. The deadline for existing permittees under the 14GP must continue coverage within 6 months after that date (no later than September 30, 2023).

How do I submit my NOI and documentation? Submissions are through the online [ePermits](#) system for discharges associated with construction activity.

Contact Information

Industrial Stormwater Permits Division...For General Permit Questions call (410) 537-3323 or email Jennifer Nitsch at jennifer.nitsch@maryland.gov or Paul Hlavinka at paul.hlavinka@maryland.gov. Questions with the NOI process may be directed to (410) 537-3019.