

DIRECTIONS FOR APPLICANT FOR CONSTRUCTION GENERAL PERMIT (STORMWATER)

Revisions were made to Title 12 Virgin Islands Rules and Regulations in June of 2007 to include Stormwater Permitting for Construction Projects under the Territorial Pollutant Discharge Elimination System (TPDES) Program. A TPDES Construction General Permit (Permit No. VIGSA0000) was then developed and issued on December 1, 2007. The permit was then renewed on December 1, 2012. All existing and new projects that match the description in the General Permit need to apply for coverage under this permit. To apply, submit:

- The Notice of Intent (NOI) form (on DPNR's website)
- A Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements set forth in the General Permit. This SWPPP will need to be either developed or reviewed by a Professional Engineer licensed in the VI, and then stamped by a Professional Engineer licensed in the VI.
- The Fee Form for the Construction General Permit (on DPNR's website) with the Application Fee section completed
- Payment of your application fee

The following is a list of all documents needed to properly prepare and submit a complete application for coverage under the General Permit VIGSA0000:

1. 2012 General Permit VIGSA0000 (VI CGP): Make sure to read the permit fully, including all the appendices, and determine what will need to be submitted in order to apply for coverage. It is of utmost importance that this permit is read and understood by the applicant, as coverage under this permit requires the Permittee to adhere to its requirements, and failure to do so may result in an enforcement action.
2. The appendices of the General Permit VIGSA0000 covers ESA Review Procedures required to obtain coverage under VIGSA0000. In order to expedite the application, instead of the applicant setting up an ESA inspection and then submitting the application to be reviewed, DEP will share your application (sans ESA Review Letter and criteria determination) with Fish & Wildlife (F&W) so they can perform the ESA inspection while the package is being reviewed. The site inspection will optimally be scheduled so it can be performed by all interested agencies (DEP, F&W, Historical Offices) concurrently. After the inspection, F&W will submit its ESA Review Letter and SHPO (Historical Office) will submit its historical review to DEP to complete the submission package and allow DEP to finish the review. After full review, either a deficiency letter will be sent, or a letter stating it is complete and coverage will be issued.
3. NOI: The Notice of Intent (NOI) is on DPNR's website and is the primary form to fill out, providing DPNR-DEP with your (the applicant's) intent to be covered under the TPDES General Permit VIGSA0000.
4. Fee Form: This form is on DPNR's website and is used to calculate your application fee. Subsequently, you will use the same form to determine and pay your annual discharge fee for each year in which you have a permit. A different section should be filled out depending on whether you are paying an application fee or your annual discharge fee. The Fee Form must be accompanied by payment of your application fee.

5. SWPPP: A Storm Water Pollution Prevention Plan (SWPPP) must be submitted along with the NOI form, and must meet all the requirements found in the permit VIGSA0000. The SWPPP can be created from scratch, but EPA has a template that assists the applicant in addressing all the requirements found in the permit VIGSA0000 (see link below).

6. Hydrology Report & Associated Paperwork: A hydrology study must be submitted with the SWPPP, showing all relevant calculations for pre- and post-development, along with calculations for BMP design. Furthermore, relevant maps, designs, schematics, and drawings must be included to show all relevant information described in the hydrology report and SWPPP.

The following is a list of documents that can assist in the development of an application package:

1. SWPPP Development Guidance Document: A SWPPP Development Guidance Document developed by EPA and can provide assistance in developing a SWPPP. It can be provided upon request or found at the EPA website here:

http://www.epa.gov/npdes/pubs/sw_swppp_guide.pdf A SWPPP template (.doc file) that can be used to develop a SWPPP can be found here:

http://www.epa.gov/npdes/pubs/sw_cgp2012_swppptemplate.docx

2. VI Environmental Protection Handbook: The VI Environmental Protection Handbook was developed by UVI's Extension service and the USDA. It is a useful resource for development of structural and non-structural Construction BMPs, and can be received as a pdf upon request.

3. NRCS Virgin Islands Soils Survey: NRCS performed a survey of the USVI and developed a guideline for determining soils and their properties throughout the Territory. It can be used to determine soil properties on your property that may be useful in calculating required values for your SWPPP and hydrology report. It can be found online, along with full maps of the Territory, at: <http://websoilsurvey.nrcs.usda.gov/app/>

ANNUAL DISCHARGE FEE: Starting in 2020, you must pay an annual discharge fee. The first annual discharge fee is due October 1, 2020. After that, the annual discharge fee will be due March 31st of each year. You will not receive a bill for your annual discharge fee. Instead, determine your annual discharge fee by completing the relevant sections in the Fee Form for a Construction General Permit on DPNR's website. Submit your completed form and payment to DPNR at the address given on the form by the due date. If you submit your payment by mail, DPNR will send you a receipt acknowledging your payment and, subsequently, verify your fee payment determination.

WHEN YOU COMPLETE CONSTRUCTION: When your construction is complete and you are ready to terminate coverage under the permit, you must submit a Notice of Termination (NOT). Please note that until this form is submitted, you are considered still under the permit and must perform the required inspections and follow all permit requirements, including paying the annual discharge fee. A NOT form is on DPNR's website

If you need assistance, please contact Mary Stiehler at (340) 774-3320 or mary.stiehler@dpnr.vi.gov.

The Water Pollution Control Program page on DPNR's website:

<https://dpnr.vi.gov/environmental-protection/water-pollution-control-program/>