

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**  
**DIVISION OF WATERSHED STEWARDSHIP**

Statutory Authority: 7 Delaware Code, Sections 6010 (7 **Del.C.** §6010)

**GENERAL NOTICE**

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**General Permit Authorization for Discharges from Construction Activities Under the National Pollutant Discharge Elimination System and the Laws of the State of Delaware**

1. TITLE OF PERMIT:

NPDES Permit Number DE 0051268 "General Permit Authorization for Discharges from Construction Activities Under the National Pollutant Discharge Elimination System and the Laws of the State of Delaware", also referenced as the Delaware Construction General Permit (Delaware CGP).

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

The Delaware Construction General Permit (CGP) under the National Pollutant Discharge Elimination System (NPDES) program is being converted from a permit by regulation, which currently falls under 7 **DE Admin. Code** 7201 subsections 9.2-9.2.7.2.3. to a stand-alone general permit authorizing discharges from construction. The effective date of the Delaware CGP will be concurrent with the effective date of proposed revisions to 7 **DE Admin. Code** 7201 subsections 9.2-9.2.7.2.3.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

The Delaware CGP expires five years from the effective date of the permit at which time the permit must be re-authorized.

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 **Del.C.** §6010  
40 CFR §123.1

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

None

6. NOTICE OF PUBLIC COMMENT:

The Department of Natural Resources and Environmental Control (DNREC), Division of Watershed Stewardship will conduct a virtual public hearing (Docket #2020-R-W-0012) on proposed revisions to 7 **DE Admin. Code** 7201 Regulations Governing the Control of Water Pollution, Part 2 - Special Conditions for Stormwater Discharges from Construction Activities, subsections 9.2-9.2.7.2.3.

Concurrently a virtual public hearing will be conducted for proposed NPDES Permit Number DE 0051268 "General Permit Authorization for Discharges from Construction Activities Under the National Pollutant Discharge Elimination System and the Laws of the State of Delaware", also referenced as the Delaware Construction General Permit (Delaware CGP).

The virtual public hearing will be held on **Tuesday, December 1, 2020, beginning at 6:00 PM.**

**Virtual Meeting Information**

A web link to the virtual meetings will be posted on the DNREC Public Hearings site at <https://dnrec.alpha.delaware.gov/public-hearings/>.

To access the audio-only portion of the virtual hearing, dial in at 408-418-9388 and enter event code 173 792 2277. If prompted for a password, please use WaterPollAmend.

The proposed regulation revisions and the proposed permit may be inspected in the *Delaware Register of Regulations* after November 1, 2020 at [https://regulations.delaware.gov/register/current\\_issue.shtml](https://regulations.delaware.gov/register/current_issue.shtml)

The proposed regulation revisions and proposed permit may also be inspected on the DNREC Division of Watershed Stewardship's Sediment and Stormwater Program website: <http://www.dnrec.delaware.gov/swc/pages/sedimentstormwater.aspx>

For additional information contact Elaine Webb, 285 Beiser Boulevard, Suite 102, Dover, DE 19904; by phone at 302-739-9921; or by email at [elaine.webb@delaware.gov](mailto:elaine.webb@delaware.gov).

For more information about the virtual hearing, visit <https://dnrec.alpha.delaware.gov/public-hearings/>

Those wishing to offer verbal comments during DNREC virtual public hearings must pre-register using the form at <https://dnrec.alpha.delaware.gov/public-hearings/comments/registration/>.

Written comments may be submitted to the Hearing Officer via the online comment form at <https://>

[dnrec.alpha.delaware.gov/public-hearings/comment-form/](http://dnrec.alpha.delaware.gov/public-hearings/comment-form/), via email to [DNRECHearingComments@delaware.gov](mailto:DNRECHearingComments@delaware.gov), or via USPS to the below address. The Department will accept public comment through the close of business on Wednesday, December 16, 2020.

Lisa Vest, Hearing Officer  
DNREC – Office of the Secretary  
89 Kings Highway, Dover, DE 19901

7. PREPARED BY:  
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**NPDES Construction General Permit (CGP) Fact Sheet**

**[http://regulations.delaware.gov/register/november2020/general/NPDES\\_Construction\\_General\\_Permit\\_Fact\\_Sheet.pdf](http://regulations.delaware.gov/register/november2020/general/NPDES_Construction_General_Permit_Fact_Sheet.pdf)**

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**[http://regulations.delaware.gov/register/november2020/general/NPDES\\_Construction\\_General\\_Permit\\_Authorization\\_for\\_Discharges\\_from\\_Construction\\_Activities.pdf](http://regulations.delaware.gov/register/november2020/general/NPDES_Construction_General_Permit_Authorization_for_Discharges_from_Construction_Activities.pdf)**

**24 DE Reg. 498 (11/01/20) (Gen. Notice)**