

The [2013 general permit for Construction Stormwater](#), which incorporates several changes, will go into effect Aug. 1. This reissuance has prompted several questions from regulated parties. Here are the MPCA responses to some of the Frequently Asked Questions about the permit so far. The agency will send periodic updates on FAQs as well as post them on the [construction stormwater general permit page](#).

Question: For projects already planned but yet to apply for a permit, does the 2008 or 2013 permit apply to the project?

MPCA response: The date that the MPCA receives an application will determine whether a project design must incorporate and follow the conditions of the 2008-2013 or the 2013-2018 Construction Stormwater (CSW) General Permit.

If the MPCA receives the application prior to midnight July 31, then the project will be authorized under the permit in effect at that time, which is the permit dated Aug. 1, 2008. The project Stormwater Pollution Prevention Plan (SWPPP) will be required to meet the conditions and requirements of the 2008 CSW permit. On Aug. 1, 2013 the 2008 permit will expire and any ongoing permitted projects will automatically be covered under the reissued 2013 CSW permit. A provision in the 2013 CSW permit (Part I.A.4) allows permittee(s) originally authorized under the 2008 CSW permit 18 months (until Feb. 1, 2015) to amend their SWPPP to the new standards for sediment and erosion control (and some administrative requirements) during construction. However, the project does **not** need to upgrade to the new permanent stormwater treatment requirements of the 2013 CSW permit.

If the application is received after 12:01 am Aug. 1, then the applicant will be applying for the permit that is in effect at that time, which is the permit dated Aug. 1, 2013 – Aug. 1, 2018. The SWPPP for the site, and the activities on the site, would need to be in compliance with the 2013 permit.

Applicants may apply for project coverage early (before Aug. 1) to take advantage of the 18-month transition time the agency is providing permittees, even though a project may not start for a number of months after the application date. **Applicants applying for coverage in advance of construction start date still must have a complete SWPPP at the time of application.** The MPCA does random audits of permits to ensure SWPPPs are complete. If the MPCA finds a site without a complete SWPPP, then the agency may determine the site has an invalid permit application and is thus out of compliance with the permit, which may result in enforcement action.

Question: I see that the MPCA will require online permit applications – no paper applications – starting Aug. 1. What about permit applications mailed July 31?

MPCA Response: The majority of permittees already use the agency's [online application service](#). The online application service is much more efficient for both regulated parties and the agency. The MPCA covers 1,000-2,000 sites a year under the general construction stormwater permit.

If you plan to submit a paper application, then you need to notify the MPCA in advance. Otherwise, mailed or delivered paper applications will be rejected if received after July 31.

The agency does grant waivers to the online application process. Those seeking a waiver from the online system and wanting to submit a paper application need to contact the agency in advance for each site (the agency recommends 3 weeks to ensure mailing forms received by both permittee and then the agency). For pre-approval of paper applications, call the MPCA at 651-757-2532. Note that the paper application will take longer than the electronic application and permit coverage will not take effect until 7 days after received by the agency.

Please note this change in the online application system. The permit coverage date, which allows construction to commence, will be **7 days** (not 2 as in the previous permit) for applications submitted online.

Also, sites 50 acres or larger discharging within 1-mile and to a special or impaired water still need to provide their SWPPP to the agency for a **30-day review**.

Thank you for doing your part to protect Minnesota's lakes and streams.

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