

National Pollution Discharge Elimination System (NPDES)

WHAT YOUR PERMIT MEANS TO YOU

Any land disturbance over 1 acre in size in Alabama require the developer/owner apply and receive an NPDES permit from ADEM (Alabama Department of Environmental Management) Often, the application process is conducted by a third-party vendor; Qualified Credentialed Professional (QCP), engineering firm or other expert. The ADEM permit fee scale begins at \$1385.00 and requires a significant amount of information to file. Examples include specific location, tract maps, outfall locations, etc. The Alabama Environmental Permitting and Compliance System (AEPACS) has recently been created to expedite the application procedure. You are strongly encouraged to read your NPDES permit. A link to the construction general permit and AEPACS is below.

Sample permit

<https://adem.alabama.gov/programs/water/waterforms/alr16cgp.pdf>

Permit application site

<https://aepacs.adem.alabama.gov/nviro/ncore/external/home>

A NPDES permit is an agreement between the permit holder and ADEM. Once approved, the permit will be placed in a single person's name and given an 8-digit ID. This person will be "100% responsible" for any detrimental impact to local water resources or animal habitats and liable for any enforcement action it may generate. Permit violations can result in fines, which can go beyond six figures in awards, and/or other legal actions against the permit holder. You must also realize that the local government can take action to stop progress on land disturbance activities or construction in meeting local laws and ordinances.

To guard against permit violations, a Construction Best Management Practices Plan (CBMPP) is designed to help each site stay in compliance with its NPDES permit. The CBMPP is created in an office, not in the field and should be revised if site conditions require the application of additional BMPs to control erosion and sediment effectively. This plan typically has 3 phases: initial, intermediate, and final, each with specific sets of BMPs. The installation of a parameter silt fence is but one of many practices used here. Most practices require maintenance depending on unforeseen issues like rain events (hurricanes, floods, etc.). ***Be advised: Some project bids may not contain sufficient funding to meet your erosion and sediment control requirements including but not limited to maintenance, stone check dams, curb waddles, silt saver hoods, and vegetative stabilization.*** This means you, the permit holder, are still required to treat your site effectively regardless of vendor contracts. Your QCP, their QCI, or local authority will report to you, "the permit holder", any issues needing attention, not the site contractor unless the contractor holds the NPDES permit.

- The majority of the 84 NPDES Alabama cities have a requirement for the new owner to produce and file a Post-Construction BMP Maintenance Plan stipulating the owners' responsibility at the end of the project.
- For questions, contact your QCP, engineering firm, the local city's stormwater coordinator or watershed manager. The Alabama industry standard is [The Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas.](#)

<https://alconservationdistricts.gov/wp-content/uploads/2018/09/2018-Handbook-Vol-1.pdf>

<https://alconservationdistricts.gov/wp-content/uploads/2018/09/2018-Handbook-Vol-2.pdf>