

7090.2020 NPDES/SDS CONSTRUCTION STORMWATER GENERAL PERMIT COVERAGE.

Subpart 1. **Scope.** The commissioner shall notify owners and operators of construction activities that disturb one to less than five acres of soil and meet the requirements in subpart 2 or 3 that they are covered under the NPDES/SDS construction stormwater general permit even if the owner or operator has not submitted a permit application. Owners and operators that meet the requirements of subpart 2 or 3 may request an individual NPDES/SDS construction stormwater permit in accordance with chapter 7001.

Subp. 2. Emergency construction.

A. Construction activities are required to minimize the impacts of an emergency situation, including but not limited to floods, tornadoes, and severe storms, presenting imminent threat to human health, public drinking water, or the environment. The owner must notify the commissioner when the construction activity begins.

B. Emergency construction notification must be completed by letter, telephone, or facsimile and include:

- (1) the owner's name, and the name of the construction company if different than the owner;
- (2) the address or description of the location where the construction activity is occurring;
- (3) a list of the cities, counties, and townships where the construction activity is occurring;
- (4) the approximate acres to be disturbed by the construction activity; and
- (5) a brief description of the emergency situation.

Subp. 3. **Feedlots.** Construction activities are for the purposes of building a new or expanded animal feedlot or manure storage area, or performing related maintenance. The owner or operator must apply for and obtain the appropriate permit under part 7020.0405, other than an NPDES permit, and if no permit is required under part 7020.0405, the owner or operator must complete the preconstruction notification submittal requirements under part 7020.2000, subpart 5.

Statutory Authority: *MS s 115.03*

History: *30 SR 125*

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