United States Environmental Protection Agency | Office of Water 4303T | EPA 821-F-02-009 May 2002

EPA Fact Sheet

Construction and Development Effluent Guideline Proposed Rule

Summary

EPA is proposing three options that relate to the discharge of pollutants from construction sites. The proposal includes options that work in conjunction with existing storm water regulations to continue support for state and local flexibility and land use decision-making. One option is an effluent guideline; another option specifies site inspections and certifications that controls have been properly installed; and the third option relies on the existing regulations.

Background

Effluent guidelines are national standards for wastewater discharges to surface waters and publicly owned treatment works (municipal sewage treatment plants). EPA issues effluent guidelines for categories of existing sources and new sources under Title III of the Clean Water Act. The standards are technology-based (i.e., they are based on the performance of treatment and control technologies); they are not based on risk or impacts upon receiving waters.

Construction activities like clearing, excavating, and grading significantly disturb the land. The disturbed soil, if not managed properly, can be washed off-site during storms. With the runoff comes an increase in sedimentation. Sedimentation problems range from reduced passage in rivers and streams to higher drinking water treatment costs for removing the sediment.

Proposed Requirements

EPA is proposing three different approaches to reduce the sediment discharges from construction sites.

One approach is an effluent guideline for construction sites that are covered by Phase 1 Storm Water regulations (5 acres and greater disturbed) and have to apply for National Pollutant Discharge Elimination System (NPDES) permits. The effluent guideline approach specifies the design criteria for the runoff controls and includes site certification and inspection requirements. The second approach applies to all construction sites that have to receive National Pollutant Discharge Elimination System (NPDES) permits, and relies on the inspections and certifications that the construction companies would need to perform. The third option does not add new requirements and instead relies on effective implementation of the existing regulations.

Costs and Benefits of the Proposed Rule

This proposal could reduce the amount of sediment discharged from construction sites.

For the effluent guideline approach, EPA estimates annual compliance costs of $505 million and a reduction in the discharge of pollutants by 11 million tons a year. For the option that requires on-site inspections and certifications, EPA estimates annual compliance costs of $130 million and a reduction in the discharge of pollutants of 5

million tons a year. For the option that relies on full implementation of existing construction regulations requirements, EPA estimates no additional compliance costs.

Additional Information and Copies

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