



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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PUBLIC NOTICE

Announcing Draft EPA 2022 Construction General Permit Request for Clean Water Act Section 401 Certification

Proposed Permit

The United States Environmental Protection Agency requested Washington State Department of Ecology (Ecology) Clean Water Act (CWA) Section 401 certification on July 16, 2021 for the following draft permit:

- 2022 Construction General Permit

The draft 2022 Construction General Permit would authorize certain point source discharges from construction sites to waters of the United States. The permit is operated under the National Pollutant Discharge Elimination System (NPDES) in Washington State.

Purpose of the Permit

The 2022 Construction General Permit would replace the existing 2017 permit once finalized. The existing permit was issued for a five-year term on February 16, 2017 and will expire on February 16, 2022. The draft 2022 Construction General Permit would authorize certain point source discharges from construction sites to waters of the United States.

Purpose of the 401 Certifications

Section 401 of the CWA provides that the federal government may not issue a permit relating to any activity which may result in any discharge into the navigable waters until a certification is granted or waived by the state in which the discharge originates, or will originate.

The state certification evaluates whether the discharge will comply with the applicable provisions of sections 301, 302, 306, and 307 of the CWA and appropriate requirements of state law. Ecology will review the draft permits pursuant to Section 401 of the CWA, and with applicable provisions of State water pollution control laws.

Copies of the Draft Permits

Draft NPDES permit documents for the 2022 Construction General Permit are available online: <https://www.epa.gov/npdes/proposed-2022-construction-general-permit-cgp-and-related-documents>. EPA's public comment period ended on July 12, 2021.

Contact EPA staff, Margaret McCauley at 206-553-1772 or mccauley.margaret@epa.gov with questions related to EPA's 2022 Construction General Permit documents. Ecology is not accepting comments on the contents of the draft permit documents.

Submitting Written Comments

Ecology is requesting comments from the public, state and local agencies, tribes, and other interested parties on EPA's request, in relation to water pollution control considerations. Ecology will accept written comments until midnight, August 23, 2021. Ecology prefers comments be submitted electronically via the online portal. Alternatively, comments may be supplied by email or in a letter format mailed directly to Ecology.

Submit comments online (preferred method):

<https://wq.ecology.commentinput.com/?id=a7CKW>

Submit comments by mail to: Angela Zeigenfuse
Water Quality Program
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

Email: angela.zeigenfuse@ecy.wa.gov

You must provide comments before midnight, August 23, 2021. Written comments must be postmarked no later than midnight, August 23, 2021.