



SUMMARY OF CHANGES TO THE RIPDES CONSTRUCTION GENERAL PERMIT

July 3, 2026 - The Rhode Island Department of Environmental Management (DEM) Office of Water Resources intends to re-issue the Rhode Island Pollutant Discharge Elimination System (RIPDES) Stormwater Discharges Associated with Construction Activity General Permit (Construction General Permit or “CGP”), extending coverage until September 27, 2031.

Several substantive changes and some minor changes from the previous (2025) Construction General Permit have been incorporated into the draft 2026 CGP in order to bring the RIPDES CGP into better alignment with the requirements of the 2022 National Pollutant Discharge Elimination System CGP, and subsequent 2025 revisions implemented by the US Environmental Protection Agency (EPA), and to provide clarifications regarding CGP authorizations tied to ownership transfers and modification applications.

The re-issued CGP does not require existing permit holders to re-apply provided any authorization received under another associated permit, i.e., RIDEM Freshwater Wetlands Permit, RIDEM Water Quality Certification, RIDEM UIC/Groundwater Discharge Permit, CRMC Assent or QLP approval, has not yet expired and remains in effect. Coverage under the 2025 and 2020 RIPDES Construction General Permit will be extended under the re-issued CGP.

This document provides a summary of the edits and changes that have been made to the CGP. Please carefully review the draft 2026 CGP for detailed changes.

1. Table of Contents. Addition of new subsection I.D.4. titled “Modifications or Amendments to Authorized Projects”.
2. Page 1, Boxed Text preceding body of permit. Addition of “Rhode Island Pollutant Discharge Elimination System” before first use of RIPDES acronym, to provide clear context to acronym.
3. Part I.B.3.c. Addition of reference to a later permit section that provides detailed description of required Stormwater Management Plan elements and clarification provided regarding effectiveness of CGP authorization under condition that any other associated permit(s) has/have not yet expired and remains in effect, including the 2025 or 2020 RIPDES CGP.

4. Part I.B.3.d. Clarification provided regarding effectiveness of CGP authorization under condition that any other associated permit(s) has/have not yet expired and remain(s) in effect, and two minor formatting corrections.
5. Part I.B.3.f. Addition of new subsection (f) to include EPA 2025 modification pertaining to new federal definition of “Lands of Exclusive Federal Jurisdiction (LEFJ)” and permit requirements linked to lands that may become designated as LEFJ.
6. Part I.C.2. Clarification pertaining to site owner also considered as site “operator” per terms of the permit and as such owners have the responsibility for the actions of any operator controlling activities on the site.
7. Part I.D.1.a. Clarification provided regarding continued effectiveness of CGP authorization under condition that any other associated permit(s) has/have not yet expired and remain(s) in effect, including the 2025 or 2020 RIPDES CGP.
8. Part I.D.1.b.(ii). Additional language was added to clarify that a Stormwater Operations & Maintenance plan can also be referred to as a “Storm Water Pollution Prevention Plan (SWPPP)” and that Soil Erosion Sediment Control (SESC) plans are part of the broader SWPPP.
9. Part I.D.2.a. Clarification provided regarding continued effectiveness of CGP authorization under condition that other 2025 or 2020 CGP permit(s) has/have not yet expired and remain(s) in effect.
10. Part I.D.3.a. Language was added to again clarify that coverage authorized under the 2025 or 2020 CGP will remain valid so long as any other associated permits described in Part I.D.2. remain valid.
11. Part I.D.3.b. Language was added to clarify that owners and operators previously authorized under the 2020 RIPDES CGP and that did not require authorization or permitting as described in Part I.D.3.a will be authorized upon the effective date of the 2026 permit.
12. Part I.D.4.(a-d). New subsection was added to provide clear terms about how modifications or amendments to authorized projects are to be handled.
13. Part I.E. Minor language improvements for consistency with use of third person point of view throughout entire document.
14. Part I.F. Language was added to include new requirements for permittees to include name of project site, if not the name of a facility, as well as photos of final post-construction SESC site stabilization with the Notice of Termination (NOT) form.
15. Part II. Minor language improvements in the introductory paragraph, for consistency with use of third person point of view throughout entire document.

16. Part III.C. New language added to clarify that operationally, the SESC plan is part of the broader Stormwater Pollution Prevention Plan (SWPPP) which is often referred to as a Stormwater Operations & Maintenance plan.
17. Part III.D. Text was revised to clarify that per Part I.D.1., if the SESC plan is not required to be submitted as a separate document, then SESC measures shall be provided in details of site plan set or maps.
18. Part III.F. Language added to clarify that any amendments to the SESC plan, which may also be referred to as a SWPPP, including any corrective maintenance efforts must be amended to the SESC plan within seven (7) days of any change.
19. Part III.G. Language added to clarify that a copy of the SESC plan and/or Stormwater Pollution Prevention Plan (SWPPP), any amendments to the SESC plan and/or SWPPP, and/or site plans, must be available at the construction site. When no personnel are present at site, visible notice of the location of the SESC plan and/or SWPPP's must be posted near the main entrance of the construction site during the extent of permit coverage.
20. Part III.J.1. Language was added to specify that design of stormwater management systems must be based on regional precipitation data listed in 250-RICR-150-10-8, Section 8.6 Stormwater Management Standards and Performance Criteria Overview.
21. Part III.J.2. Language added to clarify that for purposes of this permit, "Construction Activity Pollution Prevention" is synonymous with "Stormwater Pollution Prevention Plan (SWPPP)".
22. Part III.J.2.(d). Language added to specify that the operator must provide training for, or hire personnel already trained to work with hazardous materials, for properly handling and preventing spills of any chemicals and /or hazardous materials stored at the construction site.
23. Part III.J.2.(f).(ii). Language was added to specify that when controlling dewatering practices, infiltration of dewatering waters should be avoided in upland areas in circumstances such as those listed in 250-RICR-150-10-8, Section 8.8(B), i.e., when physical limitations such as unusual geological or soil features exist, or where recharge does not currently occur; fill soils; areas of documented slope failure; or LUHPPL classification. It was also added that in no case will surface waters or wetlands be considered part of the treatment area for infiltrating dewatering waters.
24. Part III.J.2.(g).(i-vii). New subsection (g) added to include new turbidity monitoring requirements for any dewatering practices. These new requirements include: daily sampling, location for sampling dewatering waters after treatment and before discharge as well as after discharge, test methods, online form to be used as reporting logs, turbidity

benchmarks for dewatering discharges to sensitive waters, and how failure to conduct corrective action to exceedances of benchmarks would be a permit violation.

25. Part III.J.3.(b).(i). Language was added to specify that SESC practices must be inspected at least once every seven (7) calendar days or within twenty-four (24) hours after a significant amount of runoff occurs on site, including runoff caused by snowmelt following a snow event of 3.25” or greater.
26. Part III.J.3.(b).(ii). Language was added to specify different stormwater team personnel that meet RIDEM standards for specialty knowledge and qualification for: design, installation, maintenance, and/or repair of stormwater controls, application and storage of treatment chemicals, conducting site inspections, and implementing corrective actions.
27. Part III.J.3.(b).(iii). Language was added to specify that maintenance and corrective action logs must be signed by the maintenance contractor or site operator and that electronic copies of all such recordkeeping are acceptable, so long as they are available to the Department upon request.
28. Part III.J.3.(c).(ii). Language added to clarify that any new controls or significant repairs amending the SESC plan and/or SWPPP, if determined infeasible to complete within seven (7) calendar days from the time of discovery, the reasons why it is infeasible along with the schedule for repairing or installing a new control measure as soon as practicable after the 7-day timeframe, must be documented in the SESC plan and/or SWPPP.
29. Part III.J.3.(c).(iii). Language added to provide online templates for Model SESC Plans, Inspection Reports and Amendment Logs (or Corrective Action Logs) on the RIDEM website at <https://dem.ri.gov/environmental-protection-bureau/waterresources/permitting/stormwater-permitting/soil-erosion-and->
30. Part V.G. Language added to clarify that Soil Erosion and Sediment Control plans and/or Stormwater Pollution Prevention Plans, shall be signed and certified per 250-RICR-150-10-1-1.12.
31. Part V.L. Language improvements for greater clarity and specificity pertaining to transfers of permit authorizations upon transfer of property ownership. Specifically, transfers of authorizations issued under this permit apply only to the entirety of the original property or parcels for which the authorization is granted, and not to portions of properties or parcels that have been subdivided and transferred to a different owner. New owners that wish to proceed with projects on properties or parcels that have been subdivided from the originally authorized property must seek their own authorization through submittal of a new Notice of Intent (NOI).