



State of Oregon Department of Environmental Quality

1200-CN Application Information

DEQ intends to renew the 1200-CN Construction General Permit prior to the Dec. 14, 2020 expiration date, and is posting the 1200-CN application from July 15 to Aug. 19, 2020. The 1200-CN construction stormwater general permit is a designation for qualified local program's in Oregon that have construction stormwater regulations at least as stringent as DEQ's. The 1200-CN permit lists the names of the Qualifying Local Programs in Oregon and includes requirements for managing stormwater discharged from construction sites that are 5 acres or less.

This is an opportunity for local jurisdictions to provide DEQ information about their ordinances and stormwater management program. DEQ will evaluate and determine if the jurisdiction meets the requirements to be a "Qualified Local Program." Cities, counties, municipalities, townships, special districts, and other local entities may apply. Communities that are determined to have Qualified Local Programs are listed in the 1200-CN permit. The only time local jurisdictions are added to the permit is when DEQ renews the permit or opens it for modification during its 5 year term.

Coverage under the 1200-CN permit is available only in specific jurisdictions referred to as a "1200-CN Jurisdiction." Entities that want to achieve "1200-CN Jurisdiction" status must complete the application and submit the required documents that verify the jurisdiction's stormwater program requirements are equivalent to the terms and conditions established in DEQ's NPDES 1200-C construction stormwater general permit.

How will the 1200-CN status benefit a local jurisdiction?

A Qualified Local Program is a way local jurisdictions may reduce the number of regulatory layers for small construction sites within their boundaries. The local jurisdiction's construction program essentially replaces the state's permitting requirements for construction sites under 5 acres. DEQ can assist local jurisdictions with enforcement if any projects fail to meet the performance measures in the proposed 1200-CN permit and local enforcement measures have not resulted in compliance. DEQ also retains the right to require automatically covered construction activities to submit a 1200-C permit application to DEQ when DEQ determines that registration is needed to ensure protection of water quality.

How to meet the 1200-CN requirements?

Local jurisdictions must submit the 1200-CN application and required submittals (i.e. codes, guidance documents, enforcement procedures) by the application close date of Aug. 19, 2020.

Frequently asked questions

What is a 1200-CN jurisdiction?

In some local jurisdictions with eligible stormwater programs, qualifying construction activities that disturb less than five acres will be automatically covered under the 1200-CN permit when they receive the local construction permit. In a few jurisdictions, construction activities that disturb less than one acre are automatically covered. Owners and operators of automatically covered construction activities must comply with performance requirements and other terms of the 1200-CN permit, but do not submit a DEQ application or pay fees to DEQ. Owners and operators must comply with all applicable local code, ordinance and permit requirements. The local jurisdiction will provide a copy of the 1200-CN permit when construction is approved.

If you do not obtain 1200-CN coverage through the local jurisdiction, you must apply for coverage under the 1200-C permit.

How is it different from the 1200-C permit?

To reduce overlap and redundancy between local construction stormwater programs and state stormwater permitting regulations, DEQ is proposing that certain construction projects located in local jurisdictions are automatically covered under the 1200-CN permit. Automatically covering construction projects in these jurisdictions helps operators by reducing dual permitting. Operators in these jurisdictions are required to meet local stormwater requirements, but are not required to apply for coverage under the 1200-C permit. This results in one set of construction stormwater requirements for the regulated industry in jurisdictions that have Qualified Local Programs.

How does my local jurisdiction qualify for 1200-CN status?

By completing the 1200-CN Application and submitting the required documents before the Aug. 19, 2020 deadline.

Is there a fee to apply for 1200-CN status?

No. An entity need only to submit the application and required documents.

Are entities required to apply?

No, and the 1200-CN does not add any requirements to the local jurisdictions' construction stormwater programs nor create any additional legal liabilities. The projects within these jurisdictions will be required to meet local construction stormwater requirements as well as the performance measures in the 1200-CN permit.

For additional information and application

Visit DEQ's Construction Stormwater Permits web page:

<https://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater-Construction.aspx>

Or contact DEQ directly:

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