

**7090.2010 CONSTRUCTION ACTIVITY PERMIT REQUIREMENTS.**

Subpart 1. **Permits required.** An NPDES/SDS construction stormwater permit is required if:

- A. a person is conducting construction activity; or
- B. the commissioner determines that a discharge may cause or contribute to a violation of an applicable state or federal water quality rule or regulation. In making this determination, the commissioner shall consider factors including size of discharge, quantity and nature of discharge, and location of discharge.

Subp. 2. **Permit application deadline.**

A. Owners and operators proposing activities that require a construction stormwater permit under this part must submit a complete permit application provided by the agency before conducting construction activity, or where a construction site is covered under an existing construction stormwater permit, meet the subdivision registration requirements under part 7090.2060, if applicable.

B. The permit application or subdivision registration required under item A may be submitted electronically if such a method of submittal is approved by the commissioner. Notwithstanding the conditions of the construction stormwater permit, the effective date of a permit under an electronic submittal must be established by the commissioner.

Subp. 3. **Compliance requirements for unpermitted construction activity.** Owners and operators of construction activities required to have a construction stormwater permit under this part that fail to submit a permit application or subdivision registration under subpart 2 shall comply with the stormwater discharge design requirements, construction activity requirements, and the requirements of Appendix A in the construction stormwater permit as incorporated by reference in part 7090.0060.

**Statutory Authority:** *MS s 115.03*

**History:** *30 SR 125*

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