

NOTE TO DESIGNER: ADD THESE TWO NOTES TO THE CONTRACT FOR PROJECTS THAT REQUIRE A CONSTRUCTION GENERAL PERMIT. CONTACT HQ ENVIRONMENTAL WITH QUESTIONS (Sue Sullivan 334-8203)

ON PAGE 78, SUBSECTION 107.17 – ENVIRONMENTAL AND CULTURAL RESOURCE PROTECTION

01/17

Delete 107.17.B. National Pollutant Discharge Elimination System Permit

ENVIRONMENTAL REQUIREMENT - CONSTRUCTION GENERAL PERMIT

09/17

A National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities (CGP) is required for this project. Comply with the CGP. Terms that are directly referenced or defined in the CGP and used in this note include:

Commencement of Earth-Disturbing Activities	Pollutant-Generating Activities
Commencement of Pollutant-Generating Activities	Pollution Prevention Measures
Construction Activities	Pollution Prevention Requirements
Construction Site	Prohibited Discharges
Construction Support Activities	Required SWPPP Modifications
Corrective Action	Stormwater Team
Erosion and Sediment Control Requirements	Storm Event
Inspections	Stormwater Pollution Prevention Plan (SWPPP)
Installation Requirements	SWPPP Certification
Maintenance Requirements	SWPPP Modification Records
Notice of Intent (NOI)	Upset
Notice of Termination (NOT)	Work Day
Operator	Water Quality Standards

Stormwater Pollution Prevention Plan (SWPPP)

A SWPPP is comprised of a set of plan sheets and an associated narrative document. Draft preliminary SWPPP Plan Sheets and narrative are included with the bid package. They are not complete. The SWPPP is a living document. Amend the plans and narrative to conform to the Contractor's current sequencing and operation.

Develop the SWPPP, including Contractor designated construction support activities and new construction activities or pollutant-generating activities added due to changes. This includes required SWPPP modifications during construction.

1. A preliminary draft of the SWPPP is included in the contract. Use the SWPPP template provided by the Department to develop the initial SWPPP in accordance with CGP requirements.
2. Submit the completed initial SWPPP in a 3-ring binder with dividers and tabs, unless otherwise approved. The Engineer may also require submittal of an electronic, editable version of the SWPPP. Submit for review and approval no later than the pre-construction meeting.
3. Allow 15 calendar days for Engineer review, unless otherwise specified. Incorporate revisions, based on Engineer review, and resubmit. The Department will not make adjustments in cost or time for Engineer's failure to approve all or part of a SWPPP.
4. Verify SWPPP certification requirements are met by required operators and that each operator has completed a separate notice of intent (NOI). Coordinate electronic NOI filing with the Engineer.

5. Do not begin commencement of earth disturbing activities or commencement of pollutant-generating activities until EPA has acknowledged receipt of required NOIs on the EPA's website and the 14 calendar day waiting period is over. After the 14 day waiting period, the Contractor is considered covered under the permit unless EPA notifies the Contractor of an authorization delay or denial.
6. Follow requirements to post a notice of your permit coverage and post-authorization additions to the SWPPP in accordance with the CGP.
7. Do not allow construction activities, construction support activities, or pollutant-generating activities beyond the limits or schedule shown in the SWPPP or plans.

Water Pollution Control Manager (WPCM)

A WPCM is a construction stormwater manager, qualified per the Department's Water Pollution Control Manager Course requirements. Ensure the Contractor's WPCM meets the specified WPCM training qualification requirements.

WPCM Training Qualification Requirements

Designate a qualified WPCM (s). Submit to the Engineer the WPCM (s) contact information and training qualifications no later than the pre-construction meeting. Once approved, insert the qualification information into the SWPPP.

WPCM qualification is valid for the duration of the 2017 CGP unless 2 years lapse without being designated as a WPCM on a Department contract/project, and as that designated WPCM, personally conduct required inspections, and complete and sign the required forms for at least 2 ITD-2802s (Stormwater Compliance Inspections).

Provide a designated WPCM (s) qualified throughout the work.

WPCM Responsibilities

1. Ensure Contractor compliance with Clean Water Act and CGP requirements.
2. Manage SWPPP implementation, required SWPPP modifications, and maintain SWPPP modification records. Submit proposed modifications for Engineer approval. Obtain necessary signatures and certifications from operators for required SWPPP modifications.
3. Ensure completion of erosion and sediment control requirements and pollution prevention requirements. Complete installation requirements and maintenance requirements in the timeframes specified in the CGP. Sign inspection reports to certify these actions were satisfactorily completed.
4. Ensure completion of corrective actions, including reporting, and recordkeeping. Obtain necessary signatures and certifications from operators for corrective actions.
5. Perform inspections per the specified frequency requirements and documentation requirements.
6. Ensure installation, operation, and maintenance of effective erosion and sediment control measures and pollution prevention measures per CGP requirements. Complete required SWPPP modifications, corrective actions, and inspections until the work is complete and the contractor is released of responsibility by filing of the notice of termination (NOT), or as otherwise specified.
7. Request the Engineer's written approval to file an NOT when conditions for terminating CGP coverage have been met. Do not submit an NOT without the Engineer's written approval. Provide the most current version of the SWPPP, at the time of work completion, to the Engineer when making the request.
8. Verbally report prohibited discharges, discharges exceeding water quality standards, other discharges which may endanger health or the environment, or any upset conditions to the Engineer immediately. Provide a written report to the Engineer within 24 hours using ITD-2790 form (Notice of Potential Violation of the Construction General Permit or Notice of Prohibited Discharge).
9. Retain completed copies of CGP required documentation and recordkeeping in the SWPPP and at the construction site, or at an Engineer approved offsite location.

10. Ensure resolution of compliance issues, and regular communications with the Department as part of the CGP required stormwater team and as required by the Engineer.

WPCM Inspection Frequency Requirements

Perform stormwater compliance inspections, and inspect the construction site and applicable construction support activities as follows:

1. A minimum of once every 7 calendar days during construction activities and pollutant-generating activities, but more often if required to maintain full compliance with the CGP.
2. Within 24 hours of a storm event producing 0.25 inches or greater, even if the storm event is still continuing.
3. Within 24 hours of the end of a storm event where consecutive 24 hour periods produced 0.25 inches or greater.
4. Within 24 hours of the occurrence of runoff from snowmelt sufficient to cause a discharge.
5. During the SWPPP, specify normal work days. Modify the SWPPP when significant changes are made to the normal work day schedule.
6. If a storm event producing 0.5 inches or greater within 24 hours occurs outside the normal work days, complete an inspection within 24 hours to verify and document project compliance with the CGP.
7. WPCM inspection frequency may be reduced by the Engineer in writing in accordance with the CGP.

WPCM Inspection Documentation Requirements

1. Perform a joint inspection with the Department's inspector, if available, and sign the completed ITD-2802 form (Stormwater Compliance Inspection), or
2. Complete an independent inspection using the most recent version of the ITD-2802 form, documenting completion of the independent WPCM inspection.
3. Sign and date ITD-2802 form within 24 hours of completion of any inspection.
4. Insert the signed WPCM inspection into the applicable SWPPP recordkeeping section as directed within 24 hours of completion of an independent WPCM inspection.
5. Submit a copy of any signed independent WPCM inspection within 24 hours at the Engineer's request.

Basis of Payment

The Department considers SWPPP development, revisions, modifications, and costs associated with the NPDES permitting and compliance process as incidental and included in the contract pay items, unless otherwise specified in the contract.

Penalties and Damages

Fines, penalties, and costs to the Department for the Contractor's failure to comply with the Clean Water Act, to mitigate environmental damage, or to resolve regulatory actions will be deducted from moneys due the Contractor.