Annual Standards and Specifications
For Erosion and Sediment Control
and Stormwater Management

Prepared for Old Dominion University
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Norfolk, Virginia 23529

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June 29, 2017
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Definitions

"Applicant" means person or persons providing submission for land-disturbing projects on the Old Dominion University campus.

"Board" means the State Water Control Board.

"Certified Personnel" person or persons who hold a certificate of competence is accordance with 9VAC25-850 issued by the board.

"Contractor" means the operator of the regulated land-disturbing activities

"Department" means the Department of Environmental Quality

"Operator" means the permittee to which a local permit or state permit for regulated land-disturbing activities is issued.

"Permit" or "VSMP authority permit" means an approval to conduct a land-disturbing activity issued by the VSMP authority for the initiation of a land-disturbing activity after evidence of state VSMP construction general permit coverage has been provided where applicable.

"Permittee" means the person to which a local permit or Construction General Permit for regulated land-disturbing activities is issued.

"Virginia Erosion and Sediment Control Program authority" or "VESCP authority" means a locality that is approved by the Board to operate a Virginia Erosion and Sediment Control Program in accordance with Article 2.4 (§ 62.1-44.15:51 et seq.). Only a locality for which the Department administered a Virginia Stormwater Management Program as of July 1, 2017, is authorized to choose to operate a VESCP pursuant to Article 2.4 (§ 62.1-44.15:51 et seq.).

"Virginia Stormwater Management Program authority" or "VSMP authority" means an authority approved by the Board after September 13, 2011, to operate a Virginia Stormwater Management Program or the Department. An authority may include a locality; state entity, including the Department; federal entity; or, for linear projects subject to annual standards and specifications in accordance with subsection B of § 62.1-44.15:31, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102.
Introduction

The Annual Standards and Specifications (AS&S) Program for Old Dominion University (ODU) has been developed in accordance with §62.1-44.15:31 of the State Water Control Law and section 9VAC25-870-170 of the Virginia Administrative Code. The ODU AS&S incorporates the following regulations, laws, and codes by reference:

- Virginia Stormwater Management Act (SWM) (§62.1-44.15:24 et seq.)
- Virginia Stormwater Management Program (VSMP) Regulations (9VAC25-870)
- Virginia Pollutant Discharge and Elimination System (VDPES) General Permit for Discharges of Stormwater from Construction Activities (9VAC25-880)
- VDPES General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (9VAC25-890)
- Virginia ESC Law (§62.1-44.15:51 et seq.)
- Virginia ESC Regulations (9VAC25-840)
- Virginia ESC and SWM Certification Requirements (9VAC25-850)
- Chesapeake Bay Preservation Act (CBPA) (§62.1-44.15.67 et seq.)
- CBPA Area Designation and Management Regulations (9VAC25-830)
- ESC Technical Bulletin #4 – Nutrient Management for Development Sites

The ODU AS&S shall be applicable to all land-disturbing activities on the ODU campus as described by Virginia ESC Law and Virginia SWM Act, and shall be submitted to the Virginia Department of Environmental Quality (DEQ) annually for review and approval (9VAC25-870-170, §62.1-44.15:55.D). Old Dominion University Director of Environmental Health and Safety shall administer and enforce the ODU AS&S and will ensure that appropriate faculty and staff obtain required DEQ certifications as necessary as specified in the Virginia ESC and SWM Certification Requirements (9VAC25-850). Certifications are required for AS&S entities that could potentially include, but are not limited to Program Administrator, Plan Reviewer, and Inspector. ODU may enter into agreements or contracts with soil and water conservation districts, adjacent localities, or other public or private entities to carry out or assist with the responsibilities of their AS&S.

The purpose of the ODU AS&S is to provide standard methods for guiding land-disturbing projects on the ODU campus through planning, design, approval, construction, and post-construction. The AS&S describe how land-disturbing activities shall be conducted and includes the following:

- Provisions for the preparation of SWM and ESC plans that comply with locality requirements and VSMP regulations.
• Provisions for long term maintenance of stormwater management facilities, devices, and other post construction best management practices (BMPs). Provisions include inspection procedures and timelines.
• Provisions for ESC and SWM program administration including plan design, plan review, plan approval, construction inspections, and enforcement.
• Provisions to ensure that appropriate personnel obtain DEQ certifications for ESC and SWM.
• Means and methods to provide tracking and notification of land-disturbing activities.
• Means and methods to document plan changes and to ensure that they are in compliance with ESC and SWM regulations.

Applicability

The ODU Annual Standards and Specifications shall be applicable for land-disturbing activities on the ODU campus. Depending on the type of activity, the definition of a land-disturbing activity is subject to the ESC or SWM Laws and Regulations that govern ESC and SWM. However, any project disturbing 2,500 sf or greater will be subject to the ODU AS&S.

Erosion and Sediment Control

Per ESC Law (§62.1-44.15.51 et seq.), a land-disturbing activity is defined as “any man-made change to the land surface that may result in soil erosion from water or wind and the movement of sediment into state waters or onto lands in the Commonwealth, including but not limited to, clearing, excavating, transportation, and filling of land.” In addition, a land-disturbing activity is considered to be an area greater than 10,000 square feet in size or 2,500 square feet in size that is within an area designated as a Chesapeake Bay Protection Area (CBPA).

Exceptions to the ECS definition of land-disturbing activity that may be applicable to the ODU campus as defined by ESC Law include:
• Minor landscaping, repairs, and maintenance
• Individual service connections
• Installation, maintenance, or repair of underground public utility lines. The utility must be located under hardscape surfaces and the land-disturbance must disturb only hardscaped surfaces
• Installation of fences, posts, or poles
• Shoreline erosion control projects on tidal waters. All disturbing activities must be within regulatory and approved by local wetland boards, the Marine Resource Commission, or the United States Army Corps of Engineers.
• Emergency or life-saving repairs
Stormwater Management

Per the Virginia SWM Act (§62.1-44.15.24 et seq.) a land-disturbing activity is defined as "a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation." In addition, a land-disturbing activity is considered to be an area greater than one acre in size or an area greater than 2,500 square in size that is within an area designated as a Chesapeake Bay Protection Area (CBPA).

Exceptions to the SWM definition of land-disturbing activity that may be applicable to the ODU campus as defined by the Virginia SWM Act include:

- Maintenance of an area that maintains or restores the existing grade and hydraulic capacity.
- Emergency or life-saving repairs

Technical Criteria

A stormwater management plan shall be designed in accordance with the SWM Act and the VSMP Regulations. The plan shall address the Construction General Permit plan requirements listed in 9VAC25-880-70 Part II.A.

Projects shall be designed per Technical Criteria Part II B (9VAC25-870-62 et seq.) of the VSMP regulations. Water quantity (9VAC25-870-66) shall be met for channel and flood protection. The Runoff Reduction Method and Guidance Memo No. 16-2001 shall be utilized for water quality compliance and meet minimum design criteria and standards (9VAC25-870-63). Best management practices (BMPs), both structural and non-structural, shall be designed in accordance with the Virginia BMP Clearing House BMP Design Specifications (9VAC25-870-65). If water quality cannot be meet on site, offsite compliance options may be utilized if the criteria in 9VAC25-870-69 is met.

If the project is considered grandfathered it shall be designed per Technical Criteria Part IIC (9VAC25-870-93 et seq.) of the VSMP regulations if the criteria in 9VAC25-870-48 is met.
Erosion and Sediment Control

An erosion and sediment control plan shall be designed in accordance with the ESC Laws, ESC Regulations (9VAC25-840), and the latest edition of the Virginia Erosion and Sediment Control Handbook. The plan shall address the Construction General Permit plan requirements listed in 9VAC25-880-70 Part II.A.2 and the minimum standards described in 9VAC25-840-40.

Local Requirements

The plans shall address any stormwater management and/or erosion and sediment control requirements that are more stringent, if applicable set by the locality or ODU.

Non-VESCH Control Measures

The use of Virginia Erosion and Sediment Control Handbook (VESCH), along with accompanying technical documents and guidance, control measures is strongly preferred. Non-VESCH control measures, best management practices (BMP), and specifications may be included in the Annual Standards and Specifications submission but their use may be further reviewed and approved by the applicable DEQ Regional Office on a project-specific basis. For all non-VESCH and proprietary control measures, please include all applicable practical information including definition, purpose, conditions where practice applies, planning considerations, design criteria, construction specifications, design tables and plates, and maintenance and inspections. Non-VESCH and proprietary control measures shall be installed per the manufacturer's instructions and with the intent of the VESCH specifications. Should non-VESCH control measures fail to effectively control soil erosion, sediment deposition, and non-agricultural runoff, then VESCH control measures shall be utilized.
Plan Approval and Application Process

Plan Submission and Review Process

If the land-disturbing activity disturbs more than 2,500 sf, a ESC and SWM plan shall be submitted. SWM and ESC submissions are to be reviewed by the City of Norfolk and shall follow the submittal process and requirements of the City. The plans will be reviewed for consistency with technical criteria listed in the previous section. In the case that the ODU state-owned projects fall within a locality other than City of Norfolk, the requirements of that locality shall apply for all ESC and SWM submissions.

Construction General Permit Permitting Process

Land-disturbance activities equal to or greater than one acre will require a DEQ issued, General Virginia Pollution Discharge Elimination Systems Permit (VAR 10) for Discharges of Stormwater from Construction Activities. The contractor, operator, shall obtain a Construction General Permit prior to commencement of land-disturbance.

The Contractor shall submit the following documents to DEQ:
- Erosion and Sediment Control Plan Approval Letter
- Stormwater Management Plan Approval Letter
- Registration Statement for General Permit (VAR 10)
- Construction General Permit Fee Form and applicable fee

Land-disturbance of offsite areas for support activities that include, but are not limited to borrow areas, disposal areas, and laydown areas, may be permitted by the Construction General Permit provided the provisions in 9VAC25-880-30.C and 9VAC-25-840-80.D are met.

Stormwater Pollution Prevention Plan (SWPPP)

A SWPPP shall be prepared in accordance with the requirements per Part II of 9VAC25-880-70. The SWPPP must be completed prior to the submission of a registration statement and implemented for the construction activity, including any support activity, covered by the Construction General Permit. The applicant shall use the appropriate Old Dominion University SWPPP template (Appendix C) for all projects disturbing more than 2,500 sf.
Approved Plan Modifications

Modifications to the approved ESC or SWM plan shall be resubmitted to the plan reviewer for approval. Modifications to approved plans and on-site changes shall be documented on the approved plan.

Variance requests may be submitted by the applicant during the design process to become part of the approved erosion and sediment control plans per 9VAC25-840-50. All variance request shall be submitted to ODU and reviewed for completeness and will be forwarded to DEQ for review if appropriate. Variance's will not be considered approved until written approval from DEQ has been received. Variance request shall be a letter with an explanation for the reasons the ESC technical standards cannot be met and describe how the downstream properties will be protected from erosion, sedimentation and flooding.

Exception requests may be submitted by the applicant during the design process to become part of the approved stormwater management plans per 9VAC25-870-57. All Exception requests shall be submitted to ODU, be reviewed for completeness, and be forwarded to DEQ for review as appropriate. Exception requests will not be considered finalized until written approval from DEQ has been received. Exception requests shall be a letter format, with an explanation why the SWM technical standards cannot be met.

Economic hardship alone is not a sufficient reason to request a Variance or Exception from the ESC and/or SWM requirements.
Construction and Inspections

Project Tracking for Land-Disturbing Activities

A list of completed, current or expected land-disturbing activities to occur during this AS&S period are included in Appendix A. ODU is required to provide quarterly reporting for all ESC and SWM regulated land disturbing activities. Report to the DEQ at the end of the last month for the previous months’ activity. Reports should include the following information:

i. Project name or project number (any associated CGP permit #);
ii. Project location
iii. Brief project description
iv. Acreage of disturbance for project
v. Project start and finish date (status)
v. Any variances/waivers/exemptions associated with this project.

Project E-Notification

ODU is required to notify the DEQ at least two weeks prior to initiating an ESC and SWM regulated LDA. E-notifications shall be sent to hannah.zegler@deq.virginia.gov (DEQ Central Office) and janet.weyland@deq.virginia.gov (DEQ Tidewater Regional Office). The following information needs to be included in the e-notification:

i. Project name or project number (any associated CGP permit #);
ii. Project location (including nearest intersection, latitude and longitude, access point)
iii. On-site project manager name and contact info
iv. Responsible Land Disturber (RLD) name and contact info
v. Project description
vi. Acreage of disturbance for project
vii. Project start and finish date
viii. Any variances/waivers/exemptions associated with this project

Inspections

Old Dominion University is responsible for the implementation and oversight of the AS&S during construction. ODU, or ODU’s representative, who is a certified personnel will perform periodic inspections for ESC and SWM for all land-disturbing activities. These inspections will occur in addition to the inspections required per the
Construction General Permit (if required) and SWPPP. The Inspection Report Form provided in Appendix B shall be used for inspections and shall identify the inspector and note any issues or violations. The inspection form shall be provided to the Contractor within 48 hours of the inspection and shall note any required actions and deadlines to correct any noted violations. If a noted violation repetitively shows up on the inspection report a Notice to Comply will be issued by the ODU AS&S program administer. Subsequently, a Stop Work Order will be issued if the violations have not been corrected by the specified deadline on the Notice to Comply. The inspection requirements are as follows:

a. ESC Inspection Requirements (9VAC25-840-60, § 62.1-44.15:58). Periodic inspections are required on all projects by ODU. ODU shall:
   i. Provide for an inspection during or immediately following initial installation of erosion and sediment controls,
   ii. At least once in every two-week period, within 48 hours following any runoff producing storm event, and
   iii. At the completion of the project prior to the release of any performance bonds.

b. SWM Inspection Requirements (§ 62.1-44.15:37) ODU:
   i. Shall provide for periodic inspections of the installation of stormwater management measures,
   ii. May require monitoring and reports from the person responsible for meeting the permit conditions to ensure compliance with the permit and to determine whether the measures required in the permit provide effective stormwater management, and
   iii. Shall conduct such investigations and perform such other actions as are necessary to carry out the provisions of this article.

c. The position, agency, department, or other party responsible for conducting inspections should be identified.

d. Inspections of land disturbing activities shall be conducted by a DEQ-certified inspector (ESC and/or SWM).

ODU, or ODU’s representative, shall inspect the land-disturbing activity periodically during construction for (9VAC25-870-114):

1. Compliance with the approved erosion and sediment control plan
2. Compliance with the approved stormwater management plan
3. Development, updating, and implementation of a pollution prevention plan; and
4. Development and implement of any additional control measures necessary to address a TMDL
Construction General Permit & SWPPP

The operator of the Construction General Permit (CGP) is responsible for maintaining and documentation of the SWPPP throughout construction. The operator must adhere to the requirements of 9VAC25-880-70 Part II-B. The operator can terminate the CGP coverage with DEQ in accordance with the criteria in 9VAC25-880-70.F

Long-Term Maintenance Agreements

ODU is responsible for the long-term maintenance and inspections of the stormwater management facilities, and other techniques specified, to manage the quality and quantity of runoff per 9VAC25-870-112 & 200. Certified personnel shall conduct, at a minimum, annual inspections of the campus stormwater management facilities. ODU is responsible to ensure the following for all state maintenance agreements:

a. Responsibility for the operation and maintenance of stormwater management facilities shall remain with the state entity and shall pass to any successor or owner. If portions of the land are to be sold, legally binding arrangements shall be made to pass the basic responsibility to successors in title. These arrangements shall designate for each state project the property owner, governmental agency, or other legally established entity to be permanently responsible for maintenance.

b. At a minimum, a stormwater management facility shall be inspected by the responsible state entity on an annual basis and after any storm which causes the capacity of the facility principal spillway to be exceeded.

c. During construction of the stormwater management facilities, the DEQ shall make inspections on a random basis.

d. The DEQ shall require inspections and reports from the state entity responsible for ensuring compliance with the state permit and to determine if the measures required in the state permit provide effective stormwater management.

e. Inspection reports shall be maintained as part of the land disturbance project file.

f. A draft maintenance agreement is required to be submitted at the time of plan submission. State maintenance agreements are required to be printed on the approved plan sheets. The following should be included:

i. A description of the requirements for maintenance and maintenance inspection of the stormwater management facilities and a recommended schedule of maintenance inspection and maintenance.
ii. The identification of a person or persons who will be responsible for inspections and maintenance.

iii. The maintenance inspection schedule and maintenance requirements should be in accordance with the Virginia BMP Clearinghouse, the Virginia SWM Handbook, the MS4 permit (if applicable) and/or the manufacturer’s specifications.

iv. Please clearly depict the types of land cover on the site (i.e. different type of hatching for each land cover), including the acreage for each cover type. The acreage should be labeled in all of the subareas and please also provide a table that adds the land cover up by type on the sheet.

v. Please draw metes and bounds all the way around any conserved open space.

vi. Please label any conserved open space as “Runoff Reduction Compliance Forest / Open Space”

vii. Please include the following note on the sheet: “The Runoff Reduction Compliance Forest/Open Space area shown here shall be maintained in a forest/open space manner until such time that an amended storm water management plan is approved by the VSMP Authority.”
Record Keeping

ODU is responsible for providing the following information to DEQ by October 1 every year. The information provided below shall be for the fiscal year (July 1 to June 30).

- Information on each permanent stormwater management facility completed during the fiscal year to include type of stormwater management, geographic coordinates, acres treated, and the surface waters or karst features into which the stormwater management facility will discharge.
- Number and type of enforcement action during the fiscal year
- Number of variances/exceptions granted during the fiscal year.

ODU is responsible for keeping records in accordance with the following:

- Project records, including approved stormwater management plans, shall be kept for three years after Construction General Permit termination or project completion.
- Stormwater management facility inspection records shall be documented and retained for at least five years from the date of inspection.
- Construction record drawings shall be maintained in perpetuity or until a stormwater management facility is removed.
- All registration statements submitted in accordance with 9VAC25-870-59 shall be documented and retained for at least three years from the date of project completion or Construction General Permit termination.
DEQ Oversight

Enforcement

Stormwater Management enforcement shall be administered by the Department and the Board where applicable in accordance with the provisions of §62.1-44.15:27.

Erosion and sediment control enforcement shall be administered by the Department and the Board where applicable in accordance with the provisions of §62.1-44.15:54. The Department and the Board, where applicable, shall provide project oversight and enforcement as necessary and comprehensive program compliance review and evaluation. Such standards and specifications shall be consistent with the requirements of §62.1-44.15:56 and associated regulations and the Stormwater Management Act (§62.1-44.15:24 et. seq) and associated regulations when applicable.

Complaints, Inspections and Fees

Per §62.1-44.15:31.C the Department shall perform random site inspections or inspections in response to a complaint to assure compliance with this article, the Erosion and Sediment Control Law (§62.1-44.15:51 et seq.), and regulations adopted thereunder. The Department may take enforcement actions in accordance with this article and related regulations.

Per §62.1-44.15:31.D the Department shall assess an administrative charge to cover the costs of services rendered associated with its responsibilities pursuant to this section.

Per §62.1-44.15:55.D the Board shall have the authority to enforce approved specifications and charge fees equal to the lower of (i) $1,000 or (ii) an amount sufficient to cover the costs associated with standard and specification review and approval, projection inspections, and compliance.
Discretionary Requirements

ODU may be required to provide the following at the discretion of the DEQ:

1. Inspection reports conducted by ODU as well as complaint logs and complaint responses may be required to be submitted to DEQ.
2. ODU may be required to provide weekly e-reporting to the department’s applicable regional office:
   a. Inspection reports;
   b. Pictures;
   c. Complaint logs and complaint responses; and
   d. Other compliance documents.
Appendix A: Land-Disturbance Activity and Project Tracking Sheet
## Land-Disturbing Activities

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project Location</th>
<th>Project Description</th>
<th>Disturbed Area ± (acres)</th>
<th>Construction Start Date</th>
<th>Construction Completion Date</th>
<th>Variances/ Waivers/ Exemptions?</th>
</tr>
</thead>
</table>
Appendix B: Inspection Report Form
ESC/SWM Inspection Report

Project Information:

Project Name __________________________________________    Inspection Date/Time_______________________
Project No. ____________________________________________    Inspector _________________________________
Project Manager _______________________________________
CGP Operator/Responsible Land Disturber ________________________

Weather Conditions:

Current Conditions ____________________    Current Temperature ____________________

Reason for Inspection:

Installation of ESC Measures
Two-Week Inspection
Post-Storm Event*
Project Completion
Other ____________________________

*If selected, indicated date of storm event and approximate amount of rainfall.
Date ___________ Rainfall ± (in) __________

Stage of Construction:

Installation of ESC Measures
Clearing & Grubbing
Rough Grading
Building Construction
Finish Grade
Final Stabilization
Construction of SWM Facilities
Maintenance of SWM Facilities
Other ____________________________

Violations:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>State/Local Regulation</th>
<th>Violation</th>
<th>Description and Location of Problem/Violation. Required or Recommended Corrective Actions. Other Comments/Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Initial</td>
<td>Repeat</td>
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</table>
Additional Comments/Notes:

Required Corrective Action Deadline Date __________________________ Re-Inspection Date _______________

Reports conducted by ODU or ODU’s Representative will be provided to the Operator/Responsible Land Disturber within 48 hours.

Inspector’s Name _______________________________________________________________________________________________

Inspector’s Signature ____________________________________________________ Date ______________________

Inspection Checklist:

<table>
<thead>
<tr>
<th>Item</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Comments/Notes</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td></td>
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<td></td>
<td>Permanent or temporary soil stabilization has been applied to denuded area?</td>
</tr>
<tr>
<td>2</td>
<td></td>
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<td></td>
<td>Soil stock piles and borrow areas have been stabilized or protected with sediment trapping measures?</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>Permanent vegetation cover is stabilized?</td>
</tr>
<tr>
<td>4</td>
<td></td>
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<td></td>
<td>Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment have constructed as a first step during land disturbance?</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>Stabilization has been applied to earthen structures such as dams, dikes and diversion immediately after installation?</td>
</tr>
<tr>
<td>6</td>
<td></td>
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<td></td>
<td>Sediment Basins and Traps provide adequate capacity for the receiving drainage area?</td>
</tr>
<tr>
<td>7</td>
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<td></td>
<td>Cut/Fill slopes have been stabilized?</td>
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<td>8</td>
<td></td>
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<td>Temporary/permanent channel or drain has been provided for concentrated runoff for cut/fill slopes?</td>
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<td>13</td>
<td>A temporary vehicular stream crossing has been provided for construction vehicles crossing a live watercourse more than twice in a six-month period?</td>
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Appendix C:
Stormwater Pollution Prevention Plan Template
Old Dominion University

[Project Title]

[State Project Code (if applicable)]

Norfolk, Virginia

PREPARED FOR
Old Dominion University
Hampton Boulevard
Norfolk, Virginia 22807

PREPARED BY
vhb
4500 Main Street, Suite 400
Virginia Beach, VA 23462
757.490.0132

[Month XX, 20XX]
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1 Introduction

Plan Purpose

This Stormwater Pollution Prevention Plan (SWPPP) has been developed in accordance with the requirements of the Virginia Stormwater Management Program (VSMP) General VPDES Permit for Discharges of Stormwater from Construction Activities (General Permit), as defined in General Permit No. VAR10 Effective Date: July 1, 2014 Expiration Date: June 30, 2019. The purpose of this SWPPP is to:

1. Identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and,
2. To describe and ensure the implementation of practices that will be used to reduce pollutants in stormwater discharges from the construction site and to assure compliance with the conditions of the General Permit.

Implementation of the components of this SWPPP is required as a condition of the General Permit (Appendix B). The Department of Environmental Quality (DEQ) has been granted authority to administer the VSMP program and is therefore the regulatory authority overseeing the implementation of this SWPPP.

Pursuant to VSMP Regulation, Section 56 (9 VAC 25-880-70), this SWPPP must meet the following requirements:

1. Minimize discharge of pollutants from equipment and vehicle washing, wheel wash water and other wash waters. Wash waters must be treated prior to discharge;
2. Minimize exposure of all materials on site to precipitation and stormwater;
3. Minimize discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures;
4. Best management practices (BMPs) to prohibit wastewater from washout of concrete mixers and equipment, unless managed by appropriate control;
5. BMPs to prohibit wastewater from washout and cleanout of equipment containing stucco, paint, form release oils, curing compounds, and other construction materials;

1 Introduction
6. BMPs to prohibit discharges of fuels, oils or other pollutants used in vehicle/equipment operation/maintenance;
7. BMPs to prohibit discharges of soaps or solvents used in vehicle/equipment washing;
8. Discharges from dewatering activities are prohibited unless managed by appropriate controls.

Background – Construction General Permit

In 1972, Congress passed the Federal Water Pollution Control Act (FWPCA), also known as the Clean Water Act (CWA), to restore and maintain the quality of the nation’s waterways. The ultimate goal was to make sure those rivers and streams were fishable, swimmable, and drinkable. In 1987, the Water Quality Act (WQA) added provisions to the CWA that allowed the EPA to govern stormwater discharges from construction sites. In 1990, the EPA promulgated rules establishing Phase I of the NPDES stormwater program. Phase I addresses, among other discharges, discharges from large construction activities disturbing 5 acres or more of land. In 1998, the EPA published the final notice for General Permits for Stormwater Discharges from Construction Activities (63 Federal Register, February 14, 1998). The general permit includes provisions for development of a SWPPP to maximize the potential benefits of pollution prevention and erosion and sediment control measures at construction sites. Phase II of the NPDES stormwater program covers small construction activities disturbing between 1 and 5 acres. Phase II became final on December 8, 1999 with small construction permit applications due by March 10, 2003. Specific compliance dates were to be set by the NPDES permitting authority in each State. The Virginia Department of Environmental Quality amended the General Virginia Pollution Discharge Elimination System (VPDES) Permit Regulations for Discharges of Stormwater from Construction Activities (9 VAC 25-180-10 et seq.) to conform with the EPA Phase II final rule and became effective December 4, 2002. The 2004 Virginia General Assembly passed House Bill 1177 transferring regulatory authority from the State Water Control Board to the Soil and Water Conservation Board and transferred oversight of the programs from the department of Environmental Quality to the Department of Conservation and Recreation. This transfer became effective January 29, 2005. Program oversight was transferred again from the Department of Conservation and Recreation to the Department of Environmental Quality effective July 1, 2013. The General Permit for Discharges of Stormwater from Construction Activities, in accordance with 9 VAC 25-880, is effective starting July 2014 and applies to all VSMP Permits for Discharge of Stormwater from Construction Activities issued after July 1, 2014.
The General Permit has a fixed term of 5 years from the effective date of July 1, 2014 and is required for all "Small Construction Activity" projects that will disturb 1 acre or greater and less than 5 acres of total land area, and for “Large Construction Activity” projects that disturb 5 acres or more of total land area. To obtain a General Permit, the Contractor must submit a Registration Statement (Appendix C) prior to the commencement of construction activities (clearing, grading, or other activities that result in soil disturbance).

The General Permit authorizes the discharge of stormwater from construction activities until the General Permit's expiration date on June 30, 2019. The General Permit also authorizes certain non-stormwater discharges, provided the conditions contained in the General Permit (Part I D.2) are met.

To terminate coverage under the General Permit, a Notice of Termination (Appendix C) must be submitted to the DEQ within 30 days of one of the following conditions:

1. Necessary post-construction control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the Contractor is responsible;
2. Another Contractor has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;
3. Coverage under an alternative VPDES or State permit has been obtained; or
4. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

Coverage under the General Permit will be deemed terminated at midnight on the date the Notice of Termination is submitted.
The construction site SWPPP coordinator (Contractor) for the facility is the undersigned contractor representative. The Contractor will be responsible for maintenance of and compliance with the SWPPP. The SWPPP coordinator duties include the following:

- Implement the SWPPP;
- Oversee maintenance practices identified in the SWPPP;
- Implement and oversee employee training;
- Conduct or provide for inspection and monitoring activities;
- Identify other potential pollutant sources and make sure they are added to this SWPPP;
- Identify any deficiencies in this SWPPP and make sure they are corrected; and
- Ensure that any changes in construction plans are addressed in this SWPPP.

Ensure that the SWPPP is available for review in accordance with the Plan Administration requirements in Chapter 3.

Respond to regulatory agency requests for information about the construction site as it relates to the SWPPP and coverage under this General Permit.

Contractor Agreement

_________________________________   _______________ __________________
Contractor Representative Name      Signature

_________________________________   _______________ __________________
Title                   Date
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SWPPP Administration

General Information

Incorporation of Other Plans

The Old Dominion University [Project Title] project incorporates by reference other plans developed for this construction activity. The construction plans comply with current City of Norfolk requirements regarding erosion and sediment control and stormwater management and comply with State regulatory requirements as presented in the Virginia Erosion and Sediment Control Handbook, Third Edition and Virginia Stormwater Management Regulations. All plans incorporated by reference into this SWPPP are enforceable under the General Permit.

Plan Availability

In accordance with Part II B of the General Permit:

Copies of this SWPPP must be retained on site, or at another location easily accessible during normal business hours, from the date of commencement of construction activity to the date of final stabilization, along with copies of the registration statement, permit, and acknowledgement letter from the permit issuing authority.

Contractors with day to day operational control over SWPPP implementation shall have a copy of the SWPPP available on site for use by all contractors identified as having responsibilities to carry out provisions contained in this SWPPP. The SWPPP shall be made available to the DEQ, permit-issuing authority, and operator of the municipal separate storm sewer system (MS4) receiving discharges from the site for review at the time of an on-site inspection. If an on-site location is unavailable to store the SWPPP when no personnel are present, a sign must be posted near the main construction entrance indicating the SWPPP’s location.
The Contractor shall make the SWPPP and all updates available upon request to DEQ, the permit-issuing authority, EPA, a state or local agency approving erosion and sediment control plans, grading plans, and stormwater management plans, local government officials, or the operator of a MS4 receiving discharges from the site.

A sign must be posted near the main entrance of the construction site containing the following information:

- A copy of the permit coverage letter with the registration number for the construction activity;
- Internet address at which a copy of the SWPPP can be found or the location of the hard copy with a name and telephone number for arranging a viewing of the document.

### Plan Updates

The Contractor shall amend this SWPPP whenever there is a change in design, construction, operation, or maintenance of the construction site that has a significant effect on the potential for the discharge of pollutants to surface waters and that has not been addressed in the normal implementation of this SWPPP. The Contractor must also update this SWPPP whenever it is found to be ineffective in meeting the requirements of the General Permit.

If approval is required by the permit-issuing authority, revisions shall be made within 7 calendar days of approval. Implementation of these additional or modified control measures must be accomplished as described in General Permit Part II D.3.b. Revisions to the SWPPP must be dated and signed in accordance with General Permit Part III K.2, but are not required to be certified in accordance with General Permit Part III K.4. The SWPPP must clearly identify the contractor(s) or subcontractor(s) that will implement and maintain each measure identified in the SWPPP. The SWPPP shall be revised to identify any new contractor that will implement a measure.

### Contractor Responsibilities

The Contractor shall be responsible for executing the conditions of the VSMP General Permit as defined in Part III (Appendix B) of the General Permit. Specifically, the contractor shall be responsible for maintaining a complete record of monitoring, field reports and investigations, notices of noncompliance, etc.
Specific Requirements

Site Description

The proposed project, [Project Title], is located within [Location] on the Old Dominion University Campus in Norfolk, Virginia. The purpose of the proposed building project is [Purpose and Description of Project] on the Old Dominion University Campus.

The site is bound to the north by [Boundary], to the south by [Boundary], to the west by [Boundary], and to the east by [Boundary]. Adjacent land use is [Adjacent Lane Use].

A site location map is included as Appendix A. Plans showing the proposed scope of work are included in Appendix J. The project will disturb approximately [X.XX] acres as shown on plans in Appendix J. Existing site cover consists of [Existing Site Cover and Vegetation]. The site is located within the [Lafayette or Elizabeth] watershed, a tributary to the James River watershed, and a tributary to part of the larger Chesapeake Bay watershed. [Description of Site Stormwater]. The site is located in hydrologic unit code JL56.

The proposed site is relatively flat and principally drains through overland flow to site inlets or curb inlets on the adjacent street. The stormwater eventually outfalls into the [Lafayette or Elizabeth] River.

According to Natural Resource Conservation Service Soil Survey Maps, the predominant soil types located in the site area are [Soil Types]. This soil type is classified as [Soil Type Class].

Construction Sequence

[Provide Sequence of Construction]

General Project Phasing

Site development will occur in three overlapping stages:

1. Site Preparation,
2. Construction, and
3. Final grading and Stabilization.

Dates of major grading activities will be recorded on plans included in Appendix J.
Site Preparation Stage

Prior to beginning any construction activities, erosion control measures will be installed as shown on the attached project plans. The contractor shall use existing pavement to access the site, as indicated on the plans included in Appendix J.

The erosion control barriers will be inspected and maintained routinely throughout the duration of the project. Following the installation of erosion and sedimentation controls, the site clearing and grading activities will occur. The erosion control barriers will be inspected and maintained routinely throughout the duration of the project.

Construction Stage

The proposed [Project Title] will be constructed during this phase. Prior to construction of the [Project Title], demolition and disposal of the existing [Site Features] will occur. Immediately after the area has been cleared, construction will begin. General construction activities will consist of [Construction Activities]. Newly constructed and existing storm drain inlets will be protected with inlet protection and/or silt fence. Silt fence will also be placed around any stockpiles created from movement of extracted topsoil. All erosion and sediment control measures for the site will be constructed and maintained in accordance with current Virginia Erosion and Sedimentation Control Handbook. Potential pollutant sources anticipated during construction include [Pollutant Sources].

Final Grading and Stabilization Stage

Final site grading and stabilization will be completed as soon as practicable to eliminate exposed soils and potential sources of erosion. Areas to be paved will be covered by bituminous pavement after final subgrades are established. All litter, as well as debris generated by construction activities, will be removed from the site and adjacent undeveloped areas.

Controls and Measures

The General Permit requires the use of various types of controls and measures to control pollutants in stormwater discharges from the project site. The General Permit specifically requires the implementation of erosion and sediment control practices (both structural and non-structural), stormwater management practices, and other specific controls to reduce pollutants. In general, controls employed in this project were selected to meet and/or exceed State and local requirements and are detailed in the referenced design plans (Appendix J). The design plans for this project contain detailed information
Several requirements of the General Permit relating to controls (Part II D.2.d, Appendix B) are not included in the referenced design plans. A description of these required items is presented below, along with how they are addressed in this SWPPP:

a) A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be maintained and included in Appendix D of this SWPPP.

b) If sediment escapes the construction site, off-site accumulations of sediment must be removed. Litter, construction debris, and construction chemicals shall be prevented from becoming a pollutant source in stormwater discharges. Solid materials, including building materials, garbage, and debris shall be cleaned up daily. If appropriate, a description of construction and waste materials to be stored on site shall be added to this SWPPP. Descriptions of pollution from areas other than those designated construction will also be included. On-site containers will be provided for collection of waste materials, debris, and rubbish. The Contractor will prevent the accumulation of wastes, which create hazardous conditions. Solid waste materials removed from the site shall be transported in a manner that will prevent spillage and legally disposed of at public or private waste disposal facilities. Volatile wastes will be stored in covered metal containers and removed from the premises daily. The disposal of volatile wastes in storm or sanitary drains is prohibited.

c) Certain materials stored and/or used onsite that must be controlled to prevent discharge to surface waters. The Contractor will store apparatus, materials, supplies and equipment in an orderly fashion. Materials will be stored and protected in accordance with the manufacturer’s recommendations and requirements of the project specifications. The Contractor will completely remove temporary materials and equipment when their use is no longer required.

d) Other potential pollution sources such as the storage of fertilizers or chemicals; vehicle fueling, sanitary waste facilities, etc. will be managed in a manner consistent with local and state regulations. Fertilizers shall be applied in
accordance with manufacturer’s recommendations, the landscape specifications, or an approved nutrient management plan and shall not be applied during rainfall events. Any refueling and storage of hazardous materials, chemicals, fuels, and lubricant oil will be conducted in flat open areas to reduce the risk of spillage. Portable lavatories that are to be located on site will be serviced on a regular basis by a Contractor. They are to be located in upland areas away from direct contact with surface waters.

e) Inspections shall be held every 10 business days and no later than 48 hours following a measurable storm event. These inspections shall be conducted by "qualified personnel". The inspection report should encompass the requirements detailed in Part II.D.4.e.

In addition, Appendix H includes all erosion and sediment control measures as detailed in the *Virginia Erosion and Sediment Control Handbook, Third Edition* as well as an additional measure for a concrete washout area. The contractor is responsible for recording all potential pollutants associated with construction activities and must submit the record to the Owner for review and approval prior to proceeding with construction activities. This record is included in Appendix G: Water Quality Protection. Minimum erosion and sediment control measures are indicated on the site plans (Appendix J) and may include but are not limited to the following measures:

- Silt fencing
- Tree protection
- Construction site entrance
- Concrete washout area
- Dust control
- Dewatering methods
- Safety fence
- Straw bales
- Storm Drain inlet protection
- Topsoiling
- Temporary and permanent seeding
- Soil stabilization blanket matting

Soil stabilization shall be applied to denuded areas within 7 days after final grade is reached.

**Maintenance**

Maintenance of temporary and permanent erosion and sediment control facilities shall be carried out in accordance with Part 1.7 of the Virginia Erosion and Sediment Control Regulations (VR 625-02-00, Ref. 1) and Part II D.3 of the General Permit (Appendix B). During the period that the project site is under construction, the contractor will be responsible for maintenance of the temporary erosion and sediment control facilities. The contractor shall inspect the erosion and sediment control facilities on a regular basis, especially after periods of rainfall, and repair any damage immediately. Furthermore, a readily available supply of erosion and sediment control materials will be maintained by the contractor at all times. Detailed descriptions of the maintenance procedures are contained in the project design plans and are incorporated in this SWPPP by reference.
Inspections

The SWPPP Coordinator is responsible for ensuring qualified personnel, who are familiar with all aspects of this SWPPP and the employed control practices, perform regular inspections of the construction site. Inspections shall include review of all disturbed areas, structural and non-structural control measures, material storage areas, and vehicular access points. Inspections are to be performed at least once every 5 business days and within 48 hours after any rainfall event producing more than 0.25” of rain in a 24 hour period. Areas that already have been stabilized or where runoff is unlikely due to frozen or snow covered ground shall be inspected at least on a monthly basis.

Inspections are intended to identify areas where the pollutant control measures at the site are ineffective and are allowing pollutants to enter surface waters. Receiving waters shall be inspected to ascertain whether control measures are effective in preventing significant impacts. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site sediment tracking.

If as a result of the inspection, the site conditions and/or control measures are found to have changed, this SWPPP shall be updated within a period of 7 calendar days. If control measures need to be modified to assure effectiveness or if additional measures are determined necessary, implementation shall be completed prior to the next anticipated storm event or as soon as practicable.

A report summarizing the inspections and the subsequent maintenance activities must be completed and maintained as part of this SWPPP. The inspection forms are included in Appendix E. Required elements include major observations (including information on control measure performance and incidents of non-compliance), and information on the inspecting qualified personnel. If an inspection does not identify any incidents or non-compliance, then the certification statement contained in the inspection form will apply.

[Site Inspector](phone number: [123-456-7890]), [Site Inspector Title], will be responsible for conducting inspections for quality control.

Spill Prevention and Response Plan

Vehicles and equipment will be maintained off-site. All vehicles and equipment including subcontractor vehicles will be checked for leaking oil and fluids. Vehicles leaking fluids will not be allowed on-site. Drip pans will be placed under all vehicles and equipment that are parked overnight. Hazardous materials will be stored in accordance with local and federal regulations. Spill kits will be within the materials storage area and concrete washout areas. All spills will be cleaned up immediately upon discovery and a spill report shall be filled out and retained by the Contractor. Spent absorbent materials and rags will be hauled off-site immediately after the spill is cleaned up for disposal.
Spills of 25 gallons or more or large enough to discharge to surface water will be reported to Old Dominion University Project Manager, [ODU Project Manager]. Material safety data sheets, a material inventory, and emergency contact information will be maintained at the on-site project trailer.

These spill prevention measures will be implemented once construction begins on-site. All personnel will be instructed, during tailgate training sessions, regarding the correct procedures for spill prevention and control. Notices that state these practices will be posted in the office trailer, and the individual who manages day-to-day site operations will be responsible for seeing that these procedures are followed.

Concrete Washdown Areas

A designated temporary above-ground concrete washdown area will be constructed per the detail provided in Appendix H. Volume shall be sufficient to contain all liquid and concrete waste generated by washout operations. The washout area shall be lined with plastic sheeting at least 10 mils thick and free of holes and tears. Signs will be posted marking the location of the washout area to ensure that concrete equipment operators use the proper facility.

Concrete pours will not be conducted during or before an anticipated storm event. All excess concrete and concrete washout slurries from the concrete mixer trucks and chutes will be discharged to the washout area or hauled off-site for disposal. When the temporary washout area is no longer needed for the project, the hardened concrete and materials used to construct the areas will be removed and disposed of in accordance with local and federal regulations. Washout areas shall then be backfilled, graded, and stabilized with erosion control measures.

Portable Bathrooms

Portable bathrooms are to be located away from streets, gutters, waterways, and storm drains. Secondary containment techniques such as dikes, berms, curbing, or other containment methods shall be implemented to prevent spills from spreading and to protect groundwater and down grade storm inlets.

Storage/Staging and Waste Management Areas

Fuel containers are to be double-walled. Staging area for this project is to be located [Staging Area Location] with appropriate erosion and sedimentation control measures.
for protection along the perimeter. Paints, solvents, pesticides, fuels, oils, other hazardous materials, or building materials that have the potential to contaminate stormwater shall be stored indoors or have a cover provided for them. Secondary containment techniques such as dikes, berms, curbing, or other containment methods should be in place to prevent spills from spreading and to protect groundwater and down grade storm inlets.

Dumpsters shall be located away from streets, gutters, waterways, and storm drains. They should be covered to prevent precipitation from entering container. Liquids are not to be disposed of in dumpsters. Locations of the proposed dumpsters and liquid disposal areas will be coordinated between the contractor and Old Dominion University personnel and shown on an exhibit. A copy of the exhibit shall be incorporated into the SWPPP.

Non-Stormwater Discharges

All discharges for this site will be comprised entirely of stormwater associated with construction activity. At this time, non-stormwater discharges are not part of this project. The contractor shall be responsible for notifying the DEQ of any non-stormwater discharges other than those authorized in Part I D.2 of the General Permit. In the event that non-stormwater discharges become part of the project, the SWPPP may be updated.

Water Quality Protection

The permittee must select, install, implement and maintain best management practices (BMPs) at the construction site that minimize pollutants in the discharge as necessary to meet applicable water quality standards, as presented in Part I G of the General Permit (Appendix B).

Post-Construction Stormwater Management Measures

[Stormwater Management Controls and Descriptions]
Nutrient Offset Credits

[Nutrient Offset Descriptions]

Receiving Waters

The site is located within the [Lafayette or Elizabeth] watershed.

[IF LAFAYETTE: The Lafayette River is a tidal body of water included in the 2014 Impaired Waters 303(d) List under cause category 4A for Enterococcus. Category 4A indicates that a Total Maximum Daily Load (TMDL) Waste Load Allocation (WLA) has been established for stormwater discharges from a construction activity. In order to ensure that stormwater discharges are in conformance with the TMDL WLA, Virginia Erosion and Sediment Control Handbook Minimum Standards (MS-19) shall be adhered to throughout construction.]

[IF ELIZABETH: The Elizabeth River is a tidal body of water included in the 2014 Impaired Waters 303(d) List under cause category 4A/4D for Dissolved Oxygen. Category 4A indicates that a Total Maximum Daily Load (TMDL) Waste Load Allocation (WLA) has been established for stormwater discharges from a construction activity. In order to ensure that stormwater discharges are in conformance with the TMDL WLA, Virginia Erosion and Sediment Control Handbook Minimum Standards (MS-19) shall be adhered to throughout construction.]

Contractor Certification

All contractors and/or sub-contractors who have responsibility for implementing and maintaining the controls identified in this SWPPP must sign the certification statement contained in Appendix F. The person signing the certification must meet the signatory requirements, as presented in General Permit Part III K (Appendix B). The certifications must be maintained as part of this SWPPP.

Site Plans titled [Project Title], dated [Date], prepared by [Engineer].
This page intentionally left blank.
The cooperative agreement describes stormwater responsibilities for Old Dominion University and its undersigned contractor (Contractor) regarding the [Project Title] project. The construction operators below agree to abide by the following condition throughout the duration of the project, effective the date of signature.

This project is subject to the Virginia Stormwater Management Program (VSMP) General VPDES Permit for Stormwater Discharges Associated with Industrial Activity (General Permit), as defined in General Permit No. VAR10 Effective Date: July 1, 2014 Expiration Date: June 30, 2019. The goal of this General Permit is to prevent the discharge of pollutants associated with construction activity from entering the storm drain system or surface waters. [Engineer] has developed a SWPPP for [Project Title] project, and the SWPPP has been reviewed by Old Dominion University (Owner). The SWPPP is available for review at the construction site.

**Owner Responsibilities:**

- Complete periodic inspections of construction activities
- Be involved with any changes in the SWPPP

**Contractor Responsibilities:**

- Maintain SWPPP documentation
- Conduct and document inspections every five days and within 48 hours of the end of a storm event
- Provide copies of the inspection reports to Owner within 24 hours of each inspection. Any non-compliances must be immediately reported to Owner
- Maintain compliance with applicable section of the SWPPP, including installation of erosion and sediment controls. Any BMP changes that will require a change to the SWPPP must be communicated immediately to Owner.
- Maintain erosion and sediment control BMPs in all areas of the site under its day-to-day control.
- (If applicable) Provide adequately designates concrete washout areas throughout the construction project and properly dispose of the concrete, mortar, grout, or other construction materials collected here.
• Maintain the cleanliness of the streets and storm drain inlet protection BMPs throughout the construction project. Sweep streets as needed, especially before rain events. Inspect and replace storm drain inlet protection BMPs as necessary.

• Follow Old Dominion University criteria for the storage of chemicals.
  o All chemicals must be stored on contaminant pads, which must be inspected weekly and approved by Old Dominion University personnel.

• Maintain a clean site. Trash and debris must be picked up and properly disposed of daily.

• Each contractor is responsible for advising employees and subcontractors working on this project of the requirements of the SWPPP. Particular emphasis will be placed on ensuring employees and subcontractors do not damage BMPs and do not introduce pollutants into the storm drain system. All personnel working on site should have stormwater training.

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**Agreement**

The undersigned agree to abide by the terms and conditions of this cooperative agreement as described above.

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**Owner**

______________________________  __________________________
Name                      Signature

______________________________  __________________________
Title                       Date

---

**Contractor**

______________________________  __________________________
Name                      Signature

______________________________  __________________________
Title                       Date
Delegation of Authority

In accordance with the General VPDES Permit for Discharges of Stormwater from Construction Activities, the individuals or positions with delegated authority to sign inspection reports and/or amend this SWPPP must be identified. If the individual or position identified on the Title Sheet of the SWPPP changes or additional individuals or positions are given this responsibility after the preconstruction meeting occurs, the changes/additions must be noted below.

Delegation of Authority

I, ________________ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the VPDES “General Permit for Stormwater Discharges Associated with Construction Activity” (General Permit), at the

[Project Site] construction site.

Owner Signature: ______________________________________________________

Name of Operator: ______________________________________________________

Company: ______________________________________________________________

Phone Number: _________________________________________________________
Owner Certification

"I acknowledge under the penalty of law that this document and all attachments were prepared on my behalf in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Company: ________________________________

Address: ________________________________

Phone: ________________________________

Name: ________________________________

Printed __________________________ Title __________________________

Signature: ________________________________

Date: ________________________________
Appendix A

Site Location Map
Appendix B

Construction General Permit
9VAC25-880-70. General permit.

Any operator whose registration statement is accepted by the board will receive the following general permit and shall comply with the requirements contained therein and be subject to all requirements of 9VAC25-870.

General Permit No.: VAR10
Effective Date: July 1, 2014
Expiration Date: June 30, 2019

GENERAL VPDES PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES
AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA STORMWATER MANAGEMENT PROGRAM AND THE VIRGINIA STORMWATER MANAGEMENT ACT

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the Virginia Stormwater Management Act and regulations adopted pursuant thereto, operators of construction activities are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in State Water Control Board regulations that prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Discharge Authorization and Special Conditions, Part II - Stormwater Pollution Prevention Plan, and Part III - Conditions Applicable to All VPDES Permits as set forth herein.

PART I
DISCHARGE AUTHORIZATION AND SPECIAL CONDITIONS

A. Coverage under this general permit.

1. During the period beginning with the date of coverage under this general permit and lasting until the general permit's expiration date, the operator is authorized to discharge stormwater from construction activities.

2. This general permit also authorizes stormwater discharges from support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) located on-site or off-site provided that:

   a. The support activity is directly related to the construction activity that is required to have general permit coverage for discharges of stormwater from construction activities;

   b. The support activity is not a commercial operation, nor does it serve multiple unrelated construction activities by different operators;

   c. The support activity does not operate beyond the completion of the last construction activity it supports;

   d. The support activity is identified in the registration statement at the time of general permit coverage;

   e. Appropriate control measures are identified in a stormwater pollution prevention plan and implemented to address the discharges from the support activity areas; and

   f. All applicable state, federal, and local approvals are obtained for the support activity.

B. Limitations on coverage.
1. Post-construction discharges. This general permit does not authorize stormwater discharges that originate from the site after construction activities have been completed and the site, including any support activity sites covered under the general permit registration, has undergone final stabilization. Post-construction industrial stormwater discharges may need to be covered by a separate VPDES permit.

2. Discharges mixed with nonstormwater. This general permit does not authorize discharges that are mixed with sources of nonstormwater, other than those discharges that are identified in Part I E (Authorized nonstormwater discharges) and are in compliance with this general permit.

3. Discharges covered by another state permit. This general permit does not authorize discharges of stormwater from construction activities that have been covered under an individual permit or required to obtain coverage under an alternative general permit.

4. Impaired waters and TMDL limitation. Discharges of stormwater from construction activities to surface waters identified as impaired in the 2012 § 305(b)/303(d) Water Quality Assessment Integrated Report or for which a TMDL wasteload allocation has been established and approved prior to the term of this general permit for (i) sediment or a sediment-related parameter (i.e., total suspended solids or turbidity) or (ii) nutrients (i.e., nitrogen or phosphorus) are not eligible for coverage under this general permit unless the operator develops, implements, and maintains a SWPPP that minimizes the pollutants of concern and, when applicable, is consistent with the assumptions and requirements of the approved TMDL wasteload allocations. In addition, the operator shall implement the following items:

   a. The impaired water(s), approved TMDL(s), and pollutant(s) of concern, when applicable, shall be identified in the SWPPP;

   b. Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;

   c. Nutrients shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and

   d. The applicable SWPPP inspection requirements specified in Part II F 2 shall be amended as follows:

      (1) Inspections shall be conducted at a frequency of (i) at least once every four business days or (ii) at least once every five business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and

      (2) Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls discharging to surface waters identified as impaired or for which a TMDL wasteload allocation has been established and approved prior to the term of this general permit.

5. Exceptional waters limitation. Discharges of stormwater from construction activities not previously covered under the general permit issued in 2009 to exceptional waters identified in § 9VAC25-260-30 are not eligible for coverage under this general permit unless the operator implements the following:

   a. The exceptional water(s) shall be identified in the SWPPP;
b. Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;

c. Nutrients shall be applied in accordance with manufacturer’s recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and

d. The applicable SWPPP inspection requirements specified in Part II F 2 shall be amended as follows:

(1) Inspections shall be conducted at a frequency of (i) at least once every four business days or (ii) at least once every five business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and

(2) Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls discharging to exceptional waters.

6. There shall be no discharge of floating solids or visible foam in other than trace amounts.

C. Commingled discharges. Discharges authorized by this general permit may be commingled with other sources of stormwater that are not required to be covered under a state permit, so long as the commingled discharge is in compliance with this general permit. Discharges authorized by a separate state or VPDES permit may be commingled with discharges authorized by this general permit so long as all such discharges comply with all applicable state and VPDES permit requirements.

D. Prohibition of nonstormwater discharges. Except as provided in Parts I A 2, I C, and I E, all discharges covered by this general permit shall be composed entirely of stormwater associated with construction activities. All other discharges including the following are prohibited:

1. Wastewater from washout of concrete;

2. Wastewater from the washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;

3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;

4. Oils, toxic substances, or hazardous substances from spills or other releases; and

5. Soaps, solvents, or detergents used in equipment and vehicle washing.

E. Authorized nonstormwater discharges. The following nonstormwater discharges from construction activities are authorized by this general permit when discharged in compliance with this general permit:

1. Discharges from firefighting activities;

2. Fire hydrant flushings;

3. Waters used to wash vehicles or equipment where soaps, solvents, or detergents have not been used and the wash water has been filtered, settled, or similarly treated prior to discharge;

4. Water used to control dust that has been filtered, settled, or similarly treated prior to discharge;

5. Potable water sources, including uncontaminated waterline flushings;
6. Routine external building wash down where soaps, solvents or detergents have not been used and the wash water has been filtered, settled, or similarly treated prior to discharge;

7. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (or where all spilled or leaked material has been removed prior to washing); where soaps, solvents, or detergents have not been used; and where the wash water has been filtered, settled, or similarly treated prior to discharge;

8. Uncontaminated air conditioning or compressor condensate;

9. Uncontaminated ground water or spring water;

10. Foundation or footing drains where flows are not contaminated with process materials such as solvents;

11. Uncontaminated excavation dewatering, including dewatering of trenches and excavations that have been filtered, settled, or similarly treated prior to discharge; and

12. Landscape irrigation.

F. Termination of general permit coverage.

1. The operator of the construction activity shall submit a notice of termination in accordance with 9VAC25-880-60 to the VSMP authority after one or more of the following conditions have been met:

   a. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long term responsibility and maintenance requirements shall be recorded in the local land records prior to the submission of a notice of termination;

   b. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;

   c. Coverage under an alternative VPDES or state permit has been obtained; or

   d. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.

2. The notice of termination should be submitted no later than 30 days after one of the above conditions in subdivision 1 of this subsection is met. Authorization to discharge terminates at midnight on the date that the notice of termination is submitted for the conditions set forth in subdivisions 1 b through 1 d of this subsection. Termination of authorizations to discharge for the conditions set forth in subdivision 1 a of this subsection shall be effective upon notification from the department that the provisions of subdivision 1 a of this subsection have been met or 60 days after submittal of the notice of termination, whichever occurs first.

3. The notice of termination shall be signed in accordance with Part III K of this general permit.

G. Water quality protection.

1. The operator must select, install, implement and maintain control measures as identified in the SWPPP at the construction site that minimize pollutants in the discharge as necessary to ensure that the operator's discharge does not cause or contribute to an excursion above any applicable water quality standard.
2. If it is determined by the department that the operator's discharges are causing, have reasonable potential to cause, or are contributing to an excursion above any applicable water quality standard, the department, in consultation with the VSMP authority, may take appropriate enforcement action and require the operator to:

   a. Modify or implement additional control measures in accordance with Part II B to adequately address the identified water quality concerns;
   
   b. Submit valid and verifiable data and information that are representative of ambient conditions and indicate that the receiving water is attaining water quality standards; or
   
   c. Submit an individual permit application in accordance with 9VAC25-870-410 B 3.

All written responses required under this chapter must include a signed certification consistent with Part III K.

PART II
STORMWATER POLLUTION PREVENTION PLAN

A stormwater pollution prevention plan (SWPPP) shall be developed prior to the submission of a registration statement and implemented for the construction activity, including any support activity, covered by this general permit. SWPPPs shall be prepared in accordance with good engineering practices. Construction activities that are part of a larger common plan of development or sale and disturb less than one acre may utilize a SWPPP template provided by the department and need not provide a separate stormwater management plan if one has been prepared and implemented for the larger common plan of development or sale.

The SWPPP requirements of this general permit may be fulfilled by incorporating by reference other plans such as a spill prevention control and countermeasure (SPCC) plan developed for the site under § 311 of the federal Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the SWPPP requirements of Part II A. All plans incorporated by reference into the SWPPP become enforceable under this general permit. If a plan incorporated by reference does not contain all of the required elements of the SWPPP, the operator must develop the missing elements and include them in the SWPPP.

Any operator that was authorized to discharge under the general permit issued in 2009, and that intends to continue coverage under this general permit, shall update its stormwater pollution prevention plan to comply with the requirements of this general permit no later than 60 days after the date of coverage under this general permit.

A. Stormwater pollution prevention plan contents. The SWPPP shall include the following items:

1. General information.
   
   a. A signed copy of the registration statement, if required, for coverage under the general VPDES permit for discharges of stormwater from construction activities;
   
   b. Upon receipt, a copy of the notice of coverage under the general VPDES permit for discharges of stormwater from construction activities (i.e., notice of coverage letter);
   
   c. Upon receipt, a copy of the general VPDES permit for discharges of stormwater from construction activities;
   
   d. A narrative description of the nature of the construction activity, including the function of the project (e.g., low density residential, shopping mall, highway, etc.);
   
   e. A legible site plan identifying:
(1) Directions of stormwater flow and approximate slopes anticipated after major grading activities;

(2) Limits of land disturbance including steep slopes and natural buffers around surface waters that will not be disturbed;

(3) Locations of major structural and nonstructural control measures, including sediment basins and traps, perimeter dikes, sediment barriers, and other measures intended to filter, settle, or similarly treat sediment, that will be installed between disturbed areas and the undisturbed vegetated areas in order to increase sediment removal and maximize stormwater infiltration;

(4) Locations of surface waters;

(5) Locations where concentrated stormwater is discharged;

(6) Locations of support activities, when applicable and when required by the VSMP authority, including but not limited to (i) areas where equipment and vehicle washing, wheel wash water, and other wash water is to occur; (ii) storage areas for chemicals such as acids, fuels, fertilizers, and other lawn care chemicals; (iii) concrete wash out areas; (iv) vehicle fueling and maintenance areas; (v) sanitary waste facilities, including those temporarily placed on the construction site; and (vi) construction waste storage; and

(7) When applicable, the location of the on-site rain gauge or the methodology established in consultation with the VSMP authority used to identify measurable storm events for inspection purposes.

2. Erosion and sediment control plan.

   a. An erosion and sediment control plan approved by the VESCP authority as authorized under the Erosion and Sediment Control Regulations (9VAC25-840), an "agreement in lieu of a plan" as defined in 9VAC25-840-10 from the VESCP authority, or an erosion and sediment control plan prepared in accordance with annual standards and specifications approved by the department. Any operator proposing a new stormwater discharge from construction activities that is not required to obtain erosion and sediment control plan approval from a VESCP authority or does not adopt department-approved annual standards and specifications shall submit the erosion and sediment control plan to the department for review and approval.

   b. All erosion and sediment control plans shall include a statement describing the maintenance responsibilities required for the erosion and sediment controls used.

   c. A properly implemented approved erosion and sediment control plan, "agreement in lieu of a plan," or erosion and sediment control plan prepared in accordance with department-approved annual standards and specifications, adequately:

      (1) Controls the volume and velocity of stormwater runoff within the site to minimize soil erosion;

      (2) Controls stormwater discharges, including peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;

      (3) Minimizes the amount of soil exposed during the construction activity;

      (4) Minimizes the disturbance of steep slopes;
(5) Minimizes sediment discharges from the site in a manner that addresses (i) the amount, frequency, intensity, and duration of precipitation; (ii) the nature of resulting stormwater runoff; and (iii) soil characteristics, including the range of soil particle sizes present on the site;

(6) Provides and maintains natural buffers around surface waters, directs stormwater to vegetated areas to increase sediment removal, and maximizes stormwater infiltration, unless infeasible;

(7) Minimizes soil compaction and, unless infeasible, preserves topsoil;

(8) Ensures that stabilization of disturbed areas will be initiated immediately whenever any clearing, grading, excavating, or other land-disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 days; and

(9) Utilizes outlet structures that withdraw stormwater from the surface (i.e., above the permanent pool or wet storage water surface elevation), unless infeasible, when discharging from sediment basins or sediment traps.


a. New construction activities. A stormwater management plan approved by the VSMP authority as authorized under the Virginia Stormwater Management Program (VSMP) Regulation (9VAC25-870), or an "agreement in lieu of a stormwater management plan" as defined in 9VAC25-870-10 from the VSMP authority, or a stormwater management plan prepared in accordance with annual standards and specifications approved by the department. Any operator proposing a new stormwater discharge from construction activities that is not required to obtain stormwater management plan approval from a VSMP authority or does not adopt department-approved annual standards and specifications shall submit the stormwater management plan to the department for review and approval.

b. Existing construction activities. Any operator that was authorized to discharge under the general permit issued in 2009, and that intends to continue coverage under this general permit, shall ensure compliance with the requirements of 9VAC25-870-93 through 9VAC25-870-99 of the VSMP Regulation, including but not limited to the water quality and quantity requirements. The SWPPP shall include a description of, and all necessary calculations supporting, all post-construction stormwater management measures that will be installed prior to the completion of the construction process to control pollutants in stormwater discharges after construction operations have been completed. Structural measures should be placed on upland soils to the degree possible. Such measures must be designed and installed in accordance with applicable VESCP authority, VSMP authority, state, and federal requirements, and any necessary permits must be obtained.

4. Pollution prevention plan. A pollution prevention plan that addresses potential pollutant-generating activities that may reasonably be expected to affect the quality of stormwater discharges from the construction activity, including any support activity. The pollution prevention plan shall:

a. Identify the potential pollutant-generating activities and the pollutant that is expected to be exposed to stormwater;

b. Describe the location where the potential pollutant-generating activities will occur, or if identified on the site plan, reference the site plan;
c. Identify all nonstormwater discharges, as authorized in Part I E of this general permit, that are or will be commingled with stormwater discharges from the construction activity, including any applicable support activity;

d. Identify the person responsible for implementing the pollution prevention practice or practices for each pollutant-generating activity (if other than the person listed as the qualified personnel);

e. Describe the pollution prevention practices and procedures that will be implemented to:

   (1) Prevent and respond to leaks, spills, and other releases including (i) procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases; and (ii) procedures for reporting leaks, spills, and other releases in accordance with Part III G;

   (2) Prevent the discharge of spilled and leaked fuels and chemicals from vehicle fueling and maintenance activities (e.g., providing secondary containment such as spill berms, decks, spill containment pallets, providing cover where appropriate, and having spill kits readily available);

   (3) Prevent the discharge of soaps, solvents, detergents, and wash water from construction materials, including the clean-up of stucco, paint, form release oils, and curing compounds (e.g., providing (i) cover (e.g., plastic sheeting or temporary roofs) to prevent contact with stormwater; (ii) collection and proper disposal in a manner to prevent contact with stormwater; and (iii) a similarly effective means designed to prevent discharge of these pollutants);

   (4) Minimize the discharge of pollutants from vehicle and equipment washing, wheel wash water, and other types of washing (e.g., locating activities away from surface waters and stormwater inlets or conveyance and directing wash waters to sediment basins or traps, using filtration devices such as filter bags or sand filters, or using similarly effective controls);

   (5) Direct concrete wash water into a leak-proof container or leak-proof settling basin. The container or basin shall be designed so that no overflows can occur due to inadequate sizing or precipitation. Hardened concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wastes. Liquid concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wash waters and shall not be discharged to surface waters;

   (6) Minimize the discharge of pollutants from storage, handling, and disposal of construction products, materials, and wastes including (i) building products such as asphalt sealants, copper flashing, roofing materials, adhesives, and concrete admixtures; (ii) pesticides, herbicides, insecticides, fertilizers, and landscape materials; and (iii) construction and domestic wastes such as packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, Styrofoam, concrete, and other trash or building materials;

   (7) Prevent the discharge of fuels, oils, and other petroleum products, hazardous or toxic wastes, and sanitary wastes; and

   (8) Address any other discharge from the potential pollutant-generating activities not addressed above;

f. Describe procedures for providing pollution prevention awareness of all applicable wastes, including any wash water, disposal practices, and applicable disposal locations of such wastes, to personnel in order to comply with the conditions of this general permit. The operator shall implement the procedures described in the SWPPP.
5. SWPPP requirements for discharges to impaired waters, surface waters with an applicable TMDL wasteload allocation established and approved prior to the term of this general permit, and exceptional waters. The SWPPP shall:
   a. Identify the impaired water(s), approved TMDL(s), pollutant(s) of concern, and exceptional waters identified in 9VAC25-260-30 A 3 c, when applicable;
   b. Provide clear direction that:
      (1) Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;
      (2) Nutrients shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and
      (3) A modified inspection schedule shall be implemented in accordance with Part I B 4 or Part I B 5.
6. Qualified personnel. The name, phone number, and qualifications of the qualified personnel conducting inspections required by this general permit.
7. Delegation of authority. The individuals or positions with delegated authority, in accordance with Part III K, to sign inspection reports or modify the SWPPP.
8. SWPPP signature. The SWPPP shall be signed and dated in accordance with Part III K.
B. SWPPP amendments, modification, and updates.
1. The operator shall amend the SWPPP whenever there is a change in the design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to surface waters and that has not been previously addressed in the SWPPP.
2. The SWPPP must be amended if, during inspections or investigations by the operator's qualified personnel, or by local, state, or federal officials, it is determined that the existing control measures are ineffective in minimizing pollutants in discharges from the construction activity. Revisions to the SWPPP shall include additional or modified control measures designed and implemented to correct problems identified. If approval by the VESCP authority, VSMP authority, or department is necessary for the control measure, revisions to the SWPPP shall be completed no later than seven calendar days following approval. Implementation of these additional or modified control measures must be accomplished as described in Part II G.
3. The SWPPP must clearly identify the contractor(s) that will implement and maintain each control measure identified in the SWPPP. The SWPPP shall be amended to identify any new contractor that will implement and maintain a control measure.
4. The operator shall update the SWPPP no later than seven days following any modification to its implementation. All modifications or updates to the SWPPP shall be noted and shall include the following items:
   a. A record of dates when:
      (1) Major grading activities occur;
      (2) Construction activities temporarily or permanently cease on a portion of the site; and
(3) Stabilization measures are initiated;

b. Documentation of replaced or modified controls where periodic inspections or other information have indicated that the controls have been used inappropriately or incorrectly and where modified as soon as possible;

c. Areas that have reached final stabilization and where no further SWPPP or inspection requirements apply;

d. All properties that are no longer under the legal control of the operator and the dates on which the operator no longer had legal control over each property;

e. The date of any prohibited discharges, the discharge volume released, and what actions were taken to minimize the impact of the release;

f. Measures taken to prevent the reoccurrence of any prohibited discharge; and
g. Measures taken to address any evidence identified as a result of an inspection required under Part II F.

5. Amendments, modifications, or updates to the SWPPP shall be signed in accordance with Part III K.

C. Public Notification. Upon commencement of land disturbance, the operator shall post conspicuously a copy of the notice of coverage letter near the main entrance of the construction activity. For linear projects, the operator shall post the notice of coverage letter at a publicly accessible location near an active part of the construction project (e.g., where a pipeline crosses a public road). The operator shall maintain the posted information until termination of general permit coverage as specified in Part I F.

D. SWPPP availability.

1. Operators with day-to-day operational control over SWPPP implementation shall have a copy of the SWPPP available at a central location on-site for use by those identified as having responsibilities under the SWPPP whenever they are on the construction site.

2. The operator shall make the SWPPP and all amendments, modifications, and updates available upon request to the department, the VSMP authority, the EPA, the VESCP authority, local government officials, or the operator of a municipal separate storm sewer system receiving discharges from the construction activity. If an on-site location is unavailable to store the SWPPP when no personnel are present, notice of the SWPPP's location must be posted near the main entrance of the construction site.

3. The operator shall make the SWPPP available for public review in an electronic format or in hard copy. Information for public access to the SWPPP shall be posted and maintained in accordance with Part II C. If not provided electronically, public access to the SWPPP may be arranged upon request at a time and at a publicly accessible location convenient to the operator or his designee but shall be no less than once per month and shall be during normal business hours. Information not required to be contained within the SWPPP by this general permit is not required to be released.

E. SWPPP implementation. The operator shall implement the SWPPP and subsequent amendments, modifications, and updates from commencement of land disturbance until termination of general permit coverage as specified in Part I F.

1. All control measures must be properly maintained in effective operating condition in accordance with good engineering practices and, where applicable, manufacturer specifications. If a site inspection required by Part II F identifies a control measure that is not operating effectively, corrective action(s) shall be completed as soon as
practicable, but no later than seven days after discovery or a longer period as established by the VSMP authority, to maintain the continued effectiveness of the control measures.

2. If site inspections required by Part II F identify an existing control measure that needs to be modified or if an additional control measure is necessary for any reason, implementation shall be completed prior to the next anticipated measurable storm event. If implementation prior to the next anticipated measurable storm event is impracticable, then alternative control measures shall be implemented as soon as practicable, but no later than seven days after discovery or a longer period as established by the VSMP authority.

F. SWPPP Inspections.

1. Personnel responsible for on-site and off-site inspections. Inspections required by this general permit shall be conducted by the qualified personnel identified by the operator in the SWPPP. The operator is responsible for insuring that the qualified personnel conduct the inspection.

2. Inspection schedule.
   a. Inspections shall be conducted at a frequency of:
      (1) At least once every five business days; or
      (2) At least once every 10 business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted no later than the next business day.
   b. Where areas have been temporarily stabilized or land-disturbing activities will be suspended due to continuous frozen ground conditions and stormwater discharges are unlikely, the inspection frequency may be reduced to once per month. If weather conditions (such as above freezing temperatures or rain or snow events) make discharges likely, the operator shall immediately resume the regular inspection frequency.
   c. Representative inspections may be utilized for utility line installation, pipeline construction, or other similar linear construction activities provided that:
      (1) Temporary or permanent soil stabilization has been installed and vehicle access may compromise the temporary or permanent soil stabilization and potentially cause additional land disturbance increasing the potential for erosion;
      (2) Inspections occur on the same frequency as other construction activities;
      (3) Control measures are inspected along the construction site 0.25 miles above and below each access point (i.e., where a roadway, undisturbed right-of-way, or other similar feature intersects the construction activity and access does not compromise temporary or permanent soil stabilization); and
      (4) Inspection locations are provided in the report required by Part II F.

3. Inspection requirements.
   a. As part of the inspection, the qualified personnel shall:
      (1) Record the date and time of the inspection and when applicable the date and rainfall amount of the last measurable storm event;
(2) Record the information and a description of any discharges occurring at the time of the inspection;

(3) Record any land-disturbing activities that have occurred outside of the approved erosion and sediment control plan;

(4) Inspect the following for installation in accordance with the approved erosion and sediment control plan, identification of any maintenance needs, and evaluation of effectiveness in minimizing sediment discharge, including whether the control has been inappropriately or incorrectly used:

   (a) All perimeter erosion and sediment controls, such as silt fence;

   (b) Soil stockpiles, when applicable, and borrow areas for stabilization or sediment trapping measures;

   (c) Completed earthen structures, such as dams, dikes, ditches, and diversions for stabilization;

   (d) Cut and fill slopes;

   (e) Sediment basins and traps, sediment barriers, and other measures installed to control sediment discharge from stormwater;

   (f) Temporary or permanent channel, flume, or other slope drain structures installed to convey concentrated runoff down cut and fill slopes;

   (g) Storm inlets that have been made operational to ensure that sediment laden stormwater does not enter without first being filtered or similarly treated; and

   (h) Construction vehicle access routes that intersect or access paved roads for minimizing sediment tracking;

(5) Inspect areas that have reached final grade or that will remain dormant for more than 14 days for initiation of stabilization activities;

(6) Inspect areas that have reached final grade or that will remain dormant for more than 14 days for completion of stabilization activities within seven days of reaching grade or stopping work;

(7) Inspect for evidence that the approved erosion and sediment control plan, "agreement in lieu of a plan," or erosion and sediment control plan prepared in accordance with department-approved annual standards and specifications has not been properly implemented. This includes but is not limited to:

   (a) Concentrated flows of stormwater in conveyances such as rills, rivulets or channels that have not been filtered, settled, or similarly treated prior to discharge, or evidence thereof;

   (b) Sediment laden or turbid flows of stormwater that have not been filtered or settled to remove sediments prior to discharge;

   (c) Sediment deposition in areas that drain to unprotected stormwater inlets or catch basins that discharge to surface waters. Inlets and catch basins with failing sediments controls due to improper installation, lack of maintenance, or inadequate design are considered unprotected;

   (d) Sediment deposition on any property (including public and private streets) outside of the construction activity covered by this general permit;

   (e) Required stabilization has not been initiated or completed on portions of the site;
(f) Sediment basins without adequate wet or dry storage volume or sediment basins that allow the discharge of stormwater from below the surface of the wet storage portion of the basin;

(g) Sediment traps without adequate wet or dry storage or sediment traps that allow the discharge of stormwater from below the surface of the wet storage portion of the trap; and

(h) Land disturbance outside of the approved area to be disturbed;

(8) Inspect pollutant generating activities identified in the pollution prevention plan for the proper implementation, maintenance and effectiveness of the procedures and practices;

(9) Identify any pollutant generating activities not identified in the pollution prevention plan; and

(10) Identify and document the presence of any evidence of the discharge of pollutants prohibited by this general permit.

4. Inspection report. Each inspection report shall include the following items:

a. The date and time of the inspection and when applicable, the date and rainfall amount of the last measurable storm event;

b. Summarized findings of the inspection;

c. The location(s) of prohibited discharges;

d. The location(s) of control measures that require maintenance;

e. The location(s) of control measures that failed to operate as designed or proved inadequate or inappropriate for a particular location;

f. The location(s) where any evidence identified under Part II F 3 a (7) exists;

g. The location(s) where any additional control measure is needed that did not exist at the time of inspection;

h. A list of corrective actions required (including any changes to the SWPPP that are necessary) as a result of the inspection or to maintain permit compliance;

i. Documentation of any corrective actions required from a previous inspection that have not been implemented; and

j. The date and signature of the qualified personnel and the operator or its duly authorized representative.

The inspection report and any actions taken in accordance with Part II must be retained by the operator as part of the SWPPP for at least three years from the date that general permit coverage expires or is terminated. The inspection report shall identify any incidents of noncompliance. Where an inspection report does not identify any incidents of noncompliance, the report shall contain a certification that the construction activity is in compliance with the SWPPP and this general permit. The report shall be signed in accordance with Part III K of this general permit.

G. Corrective actions.

1. The operator shall implement the corrective action(s) identified as a result of an inspection as soon as practicable but no later than seven days after discovery or a longer period as approved by the VSMP authority. If approval of a corrective action by a regulatory authority (e.g., VSMP authority, VESCP authority, or the department) is necessary,
additional control measures shall be implemented to minimize pollutants in stormwater discharges until such approvals can be obtained.

2. The operator may be required to remove accumulated sediment deposits located outside of the construction activity covered by this general permit as soon as practicable in order to minimize environmental impacts. The operator shall notify the VSMP authority and the department as well as obtain all applicable federal, state, and local authorizations, approvals, and permits prior to the removal of sediments accumulated in surface waters including wetlands.

PART III
CONDITIONS APPLICABLE TO ALL VPDES PERMITS

NOTE: Discharge monitoring is not required for this general permit. If the operator chooses to monitor stormwater discharges or control measures, the operator must comply with the requirements of subsections A, B, and C, as appropriate.

A. Monitoring.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitoring activity.

2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this general permit. Analyses performed according to test procedures approved under 40 CFR Part 136 shall be performed by an environmental laboratory certified under regulations adopted by the Department of General Services (1VAC30-45 or 1VAC30-46).

3. The operator shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Monitoring records and reports shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) and time(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.

2. The operator shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this general permit, and records of all data used to complete the registration statement for this general permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the operator, or as requested by the board.
C. Reporting monitoring results.

1. The operator shall update the SWPPP to include the results of the monitoring as may be performed in accordance with this general permit, unless another reporting schedule is specified elsewhere in this general permit.

2. Monitoring results shall be reported on a discharge monitoring report (DMR); on forms provided, approved or specified by the department; or in any format provided that the date, location, parameter, method, and result of the monitoring activity are included.

3. If the operator monitors any pollutant specifically addressed by this general permit more frequently than required by this general permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this general permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this general permit.

D. Duty to provide information. The operator shall furnish, within a reasonable time, any information which the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this general permit or to determine compliance with this general permit. The board, department, EPA, or VSMP authority may require the operator to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of surface waters, or such other information as may be necessary to accomplish the purposes of the CWA and the Virginia Stormwater Management Act. The operator shall also furnish to the board, department, EPA, or VSMP authority, upon request, copies of records required to be kept by this general permit.

E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this general permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized stormwater discharges. Pursuant to § 62.1-44.5 of the Code of Virginia, except in compliance with a state permit issued by the department, it shall be unlawful to cause a stormwater discharge from a construction activity.

G. Reports of unauthorized discharges. Any operator who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance or a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, 40 CFR Part 302, or § 62.1-44.34:19 of the Code of Virginia that occurs during a 24-hour period into or upon surface waters or who discharges or causes or allows a discharge that may reasonably be expected to enter surface waters, shall notify the Department of Environmental Quality of the discharge immediately upon discovery of the discharge, but in no case later than within 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department and the VSMP authority within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this general permit.

Discharges reportable to the department and the VSMP authority under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a "bypass" or "upset," as defined herein, should occur from a facility and the discharge enters or could be expected to enter surface waters, the operator shall promptly notify, in no case later than within 24 hours, the department and the VSMP authority by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The operator shall reduce the report to writing and shall submit it to the department and the VSMP authority within five days of discovery of the discharge in accordance with Part III I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service of some or all of the facilities; and
4. Flooding or other acts of nature.

I. Reports of noncompliance. The operator shall report any noncompliance which may adversely affect surface waters or may endanger public health.

1. An oral report to the department and the VSMP authority shall be provided within 24 hours from the time the operator becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this subdivision:
   a. Any unanticipated bypass; and
   b. Any upset that causes a discharge to surface waters.

2. A written report shall be submitted within five days and shall contain:
   a. A description of the noncompliance and its cause;
   b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
   c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

   The department may waive the written report on a case-by-case basis for reports of noncompliance under Part III I if the oral report has been received within 24 hours and no adverse impact on surface waters has been reported.

3. The operator shall report all instances of noncompliance not reported under Part III I 1 or 2 in writing as part of the SWPPP. The reports shall contain the information listed in Part III I 2.
NOTE: The reports required in Part III G, H and I shall be made to the department and the VSMP authority. Reports may be made by telephone, email, or by fax. For reports outside normal working hours, leaving a recorded message shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24-hour telephone service at 1-800-468-8892.

4. Where the operator becomes aware of a failure to submit any relevant facts, or submittal of incorrect information in any report, including a registration statement, to the department or the VSMP authority, the operator shall promptly submit such facts or correct information.

J. Notice of planned changes.

1. The operator shall give notice to the department and the VSMP authority as soon as possible of any planned physical alterations or additions to the permitted facility or activity. Notice is required only when:
   a. The operator plans an alteration or addition to any building, structure, facility, or installation that may meet one of the criteria for determining whether a facility is a new source in 9VAC25-870-420;
   b. The operator plans an alteration or addition that would significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this general permit; or

2. The operator shall give advance notice to the department and VSMP authority of any planned changes in the permitted facility or activity, which may result in noncompliance with state permit requirements.

K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:
   a. For a corporation: by a responsible corporate officer. For the purpose of this chapter, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation; or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for state permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
   c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this chapter, a principal executive officer of a public agency includes: (i) the chief executive officer of the agency or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by this general permit, including SWPPPs, and other information requested by the board or the department shall be signed by a person described in Part III K 1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   a. The authorization is made in writing by a person described in Part III K 1;
   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the operator. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
   c. The signed and dated written authorization is included in the SWPPP. A copy must be provided to the department and VSMP authority, if requested.

3. Changes to authorization. If an authorization under Part III K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the construction activity, a new authorization satisfying the requirements of Part III K 2 shall be submitted to the VSMP authority as the administering entity for the board prior to or together with any reports or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Part III K 1 or 2 shall make the following certification:

   "I certify under penalty of law that I have read and understand this document and that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to comply. The operator shall comply with all conditions of this general permit. Any state permit noncompliance constitutes a violation of the Virginia Stormwater Management Act and the Clean Water Act, except that noncompliance with certain provisions of this general permit may constitute a violation of the Virginia Stormwater Management Act but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for state permit termination, revocation and reissuance, or modification; or denial of a state permit renewal application.

The operator shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this general permit has not yet been modified to incorporate the requirement.

M. Duty to reapply. If the operator wishes to continue an activity regulated by this general permit after the expiration date of this general permit, the operator shall submit a new registration statement at least 90 days before the expiration date of the existing general permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing general permit.
N. Effect of a state permit. This general permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State law. Nothing in this general permit shall be construed to preclude the institution of any legal action under, or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in general permit conditions on "bypassing" (Part III U) and "upset" (Part III V), nothing in this general permit shall be construed to relieve the operator from civil and criminal penalties for noncompliance.

P. Oil and hazardous substance liability. Nothing in this general permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties to which the operator is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law or § 311 of the Clean Water Act.

Q. Proper operation and maintenance. The operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the operator to achieve compliance with the conditions of this general permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by the operator only when the operation is necessary to achieve compliance with the conditions of this general permit.

R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering surface waters and in compliance with all applicable state and federal laws and regulations.

S. Duty to mitigate. The operator shall take all steps to minimize or prevent any discharge in violation of this general permit that has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to halt or reduce activity not a defense. It shall not be a defense for an operator in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this general permit.

U. Bypass.

1. "Bypass," as defined in 9VAC25-870-10, means the intentional diversion of waste streams from any portion of a treatment facility. The operator may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Part III U 2 and 3.

2. Notice.

   a. Anticipated bypass. If the operator knows in advance of the need for a bypass, the operator shall submit prior notice to the department, if possible at least 10 days before the date of the bypass.

   b. Unanticipated bypass. The operator shall submit notice of an unanticipated bypass as required in Part III I.

3. Prohibition of bypass.
a. Except as provided in Part III U 1, bypass is prohibited, and the board or department may take enforcement action against an operator for bypass unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The operator submitted notices as required under Part III U 2.

b. The department may approve an anticipated bypass, after considering its adverse effects, if the department determines that it will meet the three conditions listed in Part III U 3 a.

V. Upset.

1. An "upset," as defined in 9VAC25-870-10, means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based state permit effluent limitations because of factors beyond the reasonable control of the operator. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based state permit effluent limitations if the requirements of Part III V 4 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

3. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

4. An operator who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:

   a. An upset occurred and that the operator can identify the cause(s) of the upset;

   b. The permitted facility was at the time being properly operated;

   c. The operator submitted notice of the upset as required in Part III I; and

   d. The operator complied with any remedial measures required under Part III S.

5. In any enforcement proceeding, the operator seeking to establish the occurrence of an upset has the burden of proof.
W. Inspection and entry. The operator shall allow the department as the board's designee, the VSMP authority, EPA, or an authorized representative of either entity (including an authorized contractor), upon presentation of credentials and other documents as may be required by law to:

1. Enter upon the operator's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this general permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this general permit;
3. Inspect and photograph at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this general permit; and
4. Sample or monitor at reasonable times, for the purposes of ensuring state permit compliance or as otherwise authorized by the Clean Water Act or the Virginia Stormwater Management Act, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. State permit actions. State permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the operator for a state permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any state permit condition.

Y. Transfer of state permits.

1. State permits are not transferable to any person except after notice to the department. Except as provided in Part III Y 2, a state permit may be transferred by the operator to a new operator only if the state permit has been modified or revoked and reissued, or a minor modification made, to identify the new operator and incorporate such other requirements as may be necessary under the Virginia Stormwater Management Act and the Clean Water Act.

2. As an alternative to transfers under Part III Y 1, this state permit may be automatically transferred to a new operator if:
   a. The current operator notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;
   b. The notice includes a written agreement between the existing and new operators containing a specific date for transfer of state permit responsibility, coverage, and liability between them; and
   c. The department does not notify the existing operator and the proposed new operator of its intent to modify or revoke and reissue the state permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III Y 2 b.

3. For ongoing construction activity involving a change of operator, the new operator shall accept and maintain the existing SWPPP, or prepare and implement a new SWPPP prior to taking over operations at the site.

Z. Severability. The provisions of this general permit are severable, and if any provision of this general permit or the application of any provision of this state permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this general permit shall not be affected thereby.
Statutory Authority

§ 62.1-44.15:25 of the Code of Virginia.

Historical Notes

Appendix C

Forms: Notice of Registration and Notice of Termination
Registration Statement
General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)

(Please Type or Print All Information)

1. Construction Activity Operator: (General permit coverage will be issued to this operator. The Certification in Item #12 must be signed by the appropriate person associated with this operator.)
   Name:__________________________________________
   Contact:________________________________________
   Mailing Address:__________________________________
   City:_________________________ State:________ Zip:________ Phone:____________________
   Email address (if available):________________________
   Indicate if DEQ may transmit general permit correspondence electronically: Yes □ No □

2. Existing General Permit Registration Number (for renewals only):________________________

3. Name and Location of the Construction Activity:
   Name:__________________________________________
   Address (if available):______________________________
   City:_________________________ State:________ Zip:________
   County (if not located within a City):__________________
   Latitude (decimal degrees):__________________________ Longitude (decimal degrees):____________________
   Name and Location of all Off-site Support Activities to be covered under the general permit:
   Name:__________________________________________
   Address (if available):______________________________
   City:_________________________ State:________ Zip:________
   County (if not located within a City):__________________
   Latitude (decimal degrees):__________________________ Longitude (decimal degrees):____________________

4. Status of the Construction Activity (check only one): Federal □ State □ Public □ Private □

5. Nature of the Construction Activity (e.g., commercial, industrial, residential, agricultural, oil and gas, etc.):

6. Name of the Receiving Water(s) and Hydrologic Unit Code (HUC):
   Name:__________________________________________ Name:__________________________________________
   HUC:__________________________________________ HUC:__________________________________________

7. If the discharge is through a Municipal Separate Storm Sewer System (MS4), the name of the MS4 operator:

8. Estimated Project Start and Completion Date:
   Start Date (mm/dd/yyyy):__________________________ Completion Date (mm/dd/yyyy):____________________

9. Total Land Area of Development (to the nearest one-hundredth acre):
   Estimated Area to be Disturbed (to the nearest one-hundredth acre):

10. Is the area to be disturbed part of a larger common plan of development or sale? Yes □ No □

11. A stormwater pollution prevention plan (SWPPP) must be prepared in accordance with the requirements of the General VPDES Permit for Discharges of Stormwater from Construction Activities prior to submitting this Registration Statement. By signing this Registration Statement the operator is certifying that the SWPPP has been prepared.

12. Certification: "I certify under penalty of law that I have read and understand this Registration Statement and that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."
   Printed Name:__________________________________________ Title:__________________________________________
   Signature:__________________________________________ Date:____________________
   (Please sign in INK. This Certification must be signed by the appropriate person associated with the operator identified in Item #1.)
Instructions for Completing the Registration Statement
General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)

GENERAL

A. Coverage Under this General Permit.

Any operator applying for coverage under this general permit who is required to submit a Registration Statement (see Section B below) must submit a complete Registration Statement to the Department. The Registration Statement serves as a Notice of Intent for coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10).

B. Single-family Detached Residential Structures.

Operators with an existing stormwater discharge or proposing a new stormwater discharge associated with the construction of a single-family detached residential structure are not required to submit a Registration Statement or the Department of Environmental Quality (DEQ) portion of the general permit fee.

Operators of these types of discharges are authorized to discharge under this general permit immediately upon the general permit’s effective date of July 1, 2014.

C. To Apply for Permit Coverage.

1. New Construction Activities. Any operator proposing a new stormwater discharge from construction activities shall submit a complete Registration Statement to the Department prior to the commencement of land disturbance, unless exempted by Section B above. Any operator proposing a new stormwater discharge from construction activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment is immediately authorized to discharge under this general permit and must submit a complete Registration Statement to the Department no later than 30 days after commencing land disturbance; documentation to substantiate the occurrence of the public emergency must accompany the Registration Statement.

2. Existing Construction Activities. Any operator that was authorized to discharge under the general permit issued in 2009, and who intends to continue coverage under this general permit, shall submit a complete Registration Statement to the Department on or before June 1, 2014, unless exempted by Section B above.

D. Where to Submit Registration Statements.

All Registration Statements should be submitted to:

Department of Environmental Quality
Office of Stormwater Management, 10th Floor
P.O. Box 1105
Richmond, VA 23218

LINE-BY-LINE INSTRUCTIONS

Item 1: Construction Activity Operator Information.

“Operator” means the owner or operator of any facility or activity subject to the Stormwater Management Act and regulations. In the context of stormwater associated with a large or small construction activity, operator means any person associated with a construction project that meets either of the following two criteria: (i) the person has direct operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications or (ii) the person has day-to-day operational control of those activities at a project that are necessary to ensure compliance with a stormwater pollution prevention plan for the site or other state permit or VSMP authority permit conditions (i.e., they are authorized to direct workers at a site to carry out activities required by the stormwater pollution prevention plan or comply with other permit conditions).

The entities that are considered operators will commonly consist of the owner or developer of a project (the party with control of project plans and specifications) or the general contractor (the party with day to day operational control of the activities at the project site which are necessary to ensure compliance with the general permit).

Provide the legal name (do not use a colloquial name), contact, mailing address, telephone number, and email address (if available) of the construction activity operator; general permit coverage will be issued to this operator. Indicate if the Department may transmit general permit correspondence electronically.

Item 2: Existing General Permit Registration Number.

For reapplications only, provide the existing general permit registration number for the construction activity. This item does not need to be completed for new construction activities applying for general permit coverage.

Item 3: Name and Location of the Construction Activity Information.

Provide the official name, street address (if available), city or county (if not located within a City) of the construction activity. Also, provide the latitude and longitude in decimal degrees of the approximate center of the construction activity (e.g., N 37.5000, W 77.5000).

Name and Location of Off-site Support Activity Information.

This general permit also authorizes stormwater discharges from support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) located on-site or off-site provided that (i) the support activity is directly related to a construction activity that is required to have general permit coverage; (ii) the support activity is not a commercial operation, nor does it serve multiple unrelated construction activities by different operators; (iii) the support activity does not operate beyond the completion of the construction activity it supports; (iv) the support activity is identified in the registration statement at the time of general permit coverage; and (v) appropriate control measures are identified in a SWPPP and implemented to address the discharges from the support activity areas; and (vi) all applicable state, federal, and local approvals are obtained for the support activity.

Provide the official name, street address (if available), City and County (if not located within a City) of all off-site support activities to be covered under this general permit. Also, provide the latitude and longitude in decimal degrees of the approximate center of the off-site support activities (e.g., N 37.5000, W 77.5000). Also, if an off-site support activity is going to be covered under this general permit the total land area of the off-site support activity and the estimated area to be disturbed by the off-site support activity need to be included in Item #9.

Item 4: Status of the Construction Activity.

Indicate the appropriate status (Federal, State, Public, or Private) of the construction activity.

Item 5: Nature of the Construction Activity.

Provide a brief description of the construction activity, such as commercial, residential, agricultural, oil and gas, etc. This list is not all inclusive.

Item 6: Receiving Waters(s) and HUC Information.

Provide the name of the receiving water(s) and corresponding HUC for all stormwater discharges including any stormwater discharges from off-site support activities to be covered under this general permit. Hydrologic Unit Code or HUC is a watershed unit established in the most recent version of Virginia’s 6th order national watershed boundary dataset.

07/2014
Item 7: MS4 Information.

If stormwater is discharged through a municipal separate storm sewer system (MS4), provide the name of the MS4 operator. The name of the MS4 operator is generally the Town, City, County, Institute or Federal facility where the construction activity is located.

Item 8: Construction Activity Start and Completion Date Information.

Provide the estimated start date (month/day/year) of the construction activity. Provide the estimated completion date (month/day/year) of the construction activity.

Item 9: Construction Activity Area Information.

Provide the total area (to the nearest one-hundredth acre) of the development (i.e., the total acreage of the larger common plan of development or sale). Include the total acreage of any off-site support activity to be covered under this general permit.

Provide the estimated area (to the nearest one-hundredth acre) to be disturbed by the construction activity. Include the estimated area of land disturbance that will occur at any off-site support activity to be covered under this general permit.

Item 10: Common Plan of Development or Sale Information.

Indicate if the area to be disturbed by the construction activity is part of a larger common plan of development or sale. Larger common plan of development or sale is defined as a contiguous area where separate and distinct construction may be taking place at different times on different schedules. Plan is broadly defined as any announcement or documentation, including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, etc., or physical demarcation such as boundary signs, lot stakes, or surveyor markings indicating that construction activities may occur.

Item 11: Stormwater Pollution Prevention Plan (SWPPP).

A Stormwater Pollution Prevention Plan (SWPPP) must be prepared in accordance with the requirements of the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10) prior to submitting this Registration Statement. By signing this Registration Statement the operator is certifying that the SWPPP has been prepared.

Item 12: Certification.

A properly authorized individual associated with the operator identified in Item 1 of the Registration Statement is responsible for certifying and signing the Registration Statement. Please sign the Registration Statement in INK.

State statutes provide for severe penalties for submitting false information on the Registration Statement. State regulations require that the Registration Statement be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this part, a responsible corporate officer means:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this part, a principal executive officer of a public agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
Instructions: Applicants for a Construction Activity Individual Permit are required to pay permit application fees. Fees are also required for registration for coverage under a Construction Activity General Permit. Fees must be paid when applications for state permit issuance, reissuance, modification or transfer are submitted. Applications will be considered incomplete if the proper fee is not paid and will not be processed until the fee is received.

The fee schedule for state permits is included with this form. Fees for state permit issuance, reissuance, maintenance, modification and transfer are included. Once you have determined the fee for the type of application you are submitting, complete this form. The original copy of the form and your check or money order payable to "Treasurer of Virginia" should be mailed to:

Department of Environmental Quality  
Receipts Control  
P.O. Box 1104  
Richmond, VA 23218

A copy of this form and a copy of your check or money order should accompany the permit application (or registration statement). You should retain a copy for your records.

Construction Activity Operator:

Name: ____________________________________________________________

Contact: __________________________________________________________

Mailing Address: __________________________________________________

City: __________________________ State: ______ Zip: _______ Phone: ______________________

Email address (if available): _________________________________________

Name and Location of the Construction Activity:

Name: ____________________________________________________________

City: __________________________ State: ______ Zip: ______________________

County: ________________________

Type of State Permit: □ Construction Activity Individual Permit □ Construction Activity General Permit
(from Fee Schedule)

Type of Action: □ New Issuance □ Reissuance □ Maintenance
□ Modification □ Transfer

Amount of Fee Submitted (from Fee Schedule): __________________________

Existing General Permit Registration Number (if applicable): _________________

FOR DEQ USE ONLY

Date: ____________________ DC #: ___________________________
CONSTRUCTION ACTIVITY PERMIT FEE SCHEDULE

A. Individual Permits. The fee for filing a state permit application for a Construction Activity Individual Permit issued by the Board is as follows: (NOTE: Individual permittees pay an annual permit maintenance fee instead of a reapplication fee. The permittee is billed separately by DEQ for the annual permit maintenance fee.)

<table>
<thead>
<tr>
<th>TYPE OF STATE PERMIT</th>
<th>ISSUANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Permit for Discharges from Construction Activities</td>
<td>$15,000</td>
</tr>
</tbody>
</table>

B. Registration Statements. The fee for filing a state permit application (registration statement) for coverage under a Construction Activity General Permit issued by the Board, including a state or federal agency that does not administer a project in accordance with approved annual standards and specifications, is as follows:

<table>
<thead>
<tr>
<th>TYPE OF STATE PERMIT</th>
<th>ISSUANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Single-family detached residential structures within or outside a common plan of development or sale with land-disturbance acreage less than five acres)</td>
<td>$0</td>
</tr>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre, except for single-family detached residential structures)</td>
<td>$290</td>
</tr>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres)</td>
<td>$2,700</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</td>
<td>$3,400</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</td>
<td>$4,500</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</td>
<td>$6,100</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</td>
<td>$9,600</td>
</tr>
</tbody>
</table>

The fee for filing a state permit application (registration statement) for coverage under a Construction Activity General Permit issued by the Board for a state or federal agency that administers a project in accordance with approved annual standards and specifications is as follows:

<table>
<thead>
<tr>
<th>TYPE OF STATE PERMIT</th>
<th>ISSUANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction General / Stormwater Management - Phase I Land Clearing (“Large” Construction Activity - Sites or common plans of development or sale equal to or greater than 5 acres)</td>
<td>$750</td>
</tr>
<tr>
<td>Construction General / Stormwater Management - Phase II Land Clearing (“Small” Construction Activity - Sites or common plans of development or sale equal to or greater than 1 acre and less than 5 acres)</td>
<td>$450</td>
</tr>
</tbody>
</table>
C. State Permit Modification or Transfer Fees. The following fees apply to the modification or transfer of a Construction Activity Individual Permit or a Construction Activity General Permit issued by the Board. The fee assessed shall be based on the total disturbed acreage of the construction activity. In addition to the state permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial Construction Activity General Permit fee paid and the Construction Activity General Permit fee that would have applied for the total disturbed acreage in Section B above.

<table>
<thead>
<tr>
<th>TYPE OF STATE PERMIT</th>
<th>MODIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Single-family detached residential structures within or outside a common plan of development or sale with land-disturbance acreage less than five acres where DEQ is the VSMP authority)</td>
<td>$0</td>
</tr>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than one acre, except for single-family detached residential structures)</td>
<td>$20</td>
</tr>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one and less than five acres)</td>
<td>$200</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</td>
<td>$250</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</td>
<td>$300</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</td>
<td>$450</td>
</tr>
<tr>
<td>General / Stormwater Management - Large Construction Activity / Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</td>
<td>$700</td>
</tr>
<tr>
<td>Individual Permit for Discharges from Construction Activities</td>
<td>$5,000</td>
</tr>
</tbody>
</table>
D. State Permit Maintenance Fees. The following annual state permit maintenance fees apply to each state permit identified below, including expired permits that have been administratively continued. No annual state permit maintenance fee is required for coverage under a Construction Activity General Permit for a state or federal agency that administers a project in accordance with approved annual standards and specifications.

<table>
<thead>
<tr>
<th>TYPE OF STATE PERMIT</th>
<th>MAINTENANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>General / Stormwater Management - Small Construction Activity / Land Clearing (Single-family detached residential structures within or outside a common plan of development or sale with land-disturbance acreage less than five acres where DEQ is the VSMP authority)</td>
<td>$0</td>
</tr>
<tr>
<td>General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than one acre, except for single-family detached residential structures)</td>
<td>$50</td>
</tr>
<tr>
<td>General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one and less than five acres)</td>
<td>$400</td>
</tr>
<tr>
<td>General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</td>
<td>$500</td>
</tr>
<tr>
<td>General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</td>
<td>$650</td>
</tr>
<tr>
<td>General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</td>
<td>$900</td>
</tr>
<tr>
<td>General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</td>
<td>$1,400</td>
</tr>
<tr>
<td>Individual Permit for Discharges from Construction Activities</td>
<td>$3,000</td>
</tr>
</tbody>
</table>
Notice of Termination
General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)

(Please Type or Print All Information)

1. Construction Activity Operator:
   Name: ____________________________
   Contact: ____________________________
   Mailing Address: ____________________________
   City: __________________ State: ______ Zip: ______ Phone: ____________________________
   Email address (if available): ____________________________

2. Name and Location of the Construction Activity: (As listed on the Registration Statement.)
   Name: ____________________________
   Address (if available): ____________________________
   City: __________________ State: ______ Zip: ______
   County (if not located within a City): ____________________________
   Latitude (decimal degrees): ____________________________ Longitude (decimal degrees): ____________________________

3. General Permit Registration Number: ____________________________

4. Reason for Terminating Coverage Under the General Permit: (The operator shall submit a Notice of Termination after one or more of the following conditions have been met.)
   - A. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a notice of termination;
   - B. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;
   - C. Coverage under an alternative VPDES or state permit has been obtained; or
   - D. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.

   The notice of termination should be submitted no later than 30 days after one of the above conditions being met. Authorization to discharge terminates at midnight on the date that the notice of termination is submitted for the conditions set forth in subsections B through D above, unless otherwise notified by the VSMP authority or the Department. Termination of authorizations to discharge for the conditions set forth in subsection A above shall be effective upon notification from the Department that the provisions of subsection A have been met or 60 days after submittal of the notice of terminations, whichever occurs first.

5. Permanent Control Measures Installed: (When applicable, a list of the on-site and off-site permanent control measures (both structural and nonstructural) that were installed to comply with the stormwater management technical criteria. Attach a separate list if additional space is needed.)
   Permanent Control Measure #1
   Type of Permanent Control Measure: ____________________________
   Date Functional: ____________________________
   Address (if available): ____________________________
   City: __________________ State: ______ Zip: ______
   County (if not located within a City): ____________________________
   Latitude (decimal degrees): ____________________________ Longitude (decimal degrees): ____________________________
   Receiving Water: ____________________________
   Total Acres Treated: ____________________________ Impervious Acres Treated: ____________________________
### Permanent Control Measure #2

<table>
<thead>
<tr>
<th>Type of Permanent Control Measure:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Functional:</td>
<td></td>
</tr>
<tr>
<td>Address (if available):</td>
<td></td>
</tr>
<tr>
<td>City:</td>
<td>State:</td>
</tr>
<tr>
<td>County (if not located within a City):</td>
<td></td>
</tr>
<tr>
<td>Latitude (decimal degrees):</td>
<td>Longitude (decimal degrees):</td>
</tr>
<tr>
<td>Receiving Water:</td>
<td></td>
</tr>
<tr>
<td>Total Acres Treated:</td>
<td>Impervious Acres Treated:</td>
</tr>
</tbody>
</table>

### Permanent Control Measure #3

<table>
<thead>
<tr>
<th>Type of Permanent Control Measure:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Functional:</td>
<td></td>
</tr>
<tr>
<td>Address (if available):</td>
<td></td>
</tr>
<tr>
<td>City:</td>
<td>State:</td>
</tr>
<tr>
<td>County (if not located within a City):</td>
<td></td>
</tr>
<tr>
<td>Latitude (decimal degrees):</td>
<td>Longitude (decimal degrees):</td>
</tr>
<tr>
<td>Receiving Water:</td>
<td></td>
</tr>
<tr>
<td>Total Acres Treated:</td>
<td>Impervious Acres Treated:</td>
</tr>
</tbody>
</table>

6. **Participation in a Regional Stormwater Management Plan:** (When applicable, information related to the participation in a regional stormwater management plan. Attach a separate list if additional space is needed.)

#### Regional Stormwater Management Facility

| Type of Regional Stormwater Management Facility: |  |
| Address (if available): |  |
| City: | State: | Zip: |
| County (if not located within a City): |  |
| Latitude (decimal degrees): | Longitude (decimal degrees): |  |
| Total Site Acres Treated: | Impervious Site Acres Treated: |

7. **Perpetual Nutrient Credits:** (When applicable, information related to perpetual nutrient credits that were acquired in accordance with § 62.1-44.15:35 of the Code of Virginia. Attach a separate list if additional space is needed.)

#### Nonpoint Nutrient Credit Generating Entity

| Name: |  |
| Perpetual Nutrient Credits Acquired (lbs/acre/year): |  |

8. **Certification:** "I certify under penalty of law that I have read and understand this Notice of Termination and that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

| Printed Name: | Title: |
| Signature: | Date: |

*(Please sign in INK. This Certification must be signed by the appropriate person associated with the operator identified in Item #1.)*
Instructions for Completing the Notice of Termination  
General VDPES Permit for Discharges of Stormwater from Construction Activities (VAR10)

GENERAL

A Notice of Termination must be submitted when an operator no longer wishes to be covered under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10).

All Notice of Terminations should be submitted to:

Department of Environmental Quality  
Office of Stormwater Management, 10th Floor  
P.O. Box 1105  
Richmond, VA 23218

LINE-BY-LINE INSTRUCTIONS

Item 1: Construction Activity Operator Information.

Provide the legal name (do not use a colloquial name), contact, mailing address, telephone number, and email address (if available) of the construction activity operator that was issued general permit coverage.

Item 2: Name and Location of the Construction Activity Information.

Provide the official name, street address (if available), city or county (if not located within a City) of the construction activity. Also, provide the latitude and longitude in decimal degrees of the approximate center of the construction activity (e.g., N 37.5000, W 77.5000). NOTE: This information can be obtained from the previously submitted Registration Statement.

Item 3: General Permit Registration Number.

Provide the existing general permit registration number for the construction activity identified in Item 2.

Item 4: Reason for Termination.

Indicate the appropriate reason for submitting this Notice of Termination. The Notice of Termination may only be submitted after one or more of the following conditions have been met:

a. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a notice of termination;

b. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;

c. Coverage under an alternative VPDES or state permit has been obtained; or

d. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.

The Notice of Termination should be submitted no later than 30 days after one of the above conditions being met.

Item 5: Permanent Control Measures (when applicable).

For each on-site and off-site permanent control measure (both structural and non-structural) that was installed to comply with the stormwater management technical criteria provide the following information:

a. The type of permanent control measure;

b. The date that the permanent control measure became functional as a post-development stormwater management control;

c. The street address (if available), City or County (if not located within a City) of the permanent control measure;

d. The latitude and longitude in decimal degrees of the approximate center of the permanent control measure;

e. The receiving water of the permanent control measure; and

f. The number of total and impervious acres treated by the permanent control measure (to the nearest one-tenth of an acre).

Attach a separate list if additional space is needed.

Item 6: Participation in a Regional Stormwater Management Plan (when applicable).

For each Regional Stormwater Management Facility provide the following information:

a. The type of regional facility to which the site contributes;

b. The street address (if available), City or County (if not located within a City) of the regional facility;

c. The latitude and longitude in decimal degrees of the approximate center of the regional facility; and

d. The number of total and impervious site acres treated by the regional facility (to the nearest one-tenth of an acre).

Attach a separate list if additional space is needed.

Item 7: Perpetual Nutrient Credits (when applicable).

Provide the following information related to perpetual nutrient credits that were acquired in accordance with § 62.1-44.15:35 of the Code of Virginia:

a. The name of the nonpoint nutrient credit generating entity from which perpetual nutrient credits were acquired; and

b. The number of perpetual nutrient credits acquired (lbs. per acre per year).

Attach a separate list if additional space is needed.

Item 8: Certification.

A properly authorized individual associated with the operator identified in Item 1 of the Registration Statement is responsible for certifying and signing the Registration Statement. Please sign the Registration Statement in INK.

State statutes provide for severe penalties for submitting false information on the Registration Statement. State regulations require that the Registration Statement be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this part, a responsible corporate officer means:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated...
facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this part, a principal executive officer of a public agency includes:

(i) The chief executive officer of the agency, or

(ii) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
Appendix D
Record of Land Disturbance
## Record of Land Disturbance

<table>
<thead>
<tr>
<th>Location (Attach a map showing the location of the activity)</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land Disturbance Began</td>
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</tbody>
</table>
Appendix E
Record of Inspections
# Record of Site Inspection

(Attach as many sheets as necessary, including maps)

<table>
<thead>
<tr>
<th>Inspection Item</th>
<th>Location</th>
<th>Control Measure</th>
<th>Incident of Non-Compliance (Y/N)</th>
<th>Comments</th>
<th>Corrective Measure</th>
<th>Re-Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concrete Washout Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Entrance</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Exit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Silt Fencing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stockpile</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Chemical Storage</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Equipment Storage</td>
<td></td>
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Name: ___________________________ Title: ___________________________ Date: ___________________________

Signature: ___________________________

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\(^1\)If no incidents of Non-Compliance have been noted above, I certify that the site complies with the provisions of this SWPPP and General Permit.

\(^2\)Blank lines should be used for additional inspection items including potential pollutants and items defined by owner.
# Record of Potential Construction Site Pollutants

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Appendix F
Record of Contractor Certification
Record of Contractor Certification

“I certify under penalty of law that I understand the terms and conditions of this Virginia Stormwater Management Program (VSMP) General Permit that authorizes the stormwater discharges from the construction activity identified as part of this certification.”

Site: _________________________________

Contractor No. _______________________
Name: _______________________________
Title: ________________________________
Firm: ________________________________
   Address: ____________________________
   __________________________________
   Telephone: __________________________
Date: ________________________________
Signature: ____________________________

Contractor No. _______________________
Name: _______________________________
Title: ________________________________
Firm: ________________________________
   Address: ____________________________
   __________________________________
   Telephone: __________________________
Date: ________________________________
Signature: ____________________________
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Water Quality Protection
Water Quality Protection

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CHAPTER 3
State Minimum Standards and Specifications
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Designate Washout Areas

**Instructions**

Describe location(s) and controls to eliminate the potential for discharges from washout areas for concrete mixers, paint, stucco, and so on.

**BMP Description**

A designated temporary, above-grade concrete washout area will be constructed as detailed on the site plans. The temporary concrete washout area could be constructed as shown in the figure below, with a recommended minimum length and minimum width of 10 feet and with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations. The washout area will be lined with plastic sheeting at least 10 mils thick and free of any holes or tears. Signs will be posted marking the location of the washout area to ensure that concrete equipment operators use the proper facility.

Concrete pours will not be conducted during or before an anticipated storm event. Concrete mixer trucks and chutes will be washed in the designated area or concrete wastes will be properly disposed of off-site. When the temporary washout area is no longer needed for the construction project, the hardened concrete and materials used to construct the area will be removed and disposed of according to the maintenance section below, and the area will be stabilized.

**Installation Schedule**

The washout area will be constructed before concrete pours occur at the site.

**Maintenance and Inspection**

The washout areas will be inspected daily to ensure that all concrete washing is being discharged into the washout area, no leaks or tears are present, and to identify when concrete wastes need to be removed. The washout areas will be cleaned out once the area is filled to 75 percent of the holding capacity. Once the area’s holding capacity has been reached, the concrete wastes will be allowed to harden; the concrete will be broken up, removed, and taken to a nearby Landfill for disposal. The plastic sheeting will be replaced if tears occur during removal of concrete wastes from the washout area.
Design Specifications:

1. Temporary concrete washout type Above Grade will be constructed as shown above, with a recommended minimum length and minimum width of 10 feet.
2. The washout will be a minimum of 50 feet from storm drain inlets.
3. Plastic lining will be free of holes, tears, or other defects that compromise the impermeability of the material.
Appendix I
ESC & SWM Approval Letters
Appendix J
Site Plans (11” x 17” reductions)
Appendix K
Amendment Log
SWPPP Amendment Log

Instructions: Include additions of new BMPs, replacement of failed BMPs, significant changes in the activities or the timing of the project, changes in personnel, changes in inspection and maintenance procedures, and updates to site maps, etc.

<table>
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