CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT PROGRAM FOR NEW DEVELOPMENT AND REDEVELOPMENT
in
MOHAVE COUNTY, ARIZONA

In fulfillment of the requirements associated with
Small Municipal Separate Storm Sewer System (MS4)
General Permit (AZG2016-002)

Prepared:
April 11, 2017

Updated:

Mohave County:
Department of Development Services
Department of Public Works
Flood Control District

Certification Statement

Permittee: Mohave County

Permit Number: AZG2016-002

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

_____ _____

Timothy Walsh – Director
Mohave County Development Services

Date

_____ _____

Steven Latoski – Director
Public Works Development Services

Date

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Glossary of Acronyms

A.A.C.	Arizona Administrative Code
ADEQ	Arizona Department of Environmental Quality
A.R.S	Arizona Revised Statute
AZPDES	Arizona Pollution Discharge Elimination System
BMP(s)	Best Management Practices
C&PCSMP	Construction and Post-Construction Stormwater Management Plan
CFR	Code of Federal Regulations
CGP	Construction General Permit
CASRC	Construction Activity Stormwater Runoff Control
CWA	Clean Water Act
DMR	Discharge Monitoring Report
EPA	Environmental Protection Agency
ERACE	Environmental Rural Area Cleanup Enforcement
GIS	Geographical Information System
GHKP	Good Housekeeping Plan
ID	Illicit Discharge
IDDE	Illicit Discharge Detection and Elimination
MCM	Minimum Control Measures
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer Systems
MSGP	Multi-Sector General Permit (non-mining)
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollution Discharge Elimination System
O&M	Operations and Maintenance Plan
PCSMP	Post-Construction Stormwater Management Plan
PTOW	Public Owned Treatment Works
SMO	Stormwater Management Ordinance
SWMP	Stormwater Management Plan
SS-SWMP	Site Specific Storm Water Management Plan
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load

Glossary of Commonly Used Terms

Best Management Practice(s): methods, measures or practices to prevent or reduce discharges and includes both structural and nonstructural controls and operation and maintenance procedures.

Construction Activity: Earth-disturbing activities such as clearing, grading, paving, excavating, stockpiling of fill material and other similar activities, including support activities such as temporary asphalt of concrete plants, on areas greater than one (1) acre in size or areas less than 1- acre that part of a larger plan of development or sale (40 CF2 122.26(b)(14)(x) and 40 CF2 122.26(b)(15)(i)). Such areas are subject to the NPDES and/or the AZPDES construction permits.

Construction General Permit: Permit that authorizes the discharge of stormwater from construction activities into a Municipal Separate Storm Sewer System that leads to an Arizona surface water or directly into an Arizona surface water.

Disturbance: The result of altering soil from its native or stabilized condition thereby rendering it subject to movement or erosion by water to potentially become, or becoming a pollutant in site stormwater runoff; also means soil disturbance.

Erosion: The wearing away of land surface by water or wind which occurs from weather or runoff, but is often intensified by human activity.

Facility: any "point source" or any land, building, installation, structure, equipment, device, conveyance, area, source, activity or practice from which there is, or with reasonable probability may be, the introduction of stormwater to the County MS4 or Storm Drainage Systems connected to the MS4 such that is subject to regulation under the AZDES/NPDES program.

Mohave County MS4: a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) which are owned and operated by Mohave County, discharge into waters of the United States, and are designed or used for collecting or conveying stormwater, but are not part of a combined sewer system and are not part of a publicly-owned treatment works (POTW).

Non-Stormwater Drainage: Any drainage that is not composed entirely of stormwater.

Operator: a party or parties that either individually or taken together have operational control over the site specifications, including the ability to make modifications in specifications and they have day-to-day operational control of activities at the site necessary to ensure compliance with plan requirements and permit conditions.

Owner: The person, persons, or entity whose name appears on the title or deed to the subject property or properties.

Outfall: any location within a project site where stormwater runoff or a non-stormwater discharge exits the site.

Operation and Maintenance Plan: a legally recorded document or section within a legally recorded document that specifies the processes, procedures and actions that will be implemented to ensure the long-term operation and maintenance of the post-construction stormwater BMP's. The plan, which is to be reviewed and accepted by Mohave County, will delegate to a party or entity that is tied to the property s(e.g. Homeowner's Association, Neighborhood Association, Community Association, Property Managing Company or Condominium Association) the responsibilities of implementation of the plan in perpetuity with the understanding that failure to perform the duties specified in the plan can lead to fines and civil penalties to be assessed to the owners of the property.

Point Source: any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collections system, vessel or other floating craft form which pollutants are or maybe discharged, excluding return flows from irrigated agriculture or agriculture stormwater runoff.

Pollutant: sediment, fluids, toxic waste, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers, and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, equipment, rock, sand cellar direct (e.g. overburden material) and mining, industrial, municipal and agricultural wasters or any other liquid, solid, gaseous or hazards substances.

Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Structural Best Management Practices: any physical means of controlling, capturing, diverting or conveying runoff or a point source for the purpose of reducing, to the maximum extent practicable, pollutants from exiting a site.

Urbanized Area: a portion of the County that has a population density of at least one thousand (1,000) people per square mile and/or meets other criteria set by the U.S. Bureau of Census in the latest Decennial Census. Or a densely settled core of census tracts and/or census blocks that have population of at least 50,000, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core. It is a calculation used by the Bureau of the Census to determine the geographic boundaries of the most heavily developed and dense urban areas.

Waters of the U.S.: As defined in 33 CFR 328.3(a) and 40 CFR 230.3(s).

Introduction and Background

On September 30, 2016, Arizona Department of Environmental Quality (ADEQ), as part of the National Pollution Discharge Elimination System (NPDES) permit, reissued Arizona Pollutant Discharge Elimination System General Permit for Storm Water Discharges from Small Municipal Storm Sewer Systems (AZG2016-002). The goal of the permit is to reduce to the maximum extent practicable pollutants transported in untreated stormwater to the waters of the United States.

While previous issuances of the permit did not require Mohave County to apply for coverage, the latest version of the permit does. The need for coverage results from the 2010 Decennial Census. The Census determined that the unincorporated areas of Mohave County adjacent to Lake Havasu City had sufficient population density to be designated as "urbanized areas" and by extension would operate a small municipal separate storm sewer system (MS4). It is the operation of an MS4 within a designated "urbanized area" that places Mohave County under the jurisdiction of the permit.

As part of the requirements associated with operating and MS4, Mohave County must create a Stormwater Management Program. This program uses six minimum control measures to achieve the goal of the AZG2016-002. The six minimum control measures (MCM) are as follows.

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. **Construction Activity Stormwater Runoff Control**
5. **Post-Construction Stormwater Management in New Development and Redevelopment.**
6. Pollution Prevention/Good Housekeeping for Municipal Operations

This document address the requirements associated with MCM 4 and MCM5. It is designed to provide the written procedures to systematically minimize or eliminate pollutant discharges to Mohave County's MS4 stemming from stormwater runoff exiting construction sites and future developments.

Urbanized Area - Geographical Limits

The eligible areas that make up the MS4 for Mohave County lie outside the incorporated limits of Lake Havasu City, within the Colorado River – Lower Gila Watershed. The MS4 area consists of portions of Sections 8, 16, 17 & 21 of Township 14N 20 W and Section 9, Township 13 North, Range 19 West of the Salt and Gila River Base and Meridian, Mohave County, Arizona. The MS4 areas are depicted on Figure 1.

Receiving Waters

The receiving waters, often referred to as waters of the United States and/or navigable water associated with Mohave County's MS4 are Lake Havasu and the Colorado River. The receiving waters are identified on Figure 1.

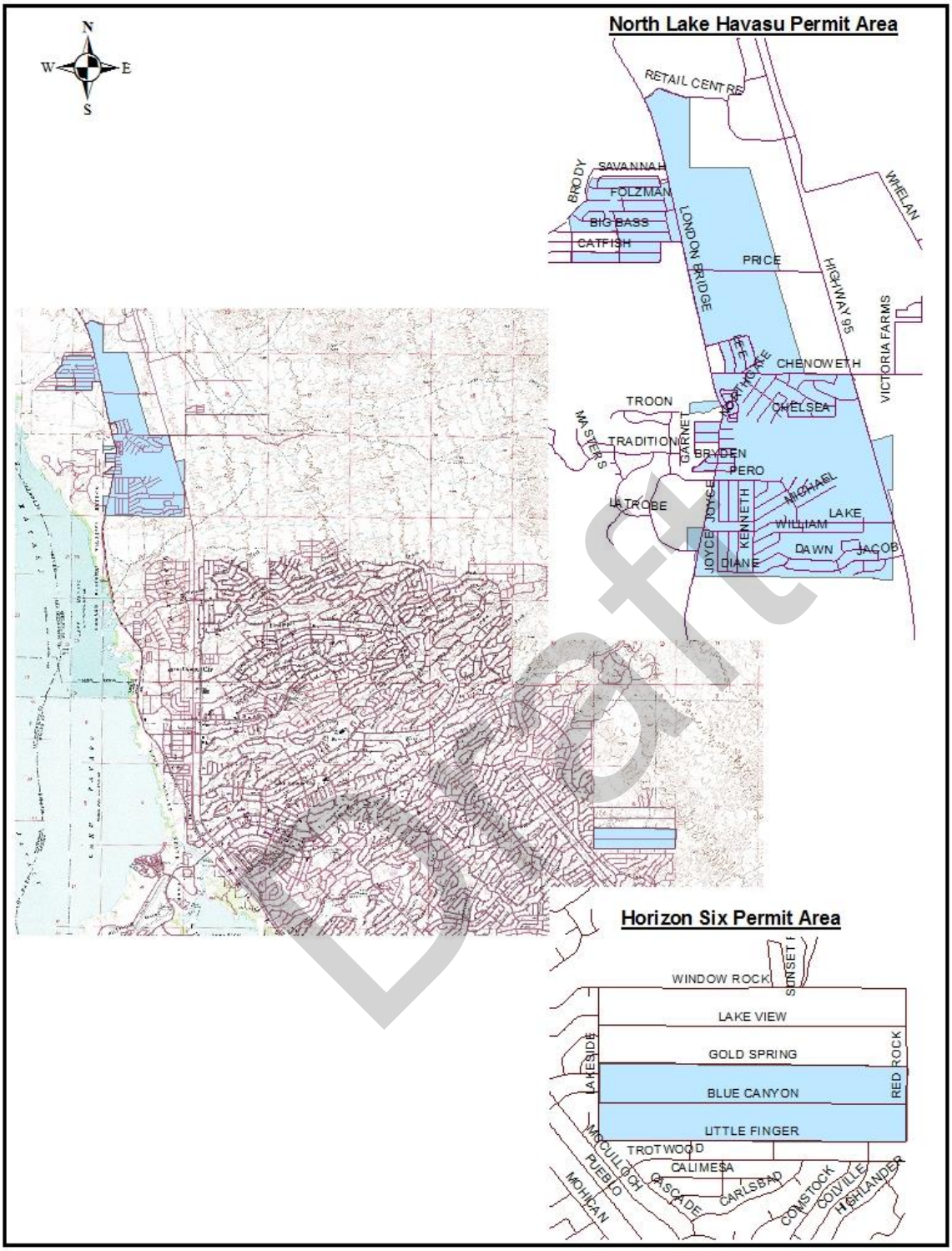

Figure 1: Permit Areas within Unincorporated Mohave County

Applicability

The Construction Activity Stormwater Runoff Control Program applies to construction sites located in within Mohave Counties MS4 area that;

a. will disturb one (1) or more acres of land, or
b. will disturb less than one (1) acre in size but is part of a common plan of development or sale that will disturb more than one or more acres.

The Post-Construction Stormwater Management Program for New Development and Redevelopment applies to sites located within Mohave Counties MS4 area that

a. will disturb one (1) or more acres of land,
b. will disturb are less than one (1) acre in size but is part of a common plan of development or sale that will disturb more than one or more acres,
c. that will change use such that they would be regulated under the MSGP
d. are conducting a "substantial improvement" that would require permitting review.

Reporting Year

Per AZG2016-02, the report year extends from July 1 to June 30 of the previous calendar year.

Wet Season

The wet seasons are defined as follows:

Summer Wet Season: June 1 – October 31

Winter Wet Season: November 1 – May 31

Enforcement Authority

The Construction Activity Stormwater Runoff Control Program and Post will be enforced in accordance with Mohave County Stormwater Management Ordinance (SMO). Per Section 10, Article 1 of the ordinance;

> *It is unlawful for any person to violate any provision or fail to comply within with any of the requirements of this ordinance. Any person who violates or continues to violate any provision of this ordinance, any order, approval or permit issued under this ordinance or A.R.S. § 49-255.01, -263 or 263.01 is subject to the enforcement actions provided herein.*

Program Responsibilities

The responsibilities associated with the Program extend to several departments within Mohave County, including, but not limited to, the Mohave County Flood Control District, Mohave County Public Works, Mohave County Development Services, and Mohave County Board of Supervisors. The responsibilities assigned to these departments are itemized as follows;

Mohave County Development Services – Flood Control District:

1) Serve as a resource to the other departments for compliance with the MS4 Permit, the Stormwater Management Ordinance and the Construction and Post-Construction Stormwater Management Program for New Development and Redevelopment
2) Collect, compile, and review inspection reports, plans of actions, notices of violation follow-up inspections associated with monitoring stormwater runoff from construction activities
3) Compile and store program documentation that will included in the Annual Report
4) Train staff on various ordinances, programs and inspection procedures

Mohave County Development Services

1) Education of the operators on the Construction and Post-Construction Stormwater Management Program for New Development and Redevelopment, AZDES, the Construction General Permit and the Stormwater Ordinance
2) Interacting with public in the form of answering questions and educating residents and business owners in the MS4 area. This will include those businesses owners/operatorws whose business activities require a MSGP from ADEQ
3) Review and accept Stormwater Pollution Prevention Plans for construction activities within the MS4 Permit Area
4) Verify that NOI's have been submitted to ADEQ and that ADEQ has provided the operator with an AZCON Number
5) Review Post-construction Stormwater Management Plans and Operation and Maintenance to ensure that the pollutants carried in stormwater discharges are reduced to the maximum extent practicable in perpetuity
6) Establish, on a per project basis, an inspection schedule for construction activities located within the MS4 Permit Area
7) Initiate inspections on non-compliant privately initiated construction activities located within the M4 to ensure that the accepted Stormwater Pollution Prevention Plan is being implemented and that BMP's are functioning as intended
8) Revoke Permits, and/or issue Notice of Violations and Cease Orders for construction activities that are out of compliance with the Stormwater Management Ordinance or the accepted Stormwater Pollution Prevention Plan

9) Assist in the education of the owners/operators on the Construction and Post-Construction Stormwater Management Program, AZDES, the Construction General Permit and the Stormwater Ordinance

Mohave County Public Works

1) Prepare Stormwater Pollution Prevention Plans and Post-Construction Stormwater Management Plans for public projects to be initiated within the MS4 permit area
2) Prepare and submit to ADEQ, Stormwater Pollution Prevent Plans for construction activities occurring within the unincorporated limits of Mohave County that will disturb more than 1-acre of land. Routine maintenance activities are excluded from this requirement
3) Assure that when issuing permits (e.g. Special Events, Right-of-way Use) that the owner/operators have met the requirements of the AZPDES
4) Assist in enforcing the Construction and Post-Construction Stormwater Management Program
5) Provide emergency inspection services
6) Provide emergency cleanup and maintenance services within public right-of-way

Mohave County Board of Supervisors:

1) Adopt all procedures and policies necessary for the implementation and enforcement of the Construction and Post-Construction Stormwater Management Program
2) Serve as the authoritative arm, seeking Civil Penalties or Criminal Proceeding or listening to appeals associated privately operated construction activities that are in violation of the Stormwater Ordinance and/or not in compliance with the accepted Stormwater Pollution Prevention Plan, Post-Construction Plan and/or Operation and Maintenance Plan
3) Establish a means to continuously fund the Construction and Post-Construction Stormwater Management Program

Public Involvement Procedures

The public will have the opportunity to comment on and seek assistance with complying with the Construction and Post-Construction Stormwater Management Program and the Stormwater Management Program throughout the life of the AZG2016-002 using four different mediums.

1) Electronically:
   Email: stormwater@mohavcounty.us

2) Phone:
   Development Services Department: (928) 757-0903

3) Direct Mail:
   Mohave County
   PO Box 7000
   3250 East Kino Avenue
   Kingman, AZ 86402

4) In Person
   Mohave County Development Services
   3250 E. Kino Avenue
   Kingman AZ 86409

Comments and responses to the comments should be documented in the Annual Report.

Construction and Post Construction Stormwater Management Control Permitting

The process for permitting construction sites within the MS4 for the purpose of managing both construction and post-construction stormwater will be performed by Mohave Counties Development Service Department. as part of their permit review process. A flow chart demonstrating this process will is provided on Figure 2.

Construction activities that are not located within the Mohave County MS4, but meet the disturbance thresholds defined by the Arizona Department of Environmental Quality will be required to obtain coverage under ADEQ's Construction General Permit. To ensure that coverage has been obtained, the AZCON Number, assigned by ADEQ to the operator, will be listed on the approved Improvement Plans and/or Site Plan.

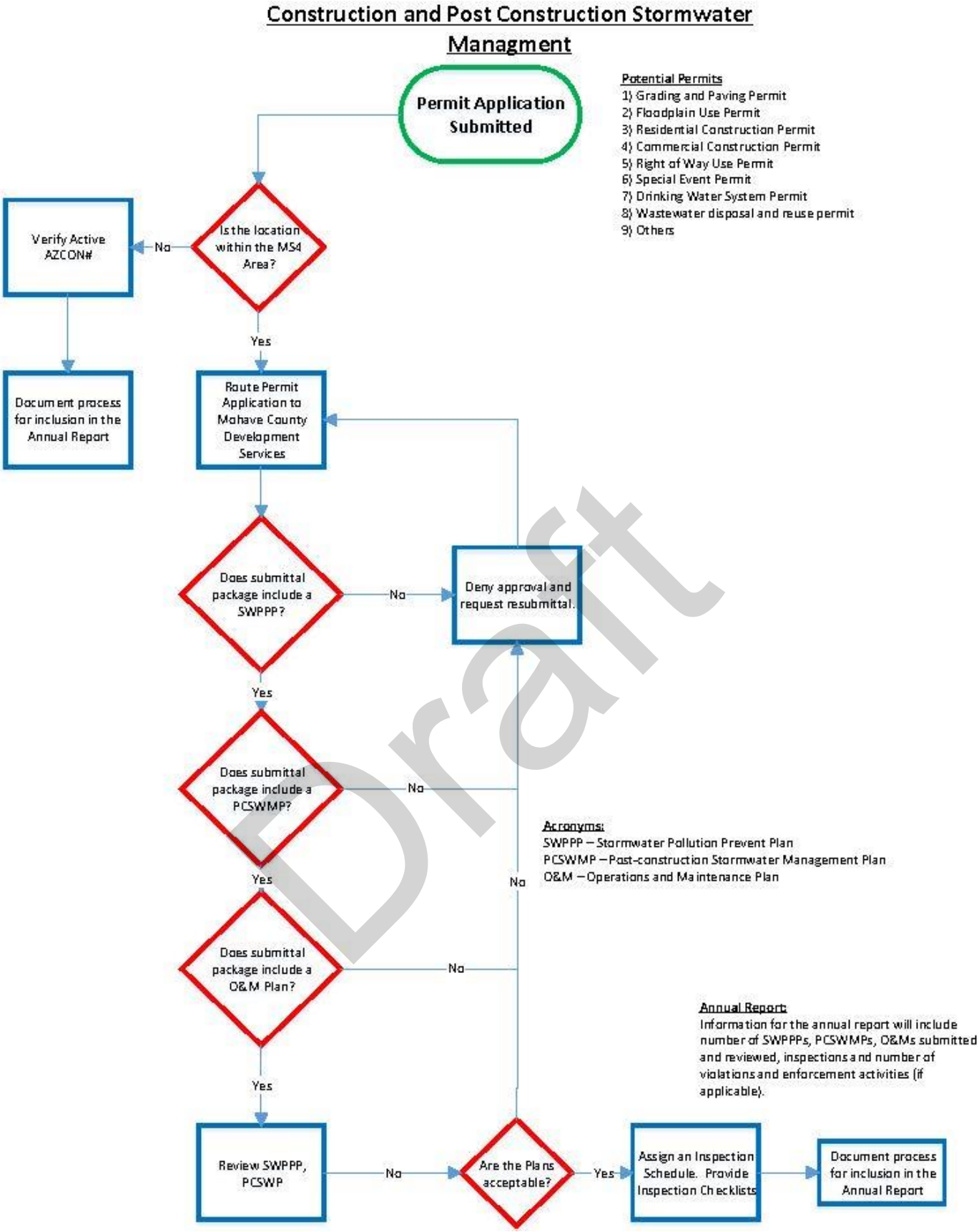

Figure 2: Construction and Post Construction Stormwater Management Plan Approval Process

Inspections

Inspection are the key to ensuring successful implementation of Construction and Post-Construction Stormwater Management Program.

Construction Sites

An inspection schedule for private projects will be determined site as part of the review process and presented in the SWPPP. It will be based on the following recommendations;

Standard Frequency**:**

a) Weekly
b) Every 14 days and within 24 hours of a 0.25" rain

Increased Frequency:

a) Every 7 days and within 24 hours of a 0.25" rain

Reduced Frequency**:**

a) Once per month (for stabilized areas)
b) Once per month and within 24 hours of a 0.25" rain (for arid, semi-arid, or drought-stricken areas during seasonally dry periods or during drought)
c) Once per month (for frozen conditions where earth-disturbing activities are being conducted)

Frequency of inspections:

How often the site will be inspected will be based in part on the following;

1) Phase of Construction
2) Size of Construction Activity
3) History of Non-compliance (site or operator)
4) Proximity to waters of the U.S.

Based on the results of the inspection, follow up actions such as re-inspections, issuance of a Notice of Violation, civil and/or criminal enforcement proceedings).

The inspection schedule will be provided as part of the approval documentation. To ensure that the SWPPP has been implemented, Mohave County staff will perform one inspection. Subsequent inspections can be performed by a qualified third-party and submitted to Mohave County Development Services.

Inspections forms for the Mohave County Inspection are provided with this document. Third Party Inspectors may use the forms created by ADEQ or their own, provided that the necessary information to ensure compliance with the Stormwater Pollution Prevent Plan is documented on the form.

Post-Construction Stormwater Management Inspections

Standard Frequency**:**

a) Yearly

Increased Frequency:

a) Once per Wet Season

Inspections associated with managing post-construction stormwater can be performed by a qualified third-part and submitted to Mohave County Development Services. The results of the inspection will determine if a follow-up action is needed and to determine if the frequency of the inspections needs to modified.

Sites that fail to provide an inspection for two consecutive years will be considered to be in violation of the Stormwater Management Ordinance and subject to enforcement actions.

Should the inspections determine that the management of the post-construction stormwater is deficient to the point that site placed Mohave County in jeopardy of being in violation of its MS4 permit, County staff may perform maintenance and repair on the existing structural measures to ensure compliance. The cost of this work may be charged back to the entity named on the Operations and Maintenance Plan.

Third Party Inspectors may use the forms created by ADEQ or their own provided that the necessary information to ensure compliance with the Post-Construction Stormwater Management Plan is documented on the form.

Annual Report

During each reporting year, the efforts of the Construction Activity Stormwater Control Program will be tracked and documented in the Annual Report. Items that will be tracked and reported upon are provided on in the Notice of Intent and in the Storm Water Management Plan.

The Annual Report shall be submitted to ADEQ no later than September 30.

Arizona Department of Environmental Quality
1110 W. Washington Street, Mail Code 5451A-1
Phoenix AZ 85007

Should electronic reporting become available, the Annual Report will be submitted using the online system.

Staff Training

Training on Construction Activity Stormwater Control Program is essential. Staff training on the Construction Activity Stormwater Control Program will be conducted on an annual basis for existing employees and within the probationary period for new hires. Training will encompass topics including but not limited to;

- The Clean Water Act, NPDES, AZPDES and Construction General Permit
- Stormwater Pollution Prevent Plan Reviews and Permitting
- Best Management Practices (Structural and Non-Structural)
- Inspection Procedures

The training efforts will be included in the Annual Report. The items to include are as follows;

- Topic of Training
- Summary of Training Presentation
- Date and Time that the Training was performed
- List of attendees

Record Retention

Mohave County will retain the documents associated with *Construction Activity Stormwater Control Program* for a period of no less than three (3) years following the expiration date of the five -year permit. The records to be retained include;

- Number of Permit Applications for Construction Activities within the MS4
- Submitted Stormwater Pollution Prevent Plans (SWPPP)
- Submitted Post-Construction Stormwater Management Plan (PCSMP)
- Training summaries including attendance sheets
- Inspection Reports
- Re-inspection Reports
- Summary of Enforcement Actions taken as a result of non-compliance with the accepted SWPPP or the accepted PCSMP.
- Public comments and responses made to the Construction and Post Construction Stormwater Management Program and/or the Stormwater Management Plan.
- Any revisions made to the Construction and Post Construction Stormwater Management Program.

The records may be stored either in either hardcopy and electronic copy formats.

Mohave County Development Services
3250 E. Kino Avenue
Kingman AZ,
86409

The ADEQ Director or an authorized representative may request access to the records during normal business hours.

Additional Resources

Additional information to assist in understanding and implementing the Construction General Permit, and this Program can be found at

https://azdeq.gov/node/2328
https://www.epa.gov/npdes/developing-stormwater-pollution-prevention-plan-swppp
http://www.dot.ca.gov/hq/construc/stormwater/factsheets.htm

Attachment 1 – Sample Inspection Forms

CONSTRUCTION SITE INSPECTION
STORMWATER POLLUTION PREVENT PLAN

{Insert Map of Site Location}

LOCATION MAP

Section 1

INSPECTION TRACKING INFORMATION	
AZCON#:	Inspector Name:
Inspection Date:	Time of Inspection:
	Form Verified By:
Is this re-inspection following a violation? ☐ Yes ☐ No (If Yes, skip to Section 7)	

Section 2

SITE LOCATION: (SEE LOCATION MAP)		
Latitude:	Longitude:	
Section:	Township:	Range:
Closest Cross-Streets:		
Development Type	☐ Industrial ☐ Commercial ☐ Residential ☐ Other:_____	

CONSTRUCTION SITE INSPECTION
STORMWATER POLLUTION PREVENT PLAN

Current Photo – Construction Site
(Update Photo after Each Inspection)

{Insert Current Photo of Construction Site}

Current Photo – Construction Site
(Update Photo after Each Inspection)

{Insert Current Photo of Construction Site}

Current Photo – Construction Site
(Update Photo after Each Inspection)

{Insert Current Photo of Construction Site}

Current Photo – Construction Site
(Update Photo after Each Inspection)

{Insert Current Photo of Construction Site}

Section 3

CONSTRUCTION SITE INSPECTION LIST			
Inspection Item	**Result**	**Comments**	**Repair/Maintenance Recommendations**
Is the NOI posted at the job site?	☐ Yes ☐ No		
Is the SWPPP available for review?	☐ Yes ☐ No		
Do the installed BMP's match the accepted SWPP?	☐ Yes ☐ No		
Are the Sanitary Waste Facilities Present and Functioning properly?	☐ Yes ☐ No		
Are the Construction Waste Facilities present and functioning properly	☐ Yes ☐ No		
Evidence of Sediment and/or other pollutants exiting the site?	☐ Yes ☐ No		
Overall is the site in substantial compliance with the accepted SWPPP?	☐ Yes ☐ No		

CONSTRUCTION SITE INSPECTION
STORMWATER POLLUTION PREVENT PLAN

SECTION 4

REMEDIATION/REPAIR HISTORY (TO BE UPDATED FROM PREVIOUS INSPECTIONS DURING CONSTRUCTION)			
INSPECTION DATE	**PREVIOUS INSPECTOR**	**RECOMMENDED REPAIR**	**REPAIR COMPLETE**
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ N
			☐ Yes ☐ N
			☐ Yes ☐ N

SECTION 5

COMMENTS (ADD ADDITIONAL INFORMATION PERTINENT TO FUTURE INSPECTIONS)

SECTION 6

☐ ☐

CERTIFICATION		
"I *certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, I believe the information submitted is 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: _____	Phone: _____
Signature: _____		Date: _____

2013 Construction General Permit
Inspection & Corrective Action Report Form

ADEQ Arizona Department of Environmental Quality

Section I. General Information (see instructions)

Name of Project		CGP Tracking No.	AZCON – _____	Inspection Date	___ / ___ / _____

☐ **Check box when using this form to inspect an inactive/ unstaffed construction site (this option applies to an entire site only).** See Part 4.2(4) of the permit. Inspect the site immediately before becoming inactive/ unstaffed and every 6 months thereafter and within 24 hours of each storm event of 0.5 inch or greater in 24 hours.

Inspector Name, Title & Contact Information	**Name:** _____ **Title:** _____ **Contact information:** _____
Present Phase of Construction	

Inspection Schedule (all days are calendar days) *(Note: you may be subject to different inspection frequencies in different areas of the site. Check all that apply.)*

Routine Schedule: ☐ Every 7 days ☐ Every 14 days and within 24 hours of a 0.5" storm event

☐ Once per month, but not within 14 days of the previous inspection and within 24 hours of a 0.25" storm event

Reduced Schedule: once per month (but not within 14 days of the previous inspection) and before an anticipated storm event and within 24 hours of the end of each storm event of 0.5 inch or greater in 24 hours.

☐ Once per month (in stabilized areas)

☐ Once per month (where discharges are unlikely based on seasonal rainfall patterns)

☐ Once per month (where winter conditions exist and earth-disturbing activities are being conducted)

Discharge points within 1/4 mile of an impaired water or outstanding Arizona water (OAW): ☐ Every 7 days and within 24 hours of a 0.5" storm event

Was this inspection triggered by either a 0.25" or 0.5" storm event? ☐ Yes ☐ No

If yes, duration of storm event: ☐ < 1 hour ☐ < 6 hrs ☐ > 6 hrs

If yes, how was the storm event determined (either 0.25" or 0.5")?

☐ Rain gauge on site ☐ Weather station representative of site. Specify weather station source: _____

Total rainfall amount that triggered the inspection (in inches)**:** _____

Identify all sources of non-stormwater discharges occurring at the site and the associated control measures in place

sources of non-stormwater discharges:	control measures associated with the non-stormwater discharges:
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____
5. _____	5. _____

Adverse or Unsafe Conditions for Inspection

Did you determine that any portion of the site was unsafe for inspection per CGP Part 4.2(6)? ☐ Yes ☐ No

If "yes", complete the following:

- Describe the conditions that prevented you from conducting the inspection in this location:

- Location(s) where conditions were found:

Note: *Inspections may be postponed when adverse or unsafe conditions exist such as local flooding, high winds, or electrical storms, or situations that otherwise make inspections unsafe. However, the inspection must resume as soon as conditions are safe.*

Section II. Description of Discharges and Condition of the Discharge Locations (CGP Part 4.3(11)) (see instructions)

Discharge Point	Observations *(Note: discharges may not occur at every discharge point on the site after a storm event. Check all that apply.)*
1.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	
2.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	
3.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	

Section II. CONTINUATION SHEET FOR: Description of Discharges and Condition of the Discharge Locations [Print additional sheets as necessary]

Discharge Point	Observations *(Note: discharges may not occur at every discharge point on the site after a storm event. Check all that apply.)*
#___.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	
#___.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	
#___.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	
#___.	Describe the discharge: ☐ Stormwater ☐ Non-stormwater ☐ None Since the last inspection, do you see any evidence of erosion, sediment accumulation and/ or other pollutants that can be attributed to your discharge? ☐ Yes ☐ No
If yes, describe the characteristics of the discharge (color, odor, clarity, etc.) specify the location(s) of these conditions, and indicate whether modification, maintenance, or corrective action is needed to correct the problem. Also, describe any visible signs of erosion or sediment accumulation.	

Section III. Condition and Effectiveness of All On-site Control Measures (Erosion and Sediment (E&S)), Stabilization and Pollution Prevention (P2) Practices (CGP Part 3.1.1 through 3.1.3) (see instructions)					
Description of Control Measures	**Type of Control Measure:** ▪ **Erosion and Sediment (E&S)** ▪ **Stabilization** ▪ **Pollution Prevention (P2)**	**Additional controls required?**	**Repairs or other maintenance needed?[1]**	**Corrective action required?[1, 2]** Date of discovery	**Specify stabilization method** (mulch, rock, planted vegetation, etc.)
1.	☐ E&S ☐ Stabilization ☐ P2	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No ___ / ___ / _____	
Notes (e.g., provide details about needed additional control measures, maintenance performed, etc.)					
Description of Control Measures	**Type of Control Measure:** ▪ **Erosion and Sediment (E&S)** ▪ **Stabilization** ▪ **Pollution Prevention (P2)**	**Additional controls required?**	**Repairs or other maintenance needed?[1]**	**Corrective action required?[1, 2]** Date of discovery	**Specify stabilization method** (mulch, rock, planted vegetation, etc.)
2.	☐ E&S ☐ Stabilization ☐ P2	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No ___ / ___ / _____	
Notes (e.g., provide details about needed additional control measures, maintenance performed, etc.)					

Note 1: The permit differentiates between conditions requiring repairs and maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition and requires repairs if controls are not operating as intended. Corrective actions are triggered only for specific, more serious conditions, which include: 1) A necessary stormwater control was never installed, was installed incorrectly, or not in accordance with the requirements in Part 3.1 and/or Part 3.2; 2) One of the prohibited discharges in Part 1.4 is occurring or has occurred; or 3) ADEQ or USEPA determines that modifications to the control measures are necessary to meet the requirements of Part 3.

Note 2: If answering "Yes" (i.e., a site condition that meets one or more of the three criteria in Note 1 above requires a corrective action), you must complete Section IV (Corrective Action Report) below. See Part 5 of the permit for more information.

Section III. CONTINUATION SHEET FOR: Control Measure Condition and Effectiveness [Print additional sheets as necessary]

Description of Control Measures	Type of Control Measure: ▪ Erosion and Sediment (E&S) ▪ Stabilization ▪ Pollution Prevention (P2)	Additional controls required?	Repairs or other maintenance needed?[1]	Corrective action required?[1, 2] Date of discovery	Specify stabilization method (mulch, rock, planted vegetation, etc.)
#___.	☐ E&S ☐ Stabilization ☐ P2	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No ___ / ___ / _____	
Notes (e.g., provide details about needed additional control measures, maintenance performed, etc.)					

Description of Control Measures	Type of Control Measure: ▪ Erosion and Sediment (E&S) ▪ Stabilization ▪ Pollution Prevention (P2)	Additional controls required?	Repairs or other maintenance needed?[1]	Corrective action required?[1, 2] Date of discovery	Specify stabilization method (mulch, rock, planted vegetation, etc.)
#___.	☐ E&S ☐ Stabilization ☐ P2	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No ___ / ___ / _____	
Notes (e.g., provide details about needed additional control measures, maintenance performed, etc.)					

Note 1: The permit differentiates between conditions requiring repairs and maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition and requires repairs if controls are not operating as intended. Corrective actions are triggered only for specific, more serious conditions, which include: 1) A necessary stormwater control was never installed, was installed incorrectly, or not in accordance with the requirements in Part 3.1 and/or Part 3.2; 2) One of the prohibited discharges in Part 1.4 is occurring or has occurred; or 3) ADEQ or USEPA determines that modifications to the control measures are necessary to meet the requirements of Part 3.

Note 2: If answering "Yes" (i.e., a site condition that meets one or more of the three criteria in Note 1 above requires a corrective action), you must complete Section IV (Corrective Action Report) below. See Part 5 of the permit for more information.

ADEQ Arizona Department of Environmental Quality

Section IV. Corrective Action Report Form

Section IV.A. – General Information

(Complete this section within 24 hours of discovering the condition that triggered corrective action)

Date/ Time Problem First Discovered	Date: ___ / ___ / _____ Time: _____ ___AM ___PM	**Today's Date**	___ / ___ / _____

Name and Contact Information of Individual Completing this Form	**Name:** _____ **Contact information:** _____

What site conditions triggered the requirement to conduct corrective action? *(Check the box that applies)*

- ☐ A necessary stormwater control was never installed, was installed incorrectly, or not in accordance with the requirements in Part 2 and/or 3
- ☐ A prohibited discharge described in Part 1.4 has occurred or is occurring
- ☐ ADEQ or USEPA has determined that modifications to the control measures are necessary to meet the requirements of Part 3.

Provide a description of the problem: (Provide description of the specific problem that triggered the need for corrective action, and the specific location where it was found. If you have already provided this explanation in an inspection report, you can refer to that report.)

Deadline for completing corrective action:

- ☐ Work will be completed no more than 7 calendar days after the date the problem was discovered (enter date): ____ / ____ / _____
- ☐ It is infeasible to complete work within the first 7 days, therefore, the work will be completed as soon as practicable following the 7th day (enter date): ____ / ____ / _____

If the estimated date of completion falls after the 7-day deadline, document the following: (1) The reason it is infeasible to complete work within 7 days, and (2) The schedule for installing and making the new or modified stormwater control operational in the soonest practicable timeframe.

NOTE: *Any corrective actions that result in changes to any of the stormwater controls or procedures shall be documented in the SWPPP within 7 calendar days of completing the corrective action work.*

Section IV.B. – Stormwater Control Modifications to be Implemented in Response to a Corrective Action Trigger [Print additional sheets as necessary]			
List of stormwater control(s) to be modified or replaced to correct the condition that required the Corrective Action	**Actual or Planned Completion Date**	**SWPPP Update Necessary?** **If yes, specify date SWPPP modified**	**Notes and observations**
1.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	
2.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	
3.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	
4.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	
5.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	
6.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	
7.	___ / ___ / _____	☐ Yes ☐ No ___ / ___ / _____	

Section V. CONTINUATION SHEET for Miscellaneous Items (see instructions) [Print additional sheets as necessary]

Use this space for miscellaneous information or as continuation of items found elsewhere in this report.

Section VI. Certification and Signature (CGP Appendix B. 9.)

Section VI.A. – Certification and Signature by Contractor or Subcontractor performing the inspections (if applicable)

Check one of the following:

- ☐ No instances of non-compliance were discovered during this inspection and the project was in full compliance with the SWPPP and permit.
- ☐ Inspection follow-up is required, in accordance with Parts 4.5(1) and 4.5(2) of the permit.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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."

Signature of Contractor or Subcontractor: _____ Title: _____

Printed name : _____ Date: _____

Business / Agency: _____ Phone number: _____

Section VI.B. – Certification and Signature by Permittee (permittee / operator or a duly authorized representative is required to sign)

Check one of the following:

- ☐ No instances of non-compliance were discovered during this inspection and the project was in full compliance with the SWPPP and permit.
- ☐ Inspection follow-up is required, in accordance with Parts 4.5(1) and 4.5(2) of the permit.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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."

Signature of Permittee or
"Duly Authorized Representative": _____ Title: _____

Printed Name: _____ Date: _____

Business / Agency: _____ Phone number: _____

Attachment 2 – Sample Stormwater Pollution Prevention Plan

Arizona Department of Environmental Quality
Stormwater Construction General Permit
Stormwater Pollution Prevention Plan Template

Introduction

The State of Arizona, Arizona Pollutant Discharge Elimination System (AZPDES), Construction General Permit (CGP), permit no. AZG2013-001 authorizes stormwater discharges from large and small construction activities to waters of the U.S. either directly or by conveyance, such as a Municipal Separate Storm Sewer System (MS4). The CGP-Part 6 includes provisions for the development of this Storm Water Pollution Prevention Plan (SWPPP) to maximize the potential benefits of pollution prevention and sediment and erosion control measures at a construction site. All construction sites are required to prepare a SWPPP. However, an operator only has to submit a copy of the SWPPP for ADEQ review, pay the applicable SWPPP review fee (along with the NOI fee), if any of the following applies:

- Any portion of the construction site is located within 1/4 mile of a receiving water listed as impaired under section 303(d) of the Clean Water Act.
- Any portion of the construction site is located within 1/4 mile of a receiving water listed as an Outstanding Arizona Water (OAW) in A.A.C. R18-11-112(G).
- ADEQ specifically requests a copy of the site SWPPP be submitted for department review. This may occur as part of the NOI evaluation, at any time during permit coverage, in response to an inspection conducted by ADEQ, as part of the Notice of Termination (NOT), and for up to three years after the NOT is submitted.
- A Change of Operator (COR) form is submitted as a result of bankruptcy/ foreclosure.

Obtaining CGP Coverage

Coverage under Arizona's CGP is obtained by submission of a complete and accurate Notice of Intent (NOI). The NOI form can be submitted electronically via ADEQ's Smart NOI web site at: https://ptl.az.gov/app/smartnoi/(S(hj2ex35cnctsnfdvozipbpyk))/default.aspx or submit a paper copy with original signature to: ADEQ, Surface Water Section - Stormwater and General Permits Unit, 1110 West Washington Street, 5415A-1, Phoenix, Arizona 85007. A copy of the NOI submittal should be included in Appendix C of this document. The permittee is granted coverage under this CGP when they have received authorization from ADEQ.

Instructions

To assist construction site operators develop a SWPPP for their construction project that meets the requirements of Arizona's Stormwater Construction General Permit, Part 6.0, ADEQ has created this SWPPP Template. It may be helpful to use this template with EPA's guidance on *Developing Your Stormwater Pollution Prevention Plan* which is available at EPA's website at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

This template is provided as a tool to assist construction site operators in developing their SWPPP. It does not replace the permit. It is the operators' responsibility to ensure the projects' SWPPP meets permit requirements.

Related Documents

- Copies of the ADEQ AZPDES General Permit (GP) for stormwater discharges associated with construction activity (AZG2013-001) can be found at: www.azdeq.gov/environ/water/permits/download/2013_cgp.pdf.

- Copies of the ADEQ AZPDES Fact Sheet Construction General Permit (CGP) for stormwater discharges associated with construction activity dated June 3, 2013 can be found at: www.azdeq.gov/environ/water/permits/download/cgp_final_fs-6-3-13.pdf.

Tips for Using the SWPPP Template and Additional Information

Each section of the SWPPP Template includes "instructions" and space for your project and site information. You should read the instructions for each section before you complete that section. The SWPPP Template was developed as an editable document file so that you can easily add tables and additional text, and delete unneeded or non-applicable fields. Note that some sections may require only a brief description while others may require more explanation.

The following tips will help to ensure that the minimum permit requirements are met:

- Complete a SWPPP ***before*** submitting a Notice of Intent (NOI) for permit coverage and prior to conducting any construction activity.
- Read the 2013 CGP thoroughly before you begin preparing your SWPPP to ensure that you have a working understanding of the permit's requirements. If any portion of your construction site is on tribal land, additional Federal requirements may affect your SWPPP.
- If there is more than one construction operator for your project, your permitting obligation and ADEQ recommends coordinating development of your SWPPP with the other operators. A "joint" or "common" SWPPP may be developed and implemented as a cooperative effort where there is more than one operator at a site. All operators shall either implement their portion of a common SWPPP or develop and implement their own SWPPP. Each operator however, has to submit an NOI and obtain permit coverage. While multiple operators may share the same SWPPP, make sure that responsibilities and scope of work are clearly described for each operator. All operator(s) shall sign and certify the SWPPP in accordance with the signatory requirements of the CGP-Appendix B, Subsection 9.
- Any SWPPP prepared for coverage under a previous version of ADEQ's CGP must be reviewed and updated by the operator to ensure that the 2013 CGP requirements are addressed prior to submitting your NOI in accordance with the CGP-Part 2.3(3) (e).
- SWPPPs that do not meet all provisions of the 2013 CGP are considered incomplete. Operating under an incomplete or inadequate SWPPP is a violation of the permit.

ADEQ notes that while every effort to ensure the accuracy of all instructions and guidance contained in the SWPPP Template, the actual obligations of regulated construction activities are determined by the relevant provisions of the permit, not by the Template. In the event of a conflict between the SWPPP Template and any corresponding provision of the 2013 CGP, you must abide by the requirements in the permit. ADEQ welcomes comments on the SWPPP Template at any time and will consider those comments in any future revision of this document. You may contact ADEQ for CGP-related inquiries at cph@azdeq.gov.

List of Abbreviations

AAC	Arizona Administrative Code
ADEQ	Arizona Department of Environmental Quality
ADHS	Arizona Department of Health Service
ARS	Arizona Revised Statute
AZPDES	Arizona Pollutant Discharge Elimination System
BMPs	Best Management Practices
CFR	Code of Federal Regulation
CGP	Construction General Permit
COR	Change of Operator Request
CWA	Clean Water Act
DMR	Discharge Monitoring Report
ELG	Effluent Limitations Guideline
EPA	Environmental Protection Agency
MSDS	Material Safety Data Sheets
MS4	Municipal Separate Storm Sewer System
NOI	Notice of Intent
NOT	Notice of Termination
OAW	Outstanding Arizona Water
SPCC	Spill Prevention Control and Countermeasures
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Daily Maximum Load
USEPA	United States Environmental Protection Agency

Stormwater Pollution Prevention Plan (SWPPP)

For Construction Activities At:

Insert Project/Site Name
Insert Project Site Location/Address
Insert City, State, Zip Code
Insert Project/Site Telephone Number

SWPPP Prepared For:

Insert Company or Organization Name
Insert Name
Insert Address
Insert City, State, Zip Code
Insert Telephone Number
Insert Fax/Email

SWPPP Prepared By:

Insert Company or Organization Name
Insert Name
Insert Address
Insert City, State, Zip Code
Insert Telephone Number
Insert Fax/Email

SWPPP Preparation Date:

__ __ / __ __ / __ __ __ __

Estimated Project Dates:

Project Start Date: __ __ / __ __ / __ __ __ __
Project Completion Date: __ __ / __ __ / __ __ __ __

CERTIFICATION AND NOTIFICATION

The following certification statement must be signed and dated by a person who meets the requirements of CGP-Appendix B.9.

This certification must be re-signed in the event of a SWPPP Modification.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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.

Name: _____ Title: _____

Signature: _____ Date: _____

[Repeat as needed for multiple construction operators at the site.]

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SECTION 1: CONTACT INFORMATION/RESPONSIBLE PARTIES

1.1 Operator(s) /Subcontractor(s)

Instructions (see CGP 6.3(2))

Operators

Identify the operator(s) who will be engaged in construction activities at the site. Indicate respective responsibilities, where appropriate. Also include the 24-hour emergency contact.

All operator(s) shall sign and certify the SWPPP in accordance with the signatory requirements of the CGP Appendix B, Subsection 9.

Subcontractors generally are not considered operators for the purposes of the CGP.

Subcontractors

List subcontractors expected to work on-site. Notify subcontractors of stormwater requirements applicable to their work.

Consider using Subcontractor Agreements / Lists such as the type included as a sample in Appendix G of the Template.

Operator(s):

Insert Company or Organization Name:
Insert Name:
Insert Address:
Insert City, State, Zip Code:
Insert Telephone Number:
Insert Fax/Email:
Insert area of control (if more than one operator at site):

[Repeat as necessary.]

Emergency 24-Hour Contact:

Insert Company or Organization Name:
Insert Name:
Insert Telephone Number:

Site Supervisor(s):

Insert Company or Organization Name:
Insert Name:
Insert Address:
Insert City, State, Zip Code:
Insert Telephone Number:
Insert Fax/Email:

Insert area of control (if more than one on site) :

[Repeat as necessary.]

Subcontractor(s):

Insert Company or Organization Name:
Insert Name:
Insert Address:
Insert City, State, Zip Code:
Insert Telephone Number:
Insert Fax/Email:
Insert area of control (if more than one operator at site):

[Repeat as necessary.]

1.2 Stormwater Team

Instructions (see CGP Part 6.3(1)):

Identify the staff members (by name or position) that comprise the project's stormwater team as well as their individual responsibilities. At a minimum the stormwater team is comprised of individuals who are responsible for overseeing the development, implementation and maintenance of the SWPPP, any later modifications to it, and for compliance with the requirements in this permit (i.e., installing and maintaining stormwater controls, submitting reports, conducting site inspections, taking corrective actions where required, employee training, and testing for non-stormwater discharges).

Each member of the stormwater team must have ready access to either an electronic or paper copy of applicable portions of the 2013 CGP and your SWPPP.

Insert Role or Responsibility:
Insert Position:
Insert Name:
Insert Telephone Number:
Insert Email:

Insert Role or Responsibility:
Insert Position:
Insert Name:
Insert Telephone Number:
Insert Email:

[Repeat as necessary.]

SECTION 2: SITE EVALUATION, ASSESSMENT, AND PLANNING

2.1 Project/Site Information

Instructions (see "Project/Site Information" section of Appendix C – NOI form and 6.3(5) (a) through (g)):

In this section, you are asked to compile basic site information that will be helpful to you when you file your Notice of Intent (NOI).

Detailed information on determining your site's latitude and longitude can be found at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources or http://www.azdeq.gov/environ/water/assessment/index.html

Project Name and Address

Project/Site Name: INSERT TEXT HERE
Project Street/Location: INSERT TEXT HERE
City: INSERT TEXT HERE
State: INSERT TEXT HERE
ZIP Code: INSERT TEXT HERE
County or Similar Subdivision: INSERT TEXT HERE

Project Latitude/Longitude

Latitude:
1. _ _ º _ _ ' _ _'' N (degrees, minutes, seconds)

Longitude:
1. _ _ º _ _ ' _ _'' W (degrees, minutes, seconds)

Select only one of the following methods used to determine latitude/longitude:

☐ USGS topographic map (specify scale: _____)

☐ EPA Web Site ☐ ADEQ Web site ☐ GPS

☐ Other (please specify):

_____

Function of the construction activity -

☐ Residential ☐ Commercial ☐ Industrial ☐ Road Construction

☐ Linear Utility ☐ Other (specify):_____

Additional Project Information

Did municipality receive a copy of the authorization certificate ☐ No ☐ Yes

If yes, list municipality:_____

Does the site include unique site features including streams, stream buffers, wetlands, specimen trees, natural vegetation, steep slopes, or highly erodible soils that are to be preserved (include these features on your site map and described the BMPs to protect these features within the context of the SWPPP):

☐ Yes ☐ No

Note the CGP does not address requirements or responsibilities you may have under the *Endangered Species Act (EAS)* or the *National Historic Preservation Act (NHPA)*.

If you are conducting earth-disturbing activities in response to a public emergency, document the cause of the public emergency *(e.g., natural disaster, extreme flooding conditions)*, information substantiating its occurrence *(e.g., state disaster declaration)*, and a description of the construction necessary to reestablish effective public services: INSERT TEXT HERE

2.2 Discharge Information

Instructions:

For Table 1, list the name of the first surface water that receives discharges from your site. If your site has discharges to multiple surface waters, indicate the names of all such waters.

For Table 2, if any of the surface waters you listed out in Table 1 are listed as impaired by the applicable State, provide specified information about pollutants causing the impairment and whether or not a Total Maximum Daily Load (TMDL) has been completed for the surface water. For more information on TMDLs and impaired waters, including a list of TMDL contacts and links by state, visit http://gisweb.azdeq.gov/arcgis/emaps/?topic=impaired

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)?

☐ Yes ☐ No

Which MS4? _____

A list of regulated MS4s can be found at:
http://www.azdeq.gov/environ/water/permits/stormwater.html#ms4s

Are there any surface waters that are located within 50 feet of your construction disturbances?

☐ Yes ☐ No

The discharge points are identified in the Appendix A-Site Map, Figure(s).

Table 1 – Names of Receiving Waters (Part 6.3(7)) Include on Site Map in Appendix A

Name(s) of the first surface water that receives stormwater directly from your site and/or from the MS4 (note: multiple rows provided where your site has more than one point of discharge that flows to different surface waters).
1.
2.
3.
4.

[Include additional rows as necessary.]

Note: The SWPPP shall identify the nearest receiving water(s), including ephemeral and intermittent streams, dry washes, and arroyos. If applicable, the SWPPP shall also identify the areal extent and describe any wetlands near the site that could be disturbed or that could potentially receive discharges from disturbed areas of the project.

Impaired Waters and Outstanding Arizona Water (OAWs)

Operators may determine whether their sites are located within 1/4 mile of any impaired waters or OAWs by using ADEQ's Smart NOI system or by obtaining a list of impaired waters at http://www.azdeq.gov/environ/water/assessment/index.html. OAWs are listed in A.A.C. R18-11-112(G). Impaired Water and OAWs shall be identified on the Site Map contained in Appendix A.

Is the surface water listed as Impaired Water: ☐ YES ☐ NO If yes, use Table 2 below:

Describe the method(s) you used to determine whether or not your project/site discharges to an impaired water: INSERT TEXT HERE

Table 2 – Impaired Waters / TMDLs (Answer the following for each surface water listed in Table 1 above)

	Is this surface water listed as "impaired"?	If you answered yes, then answer the following:		
		What pollutant(s) are causing the impairment?	Has a TMDL been completed?	Title of the TMDL document
1.	☐ YES ☐ NO		☐ YES ☐ NO	
2.	☐ YES ☐ NO		☐ YES ☐ NO	
3.	☐ YES ☐ NO		☐ YES ☐ NO	
4.	☐ YES ☐ NO		☐ YES ☐ NO	
5.	☐ YES ☐ NO		☐ YES ☐ NO	
6.	☐ YES ☐ NO		☐ YES ☐ NO	

[Include additional rows as necessary.]

Is this surface water listed as an Outstanding Arizona Water (OAW): ☐ YES ☐ NO

List OAW: _____

2.3 Nature of the Construction Activity

Instructions (see CGP Parts 6.3 (3))

Provide a general description of the nature of the construction activities at your project.

Describe the size of the property (in acres), the total area expected to be disturbed by the construction activities (in acres), the maximum area expected to be disturbed at any one time, impervious areas (in percent), types of soil and potential for erosion, and construction support activities covered by this permit (see Part 1.3.1.(c) of the permit).

General Description of Project (Part 6.3(3))

Provide a general description of the construction project:

INSERT TEXT HERE

Intended Use of Site after the Notice of Termination is Filed (Part 6.3(5)(a))

INSERT TEXT HERE

Size of Construction Project

What is the size of the property (in acres), the total area expected to be disturbed by the construction activities (in acres), and the maximum area expected to be disturbed at any one time?

INSERT SIZE OF PROPERTY (in acres)

INSERT TOTAL AREA OF CONSTRUCTION DISTURBANCES (in acres) **(Part 6.3(5)(b))**

INSERT MAXIMUM AREA TO BE DISTURBED AT ANY ONE TIME (in acres)

INSERT ESTIMATE OF PERCENT IMPERVIOUS BEFORE CONSTRUCTION (0.0%)**(Part 6.3(5)(c))**

INSERT ESTIMATE OF PERCENT IMPERVIOUS AFTER CONSTRUCTION (0.0%)**(Part 6.3(5)(c))**

[Repeat as necessary for individual project phases.]

Type of Soils and Potential for Erosion (Part 6.3 (5)(d))

INSERT TEXT HERE

Areas where it is unfeasible to maintain a 50 foot buffer (Part 6.3 (5)(e))

INSERT TEXT HERE

Identify and describe all material storage area (including on-site and offsite overburden and stockpiles of dirt, borrow areas (Part 6.3 (5)(f))

INSERT TEXT HERE

Provide a general location map that includes construction site and one mile radius and the waters of the US, including tributaries within one mile radius of the site (Part 6.3 (5)(g)(i & ii))

INSERT TEXT HERE

Construction Support Activities (only provide if applicable)

Describe any construction support activities for the project (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas)

INSERT DESCRIPTION OF CONSTRUCTION SUPPORT ACTIVITY

INSERT CONTACT INFORMATION FOR CONSTRUCTION SUPPORT ACTIVITY (Name, Telephone No., Email Address)

INSERT LOCATION INFORMATION FOR CONSTRUCTION SUPPORT ACTIVITY (Address and/or Latitude/Longitude)

[Repeat as necessary.]

List other permits or agreements, (such as a CWA section 404 permit, local grading permit, etc.) with any state, local, tribal, or federal agencies that would affect the provisions or implementation of the SWPPP (include copies in Appendix M):

INSERT DESCRIPTION OF OTHER PERMITS OR AGREEMENTS NEEDED

2.4 Sequence and Estimated Dates of Construction Activities

Instructions (see CGP Part 6.3(4))

Describe the intended construction sequence and timing of major activities.

For each phase of construction, include the following information:

- ✓ Installation of stormwater controls, and when they will be made operational;
- ✓ Commencement and duration of earth-disturbing activities, including clearing and grubbing, mass grading, site preparation (i.e., excavating, cutting and filling), final grading, and creation of soil and vegetation stockpiles requiring stabilization;
- ✓ Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of the site;
- ✓ Final or temporary stabilization of areas of exposed soil.
- ✓ Removal of temporary stormwater conveyances/channels and other stormwater control measures, removal of construction equipment and vehicles, and cessation of any pollutant-generating activities.

For additional information see EPA's *Construction Sequencing BMP Fact Sheet* at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

Phase I

- INSERT GENERAL DESCRIPTION OF PHASE 1
- INSERT ESTIMATED START AND END DATES OF CONSTRUCTION DISTURBANCES ASSOCIATED WITH THIS PHASE
- FOR EACH STORMWATER CONTROL, INSERT ESTIMATED DATE(s) OF INSTALLATION OF EACH STORMWATER CONTROL
- FOR AREAS OF THE SITE REQUIRED TO BE STABILIZED, INSERT ESTIMATED DATE(s) OF APPLICATION OF STABILIZATION MEASURES

Phase II

- INSERT GENERAL DESCRIPTION OF PHASE II
- INSERT ESTIMATED START AND END DATES OF CONSTRUCTION DISTURBANCES ASSOCIATED WITH THIS PHASE
- FOR EACH STORMWATER CONTROL, INSERT ESTIMATED DATE(s) OF INSTALLATION OF EACH STORMWATER CONTROL
- FOR AREAS OF THE SITE REQUIRED TO BE STABILIZED, INSERT ESTIMATED DATE(s) OF APPLICATION OF STABILIZATION MEASURES

[Repeat as needed.]

2.5 Allowable Non-Stormwater Discharges

Instructions (see CGP Part 1.3(2))

Identify all allowable sources of non-stormwater discharges.

If the site is within 1/4 mile of an outstanding Arizona water (OAW), the operator shall not discharge any non-stormwater under this permit, except for emergency fire-fighting activities, unless specifically authorized by ADEQ.

List of Allowable Non-Stormwater Discharges Present at the Site

Type of Allowable Non-Stormwater Discharge	**Likely to be Present at Your Site?**
Discharges from emergency fire-fighting activities	☐ YES ☐ NO
Water used to control dust, provided reclaimed water or other process wastewaters are not used[1]	☐ YES ☐ NO
Routine external building wash down where detergents are not used	☐ YES ☐ NO
Water used to rinse vehicles and equipment, provided that reclaimed water or other wastewater is not used and no soaps, solvents, detergents, oils, grease or fuels are present in the rinsate	☐ YES ☐ NO
Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used	☐ YES ☐ NO
Uncontaminated air conditioning or compressor condensate	☐ YES ☐ NO
Uncontaminated groundwater or spring water	☐ YES ☐ NO
Foundation or footing drains where flows are not contaminated with process materials such as solvents	☐ YES ☐ NO
Water from fire-fighting system testing and maintenance, including hydrant flushings	☐ YES ☐ NO
Discharges related to installation and maintenance of potable water supply systems, including disinfection and flushing activities, discharges resulting from pressure releases or overflows, and discharges from wells approved by ADEQ for drinking water use	☐ YES ☐ NO
Hydrostatic testing of new pipes, tanks or vessels using potable water, surface water, or uncontaminated groundwater	☐ YES ☐ NO
Water used for compacting soil, provided reclaimed water or other wastewaters are not used	☐ YES ☐ NO
Water used for drilling and coring such as for evaluation of foundation materials,	☐ YES ☐ NO

where flows are not contaminated with additives	
Uncontaminated waters obtained from dewatering operations/ foundations in preparation for and during excavation and construction provided the discharge are managed as specified in Part 3.1.4 of the permit.	☐ YES ☐ NO

1. *The CGP does not prohibit the use of reclaimed or other process wastewaters on-site for dust control, soil compaction or for landscape irrigation. However, such activities shall be managed in such a way that they are not discharged off site or applied during rain events consistent with A.A.C.R18-9-704 (G)(3)(c) of the reclaimed water rules.*

Describe the pollution prevention associated with the allowable non-stormwater discharges at your site and the control measures used to eliminate or reduce these discharges:

BMP Description:	
***Design Specifications Included*:** ☐ Yes ☐ No Figure No.	
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

(Note: Identify the likely locations of these allowable non-stormwater discharges/ outfalls on your Site Map in Appendix A).

2.6 Site Maps

Instructions (see CGP Part 6.3(6)

Attach site maps in Appendix A of the Template. For most projects, a series of site maps is necessary and recommended. The first should show the undeveloped site and its current features. An additional map or maps should be created to show the developed site or, for more complicated sites, show the major phases of development.

The legible site map or series of maps completed to scale showing the entire site shall include the following:

Site Map Requirements	**Located on Site Map? Include Figure Numbers**
Topography of the site, existing types of cover (e.g., forest, pasture, pavement structures), and drainage pattern(s) of flow onto, over, and from the site property before and after major grading activities;	☐ YES ☐ NO ☐ N/A
Drainage divides and direction of stormwater flow for all drainage areas located within the project limits (i.e., use arrows to show which way stormwater will flow);	☐ YES ☐ NO ☐ N/A
Areas of soil disturbance and areas that will not be disturbed. Boundaries of the property and of the locations where construction activities will occur, including: i. Locations where construction activities will occur, noting any phasing of construction activities; ii. Locations where sediment or soil will be stockpiled; iii. Locations of any crossings of surface waters; iv. Designated points on the site where vehicles will exit onto paved roads; and v. Locations of construction support activity areas covered by this permit Part 1.3(1) (c).	☐ YES ☐ NO ☐ N/A ☐ YES ☐ NO ☐ N/A ☐ YES ☐ NO ☐ N/A ☐ YES ☐ NO ☐ N/A ☐ YES ☐ NO ☐ N/A
Locations of temporary and permanent control measures identified in the SWPPP;	☐ YES ☐ NO ☐ N/A

Locations where stabilization control measures are expected to occur;	☐ YES ☐ NO ☐ N/A
Areas protected by buffers (i.e., either the 50-foot buffer or other buffer areas retained on site when within 50 feet of a perennial water) consistent with Part 3.1.1.5. The site map must show the boundary line of all such buffers;	☐ YES ☐ NO ☐ N/A
Locations of on-site material, waste, borrow areas, or equipment storage areas, and other supporting activities (per Part 1.3(1)(c));	☐ YES ☐ NO ☐ N/A
Locations of all potential pollutant-generating activities identified in Part 6.3(9). Examples include, but are not limited to: the pollutant-generating activities listed in Part 3.1.3.1(fueling and maintenance operations; concrete, paint, and stucco washout); waste disposal; solid waste storage and disposal (Part 3.1.3.3); and dewatering operations (Part 3.1.4);	☐ YES ☐ NO ☐ N/A
Locations of all surface waters and any impaired waters or OAWs within 1/4 mile of the facility. If none exist on site, the SWPPP shall indicate so;	☐ YES ☐ NO ☐ N/A
Stormwater discharge location(s), using arrows to indicate discharge direction. Include the following: i. Location(s) where stormwater and/or allowable non-stormwater discharges are discharged to waters of the U.S. (in accordance with Part 1.3); and ii. Location(s) of any discharges to municipal separate storm sewer systems (MS4s) from the construction site. *Note:* Where surface waters and/or MS4s receiving stormwater will not fit on the plan sheet, they shall be identified with an arrow indicating the direction and distance to the surface water and/or MS4;	☐ YES ☐ NO ☐ N/A ☐ YES ☐ NO ☐ N/A
Locations and registration numbers of all on-site drywells and drywells on adjacent properties that have the potential to receive stormwater from the site (If none exist the SWPPP shall indicate so);	☐ YES ☐ NO ☐ N/A
Areas where final stabilization has been accomplished and no further construction permit requirements apply (if none, the SWPPP shall indicate so); and	☐ YES ☐ NO ☐ N/A
Location and boundaries of environmentally sensitive areas and buffer zones to be preserved.	☐ YES ☐ NO ☐ N/A
Is water used for drilling and coring such as for evaluation of foundation materials, where flows are not contaminated with additives	☐ YES ☐ NO ☐ N/A

SECTION 3: EROSION AND SEDIMENT CONTROLS BMP's

General Instructions for Erosion and Sediment Controls (See CGP Parts 3.1.1. and 6.3(8)

Describe the areas of concern and the erosion and sediment controls (BMPs) that will be installed/ maintained at your site to control pollutants in stormwater. For each activity:

- ✓ Clearly describe appropriate control measures.
- ✓ Note the location of each BMP on your site map(s).
- ✓ Describe the scheduling/ sequencing for BMP implementation.
- ✓ Describe the maintenance and inspection procedures that will be used for that specific BMP.
- ✓ Include protocols, thresholds, and schedules for cleaning, repairing, or replacing damaged or failing BMPs.
- ✓ Identify staff responsible for maintaining BMPs. If your SWPPP is shared by multiple operators, indicate the operator responsible for each BMP.

Categorize each BMP under one of the following subsection(s) 3.1- 3.16 listed below.

For any structural BMPs, you should provide design specifications and details and refer to them. Attach them as appendices to the SWPPP or within the text of the SWPPP.

For more information or ideas on BMPs, see EPA's National Menu of BMPs
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

3.1 Natural Buffers or Equivalent Sediment Controls

Instructions (see CGP Parts 3.1.1.5)

This section only applies to you if a surface water is located within 50 feet your construction activities. If this is the case, consult CGP Part 2.1.2.1 and Appendix G for information on how to comply with the buffer requirements.

Describe the compliance alternative (3.1.1.5.2) that was chosen to meet the buffer requirements, and include any required documentation supporting the alternative selected. The compliance alternative selected must be maintained throughout the duration of permit coverage. However, if you select a different compliance alternative during your period of permit coverage, you must modify your SWPPP to reflect this change.

If you qualify for one of the exceptions in CGP Part 3.1.1.5(3), include documentation related to your qualification for such exceptions.

Buffer Compliance Alternatives

Are there any surface waters within 50 feet of your project's earth disturbances? ☐ YES ☐ NO

(Note: If no, no further documentation is required for the SWPPP Template.)

Check the compliance alternative that you have chosen:

☐ I will provide and maintain a 50-foot undisturbed natural buffer.

(Note (1): You must show the 50-foot boundary line of the natural buffer on your site map.)

(Note (2): You must show on your site map how all discharges from your construction disturbances through the natural buffer area will first be treated by the site's erosion and sediment controls. Also, show on the site map any velocity dissipation devices used to prevent erosion within the natural buffer area.)

☐ I will provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by additional erosion and sediment controls, which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer.

(Note (1): You must show the boundary line of the natural buffer on your site map.)

(Note (2): You must show on your site map how all discharges from your construction disturbances through the natural buffer area will first be treated by the site's erosion and sediment controls. Also, show on the site map any velocity dissipation devices used to prevent erosion within the natural buffer area.)

- INSERT WIDTH OF NATURAL BUFFER TO BE RETAINED
- INSERT EITHER ONE OF THE FOLLOWING:

  (1) THE ESTIMATED SEDIMENT REMOVAL FROM A 50-FOOT BUFFER USING APPLICABLE TABLES IN APP. G, ATTACHMENT 1. INCLUDE INFORMATION ABOUT THE BUFFER VEGETATION AND SOIL TYPE THAT PREDOMINATE AT YOUR SITE

  OR

  (2) IF YOU CONDUCTED A SITE-SPECIFIC CALCULATION FOR THE ESTIMATED SEDIMENT REMOVAL OF A 50-FOOT BUFFER, PROVIDE THE SPECIFIC REMOVAL EFFICIENCY, AND INFORMATION YOU RELIED UPON TO MAKE YOUR SITE-SPECIFIC CALCULATION
- INSERT DESCRIPTION OF ADDITIONAL EROSION AND SEDIMENT CONTROLS TO BE USED IN COMBINATION WITH NATURAL BUFFER AREA
- INSERT THE FOLLOWING INFORMATION:
  - (1) SPECIFY THE MODEL OR OTHER TOOL USED TO ESTIMATE SEDIMENT LOAD REDUCTIONS FROM THE COMBINATION OF THE BUFFER AREA AND ADDITIONAL EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE, AND
  - (2) INCLUDE THE RESULTS OF CALCULATIONS SHOWING THAT THE COMBINATION OF YOUR BUFFER AREA AND THE ADDITIONAL EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE WILL MEET OR EXCEED THE SEDIMENT REMOVAL EFFICIENCY OF A 50-FOOT BUFFER

☐ It is infeasible to provide and maintain an undisturbed natural buffer of any size; therefore I will implement erosion and sediment controls that achieve the sediment load reduction equivalent to a 50-foot undisturbed natural buffer.

- INSERT RATIONALE FOR CONCLUDING THAT IT IS INFEASIBLE TO PROVIDE AND MAINTAIN A NATURAL BUFFER OF ANY SIZE
- INSERT EITHER ONE OF THE FOLLOWING:

  (1) THE ESTIMATED SEDIMENT REMOVAL FROM A 50-FOOT BUFFER USING APPLICABLE TABLES IN APP. G, ATTACHMENT 1. INCLUDE INFORMATION ABOUT THE BUFFER VEGETATION AND SOIL TYPE THAT PREDOMINATES AT YOUR SITE

  OR

  (2) IF YOU CONDUCTED A SITE-SPECIFIC CALCULATION FOR THE ESTIMATED SEDIMENT REMOVAL OF A 50-FOOT BUFFER, PROVIDE THE SPECIFIC REMOVAL EFFICIENCY, AND INFORMATION YOU RELIED UPON TO MAKE YOUR SITE-SPECIFIC CALCULATION.
- INSERT DESCRIPTION OF ADDITIONAL EROSION AND SEDIMENT CONTROLS TO BE USED IN COMBINATION WITH NATURAL BUFFER AREA
- INSERT THE FOLLOWING INFORMATION:

- (1) SPECIFY THE MODEL OR OTHER TOOL USED TO ESTIMATE SEDIMENT LOAD REDUCTIONS FROM THE EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE, AND
- (2) INCLUDE THE RESULTS OF CALCULATIONS SHOWING THAT THE ADDITIONAL EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE WILL MEET OR EXCEED THE SEDIMENT REMOVAL EFFICIENCY OF A 50-FOOT BUFFER

☐ I qualify for one of the exceptions in CGP Part 3.1.1.5(3). (If you have checked this box, provide information on the applicable buffer exception that applies, below.)

Buffer Exceptions

Which of the following exceptions to the buffer requirements applies to your site?

☐ There is no discharge of stormwater to perennial waters through the area between the site and any perennial water located within 50 feet of the site.

(Note: If this exception applies, no further documentation is required for Section 4.1 of the Template.)

☐ No natural buffer exists due to preexisting development disturbances that occurred prior to the initiation of planning for this project.

(Note (1): If this exception applies, no further documentation is required for Section 4.1 of the Template.)
(Note (2): Where some natural buffer exists but portions of the area within 50 feet of the surface water are occupied by preexisting development disturbances, operators are required to comply with the requirements in the CGP. For the purposes of calculating the sediment load reduction, an operator is not expected to compensate for the reduction in buffer function from the area covered by these preexisting disturbances.

☐ For a "linear project" (defined in CGP Appendix A), site constraints (e.g., limited right-of-way) make it infeasible for me to meet any of the CGP Part 3.1.1.5(2) compliance alternatives. INCLUDE DOCUMENTATION HERE OF THE FOLLOWING: (1) WHY IT IS INFEASIBLE FOR YOU TO MEET ONE OF THE BUFFER COMPLIANCE ALTERNATIVES, AND (2) BUFFER WIDTH RETAINED AND/OR SUPPLEMENTAL EROSION AND SEDIMENT CONTROLS TO TREAT DISCHARGES TO THE SURFACE WATER

☐ The project qualifies as "small residential lot" construction (described in Part 3.1.1.5.3.d in the CGP Fact Sheet) provided that the operator minimizes the discharge of pollutants by complying with the requirements of Parts 3.1.1.1 through 3.1.1.4.

- INSERT WIDTH OF NATURAL BUFFER TO BE RETAINED
- INSERT DESCRIPTION OF HOW YOU WILL COMPLY WITH THESE REQUIREMENTS

☐ Buffer disturbances are authorized under a CWA Section 404 permit. INSERT DESCRIPTION OF ANY EARTH DISTURBANCES THAT WILL OCCUR WITHIN THE BUFFER AREA

(Note (1): If this exception applies, no further documentation is required for Section 4.1 of the Template.)
(Note (2): This exception only applies to the limits of disturbance authorized under the Section 404 permit, and does not apply to any upland portion of the construction project.)

☐ Buffer disturbances will occur for the construction of a water-dependent structure or water access area (e.g., pier, boat ramp, and trail). INSERT DESCRIPTION OF ANY EARTH DISTURBANCES THAT WILL OCCUR WITHIN THE BUFFER AREA

(Note (1): If this exception applies, no further documentation is required for Section 4.1 of the Template.)

3.2 Perimeter Controls

Instructions (see CGP Parts 3.1.1.4.1.):

Describe sediment controls that will be used (e.g., silt fences, filter berms, temporary diversion dikes, or fiber rolls) to meet the Part 3.1.1.4.1. Requirement to "install sediment controls along those perimeter areas of your site that will receive stormwater from earth-disturbing activities."

For linear projects, where you have determined that the use of perimeter controls in portions of the site is impracticable, document why you believe this is to be the case.

Also see, EPA's *Silt Fence BMP Fact Sheet* at or *Fiber Rolls BMP Fact Sheet* at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.4.1.

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

Note: At a minimum, CGP PART 3.1.1.4.4.c requires "removal of sediment, debris, and other pollutants from all off-site paved areas shall be completed as soon as practicable."

3.3 Sediment Track-Out

Instructions (see CGP Parts 3.1.3.2):

Describe stormwater controls that will be used to "minimize the track-out of sediment onto off-site streets, other paved areas, and sidewalks from vehicles exiting your construction site."

Describe location(s) of vehicle exit(s), procedures to remove accumulated sediment off-site (e.g., vehicle tracking), and stabilization practices (e.g., stone pads or wash racks or both) to minimize off-site vehicle tracking of sediment. Also include the design, installation, and maintenance specifications for each control. Describe reasons for any departure from the use of standard departures from the use of ingress/egress control measure and why certain measures cannot be installed and discuss alternatives.

Describe procedures will be used to monitor discovery and removal of sediment and debris.

Also, see EPA's *Construction Entrances BMP Fact Shee*t at:
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.2. INSERT REASONS FOR THE DEPARTURE FROM THE USE OF STANDARD INGRESS/EGRESS CONTROL MEASURES.

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

Note: Some fine grains may remain visible on the surfaces of paved roads even after implementing sediment removal practices. Such "staining" is not a violation of Part 3.1.3.2.

3.4 Stockpiles of Sediment or Soil

Instructions (see CGP Parts 3.1.1.4.2):

Describe stormwater controls and other measures you will take to minimize the discharge of sediment or soil particles from stockpiled sediment or soil. Include a description of structural practices (e.g., diversions, berms, ditches, storage basins), including design, installation, and maintenance specifications, used to divert flows from stockpiled sediment or soil, retain or detain flows, or otherwise limit exposure and the discharge of pollutants from stockpiled sediment or soil.

Also, describe any controls or procedures used to minimize exposure resulting from adding to or removing materials from the pile.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.4.2

BMP Description:	
***Design Specifications Included*:**	☐ Yes ☐ No Figure No.
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

3.5 Minimize Dust

Instructions (CGP 3.1.1)

Describe controls and procedures you will use at your project/site to minimize the generation of dust.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 2.1.2.5

BMP Description:	
***Design Specifications Included*:**	☐ Yes ☐ No Figure No.
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

3.6 Minimize the Disturbance of Steep Slopes

Instructions (see CGP Parts 3.1.1.3):

Describe how you will minimize the disturbance to steep slopes.

Steep slopes may be defined by a state, Tribe, local government, or industry technical manual (e.g., stormwater BMP manual). Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

Describe controls (e.g., erosion control blankets, tackifiers), including design, installation and maintenance specifications, that will be implemented to minimize sediment discharges from slope disturbances.

Also, see EPA's *Geotextiles BMP Fact Sheet* at:
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.3

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

3.7 Topsoil

Instructions (see CGP Parts 3.1.1.6)

Describe how topsoil will be preserved and identify these areas and associated control measures on your site map(s).

If it is infeasible for you to preserve topsoil on your site, provide an explanation for why this is the case.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.6. OR PROVIDE AN EXPLANATION WHY IT IS INFEASIBLE TO PRESERVE TOPSOIL

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

3.8 Soil Compaction

Instructions (see CGP Parts 3.1.1.6):

- In areas where final vegetative stabilization will occur or where infiltration practices will be installed, describe the controls, including design, installation, and maintenance specifications that will be used to restrict vehicle or equipment access or condition the soil for seeding or planting.

General

INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.6

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

3.9 Storm Drain Inlets

Instructions (see CGP Parts 3.1.1.4.3):

Describe controls (e.g., inserts, rock-filled bags, or block and gravel, etc.) including design, installation, and maintenance specifications that will be implemented to protect all inlets that will receive stormwater from your construction activities, and that you have authority to access.

Also, see EPA's *Storm Drain Inlet Protection BMP Fact Sheet* at:
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

Note: Inlet protection measures can be removed in the event of flood conditions that may endanger the safety of the public. Such actions are allowable only under extreme conditions and shall be documented on the SWPPP. The operator shall evaluate alternatives to be used in the future to prevent a recurrence of this problem.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.4.3

BMP Description:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

3.10 Constructed Stormwater Conveyance Channels

Instructions (see CGP Parts 3.1.1.1):

If you will be installing a stormwater conveyance channel, describe control practices (e.g., velocity dissipation devices), including design specifications and details (volume, dimensions, outlet structure), that will be implemented at the construction site.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.1

BMP Description:			
***Design Specifications Included*:**		☐ Yes ☐ No	Figure No.
Installation Schedule:			
Maintenance and Inspection:			
Responsible Staff:			

Repeat as needed

3.11 Sediment Basins

Instructions (see CGP Parts 3.1.1.1.2)

If you will install a sediment basin, include design specifications and other details (volume, dimensions, outlet structure) that will be implemented at in conformance with CGP Part 3.1.1.1.2.

Note: Maintenance requirements. The operator shall maintain sediment basins, ponds, and traps, and remove accumulated sediment when design capacity has been reduced by 50%. (See CGP Parts 3.1.1.1, 2, b.)

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.1.1.2. IF YOU HAVE DETERMINED THAT IT IS INFEASIBLE FOR YOU TO UTILIZE AN OUTLET STRUCTURE THAT DISCHARGES FROM THE SURFACE, PROVIDE AN EXPLANATION FOR WHY THIS IS THE CASE.

BMP Description:			
***Design Specifications Included*:**		☐ Yes ☐ No	Figure No.
Installation Schedule:			
Maintenance and Inspection:			
Responsible Staff:			

Repeat as needed

Note: At a minimum, you must comply with following requirement in CGP Part 2.1.3.2.b: "Keep in effective operating condition and remove accumulated sediment to maintain at least ½ of the design capacity of the sediment basin at all times."

3.12 Chemical Treatment

Instructions (see CGP Parts 6.3.10)

If you are using treatment chemicals such as polymers, flocculants, or other cationic treatment chemicals at your site, provide details for each of the items below. This information is required as part of the SWPPP requirements in CGP Part 6.3.10.

Soil Types
List all the soil types (including soil types expected to be found in fill material) that are expected to be exposed during construction and that will be discharged to locations where chemicals will be applied: INSERT TEXT HERE

Treatment Chemicals
Include justification for the use of such chemicals and the assessment of potential water quality impacts:
INSERT TEXT HERE

Descriptions of the training specific personnel have or will receive on the use and storage of the chemical treatments at the site:
INSERT TEXT HERE

List all treatment chemicals that will be used at the site and explain why these chemicals are suited to the soil characteristics:
INSERT TEXT HERE

Describe how each of the chemicals will stored: INSERT TEXT HERE

Describe the dosage of all treatment chemicals you will use at the site or the methodology you will use to determine dosage:
INSERT TEXT HERE

Provide information from any applicable Material Safety Data Sheets (MSDS): INSERT TEXT HERE

Include schematic drawings of any chemically-enhanced controls or chemical treatment systems to be used for application of the treatment chemicals; INSERT TEXT HERE

Include references to applicable state or local requirements affecting the use of treatment chemicals, and copies of applicable manufacturer's specifications regarding the use of your specific treatment chemicals and/or chemical treatment systems:
INSERT TEXT HERE

3.13 Other Stormwater Controls

Instructions:

Describe any other stormwater controls that do not fit into the above categories.

General

- INSERT GENERAL DESCRIPTION OF THE PROBLEM THIS CONTROL IS DESIGNED TO ADDRESS

BMP Description:	
***Design Specifications Included*:** ☐ Yes ☐ No Figure No.	
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

3.14 Dewatering Practices

Instructions (see CGP Parts 3.1.4):

If you will be discharging stormwater that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation, include design specifications and details of all dewatering practices that are installed and maintained to comply with CGP Part 3.1.4.

Describe the sediment control practices (sediment trap, sediment basin, dewatering tanks, tube settlers, weir tanks, or filtration systems).

The operator shall ensure all water from dewatering or basin draining activities is discharged in a manner that does not cause nuisance conditions, including erosion in receiving channels or on surrounding properties.

Note: The operator shall retain superchlorinated wastewaters (i.e., containing chlorine above residual levels acceptable in drinking water systems) on-site until the chlorine dissipates, or shall otherwise effectively dechlorinate the water prior to discharge. As with any non-stormwater, if acceptable to the local sanitary sewer authority, this wastewater may be discharged to the sanitary sewer. In this case, dechlorination is not required by this permit.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.4

BMP Description:	
***Design Specifications Included*:**	☐ Yes ☐ No Figure No.
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

3.15 Site Stabilization Requirements, Schedules and Deadlines

Instructions (see CGP Parts 3.1.2):

The CGP requires you to immediately initiate stabilization when work in an area of your site has temporarily or permanently stopped, and to complete certain stabilization activities within prescribed deadlines. The CGP also requires that stabilization measures meet certain minimum criteria. See CGP 3.1.2.

For your SWPPP you must include the following:

- Describe the specific vegetative (sodding, mulching, preserving trees, etc.) and/or non-vegetative practices that will be used to stabilize exposed soils where construction activities have temporarily or permanently ceased. Avoid using impervious surfaces for stabilization whenever possible.
- Also, see EPA's *Seeding BMP Fact Sheet* at:
- https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources
- Once you begin construction, consider using the Grading/Stabilization Activities log in Appendix H of the Template to document your compliance with the stabilization requirements

Note: The operator is not expected to apply temporary or permanent stabilization measures to areas that are intended to remain unvegetated or unstabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.2

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:**	☐ **Yes** ☐ **No** **Figure No.**
Installation Schedule:	
Approximate Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

BMP Description:

☐ *Permanent* ☐ *Temporary* ☐ *Vegetative* ☐ *Non-Vegetative*	
***Design Specifications Included*:** ☐ **Yes** ☐ **No**	**Figure No.**
Installation Schedule:	
Approximate Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

Only fill out the following section use if uncontrollable circumstances have delayed the initiation or completion of stabilization

Note: You will not be able to include this information in your initial SWPPP. If you are affected by such circumstances, you will need to modify your SWPPP to include this information.

Justification

- INSERT DESCRIPTION OF CIRCUMSTANCES THAT PREVENT YOU FROM MEETING THE DEADLINES AND THE SCHEDULE YOU WILL FOLLOW FOR INITIATING AND COMPLETING STABILIZATION

▪ ***BMP Description:***	
☐ *Permanent* ☐ *Temporary* ☐ *Vegetative* ☐ *Non-Vegetative*	
***Design Specifications Included*:** ☐ **Yes** ☐ **No**	**Figure No.**
Installation Schedule:	
Approximate Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

3.16 Final Stabilization

Instructions (see CGP Parts 3.1.1.1)

Describe procedures for final stabilization. If you complete major construction activities on part of your site, you can document your final stabilization efforts for that portion of the site (specific vegetative and/or non-vegetative practices). The UCGP allows you to then discontinue inspection activities in these areas.

You can amend or add to this section as areas of your project are finally stabilized.

Update your site plans to indicate areas that have achieved final stabilization.

BMP Description:	
☐ *Permanent* ☐ *Temporary* ☐ *Vegetative* ☐ *Non-Vegetative*	
***Design Specifications Included*:** ☐ **Yes** ☐ **No**	**Figure No.**
Installation Schedule:	

Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:** ☐ **Yes** ☐ **No** **Figure No.**	
Installation Schedule:	
Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

3.17 Post-Construction BMPs

Instructions (see CGP Parts 3.1.1.)

Describe procedures for final stabilization. List all post-construction stormwater management measures that will be installed during the construction project to control pollutant discharges after construction has been completed.

Also see post-construction section of EPAs Menu of BMPs at:
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

Post-Construction Stormwater Management (see CGP Part 6.4)

- The SWPPP shall include a description of post-construction stormwater management control measures that will be installed during the construction process to control pollutants in stormwater discharges after construction have been completed.
- If 'temporary' sediment basins are to be used as/converted to retention or detention basins in the post-construction phase, the operator shall remove and properly dispose of all sediments accumulated in the basin during construction activities prior to filing an NOT.
- New discharge connections or permanent stormwater outfalls directly to OAWs are prohibited under this permit.
  Note: The installation of these devices may also require a separate permit under section 404 of the Clean Water Act.
  Note: This permit only authorizes and requires the operator to install and maintain stormwater management measures up to and including final stabilization of the site, and does not require continued maintenance after stormwater discharges associated with the construction activity have been eliminated from the site and an NOT has been submitted to ADEQ. However, post-construction control measures that discharge pollutants from point sources once construction is complete may require authorization under a separate AZPDES permit.

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:** ☐ **Yes** ☐ **No** **Figure No.**	
Installation Schedule:	
Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:** ☐ **Yes** ☐ **No** **Figure No.**	
Installation Schedule:	
Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:** ☐ **Yes** ☐ **No** **Figure No.**	
Installation Schedule:	
Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:** ☐ **Yes** ☐ **No** **Figure No.**	
Installation Schedule:	
Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

BMP Description:	
☐ ***Permanent*** ☐ ***Temporary*** ☐ ***Vegetative*** ☐ ***Non-Vegetative***	
***Design Specifications Included*:** ☐ **Yes** ☐ **No** **Figure No.**	
Installation Schedule:	
Completion Date:	
Maintenance and Inspection:	
Responsible Staff:	

SECTION 4: POLLUTION PREVENTION REQUIREMENTS

4.1 Potential Sources of Pollution

Instructions (see CGP Part 3.1.3):

Identify and describe all pollutant-generating activities at your site (e.g., paving operations; concrete, paint, and stucco washout, washing of equipment and vehicles, fueling and maintenance areas, and waste disposal; solid waste storage and disposal). Use the following sections below for additional detail.

For each pollutant-generating activity, include an inventory of pollutants or pollutant constituents associated with that activity (e.g., sediment, fertilizers, and/or pesticides, paints, solvents, fuels), which could be exposed to rainfall or snowmelt, and could be discharged from your construction site. You must take into account where potential spills and leaks could occur that contribute pollutants to stormwater discharges.

Table 3 - Construction Site Pollutants

INSERT TEXT OR USE TABLE BELOW

Pollutant-Generating Activity	**Pollutants or Pollutant Constituents** (that could be discharged if exposed to stormwater)	**Location on Site** (or reference SWPPP site map where this is shown)

[Include additional rows as necessary.]

4.1.1 Concrete Wash Out

Instructions (see CGP Parts 3.1.3.1.1):

Describe concrete wash out and maintenance practices that will be implemented to eliminate the discharge of pollutants (e.g., providing secondary containment *(examples: liners, spill berms, decks, spill containment pallets)*.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.1.1

BMP Description:			
Impacted Outfall:			
***Design Specifications Included*:**		☐ Yes ☐ No	Figure No.
Installation Schedule:			
Maintenance and Inspection:			
Responsible Staff:			

Repeat as needed

4.1.2 Washing of Equipment and Vehicles

Instructions (see CGP Parts 3.1.3.1.2)

Describe equipment/vehicle washing practices that will be used to minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other types of washing (e.g., locating activities away from surface waters and stormwater inlets or conveyances and directing wash waters to a sediment basin or sediment trap, using filtration devices, such as filter bags or sand filters, or using other similarly effective controls).

Describe how you will prevent the discharge of soaps, detergents, or solvents by providing either (1) cover (*examples: plastic sheeting or temporary roofs*) to prevent these detergents from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas.

Also, see EPA's *Vehicle Maintenance and Washing Areas BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/vehicile_maintain

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.1.2

BMP Description:			
Impacted Outfall:			
***Design Specifications Included*:**		☐ Yes ☐ No	Figure No.
Installation Schedule:			
Maintenance and Inspection:			
Responsible Staff:			

Repeat as needed

4.1.3 Washing of Applicators and Containers used for Paint, Concrete or Other Materials

Instructions (see CGP Parts 3.1.3.1.3):

Describe how you will comply with the CGP Part 3.1.3.1.3 requirement to "provide an effective means of eliminating the discharge of water from the washout and cleanout of stucco, paint, concrete, form release oils, curing compounds, and other construction materials."

Also, see EPA's *Concrete Washout BMP Fact Sheet* at:
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.1.3

BMP Description:		
Impacted Outfall:		
***Design Specifications Included*:**	☐ Yes ☐ No	Figure No.
Installation Schedule:		
Maintenance and Inspection:		
Responsible Staff:		

Repeat as needed

4.1.4 Fueling and Maintenance of Equipment or Vehicles

Instructions (see CGP Parts 3.1.3.1.4):

Describe equipment/vehicle fueling and maintenance practices that will be implemented to eliminate the discharge of spilled or leaked chemicals (e.g., providing secondary containment *(examples: spill berms, decks, spill containment pallets)* and cover where appropriate, and/or having spill kits readily available.

Also, see EPA's *Vehicle Maintenance and Washing Areas BMP Fact Sheet* at
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH THE CGP PART 3.1.3.1.4 REQUIREMENT TO "provide an effective means of eliminating the discharge of spilled or leaked chemicals, including fuel, from the area where these activities will take place"

BMP Description:	
Impacted Outfall:	
***Design Specifications Included*:**	☐ Yes ☐ No Figure No.
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

4.2 Good Housekeeping Measures

Instructions (see CGP Parts 3.1.3.3.1):

Describe good housekeeping procedures used to prevent litter, construction debris, and construction chemicals exposed to stormwater, including material storage practices.

INSERT GOOD HOUSEKEEPING CONTROL MEASURES AND POLLUTION CONTROL MEASURES THAT WILL BE IMPLEMENTED TO CONTROL POLLUTANTS IN STORMWATER:

4.2.1 Storage, Handling, and Disposal of Construction Products, Materials, and Wastes

Instructions (see CGP Parts 3.1.3.3.2):

For any of the types of construction products, materials, and wastes in Sections 3.1.3.3.2 below that are expected to be used or stored at your site, provide the information on how you will comply with the corresponding CGP provision and the specific practices that will be employed.

Also, see EPA's *General Construction Site Waste Management BMP Fact Sheet* at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

***4.2.2 Building Products* (see CGP Parts 3.1.3.3.2.a)**

Note: Examples include plastic sheeting, asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures.)

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.3.2.a

BMP Description:	
Impacted Outfall:	
***Design Specifications Included*:**	☐ Yes ☐ No Figure No.
Installation Schedule:	
Maintenance and Inspection:	
Responsible Staff:	

Repeat as needed

4.2.3 Pesticides, (see CGP Parts 3.1.3.3.2.b) Herbicides, Insecticides, Fertilizers (Also Part 3.1.3.5) and Landscape Materials

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.3.2.b

BMP Description:				
Impacted Outfall:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

4.2.4 Diesel Fuel, Oil, Hydraulic Fluids, Other Petroleum Products, and Other Chemicals (see CGP Parts 3.1.3.3.2.c)

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.3.2.c

BMP Description:				
Impacted Outfall:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

4.2.5 Hazardous or Toxic Waste (see CGP Parts 3.1.3.3.2.d)

Note: Examples include paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids.

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.3.2.d

BMP Description:				
Impacted Outfall:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

*4.2.6 Construction and Domestic Waste (*see CGP Parts 3.1.3.3.2.e)

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.3.2..e

BMP Description:				
Impacted Outfall:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

*4.2.7 Sanitary Waste (*see CGP Parts 3.1.3.3.2.f)

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 3.1.3.3.2.f
- ***BMP Description:***

Impacted Outfall:				
***Design Specifications Included*:**		☐ Yes	☐ No	Figure No.
Installation Schedule:				
Maintenance and Inspection:				
Responsible Staff:				

Repeat as needed

4.3 Spill Prevention and Response Procedures

Instructions (see CGP Parts 3.1.3.4):

Describe equipment and procedures you will use to prevent and respond to leaks, spills, and other releases. You must implement the following at a minimum:

- ✓ Procedures for labeling containers;
- ✓ Preventive measures such as barriers between materials storage and traffic areas, secondary containment provisions and procedures for material storage and handling;
- ✓ Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases.
- ✓ Identify the name or title of the employee(s) responsible for detection and response of spills or leaks.

Record Hazardous Substance/ Spill Log in Appendix N.

Some projects/site may be required to develop a Spill Prevention Control and Countermeasure (SPCC) plan under a separate regulatory program (40 CFR 112). If you are required to develop an SPCC plan, or you already have one, you should include references to the relevant requirements from your plan.

Also, see EPA's *Spill Prevention and Control Plan BMP Fact sheet* at:
https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources

Note: Procedures for notification of appropriate facility personnel and emergency response. Where a leak, spill, or other release occurs that contains 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, or 40 CFR Part 302, the operator shall notify ADEQ Emergency Response Duty Office at (602) 771-2330 or, toll free, at (800) 234-5677. Contact information must be in locations that are readily accessible and available. Within 7 calendar days of knowledge of the release, operators shall provide a description in the SWPPP of the release; the circumstances leading to the release; and the date of the release. Local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health or drinking water supply agencies.

INSERT TEXT HERE

SECTION 5: INSPECTIONS

Instructions (see CGP Parts 4):

Describe the procedures (below) that you will follow for conducting inspections in accordance with CGP Sections 4.1, 4.2, 4.3, 4.4 and 4.5. Include Inspection Forms in Appendix D.

5.1 Personnel Responsible for Inspections and Qualifications (see CGP Parts 4.1)

INSERT NAMES OF PERSONNEL OR TYPES OF PERSONNEL WHO WILL BE CONDUCTING SITE INSPECTIONS HERE

Note: All personnel conducting inspections must be considered a "qualified person." CGP Part 4.1. defines a "qualified person" (in CGP Appendix A) are those (either the operator's employees or outside personnel) who are knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possess the skills to assess conditions at the construction site that could impact stormwater quality, and the skills to assess the effectiveness of any control measures selected to control the quality of stormwater discharges from the construction activity.

5.2 Inspection Schedule *(*see CGP Parts 4.2)

Specific Routine Inspection Frequency

INSERT INSPECTION SCHEDULE BASED ON CGP PARTS 4.2, WHICHEVER APPLIES

Rain Gauge Location (if applicable)

SPECIFY LOCATION(S) OF RAIN GAUGE TO BE USED FOR DETERMINING WHETHER A RAIN EVENT OF 0.25 INCHES OR GREATER HAS OCCURRED (only applies to inspections conducted for Part 4.1.2.2, 4.1.3, or 4.1.4.2) Include this information in Appendix M

5.3 Reductions in Inspection Frequency (if applicable)

- For the reduction in inspections resulting from temporary or final stabilization: SPECIFY (1) LOCATIONS WHERE STABILIZATION STEPS HAVE BEEN COMPLETED AND (2) DATE THAT THEY WERE COMPLETED
  (Note: It is likely that you will not be able to include this in your initial SWPPP. If you qualify for this reduction (see CGP Part 4.2.2), you will need to modify your SWPPP to include this information.)

- For the reduction in inspections in based on seasonal rainfall patterns: INSERT BEGINNING AND ENDING DATES OF THE SEASONALLY-DEFINED ARID PERIOD FOR RAINFALL PATTERNS

- For reduction in inspections due to unlikely runoff due to winter conditions: INSERT BEGINNING AND ENDING DATES OF FROZEN CONDITIONS ON YOUR SITE

5.4 Inspection Schedule for Sites within ¼ mile of Impaired Water or OAWs:

INSERT INSPECTION SCHEDULE

5.5 Inspection Schedule for Inactive and Unstaffed Sites:

INSERT INSPECTION SCHEDULE AND COPY OF DOCUMENTION TO SUPPORT THE FACILITY HAS CHANGED ITS STATUS FROM ACTIVE TO INACTIVE AND UNSTAFFED

5.6 Scope of Inspections *(*see CGP Parts 4.3)

INSERT SCOPE OF INSPECTIONS

5.7 Inspection Report Form *(*see CGP Parts 4.4)

INSERT COPY OF ANY INSPECTION REPORT FORMS YOU WILL USE HERE OR IN APPENDIX D

INSERT WHERE INSPECTION REPORTS SHALL BE RETAINED

5.8 Inspection Follow-up *(*see CGP Parts 4.5)
INSERT INSPECTION FOLLOW-UP PROCEDURES

SECTION 6.0 Corrective Action

Instructions (CGP Parts 5):

Describe the procedures for taking corrective action in compliance with CGP Part 5. Include Inspection Forms in Appendix E.

For each corrective action taken in accordance with this Part, the operator shall document the details of the corrective action in the inspection report required by Part 4.4. These reports shall be signed in accordance with the signatory requirements in Appendix B, Subsection 9 and maintained with the SWPPP in accordance with the record keeping requirements in Appendix B, Subsection 11.

Personnel Responsible for Corrective Actions

INSERT NAMES OF PERSONNEL OR TYPES OF PERSONNEL RESPONSIBLE FOR CORRECTIVE ACTIONS

6.1 Corrective Action Triggers

INSERT THE REQUIREMENTS FOR TAKING CORRECTIVE ACTIONS

6.2 Corrective Action Deadlines

INSERT THE DEADLINES IMPOSED FOR CORRECTIVE ACTIONS

6.3 Corrective Action Report/ Forms

INSERT THE DETAILS OF EACH CORRECTIVE ACTION WHICH WILL BE IDENTIFIED IN THE INSPECTION REPORT AND DOCUMENTED IN THE CORRECTIVE ACTION FORM/ REPORT AND MAINTAINED WITHIN THE SWPPP.

7.0 Delegation of Authority

Instructions: we need this? CGP

- Identify the individual(s) or positions within the company who have been delegated authority to sign inspection reports, certification or other information.
- Attach a copy of the signed delegation of authority (see example in Appendix J of the Template.

  For more on this topic, see Appendix I, Subsection 11 of EPA's CGP.

Insert Name:
Insert Position:
Insert Address:
Insert City, State, Zip Code:
Insert Telephone Number:
Insert Fax/Email:

SECTION 8: TRAINING

Instructions (see CGP Part 6 .3)

Complete the table below to provide documentation that the personnel required to be trained or have completed the appropriate training.

If personnel will be taking course training (which is not required as part of the CGP), consider using Appendix I to track completion of this training.

The following personnel, at a minimum, must receive training, and therefore should be listed out individually in the table below:

- ✓ Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls (including pollution prevention measures);
- ✓ Personnel responsible for the application and storage of treatment chemicals (if applicable);
- ✓ Personnel who are responsible for conducting inspections as required in Part 4; and
- ✓ Personnel who are responsible for taking corrective actions as required in Part 5.

Required personnel must be trained to understand the following if related to the scope of their job duties:

- ✓ The location of all stormwater controls on the site required by this permit, and how they are to be maintained;
- ✓ The proper procedures to follow with respect to the permit's pollution prevention requirements; and
- ✓ When and how to conduct inspections, record applicable findings, and take corrective actions.

Table 4 - Documentation for Completion of Training

Name	Date Training Completed
INSERT NAME OF PERSONNEL HERE AND TYPE OF TRAINING	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
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INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE
INSERT NAME OF PERSONNEL HERE	INSERT COMPLETION DATE HERE

SECTION 9: SWPPP UPDATES AND MODIFICATIONS

Instructions (see CGP Part 6.5):

Create a log here, or include as Appendix F, of changes and updates to the SWPPP.

The operator shall make any required amendments to the SWPPP within 7 calendar days whenever conditions occur as specified in CGP-Part 6.5.2. All modifications made to the SWPPP consistent with Part 6.5.2 must be authorized as described in CGP-Part 6.5.3, by a person identified in CGP-Appendix B, Subsection 9.

The Certification and Notification (Page V) must be re-signed in the event of a SWPPP Modification

INSERT SWPPP UPDATES
DATE:
REASON:

Note: Operators are required to maintain records showing the dates of all SWPPP modifications. The records must include the name of the person authorizing each change (see Part 6.1(3)) and a brief summary of all changes including: additions of new BMPs, replacement of failed BMPs, significant changes in the activities or their timing on the project, changes in personnel, changes in inspection and maintenance procedures, and updates to site maps, etc. The updates or changes should be related to the findings of inspections, maintenance, or by local, state, tribal or federal officials, and should be specifically referenced in the report. They should also describe implementation actions taken; date completed, and notes the party that completed the work. When the operator determines that a modification to the SWPPP is required and there are multiple operators covered under a common SWPPP, any operators who may be impacted by the change to the SWPPP shall be notified at the address of record in the SWPPP.

SECTION 10: POSTING SWPPP, SWPPP REVIEW, AND MAKING SWPPPS AVAILABLE

Instructions (CGP List permit section 6.7):

The SWPPP authorization number(s) must be posted in a location, near the main entrance of the construction site (for linear projects, near the entrance where most of the construction activities is occurring). The site-specific SWPPP shall be located on-site, whenever construction or support activities are underway and be available for review during normal business hours (M-F 8:00 am – 5:00 pm) for the authority having jurisdiction over the project.

LOCATION OF POSTING OF AUTHORIZATION NUMBER AND SWPPP: INSERT TEXT

Note: *Inactive and Unstaffed Sites*-Operators with sites that meet the requirements for inactive and unstaffed are not required to maintain the SWPPP on-site. However, the SWPPP must be locally available (i.e., in Arizona) and must be on-site when conducting the inspections required by Part 4. For the purpose of a regulatory inspection, the SWPPP shall be made available to ADEQ, USEPA, or other Federal, State or local authority having stormwater program authority, within 48 hours of request. If otherwise requested by ADEQ, the operator shall submit copies of these documents within 14 calendar days of request.

SECTION 11: STORMWATER MONITORING

Instructions (CGP List permit section 7.0):

If your construction project is within a ¼ mile of an Impaired Water (IW) or a listed Outstanding Arizona Water (OAW), then stormwater monitoring is required. CGP Sampling Requirements are described in the CGP Part 7.

If the construction project is within ¼ mile of an IW or OAW but has no potential to discharge to the listed water body or contribute to the listed impairment, provided the operator includes an acceptable demonstration to ADEQ, then stormwater monitoring is not necessary, in accordance with Part CGP 7.1.

The monitoring program shall be a part of the SWPPP (fill in information below) or provide the Sampling and Analysis Plan in Appendix Q.

DESCRIBE POTENTIAL POLLUTANTS AND POLLUTANT SOURCE(S):

INSERT THE MONITORING JUSTIFICATION:

INSERT THE MONITORING LOCATION (S) INCLUDING LATITUDE/LONGITUDE (INCLUDE LOCATION(S) ON SITE MAPS IN APPENDIX A):

IDENTIFY THE RECEIVING WATER (LABEL ON SITE MAP AND IDENTIFY IMPAIRED/ OAW SEGEMENTS ON SITE MAP- IN APPENDIX A):

PROVIDE SWQS FOR RECEIVING WATER:

INSERT THE NAMES AND TITLE OF PERSONS PERFORMING THE MONITORING:

INSERT ANALYTICAL MONITORING PARAMETERS WITH DETECTION LIMITS: (INCLUDING TMDL OR IMPAIRED WATER PARAMETER(S)):

INSERT CITATION AND DESCRIBE SAMPLING PROTOCOLS:

INSERT THE MONITORING SCHEDULE:

DESCRIBE THE NUMBER OF DISCHARGE POINTS AND THE NUMBER OF SAMPLES TO BE COLLECTED:

SECTION 12: REPORTING REQUIREMENTS

Instructions for Reporting (CGP Part 8.2):

All documents required by this permit (signed copies of NOIs, DMRs, NOTs and paper copies of any reports required in Parts 4, 5, 6, 7 and 8) and any written correspondence concerning discharges covered under this permit shall be signed and dated in accordance with the CGP-Appendix B, Subsection 9 and submitted to ADEQ at the address below

Arizona Department of Environmental Quality
Surface Water Section, Stormwater Permits Unit
1110 W. Washington Street, Mail Code 5415 A-1
Phoenix, AZ 85007

Operators that are required to monitor, in accordance with the CGP-Part 7, must submit data annually to ADEQ on a Discharge Monitoring Report (DMR) form supplied by the Department. Note that if a site is not required to monitor, there is no requirement to submit a DMR. DMR Report Forms can be found at http://www.azdeq.gov/environ/water/permits/cgp.html.

Monitoring records for the period between January 1 and December 31 shall be submitted to ADEQ by January 31 of each year or at the time of final stabilization and NOT submittal, whichever is sooner.

INSERT REPORTING REQUIREMENTS AND DATES TO BE SUBMITTED TO ADEQ:

SECTION 13: NOTICE of TERMINATION (NOT) (see CGP Part 2.5)

Instructions (CGP Part 2.5):

NOTs can only be submitted to ADEQ for those sites which obtained timely permit authorization by submitting a complete and accurate NOI. Sites which did not receive permit authorization have no permit coverage to terminate.

Authorization to discharge terminates under this permit at midnight on the date the complete NOT is received by ADEQ. A copy of the NOT form can be found at: www.azdeq.gov/environ/water/permits/stormwater.html#ms4s.

A Copy of the NOT shall be provided in Appendix O.

If the construction site was located within a regulated MS4, the operator shall send a copy of the NOT acknowledgment letter to the MS4 operator. A list of the regulated MS4s is found at: www.azdeq.gov/environ/water/permits/stormwater.html#ms4s.

NOTE: Copies of the SWPPP and all documentation (paper or electronic) required by this CGP, including records of all data used to complete the NOI, must be retained for at least **three (3)** years from the date that the NOT was submitted to ADEQ.

SWPPP APPENDICES

Attach the following documentation to the SWPPP:

Appendix A ***Site Maps***

Appendix B ***Copy of 2013 CGP***

Appendix C ***Copy NOI and ADEQ Authorization***

Appendix D ***Inspection Form***

Appendix E ***Corrective Action Form***

Appendix F ***SWPPP Amendment/ Modification/ Update Log***

Appendix G ***Subcontractor Certifications/Agreements***

Appendix H ***Grading and Stabilization Activities Log***

Appendix I ***SWPPP Training Log***

Appendix J ***Delegation of Authority Form***

Appendix K ***Rain Event Log***

Appendix L ***Hazardous Substance /Spill Log***

Appendix M ***Agreements with Federal, Tribal, State or Local***

Appendix N ***Notice of Termination (NOT)***

Appendix O ***Copies of Other Permits Obtained***

Appendix P ***Sampling and Analysis Plan, if Required***

Appendix A – Site Maps

INSERT SITE MAPS CONSISTENT WITH TEMPLATE SECTION 2.6

Appendix B – Copy of 2013 CGP

INSERT COPY OF 2013 CGP

Appendix C – Copy of NOI and NOI Certificate

INSERT COPY OF NOI AND EPA'S AUTHORIZATION LETTER/ EMAIL PROVIDING COVERAGE UNDER THE CGP

Appendix D – Copy of Inspection Form

INSERT COPY OF ANY INSPECTION FORMS YOU WILL USE TO PREPARE INSPECTION REPORTS or see ADEQ CGP Inspection and Corrective Action Report form located at:
http://www.azdeq.gov/environ/water/permits/download/cgp_inspection_form2013.pdf

Appendix E – Copy of Corrective Action Form

INSERT COPY OF ANY CORRECTIVE ACTION FORMS YOU WILL USE TO PREPARE CORRECTIVE ACTION REPORTS or see ADEQ CGP Inspection and Corrective Action Report form located at:
http://www.azdeq.gov/environ/water/permits/download/cgp_inspection_form2013.pdf

Appendix F – *Sample* SWPPP Amendment / Modification / Update Log

No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]

Appendix G – *Sample* Subcontractor Certifications/Agreements

SUBCONTRACTOR CERTIFICATION
STORMWATER POLLUTION PREVENTION PLAN

Project Number: _____

Project Title: _____

Operator(s): _____

As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:

I certify under the penalty of law that I have read and understand the terms and conditions of the SWPPP for the above designated project and agree to follow the practices described in the SWPPP.

This certification is hereby signed in reference to the above named project:

Company: _____

Address: _____

Telephone Number: _____

Type of construction service to be provided: _____

_____

_____

Signature: _____

Title: _____

Date: _____

Appendix H – *Sample* Grading and Stabilization Activities Log

Date Grading Activity Initiated	**Description of Grading Activity**	**Description of Stabilization Measure and Location**	**Date Grading Activity Ceased** (Indicate Temporary or Permanent)	**Date When Stabilization Measures Initiated**

Appendix I – *Sample* SWPPP Training Log

Stormwater Pollution Prevention Training Log

Project Name:

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

☐ **Sediment and Erosion Controls** ☐ **Emergency Procedures**

☐ **Stabilization Controls** ☐ **Inspections/Corrective Actions**

☐ **Pollution Prevention Measures**

Specific Training Objective:_____

_____

Attendee Roster: *(attach additional pages as necessary)*

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		

Appendix J – *Sample* Delegation of Authority Form

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 Construction General Permit, at the _____ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

_____ (name of person or position)
_____ (company)
_____ (address)
_____ (city, state, zip)
_____ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in Appendix I of ADEQ's Construction General Permit (CGP), and that the designee above meets the definition of a "duly authorized representative" as set forth in Appendix I.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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.

Name: _____

Company: _____

Title: _____

Signature: _____

Date: _____

Appendix K- Sample Rain Event Log

Place the rain gauge in an open area away from objects. The rain gauge shall be level with the ground surface.

Rain Gauge Log Sheet				
Construction Site Name:				
Location of Rain Gauge at the Site:				
Date (mm/dd/yy)	Time (24-hr)	Duration (min or hrs)	Rainfall Depth (Inches)	Notes

Appendix L-Sample Hazardous Substance /Spill Log

SPILL DISCHARGE EVENT

General Information			
Project Name:			
Location:			
MS4:		**Receiving Water:**	
Date of Event:		**Time of Event:**	
Responsible Party:			
Substance Discharged:			
Description of Event			
Is other descriptive information attached to this inspection report? ☐ Yes ☐ No			
Control and Containment Measures Implemented			
Counter Measures Proposed			

Does the SWPPP need to be updated? ☐ Yes ☐ No
Explanation of new, repaired, replaced and deleted BMP(s) and SWPPP update requirements:
Measures taken to prevent the recurrence of release:

Appendix M- Agreements with Federal, Tribal, State or Local

Appendix N- Sample Notice of Termination Form

ADEQ Arizona Department of Environmental Quality

NOTICE OF TERMINATION (NOT)

for Construction Activity Discharges to Waters of the United States

Submission of this NOT constitutes notice that the party identified on this form is terminating coverage under the AZPDES Stormwater Construction General Permit. Authorization for construction activity discharges to waters of the United States terminates at midnight on the day the NOT is received by ADEQ. To terminate your project, fax or submit a complete and accurate NOT to:

Arizona Department of Environmental Quality
Surface Water Section — Stormwater & General Permits Unit
1110 West Washington, 5415A-1; Phoenix, Arizona 85007
FAX (602) 771-4528

I. PERMITTEE INFORMATION

AZPDES Stormwater Construction Authorization Number: AZCON – _____

Name of Operator on Notice of Intent (NOI): _____

Operator Business: _____ Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

II. CONSTRUCTION SITE INFORMATION

Project/Site Name: _____

Site address or physical location: _____

_____

City: _____ State: _____ Zip: _____ Phone: _____

III. REASON FOR TERMINATING COVERAGE: (Check as applicable)

_____ Final stabilization has been achieved on all portions of the site for which the operator is responsible.

_____ Another operator has assumed control over all areas of the site that have not been finally stabilized. Provide new operator's NOI AZCON Number(s): _____

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

_____ The operator has obtained coverage under another NOI authorization certificate or under an alternative AZPDES permit. To qualify for this condition, you must provide the new AZCON number or AZPDES permit number: New AZCON or AZPDES Number(s): _____

_____ Construction activity was never initiated and plans have been abandoned or postponed.

_____ The operator qualifies for alternative stabilization pursuant to Part 3.1.2.3 of the CGP and the supporting documentation is included with this NOT submission, including a copy of the most recent Stormwater Pollution Prevention Plan and $1,000.00 review fee (see permit for additional documentation requirements).

IV. CERTIFICATION BY AUTHORIZED SIGNATORY

"I certify under penalty of law that all stormwater discharges associated with construction activity from the identified facility that are authorized by a general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge stormwater associated with construction activity under this general permit, and that discharging pollutants in stormwater associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by an AZPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Address (if different from above): _____

City: _____ State: _____ Zip: _____ Phone: _____

May 2013

Appendix O-Copies of Other Permits Obtained

Appendix P-Sampling and Analysis Plan, if Required

Attachment 3 – Construction General Permit

STATE OF ARIZONA
DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER QUALITY DIVISION
PHOENIX, ARIZONA 85007

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY TO WATERS OF THE UNITED STATES

This permit provides authorization to discharge under the Arizona Pollutant Discharge Elimination System (AZPDES) program, in compliance with the provisions of the Arizona Revised Statutes, Title 49, Chapter 2, Article 3.1, the Arizona Administrative Code (A.C.C.), Title 18, Chapter 9, Articles 9 and Chapter 11, Article 1, and the Clean Water Act as amended (33 U.S.C. 1251 et seq.).

This general permit specifically authorizes stormwater discharges associated with construction activity, pursuant to 40 CFR § 122.26(b)(14)(x) and 40 CFR § 122.26(b)(15) in Arizona. All discharges authorized by this general permit shall be consistent with the terms and conditions of this general permit. Permit coverage is required from the “commencement of construction activities” until “final stabilization”, as these terms are defined in this permit.

This general permit becomes effective on June 3, 2013.

This general permit and the authorization to discharge expire at midnight, June 2, 2018.

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1.0 COVERAGE UNDER THIS GENERAL PERMIT

1.1 Permit Area.

This general permit covers the state of Arizona. This permit is not authorized for use by operators with stormwater discharges associated with construction activities on any Indian Country lands in Arizona. USEPA Region 9 is the permitting authority for Indian lands in Arizona.

1.2 Eligibility.

This general permit authorizes stormwater discharges associated with "construction activities", as defined in Appendix A that will disturb one or more acres of land, or will disturb less than one acre, but is part of a common plan of development or sale that will ultimately disturb one acre or more. This general permit is also applicable to stormwater discharges associated with support activities from temporary plants or operations set up to produce concrete, asphalt, or other materials exclusively for the permitted construction project. See 40 CFR 122.26(b)(14)(x) and (15).

Operators of small construction sites (less than five (5) acres – see 40 CFR 122.26(b)(15) and Appendix A) may, if eligible, choose a waiver from coverage under this permit, provided that site remains in compliance with the applicable requirements of Part 1.5 during construction.

Coverage under this permit may be required for any discharge that ADEQ determines is needed in accordance with A.A.C. R18-9-A902(B)(8)(d).

Any discharges that are not consistent with the eligibility conditions of this permit are not authorized by this permit. A person shall either apply for a separate Arizona Pollutant Discharge Elimination System (AZPDES) permit to cover such ineligible discharge(s), cease the discharge(s), or take necessary steps to make the discharge(s) eligible for coverage under this permit.

Individual Permit Requirements. An operator who desires to obtain an individual stormwater permit (in accordance with the requirements of A.A.C. R18-9-C902(B), or is required by ADEQ to obtain an individual stormwater permit (in accordance with A.A.C. R18-9-C902(A)), shall comply with the requirements of Appendix B, Subsections 17 and 18(a)(i).

1.3 Authorized Discharges.

1. Allowable Stormwater Discharges. An operator may discharge pollutants in:
    a. Stormwater runoff associated with construction activities provided the discharge is conducted in compliance with this permit;
    b. Discharges requiring a stormwater permit under 40 CFR 122.26(a)(1)(v); 40 CFR 122.26(b)(15)(ii); or under 40 CFR 122.26(a)(9);
    c. Stormwater discharges from construction support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided:
        i. The support activity is directly related to a construction site that is required to have AZPDES permit coverage for discharges of stormwater associated with construction activity;
        ii. The support activity is not a commercial operation (serving multiple unrelated construction projects by different operators) and does not operate beyond the completion of the construction activity for which the support activity is directly associated.
        iii. The support activity is not otherwise covered by a separate AZPDES permit; and
        iv. Appropriate control measures for the discharges from the support activity areas are identified in the Stormwater Pollution Prevention Plan (SWPPP) and implemented.

2. Allowable Non-Stormwater Discharges.

a. The following are the only non-stormwater discharges allowed under this permit. These discharges are allowed provided they are reduced or eliminated to the extent practicable. When allowable non-stormwater discharges can not be practicably eliminated, the operator shall install appropriate control measures to reduce or eliminate pollutants in the discharge to assure compliance with Part 3 of this permit:

i. Discharges from emergency fire-fighting activities;

ii. Water used to control dust, provided reclaimed water or other process wastewaters are not used;

iii. Routine external building wash down where detergents are not used;

iv. Water used to rinse vehicles and equipment, provided that reclaimed water or other wastewater is not used and no soaps, solvents, detergents, oils, grease or fuels are present in the rinsate;

v. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;

vi. Uncontaminated air conditioning or compressor condensate;

vii. Uncontaminated groundwater or spring water;

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

ix. Water from fire fighting system testing and maintenance, including hydrant flushings;

x. Discharges related to installation and maintenance of potable water supply systems, including disinfection and flushing activities, discharges resulting from pressure releases or overflows, and discharges from wells approved by ADEQ for drinking water use;

xi. Hydrostatic testing of new pipes, tanks or vessels using potable water, surface water, or uncontaminated groundwater;

xii. Water used for compacting soil, provided reclaimed water or other wastewaters are not used;

xiii. Water used for drilling and coring such as for evaluation of foundation materials, where flows are not contaminated with additives; and

xiv. Uncontaminated waters obtained from dewatering operations/ foundations in preparation for and during excavation and construction provided the discharge are managed as specified in Part 3.1.4 of this permit.

Note: This permit does not prohibit the use of reclaimed or other process wastewaters on-site for dust control, soil compaction or for landscape irrigation. However, such activities shall be managed in a way that they are not discharged off site or applied during rain events consistent with A.A.C. R18-9-704(G)(3)(c) of the reclaimed water rules. Therefore, they are not permissible 'discharges'.

b. If the site is within 1/4 mile of an outstanding Arizona water (OAW), the operator shall not discharge any non-stormwater under this permit, except for emergency fire-fighting activities, unless specifically authorized by the Department.

1.4 Prohibited Discharges.

The operator shall not allow any non-stormwater discharges from the site except as provided in Part 1.3(2). All other non-stormwater discharges (not listed above) shall be eliminated or authorized under a separate AZPDES permit, as those discharges are not authorized under this permit. Stormwater

discharges that are mixed with non-stormwater, other than the allowable non-stormwater discharges listed in Part 1.3(2) are not eligible for coverage under this permit. The following discharges are prohibited:

1. Wastewater from washout of concrete, unless managed by an appropriate control as described in Part 3.1.3.1(1);
2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, unless managed by an appropriate control as described in Part 3.1.3.1(3);
3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. Soaps or solvents used in vehicle and equipment washing; and
5. Toxic or hazardous substances from a spill or other release.

1.5 Limitations of 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 temporary support activity site, has achieved final stabilization and a Notice of Termination (NOT) has been submitted to ADEQ. Post-construction stormwater discharges from industrial sites may need to be covered by a separate AZPDES permit.
2. Discharges Covered by Another AZPDES Permit. This general permit does not authorize stormwater discharges associated with construction activity that are covered under an individual permit or another applicable general permit.
3. Impaired Waters. The following conditions and requirements apply if any portion of the construction site is located within 1/4 mile of a receiving water listed as impaired under section 303(d) of the Clean Water Act:
    a. The operator must submit a copy of the SWPPP and associated review fee with the NOI to ADEQ;
    b. The SWPPP must include a sampling and analysis plan (see Part 7.3(5)) for analytical monitoring if there is potential for discharges from the site to include the pollutant(s) for which the receiving water is impaired. However, if the operator can demonstrate there is no reasonable potential that construction activities could be an additional source of the identified pollutant(s), analytical monitoring is not required. As part of this demonstration, the operator must consider all on-site activities, including the potential for the pollutants (metals, nutrients, etc.) to be present in site soils. The demonstration must be included in the SWPPP submitted for ADEQ's review;
    c. If a discharge contains pollutants for which an approved Total Maximum Daily Load (TMDL) has been established, the SWPPP shall specifically identify control measures necessary to ensure the discharges will be consistent with the provisions of the TMDL:
4. Outstanding Arizona waters (OAW). The following conditions and requirements apply if any portion of the construction site is located within 1/4 mile of a receiving water listed as an OAW in A.A.C. R18-11-112(G):
    a. The operator must submit a copy of the SWPPP and associated review fee with the NOI to ADEQ;
    b. The SWPPP must include a sampling and analysis plan for analytical monitoring (see Part 7.3(5)) of pollutants expected to discharge from the site, including sediment;

1.6 Erosivity Waivers for Small Construction Activities.

A person performing construction activity which disturbs between one and five acres may be exempt from obtaining coverage under this permit for the duration of the project based on a low potential for

soil erosion for the duration of the project (i.e., the Erosivity Waiver).

Note: Construction activities that disturb five acres or greater, or less than five acres but are part of a common plan of development or sale, are not eligible for any of this waiver.

1. Calculating the Erosivity Waiver. Low potential for erosion is defined as a rainfall erosivity (R) factor of less than five as calculated using ADEQ's Smart NOI Web site.

   The small construction project's rainfall erosivity factor calculation shall be less than five during the **entire** period of construction activity. The period of construction activity begins at initial earth disturbance (commencement of construction activities) and ends with final site stabilization.

   The applicant shall certify to ADEQ that construction activity will occur only when the rainfall erosivity factor is less than five.

   If any portion of the construction site is located within 1/4 mile of an impaired water or OAW, the site is not eligible for the erosivity waiver. The erosivity waiver is predicated on the above criteria being met and proper application procedures being followed.

   Projects Which Extend Past Certified Period. If the small construction project continues beyond the calculated "end date" as shown on the Permit Waiver Certification, the operator is in violation of this permit. If this occurs, the operator shall prepare a SWPPP and submit an NOI as required under Parts 2.3 and 6.0 before the end of the certified waiver period.

2. Permit Waiver Certification. The operator shall obtain an AZPDES Permit Waiver Certification before commencing construction activities. All waiver certifications require an AZPDES fee in accordance with A.A.C. R18-14-109, Table 6. ADEQ will not issue a waiver until the proper fee is paid.

   An operator of a construction activity that is eligible for one of the above waivers shall provide the following information:

   a. The name, address, and telephone number of the construction site operator(s);
   b. The name (or other identifier), address, county, and parcel or lot number as recorded by the county, of the construction project or site;
   c. An accurate (within 15 seconds) latitude and longitude (in degrees/ minutes/ seconds format) of the construction project or site at the point of discharge nearest to the receiving water;
   d. The project start and completion (final stabilization) dates;
   e. The total project acreage and the acreage to be disturbed by the operator submitting the NOI, to the nearest 0.5 acre;
   f. If there is potential for discharge to a municipal separate storm sewer system (including municipal streets and other improvements that can convey stormwater), the name of the municipal operator of the storm sewer;
   g. The name of the waterbody(s) that would be receiving stormwater discharges from the construction project;
   h. For the erosivity waiver, verification that the rainfall erosivity factor calculation that applies to the active construction phase at the project site is less than five calculated using ADEQ's Smart NOI Web site; and
   i. The waiver certification form shall be signed using the electronic signature feature on the Smart NOI Web site and in accordance with the signatory requirements of Appendix B, Subsection 9.

2.0 AUTHORIZATION UNDER THIS GENERAL PERMIT

The operator shall review all the conditions and requirements of this permit before submitting any of the forms described in Part 2.

2.1 Responsibilities of Operators.

2.1.1 All operators. All operators are required to obtain coverage for stormwater discharges associated with construction activity under this permit or an alternative AZPDES permit. For the purposes of this permit, an "operator" is any person associated with a construction project that meets either of the following two criteria:

1. The person has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The person has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the permit).

Subcontractors generally are not considered operators for the purposes of this permit.

2.1.2 Multiple Operators. Where there are multiple operators associated with the same project, all operators are required to obtain permit coverage. The following applies in these situations:

1. If one operator has control over plans and specifications and a different operator has control over activities at the project site, they may divide responsibility for compliance with the terms of this permit as long as they jointly develop a common SWPPP (see Part 6.1(1)), which documents which operator has responsibility for each requirement of the permit.
2. If an operator only has operational control over a portion of a larger project (e.g., one of four homebuilders in a subdivision), the operator is responsible for compliance with applicable effluent limits (see Part 3), terms, and conditions of this permit as it relates to their activities on their portion of the construction site and implementation of control measures described in the SWPPP in the areas under their control.
3. Operators must ensure either directly or through coordination with other operators, that their activities do not render another person's pollutant discharge controls ineffective.
4. If the operator of a construction support activity (see Part 1.3(1)(c)) is different than the operator of the main construction site, that operator is also required to obtain permit coverage.

2.2 Prerequisites for Submitting a Notice of Intent (NOI).

A person may be authorized to discharge under this permit only if the stormwater discharge is associated with construction activities from the project site. Prior to submission of an NOI, an applicant seeking authorization to discharge under this general permit shall:

1. Meet the eligibility requirements under Part 1.2; and
2. Develop a SWPPP that meets the requirements of Part 6 of this permit and that covers either the entire site or all portions of the site for which the person is an operator.
   a. The SWPPP shall be prepared prior to submission of the NOI and shall be implemented prior to the start of construction.
   b. The SWPPP is not required to be submitted to ADEQ (unless the project is within 1/4 mile of an impaired water or OAW as described in Parts 1.5(3) and 1.5(4)) but shall be retained and made available in accordance with Part 6.7.

Note: Emergency-related construction activities (see Part 2.4) are automatically authorized to discharge under this permit (see Appendix A).

2.3 Submitting an NOI.

1. Application Required.

   a. The operator shall submit separate, accurate and complete NOIs to ADEQ for each project that disturbs one or more acres of land. The operator of a common plan of development or sale that will ultimately disturb one or more acres must submit completed NOIs to ADEQ at the address specified in Part 8.2.

   b. Submission of the NOI demonstrates the operator's intent to be covered by this permit; it is not a determination by ADEQ that the operator has met the eligibility requirements for the permit. Discharges are not authorized if ADEQ notifies the operator that further evaluation is necessary, or the discharges are not eligible for coverage under this permit.

   c. Whenever the operator changes or another is added during the construction project, the new operator shall also submit an NOI to be authorized under this permit before taking over operational control or commencing construction activities at the site.

2. NOI Requirements. Construction site operators seeking authorization for stormwater discharges under this general permit shall submit a complete and accurate AZPDES NOI form to ADEQ. Submit to the Department a complete and accurate NOI form electronically via the Smart NOI Web site at: https://az.gov/app/smartnoi/ or submit a paper copy with original signature in accordance with A.A.C. R18-9-C901(D) to the address listed in Part 8.2.

   The NOI form is available at http://www.azdeq.gov/environ/water/permits/cgp.html

   The NOI form requires, at a minimum, the following information:

   a. The name, address, and telephone number of the construction site operator;

   b. The type of project (e.g., school, commercial, subdivision, roadway, etc.) shall be specifically identified on the NOI;

   c. Whether the project is part of a greater plan of development;

   d. Estimates of the total project acreage and the acreage to be disturbed by the operator submitting the NOI;

   e. The printed name (or other identifier), address, county, lot number or parcel or lot number as recorded by the county, of the construction project or site;

   f. An accurate (within 15 seconds) latitude and longitude (in degrees/ minutes/ seconds format) of the construction site at the point nearest the closest receiving water. If the site is located within 1/4 mile of an impaired water or OAW, the operator shall provide the latitude and longitude of the property that is closest to the impaired water or OAW. If the site is part of a larger common plan of development, the operator shall provide the latitude and longitude of the discharge point for the portion of the site covered by that NOI;

   g. Whether any part of the site is located on Indian Country;

   h. Confirmation that a SWPPP meeting the requirements in Part 6 of this permit has been developed and will be implemented prior to commencement of construction activities. If the NOI is a late application, the operator shall certify that a SWPPP has been developed and implemented prior to submittal of the NOI;

   i. The onsite location where the SWPPP may be viewed and the name and telephone number of a contact person;

   j. Provide the name of the closest receiving water, which may include an unnamed wash;

   k. The name(s) of the MS4 into which there is a potential to discharge, if applicable;

l. The project's estimated start and completion dates;

m. Whether the project has or will need any other water quality permits or approvals, including, but not limited to, subdivision approvals, a Clean Water Act (CWA) section 404 permit, and the permit number(s), if applicable;

n. Whether any portion is within 1/4 mile of an impaired or OAW; and

o. All Notice of Intent forms must be signed in accordance with the signatory requirements of Appendix B, Subsection 9.

p. An NOI is not complete unless the appropriate fee is paid.

3. Effective Date of Permit Coverage.

a. Incomplete NOI Submitted. If ADEQ notifies the operator that an NOI is incomplete or incorrect, the operator shall submit an amended NOI if the operator still intends to obtain coverage under this permit.

b. Discharges to Impaired or outstanding Arizona waters. Applicants seeking coverage for a construction site that is located within 1/4 mile of an impaired or outstanding Arizona water are not authorized under this permit for a minimum of 30 calendar days following receipt of the signed NOI, SWPPP and initial application fee. ADEQ may notify operators within this time-frame that there is cause for a SWPPP amendment or denial of coverage as specified in Parts 1.5(3) and 1.5(4) of this permit. If notification is not received in the 30 calendar day time period, the operator may assume coverage under this permit; the operator must verify with the Department that the Surface Water Section received the NOI and SWPPP prior to commencement of construction activities.

c. NOIs Requiring Additional Evaluation. ADEQ may notify an operator that authorization to discharge shall not occur for up to 30 calendar days in the event that review of the NOI identifies information requiring further evaluation, including that the SWPPP be submitted to ADEQ. This notification may be made either in writing, email, by fax or phone contact. Operators receiving notice of a delay in coverage may discharge 30 calendar days after the date the signed NOI is received unless further notice is received from the Department during this time period. Such further notice may confirm authorization to discharge or deny permit coverage and require an application for an individual permit.

If the operator receives notification from ADEQ that the SWPPP is incomplete or otherwise deficient, the operator shall submit a revised SWPPP to ADEQ that addresses the Department's comments if the operator still intends to obtain permit coverage. If review of the revised SWPPP reveals that a discharge of pollutants may cause or contribute to an exceedance of an applicable water quality standard, monitoring may be required, in accordance with Part 7. The revised SWPPP must include the applicable re-review fee. Permit coverage is suspended until the Department issues the permit authorization certificate.

d. Routine Coverage. Except as provided in Parts 2.3(3)(a) through (c), an eligible operator is authorized to discharge stormwater from a construction project 7 calendar days after a complete and accurate NOI is received by ADEQ's Surface Water Section or when an authorization certificate is issued, whichever is earlier. However, in order to rely on the 7 calendar day "default" provision, the operator must submit the NOI in a manner that documents the date of ADEQ's receipt (i.e., certified mail, hand delivery, etc.).

Alternatively, applicants that submit a SMART NOI using the electronic signature feature will typically obtain immediate authorization unless any portion of the site is located within 1/4 mile of an impaired water or OAW.

e. Ongoing Construction Projects. For operators of construction projects ongoing as of the

effective date of this permit that received authorization to discharge for these projects under the expired Construction General Permit (AZG2008-001), coverage will automatically transfer to CGP 2013 and remain in effect until the operator submits an NOT (in accordance with Part 2.5). An operator that has had authorization automatically transferred and re-issued shall comply with the terms of this permit, as described in i., ii. and iii. below. Parts 2.3(3)(b), (c) and (d) do not apply to operators of on-going construction projects that were authorized to discharge under AZG2008-001.

i. Within the first 120 days from the effective date of this permit, the operator shall update the SWPPP as necessary to comply with the requirements of Part 6 of this permit.

ii. The operator may continue to comply with the terms and conditions of the expired AZG2008-001 until the SWPPP is updated, within the first 120 days from the effective date of this permit.

iii. An operator may submit an NOT within the first 120 days from the effective date of this permit, if the operator is eligible to submit an NOT (e.g., construction is finished and final stabilization has been achieved).

f. Change in Operators. For construction projects where the operator changes, including instances where an operator is added after an NOI has been submitted, the new operator shall submit an NOI and receive an authorization certificate before assuming operational control or commencing work on-site (see Appendix B, Subsection 19).

g. Certificate of Authorization. The operator will receive an authorization certificate (by mail, or electronically via the Smart NOI system for electronic submittals with e-signatures) assigning an authorization number and approval date.

Note: The Certificate of Authorization is not the permit. The authorization certificate acknowledges that the Department received the NOI and that the operator is authorized to discharge subject to the terms and conditions of this permit. Correspondence with ADEQ concerning any construction activity covered by this permit shall reference the authorization number.

4. Late Applications. The operator is only permitted for discharges that occur after a complete and accurate NOI is received by ADEQ and authorization is granted. ADEQ reserves the right to take enforcement action for any un-permitted discharges or permit noncompliance that occur between the time construction commenced and either permit authorization is granted, denied, or a complete and accurate Permit Waiver Certification form is submitted and the wavier is approved.

5. Discharges to a regulated MS4. Construction sites located within a regulated MS4 shall submit a copy of the Department's Authorization to Discharge to the MS4 operator. A list of regulated MS4s is found at http://www.azdeq.gov/environ/water/permits/stormwater.html#ms4s.

6. Revised NOI. If personnel contact information or the operator address on the NOI filed for permit coverage changes during permit coverage, the operator shall submit a revised NOI to ADEQ indicating the updated information. If information other than personnel contact or the operator's address changes, a new NOI shall be submitted to the address specified in Part 8.2. No fee is assessed for submitting a revised NOI.

2.4 Authorization of Emergency-Related Construction Activities

Emergency-related construction activities are automatically authorized provided that:

1. The project is being performed in order to avoid imminent endangerment to human health or the environment or in response to a emergency and the activity requires immediate authorization;

2. If the activity continues past 30 calendar days of commencing construction activities (see Part 2.2), the operator shall prepare a SWPPP and submit a complete and accurate NOI;
3. The operator provides documentation in the SWPPP to substantiate the occurrence of the public emergency; and
4. The operator complies with all other applicable requirements in the permit regarding discharges associated with the construction activities.

Note: Operators of emergency-related construction activities are considered provisionally covered under the terms and conditions of this permit immediately, unless ADEQ notifies the operator that the authorization has been delayed or denied.

2.5 Terminating Coverage.

1. Notice Required. To terminate permit coverage, the operator shall submit a complete and accurate Notice of Termination (NOT) form to the address listed in Part 8.2. Other NOT options (i.e., electronic submission) may also be used if ADEQ makes the information available on the Internet of or by public notice. The operator is responsible for meeting the terms and conditions of this permit until the construction site's authorization is terminated.

   All NOT forms must be signed in accordance with the signatory requirements of Appendix B, Subsection 9.

   The operator may submit a complete and accurate NOT form to ADEQ after any of the following conditions have been met:

   a. The operator has established final stabilization on all portions of the site for which the operator is responsible, in accordance with Part 3.1.2.2.
   b. Another operator who has a valid authorization number under this general permit or an individual AZPDES permit has assumed control over all areas of the site that have not been finally stabilized (see Appendix B, Subsection 19);
   c. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner (or a homeowner's association) in accordance with Part 3.1.2.2(2)(b);
   d. The planned construction activity identified on the original NOI was never initiated (i.e., no grading or earthwork was ever started) and plans for construction have been permanently abandoned or indefinitely postponed;
   e. The operator has obtained coverage for the site under another AZPDES permit;
   f. The operator qualifies for one of the stabilization alternatives in Part 3.1.2.3. If qualifying for either alternative, the operator shall submit the required documentation with the NOT demonstrating compliance with Part 3.1.2.3.

   Note: NOTs can only be submitted to ADEQ for those sites which obtained timely permit authorization by submitting a complete and accurate NOI. Sites which did not receive permit authorization have no permit coverage to terminate.

2. NOT Requirements. The operator shall submit to ADEQ a complete and accurate NOT form electronically via the Smart NOI Web site at: https://az.gov/app/smartnoi/ or submit a paper copy (photocopy/ fax/ e-mail/ electronic) to the address listed in Part 8.2. All NOT forms must be signed in accordance with the signatory requirements of Appendix B, Subsection 9.

   Note: The operator shall receive an acknowledgement letter upon ADEQ's receipt of the operator's completed NOT form.

3. Notification to Municipal Separate Storm Sewer Systems. If the construction site was located within a regulated MS4, the operator shall send a copy of the NOT acknowledgement letter to the MS4 operator. A list of regulated MS4s is found at http://www.azdeq.gov/environ/water/permits/stormwater.html#ms4s.

4. Effective Date of Permit Termination. Authorization to discharge terminates under this permit at midnight on the date the complete NOT is received by the Department.

2.6 Change of Operator Request due to Foreclosure or Bankruptcy.

If a lending institution or another person takes operational control of the permitted construction site due to foreclosure or bankruptcy then that person is responsible for discharges from the construction site and shall submit an application for permit coverage within 14 days prior to taking control of the site if the construction site has not achieved final stabilization as defined in Part 3.1.2.2.

In the event the person taking control of the construction site fails to submit an application for the construction site, the permittee may submit a petition to the department to terminate permit coverage by submitting a Change of Operator Request (COR) form (available at http://www.azdeq.gov/environ/water/permits/cgp.html). In making this request, the permittee must no longer have access to the property and shall submit the following information:

1. The date of the loss of control of the construction site;
2. identifies the person that has control of the construction site;
3. Identifies the reasons for being unable to submit a NOT that complies with the requirements of Part 2.5;
4. Submits a copy of the SWPPP and associated review fee with the COR;
5. The permittee shall provide an update in the SWPPP documenting conditions at the time of loss of control. The permittee shall indicate areas of exposed soils and material stockpiles; the location, type and quantity of chemicals storage; the existing BMPs left in place and their condition; and areas that have been stabilized. The permittee shall indicate if there is public access to the site (e.g., perimeter fence, gate, etc). The Permittee shall also identify any conditions which may be dangerous or hazardous, or may pose a significant environmental threat.
6. Documentation that the permittee informed the person taking control of the construction site of the requirements of this permit; and
7. If the construction site has the potential to discharge to a regulated MS4, documentation that the permittee notified the MS4 of the change in control and the identity and contact information for the person that has control.

ADEQ will review the COR and related information to determine appropriate actions, including (but not limited to) terminating permit coverage for the original permittee. As part of this assessment, the department may conduct a site inspection. Submitting a COR does not suspend ongoing enforcement actions and does not preclude the department from taking enforcement actions for violations of this permit.

3.0 EFFLUENT LIMITATIONS AND WATER QUALITY STANDARDS APPLICABLE TO ALL DISCHARGES FROM CONSTRUCTION SITES

The control requirements in this Part implement the technology-based effluent limitations to meet water quality standards that, where applicable, apply to all stormwater and allowable non- stormwater discharges from construction sites eligible for coverage under this permit. These requirements apply the national effluent limitations guidelines and new source performance standards found at 40 CFR Part 450. The operator shall comply with the control measures requirements included in Part 3 through site planning and designing, installing, and maintaining these controls.

Exception for ongoing construction projects

Note: If a project is an "ongoing construction project" (see Part 2.3(3)(e)), and it is infeasible for the operator to comply with a specific requirement in Part 3.1 because (1) the requirement was not part of the permit the project was previously covered under (i.e., AZG2008-001) and (2) the operator is prevented from compliance due to the nature or location of earth disturbances at the site or the operator is unable to comply with the requirement due to the manner in which control measures have already been installed or were already designed prior to October 1, 2013, the operator does not have to comply with that requirement provided that this fact is documented in the SWPPP. This exception only applies to those portions of a project that have already commenced earth-disturbing activities or where control measures implemented in compliance with the previous permit have already been installed.

3.1. Non-numeric Effluent Limitations and Associated Control Measures

Whenever applicable, the operator shall design, install and maintain the following control measures at construction sites:

- Erosion and sediment control (Part 3.1.1)
- Site stabilization (Part 3.1.2)
- Pollution prevention (Part 3.1.3)
- Controls for Allowable Non-Stormwater Discharges and Dewatering Activities (Part 3.1.4)

General Maintenance Requirements.

1. Ensure that all control measures required in this Part remain in effective operating condition during permit coverage and are protected from activities that would reduce their effectiveness.
2. Inspect all control measures in accordance with the inspection requirements in Part 4. The operator shall document the findings in accordance with Part 4.5. When controls need to be replaced, repaired, or maintained, make the necessary repairs or modifications. Routine maintenance does not constitute a corrective action (see Part 5.1). The operator shall comply with the following schedule:
    a. Initiate work to fix the problem immediately after discovery, and complete such work by the close of the next work day, if feasible and the problem does not require significant maintenance, repair or replacement, or if the problem can be corrected through routine maintenance. SWPPP recordkeeping is not required for actions taken under this paragraph.
    b. When installation of a new control that is not in response to a corrective action in Part 5.1, or a significant repair of existing controls is needed, install the new or modified control and make it operational, or complete the repair, by no later than 7 calendar days from the time of discovery, or before the next storm event (whichever is sooner) where feasible. If it is infeasible to complete the installation or repair within 7 calendar days or before the next storm event, SWPPP records must document why it is infeasible. The SWPPP must also document the schedule for installing the control(s) and making it operational as soon as practicable after the 7-day timeframe. Where these actions result in changes to any of the

controls or procedures documented in the SWPPP, modify the SWPPP accordingly within 7 calendar days of completing this work.

3.1.1 Erosion and Sediment Control Requirements.

Design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. The operator shall minimize the amount of soil exposed during construction activities. The operator is also subject to the deadlines for temporarily and/or permanently stabilizing exposed portions of the site in accordance with Part 3.1.2.

The following general requirements are applicable to all construction sites that implement the erosion and sediment controls in Part 3.1.1.

A. Design Requirements.

1. The operator shall account for the following factors in designing control measures:

   a. The expected amount, frequency, intensity, and duration of precipitation;

   b. The nature of stormwater runoff and run-on at the site, including factors such as expected flow from impervious surfaces, slopes, and site drainage features. If any stormwater flow will be channelized at the site, control measures must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion; and

   c. The range of soil particle sizes expected to be present on the site.

2. The operator shall direct discharges to vegetated areas of the site to increase sediment removal and maximize stormwater infiltration, including any natural buffers established under Part 3.1.1.6(1), unless infeasible. Use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.

B. Installation Requirements.

1. Complete the installation of control measures by the time each phase of earth-disturbance has begun. In the event it is infeasible to install one or more control measures prior to construction activity, the operator shall ensure that those controls are installed as soon as possible. SWPPP records must document why it is infeasible.

   Following the installation of these initial control measures, all other controls planned for this portion of the site and described in the SWPPP must be installed and made operational as soon as conditions on the site allow. The requirement to install control measures prior to earth-disturbance for each phase of the project does not apply to the earth disturbance associated with the actual installation of these controls.

2. Use good engineering practices and follow manufacturer's specifications. The operator shall install all control measures in accordance with good engineering practices, including applicable design specifications. Design specifications may be found in manufacturer specifications and/or in applicable erosion and sediment control manuals or local ordinances. Any departures from such specifications must reflect good engineering practice and must be explained in the SWPPP.

3.1.1.1 Control stormwater volume and velocity within the site to minimize soil erosion;

1. Run-on Management. If off site areas direct flow onto the construction site, divert run-on flows, or otherwise provide other appropriate control measures to account for off site contributions of stormwater and non-stormwater flow.

   If stormwater conveyance channels are used at the site, the operator shall design and construct them to avoid unstabilized areas and to reduce erosion, unless infeasible. Minimize erosion of channels and their embankments, outlets, adjacent streambanks, slopes, and downstream waters during discharge conditions through the use of erosion

controls and velocity dissipation devices within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

2. Sediment Basins and Traps. If necessary, the operator shall install and maintain sediment basin(s) and / or traps to manage run-on, runoff, and sediment discharge from the construction site.

   a. Design requirements. The SWPPP shall provide sizing and calculation requirements for sediment basin(s) and shall indicate whether the basin(s) will be temporary or permanent.

      i. When discharging from the sediment basin, utilize outlet structures that minimize pollutants;

      ii. Prevent erosion of (1) the sediment basin using stabilization controls (e.g., erosion control blankets), and (2) the inlet and outlet using erosion controls and velocity dissipation devices; and

      iii. Sediment basins must be situated outside of surface waters and any natural buffers established under Part 3.1.1.5, unless approved under a CWA section 404 permit.

   b. Maintenance requirements. The operator shall maintain sediment basins, ponds, and traps, and remove accumulated sediment when design capacity has been reduced by 50%.

   c. An operator that uses polymers, flocculants, or other cationic treatment chemicals in a sediment basin shall select and use these chemicals in accordance with manufacturers' instructions so as to provide for adequate settling time and minimize or eliminate these chemicals in the discharge. Furthermore, the operator shall comply with the requirements in Part 6.3(10).

3.1.1.2 Control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;

1. Culvert Stabilization. If culverts are present on the site, the SWPPP shall include measures to sufficiently minimize the threat of erosion at culvert locations to prevent the formation of rills and gullies during construction; and

2. Velocity Dissipation Devices. The operator shall place velocity dissipation devices along the length of any outfall channel on-site, and at locations where discharges leave the construction site as necessary to provide a non-erosive flow velocity.

3.1.1.3 Minimize the amount of soil exposed and the disturbance of steep slopes during construction activity;

1. Preserving Natural Vegetation. Where practicable, existing vegetation should be preserved. If natural vegetation can be preserved, the operator shall clearly mark vegetation before clearing activities begin. Locations of trees and boundaries of environmentally sensitive areas and buffer zones to be preserved shall be identified on the SWPPP site map;

2. Phase or sequence construction activities. Where practicable, minimize the area of disturbance at any one time.

3. Steep slopes. Where practicable, implement standard erosion and sediment control practices, such as phasing disturbances to these areas and using stabilization practices designed to be used on steep grades.

3.1.1.4 Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;

1. Perimeter Control. The operator shall use appropriate control measures (e.g., fiber rolls, berms, silt fences, vegetative buffer strips, sediment traps, or equivalent sediment controls) at all times for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction site.

   For sites where stormwater from disturbed areas, exclusive of rights-of-way, is conveyed to one or more retention basins that are designed to retain stormwater runoff from a local 100 yr/ 2 hr storm event, the operator is not required to utilize perimeter controls.

   For linear projects (see Appendix A) with rights-of-way that restrict or prevent the use of such perimeter controls, the operator shall maximize the use of these controls where practicable and document in the SWPPP why it is impracticable in other areas of the project.

2. Control discharges from stockpiles of sediment or soil. As necessary, implement the following measures for any stockpiled or land clearing debris composed, in whole or in part, of sediment or soil:

   a. Place stockpiles outside of washes or other surface waters, or stormwater conveyances, such as curb and gutter systems, or streets leading to such conveyances. If infeasible, install appropriate sediment controls and document the reasons in the SWPPP.

   b. Locate the piles outside of any buffers established consistent with Part 3.1.1.5;

   c. Protect from contact with stormwater (including run-on) using a temporary perimeter sediment barrier;

   d. Avoid rinsing sediment, debris, or other pollutants accumulated on pavement or other impervious surfaces after the stockpile has been removed into any stormwater conveyance (unless connected to a sediment basin, sediment trap, or similarly effective control), storm drain inlet, or surface water;

   e. To the extent practicable, implement control measures to prevent the generation of wind blown sediment and debris; and

   f. Use silt fences or other effective sediment control measures around soil stockpiles except when they are being actively worked.

3. Storm Drain Inlet Protection. The operator shall assess the need for and install inlet protection measures as necessary that remove sediment from the site's discharge. If the site discharges to any storm drain inlet that carries stormwater flow directly to a surface water (and it is not first directed to a sediment basin, sediment trap, or similarly effective control and the operator has authority to access the storm drain inlet), then inlet protection is required.

   Note: Inlet protection measures can be removed in the event of flood conditions that may endanger the safety of the public. Such actions are allowable only under extreme conditions and shall be documented on the SWPPP. The operator shall evaluate alternatives to be used in the future to prevent a recurrence of this problem.

4. If existing control measures need to be repaired or modified or if additional control measures are necessary, implementation shall be completed within 7 calendar days or before the next storm event (whichever is sooner), unless otherwise prescribed in a. through d. below. If implementation before the next storm event is impracticable, the reason(s) for delay shall be documented in the SWPPP and alternative control measures shall be implemented as soon as possible. Additionally, the following maintenance activities shall be implemented as follows:

   a. Remove accumulated sediment when it reaches a maximum of one-third the height of the silt fence or one-half the height of a fiber roll.

b. Sediment shall be removed from temporary and permanent sedimentation basins, ponds and traps when the depth of sediment collected in the basin reaches 50% of the storage capacity.

c. Construction site egress location(s) shall be inspected for evidence of off-site tracking of sediment, debris, and other pollutants onto paved surfaces. Removal of sediment, debris, and other pollutants from all off-site paved areas shall be completed as soon as practicable.

d. Accumulations of sediment, debris, and other pollutants observed in off-site surface waters, drainage ways, catch basins, and other drainage features shall be removed in a manner and at a frequency sufficient to minimize impacts and to ensure no adverse effects on water quality.

3.1.1.5 Maintain natural buffers adjacent to perennial waters and direct stormwater to vegetated areas to increase sediment removal, unless infeasible.

1. Provide Natural Buffers or Equivalent Sediment Controls. This requirement only applies when a perennial water (including lakes, unless infeasible) is located within 50 feet of the project's earth disturbances.

   Areas not owned or that are otherwise outside the operational control of the operator may be considered areas of undisturbed natural buffer for purposes of compliance with this part.

   The operator shall ensure that any discharges to perennial waters through the area between the disturbed portions of the property and any perennial waters located within 50 feet of the site are treated by an area of undisturbed natural buffer and/or additional erosion and sediment controls in order to achieve a reduction in sediment load equivalent to that achieved by a 50-foot natural buffer. Refer to Part 3.1.1.5(3) for exceptions to this requirement.

2. Alternatives. In areas where it is infeasible to maintain the 50 foot buffer, the operator shall:

   a. Document in the SWPPP the reasons why the 50 foot buffer cannot be maintained, and identify the additional erosion and sediment controls selected;

   b. Preserve as much buffer as possible and design, implement and maintain additional erosion and sediment controls (such as berms, diversion dikes, sediment basins, etc.);

   c. Ensure that all discharges from the area of earth disturbance to the natural buffer are first treated by the site's erosion and sediment controls, and use velocity dissipation devices if necessary to prevent erosion caused by stormwater within the buffer;

   d. Document in the SWPPP the natural buffer width retained on the property, and show the buffer boundary on the site plan;

   e. Delineate, and clearly mark off, with flags, tape, or other similar marking device all natural buffer areas; and

   f. Follow the additional stabilization requirements described in Part 3.1.2.1.

Note: The operator is not required to enhance the quality of the vegetation that already exists in the buffer, or provide vegetation if none exists.

3. Exceptions.

   a. If there is no discharge of stormwater to perennial waters through the area between the site and any perennial waters located within 50 feet of the site, the operator is not required to comply with the requirements in this Part. This includes situations where control measures, such as a berm or other barrier that will prevent such discharges, have been implemented.

b. Where no natural buffer exists due to preexisting development disturbances (e.g., structures, impervious surfaces) that occurred prior to the initiation of planning for the current development of the site, operators are not required to comply with the requirements in this Part, unless portions of the preexisting development are removed.

Where some natural buffer exists but portions of the area within 50 feet of the perennial water are occupied by preexisting development disturbances, operators are required to comply with the requirements in this Part. For the purposes of calculating the sediment load reduction, an operator is not expected to compensate for the reduction in buffer function from the area covered by these preexisting disturbances.

If, during the life of the project, any portion of these preexisting disturbances will be disturbed, the area disturbed will be deducted from the area treated as natural buffer.

c. Linear projects are not required to comply with the requirements in this Part if site constraints (e.g., limited right-of-way) prevent the operator from meeting any of the compliance alternatives in Part 3.1.1.5(2), provided that, to the extent practicable, disturbances are limited to within 50 feet of the perennial water and/or the operator provides supplemental erosion and sediment controls to treat stormwater discharges from earth disturbances within 50 feet of the perennial water. The operator shall document in the rationale for why it is infeasible to comply with the requirements in Part 3.1.1.5(2) in the SWPPP, and describe any buffer width retained and/or supplemental erosion and sediment controls installed.

d. "Small residential lot" construction (see Appendix A) is exempt from buffer requirements, provided that the operator minimizes the discharge of pollutants by complying with the requirements of Parts 3.1.1.1 through 3.1.1.4.

e. The following disturbances within 50 feet of a perennial water are exempt from the requirements in this Part:

- Construction approved under a CWA section 404 permit; or
- Construction of a water-dependent structure or water access area (e.g., pier, boat ramp, trail).

Any of the above disturbances that may occur within the buffer area shall be documented in the SWPPP.

3.1.1.6 The operator shall minimize soil compaction and, unless infeasible, preserve topsoil (for later revegetation).

Minimize soil compaction in areas of the site where final vegetative stabilization will occur or where infiltration practices will be installed.

3.1.2 Site Stabilization Requirements, Schedules and Deadlines.

The operator shall comply with the stabilization requirements in this Part to minimize the discharge of pollutants.

3.1.2.1 Temporary Stabilization.

The operator must provide temporary stabilization, or initiate permanent stabilization, of disturbed areas within 14 calendar days of the most recent land disturbance in areas where construction or support activities have been temporarily suspended or have permanently ceased, except as follows:

1. Where stabilization by the 14th day is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable;

2. When the site is using vegetative stabilization and is located in an area of the state experiencing drought conditions (see Appendix A), vegetative stabilization measures shall be initiated as soon as practicable, when growing conditions are best for planting or seeding;

3. Stabilization shall be initiated within 7 calendar days, for areas within 50 feet of an impaired water or OAW.

4. Where disturbed areas are awaiting vegetative stabilization for periods greater than 14 calendar days after the most recent disturbance, non-vegetative methods of stabilization shall be employed. These methods shall be described in the SWPPP.

5. Seeding/ Vegetation. If revegetation plans include seeding, the SWPPP shall include seed mix and application specifications that will be used for vegetative stabilization. If the operator uses fertilizers or tackifiers on-site to establish vegetation, control measures shall be established to minimize the presence of these chemicals in the discharge.

Note: The operator is not expected to apply temporary or permanent stabilization measures to areas that are intended to remain unvegetated or unstabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

3.1.2.2 Final Stabilization.

Final stabilization means that one of the following conditions (1, 2, or 3) is met:

1. All soil disturbing activities at the site have been completed; all construction materials, waste, and temporary erosion and sediment control measures (including any sediment that was being retained by the temporary erosion and sediment control measures) have been removed and properly disposed; and either a. and/ or b. below is met:

   a. A uniform (i.e., evenly distributed, without large bare areas) vegetative cover with a density of 70% of the native background vegetative cover for the area is in place on all unpaved areas and areas not covered by permanent structures.

      When preconstruction native background vegetation covered less than 100% of the ground (e.g., arid areas, beaches), the 70% coverage criteria is adjusted as follows: if the native vegetation covered 50% of the ground, 70% of 50% (.70 X .50 = .35) or 35% cover density would be required, or

   b. Equivalent permanent stabilization measures (such as the use of riprap, gabions, gravel, or geotextiles) have been employed.

2. For individual lots in residential construction, final stabilization means that the homebuilder:

   a. Has completed final stabilization as specified in Part 3.1.2.2(1)(a) above, or

   b. Has established temporary stabilization, including perimeter controls, for an individual lot prior to occupation of the home by the homeowner and has informed the homeowner of the need for, and benefits of, final stabilization.

3. For construction projects on land used for agricultural purposes (e.g., pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to water of the U.S., and areas that are not being returned to their preconstruction agricultural use shall meet the final stabilization criteria above.

Any non-vegetative stabilization methods must achieve the same levels of stabilization as specified in Part 3.1.2.2(1).

3.1.2.3 Site Stabilization Alternatives.

An operator with an eligible site may choose either of the following alternatives instead of implementing the stabilization requirements in Parts 3.1.2.1 or 3.1.2.2:

1. *Sites with additional retention capacity (see A.R.S. § 49 – 255.01(L))*. Stabilization deadline requirements in this permit do not apply to sites with retention capacity that meets or

exceeds the 100 year/ 2 hour storm event as calculated by an Arizona registered professional engineer, geologist or landscape architect (A.R.S. § 32-144) and that meet the following conditions:

a. The nearest receiving water is ephemeral and not within 2.5 miles of a perennial or intermittent water body;
b. All stormwater generated by disturbed areas of the site, exclusive of public rights-of-way, is directed to one or more retention basins;
c. The operator complies with good housekeeping measures;
d. The operator maintains capacity of retention basin(s); and
e. The operator determines temporary and final stabilization requirements for the site to reduce or minimize the discharge of sediment and other pollutants to meet the requirements of Part 3.2.

Note: for the purposes of this permit, retention and detention are equivalent terms and mean that stormwater is held in a basin on-site up to the design capacity of the basin. However, local ordinances may have specific requirements for on-site stormwater detention/ retention.

2. *Sites returned to pre-construction discharge conditions*. Construction operators may qualify for this exemption by demonstrating that stormwater discharge from the site's pre- and post-construction activities is equal or less than in volume and pollutant load from disturbed areas as calculated by an Arizona registered professional engineer, geologist or landscape architect and where the site is not located within 2.5 miles of an impaired water or OAW.

The above demonstrations must be documented and retained with the SWPPP and submitted with the NOT, in accordance with Part 2.5(1)(f).

3.1.3 Pollution Prevention Requirements.

The operator shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. To meet this requirement, the operator shall comply with the following:

- Eliminate certain pollutant discharges from the site (see Part 1.4, Prohibited Discharges);
- Properly maintain all pollution prevention controls (see Part 3.1, General Maintenance Requirements); and
- Comply with pollution prevention standards for pollutant-generating activities that occur at the site (see Parts 3.1.3.1 through 3.1.3.3).

The operator shall comply with the pollution prevention standards in this Part if any of the following activities are conducted at the site or at any construction support activity areas covered by this permit (see Part 1.3(1)(c)).

3.1.3.1 Minimize the Discharge of Pollutants – from equipment and vehicle washing, wheel wash water, and other wash waters.

1. Concrete Washout. To comply with the prohibition in Part 1.4(1) for discharges of wastewater from washout of concrete:
   a. Where possible, concrete suppliers should conduct washout activities at their own plants or dispatch facilities.
   b. If conducted at the construction site, the operator shall employ measures to contain and manage on-site concrete washout to prevent discharge (see Part 6.3).
   c. Specify locations of concrete washout activities that will occur at the construction site.
2. Washing of equipment and vehicles. Any operator that washes equipment or vehicles on site shall implement the following control measures:

a. Provide an effective means of minimizing the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other types of washing; and

b. To comply with the prohibition in Part 1.4(4), for storage of soaps, detergents, or solvents, the operator shall provide either (1) cover (e.g., plastic sheeting or temporary roofs) to prevent these detergents from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas.

3. Washing of Applicators and Containers used for Paint or Other Materials. To comply with the prohibition in Part 1.4(2), the operator shall provide an effective means of eliminating the discharge of water from the washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials. To comply with this requirement, the operator shall:

   a. Direct all washwater into a leak-proof container or leak-proof pit. The container or pit must be designed so that no overflows can occur due to inadequate sizing or precipitation;

   b. Locate any washout or cleanout activities as far away as possible from surface waters and stormwater inlets or conveyances, and, to the extent practicable, designate areas to be used for these activities and conduct such activities only in these areas; and

   c. Handle washout or cleanout wastes as follows:

      i. Do not dump liquid wastes in storm sewers;

      ii. Dispose of liquid wastes in accordance with applicable requirements in Part 3.1.3.3;

4. Fueling and Maintenance of Equipment or Vehicles. Any operator that conducts fueling and/or maintenance of equipment or vehicles at the site shall provide an effective means of eliminating the discharge of spilled or leaked chemicals, including fuel, from the area where these activities will take place.

   To comply with the prohibition in Part 1.4(3), operators shall:

   a. If applicable, comply with the Spill Prevention Control and Countermeasures (SPCC) requirements in 40 CFR 112 and Section 311 of the CWA;

   b. Ensure adequate supplies are available at all times to handle spills, leaks, and disposal of used liquids;

   c. Use drip pans and absorbents under or around leaky vehicles;

   d. Dispose of or recycle oil and oily wastes in accordance with other federal, state, tribal, or local requirements;

   e. Clean up spills or contaminated surfaces immediately, using dry clean up measures where possible, and eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge; and

   f. Do not clean surfaces by hosing the area down.

3.1.3.2 Construction Site Egress. The operator shall implement effective control measures to minimize tracking of sediments, debris and other pollutants from vehicles and equipment leaving the site (e.g., stone pads, concrete or steel wash racks, or equivalent systems).

If site conditions make it infeasible to install structural controls to prevent track-out (e.g., a linear operator conducting earth disturbing activities within a paved right-of-way or immediately adjacent and parallel to a paved right-of-way), the operator shall explain in the SWPPP why such controls cannot be installed; what alternative measures will be used to prevent sediment from being tracked-out or accumulated on paved areas; and what procedures will be used to ensure track-out is discovered and removed as soon as practicable.

The reasons for any departure from the use of standard ingress/ egress control measures to control track-out shall be documented in the SWPPP:

1. Explain why structural control measures cannot be installed;
2. Describe what alternative measures will be used to prevent sediment from being tracked-out or accumulated on paved areas; and
3. Describe what procedures will be used to ensure track-out is discovered and removed as soon as practicable.

Note: Some fine grains may remain visible on the surfaces of paved roads even after implementing sediment removal practices. Such "staining" is not a violation of Part 3.1.3.2.

3.1.3.3 The operator shall minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater.

1. Good Housekeeping Measures. The operator shall implement good housekeeping procedures to prevent litter, construction debris, and construction chemicals exposed to stormwater from becoming a pollutant source for stormwater discharges. These procedures shall include storage practices to minimize exposure of the materials to stormwater, and spill prevention and response practices.
2. Storage, Handling, and Disposal of Construction Products, Materials, and Wastes. The operator shall minimize the exposure to stormwater of any of the products, materials, or wastes specified below that are present at the site by complying with the requirements in this Part.

   Note: These requirements do not apply to those products, materials, or wastes that are not a source of stormwater contamination or that are designed to be exposed to stormwater.

   The operator shall consider and implement the following control measures, as appropriate:

   a. For building products: In storage areas, provide either (1) cover (e.g., plastic sheeting or temporary roofs) to prevent these products from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas.
   b. For pesticides, herbicides, insecticides, fertilizers, and landscape materials:
      i. In storage areas, provide either (1) cover (e.g., plastic sheeting or temporary roofs) to prevent these chemicals from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas; and
      ii. Comply with all application and disposal requirements included on the registered pesticide, herbicide, insecticide, and fertilizer label.
   c. For diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals:
      i. To comply with the prohibition in Part 1.4(3), store chemicals in water-tight containers, and provide either (1) cover (e.g., plastic sheeting or temporary roofs) to prevent these containers from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas (e.g., spill kits), or provide secondary containment (e.g., spill berms, decks, spill containment pallets); and
      ii. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a continuation of an ongoing discharge.

d. For hazardous or toxic waste:

i. Separate hazardous or toxic waste from construction and domestic waste;

ii. Store in sealed containers, which are constructed of suitable materials to prevent leakage and corrosion, and which are labeled in accordance with applicable Resource Conservation and Recovery Act (RCRA) requirements and all other applicable federal, state, tribal, or local requirements;

iii. Store all containers that will be stored outside within appropriately-sized secondary containment (e.g., spill berms, decks, spill containment pallets) to prevent spills from being discharged, or provide a similarly effective means designed to prevent the discharge of pollutants from these areas (e.g., storing chemicals in covered area or having a spill kit available on site);

iv. Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended method of disposal and in compliance with federal, state, tribal, and local requirements; and

v. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge.

e. For construction and domestic waste: Provide waste containers (e.g., dumpster or trash receptacle with covers/ lids) of sufficient size and number to contain construction and domestic wastes. In addition:

i. On work days, clean up and dispose of waste in designated waste containers; and

ii. Clean up immediately if containers overflow.

f. For sanitary waste: Position portable toilets outside of areas of stormwater flow and ensure that they are secure and will not be tipped over.

3.1.3.4 Spill Prevention and Response Procedures. Operators are prohibited from discharging toxic or hazardous substances from a spill or other release, consistent with Part 1.4. The operator shall minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for timely and effective clean-up of spills if or when they occur by implementing measures such as:

- Procedures for plainly labeling containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;
- Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;
- Procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases. Employees who may cause or detect a spill or leak should be knowledgeable in the proper reporting procedures established by their facility. Employees who are responsible for spill response and/or cleanup, must be properly trained and have necessary spill response equipment available; and
- Procedures for notification of appropriate facility personnel and emergency response. Where a leak, spill, or other release occurs that contains 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, or 40 CFR Part 302, the operator shall notify ADEQ Emergency Response Duty Office at (602) 771-2330 or, toll free, at (800) 234-5677. Contact information must be in locations that are readily accessible and available. Within 7 calendar days of knowledge of the release, operators shall provide a description in the SWPPP of: the release; the circumstances leading to the release; and the date of the release. Local requirements may

necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies.

3.1.3.5 Fertilizer Discharge Restrictions.

Operators are required to minimize discharges of fertilizers containing nitrogen or phosphorus by applying these products consistent with manufacturer's specifications.

3.1.4 Controls for Allowable Non-Stormwater Discharges and Dewatering Activities.

Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls. Appropriate controls include, but may not be limited to: sediment basins or traps; dewatering tanks; tube settlers; weir tanks; or filtration systems (e.g., bag or sand filters) that are designed to remove sediment.

The operator shall ensure all water from dewatering or basin draining activities is discharged in a manner that does not cause nuisance conditions, including erosion in receiving channels or on surrounding properties.

The operator shall retain superchlorinated wastewaters (i.e., containing chlorine above residual levels acceptable in drinking water systems) on-site until the chlorine dissipates, or shall otherwise effectively dechlorinate the water prior to discharge.

Note: As with any non-stormwater, if acceptable to the local sanitary sewer authority, this wastewater may be discharged to the sanitary sewer. In this case, dechlorination is not required by this permit.

3.2 Water Quality Standards

3.2.1 Water Quality Standards

The operator shall control discharges from the site as necessary to not cause or contribute to an exceedance of an applicable water quality standard.

ADEQ expects that compliance with other conditions in this permit will control discharges as necessary to not cause or contribute to an exceedance of an applicable water quality standard (A.A.C.R18-11, Article 1). However, if at any time the operator becomes aware, or ADEQ determines, that the facility's discharge causes or contributes to an exceedance of an applicable water quality standard, the operator shall take corrective action as required in Part 5.1, document the corrective actions as required in Parts 5.3 and 6.4, and report the corrective actions to ADEQ as required in Part 8.2(3).

Additionally, ADEQ may impose additional water quality-based requirements on a site-specific basis, or require the operator to obtain coverage under an individual permit in accordance with Part 1.2, if information in the NOI, required reports, or from other sources indicates that additional controls are necessary to not cause or contribute to an exceedance of an applicable water quality standard.

3.2.2 Discharge Limitations for Impaired Waters and OAWs.

Operators of construction sites that are located within 1/4 mile of an impaired water or OAW are required to comply with the following requirements, which supplement the requirements applicable to the site in other corresponding parts of this permit:

1. Frequency of Site Inspections. The operator shall conduct inspections at the frequency specified in Part 4.2(3).
2. Deadline to Complete Stabilization. The operator shall comply with the deadlines for completing site stabilization as specified in Part 3.1.2.

If the discharge is to an impaired water, ADEQ may inform the operator that additional limits or controls are necessary to meet water quality standards or any applicable wasteload allocation (WLA), or to prevent the site from contributing to the impairment, or if coverage under an individual permit is necessary in accordance with Appendix B, Subsection 17.

If during coverage under a previous permit, the operator was required to install and maintain control measures specifically to meet the assumptions and requirements of an USEPA-approved or established TMDL (for any parameter) or to otherwise control a discharge to meet water quality standards, the operator shall continue to implement such controls as part of this permit.

4.0 INSPECTIONS

4.1 Inspector Qualifications.

The operator shall provide qualified personnel (as defined in Appendix A) to perform inspections according to the selected inspection schedule identified in the SWPPP. The operator shall conduct inspections of the site in accordance with Parts 4.2 through 4.5 of this permit.

4.2 Inspection Schedule.

At a minimum, operator shall conduct a site inspection in accordance with one of the schedules listed below. The operator shall document in the SWPPP which schedule is being used and, when necessary, the location of the rain gauge or weather station used to obtain rainfall information. The Department encourages adding inspections **before** and/ or **during** predicted storm events and "spot" inspections to ensure control measures will be effective in managing stormwater runoff and associated pollutants.

1. Routine Inspection Schedule. The operator shall ensure inspections are performed at the site as indicated below to ensure control measures are functional and that the SWPPP is being properly implemented. To determine the amount of rainfall from a storm event that occurs on the site (in accordance with options b. or c.), the operator shall obtain rainfall information (in accordance with Part 4.4(3)) from either a properly maintained rain gauge on the site, or a weather station that is representative of the site's location. For any day of rainfall during normal business hours that measures 0.25 inch or greater, the total rainfall measured for that day shall be recorded in accordance with Part 4.4(3).
    a. The site will be inspected a minimum of once every 7 calendar days, or
    b. The site will be inspected a minimum of once every 14 calendar days, and also within 24 hours of each storm event of 0.5 inch or greater in 24 hours; or
    c. The site will be inspected a minimum of once per month, but not within 14 calendar days of the previous inspection and within 24 hours of the occurrence of a storm event of 0.25 inch or greater.
2. Reduced Inspection Schedule. The operator may reduce inspection if the entire site has been temporarily stabilized, discharges are unlikely based on seasonal rainfall patterns, or runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or frozen ground exists).With a reduced inspection schedule, the site shall be inspected at least once per month (but not within 14 calendar days of the previous inspection) and before an anticipated storm event and within 24 hours of each storm event of 0.5 inch or greater in 24 hours.
3. Inspection Schedule for Sites within 1/4 mile of Impaired Waters or OAWs. If any portion of the construction site is within 1/4 mile of an impaired water or OAW, the operator shall inspect the site at least once every 7 calendar days. The operator may reduce inspections to the schedule specified in Part 4.2(2) for those areas of the construction site that have undergone temporary or final stabilization.
4. Inspection Schedule for Inactive and Unstaffed Sites. A site is inactive and unstaffed that will have an anticipated period of no construction activity for at least six consecutive months. *Inactive and unstaffed sites within 1/4 mile of an impaired water or OAW are not eligible for this reduced inspection frequency unless they have undergone temporary stabilization*.

    Operator's responsibilities include:

    a. Immediately before becoming inactive and unstaffed, the operator shall perform an inspection in accordance with Part 4.4. All control measures must be in operational condition in accordance with Part 3.1 prior to becoming inactive and unstaffed;
    b. During the time the site is inactive and unstaffed, the operator shall perform an inspection at least once every six months and within 24 hours of each storm event of 0.5 inch or greater in 24 hours;

c. Non-storm event inspections must be at least three months apart;

d. All control measures must be maintained in operational condition;

e. The site shall be secured, such as limited access, blocking or fencing;

f. Maintain a statement in the SWPPP as required in Part 6.4(11) indicating that the construction site is inactive and unstaffed. The statement must be signed and certified in accordance with Appendix B, Subsection 9; and

g. If circumstances change and the site becomes active and/or staffed, this exception no longer applies and the operator shall immediately resume the routine inspection schedule.

ADEQ retains the authority to revoke this exception from routine inspections where it is determined that the discharge causes, has a reasonable potential to cause, or contribute to an exceedance of an applicable water quality standard, including designated uses.

5. Inspections are only required during the project's normal working hours. If an inspection day (except those required relative to a rainfall event) falls on a Saturday or holiday, the inspection may be conducted on the preceding workday. If the inspection day falls on a Sunday, the inspection may be conducted on the following Monday. If rainfall events occur on the weekend or holiday, an inspection relative to that event may be conducted the following workday.

6. Inspections are not required under Adverse Conditions. The operator is not required to inspect areas that, at the time of the inspection, are considered unsafe for inspection personnel. Inspections may be postponed when conditions such as local flooding, high winds, or electrical storms, or situations that otherwise make inspections unsafe. The inspection must resume as soon as conditions are safe.

4.3 Scope of Inspections.

At a minimum, the inspector shall examine each of the following during each inspection:

1. All structural controls identified in the SWPPP to ensure they are in place and functioning as intended. Repair, replace, or maintain any controls as necessary in accordance with Part 3.1;
2. The effectiveness of non-structural controls and practices (such as good housekeeping practices and pollution prevention measures);
3. All areas of the site used for storage of materials that are exposed to precipitation;
4. All locations where new or modified control measures are necessary to meet the requirements of Part 3;
5. Locations where vehicles and equipment enter or exit the site for evidence of tracking sediment, debris, and other pollutants onto and off the site;
6. Site conditions for evidence of, or the potential for, pollutants entering the municipal separate storm sewer;
7. The presence of conditions that could lead to spills, leaks, or other accumulations of pollutants on the site;
8. Accessible discharge locations or discharge points to ascertain whether erosion and sediment control measures are effective in preventing significant impacts to receiving waters;
9. Where discharge locations are inaccessible, nearby downstream locations to the extent that the inspections are practicable;
10. All locations where temporary stabilization measures have been implemented; and
11. When a discharge is occurring during an inspection, observe and note the physical characteristics (color, odor, clarity, floating, settled, or suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollutants). In addition, when there is no discharge, examine each discharge location for evidence of erosion, sedimentation and other pollutants,

and the presence of current (and indications of prior) discharges and their sources.

4.4 Inspection Report Form.

For each inspection, the operator shall complete an inspection report either on a form provided by the Department online at http://www.azdeq.gov/environ/water/permits/cgp.html or an alternative form developed by the operator that documents all of the information required by this permit. The operator may supplement the inspection report form as necessary with additional information, forms or drawings. Within 7 calendar days of completing the inspection, the corresponding inspection report shall be placed with previous reports (in chronological order) and kept with the SWPPP. At a minimum, the report shall include:

1. The inspection date;
2. Name(s) and title(s) of qualified person(s) making the inspection;
3. Weather information for the period since the last inspection (or since commencement of construction activity for the first inspection) including:
    a. Best estimate of the beginning of each storm event;
    b. Duration of each event;
    c. Time elapsed since last storm event; and
    d. Approximate amount of rainfall for each event (in inches).
4. Identification of discharges of sediment or other pollutants from the site. Identify the discharge location(s) and associated control measures on the site map(s), in accordance with Part 6.3(6);
5. For inspections occurring during or after a storm event:
    a. A description of the physical characteristics of the stormwater discharge (Part 4.3(11)) from the site, when present;
    b. Document the evidence of erosion, sedimentation and other pollutants; and
    c. Document the presence of control measures in all areas inspected and whether such controls are operating effectively.
6. Identification of control measures that need to be maintained, failed to operate as designed, or proved inadequate. Until removed from the site, identify the location(s) of these control measures on the site map(s), in accordance with Part 6.3(6);
7. Identification of what additional control measures are needed, if any, that did not exist at the time of the inspection. Identify the location(s) of these control measures on the site map(s), in accordance with Part 6.3(6);
8. Identification of all sources of non-stormwater discharges occurring at the site and associated control measures in place;
9. Identification of material storage areas and, evidence of or potential for, pollutant discharge from such areas;
10. Corrective actions required (in accordance with Part 5.3), including any necessary changes to the SWPPP, and implementation dates (of corrective actions and SWPPP changes); and
11. Identification of any other instances of non-compliance with the conditions of this permit that are not associated with Part 4.4(10), or where the inspector does not identify any incidents of non-compliance, the inspection report shall contain a certification that the construction project or site is being operated in compliance with the SWPPP and this permit.
12. Document Adverse Conditions. If the operator determines that certain area(s) of the site are unsafe to inspect, the Inspection Report shall document the unsafe condition(s) and specify the locations where the unsafe condition(s) exists.

4.5 Inspection Follow-up.

1. Control Measure Assessment. Based on the findings and observations of the inspection, the operator shall implement the changes necessary to comply with the conditions in Part 3 and revise the SWPPP as needed in accordance with Part 6.5. The changes shall be implemented in accordance with the schedule described in "General Maintenance Requirements" in Part 3.1.
2. Corrective Actions. Based on the scope of inspection conducted in accordance with Part 4.3, the operator shall determine and implement appropriate corrective actions, and meet the applicable deadlines pursuant to Part 5.

5.0 CORRECTIVE ACTIONS.

5.1 Corrective Action Triggers.

Corrective actions are actions the operator takes in compliance with this Part to modify, or replace any control measure that failed to meet the conditions of Part 3. ADEQ does not consider routine maintenance or repairs as corrective actions. If any of the following conditions at the construction site occur resulting in or from a failure of a control measure, the operator shall implement new or modified control(s):

1. A necessary control measure was never installed, was installed incorrectly, or not in accordance with the requirements in Parts 3.1 and/ or 3.2; or
2. One of the prohibited discharges in Part 1.4 is occurring or has occurred; or
3. ADEQ or USEPA determines that modifications to the control measures are necessary to meet the requirements of Part 3.

On the same day a condition requiring corrective action is discovered, the operator shall take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if the problem is identified when it is too late in the work day to initiate a corrective action, the corrective action shall be initiated on the following work day, unless the condition poses imminent endangerment to human health or the environment, in which case the operator shall take immediate action.

5.2 Corrective Action Deadlines.

Any control measures or repairs required must be made operational, or completed, by no later than 7 calendar days from the time of discovery. If the operator cannot complete the necessary repairs or installation of controls within 7 calendar days, the SWPPP shall include the following:

1. The reason it is infeasible to complete the installation or repair within the 7 calendar day timeframe; and
2. The schedule for installing and making the control measure(s) operational as soon as practicable after the 7-day timeframe.

Any corrective actions that result in changes to any of the control measures or procedures shall be documented in the SWPPP within 7 calendar days of completing the corrective action work.

The operator shall complete all corrective actions in accordance with the deadlines specified in this Part.

5.3 Corrective Action Report.

For each corrective action taken in accordance with this Part, the operator shall document the details of the corrective action in the inspection report required by Part 4.4. These reports shall be signed in accordance with the signatory requirements in Appendix B, Subsection 9 and maintained with the SWPPP in accordance with the record keeping requirements in Appendix B, Subsection 11.

1. Construction Sites Located within 1/4 Mile of an Impaired Water or OAW. When any condition listed in Part 5.1 occurs, the operator of a construction site that discharges to an impaired water or OAW (in accordance with Parts 1.5(3) or (4)) shall submit this documentation in accordance with Part 8.2(2). . The operator shall retain a copy of the inspection report documenting the corrective action(s) onsite with the SWPPP as required in Part 6.4.
2. Report Schedule. Within 7 calendar days of discovery of any condition listed in Part 5.1, the operator shall document and maintain with the SWPPP the following information:
   a. Summary of corrective action taken or to be taken;
   b. Whether SWPPP modifications are required as a result of this discovery or corrective action;
   c. Date corrective action initiated or will be initiated; and
   d. Date corrective action completed or expected to be completed.

6.0 STORMWATER POLLUTION PREVENTION PLAN (SWPPP) PREPARATION

6.1 General Information.

1. The operator shall develop a stormwater pollution prevention plan (SWPPP) before submitting the NOI for permit coverage and prior to conducting any construction activity. Any SWPPP prepared for coverage under a previous version of this AZPDES construction general permit must be reviewed and updated by the operator to comply with this permit's requirements prior to submitting the NOI in accordance with Part 2.3(3)(e).

   Note: For projects that did not prepare a SWPPP and submit an NOI before commencement of construction activity, see Part 2.3(2)(h) (late NOI submittal).

   At least one SWPPP must be developed for each construction project or site covered by this permit. A "joint" or "common" SWPPP may be developed and implemented as a cooperative effort where there is more than one operator at a site. All operators shall either implement their portion of a common SWPPP or develop and implement their own SWPPP.

2. The SWPPP shall be prepared and implemented in accordance with good engineering practices and shall:

   a. Identify all potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the construction site;
   b. Identify, describe, and ensure implementation of control measures that will be used to reduce pollutants in stormwater discharges from the construction site;
   c. Assure compliance with the terms and conditions of this permit; and
   d. Identify the responsible person for on-site SWPPP implementation.

3. All operator(s) shall sign and certify the SWPPP in accordance with the signatory requirements of Appendix B, Subsection 9.

4. The operator shall implement the SWPPP from initial commencement of construction activity until an NOT is submitted to ADEQ in accordance with Parts 2.5(1) or 2.6.

5. SWPPPs that do not meet all provisions of this permit are considered incomplete. Operating under an incomplete or inadequate SWPPP is a violation of the permit.

6. Emergency-Related Projects. Operators conducting construction activities in response to an emergency (see Part 2.4), shall document the cause of the emergency (e.g., natural disaster, extreme flooding conditions, etc.), information substantiating its occurrence (e.g., state disaster declaration or similar state or local declaration), and describe the construction necessary to reestablish effected public services.

6.2 Types of Operators

1. Operator Requirements. Either Part 6.1(2)(a) or (b), or both, will apply depending on the type of operational control a person exerts over the site. Part 6.1(2)(c) applies to all operators who have control over only a portion of a construction site.

   a. Operators with Operational Control over Construction Plans and Specifications shall ensure that:

      i. The SWPPP indicates the areas of the project where the operator has operational control over project specifications, including the ability to make modifications in specifications;
      ii. All other operators implementing portions of the SWPPP impacted by any changes made to the SWPPP are notified of such modifications in a timely manner; and
      iii. The SWPPP indicates the name(s) of the person(s) with day-to-day operational

control of those activities necessary to ensure compliance with the SWPPP or other permit conditions.

b. Operators with Control over Day-to-Day Activities shall ensure that:

i. The SWPPP identifies the persons responsible for implementation of control measures identified in the SWPPP;

ii. The SWPPP indicates areas of the project where each operator has operational control over day-to-day activities; and

iii. The SWPPP indicates the name(s) of the person(s) with operational control over project specifications (including the ability to make modifications in specifications).

c. Operators with Control over Only a Portion of a Larger Project are responsible for compliance with the terms and conditions of this permit as it relates to the activities on the operator's portion of the construction site (including implementation of control measures required by the SWPPP). Operators shall ensure either directly or through coordination with other operators, that activities do not render another person's control measure(s) ineffective.

6.3 SWPPP Contents

1. Stormwater Team.

Each operator, or group of operators, must assemble a "stormwater team," which is responsible for overseeing the development of the SWPPP, any later modifications to it, and for compliance with the requirements in this permit.

The SWPPP must identify the name, title and a description of the qualifications and a copy of any training certificates of team members, including inspector(s), as well as their individual responsibilities. Each member of the stormwater team must have ready access to an electronic or paper copy of applicable portions of this permit, the most updated copy of the SWPPP, and other relevant documents or information that must be kept with the SWPPP.

The team may include members who are not employed by the operator (such as third party consultants).

2. Identification of Operators.

The SWPPP shall identify all operators, including contact information, for the project site and the areas and phases over which each operator has control.

3. Nature of Construction Activities.

The SWPPP must describe the nature of construction activities, including the size of the property (in acres) and the total area expected to be disturbed by the construction activities (in acres), construction support activity areas covered by this permit (see Part 1.3(1)(c)), and the maximum area expected to be disturbed at any one time.

4. Sequence and Estimated Dates of Construction Activities.

The SWPPP must include a description of the intended sequence of construction activities, including a schedule of the estimated start dates and the duration of the activity, for the following activities:

a. Installation of control measures, and when they will be made operational, including an explanation of the sequence and schedule for installation of the control measures;

b. Commencement and duration of construction activities, including clearing and grubbing, grading, site preparation (i.e., excavating, cutting and filling), underground utility installation, infrastructure installation, final grading, and creation of soil and vegetation stockpiles requiring stabilization;

c. Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of the site including the beginning and ending dates of inactive/ unstaffed status, when applicable;

d. Final or temporary stabilization of areas of exposed soil. The dates for stabilization must reflect the applicable deadlines to which the operator is subject in Part 3.1.2; and

e. Removal of temporary stormwater conveyances/ channels and other control measures, removal of construction equipment and vehicles, and cessation of any pollutant-generating activities.

Note: If plans change due to unforeseen circumstances or for other reasons, the requirement to describe the sequence and estimated dates of construction activities is not meant to "lock in" the operator to meeting these projections. When departures from initial projections are necessary, this should be documented in the SWPPP itself or in associated records, as appropriate.

5. Site Description. The SWPPP shall describe the construction site, including:

   a. A description of the site and its intended use after the NOT is submitted to ADEQ (e.g. low density residential, shopping mall, highway, etc.);

   b. The total area of the site, and an estimate of the total area of the site expected to be disturbed by construction activities including off-site supporting activities, borrow and fill areas, staging and equipment storage areas;

   c. The percentage of the site that is impervious (e.g., paved, roofed, etc.) before and after construction;

   d. A description of the site's soils including potential for erosion;

   e. Areas where it is infeasible to maintain a 50 foot buffer in accordance with Part 3.1.1.5(1), describe which alternative was selected for the site, and comply with any additional requirements to provide documentation (Part 3.1.1.5(2));

   f. On-site and Offsite Material Storage. The operator shall identify and describe all material storage areas (including overburden and stockpiles of dirt, borrow areas, etc.) used for the permitted project in the SWPPP unless those areas are covered by another AZPDES permit; and

   g. A general location map (e.g., USGS quadrangle map, a portion of a city or county map, or other map) – with enough detail to identify:

      i. The location of the construction site and one mile radius; and

      ii. The waters of the U.S. including tributaries within one mile radius of the site.

6. Site Map(s). The SWPPP shall contain legible site map or series of maps completed to scale, showing the entire site that identifies:

   Note: If a marked-up site map is too full to be easily read, the operator should date and fold it, put it in the SWPPP for documentation, and start a new one.

   a. Topography of the site, existing types of cover (e.g., forest, pasture, pavement, structures), and drainage pattern(s) of flow onto, over, and from the site property before and after major grading activities;

   b. Drainage divides and direction of stormwater flow for all drainage areas located within the project limits (i.e., use arrows to show which way stormwater will flow);

   c. Areas of soil disturbance and areas that will not be disturbed. Boundaries of the property and of the locations where construction activities will occur, including:

      i. Locations where construction activities will occur, noting any phasing of construction activities;

      ii. Locations where sediment or soil will be stockpiled;

iii. Locations of any crossings of surface waters;

iv. Designated points on the site where vehicles will exit onto paved roads; and

v. Locations of construction support activity areas covered by this permit (see Part 1.3(1)(c)).

d. Locations of temporary and permanent control measures identified in the SWPPP;

e. Locations where stabilization control measures are expected to occur;

f. Areas protected by buffers (i.e., either the 50-foot buffer or other buffer areas retained on site when within 50 feet of a perennial water) consistent with Part 3.1.1.5. The site map must show the boundary line of all such buffers;

g. Locations of on-site material, waste, borrow areas, or equipment storage areas, and other supporting activities (per Part 1.3(1)(c));

h. Locations of all potential pollutant-generating activities identified in Part 6.3(9). Examples include, but are not limited to: the pollutant-generating activities listed in Part 3.1.3.1 (fueling and maintenance operations; concrete, paint, and stucco washout); waste disposal; solid waste storage and disposal (Part 3.1.3.3); and dewatering operations (Part 3.1.4);

i. Locations of all surface waters and any impaired waters or OAWs within 1/4 mile of the facility. If none exist on site, the SWPPP shall indicate so;

j. Stormwater discharge location(s), using arrows to indicate discharge direction. Include the following:

i. Location(s) where stormwater and/or allowable non-stormwater discharges are discharged to waters of the U.S. (in accordance with Part 1.3); and

ii. Location(s) of any discharges to municipal separate storm sewer systems (MS4s) from the construction site.

Note: Where surface waters and/or MS4s receiving stormwater will not fit on the plan sheet, they shall be identified with an arrow indicating the direction and distance to the surface water and/or MS4;

k. Locations and registration numbers of all on-site drywells and drywells on adjacent properties that have the potential to receive stormwater from the site (If none exist the SWPPP shall indicate so);

l. Areas where final stabilization has been accomplished and no further construction permit requirements apply (if none, the SWPPP shall indicate so); and

m. Location and boundaries of environmentally sensitive areas and buffer zones to be preserved.

7. Receiving Waters. The SWPPP shall identify the nearest receiving water(s), including ephemeral and intermittent streams, dry washes, and arroyos. If applicable, the SWPPP shall also identify the areal extent and describe any wetlands near the site that could be disturbed or that could potentially receive discharges from disturbed areas of the project.

Indicate if the receiving water is listed as impaired, or an OAW.

Note: Operators may determine whether their sites are located within 1/4 mile of any impaired waters or OAWs by using ADEQ's Smart NOI system or by obtaining a list of impaired waters at http://www.azdeq.gov/environ/water/assessment/assess.html . OAWs are listed in A.A.C. R18-11-112(G).

8. Control Measures to be used During Construction Activity. The SWPPP shall describe all control measures as required in Part 3.1 and that will be implemented and maintained as part of the construction project to control pollutants in discharges. For each control measure, the SWPPP shall contain:

a. For each major activity identified at Part 6.3 in the project sequence of activities

description, a description of:

i. The appropriate control measures, including controls to minimize or eliminate non-stormwater discharges;

ii. The general sequence during the construction process or schedule that the control measures will be implemented; and

iii. Which operator is responsible for the implementation of control measures.

b. Standard detail drawings and/or specifications for the structural control measures, including design or installation details, used on the project;

c. What specific sediment controls will be installed and made operational prior to conducting earth-disturbing activities in any given portion of the site to meet the requirement of Part 3.1.1;

d. For site egress points, document the control measures that are intended to minimize tracking of pollutants from vehicles leaving the site consistent with Part 3.1.3.2.

9. Summary of Potential Pollutant Sources. The SWPPP shall identify the location and describe any pollutant sources, including any non-stormwater discharges expected to be associated with the project, from areas other than construction (i.e., support activities including stormwater discharges from dedicated asphalt or concrete plants and any other non-construction pollutant sources such as fueling and maintenance operations, materials stored on-site, waste piles, equipment staging yards, etc.). The operator shall implement control measures in these areas to minimize pollutant discharges and shall detail these controls in the SWPPP.

   If any portion of the construction site is within 1/4 mile of an impaired water, the SWPPP shall identify sources of the pollutants of concern listed on the 303(d) list that may potentially be discharged from the construction site and describe additional or enhanced control measures to minimize discharges of these pollutants.

10. Use of Treatment Chemicals. If polymers, flocculants, or other cationic treatment chemicals will be used at the site, the SWPPP shall include:

    a. A justification for the need for such chemicals and an assessment of potential water quality impacts;

    b. A description of the training specific personnel have or will receive on the use and storage of any cationic treatment chemicals and/or chemical treatment systems at the construction site;

    c. A listing of all treatment chemicals to be used at the site, a description of how the chemicals will be stored, and why the selection of these chemicals is suited to the soil characteristics of the site;

    d. The dosage of all treatment chemicals that will be used at the site or the methodology that will be used to determine dosage;

    e. A copy of any applicable Material Safety Data Sheets (MSDS);

    f. Schematic drawings of any chemically-enhanced controls or chemical treatment systems to be used for application of the treatment chemicals;

    g. Copies of applicable manufacturer's specifications regarding the use of specific treatment chemicals and/or chemical treatment systems and references to state or local requirements affecting the use of these chemicals.

11. Pollution Prevention Procedures.

    a. Spill Prevention and Response Procedures. The SWPPP must describe procedures to prevent and respond to spills, leaks, and other releases consistent with Part 3.1.3, including:

i. Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur;

ii. Preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling;

iii. Procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases. Identify the name or position of the employee(s) responsible for detection and response of spills or leaks; and

iv. Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity consistent with Part 3.1.3.4 and established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302, occurs during a 24-hour period. Contact information must be in locations that are readily accessible and available.

The operator may reference the existence of other plans, such as the Spill Prevention Control and Countermeasure (SPCC) plans developed for the construction activity under Part 311 of the CWA, or spill control programs otherwise required by an AZPDES permit for the construction activity, provided that a copy of that other plan is kept with the SWPPP onsite. If an SPCC or other spill prevention plan already exists, the operator may use such plans and incorporate them by reference in the SWPPP.

b. Waste Management Procedures. The SWPPP must describe procedures for handling and disposing all wastes generated at the site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste.

6.4 Documentation Requirements including Permit Related Records

The operator shall keep the following inspection, monitoring, and certification records complete and up-to-date. Retaining these records with the SWPPP (unless otherwise specified below) is necessary to demonstrate compliance with the conditions of this permit.

1. A copy of this permit (an electronic copy easily available to SWPPP personnel is also acceptable);
2. A copy of the NOI submitted to ADEQ, including any correspondence exchanged between the operator and ADEQ specific to coverage under this permit;
3. A copy of the authorization certificate received from ADEQ;
4. Identification of any municipality that received a copy of the authorization certificate;
5. Copies of any other agreements (such as a CWA section 404 permit, local grading permit, etc.) with any state, local, or federal agencies that would affect the provisions or implementation of the SWPPP, if applicable;
6. Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants in stormwater to a regulated MS4 or to waters of the U.S., the circumstances leading to the release and actions taken in response to the release and measures taken to prevent the recurrence of such releases (see Part 3.1.3.4);
7. Documentation of repairs of structural control measures, including the date(s) of discovery of areas in need of repair/replacement, date(s) that the structural control measure(s) returned to full function, and the justification for any extended repair schedules (see Part 3.1). The maintenance records shall include the date(s) of regular maintenance;

8. All inspection reports (see Part 4.4);

9. Description of any corrective action taken at the site, including triggering event and dates when problems were discovered and modifications occurred;

10. Buffer Documentation. If the construction site's earth disturbances are located within 50 feet of a perennial water, the operator shall describe which alternative was selected for the site, and comply with any additional documentation requirements in Part 3.1.1.5.

11. Documentation to support the operator's claim that the facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct inspections (see Part 4.2(4));

12. Post-Construction Stormwater Management.
    a. The SWPPP shall include a description of post-construction stormwater management control measures that will be installed during the construction process to control pollutants in stormwater discharges after construction has been completed.
    b. If 'temporary' sediment basins are to be used as/converted to retention or detention basins in the post-construction phase, the operator shall remove and properly dispose of all sediments accumulated in the basin during construction activities prior to filing an NOT.
    c. New discharge connections or permanent stormwater outfalls directly to OAWs are prohibited under this permit.

    Note: The installation of these devices may also require a separate permit under section 404 of the Clean Water Act.

    Note: This permit only authorizes and requires the operator to install and maintain stormwater management measures up to and including final stabilization of the site, and does not require continued maintenance after stormwater discharges associated with the construction activity have been eliminated from the site and an NOT has been submitted to ADEQ. However, post-construction control measures that discharge pollutants from point sources once construction is complete may require authorization under a separate AZPDES permit.

6.5 SWPPP Updates and Modification Requirements

6.5.1 Maintaining an Updated SWPPP.

The SWPPP shall be revised as necessary during permit coverage to reflect current conditions and to maintain accuracy. The operator shall make any required amendments to the SWPPP within 7 calendar days whenever:

1. There is a change in design, construction, operation, or maintenance at the construction site that may have a significant effect on the discharge of pollutants to the waters of the U.S. that has not been previously addressed in the SWPPP; or
2. During inspections, monitoring if required, or investigations by the operator or by ADEQ or USEPA, it is determined the discharges are causing or contributing to water quality exceedances or the SWPPP is ineffective in eliminating or significantly minimizing pollutants in stormwater discharges from the construction site; or
3. There is a change to the stormwater team.

6.5.2 Conditions Requiring SWPPP Modification.

The operator shall complete required revisions to the SWPPP within 7 calendar days following the occurrence of any of the conditions listed below. The operator shall modify the SWPPP, including the site map(s), in response to any of the following conditions:

1. New operators become active in construction activities at the site, construction plans are changed (that will affect the quality of the discharge), control measures, pollution

prevention measures, or other activities at the site are no longer accurately reflected in the SWPPP. This includes changes made in response to corrective actions triggered under Part 5.1. Operators do not need to modify their SWPPPs if the estimated dates in Part 6.3(6) change during the course of construction;

2. Areas on the site map where operational control has been transferred (and the date of transfer) since initiating permit coverage;
3. If inspections or investigations by site staff, or by local, state, or federal officials determine that SWPPP modifications are necessary for compliance with this permit;
4. ADEQ determines it is necessary to impose additional requirements on the discharge (in accordance with Part 6.5.1), the following must be included in the SWPPP:
   a. A copy of any correspondence describing such requirements; and
   b. A description of the control measures that will be used to meet such requirements.
5. To reflect any revisions to applicable federal, state, tribal, or local requirements that affect the control measures implemented at the site; and
6. If applicable, if a change in chemical treatment systems or chemically-enhanced control is made, including use of a different treatment chemical, different dosage rate, or different area of application.
7. SWPPP Modification Records. Operators are required to maintain records showing the dates of all SWPPP modifications. The records must include the name of the person authorizing each change (see Part 6.1(3)) and a brief summary of all changes.

6.5.3 Certification Requirements.

All modifications made to the SWPPP consistent with Part 6.5.2 must be authorized by a person identified in Appendix B, Subsection 9.

6.5.4 Required Notice to Other Operators.

When the operator determines that a modification to the SWPPP is required and there are multiple operators covered under a common SWPPP, any operators who may be impacted by the change to the SWPPP shall be notified at the address of record in the SWPPP.

6.6 Deficiencies in the SWPPP

ADEQ may notify the operator at any time that the SWPPP does not meet one or more of the requirements of this permit. The notification shall identify the parts of this permit that are not being met and parts of the SWPPP that require modification to comply with permit. Within 15 calendar days of receipt of the notification from ADEQ (or as otherwise provided by ADEQ), the operator shall make the required changes to the SWPPP and submit to ADEQ a written certification that the changes have been made. ADEQ may require re-submittal of the SWPPP to confirm all deficiencies have been adequately addressed.

In accordance with Appendix B, Subsection 1, ADEQ also is not precluded from taking enforcement action for any period of time the operator was operating under a SWPPP that did not meet the minimum requirements of this permit.

6.7 Posting, SWPPP Review and Making SWPPPs Available

1. The operator must post the authorization number(s) in a conspicuous location near the main entrance of the construction site and retain a copy of the authorization certificate in the SWPPP. For linear projects, the authorization number(s) must be posted near the entrance where most of the construction activity is occurring.
2. A copy of the site specific SWPPP shall be on-site whenever construction or support activities are actively underway, and shall be available to the Department or any other federal, state or local authority having jurisdiction over the project at any reasonable time (generally Monday

through Friday, 8:00 a.m. to 5:00 p.m.).

3. The SWPPP shall be made available to the Department or any other federal, state, tribal, or local authority having jurisdiction over stormwater discharges from the project at the time of an on-site inspection.

4. Any person, including, tribal authority, state, federal or local agency may make a written request to ADEQ for access to a copy of the SWPPP. ADEQ may request, and within 7 calendar days the operator shall provide, a copy for ADEQ to make available for public review;

5. *Inactive and Unstaffed Sites:* Operators with sites that meet the requirements for inactive and unstaffed are not required to maintain the SWPPP on-site. However, the SWPPP must be locally available (i.e., in Arizona) and must be on-site when conducting the inspections required by Part 4. For the purpose of a regulatory inspection, the SWPPP shall be made available to ADEQ, USEPA, or other Federal, State or local authority having stormwater program authority, within 48 hours of request. If otherwise requested by ADEQ, the operator shall submit copies of these documents within 14 calendar days of request.

6.8 Procedures for Inspection, Maintenance, and Corrective Action

The SWPPP must describe the procedures operators will follow for maintaining their control measures, conducting site inspections, and, where necessary, taking corrective actions, in accordance with Part 3.1, Part 4, and Part 5 of the permit. The following information must also be included in the SWPPP:

1 Personnel responsible for conducting inspections;

2 The inspection schedule that will be followed based on whether the site is subject to Part 4.2(1) or 4.2(3), and whether the site qualifies for any of the reduced inspection frequencies in Part 4.2(2) or 4.2(4). If conducting inspections in accordance with the inspection schedule in Part 4.2(1) or 4.2(3), document the weather information required in the inspection report (see Part 4.5);

3 If reducing the inspection frequency in accordance with Part 4.2(2) or 4.2(4), the beginning and ending dates of the reduced inspection period; and

4 Any inspection or maintenance checklists or other forms that will be used.

5. The operator shall ensure that all qualified personnel (see Appendix A) review the requirements of this permit. Qualified personnel are responsible for:

- The design, installation, maintenance, and/ or repair of control measures (including pollution prevention measures);
- The application and storage of treatment chemicals (if applicable);
- Conducting inspections as required in Part 4.1; and
- Taking corrective actions as required in Part 5.

7.0 STORMWATER MONITORING

The provisions of Part 7 apply only to operators with construction projects located within 1/4 mile of an impaired or outstanding Arizona water (OAW), or as otherwise specified by ADEQ. Any portion of the project area that extends within this distance is subject to the requirements of this Part, unless the operator provides a justification for not monitoring, consistent with Part 7.1. The monitoring plan, or justification, must be a part of the SWPPP and submitted along with it to ADEQ for approval.

The Department may notify the permittee, in writing, of additional discharge monitoring required to ensure protection of receiving water quality if it is determined that the pollutant may be causing or contributing to an exceedance of a water quality standard.

7.1 Monitoring Program.

Operators of projects that are located within 1/4 mile of impaired or outstanding Arizona waters (OAW) shall prepare and implement a monitoring program that meets the requirements of this Part. Sites can be exempted from monitoring if the operator provides a demonstration acceptable to ADEQ that there is no potential for the discharge to reach the OAW or impaired receiving water.

For any portion of a construction site that is located within 1/4 mile of an impaired water, if the operator can demonstrate that there is no reasonable potential that construction activities will be an additional source of the specific pollutant for which the water is impaired, analytical monitoring for that parameter is not required. As part of this demonstration, the operator must consider all on-site activities and sources, as well as the potential for any pollutants (metals, nutrients, etc.) to be present in the on-site soils that will be disturbed.

7.2 General Requirements.

The operator shall develop a written site-specific monitoring program for analytical monitoring of stormwater unless an acceptable rationale demonstrates that stormwater monitoring is not necessary, in accordance with Part 7.1. . The monitoring program shall be a part of the SWPPP as either an appendix or separate SWPPP section. The monitoring program shall include:

1. Locations of monitoring sites;
2. The name(s) and title of the person(s) who will perform the monitoring;
3. A map showing the segments or portions of the receiving water that are most likely to be impacted by the discharge of pollutant(s);
4. Water quality parameters/ pollutants to be sampled;
5. The citation and description of the sampling protocols to be used; and
6. Identification of the analytical methods and related method detection limits (if applicable) for each parameter required. Method detection limits shall be below applicable surface water quality standards when possible.
7. Additionally, for construction sites within 1/4 mile of an impaired water, the monitoring program shall include:
    a. An identification of the pollutant(s) of concern based on the most recent 305(b) / 303(d) listing or other information available; and
    b. A description of potential source(s) of this pollutant(s) from the project, if any.

7.3 Analytical Monitoring Requirements.

1. Analytical Monitoring Schedule. The operator shall conduct analytical monitoring a minimum of two times per wet season throughout the duration of permit coverage. Analytical monitoring is only required when stormwater or snowmelt exits the construction site by way of a discharge point in sufficient quantity to allow for sample collection and analysis.

    Wet seasons, for the purposes of analytical monitoring, are defined as follows:

- Summer wet season: June 1 – October 31
- Winter wet season: November 1 – May 31

2. Adverse Conditions. The operator is not required to collect samples under adverse conditions, in accordance with Part 4.2(6). Information about any adverse conditions that prevented sampling shall be documented in the SWPPP.

3. Analytical Monitoring Locations. The operator shall conduct discharge sampling at locations observed or suspected to contain the greatest pollutant load resulting from the construction activities. If any portion of the construction site is located within 1/4 mile of an impaired water or OAW, the operator shall use Table 7-1 to determine the minimum number of samples to collect for purposes of analytical monitoring.

Table 7-1. Minimum number of samples to collect

Number of Discharge Points	Number of Samples
1 to 4	1
5 to 19	2
20 or more	10% of total

   a. Where the construction site is adjacent to or otherwise discharges directly to an OAW, the operator shall sample for turbidity both immediately upstream and downstream of each discharge point. If there are two or more discharge locations from the site to the same OAW, the operator may sample at one upstream and one downstream location in the stream

   b. If the impaired water or OAW is a lake, a site-specific proposal for sampling the impact area shall be submitted.

4. Analytical Monitoring Parameters.

   a. All operators with construction sites that are located within 1/4 mile of an OAW shall monitor for turbidity. The operator shall compare turbidity values from the sample locations referenced in Part 7.3(3)(a). If there is a 25% or more increase at the downstream monitoring location, or for lakes, in the area of impact, the operator shall evaluate and replace, maintain, or install additional control measures as necessary to reduce sediment transport.

   b. For sites with discharges to OAWs, the operator shall also sample for any pollutants known to be present at the site or that have the potential to be discharged from the site.

   c. All operators with construction sites that are located within 1/4 mile of an impaired water shall monitor for the pollutant(s) for which the water is impaired.

5. Sampling and Analysis Plan (SAP). The operator shall establish written procedures for sample collection, preservation, tracking, handling, and analyses. The approved SAP (in accordance with Parts 1.5(3) and 1.5(4)) shall be a part of the SWPPP, either as an appendix or a separate SWPPP section. The SAP shall include the following:

   a. Sample Collection, Preservation, Tracking, Handling and Analyses.

      - Designate and train personnel to collect, maintain, and handle samples in accordance with the appropriate sample protocols.
      - Identify water quality parameters/pollutants to be sampled including any pollutant(s) of concern in accordance with this Part;
      - Identify the required sample analyses and associated analytical methods (analytical laboratory and field analyses).

- Written procedures for:
  - Sample collection (equipment and containers, calibration procedures, document site conditions during sampling, field notes and conditions under which the sample was taken),
  - Preservation (sample preparation to meet holding times),
  - Tracking (including chain-of-custody procedures), and
  - Handling (packing, transporting and shipping procedures to maximize sample integrity).

b. Calibration and Maintenance of Equipment and Monitoring Methods.

All monitoring instruments and equipment (including operators' own field instruments for measuring pH and turbidity) shall be calibrated and maintained in accordance with manufacturers' recommendations. All laboratory analyses shall be conducted according to test procedures specified in 40 CFR Part 136, unless other test procedures have been specified in this general permit.

All samples collected for analytical monitoring shall be analyzed by a laboratory that is licensed by the Arizona Department of Health Service (ADHS) Office of Laboratory Licensure and Certification. This requirement does not apply to parameters that require analysis at the time of sample collection as long as the testing methods used are approved by ADHS or ADEQ. These parameters may include flow, dissolved oxygen, pH, temperature, and total residual chlorine. The operator may conduct field analysis of turbidity if the operator has sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to properly perform the field analysis.

8.0 FEES, REPORTING AND RECORDKEEPING

8.1 Fee Requirements.

In accordance with A.A.C R18-14-109, the operator shall pay the initial AZPDES water quality protection services fee for coverage under this permit at the time the NOI is submitted. In addition, the operator shall pay the applicable annual fee when billed, unless a notice of termination has been submitted to ADEQ. The annual fee is due on the anniversary of the date the authorization certificate (see Part 2.3(3)(d)). Both fees are based on the amount of acreage identified in the NOI, in accordance with A.A.C. R18-14-109, Table 6.

8.2 Records.

1. Address for Submittal of All Forms and Reports. All documents required by this permit (signed copies of NOIs, NOTs, DMRs and paper copies of any reports required in Parts 4, 5, 6, 7 and 8) and any other written correspondence concerning discharges covered under this permit shall be signed and dated in accordance with Appendix B, Subsection 9 of this permit and submitted to ADEQ at the address below. Other options (i.e., electronic submittal) may also be used if ADEQ makes the information available on the Internet or by public notice.

   Arizona Department of Environmental Quality
   Surface Water Section, Stormwater Permits Unit—CGP Monitoring
   1110 W. Washington Street, Mail Code 5415 A-1
   Phoenix, AZ 85007

   Reports of non-compliance shall be reported to:

   Arizona Department of Environmental Quality
   Water Quality Compliance Section
   1110 W. Washington Street, Mail Code 5515 B-1
   Phoenix, AZ 85007
   Office: 602/ 771 – 4497; Fax 602/ 771 – 4505

2. Record Submittal. Operators of construction sites that are required to monitor, in accordance with Part 7, shall submit analytical monitoring results annually. Monitoring records for the period between January 1 and December 31 shall be submitted to ADEQ by January 31 of each year or at the time of final stabilization and NOT submittal, whichever is sooner.

   Monitoring results must be reported on a Discharge Monitoring Report (DMR) form available at http://www.azdeq.gov/environ/water/permits/cgp.html or other format specified by the Director, and submitted to:

   Arizona Department of Environmental Quality
   Surface Water Section
   Stormwater and General Permits Unit/NOI (5415A-1)
   1110 W. Washington Street
   Phoenix, Arizona 85007

3. Record Retention. The operator shall retain records of all stormwater monitoring information, corrective actions, inspection and other reports with the SWPPP for a period of at least three years from the date the NOT was submitted to ADEQ.

APPENDIX A. DEFINITIONS and ACRONYMS (for the purposes of this permit).

A – 1. DEFINITIONS

"24 hour period" – any consecutive 24-hour period.

"Anticipated storm event" – any storm event with at least a 30% chance of precipitation as predicted by the National Weather Service for the area local to the construction site.

"Approved Total Maximum Daily Loads (TMDLs)" – Approved TMDLs are those that are developed by the Arizona Department of Environmental Quality and approved by USEPA. See also, Total Maximum Daily Load.

"Arid areas" – the parts of Arizona that receive an annual rainfall of less than 20 inches.

"Best management practices" (BMPs) – those methods, measures or practices to prevent or reduce discharges and includes structural and nonstructural BMPs and operation and maintenance procedures. Best management practices may be applied before, during and after discharges to reduce or eliminate the introduction of pollutants into receiving waters. In addition, the term shall include erosion and sediment control BMPs, stormwater conveyance, stormwater diversion, and treatment structures, and any procedure or facility used to minimize the exposure of pollutants to stormwater or to remove pollutants from stormwater.

"Borrow Areas" – the areas where materials are dug for use as fill, either onsite or off-site.

"Calendar day" – a calendar day or any 24-hour period that reasonably represents the calendar day.

"Cationic Treatment Chemical" – polymers, flocculants, or other chemicals that contain an overall positive charge. Among other things, they are used to reduce turbidity in stormwater discharges by chemically bonding to the overall negative charge of suspended silts and other soil materials and causing them to bind together and settle out. Common examples of cationic treatment chemicals are chitosan and cationic PAM.

"Commencement of construction activities" – the initial disturbance of soils (or 'breaking ground') associated with clearing, grading, excavating, or stockpiling of fill material activities or other construction-related activities (such as the placement of fertilizers, pesticides, herbicides, detergents, fuels, oils, or other chemicals, or the occurrence of authorized non-stormwater washout activities, or dewatering activities have begun on the site).

"Common plan of development" – a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one plan. A 'plan' is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

"Construction activity" – earth-disturbing activities such as, clearing, grading, excavating, stockpiling of fill material and other similar activities. This definition encompasses both large construction activities defined in 40 CFR 122.26 (b)(14)(x) and small construction activities in 40 CFR 122.26 (b)(15)(i) and includes construction support activities.

"Construction and Development Effluent Limitations and New Source Performance Standards" (C&D Rule) – as published in 40 CFR § 450 is the regulation requiring effluent limitations guidelines (ELGs) and new source performance standards (NSPS) for controlling the discharge of pollutants from construction sites.

"Construction site" or **"site"** – the land or water area where construction activities will occur, including construction support activities, and where control measures will be installed and maintained. The construction support activities may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether. The construction site is often a smaller subset of the lot or parcel within which the project is taking place.

"Construction support activity" – a construction-related activity that exclusively supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage areas, excavated material disposal areas, and borrow areas. When the term "support activities" is used without clarification, it means "construction support activities".

"Construction waste" – discarded material (such as packaging materials, scrap construction materials, masonry products, timber, steel, pipe, and electrical cuttings, plastics, and Styrofoam).

"Control measure" – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

"Conveyance channel" – a temporary or permanent waterway designed and installed to safely convey stormwater flow within and out of a construction site.

"Corrective action" – any action taken to (1) modify, or replace any ineffective control measure used at the site; (2) mitigate any conditions that resulted in a discharge of pollutants above surface water quality standards; or (3) remedy a permit violation.

"Department" – the Arizona Department of Environmental Quality.

"Discharge" – any addition of any pollutant to waters of the United States or to a MS4 from any point source.

"Discharge of a pollutant" – any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into waters of the United States from surface runoff which is collected or channeled by man. See 40 CFR 122.2.

"Discharge point" – the location where stormwater flows exit the construction site.

"Domestic waste" – typical household trash, garbage or rubbish items generated by construction activities.

"Drought" – weather conditions considered "severely" or "extremely" dry (i.e., has a value of -1.50 or less) as evaluated by the 3-month Standardized Precipitation Index (SPI) which compares current cumulative precipitation to average conditions.

"Effective operating condition" – a control measure is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

"Effluent limitations" – any of the Part 1.4 or Part 3 requirements.

"Effluent Limitations Guideline" (ELG) – defined in 40 CFR § 122.2 as a regulation published by the Administrator under section 304(b) of CWA to adopt or revise effluent limitations.

"Emergency-related construction activity" – an activity initiated in response to a emergency (e.g., natural disaster, disruption in essential public services), for which the related work requires immediate authorization to avoid imminent endangerment to human health or the environment, or to reestablish essential public services.

"Ephemeral water" – a surface water that has a channel that is at all times above the water table, and that flows only in direct response to precipitation. [A.A.C. R18-11-101(22)]

"Erosion control" – temporary or permanent measures to prevent soil particles from detaching and being transported in stormwater.

"Hazardous materials" or **"Hazardous substances"** or **"Hazardous or toxic waste"** – any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

"Impaired water" – waters that have been assessed by ADEQ, under the Clean Water Act, as not attaining a water quality standard for at least one designated use, and are listed in Arizona's current 303(d) List or on the 305(b) Category 4 list.

"Intermittent water" or **"Intermittent stream"** – a stream or reach that flows continuously only at certain times of the year, as when it receives water from a spring or from another surface source, such as melting snow. [A.A.C. R18-11-101(25)]

"Linear project" – includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

"Minimize" – to reduce and/or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practices.

"Municipal separate storm sewer" – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

i. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges to waters of the United States;

ii. Designed or used for collecting or conveying stormwater;

iii. Which is not a combined sewer; and

iv. Which is not part of a Publicly Owned Treatment Works.

"Municipal separate storm sewer system" (MS4) – all separate storm sewers defined as "large," "medium," or "small" municipal separate storm sewer systems or any municipal separate storm sewers on a system-wide or jurisdiction-wide basis as determined by the Director under A.A.C. R18-9-C902(A)(1)(g)(i) through (iv). [A.A.C. R18-9-A901(23)]. This also includes similar systems owned or operated by separate storm sewer municipal jurisdictions not required to obtain stormwater discharge authorization.

"Notice of Intent" (NOI) – the application to operate under this general permit.

"Notice of Termination" (NOT) – the application to terminate coverage under this general permit.

"Outstanding Arizona Water" – a surface water that has been designated by ADEQ as an outstanding state resource under A.A.C. R18-11-112.

"Perennial water" – a surface water that flows continuously throughout the year (A.A.C. R18-11-101(30)).

"Person" – an individual, employee, officer, managing body, trust, firm, joint stock company, consortium, public or private corporation, including a government corporation, partnership, association or state, a political subdivision of this state, a commission, the United States government or any federal facility, interstate body or other entity. [A.R.S. § 49-201(27)]

"Point(s) of discharge" – see "Discharge Point."

"Point source" – any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding

operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

"Pollutant" – sediment, fluids, contaminants, toxic wastes, toxic pollutants, dredged spoil, solid waste, substances and chemicals, pesticides, herbicides, fertilizers and other agricultural chemicals, incinerator residue, sewage, garbage, sewage sludge, munitions, petroleum products, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt (e.g., overburden material), and mining, industrial, municipal and agricultural wastes or any other liquid, solid, gaseous or hazardous substances. [A.R.S. § 49-201(29)]

"Pollutant-generating activities" – at construction sites, those activities that lead to or could lead to the discharge of pollutants, either as a result of construction activity or construction support activity. Types of pollutants that are typically associated with construction sites include, but are not limited to:

- Sediment;
- Nutrients;
- Heavy metals;
- Pesticides and herbicides;
- Oil and grease;
- Bacteria and viruses;
- Trash, debris, and solids;
- Treatment polymers; and
- Any other toxic chemicals.

"Pollution prevention measures" – control measures designed to reduce or eliminate the addition of pollutants to construction site discharges through analysis of pollutant sources, implementation of proper handling/ disposal practices, employee education, and other actions.

"Polymers" – coagulants and flocculants used to control erosion on soil or to enhance the sediment removal capabilities of sediment traps or basins. Common construction site polymers include polyacrylamide (PAM), chitosan, alum, polyaluminum chloride, and gypsum.

"Prohibited discharges" – discharges that are not allowed under this permit, including:

1. Wastewater from washout of concrete;
2. Wastewater from 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. Soaps or solvents used in vehicle and equipment washing; and
5. Toxic or hazardous substances from a spill or other release.

"Provisionally covered under this permit" – ADEQ provides temporary coverage under this permit for emergency-related projects prior to receipt of a complete and accurate NOI. Discharges from earth-disturbing activities associated with the emergency-related projects are subject to the terms and conditions of the permit during the period of temporary coverage.

"Qualified person" or **"Qualified personnel"** – Qualified personnel are those (either the operator's employees or outside personnel) who are knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possess the skills to assess conditions at the construction site that could impact stormwater quality, and the skills to assess the effectiveness of any control measures selected to control the quality of stormwater discharges from the construction activity.

"Received" – for the purposes of this permit and in reference to NOIs or NOTs or Permit Waiver Certificate forms means:

1. The day the information was signed electronically via the Smart NOI system and submitted to ADEQ,
2. The date of hand-delivery of the signed form to ADEQ, or
3. The date ADEQ signs for certified mail containing the signed form.

"Receiving water" – a "Water of the United States" as defined in 40 CFR §122.2 into which the regulated stormwater discharges.

"Reclaimed water" – water that has been treated or processed by a wastewater treatment plant or an on-site wastewater treatment facility. A.R.S. § 49-201(31).

"**Run-on**" – stormwater that drains from land located upslope or upstream from the regulated site in question.

"Sediment control" – measures designed to intercept and settle out soil particles that have become detached and transported by water. Sediment control measures complement soil stabilization measures (erosion control).

"Site" – see "construction site".

"Small construction activity" – defined at 40 CFR §122.26(b)(15) and incorporated here by reference. A small construction activity includes clearing, grading, and excavating resulting in a land disturbance that will disturb equal to or greater than one (1) acre and less than five (5) acres of land or will disturb less than one (1) acre of total land area but is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one (1) acre and less than five (5) acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site.

"Spill" – the release of a hazardous or toxic substance from its container or containment (see Part 3.1.3.5).

"Stabilization" – covering or maintaining an existing cover over soil that reduces and minimizes erosion. The use of vegetative and/or non-vegetative cover to prevent erosion and sediment loss in areas exposed through the construction process.

"Storm event" – a precipitation event that results in a measurable amount of precipitation.

"Stormwater" – stormwater runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

"Stormwater discharges associated with construction activity" – a discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

"Stormwater Pollution Prevention Plan" (SWPPP) – a site-specific, written document that, among other things: (1) identifies potential sources of stormwater pollution at the construction site; (2) describes control measures to reduce or eliminate pollutants in stormwater discharges from the construction site; and (3) identifies procedures the operator will implement to comply with the terms and conditions of this general permit.

"Stormwater team" – an individual or group of individuals responsible for oversight of the development and modifications of the SWPPP, and oversight of compliance with the permit requirements. The individual(s) on the "Stormwater Team" must be identified in the SWPPP.

"Surface Water" – a "Water of the United States" as defined in 40 CFR §122.2.

"Temporary stabilization" – a condition where exposed soils or disturbed areas are provided a temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area.

"Total Maximum Daily Load" (TMDL) – an estimation of the total amount of a pollutant from all sources that may be added to a water while still allowing the water to achieve and maintain applicable surface water quality standards. Each total maximum daily load shall include allocations for sources that contribute the pollutant to the water, as required by section 303(d) of the clean water act (33 United States Code, Section 1313(d)) and regulations implementing that statute to achieve applicable surface water quality standards. [A.R.S. § 49-231(4)]

"Toxic waste" – see "Hazardous Materials"

"Turbidity" – a condition of water quality characterized by the presence of suspended solids and/or organic material; expressed as nephelometric turbidity units (NTU).

"Waters of the United States" (U.S.) – defined in 40 CFR 122.2.

"Waste Load Allocation" – The maximum load of pollutants each discharger of waste is allowed to release into a particular waterway. Discharge limits are usually required for each specific water quality criterion being, or expected to be, violated. WLAs constitute a type of water quality-based effluent limitation. (See 40 C.F.R. § 130.2(h))

"Water Quality Standards" – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and USEPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

"Wetland" – an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. A wetland includes a swamp, marsh, bog, cienega, tinaja, and similar areas. [A.A.C. R18-11-101(49)]

"Work day" – a calendar day on which construction activities will take place.

A – 2. ACRONYMS

AAC	Arizona Administrative Code	NOI	Notice of Intent
ADEQ	Arizona Department of Environmental Quality	NOT	Notice of Termination
ARS	Arizona Revised Statute	NPDES	National Pollutant Discharge Elimination System
AZPDES	Arizona Pollutant Discharge Elimination System	SWPPP	Stormwater Pollution Prevention Plan
CFR	Code of Federal Regulations	TMDL	Total Maximum Daily Load
CWA	Clean Water Act	USEPA	United States Environmental Protection Agency
MS4	Municipal Separate Storm Sewer System	USGS	United States Geological Survey

APPENDIX B. STANDARD PERMIT CONDITIONS.

Standard permit conditions in Appendix B are consistent with the general permit provisions required under 40 CFR 122.41 and A.A.C. R-18-9-A905(A)(3).

1. **Duty to Comply.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(a)(1) and A.R.S. §§ 49-261, 262, 263.01, and 263.02.]

   a. The operator shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act; A.R.S. Title 49, Chapter 2, Article 3.1; and A.A.C. Title 18, Chapter 9, Article 9, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.

   b. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person discharging under this permit is required to comply.

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

2. **Duty to Reapply / Continuation of the Expired General Permit.** [A.A.C. R18-9-A905, which incorporates 40 CFR 122.41(b) and A.A.C. R18-9-C903]

   a. Upon reissuance of the general permit, the permittee shall file an NOI, within the timeframe specified in the new general permit, and shall obtain new written authorization to discharge from the Director.

   b. If the Director does not reissue the general permit before the expiration date, the current general permit will be administratively continued and remain in force and effect until the general permit is reissued.

   c. Any operator granted authorization to discharge under the general permit before the expiration date automatically remains covered by the continued general permit until the earlier of:

      i. Reissuance or replacement of the general permit, at which time the operator shall comply with the NOI conditions of the new general permit to maintain authorization to discharge; or

      ii. The date the operator has submitted a Notice of Termination; or

      iii. The date the Director has issued an individual permit for the discharge; or

      iv. The date the Director has issued a formal permit decision not to reissue the general permit, at which time the operator shall seek coverage under an alternative general permit or an individual permit, or cease discharge.

3. **Need To Halt or Reduce Activity Not a Defense.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(c)]

   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 permit.

4. **Duty to Mitigate.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(d)]

   The operator shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment per A.R.S. § 49-255.01(E)(1)(d).

5. **Proper Operation and Maintenance.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(e)]

   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 permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.

6. **Permit Actions.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(f)]

   This permit may be modified, revoked and reissued, or terminated for cause. Filing a request by the operator for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. **Property Rights.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(g)]

   This permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, nor any infringement of federal, state, Indian tribe, or local laws or regulations.

8. **Duty to Provide Information.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(h)]

   The operator shall furnish to ADEQ, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The operator shall also furnish to ADEQ upon request, copies of records required to be kept by this permit.

9. **Signatory Requirements.** [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(k) and (l); A.A.C. R18-9-A905(A)(1)(c), which incorporates 40 CFR 122.22]

   All Notices of Intent (NOI) and Notices of Termination (NOT) must be signed as follows:

   a. NOIs:

      i. For a corporation*:* By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: 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 or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which 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 environmental 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;

      ii. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

      iii. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal (or state) agency includes: (1) The chief executive officer (or director) of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

   b. All NOTs, reports, including SWPPPs, inspection reports, monitoring reports, and other information required by this permit must be signed by a person described in Appendix B, Subsection 9(a) above or by a duly authorized representative of that person. A person is a

duly authorized representative only if:

i. The authorization is made in writing by a person described in Subsection 9(a) above;

ii. 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 manager, operator, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may be either a named individual or any individual occupying a named position); and

iii. The signed and dated written authorization is included in the SWPPP. A copy must be submitted to ADEQ, upon request.

c. Certification. Any person signing documents under the terms of this permit shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision 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 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.

10. Inspection and Entry. [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(i)]

The operator shall allow the Director or an authorized representative upon the presentation of credentials and such other documents as may be required by law to:

a. 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 permit;

b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this general permit;

c. Inspect at reasonable times any facility or equipment (including monitoring and control equipment), practices or operations regulated or required under this permit;

d. Sample or monitor at reasonable times any substances or parameters at any location, for the purposes of assuring permit compliance or as otherwise authorized by A.R.S. Title 49, Chapter 2, Article 3.1, and 18 A.A.C. 9, Articles 9.

11. Monitoring and Records. [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(j)]

a. Representative Samples/Measurements. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.

b. Retention of Records. The operator shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three (3) years from the date permit coverage ends. Operators shall submit any such records to the Director upon request. The operator shall retain the SWPPP developed in accordance with Part 6 of this permit, for at least three (3) years after the last modification or amendment is made to the plan. The Director may extend this retention period upon request by notifying the operator in writing at any time prior to the end of the standard three year retention period.

c. Records Contents. Records of monitoring information must include:

i. The date, exact place, and time of sampling or measurements;

ii. The initials or name(s) of the individual(s) who performed the sampling or measurements;

iii. The date(s) analyses were performed;

iv. The time(s) analyses were initiated;
v. The initials or name(s) of the individual(s) who performed the analyses;
vi. References and written procedures, when available, for the analytical techniques or methods used;
vii. The analytical techniques or methods used; and
viii. The results of such analyses.

d. Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which includes the possibility of fines and/or imprisonment.

12. Reporting Requirements. [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(l)]

a. Planned changes. The operator shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (incorporated by reference at A.A.C. R18-9-A905(A)(1)(e)); or
ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1) (incorporated by reference at A.A.C. R18-9-A905(A)(3)(b)).

b. Monitoring reports. Monitoring results must be reported at the intervals specified elsewhere in this permit.

i. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms (paper or electronic) provided or specified by ADEQ. Pursuant to Part 8.2(2), all monitoring data collected pursuant to Part 7 must be submitted to the Department using the Discharge Monitoring Report (DMR) form, available at http://www.azdeq.gov/environ/water/permits/cgp.html .
ii. If the operator monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
iii. Calculations for all limitations which require averaging of measurements must use an arithmetic mean and non-detected results must be incorporated in calculations as the limit of quantitation for the analysis.

c. Anticipated noncompliance. The operator shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

d. Twenty-four hour reporting.

i. The operator shall report to ADEQ any noncompliance with this permit which may endanger human health or the environment. The operator shall orally notify the office listed below within 24 hours:

Arizona Department of Environmental Quality – Water Quality Compliance
1110 W. Washington Street, Mail Code 5515 B-1
Phoenix, AZ 85007
Office: 602-771 – 2330; Fax 602-771 – 4505

ii. A written submission shall also be provided to the office identified above within five (5) days of the time the operator becomes aware of the circumstances. The written

submission shall contain a description of the noncompliance and its cause; 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 steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

iii. The following shall be included as information which must be reported within 24 hours under this paragraph.

1) Any upset which exceeds any effluent limitation in the permit.

2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.44(g) which is incorporated by reference at A.A.C. R18-9-A905(A)(3)(d)).

iv. ADEQ may waive the written report on a case-by-case basis for reports under this subsection if the oral report has been received within 24 hours.

e. Other noncompliance. The operator shall report all instances of noncompliance not otherwise required to be reported under this subsection, at the time monitoring reports are submitted. The reports shall contain the information listed in subsection 12(d).

f. Other information. When the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Department, the operator shall promptly submit the facts or information to ADEQ at the address listed in Part 8.2.

13. Reopener Clause. [A.A.C. R18-9-A905(A)(3)(d), which incorporates 40 CFR 122.44(c)]

The Department may elect to modify the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines, which may be promulgated in the course of the current permit cycle.

14. Other Environmental Laws.

No condition of this general permit releases the operator from any responsibility or requirements under other environmental statutes or regulations. For example, this permit does not authorize the "taking" of endangered or threatened species as prohibited by Section 9 of the Endangered Species Act, 16 U.S.C. 1538. Information regarding the location of endangered and threatened species and guidance on what activities constitute a "taking" are available from the U.S. Fish and Wildlife Service. The operator shall also comply with applicable State and Federal laws, including Spill Prevention Control and Countermeasures (SPCC).

15. State or Tribal Law. [Pursuant to A.A.C. R18-9-A904(C)]

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Tribal law or regulation under authority preserved by Section 510 of the Clean Water Act.

16. 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 general permit to any circumstance, is held invalid, the application of the provision to other circumstances, and the remainder of this general permit shall not be affected.

17. Requiring Coverage under an Individual Permit or an Alternative General Permit. [Pursuant to A.A.C. R18-9-C902 and R18-9-A909]

a. The Director may require a person authorized by this permit to apply for and/or obtain either an individual AZPDES permit or an alternative AZPDES general permit. Any interested person may petition the Department to take action under this section. The Department may

require an operator authorized to discharge under this permit to apply for an individual permit in any of the following cases:

i. A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;

ii. Effluent limitation guidelines are promulgated for point sources covered by the general permit;

iii. An Arizona Water Quality Management Plan containing requirements applicable to the point sources is approved;

iv. Circumstances change after the time of the request to be covered so that the discharger is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized discharge is necessary;

v. If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:

1) The location of the discharge with respect to waters of the United States,
2) The size of the discharge,
3) The quantity and nature of the pollutants discharged to waters of the U.S., and
4) Any other relevant factor.

b. If an individual permit is required, the Director shall notify the discharger in writing of the decision. The notice shall include:

i. A brief statement of the reasons for the decision;

ii. An application form;

iii. A statement setting a deadline to file the application;

iv. A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate;

v. The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and

vi. The applicant's right to request an informal settlement conference under A.R.S. 41-1092.03(A) and 41-1092.06.

c. The discharger shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.

d. If the discharger fails to submit the individual permit application within the time period established in Appendix B, Subsection 17(c) the applicability of the general permit to the discharger is automatically terminated at the end of the day specified by the Director for application submittal.

e. Coverage under the general permit shall continue until an individual permit is issued or denied unless the general permit coverage is terminated under Appendix B, Subsection 17(d).

18. Request for an Individual Permit. [Pursuant to A.A.C. R18-9-C902]

a. An operator may request an exclusion from coverage of a general permit by applying for an individual permit.

i. The operator shall submit an individual permit application under R18-9-B901(B) and include the reasons supporting the request no later than 90 days after publication of the general permit.

ii. The Director shall grant the request if the reasons cited by the operator are adequate to support the request.

b. If an individual permit is issued to a person otherwise subject to a general permit, the applicability of the general permit to the discharge is automatically terminated on the effective date of the individual permit.

19. Change of Operator. [A.A.C. R18-9-C904]

If a change of ownership or operator occurs for a facility operating under a general permit:

a. Permitted owner or operator. The operator shall provide the Department with a Notice of Termination by certified mail within 30 days after the new owner or operator assumes responsibility for the facility.

i. The Notice of Termination shall include all requirements for termination specified in the general permit for which the Notice of Termination is submitted.

ii. An operator shall comply with the permit conditions specified in the general permit for which the Notice of Termination is submitted until the Notice of Termination is received by the Department.

b. New owner or operator.

i. The new owner or operator shall complete and file a Notice of Intent with the Department within the time period specified in the general permit before taking over operational control of, or initiation of activities at, the facility.

ii. If the previous operator was required to implement a stormwater pollution prevention plan, the new owner shall develop a new stormwater pollution prevention plan, or may modify, certify, and implement the old stormwater pollution prevention plan if the old stormwater pollution prevention plan complies with the requirements of the current general permit.

iii. The operator shall provide the Department with a Notice of Termination if a permitted facility ceases operation, ceases to discharge, or changes operator status. In the case of a construction site, the operator shall submit a Notice of Termination to the Department when:

1) The facility ceases construction operations and the discharge is no longer associated with construction or construction-related activities,

2) The construction is complete and final site stabilization is achieved, or

3) The operator's status changes.

20. Bypass. [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(m)]

a. Definitions.

i. Bypass means the intentional diversion of waste streams from any portion of a treatment facility

ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which 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.

b. Bypass not exceeding limitations. 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 assure efficient operation. These bypasses are not subject to the provisions Appendix B, Subsections 20(c) and 20(d).

c. Notice.

i. Anticipated bypass. If the operator knows in advance of the need for a bypass, if possible prior notice shall be submitted at least ten days before the date of the bypass.

ii. Unanticipated bypass. The operator shall submit notice of an unanticipated bypass as required in Appendix B, Subsection 12(d).

d. Prohibition of bypass.

i. Bypass is prohibited, and ADEQ may take enforcement action against the operator for bypass, unless:

1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

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 which occurred during normal periods of equipment downtime or preventive maintenance; and

3) The operator submitted notices as required under Appendix B, Subsection 20(c).

ii. ADEQ may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in this Appendix B, Subsection 20(d).

21. Upset. [A.R.S. §§ 49-255(8) and 255.01(E), A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(n)]

a. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based 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.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Appendix B, Subsection 21(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. An operator who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

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

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

iii. The operator submitted notice of the upset as required in Appendix B, Subsection 12(d)(iii); and

iv. The operator complied with any remedial measures required under Appendix B, Subsection 4.

d. Burden of proof. In any enforcement proceeding, the operator, who is seeking to establish the occurrence of an upset, has the burden of proof.

22. Penalties for Violations of Permit Conditions.

Any permit noncompliance constitutes a violation and is grounds for an enforcement action, permit termination, revocation and reissuance, modification, or denial of a permit renewal

application.

a. Civil Penalties. A.R.S. § 49-262 provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 2, 3 or 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed $25,000 per day per violation.

b. Criminal Penalties. Any person who violates a condition of this general permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 2, Article 9 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM (AZPDES)

FACT SHEET

Construction General Permit (CGP) for Stormwater Discharges Associated with Construction Activity

June 3, 2013

2013 Construction General Permit (CGP) – Fact Sheet

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I. Introduction: New Requirements for Construction Sites with Stormwater Discharges

Background

Operators of construction sites disturbing one or more acres of land or smaller sites that are part of a common plan of development or sale are required to obtain Arizona Pollutant Discharge Elimination System (AZPDES) permit coverage for stormwater discharges. Since 1992, the US Environmental Protection Agency (USEPA) has issued a series of stormwater Construction General Permits (CGP) that provide permit coverage in states where USEPA is the permitting authority. The Arizona Department of Environmental Quality (ADEQ) received authorization to administer the NPDES program in Arizona on December 5, 2002 and issued its first, five-year CGP in February 2003.

USEPA finalized Effluent Limitations Guidelines and New Source Performance Standards for the construction and development industry (*i.e., the "C&D rule"*) on December 1, 2009. The C&D rule became effective on February 1, 2010.

The requirements in the C&D rule include a suite of non-numeric effluent limitations that apply to all permitted construction sites. (See 40 CFR 450.21.) The non-numeric effluent limits include requirements for:

- Erosion and Sediment Controls;
- Soil Stabilization;
- Pollution Prevention Measures;
- Dewatering;
- Prohibited Discharges; and
- Surface Outlets.

ADEQ's 2013 CGP includes language that implements USEPA's C&D rule non-numeric limits. The permit also includes water quality-based requirements for construction sites discharging stormwater to waters requiring additional pollutant control.

USEPA issued a new construction general permit on February 15, 2012. The new CGP includes new requirements that implement the technology-based Effluent Limitation Guidelines and New Source Performance Standards of the C & D rule. A thorough discussion of the C&D rule requirements is presented by USEPA in Part II of their Fact Sheet for the 2012 CGP, online at http://cfpub.epa.gov/npdes/stormwater/cgp.cfm.

Also new with this permit are processing fees for water quality protection services. Go to: http://www.azdeq.gov/environ/water/permits/fees.html for details.

Technology-Based Effluent Limitations Guidelines and Standards in NPDES Permits

NPDES permits issued for construction stormwater discharges are required under Section 402(a)(1) of the Clean Water Act (CWA) to include conditions for meeting technology-based effluent limitations guidelines established under Section 301 and, where applicable, any new source performance standard established under Section 306. Once an effluent limitations guideline or new source performance standard is promulgated in accordance with these sections, NPDES permits are required to incorporate limits based on such limitations and standards. See 40 CFR 122.44(a)(1).

Prior to the promulgation of national effluent limitation guidelines and standards, permitting authorities incorporated technology-based effluent limitations on a best professional judgment basis. See CWA section 402(a)(1)(B); 125.3(a)(2)(ii)(B). USEPA provides more in-depth discussion of technology-based ELGs in their 2012 Fact Sheet.

Summary of C&D Rule Requirements

USEPA's C&D rule requirements include (1) non-numeric effluent limitations that apply to all permitted discharges from construction sites (40 CFR 450.21), and (2) a numeric effluent limit for turbidity (which is the subject of an indefinite stay) that applies to certain larger sites (40 CFR 450.22 – 24).

USEPA has issued the stay for the numeric limit for turbidity so that the limit can be recalculated. Until a new limit is promulgated, USEPA and authorized states (including Arizona) are not required to incorporate a numeric turbidity limitation into their permits.

Non-Numeric Effluent Limits.

The C&D rule's non-numeric effluent limitations are incorporated into the AZPDES 2013 stormwater Construction General Permit (2013 CGP). The C&D rule contains non-numeric effluent limitations that require the operator to minimize the discharge of pollutants. USEPA's objective in promulgating non-numeric effluent limits that apply to discharges from construction sites is to prevent the mobilization and discharge of sediment, turbidity, and other sediment-bound pollutants, such as metals and nutrients, and to prevent or minimize the exposure of stormwater to construction materials, debris, and other sources of pollutants on construction sites. See 74 FR 63016. The non-numeric effluent limits are structured to require operators to "first prevent the discharges of sediment and other pollutants through the use of effective planning and erosion control measures; and second, to control discharges that do occur through the use of effective sediment control measures." Id. The effluent limits also require the operator to implement a range of pollution prevention measures to limit or prevent discharges of other types of non-sediment discharges.

In addition, these non-numeric effluent limitations limit the generation of dissolved pollutants, such as nutrients, organics, pesticides, herbicides and metals that may be present naturally in the soil on construction sites, such as arsenic or selenium, or may have been contributed by previous activities on the site such as agriculture or industrial. These pollutants, once mobilized by rainfall and stormwater, can detach from the soil particles and become dissolved pollutants. Once dissolved, these pollutants would not be removed by down-slope sediment controls. Source control through minimization of soil erosion is therefore the most effective way of controlling the discharge of these pollutants.

This Fact Sheet provides summaries of each provision and ADEQ's rationale for articulating the provision in this way. Generally speaking, several of the provisions of ADEQ's CGP 2008 are retained in the 2013 CGP because they already satisfied the intent of USEPA's new C & D rule. Additional information about the non-numeric effluent limits and the stay of the numeric turbidity limit in the C & D rule is found in USEPA's Fact Sheet.

II. Permit Coverage and Authorization Under ADEQ's CGP 2013 (Parts 1 and 2)

Part 1 of the CGP details the requirements that must be met to obtain coverage under the permit. Although this section has been reorganized from prior permits, many

of the requirements for coverage and the process to be followed for seeking coverage remain unchanged.

II.1 Coverage Under This General Permit

ADEQ develops and issues general permits to cover multiple facilities (or sites) within a specific category, industry or area. The vast majority of discharges associated with construction activity are covered under the AZPDES construction stormwater general permit (CGP). General permits simplify the process for dischargers to obtain authorization to discharge, provide permit requirements for any discharger that files a notice of intent to be covered, and reduce the administrative workload for the Department. All general permits are issued by ADEQ after an opportunity for public review of the proposed general permit. The accompanying fact sheet describes the rationale for permit conditions. Arizona's CGP 2013 was developed by ADEQ, with stakeholder input, through a series of stakeholders' meetings between February and June 2012, and again during the formal public comment process in November 2012.

Typically, to obtain authorization to discharge under an AZPDES general permit, an operator submits to ADEQ a Notice of Intent (NOI) to be covered under the general permit. An NOI is not a permit but a process form for obtaining general permit coverage. By submitting the NOI, the discharger acknowledges that it is eligible for coverage under the general permit and that it agrees to the conditions in the published general permit. Discharges associated with the construction activity are authorized consistent with the terms and conditions established in the general permit.

After reviewing information regarding permit eligibility contained in the NOI, ADEQ has the authority to notify a construction site operator that it is required to apply for an individual permit on a case-by-case basis if the Department determines that the operator does not meet the conditions for coverage. A situation that might trigger such a determination would be that the proposed discharge has the reasonable potential to cause or contribute to an exceedance of an applicable water quality standard. In some cases, ADEQ may allow the operator to proceed with coverage under the general permit provided additional control measures designed to address the specific issue at hand are adopted. Additionally, operators have the option to apply for an individual permit. See 40 CFR 122.28(b)(3).

To apply for coverage under the 2013 Construction General Permit, the operator is required to develop a site-specific Stormwater Pollution Prevention Plan (SWPPP) describing how the permit conditions will be met and to submit a Notice of Intent (NOI).

Continued Coverage. The Stormwater Construction General Permit (CGP), under Arizona's Pollutant Discharge Elimination System (AZPDES), is a Clean Water Act (CWA) permit under Section 402(p) and the federal rules promulgated thereunder (see 40 CFR 122.26).

Operators who are issued coverage on or before June 3, 2013 under CGP 2008 will have coverage automatically transferred to the CGP 2013. This process provides for continued permit coverage without having to submit a new Notice of Intent or pay a fee. ADEQ's administrative burden will be reduced because permit information from potentially 3,000 to 4,000 NOIs will not have to be processed and re-entered into ADEQ's tracking system. This automatic transfer benefits operators because they will not be subject to both an initial NOI processing fee and the annual permit fee in 2013. The annual permit fee billing cycle will continue to be based on the date operators originally applied for coverage under CGP 2008.

Existing permittees who do not want to continue coverage under CGP 2013 must submit a Notice of Termination (NOT) to close out permit coverage, which is the current requirement.

II.1.1 Permit Area (Part 1.1)

This general permit covers the state of Arizona, except for Indian Country. ADEQ does not have authority for discharges in Indian Country. Operators in these areas must pursue permitting through the appropriate tribal permitting authority. Where there is no approved tribal program, USEPA Region 9 remains responsible, consistent with its trust authority for implementing and enforcing the NPDES program in Indian Country.

II.1.2 Eligibility (Part 1.2)

Any construction project that has stormwater discharges associated with construction activity, in accordance with 40 CFR Part 122.26(b)(14)(x) and (15), is eligible for coverage under the 2013 CGP. However, this permit is not authorized for use by operators with stormwater discharges associated with construction activities on any Indian Country lands in Arizona. USEPA Region 9 is the permitting authority for Indian lands in Arizona.

Construction activity in this permit includes:

- Clearing, grading, excavating, stockpiling of fill material, or other similar activities resulting in one or more acres of land being disturbed.
- Clearing, grading, excavating, stockpiling of fill material, or other similar activities that will disturb less than one acre of land but the project is part of a larger common plan of development or sale and the entire project will ultimately disturb one or more acres.
- On-site and offsite activities directly supporting the construction project (such as construction materials or equipment storage or maintenance, soil piles, and borrow areas).
- On-site and offsite industrial activities directly related to the construction process *(e.g., concrete or asphalt batch plants)*.
- Construction activities on federal lands and federal projects (excluding Indian Country lands).
- Construction projects that disturb less than one acre, or meet other potential exemptions in this permit, may be “designated” and required to obtain permit coverage based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to waters of the U.S.
- Clearing, grading, and excavation activities being conducted as part of exploration and construction phase of mineral mining operations if one or more acres of land is disturbed.

  [*Note*: Once exploration phase clearing, grading, and excavation activities are completed and no further mining activities will occur at the site, the operator must comply with the requirements for terminating the CGP (i.e. stabilize and re-vegetate the disturbed land, submit a NOT, etc.). If active mining operations will ensue, the operator must apply for coverage under the Multi Sector General Permit for stormwater discharges and be prepared to implement any new requirements prior to beginning the active mining phase (extraction through production of a salable product).]

The following activities do not require coverage under this permit:

- Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility and that disturbs less than five acres. By definition, maintenance projects are expected to be short-term and involve minimal mass grading.
- Construction activities unrelated to earth disturbing activities such as interior remodeling, completion of interiors of structures, etc.
- Routine earth disturbing activities that are part of the normal day-to-day operation of a completed facility *(e.g., daily cover for landfills, maintenance of gravel roads or parking areas, landscape maintenance, etc.)*.
- Re-paving roads if the sub-grade is undisturbed.
- Construction activities under a State or Federal reclamation program to return an abandoned facility property to an agricultural or open land use.
- Construction activity that disturbs less than one acre and is not part of a larger common plan of development that disturbs more than one acre, unless designated as discussed in the above section.
- Geotechnical, environmental, and archeological explorations if those activities collectively disturb less than one acre.

Common Plan of Development

A "larger common plan of development or sale" is:

1. A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one project plan. Examples include:

   a) Phased projects and projects with multiple filings or lots, even if the separate phases or filings/lots will be constructed under separate contract or by separate owners *(e.g., a development where lots are sold to separate builders)*;

   b) A development plan that may be phased over multiple years, but is still under a consistent plan for long-term development; and

   c) Projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility.

   For example, if a developer buys a 20-acre lot and builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures sometime in the future, this would be considered a larger common plan of development or sale. If the land is parceled off or sold, and construction occurs on plots that are less than one acre by separate, independent builders, the construction activity would still be part of the common plan of development and subject to stormwater permitting requirements if the smaller plots were included on the original site plan. A larger common plan of development or sale also applies to other types of land development such as commercial shopping areas, and industrial parks.

2. Where there is any documentation or announcement (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, etc.) that links the separate construction activities or project phases together under a common project plan.

If the project is part of a common plan of development or sale, the disturbed area of the entire plan shall be used in determining permit requirements.

Coverage under a Separate AZPDES Permit

Part 1.2 states that ineligible discharges (generally, wastewater or non-stormwater) must be addressed in another manner: apply for a separate Arizona Pollutant Discharge Elimination System (AZPDES) permit, cease the discharge(s), or take necessary steps to make the discharge(s) eligible for coverage under this (2013 CGP) permit. The permit option could be either the AZPDES De Minimus General Permit or an individual AZPDES permit.

By definition, 'De Minimus" discharges contain relatively low levels of pollutants, with a limited flow and/ or frequency, and having a short-term duration. The De Minimus General Permit (DGP) allows for the discharge of pollutants associated with potable and reclaimed water systems, subterranean dewatering, well development, aquifer testing, hydrostatic testing of specific pipelines, residential cooling water, charitable car washes, building and street washing, and dechlorinated swimming pool water. Authorization under the DGP requires the permittee to implement various BMPs, and in many cases to conduct discharge monitoring based on the type of discharge activity and the type of receiving water. More information on the DGP is available at: http://www.azdeq.gov/environ/water/permits/gen.html#demi.

Several allowable non-stormwater discharges are listed in Part 1.3(2) and do not require separate De-Minimus general permit coverage.

Individual Permit Requirements

When the activity does not conform to the general permit requirements or if ADEQ determines that the discharge is a significant contributor of pollutants, an individual AZPDES permit may be required so that permit conditions can be customized to the site. See A.A.C. R18-9-C902(A).

Likewise, any discharger may request to be covered under an individual permit rather than seek coverage under an otherwise applicable general permit. See A.A.C. R18-9-C902(B).

See A.A.C. R18-9-B901 for the requirements for an individual permit application and issuance or denial.

II.1.3 Authorized Discharges (Part 1.3)

The term "discharge", when used in the permit without qualification, means the discharge of a pollutant to a "water of the United States" (40 CFR Part 122.2). This includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. "Discharge of a pollutant," "pollutant" and "water of the United States" are all terms defined in 40 CFR Part 122.2.

The term "discharge point," when used in the permit, means the location where stormwater flows exit the construction site.

Part 1.3 lists categories of stormwater discharges that are allowed under the 2013 CGP, provided that all applicable permit limits and conditions are met. The list is subdivided into allowable stormwater and non-stormwater discharges. Allowable stormwater discharges (Part 1.3(1)) include such discharges as stormwater runoff, snowmelt runoff, surface runoff and drainage and stormwater discharges from construction support activities:

a. Stormwater discharges designated by USEPA as needing a permit under 40 CFR § 122.26(a)(1)(v), § 122.26(b)(15)(ii) or § 122.26(a)(9);

b. Stormwater discharges from construction support activities *(e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas)* provided:

- The support activity is exclusively and directly related to the construction site required to have permit coverage for stormwater discharges;
- The support activity is not a commercial operation, nor does it serve multiple unrelated construction projects;
- The support activity does not continue to operate beyond the completion of the construction activity at the project it supports; and
- Stormwater controls are implemented in accordance with Part 3.1 and, if applicable, Part 3.2 of the permit, for discharges from the support activity areas.

Part 1.3(2) (Allowable Non-stormwater Discharges) lists the non-stormwater discharges that are allowed under this permit. However, operators are prohibited from discharging any non-stormwater from their construction sites to an outstanding Arizona water (OAW). Additional requirements may apply if the site is located within 1/4 mile of an impaired water. Any discharges not included on the list are prohibited from coverage under this permit.

Appropriate control measures are required on allowable non-stormwater discharges, in accordance with Part 3.1.4 of the permit. In addition, the SWPPP must list all of the allowable non-stormwater discharges that are expected to be associated with the project's construction activities (Part 6.3) and describe the control measures used.

ADEQ added two more non-stormwater discharges to the allowable list because construction site operators frequently produce these De-Minimus-types of discharges with their construction activities:

- Discharges related to installation and maintenance of potable water supply systems, including disinfection and flushing activities, discharges resulting from pressure releases or overflows, and discharges from wells approved by ADEQ for drinking water use; and
- Hydrostatic testing of new pipes, tanks or vessels using potable water, surface water, or uncontaminated groundwater.

The above is a summary of allowable stormwater and non-stormwater discharges. The permit is much more explicit in terms of what is allowable and not allowable.

II.1.4 Prohibited Discharges (Part 1.4)

Part 1.4 lists the types of wastes and other pollutants that operators are prohibited from discharging from a construction site. The requirements in (1) through (4) below implement the prohibitions in 40 CFR 450.21(e) of the C&D rule and were addressed at least in principle, if not directly by the 2008 CGP. The requirement in (5) below to prohibit toxic or hazardous substances from a spill or other release corresponds to Part VI(A), Hazardous Substances or Oil, of the 2008 CGP. All five of the following discharges are addressed in the USEPA 2012 CGP and are also prohibited by this permit:

1. Wastewater from washout of concrete, unless managed by an appropriate control as described in Part 3.1.3.1(1);
2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, unless managed by an appropriate control as described in Part 3.1.3.1(3);
3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. Soaps, solvents, or detergents used in vehicle and equipment washing; and
5. Toxic or hazardous substances from a spill or other release.

Although not specifically listed in 40 CFR Part 450, the subject of toxic substances was listed in Part VI(A) of the 2008 CGP as a prohibited discharge under "Special Conditions – Hazardous Substances or Oil". Likewise, EPA's 2012 CGP lists toxic/ hazardous substances in Part 2.3.1. The full text from the in Part VI(A) of the 2008 CGP is: "The operator shall prevent or otherwise minimize the discharge of hazardous substances or oil in the discharge(s) from the construction activities in accordance with the SWPPP. *This permit does not relieve the operator of the reporting requirements under 40 CFR 110, 40 CFR 117 and 40 CFR 302 relating to spills or other releases of oils or hazardous substances.*"

II.1.5 Limitations of Coverage (Part 1.5)

1. Post-Construction Discharges.

This permit covers only the construction phase of the project. Once final stabilization is achieved and a Notice of Termination is filed, discharges are no longer covered under this permit. Sites requiring post-construction permitting must obtain coverage under a separate AZPDES permit.

2. Discharges Covered by another AZPDES Permit.

Stormwater discharges associated with construction activities which are covered under an individual permit or discharges required to be covered under an alternative general permit are not authorized by this permit.

3. Discharges to Impaired Waters.

This permit includes specific conditions to protect impaired surface waters. An 'impaired water' is a surface water that has been assessed as not attaining a water quality standard for at least one designated use. ADEQ is scheduled to provide an updated list of waterbodies not meeting water quality standards to USEPA for approval in each even-numbered year. This listing of impaired waters identifies each waterbody by name, stream reach or lake number, and watershed. The parameter(s) not meeting standards (i.e. causes of impairment) are also identified for each waterbody. Impaired waters are listed in Arizona's 303(d) and Other Impaired Waters List available at: http://www.azdeq.gov/environ/water/assessment/assess.html

Tier 1 antidegradation protection applies to surface waters listed on the 303(d) list for the pollutant that resulted in the listing (AAC R18-11-107.01). For these waters, a regulated discharge shall not violate a water quality standard and shall not further degrade existing water quality for the pollutant that resulted in the listing.

Consistent with federal law, Arizona Administrative Code R18-11-107(B) specifically prohibits degradation of Tier I waters (where the existing water quality does not meet applicable water quality standards). If a permittee's discharge causes or

contributes to nonattainment of standards, more effective and/or additional control measures must be added. If after the implementation of additional and/or more effective controls the discharge continues to contribute to nonattainment, the permittee shall cease all discharges under this permit and apply for coverage under an individual AZPDES permit.

TMDLs – A total maximum daily load (TMDL) is the total amount of a pollutant a waterbody can receive from all sources and still meet water quality standards. TMDLs are written for waterbodies on the Impaired Waters List. Waters with TMDLs remain on the Other Impaired Waters List until the water quality is no longer impaired. Any discharge under this permit must be consistent with any applicable TMDL. Further, if a TMDL specifically assigns a load allocation to a construction project or projects, the project must be authorized under an individual AZPDES permit.

4. Discharges to outstanding Arizona waters (OAW).

This permit includes specific conditions to protect outstanding Arizona waters (OAWs) within the State of Arizona. An OAW is a surface water that has been identified by ADEQ as an outstanding water resource in accordance with A.A.C. R18-11-112. A list of OAWs can be found at:
http://www.azdeq.gov/environ/water/permits/download/oaw.pdf

No degradation of an OAW is allowed under the Surface Water Quality Standards rules. Thus, operators seeking authorization for discharge within 1/4 mile of an OAW must demonstrate to ADEQ that the discharge will not degrade existing water quality in the downstream OAW. This demonstration is through submittal of the SWPPP documents, including the monitoring provisions specified in the permit.

5. Exempt Discharges.

Activities/sites that are exempt from permit coverage include construction sites that disturb less than one acre (unless required by the Director), and routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility. Discharges from sites that have an erosivity waiver are also exempt.

All persons operating under an exemption are expected to apply control measures and minimize pollution discharge from their sites, including stabilizing the site when they are finished. As the permit indicates, any activity that causes or contributes to a violation of water quality standards may lose exemption and be required to obtain coverage.

Additional Condition for Exemption – Persons that are not required to file for permit coverage under this section shall operate exempt construction sites in a manner that minimizes pollutants in the discharges, including effectively stabilizing the site after completion of construction. In the event discharges from the site may cause or contribute to non-attainment of water quality standards, ADEQ may require the operator to obtain permit coverage. See A.A.C R18-9-A902(B)(9)(e).

II.1.6 Erosivity Waivers for Small Construction Activities (Part 1.6)

1. Calculating the Erosivity Waiver.

Some small construction sites may be eligible for an erosivity waiver from permit coverage.

Waivers are ONLY available for construction sites that:

1. Disturb between one and five acres;

2. Have a rainfall erosivity factor less than five;
3. Are NOT part of a common plan of development or sale that disturb more than five acres;
4. Are more than 1/4 mile from an OAW or impaired water; and
5. Are not designated for permit coverage by ADEQ.

To receive a waiver, the operator of a small construction activity must certify to a low predicted rainfall erosivity factor of less than 5 during the period of construction activity. The rainfall erosivity factor is based on Agriculture Handbook Number 703, Predicting Soil Erosion by Water: A Guide to Conservation Planning with the Revised Universal Soil Loss Equation (RUSLE), pages 21-64, dated January 1997. To determine the rainfall erosivity factor (R) for the waiver, the operator must use the ADEQ's Smart NOI electronic system which calculates the values based on operator input of locational data and dates for construction.

Filing an NOI and development of a SWPPP is not required, but the operator must manage the construction site in a manner that minimizes pollutants in discharges including implementing control measures that are protective of water quality.

Projects Which Extend Past Certified Period – The waiver authorization will indicate an 'end date' after which the waiver is no longer applicable. The end date is calculated and based on the locational and climate data that affect the erosivity factor calculation. If the project continues after this end date, the project was not eligible for the waiver and is in violation of the permit. In this case filing an NOI for permit coverage and developing a SWPPP is required.

2. Permit Waiver Certification.

Erosivity Waiver – The erosivity waiver is accessible only through the use of the Smart NOI system. The erosivity calculation must be done via the Smart NOI system to promote consistency and accuracy due to the complex calculations involved.

TMDL Waiver – USEPA's 2012 CGP included the TMDL waiver (a TMDL that has established that controls on stormwater discharges from small construction activity are not needed to protect water quality). However, TMDL waivers have never been included in previous AZPDES CGPs, because there are no TMDLs in Arizona that affect construction activity. Therefore, the AZPDES 2013 CGP does not include the TMDL waiver. If this changes in the future and an operator is notified of a requirement to comply with a particular provision of a TMDL in a watershed where the project is operating, ADEQ will provide the necessary information about any additional requirements for a TMDL waiver. Information on TMDLs that have been established or approved by USEPA is available from ADEQ online at

http://www.azdeq.gov/environ/water/assessment/download/status.pdf.

USEPA also makes a TMDL list available online at http://www.epa.gov/owow/tmdl/

II.2 Authorization Under This General Permit (Part 2.0)

II.2.1 Responsibilities of Operators (Part 2.1)

All operators must review all the conditions and requirements of this permit before submitting any of the forms described in Part 2. All operators are required to obtain coverage for stormwater discharges associated with construction activity under this permit unless the discharge is covered by an alternative AZPDES permit. Operators must meet the following conditions before permit coverage will be authorized:

1. All operators (Part 2.1.1). The applicant is an operator of the construction project for which discharges will be covered under this permit;

   For the purposes of this permit, an "operator" is any person associated with a construction project that meets either of the following two criteria:

   a. *The person has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or*

   b. *The person has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the permit).*

   Subcontractors are generally not considered operators for the purposes of this permit.

   The definition of "operator" in (1) above is a slightly modified version of the definition of "operator" that was included in the 2008 CGP. The person that meets the first part of the definition of "operator" (*a*) in most cases will be the owner of the site. The person that meets the second part of the definition of "operator" (*b*) in most cases will be the general contractor of the project. Where there are multiple operators associated with the same project (Part 2.1.1), all persons meeting the definition of "operator" are required to obtain permit coverage. Subcontractors do not meet the definition of "operator", and therefore are not required to obtain permit coverage.

2. Multiple operators (Part 2.1.2). When multiple operators are associated with the same project, all operators are required to obtain permit coverage. If one operator has control over plans and specifications and a different operator has control over activities at the project site, they may divide responsibility for compliance with the terms of this permit provided that they develop a joint or common SWPPP, which documents which operator has responsibility for each requirement of the permit.

   If an operator only has operational control over a portion of larger project *(e.g., one of four homebuilders in a subdivision)*, the operator is responsible for compliance with all applicable effluent limits, terms, and conditions of this permit as it relates to the activities on their portion of the construction site, including implementation of control measures described in the SWPPP. The operator must also ensure either directly or through coordination with other permittees that their activities do not render another person's stormwater controls ineffective. Fact Sheet Section VI presents further details about joint or common SWPPPs.

   "Construction support activities" (as defined in Appendix A) must also have permit coverage, either under the owner/ operator, if they are the same entity as the operator of the main construction site, or separately, if the operator of a construction support activity is different from the operator of the main construction site. For example, if a construction support activity for the project is owned by a separate owner, and if the separate owner meets the definition of "operator", that person would be required to obtain permit coverage for discharges from the site where the support activities are located. However, if the construction support activity is owned or operated by the site operator, then the support activity must be included in the site operator's permit coverage, including any documentation provided in the NOI and SWPPP.

A construction project will need CGP coverage if the project will disturb one or more acres, or will disturb less than 1 acre but is part of a common plan of development or sale that will ultimately disturb one or more acres, or the project's discharges have been designated by USEPA as needing a permit under 40 CFR Part 122.26(a)(1)(v) or 40 CFR Part 122.26(b)(15)(ii).

II.2.2 Prerequisites for Submitting a Notice of Intent (NOI) (Part 2.2)

A Notice of Intent (NOI) for a general permit is similar to a permit application, in that it is a request for AZPDES permit coverage and contains information about the proposed discharge. The NOI serves as the operator's notice to ADEQ that the operator intends the discharge to have coverage under the general permit. By signing and submitting the NOI, the operator is certifying that a Stormwater Pollution Prevention Plan (SWPPP) has been developed, that the discharge meets all of the conditions specified in the general permit, and that the operator intends to continue to meet those requirements. A Notice of Intent that contains fraudulent, misleading or erroneous information may invalidate permit coverage (see Appendix B, Subsection 9). An incomplete NOI delays permit coverage until such time as the NOI has been completed.

II.2.3 Submitting the Notice of Intent (NOI) (Part 2.3)

Like the CGP 2008, the CGP 2013 requires any person who meets one or both of the criteria for an "operator" as specified in Part 2.1.1 to prepare and submit a complete and accurate NOI prior to commencing construction activities. The NOI form provides the information necessary for ADEQ to determine a construction operator's eligibility to discharge under the permit. Emergency-related projects are automatically authorized to discharge under this permit (see Appendix A of the permit and Fact Sheet Section II.2.3). In these situations, the NOI must be submitted within 30 calendar days after the commencement of construction activities.

Part 2.2 clarifies that authorization is not valid if the NOI upon which authorization is based is incomplete or inaccurate, or if the discharge was never eligible for permit coverage. The CGP's fundamental requirement is that discharges are not authorized until permit coverage is obtained, and that permit coverage is obtained for the CGP through the submission of a complete and accurate NOI.

Part 2.3 notes that all "operators" (as defined in Appendix A) associated with the construction project, who meet the Part 1.2 eligibility requirements, are required to submit an NOI, and the operator must complete the development of a Stormwater Pollution Prevention Plan (SWPPP) prior to submitting the NOI for coverage under this permit. The permit allows multiple operators of the same construction site to develop a joint or common SWPPP, as provided in Part 6.1(1).

Submitting the NOI Form

All operators are encouraged to use ADEQ's electronic Smart NOI system to prepare and submit NOIs. Payment of the initial fee is also available online. Go to https://az.gov/app/smartnoi/ to access ADEQ's Smart NOI system and file an NOI. Operators with no access to the Internet may submit a paper NOI to the ADEQ address listed in Part 8.2, accompanied by a paper check covering the applicable initial fee.

The NOI requires the operator to identify the location (by latitude and longitude) that stormwater may discharge or flow off of the construction site. The "discharge point" is typically found at a low elevation point at the perimeter of the construction site, or at the point closest to a receiving water. A receiving water is a natural watercourse into which stormwater would flow in a storm event and includes dry washes, streams, tributaries, and other waters of the U.S. (such as designated canals). Man-made

structures such as retention basins, storm sewer systems, or city storm drains are not receiving waters, but are conveyances that discharge to a receiving water.

Latitude and longitude for the discharge location of the construction site must be provided on the form. Common tools to determine latitude and longitude include Global Positioning System (GPS) devices, topographic maps, or internet mapping sites. The Smart NOI on-line system also includes a mapping system for easily determining latitude and longitude. The latitude and longitude must be reported in degrees, minutes, and seconds format. The latitude must have at least six digits. The longitude must have at least seven digits. This information is critical for accurately locating the site, mapping it on state environmental maps, and for determining which provisions of this permit may apply.

For linear construction projects (projects which are typically longer than wide and have a basically uniform width) such as roadways, utility line and pipeline corridors, provide the latitude and longitude of the discharge location(s) as follows:

1. For a linear project where any portion of the construction site is within 1/4 mile of any receiving water that is classified as an OAW or impaired, provide the coordinates closest to that receiving water.
2. For a linear project with a single discharge location, provide the coordinates for the discharge location.
3. For a linear project with multiple discharge locations, provide the coordinates at the mid-point of the project length.

Note: If part of the linear project lies within the proximity of an impaired water or OAW (per item 1 above), provide that point on the NOI.

Identify the closest receiving water(s) to the site. If stormwater runoff could discharge to or reach more than one receiving water, list ALL receiving waters. Some receiving waters may be unnamed washes or tributaries, and these must also be indicated on the NOI form as “unnamed.” “None” is not an acceptable answer to this question.

Signature of the NOI Form

The complete and accurate NOI must be signed by the appropriate signatory. State statutes and rules provide for significant penalties for submitting false information on the NOI. The NOI serves as an agreement by the signatory that there will be compliance with the permit conditions. In accordance with Appendix B, Subsection 9, operators cannot delegate the responsibility for signature on an NOI form to consultants or agents. Appendix B, Subsection 9 gives specific requirements for signature of the NOI.

Note: Use of the e-signature option on the Smart NOI system will result, in most cases, in immediate permit authorization.

The authorization to sign other permit-related documents (NOT, SWPPP, inspection reports, etc) may be delegated. The signed and dated written authorization delegation must be included in the SWPPP. A copy of the signatory delegation need not be submitted to ADEQ unless specifically requested.

Certificate of Authorization

Each person operating under this permit will receive a an Authorization to Discharge with an Authorization Number when ADEQ processes Notice of Intent (NOI). The confirmation of coverage letter (Authorization Certificate) the operator will receive

from ADEQ is not the permit - it merely acknowledges that the NOI has been processed by the Department and the operator is authorized to discharge subject to the terms and conditions of this general permit. Note that the assigned number is not the AZPDES Permit Number; rather, it is the authorization number (with the prefix "AZCON") and should be used in all correspondence with the Department. The actual permit number is AZG2012-001.

Operators who submit an application via the Smart NOI System are encouraged to use the e-signature feature to obtain faster, and in most cases, immediate coverage. An NOI Authorization Certificate is not issued via the Smart NOI System for copies submitted without electronic signature. Operators who submit a signed NOI by fax, mail or hand delivery for manual processing, will be sent a letter regarding authorization status (typically within 2-5 business days of ADEQ's receipt of the NOI). Applicants may also verify receipt of the NOI and check the status of the authorization by visiting ADEQ's NOI Construction Database at: http://azdeq.gov/databases/azpdessearch.html.

Discharges to a regulated MS4.

Operators of construction sites located within a regulated municipal separate storm sewer system (MS4) must submit a copy of ADEQ's Authorization to Discharge (**not** a copy of the NOI) to the MS4 operator. A list of regulated MS4s is found at http://www.azdeq.gov/environ/water/permits/stormwater.html#ms4s.

Revised NOI

Revisions to an NOI are only allowable in certain circumstances, such as updating mailing address, changing the name of the contact person, or revising the location of the SWPPP.

To revise a NOI, an operator can download a copy of the NOI form from: http://www.azdeq.gov/environ/water/permits/cgp.html

Indicate that the NOI is a revision to an NOI which was authorized under the new construction general permit. Provide the current authorization number (AZCON-XXXXX); the name of the project/site; and **only** the specific information being revised. The revised NOI must be signed in accordance with Appendix B, Subsection 9.

ADEQ does not allow revisions to an NOI to change the latitude or longitude of a site, nor to change the acreage of the site if the land disturbance has already begun.

ADEQ does not allow revisions to change or transfer an NOI to another operator. If operational control of a site changes, an operator must submit an NOT terminating coverage as specified in Part 2.5 of the permit.

Prior to submitting the NOI, the new operator shall develop a new SWPPP, or may modify, certify, and implement the existing SWPPP if it continues to satisfy the requirements of the general permit.

If project extends beyond the estimated termination date on an NOI, it is not necessary to re-file or revise the NOI. Permit coverage will continue until an NOT is filed or the permit or permit coverage is revoked.

II.2.4 Emergency-Related Construction Activity (Part 2.4)

Obtaining CGP coverage following the normal procedures is not feasible in situations requiring emergency-related construction. Provisions in Part 2.4 for emergency-related construction activity are new to the 2013 CGP. With this provision, ADEQ intends to ensure that the authorization process does not interfere with emergency-related construction projects required to avoid endangerment to human

health, public safety, or the environment *(e.g., a natural disaster such as a tornado, hurricane, earthquake, flood or some similar event that creates widespread disruption in essential public services)*. Immediate authorization will enable operators of these projects to begin work immediately, and to postpone the NOI submission and SWPPP completion deadlines for 30 calendar days. Once the initial 30 calendar days has expired, however, this permit requires an operator to develop a SWPPP and submit a complete and accurate NOI for permit coverage. The operator must also provide documentation in the SWPPP that substantiates the occurrence of a public emergency *(e.g., federal or state disaster declaration or similar state or local declaration)*. If the construction activity is completed within 30 days, submittal of an NOI and preparation of a SWPPP are not required. However, documentation of the public emergency should be kept.

Note: "other applicable requirements in the permit" includes Parts 3 through 6 and Part 7 if any portion of the site is located within 1/4 mile of an impaired water or OAW.

Note: Operators of emergency-related projects are considered provisionally covered under the terms and conditions of this permit immediately, unless ADEQ notifies the operator that the authorization has been delayed or denied.

II.2.5 How to Terminate Coverage (Part 2.5)

The requirements of Part 2.5 must be met before an operator of a construction project may be authorized to terminate coverage under the permit. Until permit coverage is terminated, the operator is required to comply with all conditions and effluent limitations in the permit. Permit coverage is not terminated until ADEQ has received a complete and accurate Notice of Termination (NOT), certifying that the requirements for termination in Part 2.5 are met. ADEQ included additional requirements that affect when a site may terminate coverage under the CGP. Operators have a new option of terminating coverage when control is lost or access is denied due to foreclosure or sale of the property and the new operator has not obtained coverage. This situation does not preclude ADEQ from taking enforcement action for violations that occurred prior to loss of control.

The NOT form includes modified reasons for termination. These modifications were considered necessary to reflect the changes made to the conditions for terminating permit coverage in Part 2.5. For instance, beyond enabling sites to terminate coverage when earth-disturbing activities have stopped and the site is stabilized, the permit requires the removal of all temporary stormwater controls and construction materials, waste, and waste handling devices.

Conditions for Terminating Permit Coverage

Each operator must reference the corresponding authorization number (AZCON) on the NOT form. An operator's authorization to discharge under this permit terminates at midnight on the day a complete and accurate NOT is received by ADEQ. Upon receipt of the NOT the Department will issue a letter to the operator confirming receipt and that coverage under the permit is terminated. The submission of an NOT may trigger a site inspection, including verification that final stabilization has been achieved as required by the permit if another operator has not submitted an NOI assuming responsibility for final stabilization.

The requirements in Part 2.5(1) provide operators with a list of all of the triggering conditions for terminating permit coverage. These conditions, as applicable, must be satisfied before an NOT can be filed and permit coverage terminated. They emphasize

the importance of leaving the site not only stabilized, but also in a condition that no longer requires temporary stormwater controls or pollution prevention practices.

1. The operator has completed all earth-disturbing activities at the site and, if applicable, construction support activity areas covered by this permit (as defined in Appendix A), and the operator has completed the following:
    - For any areas that (1) were disturbed during construction, (2) are not covered over by permanent structures, and (3) over which the operator had control during the construction activities, the operator has met the requirements for final vegetative or non-vegetative stabilization in Part 3.1.2;
    - The operator has removed and properly disposed of all construction materials, waste and waste handling devices, and has removed all equipment and vehicles that were used during construction, unless intended for long-term use following termination of permit coverage;
    - The operator has removed all stormwater controls that were installed and maintained during construction, except those that are intended for long-term use following termination of permit coverage or those that are biodegradable; and
    - The operator has removed all potential pollutants and pollutant-generating activities associated with construction, unless needed for long-term use following termination of permit coverage; or
2. Another operator who has a valid authorization number under this general permit or an individual AZPDES permit has assumed control over all areas of the site that have not been finally stabilized (see Appendix B, Subsection 19);
3. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner (or a homeowner's association) in accordance with Part 3.1.2.2(2)(b);
4. The planned construction activity identified on the original NOI was never initiated (*i.e., no grading or earthwork was ever started*) and plans for construction have been permanently abandoned or indefinitely postponed;
5. Coverage under an individual or an alternative general AZPDES permit has been obtained;
6. The operator has transferred control of all areas of the site for which the operator is responsible under this permit to another operator, and that operator has submitted an NOI and obtained coverage under this permit;
7. The operator qualifies for one of the stabilization exemptions in Part 3.1.2.3. If qualifying for either exemption, the operator shall submit the required documentation with the NOT;
8. The operator no longer meets the definition of an operator in Part 2.1, provided that the operator meets all of the following requirements:
    a. Informs ADEQ of the estimated date of the anticipated loss of control as soon as the operator becomes aware of it and identifies the person that will take control;
    b. Identifies the reasons for being unable to submit an NOT that complies with the requirements of Part 2.5;
    c. Submits a copy of the SWPPP with the notice of withdrawal;
    e. Has informed the new operator of the requirements of this permit; and

f. Notifies the MS4 of the anticipated change in control and identifies the person that will take control, if the construction site has the potential to discharge to a regulated MS4. The operator shall give notice to the MS4 at the same time notice is given ADEQ.

Note: NOTs can only be filed for those sites which obtained timely permit authorization by submitting a complete and accurate NOI. Sites which did not receive permit authorization have no permit coverage to terminate.

The conditions for terminating permit coverage in Part 2.5(1) correspond to requirements in Part II.C in the 2008 CGP; however, additional requirements have been included to acknowledge situations where an operator loses control of a project site.

II.2.6 Change of Operator Request Due to Foreclosure or Bankruptcy

In rare circumstances, a lending institution will seize control of a permitted site through a foreclosure or bankruptcy. In such cases, the lending institution or person who takes operational control is responsible for the discharges from the construction site. Part 2.6 requires the new entity to submit an application for permit coverage within 14 days prior to taking control of the site if the construction site has not achieved final stabilization as defined in Part 3.1.2.2.

If the new entity fails to submit an application for the construction site, the permitted operator may submit a petition to ADEQ to terminate permit coverage if they have been denied access to the property. The permitted operator must submit a Change of Operator Request form (available on the ADEQ website). At a minimum, the request must include the following:

1. The date of the loss of control of the construction site;

2. identifies the person that has control of the construction site;

3. Identifies the reasons for being unable to submit a NOT that complies with the requirements of Part 2.5;

4. Submits a copy of the SWPPP and associated review fee with the Change of Operator Request;

5. The permittee shall provide an update in the SWPPP documenting conditions at the time of loss of control. The permittee shall indicate areas of exposed soils and material stockpiles; the location, type and quantity of chemicals storage; the existing BMPs left in place and their condition; and areas that have been stabilized. The permittee shall indicate if there is public access to the site (e.g., perimeter fence, gate, etc). The Permittee shall also identify any conditions which may be dangerous or hazardous, or may pose a significant environmental threat;

6. Documentation that the permittee informed the person taking control of the construction site of the requirements of this permit; and

7. If the construction site has the potential to discharge to a regulated MS4, documentation that the permittee notified the MS4 of the change in control and the identity and contact information for the person that has control.

ADEQ will review the Change of Operator Request and related information to determine appropriate actions, including (but not limited to) terminating permit coverage for the original permittee. As part of this assessment, the Department may conduct a site inspection. Submitting a Change of Operator Request does not suspend ongoing enforcement actions and does not preclude the Department from taking enforcement actions for violations of this permit.

III. Non-numeric Effluent Limitations and Associated Control Measures at Construction Sites (Part 3.1)

Exception for ongoing construction projects

The permit provides flexibility for operators of "on-going construction projects" (Part 2.3(3)(e)) regarding compliance with the non-numeric effluent limitations and associated control measures in Part 3.1. Operators of on-going construction projects that were authorized to discharge under Arizona's 2008 Construction General Permit and are still in operation on June 29, 2013 are not required to comply with any portion of Part 3.1 that can not be implemented because it would be infeasible to meet that requirement. This exception ONLY applies to those portions of a project that have already commenced earth-disturbing activities or where stormwater controls implemented in compliance with the previous permit have already been installed. To be infeasible for the operator, two conditions must be met:

1 The requirement was not part of the 2008 CGP, under which the project was previously covered (*i.e., AZG2008-001*); and

2 The operator is prevented from compliance due to the nature or location of earth disturbances at the site or the operator is unable to comply with the requirement due to the manner in which stormwater controls have already been installed or were already designed. This flexibility only extends to those portions of the site that have already commenced earth-disturbing activities or where stormwater controls implemented in compliance with the previous permit have already been installed. The earth disturbances must have commenced and the stormwater controls installed or designed prior to October 1, 2013.

The operator must document these facts in the SWPPP.

Such flexibility is warranted within the context of the C&D rule given the requirement to "minimize" the discharge of pollutants. The requirement to "minimize" pollutant discharges incorporates technical feasibility and economic achievability ("minimize" is defined in Appendix A of the permit), therefore, where situations would economically preclude compliance, such as in the situations described above, flexibility in these situations is consistent with the rule requirement.

Where this flexibility may be most relevant will be in the application of such C&D rule provisions as the buffer requirement (40 CFR 450.21(a)(6)), the requirement to preserve topsoil (40 CFR 450.21(a)(7)), and the requirement to utilize outlet structures for sediment basins that withdraw water from the surface (40 CFR 450.21(f)) because of the allowance for operators to consider feasibility in whether they must comply with these provisions. These provisions are all required "unless infeasible," where infeasible is interpreted in the C&D rule as including situations where USEPA "recognize(s) that there may be some sites where a particular control measure cannot be implemented, thus allowing flexibility for permittees." See 74 Fed. Reg. 63005. USEPA further explains that the term "infeasible" means it is not technologically possible or not economically practicable and achievable in light of best industry practices. This language mirrors the language in the definition of "minimize" to which it is closely related, and has been incorporated into the permit in order to define "infeasible" (see Appendix A).

Allowing operators of on-going construction projects to make a determination of infeasibility due to prior work that had already commenced is consistent with the intent of the C&D rule to account for infeasibility in applying the provisions of CFR 450.21(a) (erosion and sediment controls) and 40 CFR 450.21(b) (pollution prevention measures).

For example, if an existing project had already begun construction on a property that is within 50 feet of a perennial water, and the location of disturbances precludes compliance with the buffer requirements, Provided that the other qualifications were met for the existing project, the operator would be allowed to document the infeasibility of complying with Part 3.1.1.5 and therefore, not need to comply with that provision. However, where a phase of the project has not yet commenced for an existing project previously permitted under the 2003 or 2008 CGPs, and the project design does not preclude compliance, the operator would not have this flexibility.

Incorporation of the Non-Numeric Limits into this Permit

Operators must minimize the discharge of pollutants from construction sites by satisfying the non-numeric effluent limitations at 40 CFR 450.21 and by using various controls and practices, which are outlined in detail in the following pages of this Fact Sheet. The permit contains requirements that specifically implement or incorporate each of the C&D rule's non-numeric limits in order to minimize the discharge of pollutants from construction sites. The sections that follow briefly discuss the permit requirements, and explain how the language is consistent with the non-numeric effluent limits of USEPA's C&D rule upon which they are based.

Part 3.1 organizes the stormwater effluent limitations in four major sections:

- Erosion and Sediment Control (Part 3.1.1);
- Site Stabilization (Part 3.1.2);
- Pollution Prevention (Part 3.1.3) and
- Dewatering (Part 3.1.4).

The stormwater control requirements in Part 3 are the effluent limitations that apply to all discharges associated with construction activity eligible for coverage under this permit. The requirements in Part 3 generally apply the national effluent limitations guidelines and new source performance standards in the C&D rule in 40 CFR Part 450 promulgated on December 1, 2009 (74 Fed. Reg. 62996).

These requirements apply to all permitted sites, including construction support activities that are covered under the permit under Part 1.3(1)(c).

General Maintenance Requirements

Operators must carry out the general maintenance described in Part 3.1, "General Maintenance Requirements". These requirements apply to all control measures the operator may implement at the construction project site. The operator must ensure that all control measures remain in effective operating condition and are protected from activities that reduce their effectiveness during coverage. The permit also requires the operator to inspect all erosion and sediment controls, pollutant-generating activities and pollution prevention controls in accordance with the inspection requirements in Part 4.3, document any findings and conduct follow-up actions when appropriate in accordance with Part 4.4 and Part 4.5, respectively.

These maintenance requirements implement the C&D rule requirements to "… maintain effective erosion controls and sediment controls" at 40 CFR 450.21(a), "… maintain effective pollution prevention measures" at 40 CFR 450.21(d) and the NPDES requirement at 40 CFR 122.41(e) to "at all times properly operate and maintain all facilities and systems of treatment and control …" In terms of the deadlines for taking action to correct problems found during inspections, the permit distinguishes between those problems that are "easy fixes" and those that require more significant work to

correct or that require the design, purchase, and installation of a new control. Regarding erosion and sediment controls for instance, if during the inspection, the operator discovers that a portion of the site's perimeter controls have fallen down or been driven over, repairs to the control must be made by the end of the next work day. The same would be true if the operator finds that a sediment control *(e.g., sewer inlet control device, compost filter sock, check dam, silt fence, etc.)* requires routine maintenance to remove accumulated sediment so that the control will operate effectively during the next storm event. By comparison, if a more significant repair is required, such as the complete removal and replacement of a device, the permit gives the operator up to 7 days to correct the problem, or as soon as practicable to complete work if complying with the 7-day deadline is infeasible. However, in order to prevent discharges of pollutants, the operator may have to implement temporary BMPs until the problem is corrected.

An example of maintenance of pollution prevention controls: during the inspection, the operator discovers that a trash container had been tipped over, leaving waste on the site; the permit would require that the waste be removed and placed in the appropriate container or otherwise disposed of immediately.

III.1 Erosion and Sediment Control Requirements (Part 3.1.1)

The specific sections of Part 3.1.1 require the site operator to design, install, and maintain erosion and sediment controls that minimize the discharge of pollutants from earth-disturbing activities in accordance with the C&D rule's requirement at 40 CFR 450.21(a) ("design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of sediment"). The individual subsections, Parts 450.21(a)(1) through (7), are described separately in the permit as Parts 3.1.1.1 through 3.1.1.6.

Design Requirements. (Part 3.1.1(A)) In the design of stormwater controls, operators are required to comply with the following general design requirements:

1. The following factors must be accounted for when designing stormwater controls:
    - The expected amount, frequency, intensity, and duration of precipitation;
    - The nature of stormwater runoff and run-on at the site, including factors such as expected flow from impervious surfaces, slopes, and site drainage features. If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream erosion; and
    - The range of soil particle sizes expected to be present on the site.
2. The operator is required to direct discharges from stormwater controls to vegetated areas of the site to increase sediment removal and maximize stormwater infiltration, including any natural buffers established under Part 3.1.1.5, unless infeasible. Operators must use velocity dissipation devices if necessary to prevent erosion when directing stormwater to vegetated areas.

    The purpose of requiring the design factors in (1) above is to identify specific factors that need to be accounted for in the design of stormwater controls installed at the site. Each of these specific design factors correspond to the C&D rule requirements in 40 CFR 450.21(a)(2) and (5). It is important to consider precipitation characteristics so that earth-disturbing activities can be planned during periods with a lower risk of precipitation and so that erosion and sediment control practices can be designed to convey and manage the precipitation that is expected to occur. The requirement to design stormwater controls to account for

the nature of stormwater runoff and run-on on the site and to reduce peak flowrates and total stormwater volume (Part 3.1.1.2) is intended to minimize scouring and erosion caused by stormwater discharges from the site. The requirement to account for soil characteristics (Part 3.1.1.4), such as particle size distribution, erosivity, and cohesiveness, is also important for selecting and designing appropriate erosion and sediment controls.

The requirement in (2) above reduces the discharge of sediment and other pollutants through filtration and infiltration by implementing the C&D rule requirement at 40 CFR 450.21(a)(6)(Part 3.1.1.5). Operators can comply with this requirement by directing non-erosive flows leaving silt fences, filter berms, or other perimeter controls and sediment basins to natural buffers adjacent to streams or other vegetated areas on or adjacent to the property on which the construction activities will occur. These practices will help to prevent the formation of gulleys and associated erosion. Examples of where it may be infeasible to direct discharges from stormwater controls to vegetated areas include those areas where pervious or vegetated areas within the project footprint are non-existent, such as in some highly urban areas or where re-directing drainage would violate a local ordinance or cause a nuisance.

Installation Requirements. (Part 3.1.1(B)) Operators are required to comply with the following installation requirements:

1. **Complete installation of stormwater controls by the time each phase of earth-disturbance has begun, unless infeasible.** By the time earth-disturbing activities in any given portion of the site have begun, unless infeasible, the operator is required to install and make operational any downgradient sediment controls *(e.g., natural buffers or equivalent sediment controls, perimeter controls, exit point controls, storm drain inlet protection)* that control discharges from the initial site clearing, grading, excavating, and other land-disturbing activities. Following the installation of these initial controls, all other stormwater controls planned for this portion of the site and described in the SWPPP must be installed and made operational as soon as conditions on the site allow.
2. **Use good engineering practices and follow manufacturer's specifications.** The operator is required to install all stormwater controls in accordance with good engineering practices, including applicable design specifications.

The installation requirements in Part 3.1.1(B) implement the C&D rule requirement to "… install effective erosion and sediment controls."

The requirement in (1) above is to ensure that stormwater controls are installed and made operational to minimize pollutant discharges from the area of active disturbance. For example, prior to initial site clearing and grading activities, the operator will need to install perimeter controls, exit point controls, and, if applicable, storm drain inlet protections and natural buffers or equivalent sediment controls to control stormwater discharges from the initial disturbances. After this initial work is completed, the operator is required to install and make operational other controls, such as sediment traps or sediment basins, which are expected to treat stormwater during the remaining phases of construction. Where a project is conducted in phases, such as for a large-scale, road project, the requirement is to install such controls prior to commencing earth-disturbing activities for the particular phase. After initial controls are installed, the operator is then required to install and make operational any remaining stormwater controls as conditions allow. The requirement

to install stormwater controls prior to the initial earth-disturbance does not apply to construction activities associated with the actual installation of these controls.

There may be some situations where the installation of controls prior to the first earth disturbance is not feasible *(e.g., due to restricted space, etc.)*, in which case such circumstances must be documented and kept with the records.

The requirement in (2) above is included because stormwater controls will not be effective unless properly designed and installed. Design specifications may be found in manufacturer specifications and/or in applicable erosion and sediment control manuals or ordinances. Additionally, where it is appropriate to depart from such specifications, this must reflect good engineering practice and must be explained in the SWPPP.

III.1.1 Part 3.1.1.1 – Control stormwater volume and velocity.

Control stormwater volume and velocity within the site to minimize soil erosion. (Part 3.1.1.1)

Run-on Management. (Part 3.1.1.1(1)). Operators must divert run-on, or manage it on-site, if off-site areas direct stormwater flow onto the construction site. If stormwater conveyance channels are used, the channels must be designed to avoid unstabilized areas on the site and to reduce erosion, unless infeasible. Operators must minimize erosion of channels and their embankments, outlets, adjacent streambanks, slopes, and downstream waters during discharge conditions through the use of velocity dissipation devices *(e.g., check dams, sediment traps, riprap, or grouted riprap at outlets)* within and along the length of any constructed stormwater conveyance channel, and at any outlet to provide a non-erosive flow velocity.

Sediment Basins and Traps. (Part 3.1.1.1(2)) If an operator installs a sediment basin, the following requirements apply:

1. **Design requirements.** (Part 3.1.1.1(2)(a)).

   - Provide sizing and calculation requirements for sediment basin(s) and indicate whether the basin(s) will be temporary or permanent;

     When discharging from the sediment basin, utilize outlet structures that will minimize the discharge of pollutants. This is typically accomplished by withdrawing water from the surface of the pond to minimize discharge of sediment.

   - Prevent erosion of (1) the sediment basin using stabilization controls *(e.g., erosion control blankets)*, and (2) the inlet and outlet using erosion controls and velocity dissipation devices; and

   - Sediment basins must be situated outside of surface waters and any natural buffer areas established under Part 3.1.1.5.

   Operators of linear projects and drainage locations serving less than 10 acres may use smaller sediment basins or sediment traps and, at a minimum, must use silt fences or equivalent sediment controls for all down slope and appropriate mid-slope boundaries of the construction area.

Note: The 2008 CGP had a sizing requirement for a 2 year/ 24 hour storm event. That requirement was removed from the 2013 CGP to give operators flexibility for basins located in smaller areas that cannot accommodate the previous standard. Contrast this with the sizing requirement for stabilization, which specifically requires sizing for a 100 year/ 24 hour event. When designing storage capacity

for their site, operators can adapt sediment basin dimensions to the limitations of the locality (i.e., physical limitations or zoning).

2. **Maintenance requirements.** (Part 3.1.1.1(2)(b)) Keep sediment basins and traps in effective operating condition and remove accumulated sediment to maintain at least 50% of the design capacity at all times.

   Sediment basins are often used on construction sites to minimize sediment discharges. They are typically placed at or near low points of drainageways in order to temporarily detain stormwater discharges, allowing sediment particulates to settle. Sediment basins are also often designed to reduce peak flowrates, reducing downstream flooding and channel erosion. At the point of discharge, which is typically a pipe or channel, installation of riprap or other stabilization measures is often necessary because the concentrated discharge can cause erosion. Sediment basins are also often designed to reduce flow duration impacts by reducing the total volume of stormwater being discharged or by providing extended detention to reduce discharge rates.

3. **Use of Cationic Treatment Chemicals.** (Part 3.1.1.1(2)(c)). Operators who plan to use cationic treatment chemicals (as defined in Appendix A) must comply with Parts 3.1.1.1(2)(c) and 6.3(10) of the permit. The use of polymers, flocculants, or other treatment chemicals to control turbidity in sediment basins at the construction site must be used in such a manner that it allows adequate settling time and minimizes or eliminates these chemicals in the discharge. Operators must document the use of such chemicals and the supporting rationale for their choice in the SWPPP (Part 6.3(10)).

   The following recommendations are provided as guidance for the handling and use of cationic treatment chemicals. USEPA states in the preamble to the C & D rule that "based on the information in the record USEPA has determined that when polymers are properly applied the risks of toxicity to aquatic life or adverse effects to the receiving water are minimal." Following the recommendations below should result in less chemical being used for treatment, thereby significantly lowering the chances for accidental releases, over-application and residual chemical being discharged. For further information, consult USEPA's Fact Sheet for their 2012 CGP, which devotes considerable space to the discussion of on the selection, proper use and the toxicity problems with cationic treatment chemicals.

   a. **Use conventional erosion and sediment controls prior to and after application of treatment chemicals.** Use conventional erosion and sediment controls prior to chemical addition to ensure effective treatment. Chemicals may only be applied where treated stormwater is directed to a sediment control prior to discharge.

   b. **Select appropriate treatment chemicals**. Select chemicals that are appropriately suited to the types of soils likely to be exposed during construction and discharged to locations where chemicals will be applied, and to the expected turbidity, pH, and flow rate of stormwater flowing into the chemical treatment system or area. *Note: Information on soils may be obtained at* http://websoilsurvey.nrcs.usda.gov/app/;

   c. **Minimize discharge risk from stored chemicals.** Store all treatment chemicals in leak-proof containers that are kept under storm-resistant cover and surrounded by secondary containment structures *(e.g., spill berms, decks, spill containment pallets)*, or provide equivalent measures, designed

and maintained to minimize the potential discharge of treatment chemicals in stormwater or by any other means *(e.g., storing chemicals in covered area or having a spill kit available on site)*.

d. **Comply with state/local requirements.** Comply with relevant state and local requirements affecting the use of treatment chemicals.

e. **Use chemicals in accordance with good engineering practices and specifications of the chemical vendor/supplier.** Use treatment chemicals in accordance with good engineering practices, and with dosing specifications and sediment removal design specifications provided by the provider/supplier of the applicable chemicals, or document specific departures from these practices or specifications and how they reflect good engineering practice.

f. **Ensure proper training.** Ensure that all persons who handle and use treatment chemicals at the construction site are provided with appropriate, product-specific training. Among other things, the training must cover proper dosing requirements.

g. **Comply with additional requirements for the approved use of cationic chemicals.** If the operator has been notified by ADEQ that coverage under the 2013 CGP is conditioned on compliance with additional requirements necessary to ensure that the use of cationic chemicals at the site will not cause an exceedance of water quality standards, the operator is required to comply with all such requirements.

h. **Provide proper SWPPP documentation.** The operator must include documentation in the SWPPP in accordance with Part 6.3(10) on the specific chemicals and chemical treatment systems to be used, and how the site will comply with the requirements of the permit.

III.1.2 Part 3.1.1.2 – Control stormwater discharges.

Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion. (Part 3.1.1.2)

This permit requirement implements 40CFR Part 450.21(a)(2) of the C & D rule.

III.1.3 Part 3.1.1.3 – Minimize exposed soil and steep slopes.

Minimize the amount of soil exposed and the disturbance of steep slopes during construction activity. (Part 3.1.1.3)

This permit requirement actually combines the C & D requirements of 40CFR Part 450.21(a)(3) and (4). The purpose of this requirement is to discourage the disturbance of naturally occurring steep slopes unless or until necessary.

Steep slopes may be defined by a state, Tribe, local government, or industry technical manual (e.g., stormwater BMP manual). Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

The purpose of the requirement to minimize the disturbance of steep slopes is to minimize the amount of soil eroded on construction sites, and the amount of sediment and other pollutants discharged from the site. Minimizing the disturbance of steep slopes during construction activity can be accomplished through a number of practices. These include practices related to how much soil is exposed on steep slopes, such as phasing land disturbing activities, and providing timely soil stabilization on slopes, such as through the use of mulches, rolled erosion control products, and vegetation. Operators

have flexibility to select appropriate controls to minimize disturbance of steep slopes at their individual sites. Operators also have flexibility to schedule and phase construction activities so as to limit the amount of land disturbed at one time and the duration of exposure on steep slopes.

The permit does not prevent or prohibit disturbance on steep slopes. ADEQ recognizes that for some projects, disturbance on steep slopes may be necessary for construction *(e.g., a road cut in mountainous terrain)*. If disturbances to steep slopes are required for the project, ADEQ recognizes that it is not practicable to minimize the disturbance of steep slopes.

The requirement to minimize the disturbance of steep slopes does not apply to the creation of soil stockpiles.

III.1.4 Part 3.1.1.4 – Minimize sediment discharges from the site.

Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site. (Part 3.1.1.4)

Sediment control measures are designed to capture sediment that erosion control BMPs have failed to keep in place. These control measures are typically found at the perimeter of a construction site and include sediment basins and traps (Part 3.1.1.1(2)), silt fences, inlet protection, and check dams. Except for the sediment controls that are intended as permanent structures (i.e. a temporary sediment basin to become a permanent stormwater basin), the permit requires that the operator remove these control measures after final stabilization is achieved. The erosion and sediment controls are not only to be implemented, but they must remain effective and maintained until stabilization is established.

Perimeter Controls. Operators must use appropriate perimeter control measures at all times for all down slope boundaries unless a sediment basin is used that will store a calculated volume of runoff as documented in the SWPPP, in accordance with Part 3.1.1.1(2). Examples of perimeter controls include, but are not limited to, filter berms, silt fences, and temporary diversion dikes. This requirement instructs operators where to install down slope sediment controls so that they are effectively situated to minimize the discharge of pollutants.

Perimeter controls are not required for individual lots within a construction site if stormwater from those lots is conveyed to an on-site sediment basin.

For linear projects with rights-of-way that restrict or prevent the use of such perimeter controls, operators must maximize the use of these controls where practicable and document in the SWPPP why it is impracticable in other areas of the project. Linear projects with limited rights-of-ways have flexibility to document in the SWPPP when it is impracticable to install perimeter controls in certain areas of the site, and to maximize the use of these controls in the areas where it is practicable.

All operators are reminded to maintain their perimeter controls, in accordance with Part 3.1, “General Maintenance Requirements”, to ensure they remain effective until stabilization is established.

The perimeter control requirement in the CGP implements the C&D rule requirement to “…install and maintain effective erosion controls and sediment controls” at 40 CFR 450.21(a).

***Control Discharges from Stockpiled Sediment or Soil Piles*.** For any stockpiles *(e.g., storage for multiple days of soil or other sediment material to be used in the construction project)* or land clearing debris composed, in whole or in part, of sediment or soil, operators must comply with the permit. Operators must assess the need for controls on soil and sediment stockpiles based on size and their potential for erosion and discharge off-site.

This permit requirement applies primarily to soil stockpiles, because soil stockpiles are pollutant sources that present an overall increase in the surface area of exposed soils, along with very steep slopes (*i.e., at the angle of repose*) that contribute to increased sediment transfer. Sediment control measures are necessary to reduce potential increases in pollutant discharge, regardless of source. Therefore, any stockpile with fine particles constitutes a pollutant source, and operators must assess the need for and implement appropriate control measures to protect stormwater quality. This particular provision is not intended to include stockpiles of other materials (such as rock) that have a minimal component of fines. The permit allows 'other effective sediment controls' to be implemented instead of a silt fence.

Construction operators should avoid the placement of any materials in the streets or other stormwater conveyances. Note that the placement of soil stockpiles in streets may be prohibited by the MS4, as streets can be a stormwater conveyance. Operators should also note that effective erosion and sediment controls are required, "except when stockpiles are being actively worked" (*i.e., control measures must be in place evenings, weekends, and during other downtimes*).

Storm Drain Inlet Protection. For any discharges from the site to a storm drain inlet that discharges to a surface water (and it is not first directed to a sediment basin, sediment trap, or similarly effective control), and for which the operator has authority to access the storm drain inlet, the operator must assess the need for and install inlet protection measures as necessary that remove sediment from the discharge prior to entry into the storm drain inlet. Examples of inlet protection measures include fabric filters, sandbags, concrete blocks, and gravel barriers. Inlet protection measures can only be removed in the event of flood conditions that may endanger the safety of the public. Such actions are allowable only under extreme conditions and shall be documented on the inspection report form.

Operators should note that the standard conditions of the permit regarding a "bypass" (see Appendix B, Subsection 20) provide an affirmative defense in the event that an inlet protection control measure needs to be removed to prevent flooding or erosion. ADEQ believes these "bypass" provisions provide an operator sufficient recourse in an emergency situation.

Proper maintenance includes cleaning, or removing and replacing, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, the operator is advised to remove the deposited sediment by the end of the same work day in which it is found, or by the end of the following work day if removal by the same work day is not feasible.

The storm drain inlet protection requirement in the CGP implements the C&D rule requirement to "minimize sediment discharges from the site" by requiring stormwater inlets to be protected with sediment controls during construction. These control measures reduce the amount of sediment-laden stormwater from entering storm drains, and ultimately being discharged to surface waters. Inlet protection measures should be

kept in working condition so that they are effective at reducing the discharge of pollutants.

III.1.5 Part 3.1.1.5 – Maintain natural buffers.

Maintain natural buffers adjacent to perennial waters and direct stormwater to vegetated areas to increase sediment removal, unless infeasible (Part 3.1.1.5).

1. **Provide Natural Buffers or Equivalent Sediment Controls.** (Part 3.1.1.5(1)). This requirement only applies if construction activity is located within 50 feet of a perennial water (as defined in Appendix A; "perennial waters" do not include stormwater control features). The operator is required to ensure that any discharges to perennial waters through the area between the disturbed portions of the property and any perennial waters located within 50-feet of the site are treated by an area of undisturbed natural buffer and/or additional erosion and sediment controls in order to achieve a reduction in sediment load equivalent to that achieved by a 50-foot natural buffer. The operator is required to implement and maintain sediment controls that achieve the sediment load reduction equivalent to the undisturbed natural buffer that existed on the site prior to the commencement of construction. In determining equivalent sediment load reductions, the operator may consider naturally non-vegetated areas and prior disturbances. USEPA has developed in depth buffer guidance in Appendix G of their 2012 CGP that may assist operators in complying with the requirement in this permit.

   The requirements in Part 3.1.1.5 implement the C&D rule's requirement to minimize the discharge of pollutants from the site by providing and maintaining "natural buffers around surface waters… unless infeasible" (40 CFR 450.21(a)(6)). In Arizona, buffers used to achieve erosion and sediment control are most effective when applied to areas adjacent to perennial waters (as defined in Appendix A) and natural lakes and ponds. The buffer requirement applies to all project sites that are situated within 50 feet of a perennial water, or a natural lake or pond, with certain exceptions, which are described in Part 3.1.1.5(3). ADEQ does not consider stormwater control features *(e.g., stormwater conveyance channels, storm drain inlets, sediment basins)* to be included for the purposes of triggering the requirement to comply with this Part.

   Where the operator chooses to implement equivalent sediment controls instead of providing the 50-foot natural buffer, documentation must be included in the SWPPP to substantiate the claims that the additional controls, in conjunction with the site's perimeter controls implemented pursuant to Part 3.1.1.4(1), are expected to reduce sediment by the amount equivalent to the 50-foot natural buffer.

2. **Compliance Alternatives.** (Part 3.1.1.5(2)). Where the operator finds it infeasible to maintain the 50 foot buffer, the operator is required to document in the SWPPP the reasons why the 50 foot buffer cannot be maintained, and identify the additional erosion and sediment controls selected that will achieve an equivalent level of protection.

   For compliance alternatives that involve the retention of an undisturbed natural buffer, the operator is not required to enhance the quality of the vegetation that already exists in the buffer, or provide vegetation if none exists. The operator only needs to retain and protect from disturbance the natural buffer that existed prior to the commencement of construction. Any preexisting structures or impervious surfaces are allowed in the natural buffer provided the operator

retains and protect from disturbance the natural buffer area outside the preexisting disturbance.

The approach in Part 3.1.1.5(2) complies with the C&D rule requirement to provide and maintain "natural buffers around surface waters… unless infeasible," by recognizing that site-specific variables are involved that may prevent maintaining a 50 foot buffer along a perennial waterbody.

USEPA provides an in-depth discussion of the sediment removal expected from buffers and how to determine equivalent reductions in sediment in the Fact Sheet and Appendix G for the 2012 CGP, online at http://cfpub.epa.gov/npdes/stormwater/cgp.cfm.

3. Exceptions. (Part 3.1.1.5(3)).

a. Operators are not required to comply with this Part if there is no discharge of stormwater to surface waters through the area between the site and any surface waters located within 50 feet from the site. This includes situations where the operator has implemented control measures, such as a berm or other barrier that will prevent such discharges.

   This exception recognizes situations where there is no discharge of stormwater to the perennial water; therefore the operator is not subject to the 50-foot buffer or equivalent sediment removal treatment standard. For instance, if the slope of the construction site is such that no stormwater from the construction activities discharges through the buffer area, the buffer requirement does not apply. This exemption also applies if stormwater from the site enters a storm sewer system and does not discharge through the buffer area, or a berm or other barrier is used to prevent discharges to the surface water. This exception provides additional flexibility to operators who may need to build close to the water's edge, while ensuring that adjacent perennial waters are protected.

b. Where no natural buffer exists due to preexisting development disturbances *(e.g., structures, impervious surfaces)* that occurred prior to the initiation of planning for the current development of the site, the operator is not required to comply with the requirements in this Part, unless portions of the preexisting development are removed.

   Where some natural buffer exists but portions of the area within 50 feet of the surface water are occupied by preexisting development disturbances, the operator is required to comply with the requirements in this Part.

   In situations where prior disturbances from a previous development have eliminated the natural buffer, it may not be feasible to provide and maintain a buffer, and may also be infeasible in certain situations to provide the equivalent sediment load reduction through erosion and sediment controls.

c. Operators of "linear projects" (see Appendix A), are not required to comply with this requirement if site constraints (*e.g., limited right-of-way*) prevent the operator from meeting the requirements of Part 3.1.1.5(1), provided that, to the extent practicable, the operator limits disturbances within 50 feet of the perennial water and/or the operator provides supplemental erosion and sediment controls to treat stormwater discharges from earth disturbances within 50 feet of the perennial water. The operator must also document in the SWPPP the rationale as to why it is infeasible to comply with the buffer

compliance alternatives, and describe any buffer width retained and/or supplemental erosion and sediment controls installed.

Dispersal of stormwater discharges through adjacent vegetated areas is a common practice on many linear projects, and therefore operators of linear projects should find it feasible in many cases to treat stormwater discharges through vegetated buffers. However, ADEQ recognizes that linear projects may have difficulty in fully complying with the 50-foot natural buffer requirement due to site constraints (*i.e., linear projects may not be able to provide the full 50 foot vegetated buffer width*). Therefore, the permit provides a more flexible alternative for linear facilities with site constraints by requiring that the operator instead retain as much natural buffer as is feasible, and/or to the extent feasible provides supplemental erosion and sediment controls in the buffer area. For example, if a linear project has only 10 feet of right-of-way between the disturbed area and a stream, permit compliance can be achieved by providing in the buffer area a 10-foot natural buffer, or by providing a narrower buffer *(e.g., 5 feet)* and additional erosion and sediment controls *(e.g., a fiber roll barrier in addition to the perimeter control)*, or by providing exclusively erosion and sediment controls. This flexibility for linear projects is consistent with the intention of USEPA's C&D rule infeasibility language.

d. "Small residential lot" construction (a subset of "Small construction activity" defined in Appendix A) is exempt from buffer requirements, provided that the operator minimizes the discharge of pollutants by complying with the requirements of Parts 3.1.1.1 through 3.1.1.4 in the permit. "Small residential lot" construction means a lot being developed for residential purposes that will disturb less than 1 acre of land, but is part of a larger residential project that will ultimately disturb greater than or equal to 1 acre.

   In most cases, builders of small residential lots will be able to take credit for the compliance alternatives implemented on their lot by the original developer of the larger common plan of development/sale. For example, the developer could take into account the 50-foot buffer when installing the infrastructure and subdividing the property so that the 50-foot buffer is not encroached upon by the developable portion of the subdivided lots. Alternatively, the developer could hypothetically evaluate and implement equivalent erosion and sediment controls, which can be used by the builders of the small lots to demonstrate that the buffer requirements have already been met. However, there will be circumstances where the builder will be responsible for implementing one of the compliance alternatives on a small lot because it was not taken into account during the sale of the lot *(e.g., there was encroachment into the 50-foot buffer in the subdivision of the lot)*. Under this scenario, builders of small residential lots may have difficulty evaluating the supplemental erosion and sediment controls that provide the equivalent protection of the 50-foot buffer due to limited technical resources.

   Under the small residential lot compliance alternatives, builders of small lots would not be required to model and demonstrate that they are achieving the equivalent sediment reduction equivalency as the 50-foot buffer. Instead, the builders of small residential lots must ensure the discharge of pollutants is minimized by the installation of other erosion and sediment controls, as appropriate, such as run-on management, velocity dissipation, preserving

natural vegetation and other means that minimize sediment discharge as described in detail in Part 3.1.1.1 through 3.1.1.4 of the 2013 CGP.

The controls for a small residential lot, although not necessarily equivalent to the sediment removal of a 50-foot buffer, are generally deemed sufficient to protect water quality from small residential construction sites. Small construction sites usually contribute much smaller sediment loads in comparison to larger construction sites.

Therefore, ADEQ believes there is a lower risk of sediment discharge, such that the need to conduct a site-specific analysis does not provide additional protection of perennial waters from sediment. Hence, the only compliance alternative for builders of small residential lots is essentially a streamlined set of alternatives that are specified in Part 3.1.1.1 through 3.1.1.4 of the permit. Larger sites have a much higher risk of sediment discharge and operators have a greater amount of technical resources at their disposal to perform the calculations necessary to comply with the buffer requirement.

e. The following disturbances within 50 feet of a surface water are exempt from the requirements in this Part:

- Construction approved under a CWA Section 404 permit; or
- Construction of water-dependent structures and water access areas (*e.g., piers, boat ramps, trails)*.

Compliance with the buffer requirements is either unnecessary or infeasible for these two types of disturbances, which occur entirely or substantially within the buffer. In the case of activities permitted under CWA Section 404 (for discharges of dredge or fill material), such permits already include appropriate safeguards for discharges of sediment to surface (perennial) waters. Water-dependent features by definition are located in the buffer zone; hence, compliance with the 50-foot natural buffer requirement is usually infeasible.

The operator must document in the SWPPP if any of the above disturbances (exceptions a. through e.) occur within the buffer area.

III.1.6 Part 3.1.1.6 – Minimize soil compaction.

The operator shall minimize soil compaction and, unless infeasible, preserve topsoil (for later revegetation) (Part 3.1.1.6).

The requirement in Part 3.1.1.6 implements the C&D rule requirement to minimize soil compaction and preserve topsoil, unless infeasible at 40 CFR 450.21(a)(7).

Preserve Topsoil. Topsoil helps to maintain the soil structure on construction sites and provides a growing medium for vegetative stabilization measures. Better vegetative stabilization reduces erosion rates of the underlying soil and also increases the infiltrative capacity of the soil, thereby reducing the amount of sediment transported to downslope sediment and perimeter controls. Topsoil can be preserved by stockpiling the native topsoil on the site for later use *(e.g., for vegetative stabilization)*, or by limiting disturbance and removal of the topsoil and associated vegetation. For example, topsoil can be preserved by limiting clearing and grading to only those areas where necessary to accommodate the building footprint. Some projects may be designed to be highly impervious after construction, and therefore little or no vegetation is intended to remain. In these cases, preserving topsoil at the site would not be feasible or desirable. In addition, some sites may not have space to stockpile topsoil on site for later use, in

which case, it may also not be feasible to preserve topsoil. The Department is aware that stockpiling of topsoil in off-site locations, or transfer of topsoil to other locations, is frequently used in these situations and views this as acceptable practice. However, stormwater discharges from any construction support activities meeting the requirements of Part 1.3(1)(c)are subject to the permit requirements.

Minimize Soil Compaction. In any areas of the site where final vegetative stabilization will occur or where infiltration practices will be implemented, the operator must either:

1. **Restrict vehicle / equipment use.** Restrict vehicle and equipment use in any locations where final vegetative stabilization will occur or where infiltration practices will be installed; or
2. ***Use Soil Conditioning Techniques.*** Prior to seeding or planting areas of exposed soil that have been compacted, operators must use techniques that condition the soils to support vegetative growth, if necessary and feasible.

Minimizing soil compaction allows infiltration and retention of stormwater to occur, which in turn reduces stormwater discharge volume and velocity. Reducing stormwater discharges reduces erosion and therefore reduces the amount of sediment and other pollutants discharged from the site. Operators may minimize soil compaction by: 1) restricting vehicle and equipment use on areas that will be vegetatively stabilized or where infiltration practices will be installed; or 2) use soil conditioning techniques to decompact soils to support vegetative growth. Specific types of soil conditioning techniques could include deep-ripping and decompaction or sub-soiling. Soil conditioning techniques are not required in any area where it would not be feasible, such as on steep slope areas or any other areas where it is unsafe for the required equipment. Minimizing soil compaction does not apply to areas that will not be used for final vegetative stabilization or for areas where infiltration practices will be installed. For example, the requirements do not apply to disturbed areas that will become paved surfaces, such as roads, foundations, footings, or on embankments, or on areas where soil compaction is necessary by design.

III.2 Site Stabilization Requirements, Schedules and Deadlines (Part 3.1.2)

The stabilization requirements in Part 3.1.2 are intended to minimize the discharge of pollutants by minimizing the amount of soil exposed during construction activities and establish deadlines for temporarily and/or permanently stabilizing exposed portions of the site. Operators are expected to minimize the amount of soil exposed during construction activity is to reduce the amount of soil eroded on construction sites and the amount of sediment and other pollutants discharged from the site. This can be accomplished by minimizing how much of the site is disturbed and minimizing the duration that soils are exposed. For example, soil exposure can be minimized by maintaining or preserving natural vegetation on-site, by phasing construction activities, or by implementing soil stabilization practices on disturbed areas. This requirement corresponds to the C&D rule requirement in 40 CFR 450.21(a)(3).

The permit defines “final stabilization” and “temporary stabilization” as follows:

- “Temporary stabilization” – A condition where exposed soils or disturbed areas are provided a temporary vegetative and/or non-vegetative protective cover to minimize erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further

construction activities take place to re-disturb this area. Soil crusting with water is not an acceptable temporary stabilization method.

- "Final Stabilization" – Covering or maintaining existing cover over soil that reduces or minimizes erosion. The use of vegetative and/or non-vegetative cover to prevent erosion and sediment loss in areas exposed through the construction process.

III.2.1 Temporary stabilization (Part 3.1.2.1)

Effective and speedy stabilization of soils exposed throughout the construction process is important in order to reduce the amount of soil eroded on construction sites and the amount of sediment and other pollutants discharged from the site. USEPA indicates in the C & D rule (the specific ELG is 40 CFR 450.21(b)) that initiating soil stabilization measures immediately after land has been disturbed and construction activity has ceased is an important non-numeric effluent limitation. By implementing appropriate control measures in the permit, operators should be able to take immediate action to stabilize disturbed soils on their sites. Erosion control measures, such as mulch, are readily available and operators should plan accordingly for appropriate materials and laborers to be present when needed.

Furthermore, "simply providing some sort of soil cover on these areas can significantly reduce erosion rates, often by an order of magnitude or more. Vegetative stabilization using annual grasses is a common practice used to control erosion. Physical barriers such as geotextiles, straw, rolled erosion control products and mulch and compost are other common methods of controlling erosion. Polymers (such as PAM) and soil tackifiers are also commonly used. These materials and methods are intended to reduce erosion where soil particles can be initially dislodged on a C&D (construction and development) site, either from rainfall, snow melt or up-slope runoff." See 74 Fed. Reg., December 1, 2009, p. 63012.

The permit specifies that the operator must initiate soil stabilization measures within 14 calendar days whenever earth-disturbing activities have permanently or temporarily ceased on any portion of the site. The permit lists five exceptions to the 14-day requirement:

1. Where stabilization by the 14th day is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable;
2. When the site is using vegetative stabilization and is located in an area of the state experiencing drought conditions (see Appendix A), vegetative stabilization measures shall be initiated as soon as practicable, when growing conditions are best for planting or seeding;
3. Stabilization shall be initiated within 7 calendar days, for areas within 50 feet of an impaired water or OAW.
4. Where disturbed areas are awaiting vegetative stabilization for periods greater than 14 calendar days after the most recent disturbance, non-vegetative methods of stabilization shall be employed. These methods shall be described in the SWPPP.
5. Seeding/ Vegetation. If revegetation plans include seeding, the SWPPP shall include seed mix and application specifications that will be used for vegetative stabilization. If the operator uses fertilizers or tackifiers on-site to

establish vegetation, control measures shall be established to minimize the presence of these chemicals in the discharge.

ADEQ recognizes that some portions of some projects are intended to be left unvegetated or unstabilized following construction. An example would be a dirt access road or a utility pole pad where the final plan calls for the area to remain a dirt road or an unstabilized pad. Temporary or permanent stabilization measures need not be applied to these areas. However, additional post-construction stormwater control measures should be evaluated and implemented.

For the purposes of this permit, any of the following types of activities constitute the initiation of stabilization:

1. Prepping the soil for vegetative or non-vegetative stabilization;
2. Applying mulch or other non-vegetative product to the exposed area;
3. Seeding or planting the exposed area;
4. Starting any of the activities in # 1 – 3 on a portion of the area to be stabilized, but not on the entire area; and
5. Finalizing arrangements to have stabilization product fully installed in compliance with the stabilization requirements in Part 3.1.2.2.

The requirement to initiate stabilization when disturbed soils will not be worked on for 14 or more days implements the C&D rule requirement with the same deadline (40 CFR 450.21(b)).

Deadlines for sites discharging to impaired waters or to OAWs. (Part 3.1.2.1(3)). The permit establishes shorter stabilization timeframes for any portion of the site that discharges to an impaired water or to an OAW. For such sites, the permit requires that stabilization activities be completed within 7 calendar days after the temporary or permanent cessation of earth-disturbing activities.

The deadlines for stabilization are shorter for sites that discharge to impaired waters or OAWs because of heightened concern about erosion and the impacts from sediment discharges from these areas. The permit requires shorter stabilization deadlines as a water-quality based effluent limitation for earth disturbances in certain areas considered more sensitive to water quality impacts. A shorter stabilization timetable is necessary to minimize erosion and the discharge of sediment in these areas. The preamble to the C&D rule anticipated permitting authorities requiring shorter stabilization timeframes in their permits, consistent with the overall flexibility provided in the non-numeric limits of 40 CFR 450.21. Shorter stabilization timeframes are only required for those portions of the site discharging to the impaired water or OAW.

III.2.2 Final soil stabilization (Part 3.1.2.2)

The permit requires as soon as practicable, but no later than 14 calendar days after the initiation of stabilization measures in Part 2.2.1.1, the operator must have completed: (a) for vegetative stabilization, all activities necessary to initially seed or plant the area to be stabilized *(e.g., soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, and, as deemed appropriate)*; and/or (b) for non-vegetative stabilization, the installation or application of all such non-vegetative measures.

ADEQ may determine that the level of sediment discharge on the site makes it necessary to require a shorter schedule for completing stabilization. For instance, if sediment discharges from an area of exposed soil that is required to be stabilized are compromising the performance of existing stormwater controls, ADEQ may require stabilization to correct this problem.

The C&D rule, at 40 CFR 450.21(b), requires that a deadline to complete stabilization be established by each permit authority (*i.e., ADEQ*). The Department has established the 14 calendar day deadline, after giving consideration to the differences between vegetative and non-vegetative stabilization techniques. While it is infeasible to define with any certainty a deadline for when vegetative stabilization must be established and operating effectively, it is possible to require that some of the basic steps for planting vegetative cover in an area take place within a certain period of time, which is what ADEQ included in this section. By comparison, non-vegetative practices can be installed and made operational by a certain deadline, because the establishment of non-vegetative practices is typically more straightforward in terms of their application or installation. ADEQ believes that the 14 calendar day deadline better recognizes potential conflicts such as site scheduling constraints or unexpected weather-related delays. The14 calendar day deadline will be just as protective in most cases because operators will still be required to initialize stabilization immediately after the cessation of construction activities. Also, they will likely complete stabilization promptly rather than wait until the 14th calendar day because waiting could put them at risk of missing the deadline should there be inclement weather or other unexpected delays on the 14th calendar day. ADEQ has included tighter deadlines in the permit for sites discharging to impaired and outstanding Arizona waters (OAWs).

Arizona has more flexibility than USEPA's permit when implementing stabilization timeframes during comparably dry periods. In the C&D rule, USEPA allowed for the fact that "alternative stabilization measures" could be used for arid and semi-arid areas. See 40 CFR 450.21(b).

To be adequately stabilized, the operator must meet the criteria below depending on the type of cover that is being used, either vegetative or non-vegetative.

Vegetative stabilization. Part 3.1.2.2(1)(a). The operator must provide an established uniform vegetation *(e.g., evenly distributed without large bare areas)*, which provides 70 percent or more of the density of coverage that was provided by vegetation prior to commencing earth-disturbing activities. The operator should also avoid the use of invasive species. Note that when background vegetation covers less than 100 percent of the ground prior to commencing earth-disturbing activities, the 70 percent vegetative stabilization criteria can be adjusted as follows: if vegetation covers 50 percent of the ground prior to construction, then the requirement would be to provide a total vegetative cover at final stabilization of 70 percent of 50 percent (0.70 X 0.50 = 0.35), or 35 percent of the ground.

Part 3.1.2.2(1)(b)). Immediately after seeding or planting the area to be vegetatively stabilized, to the extent necessary to prevent erosion on the seeded or planted area, the operator must select, design, and install non-vegetative erosion controls that provide cover *(e.g., mulch, rolled erosion control products)* to the area while vegetation is becoming established.

Part 3.1.2.2(2). Individual lots in residential construction – homebuilders must meet either one of the two criteria in the permit.

Part 3.1.2.2(3). Construction sites located on land used for agriculture. Disturbed areas that are restored to their preconstruction agricultural use are not subject to these final stabilization criteria. Areas disturbed that were not previously used for agricultural activities and areas that are not being returned to preconstruction agricultural use must meet the conditions for stabilization in Part 3.1.2.

Non-Vegetative Stabilization. (Part 3.1.2.2). If the operator is using non-vegetative controls to stabilize exposed portions of the site, or if they are using such controls to

temporarily protect areas that are being vegetatively stabilized, the operator must provide effective non-vegetative cover to stabilize any such exposed portions of the site (Part 3.1.2.2(4)). For temporary stabilization, examples of temporary non-vegetative stabilization methods include, but are not limited to, hydromulch and erosion control blankets. For final stabilization, examples of permanent non-vegetative stabilization methods include, but are not limited to, riprap, gabions, and geotextiles.

III.2.3 Site stabilization alternatives (Part 3.1.2.3)

In accordance with ARS § 49-255.01(L), the 2013 CGP allows for reduced control measures at construction sites that retain stormwater in a manner that eliminates discharges from the site, except for the occurrence of an extreme event. This provision includes two alternatives to stabilization for sites that are eligible: 1) sites that have additional retention capacity; or 2) sites that are returned to pre-construction discharge conditions. Operators that qualify for either of these alternatives may submit an NOT without meeting the final stabilization requirements in Part 3.1.2.2, provided retention capacity is retained and the required documentation is included with the NOT (see Part 2.5(1)(f)). The required documentation may include, but not be limited to capacity calculations for additional retention capacity or calculations demonstrating that the volume of stormwater discharges and pollutant load from the site will be equal or less than pre-construction discharge conditions.

The required demonstrations must be prepared and stamped by an Arizona registered professional engineer, geologist or landscape architect and included with the SWPPP and the NOT.

Note: An engineer, geologist or landscape architect who designs the retention capacity or calculates the stormwater runoff volume and pollutant loading to meet this stabilization exemption and is employed full-time by the operator is exempt from professional registration requirements, pursuant to A.R.S. § 32-144.

III.3 Pollution Prevention Requirements (Part 3.1.3)

The pollution prevention requirements of the permit implement 40 CFR 450.21(d) and (e) of the C&D rule. Part 1.4 also implements paragraph (e), but the control measures that go with it are located in Part 3.1.3. The permit requires construction operators to design, install, and maintain effective pollution prevention measures in order to minimize or prohibit the discharge of pollutants (*i.e., construction and demolition waste, solid waste, trash, and other pollutants*) in stormwater and allowable non-stormwater from pollutant-generating activities that occur on-site or at an off-site construction support activity area. To meet this C & D rule requirement, the operator must:

- Eliminate certain pollutant discharges from the site (see Part 1.4);
- Properly maintain all pollution prevention controls (see Part 3.1, General Maintenance Requirements); and
- Comply with pollution prevention standards for pollutant-generating activities that occur at the site (see Part 3.1.3.1 through 3.1.3.3).

These requirements apply to all areas of the construction site and any support activities covered by this permit consistent with Part 1.3.1(c).

Part 3.1.3 requires operators to comply with specific pollution prevention standards for the following pollutant-generating activities that may result in pollutant discharges:

- Concrete washout and washing of equipment and vehicles;
- Washing of applicators and containers used for paint, concrete, or other materials;
- Storage, handling, and disposal of construction materials, products, and wastes; and
- Fueling and maintenance of equipment or vehicles.

III.3.1 Minimize the Discharge of Pollutants. (Part 3.1.3.1)

Concrete Washout. (Part 3.1.3.1(1)). Concrete washout is a prohibited discharge, as listed in Part 1.4 of the permit and 40 CFR 450.21(e)(1) of the C & D rule. When possible, concrete washout activities should be conducted at the concrete contractor's plant or dispatch facility (USEPA, *Developing your Stormwater Pollution Prevention Plan*, May 2007). Otherwise, locations of concrete washout activities that will occur at the construction site should be identified on the site map. Remove and dispose of concrete waste consistent with the handling of other construction wastes in Part 3.1.3.3 (see also Fact Sheet Section III.3.3 (below)).

Discharges from concrete washout activities must also be handled in accordance with the Aquifer Protection Program (APP) Type 1 general permit [A.A.C. R18-9-B301(L)] that regulates discharges from concrete wash-out:

> A 1.12 general permit allows the discharge of wastewater resulting from washing concrete from trucks, pumps, and ancillary equipment to an impoundment if the following conditions are met:
>
> 1. The operator is authorized under the AZPDES CGP for the corresponding project;
> 2. The SWPPP for the construction activity addresses the concrete washout activities;
> 3. The vegetation at the soil base of the impoundment is cleared, grubbed, and compacted to uniform density not less than 95 percent. If the impoundment is located above grade, the berms or dikes are compacted to a uniform density not less than 95 percent;
> 4. If groundwater is less than 20 feet below land surface, the impoundment is lined with a synthetic liner at least 30 mils thick;
> 5. The impoundment is located at least 50 feet from any storm drain inlet, open drainage facility, or watercourse and 100 feet from any water supply well;
> 6. The impoundment is designed and operated to maintain adequate freeboard to prevent overflow or discharge of wastewater;
> 7. The concrete washout wastewater from any wash pad is routed to the impoundment;
> 8. The impoundment receives only concrete washout wastewater;
> 9. The annual average daily flow of wastewater to the impoundment is less than 3000 gallons per day; and

10. The following closure requirements are met.
    a. The facility is closed by removing and appropriately disposing of any liquids remaining in the impoundment,
    b. The area is graded to prevent ponding of water, and
    c. Closure activities are completed before filing a NOT for the AZPDES CGP.

The on-site use of prefabricated concrete washout containers is another alternative, provided that the rinsate is not discharged to the ground or offsite.

Washing of Equipment and Vehicles. (Part 3.1.3.1(2)). If the operator washes equipment or vehicles on site, the following control measures are required:

1. Provide an effective means of minimizing the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other types of washing; and
2. To comply with the prohibition in Part 1.4, for storage of soaps, detergents, or solvents, the operator must provide either (1) cover (*e.g., plastic sheeting or temporary roofs*) to prevent these discharges from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas.

Examples of effective controls include, but are not limited to, locating activities away from surface waters and stormwater inlets or conveyances and directing wash waters to a sediment basin or sediment trap, using filtration devices (such as filter bags or sand filters), or using other similarly effective controls.

Vehicle and equipment washing is not included on the list of allowable non-stormwater discharges. Discharge of vehicle and equipment washwater must be managed in accordance with the APP rules, and discharge to the ground is inconsistent with the APP Type 3 general permit for these wastewaters [A.A.C. R18-9-D303].

This requirement implements the 40 CFR 450.21(e)(1) requirement to “Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge.” Requiring that operators properly manage washwaters reduces the discharge of pollutants, such as sediment and other pollutants, from the site. Examples include providing an effective means of minimizing the discharge of pollutants from the washing of equipment or vehicles include, but are not limited to, locating activities away from surface waters and stormwater inlets or conveyances and directing wash waters to a sediment basin or sediment trap, using filtration devices, such as filter bags or sand filters, or using other similarly effective controls. This requirement also implements the 40 CFR 450.21(e)(4) prohibition against discharging soaps or solvents, and is consistent with the eligibility condition that allows the use of non-stormwater wash waters as long as they do not contain soaps, solvents, or detergents.

Washing of Applicators and Containers Used for Paint or Other Materials. (Part 3.1.3.1(3)). This section of the permit implements the requirements of 40 CFR 450.21 (e)(2). To comply with the prohibition in Part 1.4(2) the operator must provide an effective means of eliminating the discharge of water from the washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials. To comply with this requirement, the operator must:

1. Direct all washwater into a leak-proof container or leak-proof pit. The container or pit must be designed so that no overflows can occur due to inadequate sizing or precipitation;
2. Handle washout or cleanout wastes as follows:
    a. Do not dump liquid wastes in storm sewers; and
    b. Dispose of liquid wastes in accordance with Part 3.1.3.3.
3. Locate any washout or cleanout activities as far away as possible from surface waters and stormwater inlets or conveyances, and, to the extent practicable, designate areas to be used for these activities and conduct such activities only in these areas.

Fueling and Maintenance of Equipment or Vehicles. (Part 3.1.3.1(4)). If the operator will conduct fueling and/or maintenance of equipment or vehicles at the site, an effective means must be provided to eliminate the discharge of spilled or leaked chemicals, including fuel, from the area where these activities will take place.

Examples of effective controls include, but are not limited to, locating activities away from surface waters and stormwater inlets or conveyances, providing secondary containment *(e.g., spill berms, decks, and spill containment pallets)* and cover where appropriate, and/or having spill kits readily available.

To comply with the prohibition in Part 1.4(3), the operator must:

1. If applicable, comply with the Spill Prevention Control and Countermeasures (SPCC) requirements in 40 CFR 112 and Section 311 of the CWA;
2. Ensure adequate supplies are available at all times to handle spills, leaks, and disposal of used liquids;
3. Use drip pans and absorbents under or around leaky vehicles;
4. Dispose of or recycle oil and oily wastes in accordance with other federal, state, tribal, or local requirements;
5. Clean up spills or contaminated surfaces immediately, using dry clean up measures where possible, and eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge; and
6. Do not clean surfaces by hosing the area down.

This section of the permit implements the requirements of 40 CFR 450.21(d)(3) to "minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures". This section also describes control measures to implement the 40 CFR 450.21(e)(3) requirement prohibiting the discharge of "fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance."

III.3.2 Construction Site Egress (Minimize Sediment Track-Out). (Part 3.1.3.2).

The location(s) where construction vehicles and equipment enter and exit the project site inherently receive a lot of traffic. A common issue with vehicles and equipment exiting the project site onto public streets is the tracking of sediment and debris from the site onto these streets. The permit requires that construction operators minimize the track-out of sediment and debris onto off-site streets, other paved areas, and sidewalks from vehicles exiting the construction site.

All site traffic should use the stabilized entrance / egress location. Sediment and debris that is tracked onto roadways must be cleaned up as soon as possible *(e.g., vacuum truck)* to prevent it from getting into storm sewers, waters of the U.S., and from becoming a physical hazard to vehicular traffic.

Options available for complying with this requirement include:

1. Restrict vehicle use to properly designated exit points;
2. Use appropriate stabilization techniques at all points that exit onto paved roads so that sediment is removed prior to vehicle exit *(e.g., crushed* aggregate, *sized 3" to 6" (<u>not</u> rounded stream cobbles))*, with an underlying geotextile or non-woven filter fabric, or turf mats;
3. A wheel washing or vehicle wash-down area, which may also be used in concert with a stabilized drive (2). Any wash-down area should be designed and constructed to capture wash down waters, sediments, debris, and other pollutants; in accordance with Part 1.3(2). Where necessary, use additional controls to remove sediment from vehicle tires prior to exit *(e.g., rumble strips, rattle plates)*; and
4. Where sediment has been tracked-out from the site onto the surface of off-site streets, other paved areas, and sidewalks, remove the deposited sediment by the end of the same work day in which the track-out occurs or by the end of the next work day if track-out occurs on a non-work day. Operators must remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. The operator is prohibited from hosing or sweeping tracked-out sediment into any stormwater conveyance (unless it is connected to a sediment basin, sediment trap, or similarly effective control), storm drain inlet, or surface water.

   Some fine grains may remain visible on the surfaces of off-site streets, other paved areas, and sidewalks even after you have implemented sediment removal practices. Such "staining" is not a violation of Part 3.1.3.2.

Operators must document any departure from the use of standard ingress/ egress control measures to control track-out (such as those described above) in the SWPPP:

a. Explain why structural control measures cannot be installed;
b. Describe what alternative measures will be used to minimize sediment from being tracked-out or accumulated on paved areas; and
c. Describe what procedures will be used to ensure track-out is discovered and removed as soon as practicable.

Installing control measures at construction site egress points will result in the minimization of sediment that is tracked-out from the site onto paved surfaces and subsequently discharged in stormwater. Part 3.1.3.2 is another component of the C&D rule requirement to "minimize sediment discharges from the site."

III.3.3 Minimize exposure. (Part 3.1.3.3)

Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials.

This section of the permit implements the 40 CFR 450.21(d)(2) requirement to "minimize the exposure of building materials, building products, construction wastes,

trash, landscape materials, fertilizers, pesticides, herbicides, detergents … present on the site to precipitation and to stormwater." The permit clarifies that the staging or storage of construction materials, building products, or wastes, which are either not a source of contamination to stormwater or are designed to be exposed to stormwater, are not held to this requirement.

For instance, materials such as bricks, blocks, pipeline, electrical equipment, structural steel, and utility poles can generally be stored outside making it unnecessary to provide secondary containment or equivalent control measure. In comparison, where fuels, oils, or chemicals are stored, there is a risk of stormwater contamination due to a spill and exposure to precipitation, thereby making it subject to the spill prevention and response procedures in Part 3.1.3.4. These requirements also implement the prohibition on the discharge of fuels, oils, or other pollutants in 40 CFR 450.21(e)(3) and the 40 CFR 450.21(d)(3) requirement to "minimize the discharge of pollutants from spills and leaks…".

Good Housekeeping Measures. (Part 3.1.3.3(1)). These provisions have not changed significantly from the 2003 or 2008 permits. The operator is required to design and implement non-structural BMPs including good housekeeping practices and training to prevent litter, construction debris, chemicals, and other pollutants from coming into contact with stormwater that is discharged from the site. Examples of good housekeeping measures include secondary containment for chemical storage, providing closed-top dumpsters for trash and debris, and contaminated soil management.

Storage, Handling, and Disposal of Construction Products, Materials, and Wastes. (Part 3.1.3.3(2)). The operator is required to minimize the exposure to stormwater of any of the products, materials, or wastes specified below that are present at the site by complying with the requirements in this Part. *(Note: These requirements do not apply to those products, materials, or wastes that are not a source of stormwater contamination or that are designed to be exposed to stormwater.)*

To meet this requirement, the permittee must:

1. *For building products (e.g., asphalt sealants, copper flashing, roofing materials, adhesives, concrete mixtures):* (Part 3.1.3.3(2)(a)). In storage areas, provide either (1) cover (*e.g., plastic sheeting or temporary roofs*) to prevent these products from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas.
2. *For pesticides, herbicides, insecticides, fertilizers, and landscape materials:* (Part 3.1.3.3(2)(b)).
    a. In storage areas, provide either (1) cover *(e.g., plastic sheeting or temporary roofs*) to prevent these chemicals from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants from these areas; and
    b. Comply with all application and disposal requirements included on the registered pesticide, herbicide, insecticide, and fertilizer label.
3. *For diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals:* (Part 3.1.3.3(2)(c)).
    a. To comply with this prohibition, store chemicals in water-tight containers, and provide either (1) cover *(e.g., plastic sheeting or temporary roofs)* to prevent these containers from coming into contact with rainwater, or (2) a similarly effective means designed to prevent the discharge of pollutants

from these areas *(e.g., spill kits)*, or provide secondary containment *(e.g., spill berms, decks, spill containment pallets)*; and

b. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a continuation of an ongoing discharge.

4. *For hazardous or toxic waste (e.g., paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids):* (Part 3.1.3.3(2)(d)).

   a. Separate hazardous or toxic waste from construction and domestic waste;

   b. Store waste in sealed containers, which are constructed of suitable materials to prevent leakage and corrosion, and which are labeled in accordance with applicable Resource Conservation and Recovery Act (RCRA) requirements and all other applicable federal, state, tribal, or local requirements;

   c. Store all containers that will be stored outside within appropriately-sized secondary containment *(e.g., spill berms, decks, spill containment pallets)* to prevent spills from being discharged, or provide a similarly effective means designed to prevent the discharge of pollutants from these areas *(e.g., storing chemicals in covered area or having a spill kit available on site)*;

   d. Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended method of disposal and in compliance with federal, state, tribal, and local requirements; and

   e. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. Do not clean surfaces or spills by hosing the area down. Eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge.

5. *For construction and domestic waste (e.g., packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, Styrofoam, concrete, and other trash or building materials)*: (Part 3.1.3.3(2)(e)). Provide waste containers *(e.g., dumpster or trash receptacle)* of sufficient size and number to contain construction and domestic wastes. In addition, you must:

   a. On work days, clean up and dispose of waste in designated waste containers; and

   b. Clean up immediately if containers overflow.

6. *For sanitary waste*, position portable toilets so that they are secure and will not be tipped or knocked over. (Part 3.1.3.3(2)(f)).

III.3.4 Spill Prevention and Response Procedures. (Part 3.1.3.4)

The permit prohibits operators from discharging toxic or hazardous substances from a spill or other release. Furthermore, where a leak, spill, or other release contains a toxic or hazardous substance in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 during a 24-hour period, the operator is subject to federal reporting requirements of 40 CFR Part 110, Part 117, and Part 302 relating to spills or other releases of oils or

hazardous substances. Operators must also, within 7 calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release. Local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies.

Construction operators must minimize the potential for leaks, spills and other releases, which are major sources of stormwater pollution, to be exposed to stormwater. Operators should identify potential spill areas and keep an inventory of materials handled, used and disposed of.

For a spill prevention and response program to be effective, employees should clearly understand the proper procedures and requirements and have the equipment necessary to respond to spills.

In addition to the four spill response measures listed in the permit, the following are suggestions to incorporate into spill prevention and response procedures:

- Install leak detection devices, overflow controls and diversion berms;
- Perform visual inspections and identify signs of wear;
- Perform preventive maintenance on storage tanks, valves, pumps, pipes and other equipment;
- Use filling procedures for tanks and other equipment that minimize spills;
- Use material transfer procedures that reduce the chance of leaks or spills;
- Substitute less toxic materials;
- Ensure that clean-up materials are available where and when needed;
- Ensure appropriate security;
- Notify emergency response agencies where necessary.

In the event of a spill, it is important that the construction operator have clear, concise, step-by-step instructions for responding to spills. The approach will depend on the specific conditions at the site such as size, number of employees and the spill potential of the site.

Part 3.1.3.4 corresponds to Part IV(A), (B) and (C) of ADEQ's 2008 CGP.

III.3.5 Fertilizer Discharge Restrictions. (Part 3.1.3.5)

Operators must minimize discharges of fertilizers containing nitrogen and phosphorus. Fertilizer discharge restrictions are intended to prevent the discharge of nutrients in stormwater and to further implement the C&D rule requirement to "minimize the discharge of pollutants" at 40 CFR 450.21(d).

The Department provides the following specific guidelines regarding fertilizer application which are meant to minimize any potential discharge of excess or improperly applied fertilizers:

1. Apply at a rate or amount based on manufacturer's specifications, or document departures from the manufacturer specifications where appropriate in Part 6.3(11) of the SWPPP;
2. Apply at the appropriate time of year based on your location, and preferably timed to coincide as closely as possible to the period of maximum vegetation uptake and growth;
3. Avoid applying before heavy rains;

4. Never apply to frozen ground;
5. Never apply to stormwater conveyance channels with flowing water; and
6. Follow all other state or local requirements regarding fertilizer application.

III.4 Controls for Allowable Non-Stormwater Discharges and Dewatering Activities (Part 3.1.4)

This section clarifies that control measures are required for stormwater and non-stormwater discharges and is linked to Part 1.3(2) of the permit, "Allowable Non-stormwater Discharges". Operators are required to minimize the discharge of pollutants from dewatering trenches and excavations. Discharges are prohibited unless managed by appropriate controls. Part3.1.4 prohibits the discharge of groundwater or accumulated stormwater that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation, unless such waters are first treated by an appropriate control. Examples of appropriate controls include, but are not limited to, sediment basins or sediment traps, dewatering tanks, tube settlers, weir tanks, or filtration systems *(e.g., bag or sand filters)* that are designed to remove sediment.

This section of the permit is intended to implement the C&D rule requirements to: prohibit "discharges from dewatering activities, including discharges from dewatering of trenches and excavations . . . unless managed by appropriate controls" (40 CFR 450.21(c)); control peak flowrates and total stormwater volume (40 CFR 450.21(a)(2)); minimize sediment discharges (40 CFR 450.21(a)(5)); and direct stormwater to vegetated areas (40 CFR 450.21(a)(6)).

***Treatment chemical restrictions*.** Operators using polymers, flocculants, or other treatment chemicals must comply with the requirements in Parts 3.1.1.1(2)(c) and 6.3(10).

Operators should evaluate and implement the following control measures, as appropriate, whenever dewatering activities are planned that will result in a discharge. These measures provide operators with an interpretation of what is meant by "appropriate controls" in the C&D rule:

1. Do not discharge floating solids or foam;
2. Use an oil-water separator or suitable filtration device (such as a cartridge filter) that is designed to remove oil, grease, or other products if dewatering wastewater is found to contain these materials;
3. To the extent feasible, utilize vegetated, upland areas of the site to infiltrate dewatering water before discharge. In no case will surface waters be considered part of the treatment area;
4. At all points where dewatering water is discharged, comply with the requirements of Part 3.1.1.2 to minimize erosion at outlets and minimize downstream channel and streambank erosion;
5. With backwash water, either haul away for disposal or return it to the beginning of the treatment process; and
6. Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

Uncontaminated, non-turbid dewatering wastewater, such as well-point groundwater, can be discharged without being routed to a control.

III.5 Water Quality Standards (Part 3.2)

This CGP includes water quality-based effluent limits (WQBELs) to control discharges as necessary to meet applicable water quality standards. The provisions of Part 3 constitute the WQBELs of this permit, and supplement the permit's general effluent limits in Part 2.

III.5.1 Water Quality Standards (Part 3.2.1)

The permit requires discharges of stormwater to be controlled as necessary to meet applicable water quality standards.

In the absence of information demonstrating otherwise, ADEQ expects that compliance with the conditions in this permit will result in stormwater discharges being controlled as necessary to meet applicable water quality standards. If at any time the operator becomes aware, or ADEQ determines, that the discharge is not being controlled as necessary to meet applicable water quality standards, the operator must take corrective action as required in Part 5.1, and document the corrective actions as required in Part 5.3 and 6.4 and report the corrective actions to ADEQ as required in Part 8.2(3).

ADEQ may also impose additional water quality-based limitations on a site-specific basis, or require the operator to obtain coverage under an individual permit, if information in the NOI, required reports, or from other sources indicates that discharges are not controlled as necessary to meet applicable water quality standards. This includes situations where additional controls are necessary to comply with a wasteload allocation in an USEPA-approved or established TMDL.

III.5.2 Discharge Limitations for Impaired Waters and OAWs (Part 3.2.2)

Part 3.2.2 applies to discharges to impaired waters. For the purposes of this permit, "impaired waters" are waters identified as impaired on the appropriate CWA Section 303(d) list, or waters with an USEPA-approved or established TMDL. The construction site will be considered to discharge to an impaired water if the first surface water to which it discharges is identified by a state, tribe, or USEPA pursuant to Section 303(d) of the CWA as not meeting an applicable water quality standard, or is included in an USEPA-approved or established TMDL. For discharges that enter a storm sewer system prior to discharge, the first surface water to which the site discharges is the waterbody that receives the stormwater discharge from the storm sewer system.

For operators that determine they have a discharge to an impaired water, the permit requires that the following information be provided on the NOI:

1. A list of all impaired waters to which the operator discharges;
2. The pollutant(s) for which the surface water is impaired; and
3. Whether a TMDL has been approved or established for the waters to which the operator discharges.

If the discharge is to an impaired water that is impaired for any parameter, ADEQ will inform the operator if any additional limits or controls are necessary for the discharge to be controlled as necessary to meet water quality standards, including for it to be consistent with the assumptions of any available wasteload allocation in any applicable

TMDL, or if coverage under an individual permit is necessary in accordance with Appendix B, Subsection 17.

If during coverage under a previous permit, the operator was required to install and maintain stormwater controls specifically to meet the assumptions and requirements of an USEPA-approved or established TMDL (for any parameter) or to otherwise control the discharge to meet water quality standards, the operator must continue to implement such controls as part of this permit.

Frequency of Site Inspections. Part 3.2.2(1) requires sites discharging to or within 1/4 mile sediment or nutrient-impaired waters to undergo more frequent inspections as specified in Part 4.2(3) of the permit. The purpose for these increased inspection requirements is to increase the likelihood that an operator will find and correct problems before a discharge of pollutants to the impaired water occurs.

Deadline to Complete Stabilization. Part 3.2.2(2) requires sites that discharge to impaired waters are subject to stricter stabilization timeframes than other sites, as specified elsewhere in Part 3.1.2 of the permit. This requirement reduces the amount of time that areas exposed during construction on sites that discharge to impaired water are left unstabilized. Operators must complete stabilization activities within 7 calendar days of the temporary or permanent cessation of earth-disturbing activities.

Further reducing the amount of time that exposed soil is left in an unstabilized state is especially important for limiting the pollutant load to waters already degraded by pollutants associated with construction activities. The shorter stabilization timeframe for areas discharging to sediment and nutrient-impaired waters is designed to minimize the erosion and sedimentation that is associated with large, exposed areas.

The shorter stabilization timeframe implements the 40 CFR 450.21(b) requirement of the C&D rule.

IV. Inspections (Part 4)

IV.1 Inspector Qualifications (Part 4.1)

The operator is responsible for ensuring that a person is charged with conducting the inspections required under Part 4, and this person, whether a member of the project staff or a third party, must be a “qualified person.” The inspector and his/her qualifications must be identified in the SWPPP. The inspector is not required to be certified, but, whoever is charged with conducting the inspections must be a “qualified person”. The identified inspector must be knowledgeable in the principles and practice of erosion and sediment controls, and pollution prevention, who possesses the skills to assess conditions at the construction site that could impact stormwater quality, and the skills to assess the effectiveness of any stormwater control measures selected and installed to meet the requirements of the permit. A definition is provided in Appendix A.

Although inspectors are not required to be certified, ADEQ encourages training in the knowledge and practices of erosion and sediment controls and conducting inspections.

IV.2 Inspection Schedule (Part 4.2)

Part 4.2 establishes the required inspection frequencies for construction sites in various situations. When the use of a rain gauge or weather station that is representative of the location is necessary to determine the rainfall threshold that will trigger an inspection, the operator must be consistent to use the same source of rainfall

data (I.e., a local weather station or rain gauge on site) throughout the life of the construction project. If the project site is large, operators have the flexibility with the rain gauge location within the area of operational control for the permitted site. However, if relying on a local weather station to determine rainfall, the same station should be used throughout the life of the project. The operator may use the local weather station in lieu of the on-site rain gauge if a storm event occurs during weekends, holidays, etc.; or, during times when the site is unstaffed. The SWPPP must document which inspection schedule was chosen, as well as the location of the rain gauge or weather station used to obtain the rainfall information.

Routine Inspection Schedule (Part 4.2(1)). The operator has the option to conduct a routine site inspection using one of three schedules. The SWPPP must document which inspection frequency was chosen.

1 Once every 7 calendar days;

2 Once every 14 days and within 24 hours of the occurrence of a storm event of 0.5 inch or greater; or

3 A minimum of once per month, but not within 14 calendar days of the previous inspection, and within 24 hours of the occurrence of a storm event of 0.25 inch or greater.

To determine if a storm event of 0.25 or 0.5 inch or greater has occurred on the site, the operator must either keep a properly maintained rain gauge on the site, or obtain the storm event information from a weather station that is representative of the location. For any day of rainfall during normal business hours that measures 0.25 or 0.5 inch or greater (depending on which option is used), the operator must record the total rainfall measured for that day. The Department encourages more frequent spot inspections, especially before and/or during a storm event, to ensure control measures will be effective in minimizing pollutant discharges. Particular attention should be paid to construction site entrance and egress location(s), nearby streets, and inlets.

When the frequency of inspections is reduced to 30 days, the permit requires that an inspection be triggered when the site experiences a storm event of 0.25 inch or greater. More importantly, however, ADEQ believes that storms with rainfall totals greater than 0.25 inch have the potential to produce discharges of pollutants, particularly if stormwater controls are not functioning effectively. Further, storms of this size may compromise stormwater controls on the site. Thus, inspection immediately after such events (or during such events in the case of multi-day storms) is important to meet the purposes of adopting a storm-based inspection schedule.

Reductions in Inspection Frequency (Part 4.2(2)). With a reduced inspection schedule, operators must inspect the site at least once per month, (but not within 14 calendar days of the previous inspection) and before an anticipated storm event and within 24 hours of each storm event of 0.5 inch or greater in 24 hours. The operator must document that they are using this schedule and the beginning and ending dates of this period in the SWPPP. Each of these represents situations of comparatively lower risk for discharges to surface waters:

- ***Temporarily Stabilized Areas.*** Operators may reduce the frequency of inspections to once per month in any area of the site where temporary stabilization has been completed, in accordance with Part 3.1.2.1 of the permit. If construction activity resumes in this portion of the site at a later date, the inspection frequency must resume to one of the three options in Part 4.2(2). This should be an inducement, especially for larger projects

where construction activities may take place in different phases in separate locations of the site, for stabilization to take place closer to the time that active disturbances have ended. There may also be the benefit of a reduced administrative burden to the operator.

- ***Seasonal Rainfall Patterns.*** Operators may reduce their inspection frequency if construction activity occurs during periods of the year when discharges are unlikely based on seasonal rainfall patterns (*i.e., a seasonally dry period or during a period in which drought is predicted to occur*). To determine when the seasonal dry periods occur in arid and semi-arid areas, one tool that is available for operators is the U.S. Department of Agriculture, Natural Resources Conservation Service's Climate Analysis for Wetlands tool: http://www.wcc.nrcs.usda.gov/climate/wetlands.html.
- ***Winter Conditions.*** Operators may reduce their inspection frequencies when runoff is unlikely due to winter conditions *(e.g., site is covered with snow, ice, or frozen ground exists)*. This frequency can remain in effect until thawing conditions begin to occur or unexpected weather conditions (such as above freezing temperatures or rain on snow events) make discharges likely; at which time the operator must resume one of the routine inspection schedules.

Inspection Schedule for Sites within 1/4 Mile of Impaired Waters or OAWs (Part 4.2(3)). Operators must modify their inspection frequencies to once every 7 calendar days for that portion of any site that is located within 1/4 mile of an impaired or outstanding Arizona water (OAW).

To determine if a storm event of 0.25 inch or greater has occurred on the site, the operator must either keep a properly maintained rain gauge on the site, or obtain the storm event information from a weather station that is representative of the location.

Compliance with the water quality-based effluent limits in Part 3.2, in combination with the general effluent limits in Part 3.1, are expected to result in discharges that meet applicable water quality standards. The weekly site inspections are required only for those portions of the site that are located within 1/4 mile of the impaired water or OAW. For example, for a highway construction project spanning many miles over multiple watersheds, the increase in inspection frequency would only be required in areas of the site that are located within the watershed of the OAW or impaired water. Construction sites that qualify for the reduced inspection frequencies specified in Part 4.2(2) may comply with those reduced frequencies despite the fact that they discharge to an impaired water or an OAW, because they have undergone temporary or final stabilization.

Inspection Schedule for Inactive and Unstaffed Sites (Part 4.2(4)). Inactive and unstaffed sites within 1/4 mile of an OAW or impaired water are not eligible for this reduced inspection frequency, unless they have undergone temporary or final stabilization.

The requirement to conduct routine inspections does not apply to a construction site that is inactive and unstaffed. Under these circumstances, the operator may conduct less frequent inspections in accordance with the requirements of Part 4.2(4) of the 2013 CGP. Inactive and unstaffed sites may qualify for the reduced inspection frequency, provided they meet the following conditions:

1. Immediately before becoming inactive and unstaffed, the operator shall perform an inspection in accordance with Part 4.4. All stormwater control

measures must be in operational condition in accordance with Part 3.1 prior to becoming inactive and unstaffed;

2. During the time the site is inactive and unstaffed, the operator shall perform an inspection at least once every six months and within 24 hours of each storm event of 0.5 inch or greater in 24 hours;
3. Non-storm event inspections must be at least three months apart;
4. All stormwater control measures must be maintained in operational condition;
5. The site shall be secured, such as limited access, blocking or fencing;
6. Maintain a statement in the SWPPP as required in Part 6.4(11) indicating that the construction site is inactive and unstaffed. The statement must be signed and certified in accordance with Appendix B, Subsection 9;
7. If circumstances change and the site becomes active and/or staffed, this exception no longer applies and the operator shall immediately resume the routine inspection schedule;

ADEQ retains the authority to revoke this exception from routine inspections where it is determined that the discharge causes, has a reasonable potential to cause, or contribute to an exceedance of an applicable water quality standard, including designated uses.

Inspections are only required during the project's normal working hours (Part 4.2(5)). If an inspection day (except those required relative to a rainfall event) falls on a Saturday or holiday, the inspection may be conducted on the preceding workday. If the inspection day falls on a Sunday, the inspection may be conducted on the following Monday.

Inspections are not Required under Adverse Conditions (Part 4.2(6)). Operators are not required to inspect areas of the site that, at the time of the inspection, are considered unsafe to inspection personnel. Inspections may be postponed when conditions such as local flooding, high winds, or electrical storms, or situations that otherwise make inspections unsafe. The inspection must resume as soon as conditions are safe.

When unsafe conditions exist on a portion of or the entire site, the operator must describe the reason(s) it was found to be unsafe and specify the locations where this condition applies.

IV.3 Scope of Inspections (Part 4.3)

The permit specifies the following areas of the site that need to be inspected, at a minimum, during each site inspection:

- All areas that have been "disturbed by construction activity" (*i.e., cleared, graded, or excavated, and that have not yet completed stabilization*);
- All stormwater controls installed at the site to comply with this permit;
- Material, waste, borrow or equipment storage and maintenance areas that are covered by this permit;
- All areas where stormwater typically flows within the site, including drainageways designed to divert, convey, and/or treat stormwater. The operator must ascertain whether erosion and sediment control measures are effective in preventing significant impacts to receiving waters;

- All points of discharge from the site. Where discharge locations are inaccessible, nearby downstream locations to the extent that the inspections are practicable; and
- All locations where temporary stabilization measures have been implemented.

The permit requires that inspections, at a minimum, consist of the following:

1. Check whether all erosion and sediment controls are installed, appear to be operational, and are working as intended to minimize pollutant discharges. Determine if any controls need to be replaced, repaired, or maintained in accordance with Part 3.1.1;
2. Check for the presence of conditions that could lead to spills, leaks, or other accumulations of pollutants on the site;
3. Identify any locations where new or modified stormwater controls are necessary to meet the requirements of Parts 3.1 and/or 3.2; and
4. At points of discharge and, if applicable, the banks of any surface waters flowing within or immediately adjacent to the property on which the construction activities will occur, check for signs of visible erosion and sedimentation (*i.e., sediment deposits*) that have occurred and are attributable to the discharge.
5. If a discharge is occurring during the inspection, the operator is required to:
    a. Identify all points of the property in which there is a discharge;
    b. Observe and document the physical characteristics of the discharge, including color, odor, floating, settled, or suspended solids, foam, oil sheen, and other obvious indicators of stormwater pollutants; and
    c. Document whether the stormwater controls are operating effectively, and describe any such controls that are clearly not operating as intended or are in need of maintenance.
    d. When there is no discharge, examine each discharge location for evidence of erosion, sedimentation and other pollutants, and the presence of current (and indications of prior) discharges and their sources.
6. The site egress location(s) leading to paved areas should include frequent spot inspections. As construction equipment leaves the site, there is the potential for mud, stones, dirt, and other pollutants to be transported off site and deposited in public streets. This off site tracking of pollutants has the potential to create physical hazards, damage to public and private property, and contribute to air pollution. Due to these inherent concerns, pollutants observed in public streets should be removed as soon as possible.

IV.4 Inspection Report (Part 4.4)

Requirement to Complete an Inspection Report. The operator is required to complete an inspection report within 7 days of completing any site inspection. Operators must use either a form provided by ADEQ or develop an alternate form that that incorporates all the inspection-related requirements of the 2013 CGP. The inspection report form must provide a consistent means of documenting the results of each inspection, which may be in the form of databases or standardized forms.

Previous AZPDES CGPs required operators to complete an inspection report for each inspection, but the form was presented as a "sample form" in an appendix. ADEQ's experience with past CGPs has shown that incomplete inspection reports often resulted when operators did not use the sample form. Therefore, the Department strengthened the language in Part 4.4 such that operators must either use the ADEQ Inspection Report Form or another standardized inspection report form of their own creation that meets all of the 2013 CGP inspection requirements. ADEQ believes better organization of the inspection report and consistency of content will result. Accordingly, ADEQ expects its reviews of inspection reports will be more efficient and operators will find it easier to keep track of their findings from inspection to inspection. An operator may supplement the inspection report form (either ADEQ's or a standardized form) with additional information, forms or drawings, as necessary.

Signature Requirements. Each inspection report must be signed in accordance with Appendix B, Subsection 9 of the permit.

Recordkeeping Requirements. All inspection reports must be kept at least 3 years from the date that permit coverage expires or is terminated, and the reports must be accessible at the site so that they are available upon request by the Department or any other federal, state or local authority having jurisdiction over the project at any reasonable time (*generally Monday through Friday, 8:00 am to 5:00 pm*).

The requirement to retain all reports a minimum of three years is a standard permit condition based on the requirements at 40 CFR 122.41(j)(2). Inspection reports may be kept electronically. Electronic records created and/or maintained by operators must be readable and legally dependable with no less evidentiary value than their paper equivalent.

IV.5 Inspection Follow-up (Part 4.5)

When need for repair, replacement or maintenance of any stormwater control measures is discovered as a result of one of these inspections, the operator must make the repairs, etc. in accordance with the deadlines set forth in the permit. Based on the results of the inspection, corrective action(s) may be required under Part 5 of the permit.

Control measure assessment Follow the schedules set forth in "General Maintenance Requirements" in Part 3.1 of the permit when an inspection reveals that one or more control measures are no longer in effective operating condition and does not constitute a corrective action.

Corrective Actions Follow the corrective action deadlines set forth in Part 5.2 when a control measure is found to be ineffective and needs modification or replacement. See Part 5 of the permit and Fact Sheet Section V for information on Corrective Actions.

V. Corrective Actions (Part 5)

V.1 Corrective Action Triggers (Part 5.1)

Corrective actions are actions the operator takes when any control measure has failed to meet the conditions of Part 3. Routine maintenance or repairs do not constitute a corrective action. Although formal corrective actions are a new component in the 2013 CGP, the 2008 CGP contained corrective action provisions for certain required maintenance situations or to prohibit certain discharges.

Any one or a combination of the following conditions will trigger a corrective action:

1 A necessary stormwater control was never installed, was installed incorrectly, or not in accordance with the requirements in Parts 3.1 and/ or 3.2; or

2 One of the prohibited discharges in Part 1.4 is occurring or has occurred; or

3. ADEQ or USEPA determines that modifications to the control measures are necessary to meet the requirements of Part 3.

To the extent practicable, operators must take all reasonable steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational on the same day the condition(s) requiring corrective action is discovered. This includes cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events. If the problem is identified at a time in the work day when it is too late to initiate corrective action, the corrective action must be initiated on the following work day.

The corrective action provisions in (1) above is similar to Part IV.I (Maintenance) of the 2008 CGP, which required permittees, if an inspection found that the site's stormwater controls are not operating effectively, or that BMPs need to be maintained or if additional controls are necessary, to complete maintenance, modifications, or installation of new BMPs as soon as possible and before the next storm event whenever practicable to maintain the continued effectiveness of the stormwater controls.

With respect to the triggering condition in (2) above, Part VI (Special Conditions) of the 2008 CGP also prohibited the discharge of hazardous waste or oil released from an oil spill, but did not explicitly include corrective action provisions regarding prohibited discharges. These materials are included as prohibited discharges in Part 1.4 of the 2013 CGP. A specific corrective action triggering provision for prohibited discharges is appropriate because of the inclusion of a list of prohibited discharges in USEPA's C&D rule, which was issued subsequent to the 2008 CGP.

Regarding triggering condition in (3) above, ADEQ may also require corrective actions to address permit violations found during the Department's own inspection.

If the condition identified in this Part constitutes a permit violation, correcting it does not remove the original violation. However, enforcement authorities will consider the promptness and effectiveness of any corrective action taken in determining an appropriate response. Additionally, failing to take corrective action in accordance with this Part is an additional permit violation.

V.2 Corrective Action Deadlines (Part 5.2)

The permit establishes a specific timeframe for completing corrective actions. Operators must install a new or modified control and make it operational, or complete the repair, by no later than 7 calendar days from the time of discovery. If it is infeasible to complete the installation or repair within calendar 7 calendar days, the operator must document in the SWPPP why it is infeasible to complete the installation or repair within the 7 calendar day timeframe and document their schedule for installing the stormwater control(s) and making it operational as soon as practicable after the 7 calendar day timeframe.

SWPPP Modifications to Reflect Changes to Stormwater Controls. The permit requires that where corrective action results in changes to any of the stormwater controls or procedures described in the SWPPP, operators must modify their SWPPPs accordingly within 7 calendar days of completing corrective action work. This is intended

to ensure that the SWPPP adequately reflects the stormwater controls being implemented on the site. Where a new control is installed and made operational, or a modification is made to an existing control, the SWPPP must be updated to reflect these site changes. Note that this is true for all such modifications, including those made to implement corrective actions.

V.3 Corrective Action Report (Part 5.3)

Operators must complete a corrective action report for corrective action(s) taken in accordance with this part of the permit. Note that these reports must be maintained in the operators records but do not need to be provided to ADEQ except upon request.

The permit requires proper documentation of all corrective actions taken under this part of the permit. This requirement is consistent with the 2008 CGP's Part IV.H.4 inspection report requirement to document problems found on the site and the corresponding corrective actions taken and applicable implementation dates. See Part IV.H.5 (Revising the SWPPP) and Part III.E (Maintaining an Updated SWPPP) of the 2008 CGP, which required the SWPPP to be updated if existing BMPs need to be modified or if additional BMPs are necessary.

Sites that Discharge to an Impaired Water or OAW. (Part 5.3(1)) Only operators with construction sites that discharge directly to or within 1/4 mile of an impaired water or OAW are automatically required to submit their corrective action reports to ADEQ. The report should be submitted with the NOT. In addition, the corrective action report must be submitted annually with the Discharge Monitoring Report (DMR) form to the address in Part 8.2 if the project's duration lasts beyond a year. The operator shall retain a copy of the inspection report documenting the corrective action(s) onsite with the SWPPP as required in Part 6.4.

Report Schedule. (Part 5.3(2)) Within 7 calendar days of discovering the occurrence of one of the Part 5.1 triggering conditions, the operator must complete a report that documents progress made in completing corrective actions, including the following:

1. Summary of corrective action taken or to be taken: summarize the stormwater control modifications taken or to be taken, including a schedule of activities necessary to implement changes,
2. Dates any corrective actions were initiated or will be initiated, including the review the design, installation, and maintenance of stormwater controls; and
3. The date the modifications are completed or expected to be completed.

Of course, if corrective actions result in SWPPP modifications, these should be documented.

Signature Requirements. Each inspection report must be signed in accordance with Appendix B, Subsection 9 of the permit. This provides documentation of compliance with the corrective action requirements in the permit.

Recordkeeping Requirements. All corrective action reports must be kept at least 3 years from the date that permit coverage expires or is terminated. The reports must be accessible at the site until such time as an NOT is submitted. The reports must be available upon request by the Department or any other federal, state or local authority having jurisdiction over the project at any reasonable time (generally Monday through Friday, 8:00 a.m. to 5:00 p.m.). After permit coverage is terminated, the records must be made available through the operator identified on the NOI.

The requirement to retain all reports a minimum of three years is a standard permit condition based on the requirements at 40 CFR 122.41(j)(2). Corrective action reports may be kept electronically. Electronic records created and/or maintained by operators must be readable and legally dependable with no less evidentiary value than their paper equivalent.

VI. Stormwater Pollution Prevention Plan (SWPPP) (Part 6)

The overall objective of the Stormwater Pollution Prevention Plan (SWPPP) is to provide a written plan for implementing, assessing and improving stormwater control measures that minimize erosion and sedimentation and implementing pollution prevention, inspections and monitoring requirements. The plan is an integral part of the permit and must be adhered to throughout the entire duration of the construction activity, up to and including submitting the NOT. Operators must prepare a SWPPP before submitting a Notice of Intent (NOI) and update it as appropriate. Part 6 of the 2013 CGP describes the preparation and documentation requirements of the SWPPP. The intent is that the SWPPP and its associated records be revised and updated; thus making it a living document that reflects actual conditions on the site as they evolve.

VI.1 General Information (Part 6.1)

Part 6.1 presents general information for developing and maintaining a SWPPP and directs the operator to develop a complete SWPPP prior to submitting the NOI. This includes using good engineering practices, proper certification and implementation of the SWPPP.

SWPPP Development. (Part 6.1(1) – (5)). Operators may develop a joint or common SWPPP where two or more operators will be engaged in construction activities at the same site. For instance, if both the owner and the general contractor of the construction site are permitted, the owner may be the person responsible for SWPPP development, and the general contractor can choose to use this same SWPPP, provided that the SWPPP addresses the general contractor's scope of construction work and obligations under this permit. Or individual operators may develop their own (individual) SWPPP, covering only an individual operator's portion of the site (provided reference is made to the other operators of the site). Operators that choose to develop individual plans are encouraged to coordinate with operators to develop and implement effective control measures, which could also reduce overall costs for each operator. . Regardless of development of an individual or comprehensive SWPPP, the permit requires all operators to ensure that individual activities do not negatively impact another operator's stormwater control measures.

If the SWPPP was prepared under a previous version of the permit (*i.e., the 2008 CGP*), *the operator must review and update the SWPPP* to ensure that the 2013 CGP requirements are addressed *prior to submitting the NOI*.

If it is infeasible for the operator to comply with a specific requirement in Part 3.1 of the permit because it is an "ongoing construction project" (see Part 2.3(3)(e)), the operator must include a separate justification why it is infeasible to meet the applicable requirements of Part 3.1.

Emergency-Related Projects. (Part 6.1(6)). If operators are conducting earth-disturbing activities in response to a public emergency (as discussed in Fact Sheet Section II.2 and Part 2.4 of the permit), they must document the cause of the public emergency, information substantiating its occurrence *(e.g., federal or state disaster*

declaration or similar state or local declaration), and a description of the construction necessary to reestablish the effected public services.

VI.2 Types of Operators (Part 6.2)

The term "operator" is defined as a person with operational control over construction plans and specifications or as a person with control over the day-to-day activities of the site. Typically for larger project, operators may only have control over a portion of a site; several operators are responsible for separate portions of the entire construction project.

Operators with Operational Control over Construction Plans and Specifications. (Part 6.2(a)). An operator falls within this category must ensure that the SWPPP indicates the areas of the project where they have operational control over project specifications, including the ability to make modifications to plans and specifications. The operator must ensure that all other permittees implementing portions of the SWPPP impacted by any changes made to the plan are notified of such modifications in a timely manner and ensure that the SWPPP contains the appropriate information indicating who has operational control.

Operators with Control over Day-to-Day Activities. (Part 6.2(b)). An operator that is responsible for the day-to-day operational control of the activities at a project site necessary to ensure compliance with the SWPPP must ensure the SWPPP meets the minimum requirements of Part 3 of the permit. The operator must also identify those responsible for implementation of control measures required in the SWPPP, ensure the SWPPP indicates areas of the project where operational control of day-to-day activities are maintained, and identify the persons responsible for implementation of control measures identified in the plan.

Operators with Control over a Portion of a Larger Project. (Part 6.2(c)). An operator that is responsible for only a portion of a larger construction project must maintain compliance with all applicable terms and conditions of this general permit for that portion of the project.

Who is an operator is controlled chiefly by how the "owner" of the project chooses to structure its contracts with the "contractors" hired to design and/or build the project. Three general operator scenarios are presented below (variations are possible on any of the three, especially as the number of owners and contractors increases):

1. Owner acts as sole operator. The property owner designs the structures for the site, develops and implements the SWPPP, and serves as general contractor (or has an on-site representative with full authority to direct day-to-day operations). The "Owner" can be the only person that needs a permit, in which case everyone else on the site may be considered subcontractors and do not need permit coverage.

2. Contractor acts as sole operator. The property owner hires a construction company to design the project, prepare the SWPPP, and supervise implementation of the plan and compliance with the permit (*i.e., a "turnkey" project*). In this case, the general contractor, a construction industry professional, is the appropriate person to apply for permit coverage, develop and properly implement a SWPPP. Under this scenario an individual who has a residence built for personal use *(e.g., not those to be sold for profit or used as rental property)* is not the operator. However, an individual would be an "operator" (hence, requiring permit coverage and SWPPP development) if the person performs the general contracting duties for construction of their personal residence.

3. Owner and contractor both act as operators. The owner retains control over any changes to site plans, SWPPPs, or stormwater conveyance or control designs; but the contractor is responsible for overseeing actual earth disturbing activities and daily implementation of SWPPP and other permit conditions. In this case, both persons may need coverage.

Under the NPDES stormwater program, the operator of a regulated activity or discharge must apply for a stormwater permit. USEPA clarified that the operator of a construction activity is (are) the person(s) that either individually or taken together meet the following two criteria: (1) they have operational control over the site specifications (including the ability to make modifications in specifications' and (2) they have day-to-day operational control of those activities at the site necessary to ensure compliance with plan requirements and permit conditions (September 9, 1992, Federal Register, p. 41190). If more than one person meets the above criteria, then each person involved must obtain permit coverage. For example, if the site owner has operation control over site specifications and a general contractor has day-to-day operational control of site activities, then both persons will be operators and subject to permit coverage.

When two or more persons meet the definition of operator, each operator must submit an NOI, and the SWPPP should include either a photocopy of the other operator's NOIs or the general permit number that was assigned for that project. The operators may choose to join in implementing a common pollution prevention plan prior to submittal of the NOI, and in the retention of all plans and reports required by the permit for a period of at least three years from the date that the site is finally stabilized.

VI.3 SWPPP Contents (Part 6.3)

Part 6.3 includes the minimum requirements that must be included in the SWPPP, as follows.

VI.3.1 Stormwater Team (Part 6.3(1))

Developing a SWPPP requires that a qualified individual or team of individuals be identified as responsible for developing and revising the facility's SWPPP. The "stormwater team" is responsible for overseeing the development of the SWPPP, any later modifications to it, and for compliance with the requirements in this permit.

The SWPPP must identify the personnel (by name or position) that are part of the stormwater team, as well as their individual responsibilities. Each member of the stormwater team must have ready access to an electronic or paper copy of applicable portions of this permit, the most updated copy of the SWPPP, and other relevant documents or information that must be kept with the SWPPP.

Inclusion of the team in the plan provides notice to facility staff and management (*i.e., those responsible for signing and certifying the plan*) of the responsibilities of certain key staff for following through on compliance with the permit's conditions and limits.

VI.3.2 Identification of Operators (Part 6.3(2))

The SWPPP must include a list of all other operators who will be engaged in construction activities at the site, and the areas of the site over which each operator has control. The purpose for this is to provide both staff members and ADEQ with a notice of any other persons that are responsible for specific areas of the construction site and other persons that are responsible for permit compliance.

VI.3.3 Nature of Construction Activities (Part 6.3(3))

This section of the SWPPP is intended to provide general information about the construction project, which can be readily understood by an ADEQ inspector or other third party who may be unfamiliar with the purpose and general layout of the project. The permit requires information about the size of the property (in acres) and the total area expected to be disturbed by the construction activities (in acres), construction support activity areas covered by this permit (see Part 1.3(1)(c)), and the maximum area expected to be disturbed at any one time.

Identification of the total area expected to be disturbed by construction activities and the soil types provides the permittee, among other things, with information about properly designing and installing stormwater control measures to minimize the discharge of pollutants, as well as information about the placement and type of stabilization practices that should be implemented to minimize the discharge of pollutants in stormwater.

VI.3.4 Sequence and Estimated Dates of Construction Activities (Part 6.3(4))

The permit requires documentation in the SWPPP of the sequencing and major dates of construction activity, including a schedule of the estimated start dates and the duration of the activities, for specific activities, which are listed in the permit. These requirements provide the permittee the opportunity to support its compliance with the stabilization requirements in Part 3.1.2 of the permit. The SWPPP documentation will also provide inspectors with verification that the permittee has complied with the permit's stabilization requirements.

The purpose of requiring documentation of the sequencing of construction activities is to assist permittees with planning their construction activity sequencing in conjunction with the control measures they intend to use to meet the effluent limitations in this permit. Proper construction site planning limits the amount of land disturbed at one time and limits the exposure of unprotected soils through stabilization, which in turn reduces the amount of sediment that gets discharged from the construction site. This requirement will provide permittees a better understanding of the site runoff characteristics throughout all phases of construction activity, which will help them to plan for the types of stormwater control measures necessary to meet effluent limitations.

The greater specificity will help permittees to minimize earth disturbances to the extent necessary for the construction activity, which will also minimize pollutants discharged in stormwater.

Plans often change due to unforeseen circumstances or for other reasons. Therefore, when departures from initial projections are necessary, this should be documented in the SWPPP.

Stabilization Practices. (Part 6.3(4)(d)). The SWPPP must describe the vegetative and/or non-vegetative practices that will be used to comply with the requirements in Parts 3.1.2.1 and 3.1.2.2 on temporary and final stabilization of the exposed portions of the site, including the stabilization deadlines specified in Part 3.1.2.1. Operators must indicate in the SWPPP: the site conditions; whether the site is experiencing drought conditions; and the beginning and ending dates of any seasonally dry periods. If unable to comply with the stabilization deadlines, the operator must document the circumstances that prevent meeting the deadlines specified in Parts 3.1.2.1 and/or 3.1.2.2.

The 2013 CGP requires the use of vegetative and/or non-vegetated controls, and the use of such controls for both temporary and final stabilization. The purpose is so

that documentation in the SWPPP corresponds to the permit requirements for stabilization in Part 2.2 of the CGP.

Site Stabilization Alternatives. (Part 6.3(4)(d)). If the operator's site is eligible for either alternative described in Part 3.1.2.3, this fact must be documented in the SWPPP.

VI.3.5 Site Description (Part 6.3(5))

The permit provides necessary details about these provisions and is not significantly different from the 2008 CGP.

VI.3.6 Site Map(s) (Part 6.3(6))

The SWPPP must contain a legible site map, or series of maps, including a general location map, such as the local portion of a USGS 7.5 minute quadrangle or city, county or other map. Explanations of some of the requirements with the most specificity are discussed below.

Part 6.3(6)(a), (b), (c) and (f) – The site map(s) must show boundaries of the property, the locations where construction activities will occur and other specific construction-related activities, which are listed in the permit. Indentifying the overall property boundaries, the specific locations of all earth-disturbing activities, areas protected by the buffer requirements, stockpiled materials, and construction support activities, is designed to provide construction operators with a "big picture" understanding of the areas impacted by construction within their larger property area. This part of the site map should also assist permittees with selecting and designing the stormwater control measures necessary to meet the various erosion and sediment, stabilization, and pollution prevention requirements.

Part 6.3(6)(d) – The permit requires that the site map shows the location of temporary and permanent stormwater control measures identified in the SWPPP. This is intended to provide a spatial correlation between pollutant sources on the site, the flow of stormwater through and from the site, and the location of waters of the U.S. This requirement corresponds to Part III.C.3(c) of the 2008 CGP. Requiring such information on the site map enables the permittee to locate stormwater control measures strategically so as to comply with the permit's requirements for erosion and sediment and pollution prevention in Parts 3.1.1 and 3.1.3. The requirement to show on the site map where areas of exposed soil will be stabilized, or have already been stabilized, provides permittees with a visual aid that will help them to comply with the temporary and final stabilization requirements in Part 2.2.

Part 6.3(6)(g) and (h) – The permit requires identification in the site map of all potential pollutant-generating activities identified in Part 6.3(9). See Fact Sheet Section VII.3.9 (below) for details concerning documentation requirements of potential pollutant sources. The requirement to describe in the SWPPP and identify the locations of all pollutant-generating activities on the site map will provide operators with an understanding of how the location of their various pollutant-generating activities will correspond to the areas of disturbance at the site, the potential impacts of where these activities are located on the discharge pollutants, and the ideal locations for stormwater control measures to reduce or eliminate such discharges. This information will be used to comply with the pollution prevention requirements in Part 3.1.3 of the CGP. The requirement for permittees to document the location of potential pollutant-generating activities corresponds, in part, to Part III.C.2(c) and III.C.3(e) of the 2008 CGP, which required the SWPPP to describe and the site map to include off-site material, waste, borrow or equipment storage areas. However, the requirement to identify all on-site pollutant-generating activities is new, and

corresponds with Part 3.1.3, which implements the pollution prevention requirements of the C&D rule (see specifically 40 CFR 450.21(d) and (e)). Examples of pollutant-generating activities include, but are not limited to: paving operations; fueling and maintenance operations, concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations.

Part 6.3(6)(i) – The requirement to locate all surface waters and any impaired waters or OAWs within 1/4 mile of the facility compels permittees to develop an understanding of the location of any waters flowing through or near the property where the construction will take place. Requiring a visual showing these waters will provide permittees with information necessary to comply with the requirements for impaired waters and OAWs (Part 3.2.2). Identifying the location of these waters on the site map will also help permittees comply with the Erosion and Sediment Control requirements (Part 3.1.1), particularly those related to buffers, and Pollution Prevention Requirements (Part 3.1.3).

Requiring a visual showing of areas to be protected as natural buffers will help permittees implement the C&D rule requirement to "Provide and maintain natural buffers."

Part 6.3(6)(j) – The requirement to map the flow of stormwater on the property will give operators an understanding of how stormwater moves onto, through, and from the property, which will in turn provide valuable information to assist with planning, designing, and installing the appropriate stormwater control measures necessary to meet the permit's requirements regarding erosion and sediment controls, pollution prevention, and stabilization.

VI.3.7 Receiving Waters (Part 6.3(7))

Identifying all receiving waters, including any that are impaired or OAWs, compels operators to develop an understanding of the location of any waters flowing through or near the property where the construction will take place. A visual showing of these waters will provide operators with information necessary to comply with the requirements for impaired waters and OAWs (Parts 3.2.2). Identifying the location of these waters on the site map will also help operators comply with the Erosion and Sediment Control Requirements (Part 3.1.1), particularly those related to buffers, and Pollution Prevention Requirements (Part 3.1.3).

VI.3.8 Control Measures to be used During Construction Activity (Part 6.3(8))

Operators are required to provide in the SWPPP a description of their stormwater control measures used in compliance with Part 3.1 of the permit. For each major activity identified in Part 6.3 a specific list of requirements is included to document compliance with important erosion and sediment control requirements in Part 3.1.1 and to minimize or eliminate non-stormwater discharges.

VI.3.9 Summary of Potential Pollutant Sources (Part 6.3(9))

Pollutants and Pollutant-generating activities at the site. Operators must identify in the SWPPP a list and description of all the pollutant-generating activities (*i.e., pollutant sources*) on the site and, for each pollutant-generating activity, an inventory of pollutants or pollutant constituents associated with that activity, which could be exposed to rainfall, or snowmelt, and could be discharged from the construction site. Examples of pollutant-generating activities include, but are not limited to: paving operations; concrete, paint and stucco washout and waste disposal; solid waste storage and disposal; and dewatering activities. Examples of pollutants include, but are not limited to: sediment, fertilizers, and/or pesticides, paints, solvents, fuels. Departures from the manufacturer's

specifications for applying fertilizers containing nitrogen and phosphorus must be documented in the SWPPP (see Part 3.1.3.5).

The operator should also evaluate where potential spills or leaks could occur that would contribute pollutants to stormwater discharges.

Non-Stormwater Discharges. The permit requires operators to create a list of all non-stormwater discharges expected to be associated with the project, from areas other than construction (*i.e., support activities including stormwater discharges from dedicated asphalt or concrete plants and any other non-construction pollutant sources such as fueling and maintenance operations, materials stored on-site, waste piles, equipment staging yards, etc.*). Documentation in the SWPPP of all non-stormwater discharges from the site provides operators with information that will help them to minimize pollutants in the non-stormwater discharges and to ensure that only allowable non-stormwater discharges occur. Allowable non-stormwater discharges are restricted to only those listed in Part 1.3(2) of the permit.

In addition, construction sites located within 1/4 mile of an impaired water, must identify sources of the pollutants of concern listed on the 303(d) list that may potentially be discharged from the construction site and describe in the SWPPP additional or enhanced control measures necessary to minimize discharges of these pollutants.

Documentation of all pollutants, potential pollutant sources and non-stormwater discharges will assist operators in understanding the potential sources of pollutants so that stormwater control measures can be located and designed in a way that best achieves the required reduction or elimination of the discharge of such pollutants. This requirement assists operators in determining the types of pollutants they should be concerned about, and provides them with sufficient information to comply with the permit's requirements on pollution prevention in Part 3.1.3 of the CGP, which in turn are based on the C&D rule's requirements in 40 CFR 450.21(d) and (e).

VI.3.10 Use of Treatment Chemicals (Part 6.3(10))

The permit requires operators to ensure proper documentation in the SWPPP regarding the presence and use of any polymers, flocculants, or other treatment chemicals at permitted sites. The Department encourages operators to think strategically about where the chemicals are applied and stored to minimize the risk of accidental release. At a minimum, the SWPPP must include:

1. A justification for the need for such chemicals and an assessment of potential water quality impacts. The justification should include a description of how the use of conventional sediment and erosion pretreatment controls will minimize the need to apply treatment chemicals. The SWPPP must also include the specific controls and implementation procedures designed to ensure that the use of cationic treatment chemicals will not lead to a violation of water quality standards;
2. Specific personnel who will be conducting chemical treatments at the site should be properly trained on the storage and use of the specific cationic treatment chemicals and/or chemical treatment systems;
3. A listing of all treatment chemicals to be used at the site, and why the selection of these chemicals is suited to the soil, turbidity, pH, and flow rate characteristics of the site;
4. The dosage of all treatment chemicals you will use at the site or the methodology you will use to determine dosage;
5. Information from any applicable Material Safety Data Sheets (MSDS);

6. Schematic drawings of any chemically-enhanced stormwater controls or chemical treatment systems to be used for application of the treatment chemicals; and
7. References to applicable state or local requirements affecting the use of treatment chemicals, and copies of applicable specifications from the chemical provider or supplier regarding the use of the specific treatment chemicals and/or chemical treatment systems.

VI.3.11 Pollution Prevention Procedures (Part 6.3(11))

The SWPPP must describe procedures that will be followed to prevent and respond to spills and leaks consistent with Part 3.1.3, including:

Spill Prevention and Response Procedures (Part 6.3(11)(a)). Operators are required to include procedures in the SWPPP that will be followed to prevent and respond to spills and leaks consistent with Part 3.1.3.4. A detailed discussion of the purpose for spill prevention and response procedures is presented in Fact Sheet Section III.3.

The existence of a Spill Prevention Control and Countermeasure (SPCC) plan developed for the construction activity under Part 311 of the CWA may be referenced, or spill control programs otherwise required by an NPDES permit for the construction activity, provided that a copy of that other plan is kept onsite.

Note: Even if a SPCC or other spill prevention plan already exists, the plans will only be considered adequate if they meet all of the requirements of this Part, either as part of the existing plan or supplemented as part of the SWPPP.

The purpose for documenting spill prevention and response procedures is to provide the operator an opportunity to develop a response plan for preventing spills from occurring and, if they do occur, a plan for responding to them in order to minimize the potential discharge of any pollutants from the site. The documented procedures also demonstrate compliance with the spill prevention and response procedures in Part 3.1.3 of the permit (Pollution Prevention Requirements) and derive from the C&D rule requirements in 40 CFR 450.21(d)(2) and (e).

Waste Management Procedures (Part 6.3(11)(b)). The SWPPP must include procedures for handling and disposing of all wastes generated at the site, including, but not limited to, clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste.

This requirement demonstrates compliance with the pollution prevention requirements relating to the management of construction wastes. The C&D rule at 40 CFR 450.21(d) requires more specificity in the permit, which is reflected in Part 3.1.3. The 2008 CGP had similar requirements in Part IV.G(1) to "[describe] measures to prevent the discharge of solid materials, including building materials, to waters of the US."

VI.4 Documentation Requirements including Permit Related Records (Part 6.4)

Most of the documentation requirements in this section of the permit are not new. Explanations of some of the requirements with the most specificity are discussed below.

Post-Authorization Additions to SWPPP Part 6.4(1, 2 & 3). Operators are required to include the following documents as part of the SWPPP once notified of coverage under this permit:

1. A copy of this permit (an electronic copy easily available to the stormwater team is also acceptable).

2. A copy of the NOI submitted to ADEQ, including any correspondence exchanged with USEPA related to coverage under this permit;
3. A copy of the authorization certificate received from ADEQ.

This documentation of permit authorization assists facility personnel and ADEQ (and other agency) inspectors in determining that permit coverage has been authorized for the construction site.

Documentation Requirements for Maintenance, Inspections and Corrective Actions Part 6.4(7, 8 & 9). The SWPPP must describe the procedures that will be followed for maintaining stormwater control measures, conducting site inspections, and, where necessary, taking corrective actions, in accordance with Parts 3.1 (General Maintenance Requirements), Part 4 (Inspections), and Part 5 (Control Measures) of the permit. The following information must also be included in the SWPPP:

- Personnel responsible for conducting inspections;
- The inspection schedule the operator will be following, which is based on what schedule option(s)the site is eligible for:
    - If the operator will be conducting inspections in accordance with the routine inspection schedule, the frequency of inspection chosen (7 days, 14 days or once per month, in accordance with Part 4.2(2)(a), (b) or (c)), the location of the rain gauge on the site or the address of the weather station the operator will be using to obtain rainfall data;
    - If the operator will be conducting inspections in accordance with the impaired waters or OAW schedule;
    - If the site qualifies for any of the allowances for reduced inspection frequencies, document whether the operator will be reducing the inspection frequency in accordance with Part 4.2(2) or (4): the beginning and ending dates of the seasonally-defined low rainfall period for the area or the valid period of drought; or the beginning and ending dates of “winter conditions” (site is covered with snow, ice, or frozen ground conditions exist);
- Any inspection or maintenance checklists or other forms that will be used.

This SWPPP documentation is necessary to clarify what is required by inspections, maintenance, and corrective actions and demonstrate compliance with the permit in these areas.

Buffer Documentation (Part 6.4(10)). Construction projects with earth disturbances located within 50 feet of a perennial water are required to comply with Part 3.1.1.5 of the permit. Operators must document how the site complies or where infeasible, document in the SWPPP the alternatives chosen (Part 3.1.1.5(2)). Such documentation will also provide verification that the operator has complied with the permit’s buffer compliance alternatives.

VI.5 SWPPP Updates and Modification Requirements (Part 6.5)

Maintaining an Updated SWPPP (Part 6.5.1)

SWPPPs must be revised whenever a change in design, construction method, operation, maintenance procedure, etc., may affect the discharge of pollutants to surface waters either directly or by way of a conveyance (such as an MS4). These records must include the name of the person authorizing each change (see Appendix B, Subsection 9), a brief summary of all changes and the dates of modifications. This is to ensure that

there is a record of all of the changes to the SWPPP. Keeping a record of such changes will help construction site personnel to stay current with the changes that have been made to the SWPPP, and will allow inspectors to determine if appropriate modifications were made to the SWPPP under the required circumstances.

The SWPPP must also be amended if inspections or investigations by site staff or by local, state or federal officials determine that the SWPPP is ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the construction site.

All necessary modifications to the SWPPP must be made within 7 calendar days following the inspection. If control measures need to be modified or if additional measures are necessary, implementation must be completed consistent with Part 3.1 of the permit.

Conditions Requiring SWPPP Modification. (Part 6.5.2).

Operators are required to modify the SWPPP, including the site map(s), in response to any of the conditions listed in Part 6.5.2. The requirement to maintain an up-to-date SWPPP under any of the seven listed conditions provides assurance that the SWPPP will be updated to accurately reflect the conditions on the construction site. It is important that the SWPPP be accurate in terms of changes to construction plans, stormwater controls, changes in operational control, and other important changes on the site, so that the site personnel have access to a SWPPP that is current, and so that inspectors are provided with accurate site information for compliance purposes.

Certification Requirements. (Part 6.5.3)

All modifications made to the SWPPP consistent with Part 6.5.2 must be authorized, signed and dated by a person identified in the SWPPP and in accordance with Appendix B, Subsection 9. The certification requirements of Appendix B, Subsection 9 are consistent with standard NPDES permit conditions described in 40 CFR 122.22. These requirements are intended to ensure that the operator certifies any SWPPP modifications. The signatory requirement is intended to ensure that the permittee understands their responsibility to create and maintain a complete and accurate SWPPP. Permittees are allowed to appoint an authorized representative consistent with the regulations. Therefore, if an operator feels it is more appropriate for a member of the stormwater team to sign the documentation, that option is available under the permit. The signature requirement includes an acknowledgment that there are significant penalties for submitting false information.

Required Notice to Other Operators. (Part 6.5.4)

If an operator determines that a modification of the SWPPP is required and there are multiple operators covered by a common SWPPP under the permit, Part 6.5.4 requires operators to notify all other operators (“at the address of record in the SWPPP”) who may be impacted by the change to the SWPPP. This requirement ensures that any other operators covered by a joint SWPPP are kept up to date on the SWPPP so that they can comply with the modifications to the pollution prevention plan.

VI.6 Deficiencies in the SWPPP (Part 6.6)

If, at any time during the course of the construction project, ADEQ determines the SWPPP (either in whole or in part) is deficient, the Department will notify the operator of the deficiencies. ADEQ may become aware of deficiencies in the SWPPP through a variety of ways, including reviews of SWPPPs for project located within 1/4 mile of an impaired water or OAW, a site inspection, or a reported complaint. The

operator must revise the SWPPP in response to the Department's notice of deficiency within 15 calendar days.

VI.7 Posting, SWPPP Review and Making SWPPPs Available (Part 6.7)

Posting

A copy of the authorization number or number(s) relating to the project must be conspicuously posted near the main entrance of the site. For linear projects, the notice must be posted at a publicly accessible location near the active part of the construction project *(e.g., where a pipeline project crosses a public road)*.

Make the SWPPP Available

The SWPPP is critical to managing discharges from the project site (as explained in the introduction to Fact Sheet Section VI); hence, a current copy must be on-site whenever construction or support activities are actively underway. This will allow personnel the opportunity to reference the plan at anytime to respond to changing site conditions, storm events, and other situations that may arise. At the time of an on-site inspection by ADEQ, a Federal, state, or local agency (such as the operator of a storm sewer system receiving discharges from the site), the operator must provide the SWPPP for review.

Arizona's Public Records laws (A.R.S Title 39, Chap. 1, Art. 2) allow access to an operator's SWPPP. If a member of the public wishes to have access to portions of the SWPPP, they must first contact the Department in writing. ADEQ will contact the operator and the SWPPP must be provided to ADEQ within 7 calendar days of ADEQ's request. The mechanism for providing ADEQ with a copy is at the discretion of the operator (*i.e., electronic or hard copy*). ADEQ will provide access to the SWPPP with the exception of any qualifying confidential information (as defined in A.R.S. § 49-205). The copy provided by the operator to the Department will remain with ADEQ. All photocopying expenses made from that copy are the responsibility of the person requesting the SWPPP.

Regarding inactive/ unstaffed sites, the 2013 CGP makes allowances for the fact that SWPPPs are generally not kept at inactive and unstaffed sites. However, the SWPPP must still be kept up to date and be made available by the operator identified on the NOI when appropriate site inspections are conducted. Furthermore, the SWPPP must be locally available within the state of Arizona and made available within 48 hours, if requested, when a regulatory inspection is performed by ADEQ or other authority.

VI.8 Procedures for Inspection, Maintenance, and Corrective Action (Part 6.8)

The SWPPP must describe the procedures that will be followed for maintaining stormwater control measures ("general maintenance requirements" – Part 3.1), conducting site inspections (Part 4), and, where necessary, taking corrective actions (Part 5). The permit requires specific information to be included in the SWPPP.

By documenting their procedures for inspections, maintenance activities, and corrective actions, operators demonstrate their compliance with the permit requirements corresponding to general maintenance, inspections and corrective actions. These requirements are more specific than those in the 2008 CGP and are necessary to clarify what SWPPP documentation is required as a result of the modified permit language relating to inspections, maintenance, and corrective actions.

VII. Monitoring

VII.1 Monitoring Program (Part 7.1)

A monitoring program means performing analytical monitoring (i.e., sampling and testing for water quality). Monitoring records must be retained as part of the SWPPP. The monitoring program, or the justification for not having one, must be a part of the SWPPP and submitted along with it to ADEQ for approval.

The operator is only required to implement an analytical monitoring program for those areas of the construction site that discharge directly to or within 1/4 mile of an OAW or impaired water. Analytical monitoring may be discontinued when construction activity within these areas is complete and final stabilization is achieved. For example, a linear project with several discharge points along its length may have only one point of discharge that is within the 1/4 mile distance. The operator is only required to monitor the one discharge point that is within the 1/4 mile distance, until final stabilization is achieved in the area that drains to that discharge point.

The operator must determine if the construction site is located within 1/4 mile of an OAW or impaired water. Sources can be used to determine the status of the waterbody. ADEQ recommends using the SMART NOI which automatically makes this determination. Alternatively, ADEQ provides a web site to help operators determine this: http://gisweb.azdeq.gov/arcgis/emaps/?topic=impaired.

Monitoring may not be required if an operator makes an acceptable demonstration to ADEQ that either there is no potential for a discharge to reach the waterbody of concern or in the case of an impaired water, the pollutant of concern is not expected to be in the discharge. For sites where monitoring is necessary, the Part 7 monitoring requirements must be followed to assure that control measures are adequate to protect these waters.

Operators of construction projects that discharge stormwater to an impaired waterbody must determine whether runoff from the proposed activity is expected to contain pollutants that cause the impairment of the waterbody. If so, control measures must be developed to minimize or eliminate the pollutant, and the pollutant causing the impairment must be monitored.

There may be potential for other pollutants on-site besides those causing the impairment, including metals, chlorine, oil, gasoline, pesticides, etc. Some of these pollutants may not be additions to the construction site, but may be in the on-site soils and prone to increased discharge during site disturbances (in particular metals and pesticides). The operator must consider all pollutants that may be on-site. Of course, operators are not expected to implement control measures for any pollutants that are not in the site soils, non-stormwater discharges, or transported to the site during any construction activity.

If an operator can make the demonstration that there is no reasonable expectation that construction activities would be an additional source of a specific pollutant or pollutants, then analytical monitoring for that/ those parameter(s) will not be required. As part of the demonstration, the operator must consider all on-site activities, as well as the potential for any pollutants (metals, nutrients, etc.) to be present in the on-site soils that will be disturbed.

VII.2 General Requirements (Part 7.2)

For construction sites that will require monitoring of their discharges, including sites located within 1/4 mile of an impaired water or OAW, Part 7.2 sets forth the

minimum requirements for a site-specific monitoring program. Additional provisions of the monitoring plan are required for sites that discharge to an impaired waterbody, namely the identification of the pollutants of concern and the potential sources of these pollutants.

VII.3 Analytical Monitoring Requirements (Part 7.3)

Monitoring Schedule

The climate throughout the state of Arizona is characterized as arid or semi-arid with irregular stormwater runoff. Hence, most construction sites in Arizona are subject to rainfall conditions that occur in fairly discrete periods throughout the year (i.e., the "winter wet season" and the "summer wet season"). In addition, some areas of the state experience freezing conditions that may prevent runoff from occurring for extended periods. ADEQ has established winter and summer wet seasons for monitoring in the permit that adapts to these conditions.

In areas where freezing conditions exist, the required monitoring and sample collection may be distributed during times when precipitation runoff, either as melting snow or rain mixed with melting snow, occurs.

The operator has the flexibility to sample during any storm event that produces a discharge, either as stormwater or snowmelt, which exits the construction site by way of a discharge point in sufficient quantity to allow for sample collection and analysis.

Monitoring Locations

All operators who are required to monitor must sample at least one of their discharge points. Operators of very large construction sites with 5 or more discharge locations are not required to sample every known discharge point in the affected area. For sites with 20 or more discharge locations, only 10% (rounded to the nearest whole number) of the discharge locations are required for sampling. Operators of sites with 4 or less discharge points are required to sample only one and sites with 5 to 19 sites require only two samples. These samples must be collected from points that are representative of stormwater discharges from the site.

Analytical Monitoring Parameters

For projects discharging to a waterbody listed as impaired, the operator must perform analytical monitoring (water quality sampling) for the parameters for which it is impaired. Where the construction site is adjacent to or otherwise discharges directly to an OAW, the operator shall sample for turbidity both immediately upstream and downstream of each discharge point. If the site discharges to the OAW at two or more locations, the operator may sample at one upstream discharge point and the other at the farthest downstream discharge point in the stream.

Operators discharging into waterbodies that are listed for turbidity or suspended sediment concentration on the most recent USEPA-approved 303(d) list or that have an established TMDL for turbidity or suspended sediment concentration must collect and analyze samples for turbidity in stormwater runoff upstream and downstream of the construction site and compare the results. The turbidity value is used to indicate if control measures are effective; it is not used for comparison to a water quality standard. If the turbidity value increases 25% or more from the upstream sampling location to the downstream sampling location (or for a lake, in the area of impact), then the operator must evaluate the control measures and the adequacy of the SWPPP and take corrective actions.

Construction sites must be monitored for turbidity that discharge to or within 1/4 mile of an OAW. The operator shall compare turbidity values from the two instream locations. If there is a 25% or greater increase at the downstream monitoring location, turbidity of the stormwater discharge(s) from the construction site shall be measured to determine the site's contribution. The operator shall evaluate and replace, maintain, or install additional control measures as necessary to minimize sediment discharge.

Sampling and Analysis Plan

Analytical sampling and monitoring requirements in the permit are specified in the Sampling and Analysis Plan (SAP) section. The SAP is part of the monitoring plan. Analytical sampling and monitoring includes a sampling plan that describes, where applicable, chemical, biological, and physical parameters that will be monitored, monitoring locations, frequency of sample collection, how samples will be collected and analyzed, tracking and handling. The sampling plan should include Standard Operating Procedures (SOPs) to ensure consistency in sample collection procedures. In addition, permittees are expected to calibrate, operate and maintain their monitoring equipment in accordance with manufacturer's recommendations. Collectively, this document is known as a SAP and the one required by the permit is a very basic model commonly used by industry. Only the revised, ADEQ-approved sampling plan and the Department's approval of the SAP need to be included with the SWPPP.

The SAP must be retained as part of the SWPPP, either as a separate section or as an appendix and must include at a minimum:

1. Sample collection, preservation, tracking, and handling information;
2. Monitoring equipment;
3. A description of analytical methods used; and
4. Records.

VIII. Fees, Reporting and Recordkeeping (Part 8)

This part of the permit briefly describes the requirements for payment of the initial and annual AZPDES water quality protection services fees as well as information pertaining to submittal and retention of monitoring data. Operators that are required to monitor, in accordance with Part 7 of the permit, must submit data annually to ADEQ on a Discharge Monitoring Report (DMR) form supplied by the Department. Note that if a site is not required to monitor, there is no requirement to submit a DMR. Review Part 7 of the permit and section VII of this Fact Sheet to determine whether or not a construction site is required to monitor.

IX. Appendices

IX.A Definitions and Acronyms (Appendix A)

Appendix A of the permit includes definitions of terms and a list of acronyms used throughout the permit.

IX.B Standard Permit Conditions (Appendix B)

Appendix B includes the standard AZPDES permit conditions, which are consistent with 40 CFR 122.41 and were also part of the 2003 and 2008 CGPs.

X Applicable Forms

All forms briefly described below are available for download at http://www.azdeq.gov/environ/water/permits/cgp.html .

X.1 NOI Form

The operator must complete the NOI form provided by ADEQ or on the Smart NOI system before coverage under the 2013 CGP is authorized. All information on the form must be provided. Incomplete NOIs will be returned. See Parts 2.2 and 2.3 of the permit and Fact Sheet Sections II.2.2 and II.2.3 for more information about the intent and use of this form.

X.2 NOT Form

A Notice of Termination form is required to terminate coverage under the 2013 CGP. See Part 2.5 of the permit and Fact Sheet Section II.2.5 for more information about the intent and use of this form.

X.3 Inspection Report Form

Operators are now required to use either the ADEQ-standardized form or one the operator creates. Regardless of which approach the operator takes, the inspection report form must provide consistent content and format that documents the results of each inspection. Electronic forms, including online databases are acceptable; provided that these formats document all of the inspection-related information required by the 2013 CGP. Operators may supplement the inspection report form with additional information, forms or drawings, as necessary. See Part 4.4 of the permit and Fact Sheet Section IV.4 for more information about the content and use of this form.

X.4 Annual Reporting Form

The Annual Report is a new requirement. Part 8.2 requires permittees with construction sites that discharge directly to or within 1/4 mile of an impaired water or OAW to submit an annual report using the Annual Report Form provided by the Department. This form asks for general information about the project, summary findings from inspections, a description of corrective actions taken and the status of follow-up repairs, or installments of new control measures. Use of this ADEQ-standardized form establishes a consistent reporting format for operators.

X.5 Discharge Monitoring Report Form

The purpose of submitting monitoring data is to document stormwater quality and identify potential water quality concerns to ADEQ. Monitoring data should be submitted using the discharge monitoring report (DMR) form that is provided by ADEQ.

Attachment 4 – Construction General Permit Notice of Intent

NOTICE OF INTENT (NOI)

for Construction Activity Discharges

to Waters of the United States under the AZPDES Stormwater Construction General Permit (AZG2013-001)

FOR COVERAGE, A COMPLETE AND ACCURATE NOI (INCLUDING REQUIRED FEE) MUST BE SUBMITTED TO:
Arizona Department of Environmental Quality, Surface Water Section / Stormwater and General Permits Unit
1110 West Washington Street, 5415A-1, Phoenix, Arizona 85007

Is this NOI a revision to a project filed under the 2013 AZPDES Stormwater Construction General Permit? _____YES _____NO If Yes, complete the following:

- Provide your current authorization number: AZCON - _____
- Provide the name of the project / site in Part II below. You do not need to complete the entire form. Provide only the information that is being changed from the original NOI.
- Complete the certification in Part VI (including signature of authorized signer).

(ADEQ Use Only)
Authorization Number:

Is the site located on Indian Country Lands?

_____ YES _____ NO

I. OPERATOR (Applicant) INFORMATION:

- Contact Name: _____ Phone Number: _____
- E-mail address: _____ Fax Number: _____
- Operator's Business Name: _____
- Operator's Mailing Address: _____
- City: _____ State: _____ Zip Code: _____
- Business Status: Federal: ____ State: ____ Other Public: ____ Private: ____ Other: ____

II. CONSTRUCTION ACTIVITY INFORMATION:

- Project/Site Name: _____
- Site physical location (Provide address. If no address, provide driving directions from nearest municipality):

  _____

  _____
- City: _____ State: **AZ** Zip Code: _____ County: _____
- County Parcel No. (at main entrance): _____ Phone Number: _____
- Type of Project (subdivision, commercial, road, pipeline, utility, ADOT project, etc.): _____

II. CONSTRUCTION ACTIVITY INFORMATION *(continued)*

- Estimated Project Start Date:_____ Estimated Project Completion Date: _____
  Month/Day/Year Month/Day/Year
- Is the project part of a larger common plan of development? _____YES _____NO
- Estimate of total acres (to nearest whole acre) to be disturbed by the entire construction activity:_____
- Estimate of total acres (to nearest tenth of an acre, if <1) to be disturbed by your operations:_____

III. DISCHARGE LOCATION

- Provide the latitude and longitude of the construction site at the point nearest the receiving water (natural water course):

  Latitude: |__ı__|° |__ı__|' |__ı__| . |_____|" Longitude: |__ı__ı__|° |__ı__|' |__ı__| . |_____|"
  (Degrees, minutes, seconds) (Degrees, minutes, seconds)
- Identify the closest receiving water to the construction site (e.g., dry washes, named and unnamed waterbodies, etc.):

  _____
- Is there a potential for any discharges from the site to enter a municipal separate storm sewer system (MS4), canal, or a privately owned conveyance? _____YES _____ NO

  If yes, enter the name of the MS4, canal, or conveyance owner: _____
- Is the site located within 2.5 miles of a perennial or intermittent water? _____YES _____ NO

IV. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A SWPPP must be developed in accordance with the terms of the general permit before completing and submitting this NOI.

- ____ I confirm that a SWPPP meeting the requirements of the Stormwater Construction General Permit (No. AZG2013-001) has been developed and will be implemented prior to commencing construction activities at this site. The SWPPP will be located at the site during construction activities. If this is a late NOI, a SWPPP has been developed and implemented prior to submitting this NOI.
- When construction activities are not actively underway, the SWPPP will be available at the following location:

  _____
- Name of SWPPP Contact Person: _____
- Telephone Number of SWPPP Contact Person: _____
- Is the site located within 1/4 mile of an Impaired or Outstanding Arizona Water: _____ YES _____NO

  ____ If yes, a copy of my SWPPP is included with this NOI for review by ADEQ.

V. PERMITTING FEE SCHEDULE (AZPDES fees are set in Arizona Administrative Code, R18-14-109)

____ I confirm that the correct fee payment is included with the NOI:

- ____ Less than or equal to I acre: $250.00 *****
- ____ Greater than 1 acre, but less than or equal to 50 acres: $350.00
- ____ Greater than 50 acres: $500.00
- ____ Review of SWPPP by ADEQ, if required (see section IV above): add $1,000.00

Total fee payment included: $_____

____ No fee is required. The signer below represents an Arizona state agency (exempt from AZPDES fees).

____ No fee is required. This is an amendment of an NOI previously filed under the 2013 Stormwater Construction General Permit, for which the fee was paid or not required.

* *(If the project will disturb less than one acre, Stormwater Construction General Permit coverage is required only if the project is part of a larger common plan of development or sale that will ultimately disturb one acre or more.)*

VI. CERTIFICATION BY AUTHORIZED SIGNATORY (see Appendix B.9 of the General Permit for requirements)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision, in accordance with a system designed to ensure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage this system, or those persons directly responsible for gathering the information, I believe the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, as the operator, I certify that I have reviewed and will comply with all the terms and conditions stipulated in the Stormwater Construction General Permit (AZG2013-001)."

- Printed Name: _____ Title: _____
- Signature: _____ Date: _____
- E-mail: _____ Phone: _____
- Business Name: _____
- Address: _____
- City: _____ State: _____ Zip Code: _____

Attachment 5 – Typical Construction BMPs *(Courtesy of EPA)*

10 Steps to Stormwater Pollution Prevention on Small Residential Construction Sites

Stormwater management on small residential construction sites need not be complicated.

1 Protect Any Areas Reserved for Vegetation or Infiltration and Preserve Existing Trees

If you will be installing infiltration-based features such as rain gardens or bioswales, make sure these areas are designated as off limits to avoid compaction.

Save time and money by preserving existing mature trees during construction. Preserving mature trees minimizes the amount of soil that needs to be stabilized once construction is complete, and minimizes the amount of runoff during and after construction activity.

2 Stockpile Your Soil

EPA's CGP requires operators to preserve native topsoil on site unless infeasible and protect all soil storage piles from run-on and runoff. For smaller stockpiles, covering the entire pile with a tarp may be sufficient.

3 Protect Construction Materials from Run-On and Runoff

At the end of every workday and during precipitation events, provide cover for materials that could leach pollutants.

4 Designate Waste Disposal Areas

Clearly identify separate waste disposal areas on site for hazardous waste, construction waste, and domestic waste by designating with signage, and protect from run-on and runoff.

5 Install Perimeter Controls on Downhill Lot Line

Install perimeter controls such as sediment filter logs or silt fences around the downhill boundaries of your site.

6 Install Inlet Controls

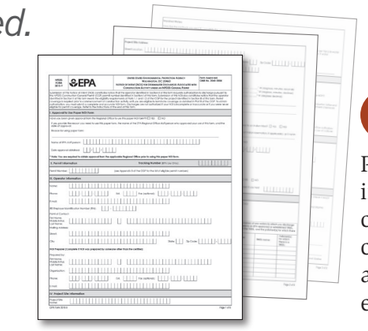
Sediment control logs, gravel barriers, and sand or rock bags are options for effective inlet controls. Make sure to remove accumulated sediment whenever it has reached halfway up the control.

7 Install a Concrete/Stucco Washout Basin

Designate a leak-proof basin lined with plastic for washing out used concrete and stucco containers. Never wash excess stucco or concrete residue down a storm drain or into a stream!

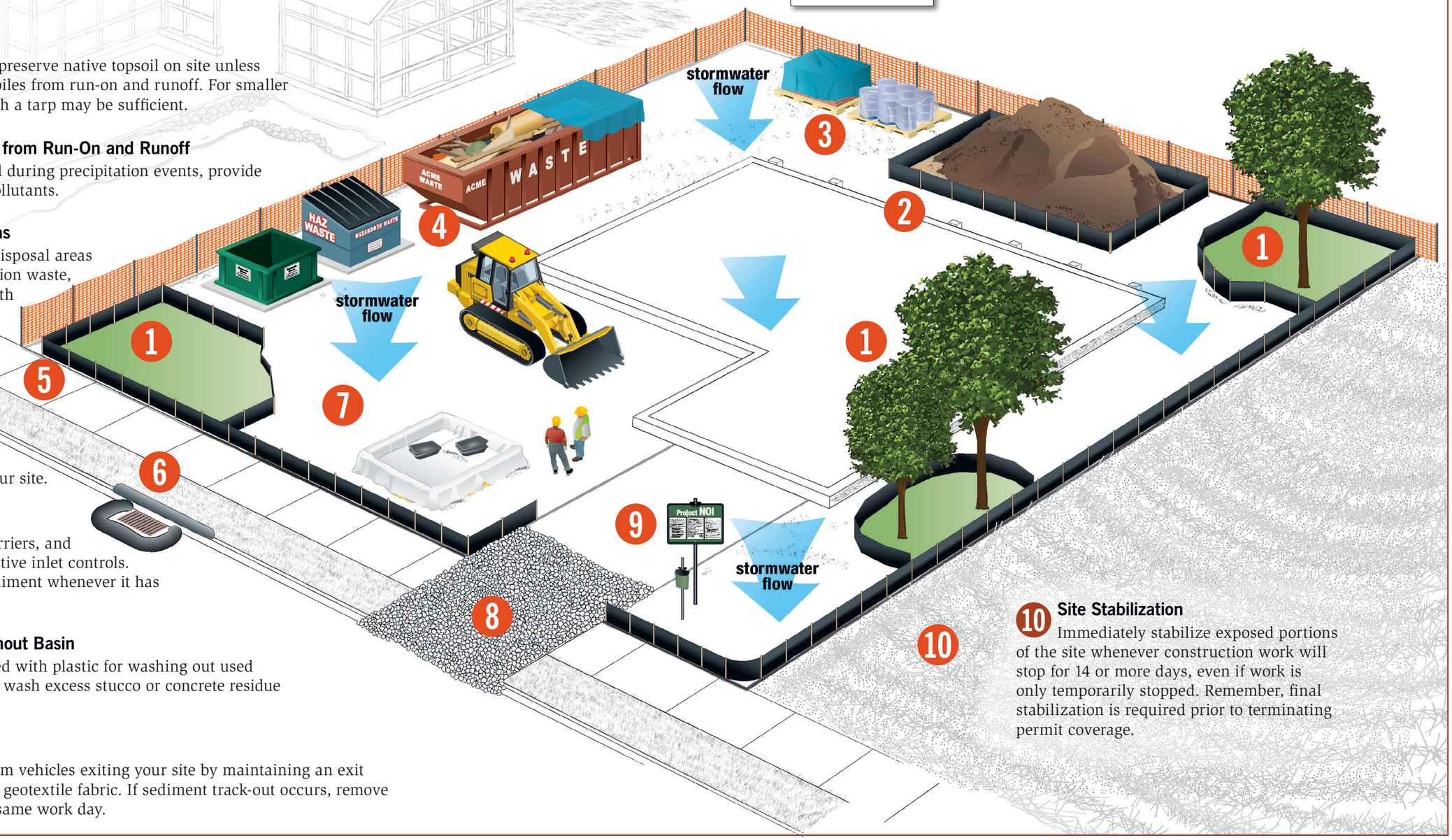
8 Maintain a Stabilized Exit Pad

Minimize sediment track-out from vehicles exiting your site by maintaining an exit pad made of crushed rock spread over geotextile fabric. If sediment track-out occurs, remove deposited sediment by the end of the same work day.



9 Post Your NOI and Keep an Up-to-Date Copy of Your SWPPP on Site

Post a sign or other notice of your permit coverage, including your NPDES tracking number and site contact information. Also, keep a copy of your complete and up-to-date SWPPP on site and easily accessible, including site maps showing where each BMP is or will be installed.



10 Site Stabilization

Immediately stabilize exposed portions of the site whenever construction work will stop for 14 or more days, even if work is only temporarily stopped. Remember, final stabilization is required prior to terminating permit coverage.

SECTION 2: EROSION AND SEDIMENT CONTROL BMPS

Instructions:

- Describe the BMPs that will be implemented to control pollutants in stormwater discharges. For each major activity identified, do the following
  - ✓ Clearly describe appropriate control measures.
  - ✓ Describe the general sequence during the construction process in which the measures will be implemented.
  - ✓ Describe the maintenance and inspection procedures that will be used for that specific BMP.
  - ✓ Include protocols, thresholds, and schedules for cleaning, repairing, or replacing damaged or failing BMPs.
  - ✓ Identify staff responsible for maintaining BMPs.
  - ✓ (If your SWPPP is shared by multiple operators, indicate the operator responsible for each BMP.)
- Categorize each BMP under one of the following 10 areas of BMP activity as described below:
  - *2.1 Minimize disturbed area and protect natural features and soil*
  - *2.2 Phase Construction Activity*
  - *2.3 Control Stormwater flowing onto and through the project*
  - *2.4 Stabilize Soils*
  - *2.5 Protect Slopes*
  - *2.6 Protect Storm Drain Inlets*
  - *2.7 Establish Perimeter Controls and Sediment Barriers*
  - *2.8 Retain Sediment On-Site and Control Dewatering Practices*
  - *2.9 Establish Stabilized Construction Exits*
  - *2.10 Any Additional BMPs*
- Note the location of each BMP on your site map(s).
- For any structural BMPs, you should provide design specifications and details and refer to them. Attach them as appendices to the SWPPP or within the text of the SWPPP.
- For more information, see *SWPPP Guide*, Chapter 4 and EPA's CGP Part 3, Subparts 3.3.B.2 and 3.4.A-D, and Part 4, Subpart 4.5.
- Consult your state's design manual or one of those listed in Appendix D of the *SWPPP Guide*.
- For more information or ideas on BMPs, see EPA's National Menu of BMPs http://www.epa.gov/npdes/stormwater/menuofbmps

2.1 Minimize Disturbed Area and Protect Natural Features and Soil

Instructions:

- Describe the areas that will be disturbed with each phase of construction and the methods (e.g., signs, fences) that you will use to protect those areas that should not be disturbed. Describe natural features identified earlier and how each will be protected during construction activity. Also describe how topsoil will be preserved. Include these areas and associated BMPs on your site map(s) also. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 1.)
- Also, see EPA's *Preserving Natural Vegetation BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/perserve_veg

Existing Vegetation

***BMP Description*:** The preserved area of existing vegetation, as identified on the site map, will be surrounded by a temporary orange colored plastic mesh fence and all trees on the perimeter of the protected area will be marked with a brightly colored ribbon. The fencing will be at least 3 feet tall and have openings not larger than 2 inches by 2 inches. Support posts for the temporary fence will be a minimum of 4.5 feet and driven a minimum of 18 to 20 inches in the ground. Posts will be spaced a maximum of 6 feet apart. The temporary fencing will be installed at the drip/spread line of the trees and undergrowth vegetation to be protected. Vehicles and equipment will be kept away from the protected area.

***Installation Schedule*:**	The preserved area of existing vegetation will be surrounded with the orange-colored plastic mesh fence, and trees will be marked before construction begins at the site.
Maintenance and Inspection:	The area will be inspected weekly to ensure the temporary fence is intact and the trees are clearly marked. During construction, preserved areas of existing vegetation will be surrounded by the orange-colored mesh fence and clearly marked at all times.
Responsible Staff:	RBI Development

Topsoil

BMP Description: Topsoil stripped from the immediate construction area will be stockpiled as identified on the site map (See Appendix B). The stockpiles will be in areas that will not interfere with construction phases and at least 15 feet away from areas of concentrated flows or pavement. The slopes of the stockpile will be roughened by equipment tracking and will not exceed 2:1 to prevent erosion. A silt fence will be installed around the perimeter of each stockpile, in accordance with the silt fence design specifications in Section 2, Part 2.7. Stockpiles will also be temporarily stabilized with erosion controls as described in Section 2, Part 2.4.

Installation Schedule:	Topsoil stockpiles will be established during grading activities. The silt fence and temporary erosion controls will be installed immediately after the stockpile has been established.

Maintenance and Inspection:	The area will be inspected weekly for erosion and immediately after storm events. Areas on or around the stockpile that have eroded will be stabilized immediately with erosion controls. Maintenance and inspection procedures for the silt fence are described in Section 2, Part 2.7.
Responsible Staff:	RBI Development

2.2 Phase Construction Activity

Instructions:

- Describe the intended construction sequencing and timing of major activities, including any opportunities for phasing grading and stabilization activities to minimize the overall amount of disturbed soil that will be subject to potential erosion at one time. Also, describe opportunities for timing grading and stabilization so that all or a majority of the soil disturbance occurs during a time of year with less erosion potential (i.e., during the dry or less windy season). (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 2.) It might be useful to develop a separate, detailed site map for each phase of construction.
- Also, see EPA's *Construction Sequencing BMP Fact Sheet* at http://www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_seq)

BMP Description: Because of the relatively small project area (20 acres) and the need to grade and install roads before building construction begins, it is not practical to perform phased grading at this site. To minimize potential erosion, only areas necessary to construct the construction exits, access road for the sediment basin and the sediment basin will be disturbed initially. These areas will be cleared, grubbed, and graded and the construction exits, access road and sediment basin will be installed. These areas will be stabilized with erosion controls immediately after construction but no later than 14 days after construction. Overall grubbing, clearing, and grading is planned to occur in late May and June during a time of the year with less rainfall to limit erosion from the site. Areas disturbed during this period will be stabilized with hydromulch or other erosion controls immediately after construction but no later than 14 days after construction ceases (see Section 2, Part 2.4).

Installation Schedule:	For a timeline of construction activity, see Section 1.3.
Responsible Staff:	RBI Development

2.3 Control Stormwater Flowing onto and through the Project

Instructions:

- Describe structural practices (e.g., diversions, berms, ditches, storage basins) including design specifications and details used to divert flows from exposed soils, retain or detain flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 3.)

Earth Dike

BMP Description: A permanent earth dike will be constructed horizontally along the uphill perimeter of the northern slope, as detailed on the site map, to convey stormwater to the sediment basin. The dike will be constructed of compacted soil and have a top width of 4 feet, a height of 2 feet and 2:1 side slopes. A stabilized channel (1 foot in depth and 3 feet wide) will be installed at the bottom of the uphill side of the dike to convey runoff to the sediment basin. A riprap spillway will be installed in the channel to dissipate water velocity before discharging to the sediment basin. The dike will be permanently stabilized by hydroseeding and mulching to prevent erosion and damage immediately after construction. The earth dike will remain as a permanent stormwater structure after construction is complete. For design specifications, see Figure 1.

Installation Schedule:	The dike and channel will be installed before infrastructure construction begins at the site.
Maintenance and Inspection:	The dike will be inspected weekly and after storm events for erosion damage and structural failures. The dike will be maintained at its original height and repaired if the original height decreases. If seeding and mulching fails or is washed away, the dike will be reseeded and re-mulched. Any erosion damage or structural failures will be repaired immediately. Accumulated sediments will be removed from the channel when one-third of the height of the channel is reached. Removed sediments will be hauled off-site for disposal at Springfield Landfill.
Responsible Staff:	RBI Development

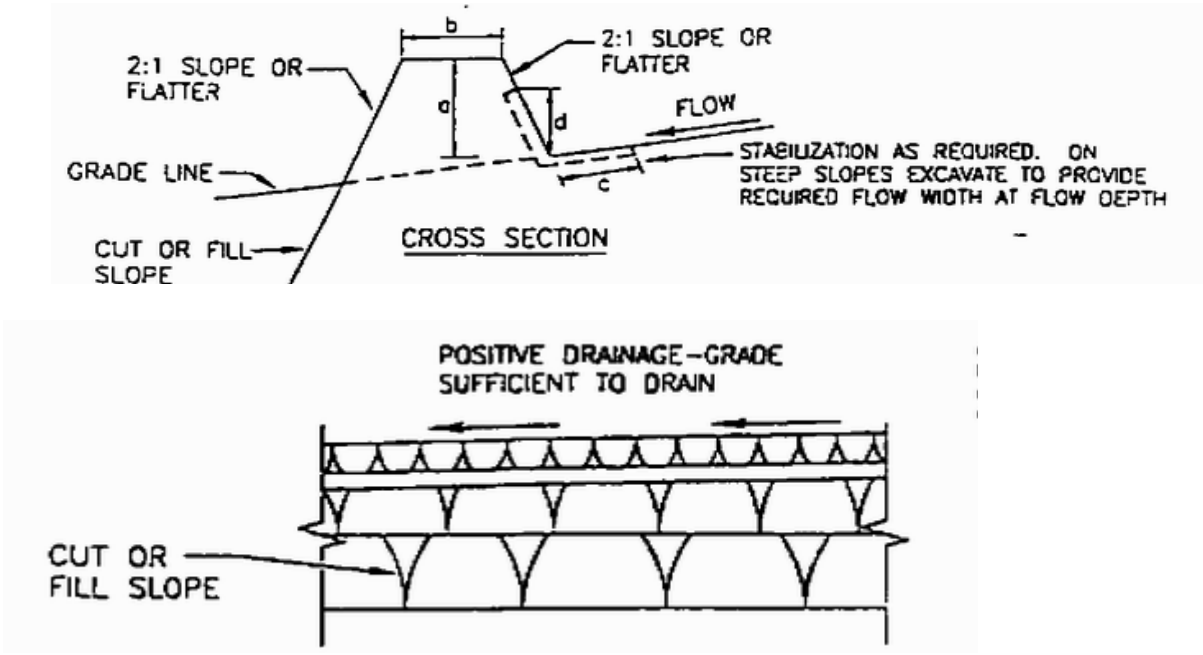


Figure 1. Earth dike

Design Specifications

1. The earth dike will be compacted by earth-moving equipment.
2. The earth dike will have positive drainage.
3. The earth dike will have a width of 4 feet, a height of 2 feet, and 2:1 side slopes.
4. A stabilized channel (1 foot in depth and 3 feet wide) will be installed at the uphill side of the earth dike to convey runoff to the sediment basin.

Vegetated Swale

***BMP Description*:** A vegetated swale will be installed between housing lots B1-B8 and B9–A16, as detailed on the site map. The swale will convey runoff to a storm drain inlet, southwest of lot A12. The swale will have side slopes (2:1), and the slopes and bottom of the swale will be seeded, mulched, and stabilized using erosion control blankets to allow vegetation to be established. Fiber roll check dams will be installed along the vegetated swale. The rolls will consist of rolled tubes of erosion control blankets (8 inches in diameter) and bound at each end with jute-type twine. The rolls will be placed along the swale in 6-foot intervals and staked into the ground using wooden stakes (24 inches long) 3 feet apart. The vegetated swale will remain as a permanent stormwater structure after construction is complete. For design specifications, see Figure 2.

***Installation Schedule*:**	The vegetated swale will be installed after clearing and grubbing operations are completed at the site.

***Maintenance and Inspection*:**	The swale will be inspected weekly and immediately after storm events for erosion and structural failures. Before vegetation has been established in the swale, inspect erosion control blankets, embankments, and beds for erosion and accumulation of debris and sediment. Remove debris, sediment, and repair erosion control blankets, fiber rolls and embankments immediately.
***Responsible Staff*:**	RBI Development

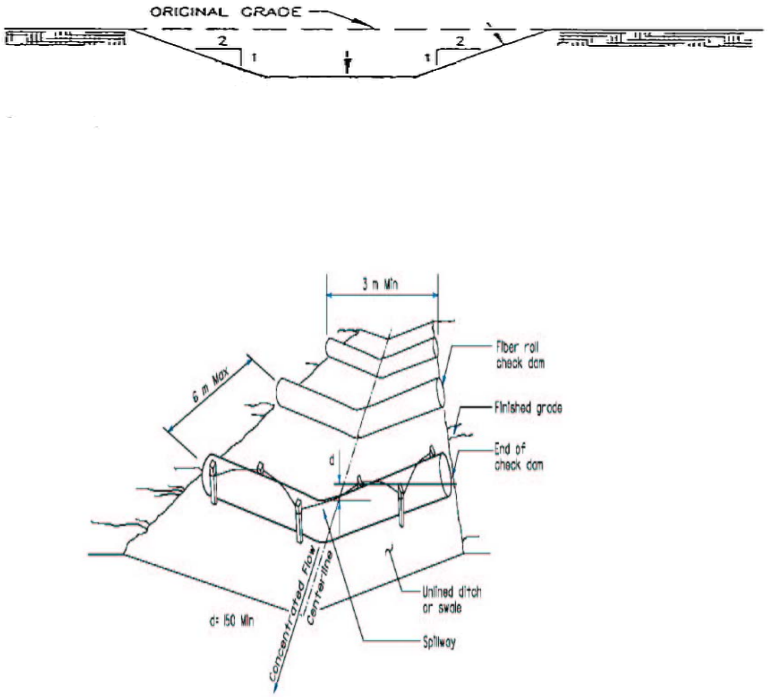


Figure 2. Vegetated swale

Design Specifications

1. The swale will have side slopes of 2:1.
2. The channel will be lined with erosion control blankets.
3. Fiber roll check dams will be placed along the swale in 6-foot intervals.
4. The swale will have a positive drainage to convey runoff to the storm drain inlet.

2.4 Stabilize Soils

Instructions:

- Describe controls (e.g., interim seeding with native vegetation, hydroseeding) to stabilize exposed soils where construction activities have temporarily or permanently ceased. Also describe measures to control dust generation. Avoid using impervious surfaces for stabilization whenever possible. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 4, EPA's CGP Part 3, Subpart 3.13.D.)
- Also, see EPA's *Seeding BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/seeding

Temporary Stabilization

BMP Description: Temporary vegetative cover will be established using hydroseeding for areas of exposed soil (including stockpiles) where construction will cease for more than 14 days and seeded surfaces. Hydroseeding will consist of wood fibers, seed (Smooth Brome), fertilizer, and stabilizing emulsion and applied at a rate of 8 pounds per acre. Seeding will be conducted during periods of the year when vegetation is more likely to be established.

☐ *Permanent*	☒ *Temporary*
Installation Schedule:	Temporary stabilization measures will be applied to portions of the site where construction activities will temporarily cease for more than 14 days.
Maintenance and Inspection:	Stabilized areas will be inspected weekly and after storm events until a dense cover of vegetation has become established. If failure is noticed at the seeded area, the area will be reseeded, fertilized, and mulched immediately.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

Mulching

BMP Description: Hydromulching will provide immediate protection to exposed soils during short periods of construction. Hydromulch will also be applied in areas that have been seeded for temporary or permanent stabilization. Straw mulch and wood fibers will be mixed with a tackifier (amount specified per manufacturer's instructions) and applied uniformly by machine with an application rate of 90–100 pounds (2–3 bales) per 1,000 square feet or 2 tons (100–200 bales) per acre. If the tackifier does not appear effective in anchoring the mulch to the disturbed soil, crimping equipment will be used to provide additional binding to the soil. The mulch will cover 75 to 90 percent of the ground surface.

Installation Schedule:	Hydromulch will be applied to exposed soils during short periods of construction and seeded areas.
Maintenance and Inspection:	Mulched areas will be inspected weekly and after storm events to check for movement of mulch or erosion. If washout, breakage, or erosion occurs, the surface will be repaired, and new mulch will be applied to the damaged area.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

Permanent Stabilization

BMP Description: Permanent stabilization will be done immediately after the final design grades are achieved but no later than 14 days after construction ceases. Native species of plants will be used to establish vegetative cover on exposed soils. Permanent stabilization will be completed in accordance with the final stabilization procedures in Section 7.

☒ ***Permanent***	☐ ***Temporary***
Installation Schedule:	Portions of the site where construction activities have permanently ceased will be stabilized, as soon as possible but no later than 14 days after construction ceases.
Maintenance and Inspection:	All seeded areas will be inspected weekly during construction activities for failure and after storm events until a dense cover of vegetation has been established. If failure is noticed at the seeded area, the area will be reseeded, fertilized, and mulched immediately. After construction is completed at the site, permanently stabilized areas will be monitored until final stabilization is reached.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

Dust Control

BMP Description: Dust from the site will be controlled by using a mobile pressure-type distributor truck to apply potable water to disturbed areas. The mobile unit will apply water at a rate of 300 gallons per acre and minimized as necessary to prevent runoff and ponding.

Installation Schedule:	Dust control will be implemented as needed once site grading has been initiated and during windy conditions (forecasted or actual wind conditions of 20 mph or greater) while site grading is occurring. Spraying of potable water will be performed no more than three times a day during the months of May–September and once per day during the months of October–April or whenever the dryness of the soil warrants it.
Maintenance and Inspection:	At least one mobile unit will be available at all times to distribute potable water to control dust on the project area. Each mobile unit will be equipped with a positive shutoff valve to prevent over watering of the disturbed area. For vehicle and equipment maintenance practices, see Section 3, Part 3.4.
Responsible Staff:	RBI Development

2.5 Protect Slopes

Instructions:

- Describe controls (e.g., erosion control blankets, tackifiers) including design specifications and details that will be implemented to protect all slopes. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 5.)
- Also, see EPA's *Geotextiles BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/geotextiles

Geotextile Erosion Control Blanket

BMP Description: Geotextile erosion control blankets will be used to provide stabilization for the slopes in the vegetated swale and sediment basin. The blanket will cover the entire area of the graded slope and bottom channel. The bottom and side slopes will be seeded and mulched before the blanket is applied. The blanket will be installed by digging a small trench on the upside of the slope, 12 inches wide by 6 inches deep, and stapling the leading edge of the blanket in the trench. The blanket will be rolled down the slope slowly to maintain soil contact and stapled in 12-inch intervals. If the blanket cannot cover the entire slope, the blankets will be overlapped (minimum of 2 inches) and stapled at the overlapped edge. The erosion control blanket will always be installed according to the manufacturer's instructions and specifications. For design specifications, see Figure 3.

Installation Schedule:	The erosion control blankets will be installed once the slopes of the vegetated swale and sediment basin have reached final grade.
Maintenance and Inspection:	The erosion control blanket will be inspected weekly and immediately after storm events to determine if cracks, tears, or breaches have formed in the fabric; if so, the blanket will be repaired or replaced immediately. Good contact with the soil will be maintained and erosion will not occur under the blanket. Any areas where the blanket is not in close contact with the ground will be repaired or replaced.
Responsible Staff:	RBI Development

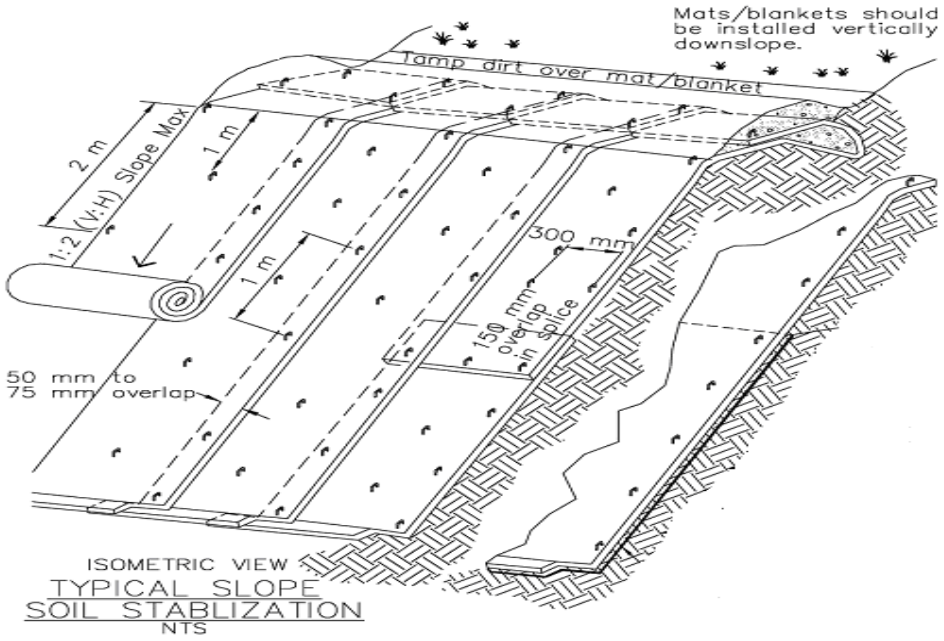


Figure 3. Erosion control blanket

Design Specifications

1. Slope surface will be free of rocks, clods, sticks and grass. The blankets will have good soil contact.
2. Lay blankets loosely and staple to maintain direct contact with the soil. Do not stretch.
3. Install per manufacturer's recommendations.

2.6 Protect Storm Drain Inlets

Instructions:

- Describe controls (e.g., inserts, rock-filled bags, or block and gravel) including design specifications and details that will be implemented to protect all inlets receiving stormwater from the project during the entire project. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 6.)
- Also, see EPA's *Storm Drain Inlet Protection BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/storm_drain

Storm Drain Inlet in the Vegetated Swale

BMP Description: Fiber rolls will be installed around the perimeter of the storm drain inlet (see inset 1 site map). The rolls will consist of rolled tubes of erosion control blankets (8 inches in diameter) and bound at each end with jute-type twine. The rolls will be installed in shallow trenches dug 2–4 inches below ground surface and staked into the ground using wooden stake (24 inches long) 3 to 4 feet apart. For design specifications of fiber rolls, see Section 2, Part 2.7.

Installation Schedule:	The fiber rolls and check dams will be installed once the swale has erosion control blankets in place and has been stabilized.
Maintenance and Inspection:	The fiber rolls will be inspected weekly and immediately after storm events to replace or repair split, torn, unraveled or slumping rolls. Accumulated sediment will be removed when accumulation reaches one-third the height of the fiber roll. The removed sediment will be hauled off-site and disposed of at Springfield Landfill.
Responsible Staff:	RBI Development

Storm Drain Inlet Protection before Paving

BMP Description: A silt fence barrier will be constructed around all storm drain inlets except the storm drain inlet in the vegetated swale. The silt fence barrier will be installed by excavating a 12-inch-deep trench around the storm drain inlet. Wooden posts supporting the silt fence will be spaced 2 to 3 feet apart and driven securely into the ground; a minimum of 18 to 20 inches deep. The bottom edge of the silt fence will extend across the bottom of the trench and the trench will be backfilled and compacted to prevent stormwater and sediment from discharging underneath the silt fence. For design specifications, see Figure 4.

Installation Schedule:	Once the storm drain inlets have been installed on-site, the silt fences will be immediately placed around the inlets. The sediment fences surrounding the six storm drain inlets on the main road will be removed and replaced with gravel bag barriers once the pavement subgrade has been applied.
Maintenance and Inspection:	For maintenance and inspection procedures for the silt fence, see Section 2, Part 2.7.
Responsible Staff:	RBI Development

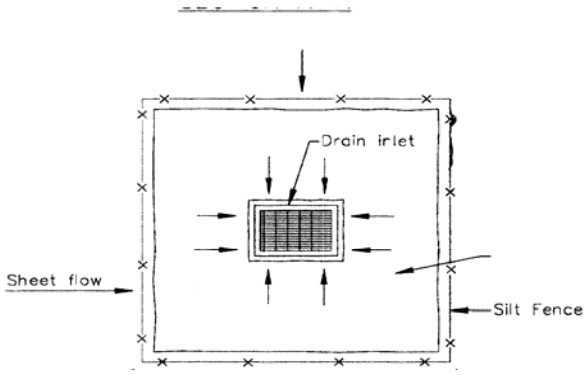


Figure 4. Silt fence storm drain inlet protection

Design Specifications

1. The silt fence will be constructed long enough to extend across the expected flow path.
2. The support posts will be a minimum of 4.5 feet and driven a minimum of 18 to 20 inches in the ground. Posts will be spaced a maximum of 6 feet apart. Fabric will be securely fastened to posts with half-inch staples or 16-gauge wire ties spaced a maximum of 6 inches.
3. A 12-inch trench will be excavated along the uphill side of the silt fence posts. The bottom edge of the fabric will extend across the bottom of the trench. The trench will be backfilled to 4 inches above ground and compacted to bury and secure the bottom of the filter fabric

Storm Drain inlet protection after Road Paving

BMP Description: Gravel bag barriers made of woven geotextile fabric will be installed around the six storm drain inlets on Johnson Loop. The barriers will be installed at minimum height of two bags and maintain a spillway with a height of one bag. For design specifications, see Figure 5.

Installation Schedule:	The barriers will be installed around the six inlets along the road once the pavement subgrade has been applied. The gravel bag barriers will be removed before final pavement activities begin.
Maintenance and Inspection:	Inspect all barriers weekly and immediately after storm events for holes, tears, and snags. Check gravel bags for proper arrangement and displacement. Remove accumulated sediment when it reaches one-third the height of the barrier. Removed sediments will be hauled off-site to Springfield Landfill. Make repairs immediately to the fabric barrier if the barrier has been damaged. The anticipated life span of the gravel bag barriers is 3 months and will likely need to be replaced after this time span.
Responsible Staff:	RBI Development

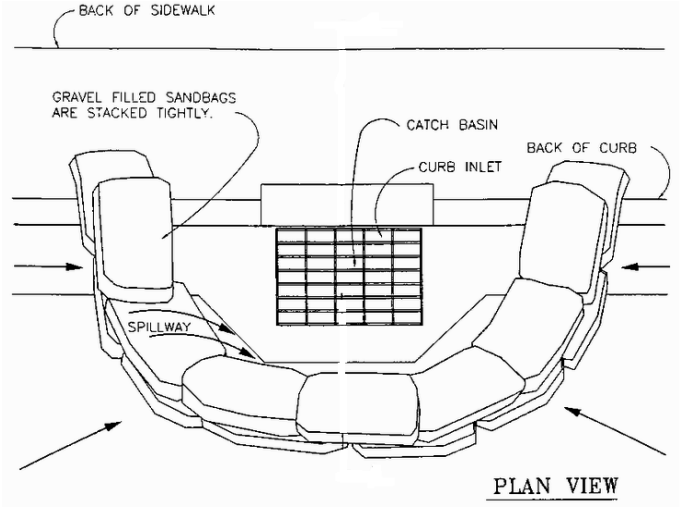


Figure 5. Gravel bag barriers

Design Specifications

1. Place gravel bag barriers around the storm drain inlets where water can pond and allow sediment to separate from runoff.
2. Bags of woven geotextile fabric will be filled with gravel, layered, and packed tightly.
3. Leave one gravel bag gap in the top row to provide a spillway for overflow.

2.7 Establish Perimeter Controls and Sediment Barriers

Instructions:

- Describe structural practices (e.g., silt fences or fiber rolls) including design specifications and details to filter and trap sediment before it leaves the construction site. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 7.)
- Also see, EPA's *Silt Fence BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/silt_fences or *Fiber Rolls BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/fiber_rolls

Silt Fence

BMP Description: Silt fences will be installed around the perimeter of the entire site, except at the two construction entrances. A silt fence will also be installed around the topsoil stockpile. Silt fences will be installed by excavating a 12-inch-deep trench along the line of proposed installation. Wooden posts supporting the silt fence will be spaced 4 to 6 feet apart and driven securely into the ground; a minimum of 18 to 20 inches deep. The silt fence will be fastened securely to the wooden posts with wire ties spaced every 24 inches at the top, mid section, and bottom of the wooden post. The bottom edge of the silt fence will extend across the bottom of the trench and the trench will be backfilled and compacted to prevent stormwater and sediment from discharging underneath the silt fence. For design specifications, see Figure 6.

Installation Schedule:	The silt fences will be installed before construction begins at the site and around topsoil stockpiles once they have been established.
Maintenance and Inspection:	Silt fences will be inspected weekly and immediately after storm events to ensure it is intact and that there are no gaps where the fence meets the ground or tears along the length of the fence. If gaps or tears are found during the inspection, the fabric will be repaired or replaced immediately. Accumulated sediment will be removed from the fence base if it reaches one-third the height of the silt fence and hauled off-site for disposal at Springfield Landfill. If accumulated sediment is creating noticeable strain on the fabric and the fence might fail from a sudden storm event, the sediment will be removed more frequently. Before the fence is removed from the project area, the sediment will be removed. The anticipated life span of the silt fence is 6 months and will likely need to be replaced after this period.
Responsible Staff:	RBI Development

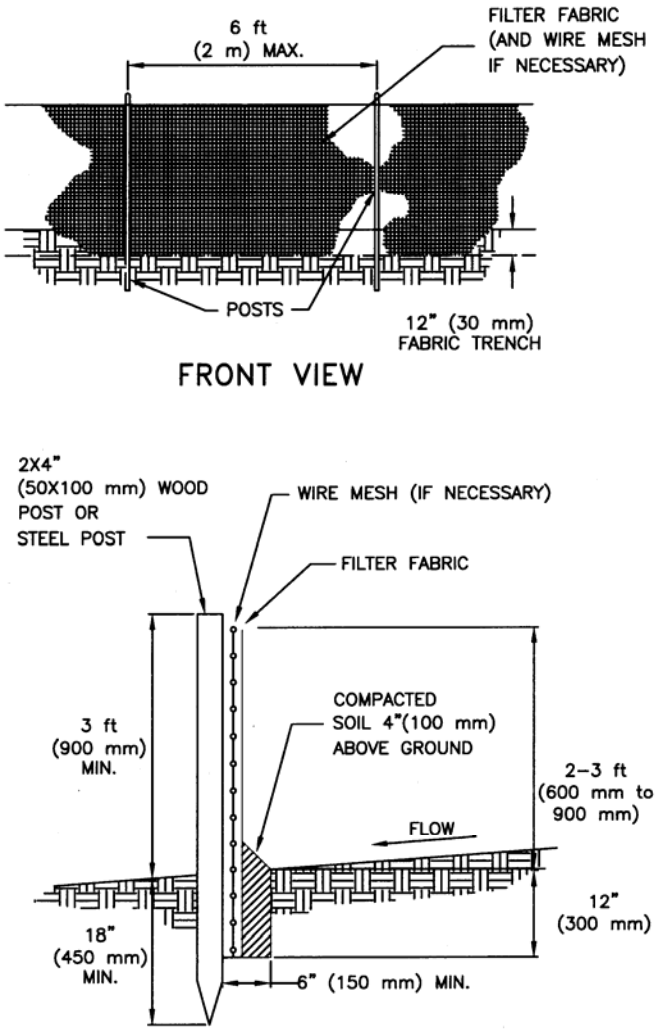


Figure 6. Silt fence

Design Specifications

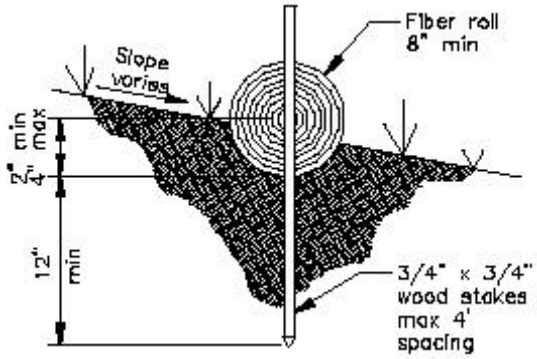
1. The silt fence will be constructed long enough to extend across the expected flow path.
2. The support posts will be a minimum of 4.5 feet and driven a minimum of 18 to 20 inches in the ground. Posts will be spaced a maximum of 6 feet apart. Fabric will be securely fastened to posts with half-inch staples or 16-gauge wire ties spaced a maximum of 6 inches.
3. A 12-inch trench will be excavated along the uphill side of the silt fence posts. The bottom edge of the fabric will extend across the bottom of the trench. The trench will be backfilled to 4 inches above ground and compacted to bury and secure the bottom of the filter fabric.

Fiber Rolls

BMP Description: Fiber rolls will be installed in the vegetated swale (see Section 2, Part 2.6) and around the perimeter of the individual housing lots where individual lot grading and housing construction is beginning, see Inset 1 Site Map. The rolls will consist of rolled tubes of erosion control blankets (8 inches in diameter) and bound at each end with jute-type twine. The rolls will be installed in shallow trenches dug 2–4 inches below ground surface and staked into the ground using wooden stakes (24 inches long) 3 to 4 feet apart. For design specifications, see Figure 7.

Installation Schedule:	The perimeter fiber rolls will be installed before grading and construction begins on the individual housing lot.
Maintenance and Inspection:	The fiber rolls will be inspected weekly and immediately after storm events for split, torn, unraveled or slumping rolls. Any split, torn, unraveled or slumping rolls found during the inspection will be repaired or replaced immediately. Accumulated sediment will be removed when accumulation reaches one-third the height of the fiber roll and hauled off-site for disposal at Springfield Landfill. If accumulated sediment is creating noticeable strain on the rolls and the rolls might fail from a sudden storm event, the sediment will be removed more frequently. Before the fiber rolls are removed from the project area, the sediment will be removed. The anticipated life span of the fiber rolls is 6 months and will likely need to be replaced after this time span.
Responsible Staff:	RBI Development will be responsible for implementing perimeter controls on lots A2–A16. LOTS C1-C10 - COASTAL CREEK BUILDING

Figure 7. Fiber rolls



Design Specifications

1. Fiber rolls will be either prefabricated rolls or rolled tubes of an erosion control blanket.
2. Field rolled fiber roll is assembled by rolling the length of erosion control blanket into a tube of minimum 8-inch diameter and binding the roll at each end and every 4 feet along the length of the roll with jute-type twine.
3. Use wood stakes with a nominal classification of 0.75 x 0.75 inch and minimum length of 24 inches.
4. Stake fiber rolls into a 2- to 4-inch-deep trench with a width equal to the diameter of the fiber roll. Drive stakes at the end of each fiber roll and spaced 4 feet maximum on center.

2.8 Retain Sediment On-Site

Instructions:

- Describe sediment control practices (e.g., sediment trap or sediment basin), including design specifications and details (volume, dimensions, outlet structure) that will be implemented at the construction site to retain sediments on-site. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 8 or EPA's CGP Part 3.13.E.)
- Also, see EPA's *Sediment Basin BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/sediment_basins

Sediment Basin

BMP Description: An access road will be installed on lot A1 for the basin. The road will be cleared and grubbed, graded, and stabilized with crushed stone 2–4 inches in diameter and have a minimum width of 10 feet. The sediment basin will be constructed in the northeast corner of the construction site to remove sediment from stormwater runoff. The basin will be constructed to have a total volume of 80,000 cubic feet. The design volume is based on calculations required in Twin Falls County's stormwater ordinance (Ch. 10.3):

Design Volume = 3,600 cubic feet × Area

Design Volume = (3,600 cu ft/acre) × 20 acres = 72,000 cubic feet

The 80,000 cubic feet volume is slightly larger than the required volume. This is also larger than EPA's minimum required volume of a sediment basin of 3,600 cubic feet of storage per acre of drained (or 72,000 cubic feet).

The basin will drain—through a riser pipe open at the top with a trash rack and outlet pipe with anti-seep collars—to a riprap spillway leading to a level spreader, which will discharge to a natural vegetated area before discharging into Utah Creek. The slopes of the basin will be stabilized using erosion controls as described in Section 2, Part 2.4. A silt fence will surround the basin on the upper slopes to protect against erosion of the embankments. Influent to the basin will be supplied by a stormwater pipe on the south end of the basin and drainage from the earth dike channel. For design specifications, see Figure 8. The sediment basin will be converted to a permanent detention basin following completion of construction activities at the site, see Section 4. After the conversion, a chain link fence will be installed around the perimeter and signs will be posted on the fence indicating "danger."

Installation Schedule:	The access road and basin will be installed before site grading begins at the site.

Maintenance and Inspection:	The basin will be inspected weekly and immediately after storm events. The banks of the basin will be checked for erosion, seepage, and structural damage. Any damage to the embankments will be repaired immediately. The inlets, outlets, and spillway will be checked for any damage or obstructions and any damage present will be repaired and the obstruction removed. Accumulated sediments will be removed when one-half of the volume of sediment capacity storage is reached. The removed sediments will be hauled off-site for disposal at Springfield Landfill.
Responsible Staff:	RBI Development

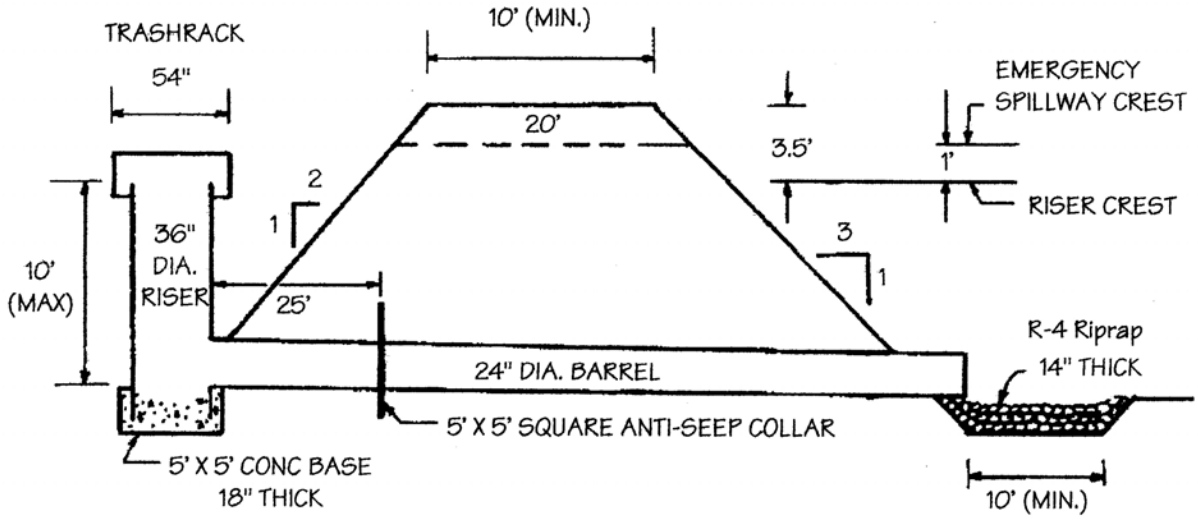


Figure 8. Sediment basin

Design Specifications

1. The area will be cleared, grubbed and stripped of any vegetation and root mat. The pool area will be cleared.
2. The fill material for the embankment will be free of any vegetation, root mat, rocks, or oversized stones. The embankment will be compacted by traversing with equipment.
3. Slopes will be stabilized in accordance with Section 2, Part 2.4.

2.9 Establish Stabilized Construction Exits

Instructions:

- Describe location(s) of vehicle entrance(s) and exit(s), procedures to remove accumulated sediment off-site (e.g., vehicle tracking), and stabilization practices (e.g., stone pads or wash racks or both) to minimize off-site vehicle tracking of sediments and discharges to stormwater. (For more information, see *SWPPP Guide*, Chapter 4, ESC Principle 9 and EPA's CGP Part 3, Subparts 3.4.G and 3.13.B.)
- Also, see EPA's *Construction Entrances BMP Fact Shee*t at www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_entrance

Stabilized Construction Exits before Roads are Paved

BMP Description: Stone anti-tracking pads will be installed at each exit, as identified on the site map, to prevent the off-site transport of sediment by construction vehicles. The stabilized exits will be a least 50 feet long, a minimum of 10 feet wide, flared at the end closest to the paved road, and will consist of a 6–inch-thick layer of crushed stone (2 inches in diameter). The crushed stone will be placed over a layer of geotextile filter fabric to reduce the mitigation of sediment from the underlying soil. Orange-colored plastic mesh fence will be installed along the length of the construction exit to keep construction vehicles and equipment on the stone anti-tracking pads. For design specifications, see Figure 9.

Installation Schedule:	The stabilized exit will be installed before construction begins on the site. The stone anti-tracking pads will remain in place until the subgrade of pavement is installed at the site.
Maintenance and Inspection:	The stabilized exit will be inspected weekly and after storm events or heavy use. The exit to the construction site will be maintained in a condition that will prevent sediment tracking off-site. This could require adding additional crushed stone to the exit. All sediment tracked, spilled, dropped, or washed onto the road will be swept up immediately and hauled off-site for disposal at Springfield Landfill. Once sediment clogs the voids in the crushed stone and the effectiveness of the anti-tracking pad is no longer keeping sediment on the site, the pad will be topdressed with new crushed stone. Replacement of the entire pad might be necessary when the pad becomes completely filled with sediment. The pad will be reshaped as needed for drainage and runoff control. Broken road pavement as a result of construction activities on roadways immediately adjacent to the project site will be repaired immediately. The stone anti-tracking pad will be removed before the subgrade of pavement is applied to Johnson Loop. The removed stone and sediment from the pad will be hauled off-site and disposed of at Springfield Landfill.
Responsible Staff:	RBI Development

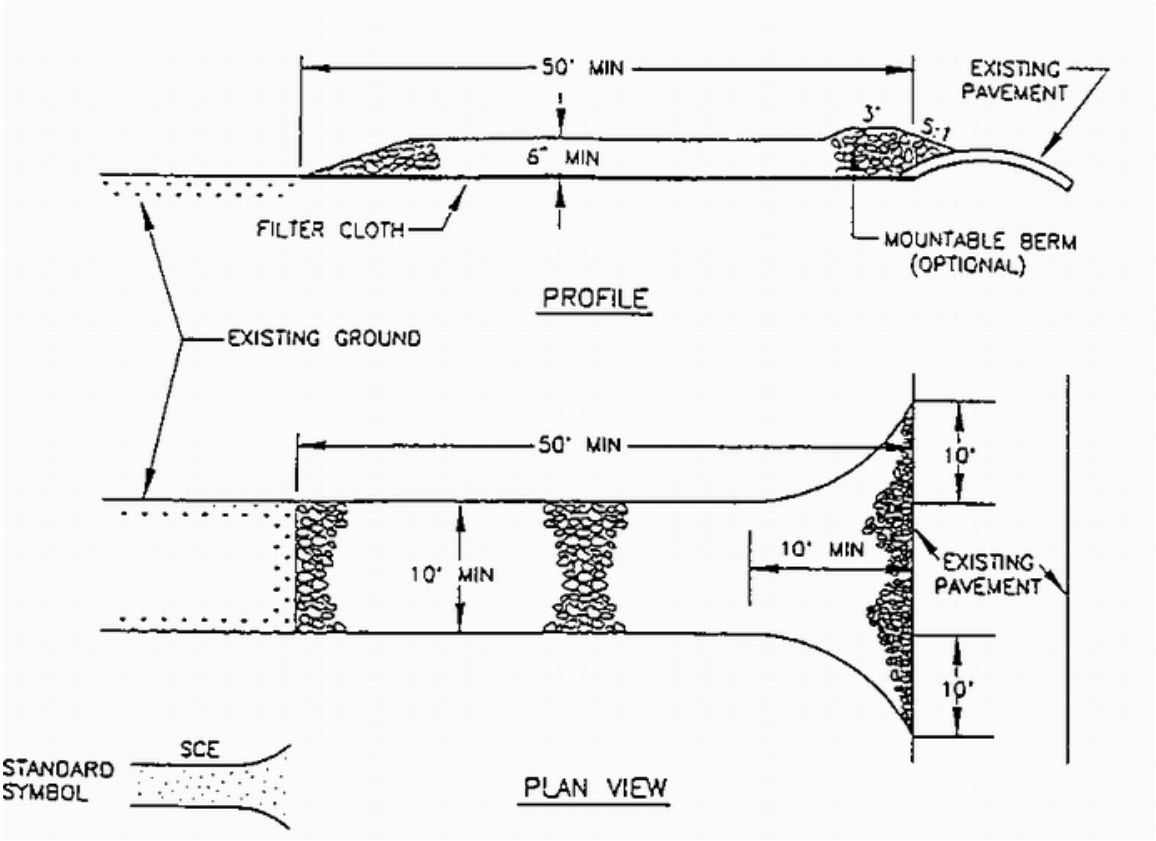


Figure 9. Stabilized construction exit

Design Specifications

1. Stone applied to the pad will be 2-inch stone.
2. The length of the pad will not be less than 50 feet (except on a single residence lot where a 30-foot minimum would apply).
3. The thickness of the pad will not be less than 6 inches.
4. The width of pad will be a minimum of 10 feet.
5. Filter fabric will be placed over the entire area before placing the stone. Fabric will not be required for individual lot exits.

Stabilized Exits for Individual Lots

BMP Description: Stone anti-tracking pads will be installed at each housing lot to prevent the off-site transport of sediment by construction vehicles. The stabilized exits will have a minimum length of 30 feet, per Twin Falls County's stormwater ordinance (CH. 20.1) and will consist of a 6-inch thick layer of crushed stone (2 inches in diameter). For design specifications, see Figure 10.

Installation Schedule:	The stabilized exit will be installed before construction begins on the individual housing lots once the main access road has been paved.
Maintenance and Inspection:	The stabilized exit will be inspected weekly and after storm events or heavy use. The exit to the housing lot will be maintained in a condition that will prevent sediment tracking onto Johnson Loop. This might require adding additional crushed stone to the exit. All sediment tracked, spilled, dropped, or washed onto Johnson Loop will be swept up immediately and hauled off-site for disposal at Springfield Landfill. Once sediment clogs the voids in the crushed stone and the effectiveness of the anti-tracking pad is no longer keeping sediment on-site, the pad will be topdressed with new crushed stone. Replacement of the entire pad might be necessary when the pad becomes completely filled with sediment. The pad will be reshaped as needed for drainage and runoff control.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

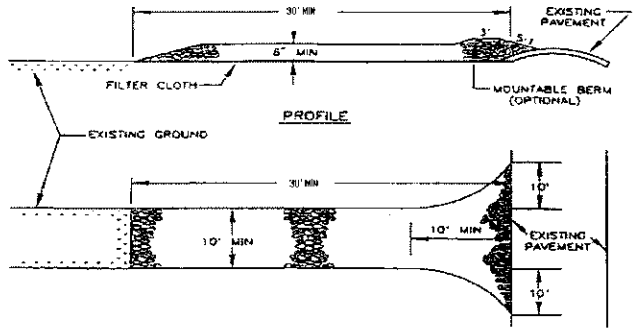


Figure 10. Stabilized construction exit (individual lot)

Design Specifications

1. Stone applied to the pad will be 2-inch stone.
2. The length of the pad will be a minimum of 30 feet.
3. The thickness of the pad will not be less than 6 inches.
4. The width of pad will be a minimum of 10 feet.

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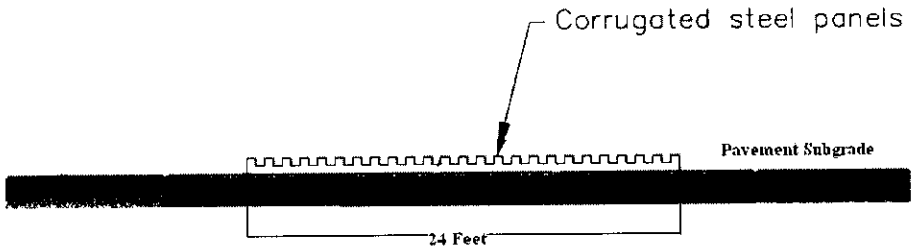
Stabilized Construction Exits after Roads are Paved

BMP Description: After roads have been paved, a metal "rumble pad" will be placed at each construction exit for Johnson Loop to shake sediment from vehicle tires. The rumble pad will have a minimum length of 24 feet.	
Installation Schedule:	The rumble pads will be installed at the exits immediately after paving operations are complete.
Maintenance and Inspection:	Inspect rumble pads weekly and after storm events for signs of damage or excess sediment. Remove excess sediment from the rumble pad by sweeping.
Responsible Staff:	RBI Development



NOT TO SCALE

Figure 12. Rumble Pad

2.10 Additional BMPs

Instructions:

– Describe additional BMPs that do not fit into the above categories.

Street Sweeping

BMP Description: Super Sweeping will perform street sweeping and vacuuming on the main road of the subdivision (Johnson Loop) and Williams Avenue. Super Sweeping will use a regenerative air sweeper to remove sediments and other contaminants directly from the paved surfaces.

Installation Schedule:	Street sweeping will occur weekly and before forecasted storm events on Williams Avenue and Johnson Loop
Maintenance and Inspection:	All materials collected during street sweeping will be disposed of at an off-site location by the subcontractor.
Responsible Staff:	RBI Development

Cooperative Agreement and Operator Communication

BMP Description: All construction operators working on the Clover Hills Subdivision project are required to sign the Construction Operator's Cooperative Agreement (See Part 1.2) and agree to abide by the conditions of the agreement throughout the duration of the construction project regardless of whether the operator agrees to be covered under this SWPPP.

RBI Development will hold biweekly meetings to update operators on CGP compliance issues and to discuss any issues related to implementation of this SWPPP. RBI will maintain the SWPPP documentation and will conduct and document self-inspections in all areas of the site under its day-to-day control. RBI will provide copies of inspection reports to the other operators covered by this SWPPP immediately following each inspection.

Responsible Staff:	RBI Development /COASTAL CREEK BUILDING/ FALLS HOMES

SECTION 3: GOOD HOUSEKEEPING BMPS

Instructions:

- Describe the key good housekeeping and pollution prevention (P2) measures that will be implemented to control pollutants in stormwater.
- Categorize each good housekeeping and pollution prevention (P2) BMP under one of the following seven categories:
  - *3.1 Material Handling and Waste Management*
  - *3.2 Establish Proper Building Material Staging Areas*
  - *3.3 Designate Washout Areas*
  - *3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices*
  - *3.5 Allowable Non-Stormwater Discharges and Control Equipment/Vehicle Washing*
  - *3.6 Spill Prevention and Control Plan*
  - *3.7 Any Additional BMPs*
- For more information, see *SWPPP Guide*, Chapter 5 and EPA's CGP Part 3, Subparts 3.4.(F), (G), (H), and (I).
- Consult your state's design manual or resources in Appendix D of the *SWPPP Guide*.
- For more information or ideas on BMPs, see EPA's National Menu of BMPs http://www.epa.gov/npdes/stormwater/menuofbmps

3.1 Material Handling and Waste Management

Instructions:

- Describe measures (e.g., trash disposal, sanitary wastes, recycling, and proper material handling) to prevent the discharge of solid materials to waters, except as authorized by a permit issued under section 404 of the CWA (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 1.)
- Also, see EPA's *General Construction Site Waste Management BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/cons_wasteman

Waste Materials

BMP Description: All waste materials will be collected and disposed of into two metal trash dumpsters in the combined staging area. Dumpsters will have a secure watertight lid, be placed away from stormwater conveyances and drains, and meet all local and state solid-waste management regulations. Only trash and construction debris from the site will be deposited in the dumpsters. All personnel will be instructed, during tailgate training sessions, regarding the correct procedure for disposal of trash and construction debris. 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 practices are followed.

Installation Schedule:	Trash dumpsters will be installed once the combined staging area has been established.

Maintenance and Inspection:	The dumpsters will be inspected weekly and immediately after storm events. The dumpster will be emptied weekly and taken to Springfield Landfill by Drake Waste and Sanitary Services. If trash and construction debris are exceeding the dumpsters capacity, the dumpsters will be emptied more frequently.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

Hazardous Waste

BMP Description: All hazardous waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed shipping containers in the hazardous-materials storage area and segregated from other non-waste materials. Secondary containment will be provided for all materials in the hazardous materials storage area and will consist of commercially available spill pallets. Additionally, all hazardous materials will be disposed of in accordance with federal, state, and municipal regulations. Hazardous waste materials will not be disposed of into the on-site dumpsters. All personnel will be instructed, during tailgate training sessions, regarding proper procedures for hazardous waste disposal. Notices that state these procedures 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.

Installation Schedule:	Shipping containers used to store hazardous waste materials will be installed once the materials storage area has been installed for the site and individual lots.
Maintenance and Inspection:	The hazardous materials storage areas will be inspected weekly and after storm events. The storage areas will be kept clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Material safety data sheets, material inventory, and emergency contact numbers will be maintained in the office trailer.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

Sanitary Waste

BMP Description: Two temporary sanitary facilities (portable toilets) will be provided at the site in the combined staging area. The toilets will be away from a concentrated flow paths and traffic flow and will have collection pans underneath as secondary containment.

Installation Schedule:	The portable toilets will be brought to the site once the combined staging area has been established.
Maintenance and Inspection:	All sanitary waste will be collected from the portable toilets a minimum of three times per week by Drake Waste and Sanitary Services. The toilets will be inspected weekly for evidence of leaking holding tanks. Toilets with leaking holding tanks will be removed from the site and replaced with new portable toilets.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

Recycling

BMP Description: Wood pallets, cardboard boxes, and other recyclable construction scraps will be disposed of in a designated dumpster for recycling. The dumpster will have a secure watertight lid, be placed away from stormwater conveyances and drains and meet all local and state solid-waste management regulations. Only solid recyclable construction scraps from the site will be deposited in the dumpster. All personnel will be instructed, during tailgate training sessions, regarding the correct procedure for disposal of recyclable construction scraps. Notices that state these procedures 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.

Installation Schedule:	The designated recycling dumpster will be installed once the combined staging area has been established.
Maintenance and Inspection:	The recycling dumpster will be inspected weekly and immediately after storm events. The recycling dumpster will be emptied weekly and taken to an approved recycling center by Drake Waste and Sanitary Services. If recyclable scraps (wood pallets, cardboard boxes, and other recyclable construction scraps) are exceeding the dumpster's capacity, the dumpster will be emptied more frequently.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

3.2 Establish Proper Building Material Staging Areas

Instructions:

- Describe construction materials expected to be stored on-site and procedures for storage of materials to minimize exposure of the materials to stormwater. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 2 and EPA's CGP Part 3.4.H.)

Combined Staging Area

BMP Description: Construction equipment and maintenance materials will be stored at the combined staging area and materials storage areas. Gravel bag berms will be installed around the perimeter to designate the staging and materials storage area. A watertight shipping container will be used to store hand tools, small parts, and other construction materials.

Nonhazardous building materials such as packaging material (wood, plastic, and glass), and construction scrap material (brick, wood, steel, metal scraps, and pipe cuttings) will be stored in a separate covered storage facility adjacent to the shipping container. All hazardous-waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed containers under cover within the hazardous materials storage area.

Large items, such as framing materials and stockpiled lumber, will be stored in the open in the storage area. Such materials will be elevated on wood blocks to minimize contact with runoff.

Installation Schedule:	The combined staging and materials storage area will be installed after grading and before any infrastructure is constructed at the site. The material storage areas for individual lots will be installed before construction begins for each house.
Maintenance and Inspection:	Storage areas will be inspected weekly and after storm events. Storage areas will be kept clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers, and liners will be repaired or replaced as needed to maintain proper function.
Responsible Staff:	RBI Development will be responsible for the overall combined staging area and materials storage area and individual materials storage areas on lots A2–A16.

LOTS C1-C10 - COASTAL CREEK BUILDER 6

3.3 Designate Washout Areas

Instructions:

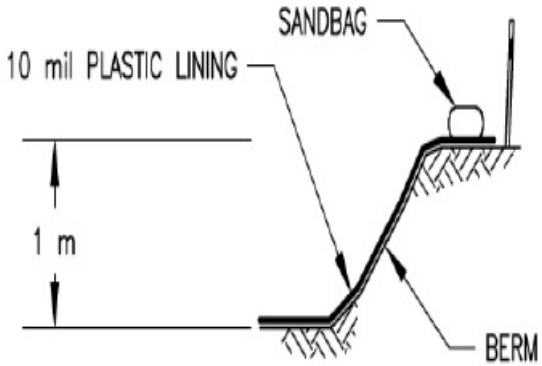
- Describe location(s) and controls to eliminate the potential for discharges from washout areas for concrete mixers, paint, stucco, and so on. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 3.)
- Also, see EPA's *Concrete Washout BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/concrete_wash

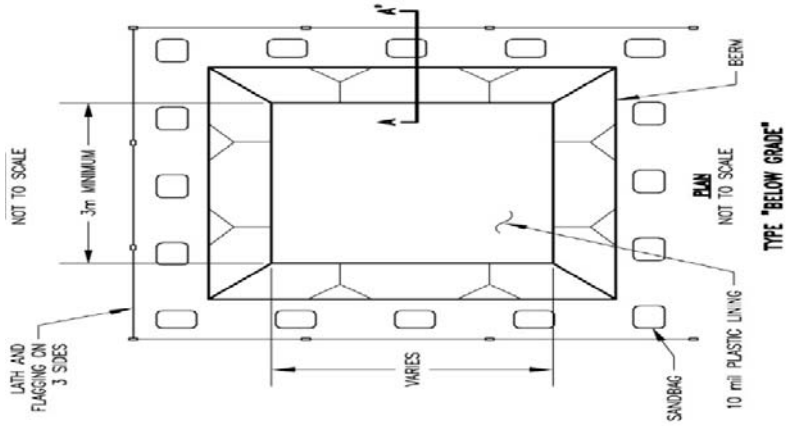
Concrete Washout

BMP Description: Designated temporary, below-ground concrete washout areas will be constructed on lots A4 and between lots C3–C4, as detailed on the site map. The temporary below ground will be constructed as shown in Figure 11, with a recommended minimum length and width of 10 feet, but with sufficient quantity and volume to contain all liquid and concrete waste generated by the washout operations. The washout areas 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. 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 areas are no longer needed for the construction project, the hardened concrete and materials used to construct the areas will be removed and disposed of according to the maintenance section below and the washout areas will be backfilled, graded and stabilized with erosion controls. For design specifications, see Figure 11.

Installation Schedule:	The washout areas will be constructed before the active building phase of individual housing units.
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 Springfield Landfill for disposal. The plastic sheeting will be replaced if tears occur during removal of concrete wastes from the washout area.
Responsible Staff:	RBI Development





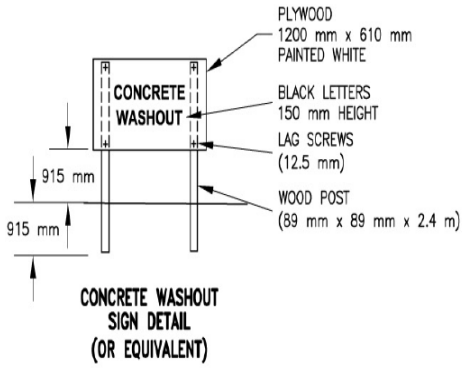


Figure 11. Temporary concrete washout

Design Specifications

1. Temporary concrete washout facility type *Below Grade* will be constructed as shown above, with a recommended minimum length and minimum width of 10 feet.
2. Temporary concrete washout facilities will be located a minimum of (50 feet) from storm drain inlets.
3. Plastic lining material will be free of holes, tears or other defects that compromise the impermeability of the material.

3.4 Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

Instructions:

- Describe equipment/vehicle fueling and maintenance practices that will be implemented to control pollutants to stormwater (e.g., secondary containment, drip pans, and spill kits) (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 4.)
- Also, see EPA's *Vehicle Maintenance and Washing Areas BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/vehicile_maintain

Vehicle/Equipment Fueling and Maintenance

BMP Description: Several types of vehicles and equipment will be used on-site throughout the project, including graders, scrapers, excavators, loaders, paving equipment, rollers, trucks and trailers, backhoes, and forklifts. All major equipment/vehicle fueling and maintenance will be performed off-site. A small, 20-gallon pickup bed fuel tank will be kept on-site in the combined staging area. When vehicle fueling must occur on-site, the fueling activity will occur in the staging area. Only minor equipment maintenance will occur on-site. All equipment fluids generated from maintenance activities will be disposed of into designated drums stored on spill pallets in accordance with Section 3, Part 3.1. Absorbent, spill-cleanup materials and spill kits will be available at the combined staging and materials storage area. Drip pans will be placed under all equipment receiving maintenance and vehicles and equipment parked overnight.

Installation Schedule:	Equipment and vehicle maintenance and fueling practices will be implemented at the beginning of construction on-site.
Maintenance and Inspection:	Inspect equipment/vehicle storage areas and fuel tank weekly and after storm events. Vehicles and equipment will be inspected on each day of use. Leaks will be repaired immediately, or the problem vehicle(s) or equipment will be removed from the project site. Keep ample supply of spill-cleanup materials on-site and immediately clean up spills and dispose of materials properly.
Responsible Staff:	RBI Development

3.5 Control Equipment/Vehicle Washing

Instructions:

- Describe equipment/vehicle washing practices that will be implemented to control pollutants to stormwater. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 5.)
- Also, see EPA's *Vehicle Maintenance and Washing Areas BMP Fact Sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/vehicile_maintain

BMP Description: All equipment and vehicle washing will be performed off-site.

Installation Schedule:	N/A
Maintenance and Inspection:	N/A
Responsible Staff:	RBI Development

3.6 Spill Prevention and Control

Instructions:

- Describe the spill prevention and control procedures to include ways to reduce the chance of spills, stop the source of spills, contain and clean up spills, dispose of materials contaminated by spills, and train personnel responsible for spill prevention and control. (For more information, see *SWPPP Guide*, Chapter 5, P2 Principle 6 and EPA's CGP Parts 4.3 and 4.4.)
- Also, see EPA's *Spill Prevention and Control Plan BMP Fact sheet* at www.epa.gov/npdes/stormwater/menuofbmps/construction/spill_control

Spill Prevention and Control Procedures

BMP Description:

i. Employee Training: All employees will be trained via biweekly tailgate sessions, as detailed in Section 6, Part 6.3.
ii. Vehicle Maintenance: 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.

iii. Hazardous Material Storage: Hazardous materials will be stored in accordance with Section 3, Part 1 and federal and municipal regulations.

iv. Spill Kits: Spill kits will be within the materials storage area and concrete washout areas.

v. Spills: All spills will be cleaned up immediately upon discovery. Spent absorbent materials and rags will be hauled off-site immediately after the spill is cleaned up for disposal at Springfield Landfill. Spills large enough to discharge to surface water will be reported to the National Response Center at 1-800-424-8802.

vi. Material safety data sheets, a material inventory, and emergency contact information will be maintained at the on-site project trailer.

Installation Schedule:	The spill prevention and control procedures will be implemented once construction begins on-site.
Maintenance and Inspection:	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.
Responsible Staff:	RBI Development / COASTAL CREEK BUILDING

3.7 Any Additional BMPs

Instructions:

- Describe any additional BMPs that do not fit into the above categories. Indicate the problem they are intended to address.

BMP Description: No Additional BMPs were identified.

Installation Schedule:	N/A
Maintenance and Inspection:	N/A
Responsible Staff:	RBI Development

3.8 Allowable Non-Stormwater Discharge Management

Instructions:

- Identify all allowable sources of non-stormwater discharges that are not identified. The allowable non-stormwater discharges identified in Part 1.3.B of EPA's CGP include
  - ✓ Discharges from fire-fighting activities
  - ✓ Fire hydrant flushings
  - ✓ Waters used to wash vehicles where detergents are not used
  - ✓ Water used to control dust in accordance with EPA's CGP, Part 3, Subpart 3.4.G
  - ✓ Potable water including uncontaminated water line flushings
  - ✓ Routine external building wash down that does not use detergents
  - ✓ Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used
  - ✓ Uncontaminated air conditioning or compressor condensate
  - ✓ Uncontaminated ground water or spring water
  - ✓ Foundation or footing drains where flows are not contaminated with process materials such as solvents
  - ✓ Uncontaminated excavation dewatering
  - ✓ Landscape irrigation
- Identify measures used to eliminate or reduce these discharges and the BMPs used to prevent them from becoming contaminated.
- For more information, see *SWPPP Guide*, Chapter 3.A or EPA's CGP Part 1.3.B and 3.5.

List allowable non-stormwater discharges and the measures used to eliminate or reduce them and to prevent them from becoming contaminated:

Any changes in construction activities that produce other allowable non-stormwater discharges will be identified, and the SWPPP will be amended and the appropriate erosion and sediment control will be implemented.

Water Used to Control Dust

BMP Description: Dust control will be implemented as needed once site grading has been initiated and during windy conditions (forecasted or actual wind conditions of 20 mph or greater) while site grading is occurring. Spraying of potable water at a rate of 300 gallons per acre or less will be performed by a mobile pressure-type distributor truck no more than three times a day during the months of May–September and once per day during the months of October–April or whenever the dryness of the soil warrants it.	
Responsible Staff:	RBI Development

Uncontaminated Excavation Dewatering

BMP Description: Because construction for this site is being conducted during the dry season, dewatering activities are not expected to occur at the project site. If dewatering does occur, the SWPPP will be revised to address the need for appropriate BMPs.	
Responsible Staff:	RBI Development

Landscape Irrigation

BMP Description: Irrigation waters will not be sprayed onto impermeable surfaces such as paved driveways and roads. Waters will be directed onto soil and lawns by using hoses and correctly sized sprinklers with adjustable spray patterns. To avoid discharges of irrigation waters, the sprinklers will have low-flow rates and increased watering time. The irrigated area will be inspected for excess watering and to adjust watering times and schedules.	
Responsible Staff:	RBI Development

Uncontaminated Water Line Flushing

BMP Description: Uncontaminated water from water line flushing of the site infrastructure will be discharged to the sediment basin, while avoiding any contact with disturbed areas. If water from the line flushing becomes contaminated, the water line will be blocked off and the flush water will be pumped to a tanker truck, which will haul the contaminated water off-site to Middletown POTW for disposal.	
Responsible Staff:	RBI Development

Attachment 6 - Post Construction BMP Examples *(Courtesy of EPA)*

SECTION 4: SELECTING POST-CONSTRUCTION BMPs

Instructions:

- Describe all post-construction stormwater management measures that will be installed during the construction process to control pollutants in stormwater discharges after construction operations have been completed. Examples of post-construction BMPs include the following:
  - ✓ Biofilters
  - ✓ Detention/retention devices
  - ✓ Earth dikes, drainage swales, and lined ditches
  - ✓ Infiltration basins
  - ✓ Porous pavement
  - ✓ Other proprietary permanent structural BMPs
  - ✓ Outlet protection/velocity dissipation devices
  - ✓ Slope protection
  - ✓ Vegetated strips and/or swales
- Identify any applicable federal, state, local, or tribal requirements for design or installation.
- Describe how low-impact designs or smart growth considerations have been incorporated into the design.
- For any structural BMPs, you should have design specifications and details and refer to them. Attach them as appendices to the SWPPP or within the text of the SWPPP.
- For more information on this topic, see your state's stormwater manual.
- You might also want to consult one of the references listed in Appendix D of the *SWPPP Guide* and EPA's CGP Part 3, Subparts 3.4.E and 3.9.
- Visit the post-construction section of EPA's Menu of BMPs at: www.epa.gov/npes/menuofbmps

Detention Basin

BMP Description: To convert the sediment basin to a detention basin, RBI Development will excavate the bottom of the basin to remove accumulated sediments and increase the storage capacity of the basin below the lowest orifice in the basin's outlet to retain stormwater temporarily. An earthen berm will be constructed from the excavated earth and configured to extend across the flow path of the basin to separate the sediment forebay and the main pool of the basin. The sediment forebay will be installed within the basin near the inlet to capture sediment, debris and provide pretreatment of stormwater runoff before releasing the runoff into the main pool of the basin. The outlet structure design does not need to be modified for this conversion process. The detention basin will be stabilized with erosion controls as detailed in Section 7. Design specifications are omitted from this example SWPPP.

Installation Schedule:	The basin will be converted to a permanent detention basin during the final stabilization phase of construction.
Maintenance and Inspection:	The basin area will be inspected weekly and after storm events during the conversion process. The area will be checked for signs of erosion, seepage, and structural damage. Erosion, seepage, and structural damage will be repaired immediately. The outlet and trash rack will be checked for any damage or obstructions and any

	damage found will be repaired and obstructions removed. Immediately after the completion of construction, the plant material will be watered for 14 consecutive days unless there is sufficient natural rainfall. The area will be monitored until final stabilization is reached.
Responsible Staff:	RBI Development

Vegetated Swale

BMP Description: The vegetated swale as described in Section 2, Part 2.3 will remain as a permanent stormwater management structure for the site. The swale will convey runoff to an inlet south of lot A12.

Installation Schedule:	The swale will be installed according to the schedule found in Section 2, Part 2.3.
Maintenance and Inspection:	See Section 2, Part 2.3 for maintenance and inspection procedures for the vegetated swale. The area will be monitored until final stabilization is reached.
Responsible Staff:	RBI Development

Earth Dike

BMP Description: The earth dike as described in Section 2, Part 2.3 will remain as a permanent stormwater management structure for the site. The earth dike will convey runoff to the detention basin.

Installation Schedule:	The earth dike will be installed according to the schedule found in Section 2, Part 2.3.
Maintenance and Inspection:	See Section 2, Part 2.3 for maintenance and inspection procedures for the earth dike. The area will be monitored until final stabilization is reached.
Responsible Staff:	RBI Development

Storm Drain Inlet Markers

BMP Description: The storm drain inlets on the site will be stamped with warning signs informing the public not to dump pollutants into the drain. The markers will be approximately 6 inches round and will be attached to the inlet using a manufacturer approved adhesive.

Installation Schedule:	Storm drain markers will be installed once final pavement of Johnson Loop has been completed.
Maintenance and Inspection:	N/A
Responsible Staff:	RBI Development