

Stormwater Pollution Prevention Plan

(SWPPP)

Single Family Residence

Construction Activities located at:

Construction Operator:

Preparation Date for SWPPP:

Estimated Project Dates:

Start:

End:

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SECTION 1: Contact Information/Responsible Parties

1.1 Certification and Notification

Please read the following carefully and sign below,

“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.”

Print Name

Title

Signature

Date

1.2 Contact Information/Responsible Parties

PROJECT MANAGER(S)

Responsibilities:

SWPPP CONTACT(S)

Responsibilities:

EMERGENCY 24-HOUR CONTACT

Responsibilities:

SUBCONTRACTORS

Responsibilities:

Responsibilities:

SUBCONTRACTORS

	Responsibilities:

SECTION 2: Site Evaluation, Assessment, and Planning

2.1 Project Information

Project/Site Name: _____

Project Street/Location: _____

City: _____ **State:** Virginia **ZIP Code:** _____

County (or City): Fauquier County

Project Description: _____

VSMP Authority Permit Number: _____

(This is a unique identifying number assigned by Fauquier County Department of Community Development.)

Parcel ID/PIN number*: _____

Latitude*: _____ ° N (decimal)

Longitude*:- _____ ° W (decimal)

Method for determining latitude/longitude:

- Fauquier GIS Web site USGS topographic map (specify scale: _____) GPS
 Other (please specify): _____

Residential/Commercial/Industrial/Other (specify): _____

Receiving Waters: _____

TMDL Waters: Chesapeake Bay (TMDL for TSS, Phosphorous and Nitrogen)

Total Site Area: _____ acres

Disturbed Area: _____ acres

*Instructions:

- Easy method to determine Longitude/Latitude and the Parcel ID/PIN number.
 - ⇒ Go to <http://www.fauquiercounty.gov/government/departments/gis/>
 - ⇒ Click on Map Viewer on the left side.
 - ⇒ Find the property associated with the project.
 - ⇒ Put your cursor on the driveway/property, at the bottom left corner it will tell you the Latitude/Longitude.
 - ⇒ If you click on Info button (i) at the top then click your property then there will be detailed info in a blue box on the left. The top line should be Parcel ID.

2.2 Site Plan

Include a site plan or plat that shows the following items:

- Any existing structures
- Any water features on or near the site (stream, pond, wetlands, etc.)
- Locations of building(s) or driveways to be constructed with dimensions
- Locations of pollution prevention practices, such as porta-john, dumpster, concrete washout, etc.
- Locations where land disturbing activities will occur with dimensions
- Amount of acreage to be disturbed
- Locations where Erosion & Sediment controls will be installed
- Locations where Stormwater controls will be installed (if applicable)
- Property boundaries

2.3 Erosion & Sediment Control Plan

2.4 Stormwater Management Plan

SECTION 3: Pollution Prevention Procedures

3.1 Potential Sources of Pollution

Identify the pollutant-generating activities likely to be present at the project site; implement and maintain the corresponding pollution prevention practices. If an unlisted pollutant-generating activity is likely to be present at the project site, describe it, identify the associated pollutant(s), and provide the corresponding pollution prevention practice(s) to be implemented and maintained.

Pollutant-Generating Activity	Present at your Project Site?	Pollutants									Pollution Prevention Practice (see next page)
		Sediment	Nutrients	Heavy Metals	pH (acids and bases)	Pesticides & Herbicides	Oil & Grease	Bacteria & Viruses	Trash, Debris, Solids	Other Toxic Chemicals	
Clearing, grading, excavating, and un-stabilized areas	<input type="checkbox"/> Yes <input type="checkbox"/> No	X							X		(1)
Paving operations	<input type="checkbox"/> Yes <input type="checkbox"/> No	X					X		X		(2)
Concrete washout and cement waste	<input type="checkbox"/> Yes <input type="checkbox"/> No			X	X				X		(3)
Structure construction, stucco, painting, and cleaning	<input type="checkbox"/> Yes <input type="checkbox"/> No			X	X				X	X	(4)
Dewatering operations	<input type="checkbox"/> Yes <input type="checkbox"/> No	X	X						X		(5)
Material delivery and storage	<input type="checkbox"/> Yes <input type="checkbox"/> No	X	X	X	X		X		X	X	(6)
Material use during building process	<input type="checkbox"/> Yes <input type="checkbox"/> No		X	X	X		X		X	X	(7)
Solid waste disposal	<input type="checkbox"/> Yes <input type="checkbox"/> No								X	X	(8)
Sanitary waste	<input type="checkbox"/> Yes <input type="checkbox"/> No		X		X			X			(9)
Landscaping operations	<input type="checkbox"/> Yes <input type="checkbox"/> No	X	X			X			X	X	(10)
	<input type="checkbox"/> Yes <input type="checkbox"/> No										(11)

3.2 Pollution Prevention Practices

- (1) **Clearing, grading, excavating and un-stabilized areas** – Utilize erosion and sediment controls to prevent sediment laden or turbid runoff from leaving the construction site. Dispose of clearing debris at acceptable disposal sites. Apply permanent or temporary stabilization, sodding and/or mulching to denuded areas in accordance with the Erosion and Sediment Control regulations and the 2014 Construction General permit for discharges of stormwater from construction activities.
- (2) **Paving operations** – Install inlet protection at appropriate locations during paving operations and utilize pollution prevention materials such as drip pans and absorbent/oil dry for all paving machines to limit leaks and spills of paving materials and fluids.
- (3) **Concrete washout and cement waste** – Direct concrete wash water into a leak-proof container or leak-proof settling basin that is designed so that no overflows can occur due to inadequate sizing or precipitation. Hardened concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wastes.
- (4) **Structure construction, stucco, painting and cleaning** – Enclose, cover or berm building material storage areas if susceptible to contaminated stormwater runoff. Conduct painting operations consistent with local air quality and OSHA regulations. Mix paint indoors, in a containment area or in a flat unpaved area. Prevent the discharge of soaps, solvents, detergents and wash water from construction materials, including the clean-up of stucco paint, form release oils and curing compounds.
- (5) **Dewatering operations** – Construction site dewatering from building footings or other sources may not be discharged without treatment. Sediment laden or turbid water shall be filtered, settled or similarly treated prior to discharge.
- (6) **Material delivery and storage** – Designate areas of the construction site for material delivery and storage. Place near construction entrances, away from waterways, and avoid transport near drainage paths or waterways.
- (7) **Material use during building process** – Use materials only where and when needed to complete the construction activity. Follow manufacturer's instructions regarding uses, protective equipment, ventilation, flammability and mixing of chemicals.
- (8) **Solid waste disposal** – Designate a waste collection area on the construction site that does not receive a substantial amount of runoff from upland areas and does not drain directly to a waterway. Ensure that containers have lids so they can be covered before periods of rain, and keep containers in a covered area whenever possible. Schedule waste collection to prevent the containers from overfilling.
- (9) **Sanitary waste** – Prevent the discharge of sanitary waste by providing convenient and well-maintained portable sanitary facilities. Locate sanitary facilities in a convenient location away from waterways.
- (10) **Landscaping operations** – Maintain as much existing vegetation as practicable. Apply permanent or temporary stabilization, sodding and/or mulching to denuded areas in accordance with the erosion and sediment control specifications and the general VPDES permit for discharges of stormwater from construction activities. Apply nutrients in accordance with manufacturer's recommendations and not during rainfall events.
- (11) **Others** –

3.3 Spill Prevention & Response

Most spills can be cleaned up following manufacturer specifications. Absorbent/oil dry, sealable containers, plastic bags, and shovels/brooms are suggested minimum spill response items that should be available at this location.

- 1st Priority: Protect all people
- 2nd Priority: Protect equipment and property
- 3rd Priority: Protect the environment

1. Check for hazards (flammable material, noxious fumes, cause of spill) – if flammable liquid, turn off engines and nearby electrical equipment. If serious hazards are present leave the area and call 911. LARGE SPILLS ARE LIKELY TO PRESENT A HAZARD.
2. Make Sure the spill area is safe to enter and that it does not pose an immediate threat to health or safety of any person.
3. Stop the spill source.
4. Call co-workers and supervisor for assistance and to make them aware of the spill and potential dangers.
5. If possible, stop spill from entering drains (use absorbent or other material as necessary).
6. Stop spill from spreading (use absorbent or other material)
7. If spilled material has entered a storm sewer; contact locality's storm water department.
8. Clean up spilled material according to manufacturer specifications, for liquid spills use absorbent materials and do not flush area with water.
9. Properly dispose of cleaning materials and used absorbent material according to manufacturer specifications.

Emergency Contacts:

Normal Working Hours

DEQ Northern Regional Office 703-583-3800

Nights, Holidays & Weekends

VA Dept. of Emergency Management 804-674-2400
24 Hour Reporting Service

Local Contacts

Local Fire Department: _____ Phone: _____
Local Police Department: _____ Phone: _____

3.4 Pollution Prevention Certification

Under the 2014 construction general permit, part II (A) 4d, it requires to identify the person responsible for implementing the pollution prevention practices. Please read through all the pollution prevention procedure located in this section and sign the following certification statement.

Name: _____

Title: _____

Phone: _____

Email: _____

The person listed above must read the following statement and sign.

“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.”

By signing below, I certify that I have read all of the above Pollution Prevention Procedures.

Signature

Date

SECTION 4: Erosion and Sediment Controls

4.1 Checklist for Erosion and Sediment Controls

Identify the erosion and sediment controls that will be implemented. This table is to be used in conjunction with the Erosion & Sediment Control Plan (or agreement in lieu of). The controls listed in this table are only what is most commonly seen at a Single Family Home construction site. Therefore, this list is not all inclusive of the types of controls available to use in the project. For an all-inclusive list, please see the Erosion & Sediment Control Handbook that can be found electronically on the DEQ website.

<http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/Publications/ESCHandbook.aspx>

Select all that will apply to your project	Erosion & Sediment Control	
	Type	Std. & Spec.
<input checked="" type="checkbox"/>	Construction Entrance	(3.02)
<input type="checkbox"/>	Straw Bale Barrier	(3.04)
<input checked="" type="checkbox"/>	Silt Fence	(3.05)
<input checked="" type="checkbox"/>	Culvert Inlet Protection	(3.08)
<input checked="" type="checkbox"/>	Outlet Protection	(3.18)
<input type="checkbox"/>	Rip Rap	(3.19)
<input type="checkbox"/>	Rock Check Dams	(3.20)
<input checked="" type="checkbox"/>	Temporary Seeding	(3.31)
<input checked="" type="checkbox"/>	Permanent Seeding	(3.32)
<input type="checkbox"/>	Sodding	(3.33)
<input checked="" type="checkbox"/>	Mulching	(3.35)
<input type="checkbox"/>	Soil Stabilization	(3.36)
<input type="checkbox"/>	(Other)	

For the remainder of section 4.

Include a description of the Erosion & Sediment controls that will be put into place. All controls selected in section 4.1 must have a description.

4.2 Perimeter controls

A. Construction Entrance (STD & SPEC. 3.02)

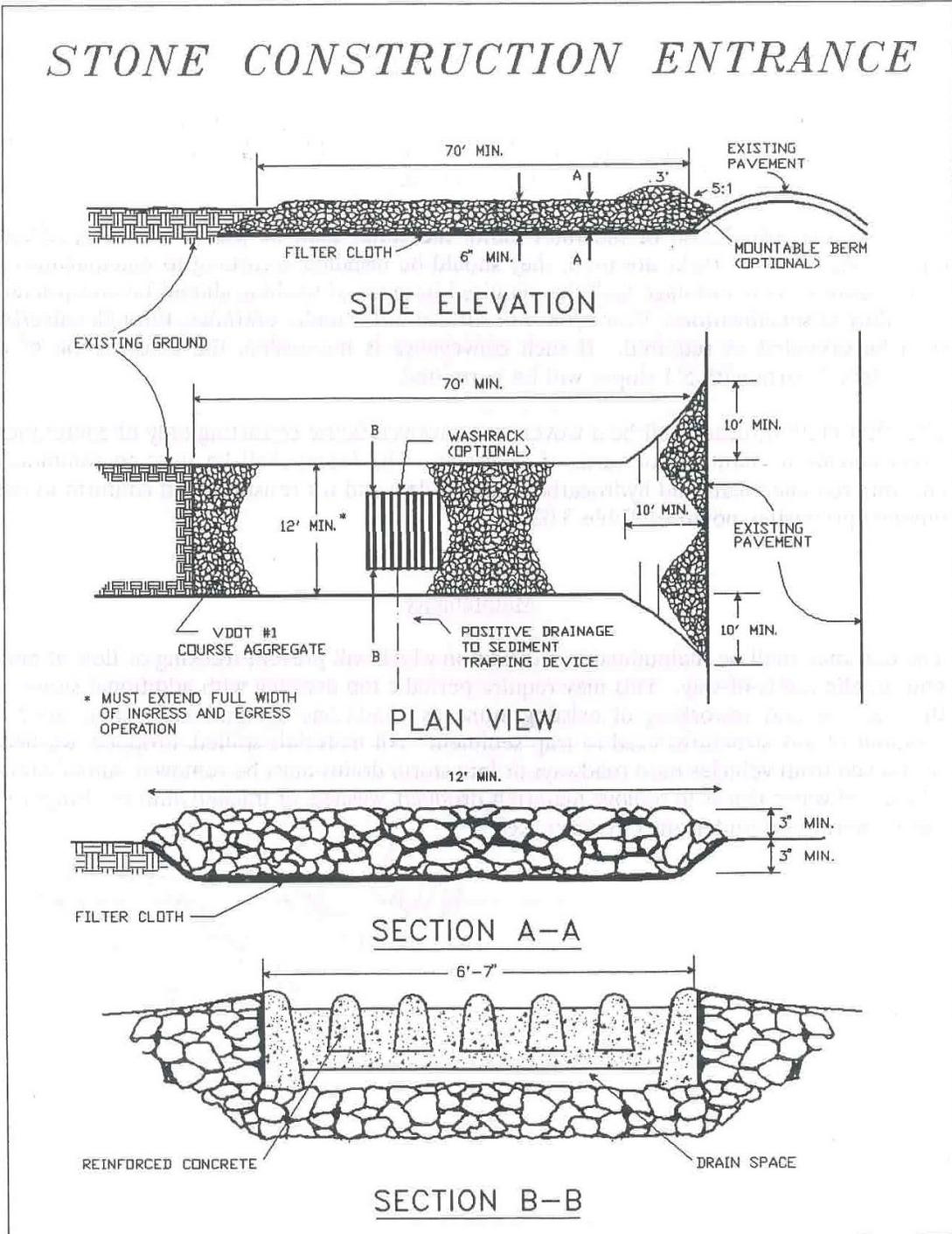
Construction Entrances will be installed where vehicles are entering and exiting the site.

Installation Specifications:

1. The area of the entrance must be excavated a minimum of 3 inches and must be cleared of all vegetation, roots, and other objectionable material. The filter fabric under liner will then be placed the full width and length of the entrance.
2. The filter fabric shall be a woven or nonwoven fabric consisting only of continuous chain polymeric filaments or yards of polyester. The fabric shall be inert to commonly encountered chemicals and hydrocarbons, and be mildew/rot resistant.
3. After filter fabric has been installed then the stone aggregate layer will be installed per the specifications. VDOT #1 coarse aggregate should be used for the stone layer. The stone aggregate layer should be at least 6 inches thick with a minimum width of 12 feet and must extend the full length of ingress/egress.

Maintenance Requirements:

1. The entrance shall be maintained in a condition which will prevent tracking or flow of mud onto public road. This may require periodic top dressing with additional stone or reworking of existing stone as conditions demand.
2. All materials spilled, dropped, washed, or tracked from vehicles onto roadways must be removed immediately. The use of water trucks to remove materials dropped, washed or tracked onto roadways will not be permitted.



Source: Adapted from 1983 Maryland Standards for Soil Erosion and Sediment Control, and Va. DSWC

Plate 3.02-1

B. Silt Fence (STD & SPEC. 3.05)

Silt fence will be installed on the downhill side of the perimeter in order to contain all sediment laden runoff.

Installation Specifications:

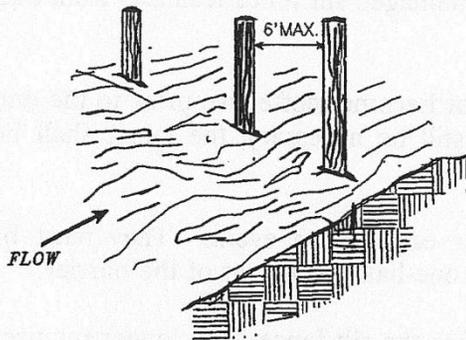
1. The fabric used shall be a synthetic filter that is a pervious sheet of propylene, nylon, polyester, or ethylene yarn.
2. The filter fabric shall contain ultraviolet ray inhibitors and stabilizers to provide a minimum of six months of expected usable construction life.
3. If wooden stakes are utilized, they must have a diameter of 2 inches when oak is used and 4 inches when pine is used. The wooden stakes must have a minimum length of 5 feet.
4. The height of the silt fence shall be a minimum of 16 inches above the original ground surface and shall not exceed 34 inches above ground elevation.
5. The filter fabric shall be purchased in a continuous roll cut to the length of the barrier to avoid the use of joints. When joints are unavoidable, the filter fabric shall be spliced together only at a support post with a minimum 6 inch overlap and securely sealed.
6. A trench shall be excavated approximately 4 inches wide and 4 inches deep on the upslope side of the proposed location.
7. The wooden stakes or posts shall be placed a maximum of 6 feet apart.
8. The trench shall be backfilled and the soil compacted over the filter fabric.
9. The silt fence shall be removed when they have served their useful purpose, but not before the slope area has been permanently stabilized.

Maintenance Requirements:

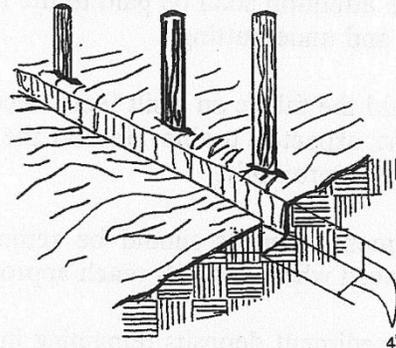
1. Silt fence shall be inspected immediately after each rainfall and at least daily during prolonged rainfall. Any required repairs shall be made immediately.
2. Close attention shall be paid to the repair of damaged silt fence resulting from end runs and undercutting.
3. Should the fabric decompose or become ineffective prior to the end of the expected usable life and the barrier still be necessary, the fabric shall be replaced promptly.
4. Sediment deposits should be removed after each storm event. They must be removed when deposits reach approximately one-half the height of the barrier.
5. Any sediment deposits remaining in place after the silt fence is no longer required shall be dressed to conform to the existing grade, prepared and seeded.

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

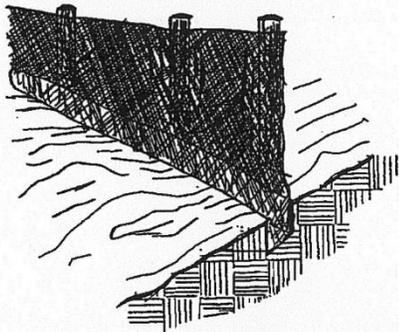
1. SET THE STAKES.



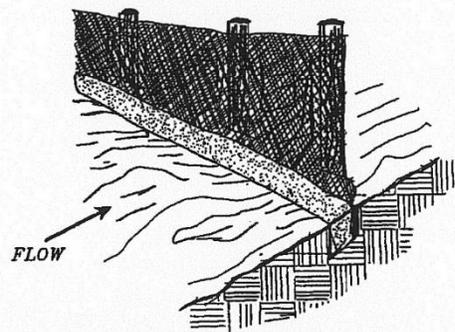
2. EXCAVATE A 4" X 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES.



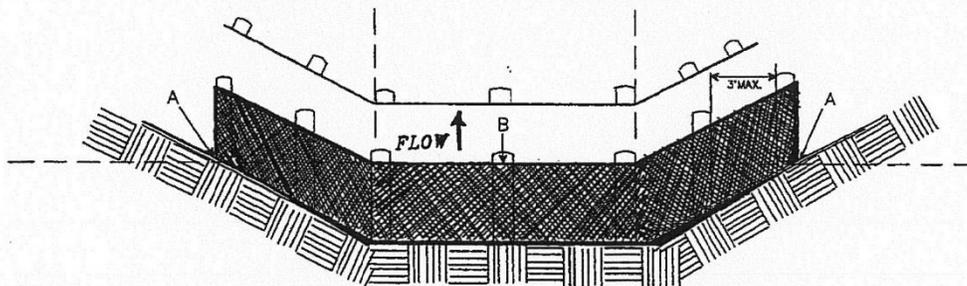
3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.



4. BACKFILL AND COMPACT THE EXCAVATED SOIL.



SHEET FLOW INSTALLATION
(PERSPECTIVE VIEW)



POINTS A SHOULD BE HIGHER THAN POINT B.

DRAINAGEWAY INSTALLATION
(FRONT ELEVATION)

Source: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, Sherwood and Wyant

Plate 3.05-2

4.3 Culvert Protection

A. Culvert Inlet Protection (STD & SPEC. 3.08)

Silt fence culvert inlet protection will be installed on existing culvert inlets prior to construction to prevent the sediment from leaving the site. Culvert inlet protection will be installed on new culverts installed on the project.

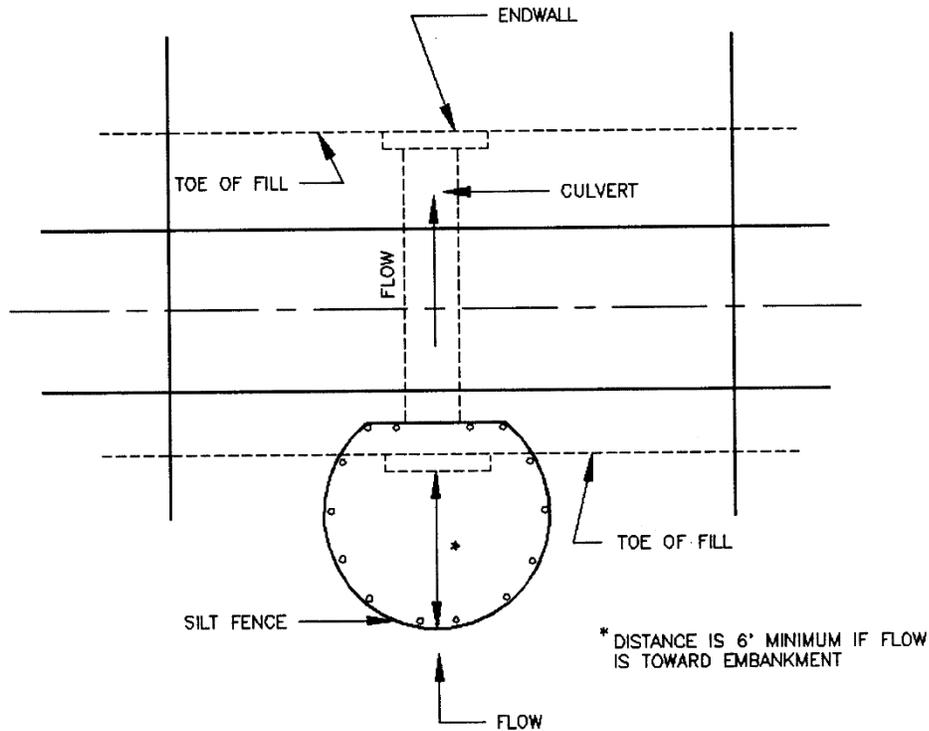
Installation Specifications:

1. The height of the silt fence (in front of the culvert opening) shall be a minimum of 16 inches and shall not exceed 34 inches.
2. Extra strength filter fabric with a maximum spacing of stakes of 3 feet shall be used to construct the measure.
3. The placement of silt fence should be approximately 6 feet from the culvert in the direction of incoming flow, creating a "horseshoe" shape as shown in Plate 3.08-1.
4. If silt fence cannot be installed properly or the flow and/or velocity of flow to the culvert protection is excessive and may breach the structure, the stone combination noted in Plate 3.08-1 should be utilized.

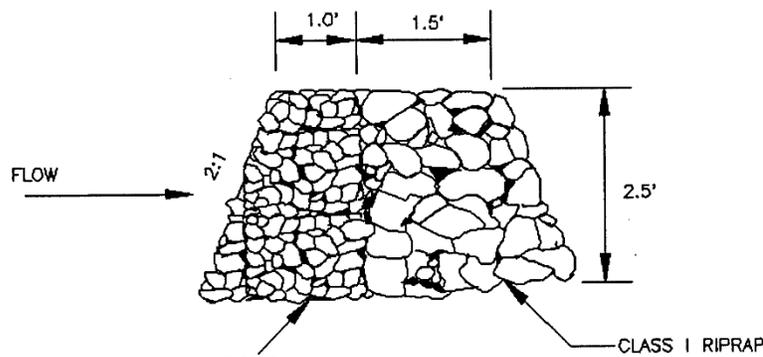
Maintenance Requirements:

1. The structure shall be inspected after each rain and repairs made as needed.
2. Aggregate shall be replaced or cleaned when inspection reveals that clogged voids are causing ponding problems which interfere with onsite construction.
3. Sediment shall be removed and the impoundment restored to its original dimensions when sediment has accumulated to one-half the design depth. Removed sediment shall be deposited in a suitable area and in such a manner that it will not erode and cause sedimentation problems.
4. Temporary structures shall be removed when they have served their useful purpose, but not before the upslope area has been permanently stabilized.

SILT FENCE CULVERT INLET PROTECTION



OPTIONAL STONE COMBINATION **



** VDOT #3, #357 OR #5 COARSE AGGREGATE TO REPLACE SILT FENCE IN "HORSESHOE" WHEN HIGH VELOCITY OF FLOW IS EXPECTED

Source: Adapted from VDOT Standard Sheets and Va. DSWC

Plate 3.08-1

B. Outlet Protection (STD & SPEC. 3.18)

Outlet protection will be installed at the outlet of all culverts or stormwater pipes prior to construction to minimize the potential for downstream erosion by reducing the velocity and energy of stormwater flows.

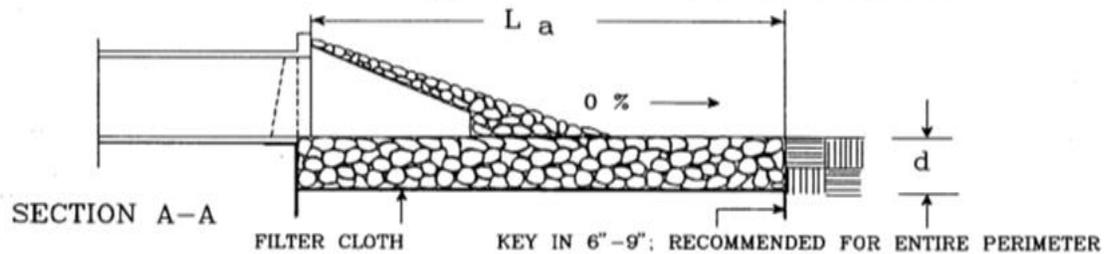
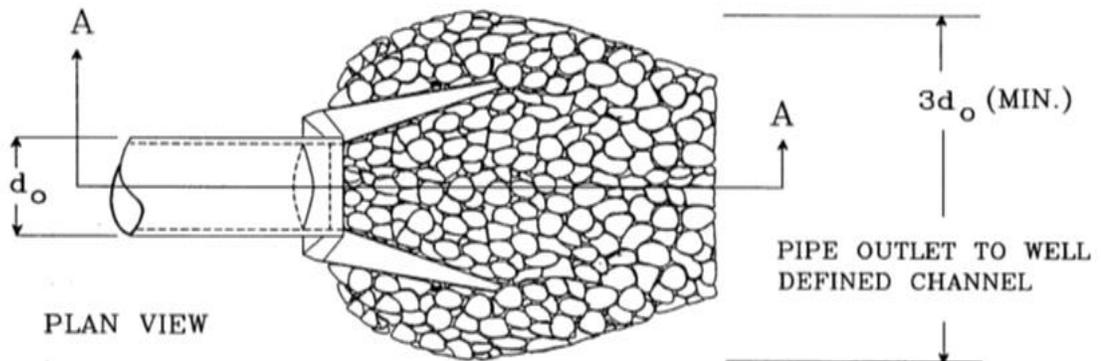
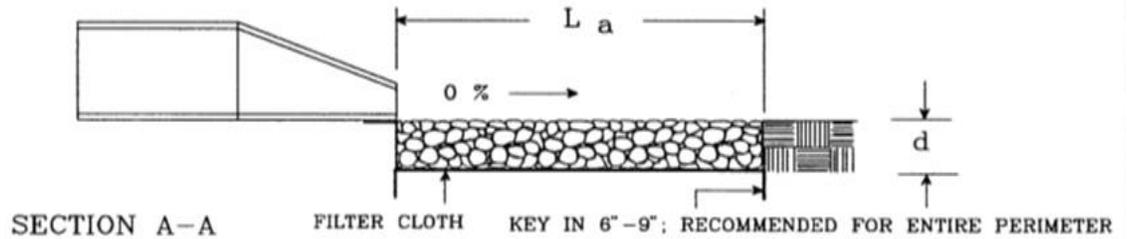
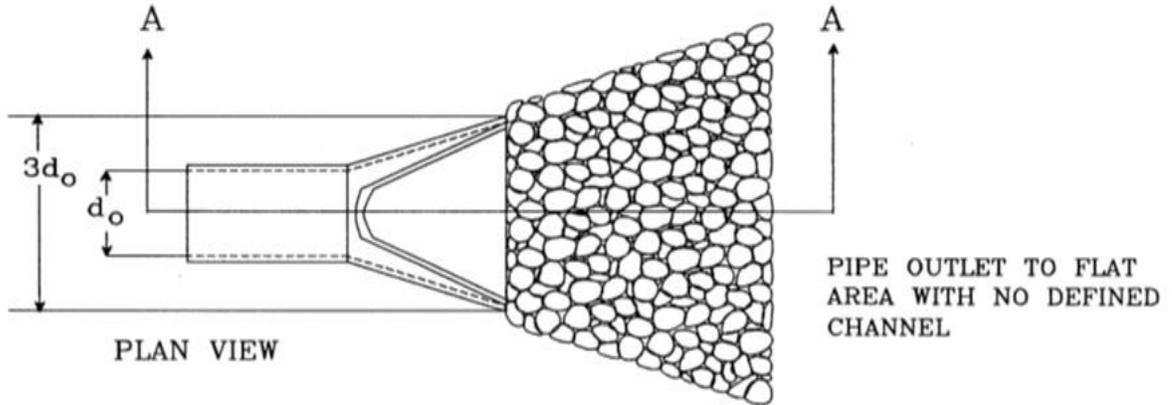
Installation Specifications:

1. In all cases, filter cloth shall be placed between the riprap and the underlying soil to prevent soil movements into and throughout the riprap. The material must meet or exceed the physical properties for filter cloth found in Std. * Specs. 3.19, RIPRAP.

Maintenance:

1. Riprap should be inspected periodically to determine if high flows have caused scour beneath the riprap or filter fabric or dislodged any of the stone. Care must be taken to properly control sediment-laden construction runoff which may drain to the point of the new installation.

PIPE OUTLET CONDITIONS



- NOTES: 1. APRON LINING MAY BE RIPRAP, GROUTED RIPRAP, GABION BASKET, OR CONCRETE.
 2. L_a IS THE LENGTH OF THE RIPRAP APRON AS CALCULATED USING PLATES 3.18-3 AND 3.18-4.
 3. $d = 1.5$ TIMES THE MAXIMUM STONE DIAMETER, BUT NOT LESS THAN 6 INCHES.

4.4 Stabilization

Site Stabilization Practice

- Vegetative Non-Vegetative
 Temporary Permanent

Temporary Stabilization:

Areas that will be denuded for more than 14 days will be temporarily seeded with appropriate annual plants. These areas may include but not limited to denuded areas, soil stockpiles, dikes, and temporary roadbanks, etc.

Maintenance

Stabilized areas will be inspected weekly and after storm events until a dense cover of vegetation has become established. Areas which fail to establish vegetative cover adequately will be reseeded as soon as such areas are identified.

<u>Planting Dates</u>	<u>Species</u>	<u>Rate (lbs./acre)</u>
Sept. 1 - Feb. 15	50/50 Mix of Annual Ryegrass (<u>Lolium multi-florum</u>) & Cereal (Winter) Rye (<u>Secale cereale</u>)	50 - 100
Feb. 16 - Apr. 30	Annual Ryegrass (<u>Lolium multi-florum</u>)	60 - 100
May 1 - Aug 31	German Millet (<u>Setaria italica</u>)	50

Source: Va. DSWC

Site Stabilization Practice

- Vegetative Non-Vegetative
 Temporary Permanent

Final/Permanent Stabilization:

Areas that are at final grade will be stabilized within 7 days with the appropriate permanent perennial plants.

Maintenance

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 achieved.

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3.32

TABLE 3.32-D SITE SPECIFIC SEEDING MIXTURES FOR PIEDMONT AREA	
	<u>Total Lbs. Per Acre</u>
<u>Minimum Care Lawn</u>	
- Commercial or Residential	175-200 lbs.
- Kentucky 31 or Turf-Type Tall Fescue	95-100%
- Improved Perennial Ryegrass	0-5%
- Kentucky Bluegrass	0-5%
<u>High-Maintenance Lawn</u>	
	200-250 lbs.
- Kentucky 31 or Turf-Type Tall Fescue	100%
<u>General Slope (3:1 or less)</u>	
- Kentucky 31 Fescue	128 lbs.
- Red Top Grass	2 lbs.
- Seasonal Nurse Crop *	<u>20 lbs.</u>
	150 lbs.
<u>Low-Maintenance Slope (Steeper than 3:1)</u>	
- Kentucky 31 Fescue	108 lbs.
- Red Top Grass	2 lbs.
- Seasonal Nurse Crop *	20 lbs.
- Crownvetch **	<u>20 lbs.</u>
	150 lbs.
* Use seasonal nurse crop in accordance with seeding dates as stated below:	
February 16th through April	Annual Rye
May 1st through August 15th	Foxtail Millet
August 16th through October	Annual Rye
November through February 15th	Winter Rye
** Substitute Sericea lespedeza for Crownvetch east of Farmville, Va. (May through September use hulled Sericea, all other periods, use unhulled Sericea). If Flatpea is used in lieu of Crownvetch, increase rate to 30 lbs./acre. All legume seed must be properly inoculated. Weeping Lovegrass may be added to any slope or low-maintenance mix during warmer seeding periods; add 10-20 lbs./acre in mixes.	

Site Stabilization Practice

- Vegetative Non-Vegetative
 Temporary Permanent

Mulching:

Mulching with seed will provide a temporary cover for immediate protection to exposed soil until there is vegetative growth.

Maintenance:

Mulched areas will be inspected weekly and after storm events to check for washout or erosion. Mulch will be re-applied if areas of failure are identified.

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3.35

TABLE 3.35-A			
ORGANIC MULCH MATERIALS AND APPLICATION RATES			
MULCHES:	RATES:		NOTES:
	Per Acre	Per 1000 sq. ft.	
Straw or Hay	1½ - 2 tons (Minimum 2 tons for winter cover)	70 - 90 lbs.	Free from weeds and coarse matter. Must be anchored. Spread with mulch blower or by hand.
Fiber Mulch	Minimum 1500 lbs.	35 lbs.	Do not use as mulch for winter cover or during hot, dry periods.* Apply as slurry.
Corn Stalks	4 - 6 tons	185 - 275 lbs.	Cut or shredded in 4-6" lengths. Air-dried. Do not use in fine turf areas. Apply with mulch blower or by hand.
Wood Chips	4 - 6 tons	185 - 275 lbs.	Free of coarse matter. Air-dried. Treat with 12 lbs nitrogen per ton. Do not use in fine turf areas. Apply with mulch blower, chip handler, or by hand.
Bark Chips or Shredded Bark	50 - 70 cu. yds.	1-2 cu. yds.	Free of coarse matter. Air-dried. Do not use in fine turf areas. Apply with mulch blower, chip handler, or by hand.
* When fiber mulch is the only available mulch during periods when straw should be used, apply at a minimum rate of 2000 lbs./ac. or 45 lbs./1000 sq. ft.			

Source: Va. DSWC

SECTION 5: Stormwater Management Controls

5.1 Checklist for Stormwater Management Controls

Identify the Stormwater Management controls that will be implemented. This table is to be used in conjunction with the Stormwater Plan (or agreement in lieu of). The controls listed in this table are only what is most commonly seen at a Single Family Home construction site. Therefore, this list is not all inclusive of the types of controls available to use in the project. For an all-inclusive list, please see the Storm Water Management Handbook that can be found electronically on the DEQ website.

<http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/Publications.aspx>

Select all that apply	Stormwater Management Control
<input type="checkbox"/>	Post-development Stormwater Management Controls provided by a Larger Common Plan of Development or Sale
<input type="checkbox"/>	Rooftop Disconnection
<input type="checkbox"/>	Sheetflow to Vegetated Filter (1 or 2)
<input type="checkbox"/>	Grass Channel
<input type="checkbox"/>	Rainwater Harvesting
<input type="checkbox"/>	Permeable Pavement (1 or 2)
<input type="checkbox"/>	Infiltration (1 or 2)
<input type="checkbox"/>	Bioretention (1 or 2)
<input type="checkbox"/>	

5.2 Stormwater Management Specifications

A. Specification #1 (STD & SPEC. _____)

Installation Specifications:

5.

Maintenance Requirements:

1.

SECTION 6: Inspections & Corrective Actions

6.1 Inspection Personnel

E&S Inspection Personnel

Certifications:

6.2 Procedure

Once inspection personnel have been determined, then those people shall use the provided inspection report, found in Appendix H to inspect the site for compliance with all regulations. This includes the Construction General permit, the minimum standards for erosion & sediment control, and the Fauquier county Design standards manual.

The frequency of inspections shall be as follows:

Excerpts from 2014 Construction General Permit, & Part II (F. 2b)

Part I (B. 4d):

4. (1) *Inspections shall be conducted at a frequency of:
 - (i) *At least once every four business days; or*
 - (ii) *At least once every five business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day.**
- (2) *Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls discharging to surface waters identified as impaired or for which a TMDL wasteload allocation has been established and approved prior to the term of this general permit.*

Part II (F. 2b):

2. *Where areas have been temporarily stabilized or land-disturbing activities will be suspended due to continuous frozen ground conditions and stormwater discharges are unlikely, the inspection frequency may be reduced to once per month. If weather conditions (such as above freezing temperatures or rain or snow events) make discharges likely, the operator shall immediately resume the regular inspection frequency.*

When each inspection is completed then the reports are kept in this binder in Section 6.3. If there are any corrective actions taken then they shall be noted in the Inspections & Corrective Actions Log, found in Section 6.4. If the reports will be kept in a location separate from this binder, then add a note saying where they will be located.

6.3 Completed E&S Inspection Reports

Insert the E&S inspection reports as they are completed.

6.4 Inspections & Corrective Action Log

Insert the E&S Inspection Report and Corrective Action Log(s).

SWPPP Appendices

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Appendix A – Notice of Coverage Letter



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

July 1, 2014

To: Any Operator constructing a Single-Family Detached Residential Structure

Re: Coverage under the VPDES Construction General Permit (VAR10)
Construction of a Single-Family Detached Residential Structure
Various locations throughout the Commonwealth of Virginia

Dear Permittee:

Any operator with a stormwater discharge associated with the construction of a single-family detached residential structure, within or outside a common plan of development or sale, is authorized to discharge under the General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10) and is not required to submit a registration statement or the Department of Environmental Quality portion of the permit fee. The effective date of your coverage under this general permit is July 1, 2014 or the date of locality authorization to commence land disturbance, whichever is later. **The general permit will expire on June 30, 2019.**

A copy of the general permit can be obtained from DEQ's webpage at the following location:

<http://www.deq.virginia.gov/Portals/0/DEQ/Water/Publications/CGP2014.pdf>.

The general permit contains the applicable Stormwater Pollution Prevention Plan (SWPPP) requirements and other conditions of coverage. Please print the general permit and read it carefully as you will be responsible for compliance with all permit conditions.

If your land-disturbing activity will discharge to a surface water identified as impaired or for which a TMDL wasteload allocation has been established and approved prior to the term of the general permit for (i) sediment or a sediment-related parameter or (ii) nutrients the following general permit (Part I.B.4) and SWPPP requirements (Part II.A.5) must be implemented:

- Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site;
- Nutrients (e.g., fertilizers) shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events;
- Inspections shall be conducted at a frequency of (i) at least once every four (4) business days or (ii) at least once every (5) business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and
- Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls.

If a new land-disturbing activity will discharge to an exceptional water identified in Section 30 of the Water Quality Standards, 9VAC25-260, the following general permit (Part I.B.5) and SWPPP requirements (Part II.A.5) must be implemented:

- Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site;
- Nutrients (e.g., fertilizers) shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events;
- Inspections shall be conducted at a frequency of (i) at least once every four (4) business days or (ii) at least once every (5) business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and
- Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls.

Any operator with an existing (i.e., previously permitted) stormwater discharge associated with the construction of a single-family detached residential structure, within or outside a common plan of development or sale, must update their SWPPP to incorporate the changes that the Department made for this permit reissuance. Please update your SWPPP as soon as possible but no later than sixty (60) days from the date of this letter.

If you have any questions about this permit, please contact the DEQ Office of Stormwater Management at ConstructionGP@deq.virginia.gov.

Sincerely,



Frederick K. Cunningham, Director
Office of Water Permits

Appendix B – 2014 Construction General Permit



COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

General Permit No.: VAR10

Effective Date: July 1, 2014

Expiration Date: June 30, 2019

**GENERAL VPDES PERMIT FOR DISCHARGES OF STORMWATER FROM
CONSTRUCTION ACTIVITIES**

**AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA STORMWATER
MANAGEMENT PROGRAM AND THE VIRGINIA STORMWATER MANAGEMENT ACT**

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

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

PART I

DISCHARGE AUTHORIZATION AND SPECIAL CONDITIONS

A. Coverage under this general permit.

1. During the period beginning with the date of coverage under this general permit and lasting until the general permit's expiration date, the operator is authorized to discharge stormwater from construction activities.
2. This general permit also authorizes stormwater discharges from support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) located on-site or off-site provided that:
 - a. The support activity is directly related to the construction activity that is required to have general permit coverage for discharges of stormwater from construction activities;
 - b. The support activity is not a commercial operation, nor does it serve multiple unrelated construction activities by different operators;
 - c. The support activity does not operate beyond the completion of the last construction activity it supports;
 - d. The support activity is identified in the registration statement at the time of general permit coverage;
 - e. Appropriate control measures are identified in a stormwater pollution prevention plan and implemented to address the discharges from the support activity areas; and
 - f. All applicable state, federal, and local approvals are obtained for the support activity.

B. Limitations on coverage.

1. Post-construction discharges. This general permit does not authorize stormwater discharges that originate from the site after construction activities have been completed and the site, including any support activity sites covered under the general permit registration, has undergone final stabilization. Post-construction industrial stormwater discharges may need to be covered by a separate VPDES permit.
2. Discharges mixed with non-stormwater. This general permit does not authorize discharges that are mixed with sources of non-stormwater, other than those discharges that are identified in Part I E (Authorized non-stormwater discharges) and are in compliance with this general permit.
3. Discharges covered by another state permit. This general permit does not authorize discharges of stormwater from construction activities that have been covered under an individual permit or required to obtain coverage under an alternative general permit.
4. Impaired waters and TMDL limitation. Discharges of stormwater from construction activities to surface waters identified as impaired in the 2012 § 305(b)/303(d) Water Quality Assessment Integrated Report or for which a TMDL wasteload allocation has been established and approved prior to the term of this general permit for (i) sediment or a sediment-related parameter (i.e., total suspended solids or turbidity) or (ii) nutrients (i.e., nitrogen or phosphorus) are not eligible for coverage under this general permit unless the operator develops, implements, and maintains a SWPPP that minimizes the pollutants of concern and, when applicable, is consistent with the assumptions and requirements of the approved TMDL wasteload allocations. In addition, the operator shall implement the following items:

- a. The impaired water(s), approved TMDL(s), and pollutant(s) of concern, when applicable, shall be identified in the SWPPP;
 - b. Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;
 - c. Nutrients shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and
 - d. The applicable SWPPP inspection requirements specified in Part II F 2 shall be amended as follows:
 - (1) Inspections shall be conducted at a frequency of (i) at least once every four business days or (ii) at least once every five business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and
 - (2) Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls discharging to surface waters identified as impaired or for which a TMDL wasteload allocation has been established and approved prior to the term of this general permit.
5. Exceptional waters limitation. Discharges of stormwater from construction activities not previously covered under the general permit issued in 2009 to exceptional waters identified in 9VAC25-260-30 A 3 c are not eligible for coverage under this general permit unless the operator implements the following:
- a. The exceptional water(s) shall be identified in the SWPPP;
 - b. Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;
 - c. Nutrients shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and
 - d. The applicable SWPPP inspection requirements specified in Part II F 2 shall be amended as follows:
 - (1) Inspections shall be conducted at a frequency of (i) at least once every four business days or (ii) at least once every five business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted on the next business day; and
 - (2) Representative inspections used by utility line installation, pipeline construction, or other similar linear construction activities shall inspect all outfalls discharging to exceptional waters.
6. There shall be no discharge of floating solids or visible foam in other than trace amounts.
- C. Commingled discharges. Discharges authorized by this general permit may be commingled with other sources of stormwater that are not required to be covered under a state permit, so long as the commingled discharge is in compliance with this general permit. Discharges authorized by a separate state or VPDES permit may be commingled with discharges authorized by this general permit so long as all such discharges comply with all applicable state and VPDES permit requirements

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

1. Wastewater from washout of concrete;
2. Wastewater from the washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. Oils, toxic substances, or hazardous substances from spills or other releases; and
5. Soaps, solvents, or detergents used in equipment and vehicle washing.

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

1. Discharges from firefighting activities;
2. Fire hydrant flushings;
3. Waters used to wash vehicles or equipment where soaps, solvents, or detergents have not been used and the wash water has been filtered, settled, or similarly treated prior to discharge;
4. Water used to control dust that has been filtered, settled, or similarly treated prior to discharge;
5. Potable water sources, including uncontaminated waterline flushings;
6. Routine external building wash down where soaps, solvents or detergents have not been used and the wash water has been filtered, settled, or similarly treated prior to discharge;
7. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (or where all spilled or leaked material has been removed prior to washing); where soaps, solvents, or detergents have not been used; and where the wash water has been filtered, settled, or similarly treated prior to discharge;
8. Uncontaminated air conditioning or compressor condensate;
9. Uncontaminated ground water or spring water;
10. Foundation or footing drains where flows are not contaminated with process materials such as solvents;
11. Uncontaminated excavation dewatering, including dewatering of trenches and excavations that have been filtered, settled, or similarly treated prior to discharge; and
12. Landscape irrigation.

F. Termination of general permit coverage.

1. The operator of the construction activity shall submit a notice of termination in accordance with 9VAC25-880-60 to the VSMP authority after one or more of the following conditions have been met
 - a. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which

the operator is responsible. When applicable, long term responsibility and maintenance requirements shall be recorded in the local land records prior to the submission of a notice of termination;

- b. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;
 - c. Coverage under an alternative VPDES or state permit has been obtained; or
 - d. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.
2. The notice of termination should be submitted no later than 30 days after one of the above conditions in subdivision 1 of this subsection is met. Authorization to discharge terminates at midnight on the date that the notice of termination is submitted for the conditions set forth in subdivisions 1 b through 1 d of this subsection. Termination of authorizations to discharge for the conditions set forth in subdivision 1 as of this subsection shall be effective upon notification from the department that the provisions of subdivision 1 as of this subsection have been met or 60 days after submittal of the notice of termination, whichever occurs first.
 3. The notice of termination shall be signed in accordance with Part III K of this general permit.

G. Water quality protection.

1. The operator must select, install, implement and maintain control measures as identified in the SWPPP at the construction site that minimize pollutants in the discharge as necessary to ensure that the operator's discharge does not cause or contribute to an excursion above any applicable water quality standard.
2. If it is determined by the department that the operator's discharges are causing, have reasonable potential to cause, or are contributing to an excursion above any applicable water quality standard, the department, in consultation with the VSMP authority, may take appropriate enforcement action and require the operator to:
 - a. Modify or implement additional control measures in accordance with Part II B to adequately address the identified water quality concerns;
 - b. Submit valid and verifiable data and information that are representative of ambient conditions and indicate that the receiving water is attaining water quality standards; or
 - c. Submit an individual permit application in accordance with 9VAC25-870-410 B 3.

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

PART II

STORMWATER POLLUTION PREVENTION PLAN

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

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

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

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

1. General information.

- a. A signed copy of the registration statement, if required, for coverage under the general VPDES permit for discharges of stormwater from construction activities;
- b. Upon receipt, a copy of the notice of coverage under the general VPDES permit for discharges of stormwater from construction activities (i.e., notice of coverage letter);
- c. Upon receipt, a copy of the general VPDES permit for discharges of stormwater from construction activities;
- d. A narrative description of the nature of the construction activity, including the function of the project (e.g., low density residential, shopping mall, highway, etc.);
- e. A legible site plan identifying:
 - (1) Directions of stormwater flow and approximate slopes anticipated after major grading activities;
 - (2) Limits of land disturbance including steep slopes and natural buffers around surface waters that will not be disturbed;
 - (3) Locations of major structural and nonstructural control measures, including sediment basins and traps, perimeter dikes, sediment barriers, and other measures intended to filter, settle, or similarly treat sediment, that will be installed between disturbed areas and the undisturbed vegetated areas in order to increase sediment removal and maximize stormwater infiltration;
 - (4) Locations of surface waters;

- (5) Locations where concentrated stormwater is discharged;
- (6) Locations of support activities, when applicable and when required by the VSMP authority, including but not limited to (i) areas where equipment and vehicle washing, wheel wash water, and other wash water is to occur; (ii) storage areas for chemicals such as acids, fuels, fertilizers, and other lawn care chemicals; (iii) concrete wash out areas; (iv) vehicle fueling and maintenance areas; (v) sanitary waste facilities, including those temporarily placed on the construction site; and (vi) construction waste storage; and
- (7) When applicable, the location of the on-site rain gauge or the methodology established in consultation with the VSMP authority used to identify measurable storm events for inspection purposes.

2. Erosion and sediment control plan.

- a. An erosion and sediment control plan approved by the VESCP authority as authorized under the Erosion and Sediment Control Regulations (9VAC25-840), an "agreement in lieu of a plan" as defined in 9VAC25-840-10 from the VESCP authority, or an erosion and sediment control plan prepared in accordance with annual standards and specifications approved by the department. Any operator proposing a new stormwater discharge from construction activities that is not required to obtain erosion and sediment control plan approval from a VESCP authority or does not adopt department-approved annual standards and specifications shall submit the erosion and sediment control plan to the department for review and approval.
- b. All erosion and sediment control plans shall include a statement describing the maintenance responsibilities required for the erosion and sediment controls used.
- c. A properly implemented approved erosion and sediment control plan, "agreement in lieu of a plan," or erosion and sediment control plan prepared in accordance with department-approved annual standards and specifications, adequately:
 - (1) Controls the volume and velocity of stormwater runoff within the site to minimize soil erosion;
 - (2) Controls stormwater discharges, including peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
 - (3) Minimizes the amount of soil exposed during the construction activity;
 - (4) Minimizes the disturbance of steep slopes;
 - (5) Minimizes sediment discharges from the site in a manner that addresses (i) the amount, frequency, intensity, and duration of precipitation; (ii) the nature of resulting stormwater runoff; and (iii) soil characteristics, including the range of soil particle sizes present on the site;
 - (6) Provides and maintains natural buffers around surface waters, directs stormwater to vegetated areas to increase sediment removal, and maximizes stormwater infiltration, unless infeasible;
 - (7) Minimizes soil compaction and, unless infeasible, preserves topsoil;
 - (8) Ensures that stabilization of disturbed areas will be initiated immediately whenever any clearing, grading, excavating, or other land-disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 days; and

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

3. Stormwater management plan.

- a. New construction activities. A stormwater management plan approved by the VSMP authority as authorized under the Virginia Stormwater Management Program (VSMP) Regulation (9VAC25-870), or an "agreement in lieu of a stormwater management plan" as defined in 9VAC25-870-10 from the VSMP authority, or a stormwater management plan prepared in accordance with annual standards and specifications approved by the department. Any operator proposing a new stormwater discharge from construction activities that is not required to obtain stormwater management plan approval from a VSMP authority or does not adopt department-approved annual standards and specifications shall submit the stormwater management plan to the department for review and approval.
 - b. Existing construction activities. Any operator that was authorized to discharge under the general permit issued in 2009, and that intends to continue coverage under this general permit, shall ensure compliance with the requirements of 9VAC25-870-93 through 9VAC25-870-99 of the VSMP Regulation, including but not limited to the water quality and quantity requirements. The SWPPP shall include a description of, and all necessary calculations supporting, all post-construction stormwater management measures that will be installed prior to the completion of the construction process to control pollutants in stormwater discharges after construction operations have been completed. Structural measures should be placed on upland soils to the degree possible. Such measures must be designed and installed in accordance with applicable VESCP authority, VSMP authority, state, and federal requirements, and any necessary permits must be obtained.
4. Pollution prevention plan. A pollution prevention plan that addresses potential pollutant-generating activities that may reasonably be expected to affect the quality of stormwater discharges from the construction activity, including any support activity. The pollution prevention plan shall:
- a. Identify the potential pollutant-generating activities and the pollutant that is expected to be exposed to stormwater;
 - b. Describe the location where the potential pollutant-generating activities will occur, or if identified on the site plan, reference the site plan;
 - c. Identify all nonstormwater discharges, as authorized in Part I E of this general permit, that are or will be commingled with stormwater discharges from the construction activity, including any applicable support activity;
 - d. Identify the person responsible for implementing the pollution prevention practice or practices for each pollutant-generating activity (if other than the person listed as the qualified personnel);
 - e. Describe the pollution prevention practices and procedures that will be implemented to:
 - (1) Prevent and respond to leaks, spills, and other releases including (i) procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases; and (ii) procedures for reporting leaks, spills, and other releases in accordance with Part III G;
 - (2) Prevent the discharge of spilled and leaked fuels and chemicals from vehicle fueling and maintenance activities (e.g., providing secondary containment such as spill berms, decks, spill containment pallets, providing cover where appropriate, and having spill kits readily available);

- (3) Prevent the discharge of soaps, solvents, detergents, and wash water from construction materials, including the clean-up of stucco, paint, form release oils, and curing compounds (e.g., providing (i) cover (e.g., plastic sheeting or temporary roofs) to prevent contact with stormwater; (ii) collection and proper disposal in a manner to prevent contact with stormwater; and (iii) a similarly effective means designed to prevent discharge of these pollutants);
 - (4) Minimize the discharge of pollutants from vehicle and equipment washing, wheel wash water, and other types of washing (e.g., locating activities away from surface waters and stormwater inlets or conveyance and directing wash waters to sediment basins or traps, using filtration devices such as filter bags or sand filters, or using similarly effective controls);
 - (5) Direct concrete wash water into a leak-proof container or leak-proof settling basin. The container or basin shall be designed so that no overflows can occur due to inadequate sizing or precipitation. Hardened concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wastes. Liquid concrete wastes shall be removed and disposed of in a manner consistent with the handling of other construction wash waters and shall not be discharged to surface waters;
 - (6) Minimize the discharge of pollutants from storage, handling, and disposal of construction products, materials, and wastes including (i) building products such as asphalt sealants, copper flashing, roofing materials, adhesives, and concrete admixtures; (ii) pesticides, herbicides, insecticides, fertilizers, and landscape materials; and (iii) construction and domestic wastes such as packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, Styrofoam, concrete, and other trash or building materials;
 - (7) Prevent the discharge of fuels, oils, and other petroleum products, hazardous or toxic wastes, and sanitary wastes; and
 - (8) Address any other discharge from the potential pollutant-generating activities not addressed above; and
- f. Describe procedures for providing pollution prevention awareness of all applicable wastes, including any wash water, disposal practices, and applicable disposal locations of such wastes, to personnel in order to comply with the conditions of this general permit. The operator shall implement the procedures described in the SWPPP.
5. SWPPP requirements for discharges to impaired waters, surface waters with an applicable TMDL wasteload allocation established and approved prior to the term of this general permit, and exceptional waters. The SWPPP shall:
- a. Identify the impaired water(s), approved TMDL(s), pollutant(s) of concern, and exceptional waters identified in 9VAC25-260-30 A 3 c, when applicable;
 - b. Provide clear direction that:
 - (1) Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site;
 - (2) Nutrients shall be applied in accordance with manufacturer's recommendations or an approved nutrient management plan and shall not be applied during rainfall events; and
 - (3) A modified inspection schedule shall be implemented in accordance with Part I B 4 or Part I B 5.

6. Qualified personnel. The name, phone number, and qualifications of the qualified personnel conducting inspections required by this general permit.
7. Delegation of authority. The individuals or positions with delegated authority, in accordance with Part III K, to sign inspection reports or modify the SWPPP.
8. SWPPP signature. The SWPPP shall be signed and dated in accordance with Part III K. B.

SWPPP amendments, modification, and updates.

1. The operator shall amend the SWPPP whenever there is a change in the design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to surface waters and that has not been previously addressed in the SWPPP.
2. The SWPPP must be amended if, during inspections or investigations by the operator's qualified personnel, or by local, state, or federal officials, it is determined that the existing control measures are ineffective in minimizing pollutants in discharges from the construction activity. Revisions to the SWPPP shall include additional or modified control measures designed and implemented to correct problems identified. If approval by the VESCP authority, VSMP authority, or department is necessary for the control measure, revisions to the SWPPP shall be completed no later than seven calendar days following approval. Implementation of these additional or modified control measures must be accomplished as described in Part II G.
3. The SWPPP must clearly identify the contractor(s) that will implement and maintain each control measure identified in the SWPPP. The SWPPP shall be amended to identify any new contractor that will implement and maintain a control measure.
4. The operator shall update the SWPPP no later than seven days following any modification to its implementation. All modifications or updates to the SWPPP shall be noted and shall include the following items:
 - a. A record of dates when:
 - (1) Major grading activities occur;
 - (2) Construction activities temporarily or permanently cease on a portion of the site; and
 - (3) Stabilization measures are initiated;
 - b. Documentation of replaced or modified controls where periodic inspections or other information have indicated that the controls have been used inappropriately or incorrectly and where modified as soon as possible;
 - c. Areas that have reached final stabilization and where no further SWPPP or inspection requirements apply;
 - d. All properties that are no longer under the legal control of the operator and the dates on which the operator no longer had legal control over each property;
 - e. The date of any prohibited discharges, the discharge volume released, and what actions were taken to minimize the impact of the release;
 - f. Measures taken to prevent the reoccurrence of any prohibited discharge; and
 - g. Measures taken to address any evidence identified as a result of an inspection required under Part II F.

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

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

D. SWPPP availability.

1. Operators with day-to-day operational control over SWPPP implementation shall have a copy of the SWPPP available at a central location on-site for use by those identified as having responsibilities under the SWPPP whenever they are on the construction site.
2. The operator shall make the SWPPP and all amendments, modifications, and updates available upon request to the department, the VSMP authority, the EPA, the VESCP authority, local government officials, or the operator of a municipal separate storm sewer system receiving discharges from the construction activity. If an on-site location is unavailable to store the SWPPP when no personnel are present, notice of the SWPPP's location must be posted near the main entrance of the construction site.
3. The operator shall make the SWPPP available for public review in an electronic format or in hard copy. Information for public access to the SWPPP shall be posted and maintained in accordance with Part II C. If not provided electronically, public access to the SWPPP may be arranged upon request at a time and at a publicly accessible location convenient to the operator or his designee but shall be no less than once per month and shall be during normal business hours. Information not required to be contained within the SWPPP by this general permit is not required to be released.

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

1. All control measures must be properly maintained in effective operating condition in accordance with good engineering practices and, where applicable, manufacturer specifications. If a site inspection required by Part II F identifies a control measure that is not operating effectively, corrective action(s) shall be completed as soon as practicable, but no later than seven days after discovery or a longer period as established by the VSMP authority, to maintain the continued effectiveness of the control measures.
2. If site inspections required by Part II F identify an existing control measure that needs to be modified or if an additional control measure is necessary for any reason, implementation shall be completed prior to the next anticipated measurable storm event. If implementation prior to the next anticipated measurable storm event is impracticable, then alternative control measures shall be implemented as soon as practicable, but no later than seven days after discovery or a longer period as established by the VSMP authority.

F. SWPPP Inspections.

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

- (1) At least once every five business days; or
 - (2) At least once every 10 business days and no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted no later than the next business day.
- b. Where areas have been temporarily stabilized or land-disturbing activities will be suspended due to continuous frozen ground conditions and stormwater discharges are unlikely, the inspection frequency may be reduced to once per month. If weather conditions (such as above freezing temperatures or rain or snow events) make discharges likely, the operator shall immediately resume the regular inspection frequency.
- c. Representative inspections may be utilized for utility line installation, pipeline construction, or other similar linear construction activities provided that:
- (1) Temporary or permanent soil stabilization has been installed and vehicle access may compromise the temporary or permanent soil stabilization and potentially cause additional land disturbance increasing the potential for erosion;
 - (2) Inspections occur on the same frequency as other construction activities;
 - (3) Control measures are inspected along the construction site 0.25 miles above and below each access point (i.e., where a roadway, undisturbed right-of-way, or other similar feature intersects the construction activity and access does not compromise temporary or permanent soil stabilization); and
 - (4) Inspection locations are provided in the report required by Part II F.
3. Inspection requirements.
- a. As part of the inspection, the qualified personnel shall:
- (1) Record the date and time of the inspection and when applicable the date and rainfall amount of the last measurable storm event;
 - (2) Record the information and a description of any discharges occurring at the time of the inspection;
 - (3) Record any land-disturbing activities that have occurred outside of the approved erosion and sediment control plan;
 - (4) Inspect the following for installation in accordance with the approved erosion and sediment control plan, identification of any maintenance needs, and evaluation of effectiveness in minimizing sediment discharge, including whether the control has been inappropriately or incorrectly used:
 - (a) All perimeter erosion and sediment controls, such as silt fence;
 - (b) Soil stockpiles, when applicable, and borrow areas for stabilization or sediment trapping measures;
 - (c) Completed earthen structures, such as dams, dikes, ditches, and diversions for stabilization;

- (d) Cut and fill slopes;
 - (e) Sediment basins and traps, sediment barriers, and other measures installed to control sediment discharge from stormwater;
 - (f) Temporary or permanent channel, flume, or other slope drain structures installed to convey concentrated runoff down cut and fill slopes;
 - (g) Storm inlets that have been made operational to ensure that sediment laden stormwater does not enter without first being filtered or similarly treated; and
 - (h) Construction vehicle access routes that intersect or access paved roads for minimizing sediment tracking;
- (5) Inspect areas that have reached final grade or that will remain dormant for more than 14 days for initiation of stabilization activities;
- (6) Inspect areas that have reached final grade or that will remain dormant for more than 14 days for completion of stabilization activities within seven days of reaching grade or stopping work;
- (7) Inspect for evidence that the approved erosion and sediment control plan, "agreement in lieu of a plan," or erosion and sediment control plan prepared in accordance with department-approved annual standards and specifications has not been properly implemented. This includes but is not limited to:
- (a) Concentrated flows of stormwater in conveyances such as rills, rivulets or channels that have not been filtered, settled, or similarly treated prior to discharge, or evidence thereof;
 - (b) Sediment laden or turbid flows of stormwater that have not been filtered or settled to remove sediments prior to discharge;
 - (c) Sediment deposition in areas that drain to unprotected stormwater inlets or catch basins that discharge to surface waters. Inlets and catch basins with failing sediments controls due to improper installation, lack of maintenance, or inadequate design are considered unprotected;
 - (d) Sediment deposition on any property (including public and private streets) outside of the construction activity covered by this general permit;
 - (e) Required stabilization has not been initiated or completed on portions of the site;
 - (f) Sediment basins without adequate wet or dry storage volume or sediment basins that allow the discharge of stormwater from below the surface of the wet storage portion of the basin;
 - (g) Sediment traps without adequate wet or dry storage or sediment traps that allow the discharge of stormwater from below the surface of the wet storage portion of the trap; and
 - (h) Land disturbance outside of the approved area to be disturbed;
- (8) Inspect pollutant generating activities identified in the pollution prevention plan for the proper implementation, maintenance and effectiveness of the procedures and practices;
- (9) Identify any pollutant generating activities not identified in the pollution prevention plan; and

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

4. Inspection report. Each inspection report shall include the following items:
 - a. The date and time of the inspection and when applicable, the date and rainfall amount of the last measurable storm event;
 - b. Summarized findings of the inspection;
 - c. The location(s) of prohibited discharges;
 - d. The location(s) of control measures that require maintenance;
 - e. The location(s) of control measures that failed to operate as designed or proved inadequate or inappropriate for a particular location;
 - f. The location(s) where any evidence identified under Part II F 3 a (7) exists;
 - g. The location(s) where any additional control measure is needed that did not exist at the time of inspection;
 - h. A list of corrective actions required (including any changes to the SWPPP that are necessary) as a result of the inspection or to maintain permit compliance;
 - i. Documentation of any corrective actions required from a previous inspection that have not been implemented; and
 - j. The date and signature of the qualified personnel and the operator or its duly authorized representative.

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

G. Corrective actions.

1. The operator shall implement the corrective action(s) identified as a result of an inspection as soon as practicable but no later than seven days after discovery or a longer period as approved by the VSMP authority. If approval of a corrective action by a regulatory authority (e.g., VSMP authority, VESCP authority, or the department) is necessary, additional control measures shall be implemented to minimize pollutants in stormwater discharges until such approvals can be obtained.
2. The operator may be required to remove accumulated sediment deposits located outside of the construction activity covered by this general permit as soon as practicable in order to minimize environmental impacts. The operator shall notify the VSMP authority and the department as well as obtain all applicable federal, state, and local authorizations, approvals, and permits prior to the removal of sediments accumulated in surface waters including wetlands.

PART III

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

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

A. Monitoring.

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitoring activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this general permit. Analyses performed according to test procedures approved under 40 CFR Part 136 shall be performed by an environmental laboratory certified under regulations adopted by the Department of General Services (1VAC30-45 or 1VAC30-46).
3. The operator shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Monitoring records and reports shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. The operator shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this general permit, and records of all data used to complete the registration statement for this general permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the operator, or as requested by the board.

C. Reporting monitoring results.

1. The operator shall update the SWPPP to include the results of the monitoring as may be performed in accordance with this general permit, unless another reporting schedule is specified elsewhere in this general permit.
2. Monitoring results shall be reported on a discharge monitoring report (DMR); on forms provided, approved or specified by the department; or in any format provided that the date, location, parameter, method, and result of the monitoring activity are included.

3. If the operator monitors any pollutant specifically addressed by this general permit more frequently than required by this general permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this general permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this general permit.

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

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

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

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

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

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

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

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

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

1. An oral report to the department and the VSMP authority shall be provided within 24 hours from the time the operator becomes aware of the circumstances. The following shall be included as information that shall be reported within 24 hours under this subdivision:
 - a. Any unanticipated bypass; and
 - b. Any upset that causes a discharge to surface waters.
2. A written report shall be submitted within five days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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

3. The operator shall report all instances of noncompliance not reported under Part III I 1 or 2 in writing as part of the SWPPP. The reports shall contain the information listed in Part III I 2.

NOTE: The reports required in Part III G, H and I shall be made to the department and the VSMP authority. Reports may be made by telephone, email, or by fax. For reports outside normal working hours, leaving a recorded message shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24-hour telephone service at 1-800-468-8892

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

J. Notice of planned changes.

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

K. Signatory requirements.

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

representative may thus be either a named individual or any individual occupying a named position); and

- c. The signed and dated written authorization is included in the SWPPP. A copy must be provided to the department and VSMP authority, if requested.
3. Changes to authorization. If an authorization under Part III K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the construction activity, a new authorization satisfying the requirements of Part III K 2 shall be submitted to the VSMP authority as the administering entity for the board prior to or together with any reports or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Part III K 1 or 2 shall make the following certification:

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

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

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

M. Duty to reapply. If the operator wishes to continue an activity regulated by this general permit after the expiration date of this general permit, the operator shall submit a new registration statement at least 90 days before the expiration date of the existing general permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing general permit.

N. Effect of a state permit. This general permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

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

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

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

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

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

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

U. Bypass.

1. "Bypass," as defined in 9VAC25-870-10, means the intentional diversion of waste streams from any portion of a treatment facility. The operator may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Part III U 2 and 3.
2. Notice.
 - a. Anticipated bypass. If the operator knows in advance of the need for a bypass, the operator shall submit prior notice to the department, if possible at least 10 days before the date of the bypass.
 - b. Unanticipated bypass. The operator shall submit notice of an unanticipated bypass as required in Part III I.
3. Prohibition of bypass.
 - a. Except as provided in Part III U 1, bypass is prohibited, and the board or department may take enforcement action against an operator for bypass unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The operator submitted notices as required under Part III U 2.

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

V. Upset.

1. An "upset," as defined in 9VAC25-870-10, means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based state permit effluent limitations because of factors beyond the reasonable control of the operator. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based state permit effluent limitations if the requirements of Part III V 4 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
3. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
4. An operator who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:
 - a. An upset occurred and that the operator can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The operator submitted notice of the upset as required in Part III I; and
 - d. The operator complied with any remedial measures required under Part III S.
5. In any enforcement proceeding, the operator seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry. The operator shall allow the department as the board's designee, the VSMP authority, EPA, or an authorized representative of either entity (including an authorized contractor), upon presentation of credentials and other documents as may be required by law to:

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

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

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

Y. Transfer of state permits.

1. State permits are not transferable to any person except after notice to the department. Except as provided in Part III Y 2, a state permit may be transferred by the operator to a new operator only if the state permit has been modified or revoked and reissued, or a minor modification made, to identify the new operator and incorporate such other requirements as may be necessary under the Virginia Stormwater Management Act and the Clean Water Act.
2. As an alternative to transfers under Part III Y 1, this state permit may be automatically transferred to a new operator if:
 - a. The current operator notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new operators containing a specific date for transfer of state permit responsibility, coverage, and liability between them; and
 - c. The department does not notify the existing operator and the proposed new operator of its intent to modify or revoke and reissue the state permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III Y 2 b.
3. For ongoing construction activity involving a change of operator, the new operator shall accept and maintain the existing SWPPP, or prepare and implement a new SWPPP prior to taking over operations at the site.

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

Appendix C – Copy of Agreement in Lieu of a Plan & Land Disturbing Permit

In this section, insert a signed copy of the agreement in Lieu of a plan and a copy of the issued Land Disturbing Permit.

Appendix D – Virginia’s 19 Minimum Standards for Erosion & Sediment Control

Minimum Standard 1 – Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 14 days. Permanent stabilization shall be applied to areas that are to be left dormant for more than one year.

Minimum Standard 2 – During construction of the project, soil stockpiles and borrow areas shall be stabilized or protected with sediment trapping measures. The applicant is responsible for the temporary protection and permanent stabilization of all soil stockpiles on site as well as borrow areas and soil intentionally transported from the project site.

Minimum Standard 3 – A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive and will inhibit erosion.

Minimum Standard 4 – Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place.

Minimum Standard 5 – Stabilization measures shall be applied to earthen structures such as dams, dikes and diversions immediately after installation.

Minimum Standard 6 – Sediment traps and sediment basins shall be designed and constructed based upon the total drainage area to be served by the trap or basin.

- A. The minimum storage capacity of a sediment trap shall be 134 cubic yards per acre of drainage area and the trap shall only control drainage areas less than three acres.
- B. Surface runoff from disturbed areas that is comprised of flow from drainage areas greater than or equal to three acres shall be controlled by a sediment basin. The minimum storage capacity of a sediment basin shall be 134 cubic yards per acre of drainage area. The outfall system shall, at a minimum, maintain the structural integrity of the basin during a 25 year storm of 24 hour duration. Runoff coefficients used in runoff calculations shall correspond to a bare earth condition or those conditions expected to exist while the sediment basin is utilized.

Minimum Standard 7 – Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes that are found to be eroding excessively within one year of permanent stabilization shall be provided with additional slope stabilizing measures until the problem is corrected.

Minimum Standard 8 – Concentrated runoff shall not flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume or slope drain structure.

Minimum Standard 9 – Whenever water seeps from a slope face, adequate drainage or other protection shall be provided.

Minimum Standard 10 – All storm sewer inlets that are made operable during construction shall be protected so that sediment-laden water cannot enter the conveyance system without first being filtered or otherwise treated to remove sediment.

Minimum Standard 11 – Before newly constructed stormwater conveyance channels or pipes are made operational, adequate outlet protection and any required temporary or permanent channel lining shall be installed in both the conveyance channel and receiving channel.

Minimum Standard 12 – When work in a live watercourse is preformed, cautions shall be taken to minimize encroachment, control sediment transport and stabilize the work area to the greatest extent possible during construction. Non-erodible material shall be used in the construction of causeways and cofferdams. Earthen fill may be used for these structures if armored by non-erodible cover materials.

Minimum Standard 13 – When a live water course must be crossed by construction vehicles more than twice in any six-month period, a temporary vehicular stream crossing constructed of non-erodible material shall be provided.

Minimum Standard 14 – All applicable federal, state and local regulations pertaining to working in or crossing live watercourses shall be met.

Minimum Standard 15 – The bed and banks of a watercourse shall be stabilized immediately after work in the watercourse is completed.

Minimum Standard 16 – Underground utility lines shall be installed in accordance with the following standards in addition to other applicable criteria.

- A. No more than 500 linear feet of trench may be opened at one time.
- B. Excavated material shall be placed on the uphill side of trenches.
- C. Effluent from dewatering devices shall be filtered or passed through an approved sediment trapping device, or both and discharged in a manner that does not adversely affect flowing streams or offsite property.
- D. Material used for backfilling trenches shall be properly compacted in order to minimize erosion and promote stabilization.
- E. Re-stabilization shall be accomplished in accordance with these regulations.
- F. Applicable safety regulations shall be complied with.

Minimum Standard 17 – Where construction vehicle access routes intersect paved or public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day. Sediment shall be moved from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment has been removed in this manner. This provision shall apply to individual development lots as well as to larger land-disturbing activities.

Minimum Standard 18 – All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization or after the temporary measures are no longer needed, unless otherwise authorized by the local program authority. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.

Minimum Standard 19 – Properties and waterways downstream from development sites shall be protected from sediment disposition, erosion and damage due to increases in volume, velocity and peak flow rate of stormwater runoff for the stated frequency storm of 24-hour duration in accordance with the following standards and criteria:

- A.** Concentrated stormwater runoff leaving a development site shall be discharged directly into an adequate natural or man-made receiving channel, pipe or storm sewer system. For those sites where runoff is discharged into a pipe or pipe system, downstream stability analyses at the outfall of the pipe or pipe system shall be performed.
- B.** Adequacy of all channels and pipes shall be verified in the following manner:
 - 1.** The applicant shall demonstrate that the total drainage area to the point of analyses within the channel is one hundred times greater than the contributing drainage area of the project in question; or
 - 2.**
 - (a)** Natural channels shall be analyzed by the use of a 2-year storm to verify that stormwater will not overtop channel banks nor cause erosion of channel bed or banks
 - (b)** All previously constructed man-made channels shall be analyzed by the use of a 10 year storm to verify that stormwater will not overtop its banks and by the use of a 2-year storm to demonstrate that stormwater will not cause erosion of channel bed or banks; and
 - (c)** Pipes and storm sewer systems shall be analyzed by the use of a 10-year storm to verify that stormwater will be contained within the pipe or system. If existing natural receiving channels or previously constructed man-made channels or pipes are not adequate, the applicant shall:

- (1)** Improve the channels to a condition where a 10-year storm will not overtop the banks and a 2-year storm will not cause erosion to the channel bed or banks; or
 - (2)** Improve the pipe or pipe system to a condition where the 10-year storm is contained within the appurtenances;
 - (3)** Develop a site design that will not cause the pre-development peak runoff rate from a 2-year storm to increase when runoff outfalls into a natural channel or will not cause the pre-development peak runoff rate from a 10-year storm to increase when runoff outfalls into a man-made channel; or
 - (4)** Provide a combination of channel improvement, stormwater detention or other measures which is satisfactory to the plan-approving authority to prevent downstream erosion.
- (d)** The applicant shall provide evidence of permission to make the improvements.
- (e)** All hydrologic analyses shall be based on the existing watershed characteristics and the ultimate development of the subject project.
- (f)** If the applicant chooses an option that includes stormwater detention, he shall obtain approval from the locality of a plan for maintenance of the detention facilities. The plan shall set forth the maintenance requirements of the facility and the person responsible for performing the maintenance.
- (g)** Outfall from a detention facility shall be discharged to a receiving channel, and energy dissipaters shall be placed at the outfall of all detention facilities as necessary to provide a stabilized transition from the facility to the receiving channel.
- (h)** All on-site channels must be verified to be adequate.
- (i)** Increased volumes of sheet flows that may cause erosion or sedimentation on adjacent property shall be diverted to a stable outlet, adequate channel, pipe or pipe system or to a detention facility.
- (j)** In applying these stormwater management criteria, individual lots or parcels in a residential, commercial or industrial development shall not be considered to be separate development projects. Instead, the development, as a whole, shall be considered to be a single development project. Hydrologic parameters that reflect the ultimate development condition shall be used in all engineering calculations.
- (k)** All measures used to protect properties and waterways shall be employed in a manner which minimizes impacts on the physical, chemical and biological integrity of rivers, streams and other waters of the state.

Appendix E – Grading and Stabilization Activity Log

Appendix F – SWPPP Modification & Update Log

Appendix G – Blank Inspection Form

Overall Site Issues

Below are some general site issues that should be assessed during inspections.

Site Activity	Implemented?	Maintenance?	Notes
1. Is permit and SWPPP contact info posted near the entrance of the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Is the SWPPP up to date, available on site, and properly maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
3. Are all inactive disturbed areas or slopes stabilized? If so, with what?	<input type="checkbox"/> Adequate mulch <input type="checkbox"/> Adequate seed <input type="checkbox"/> Grass <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Are natural resources (wetlands, trees, etc.) protected with proper perimeter controls (silt fence, etc.)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Silt Fence <input type="checkbox"/> Other: _____
5. Are porta-johns placed away from water sources, free of leaks and properly contained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Are perimeter controls (silt fence, etc.) adequately installed? Being maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7. Are discharge points and receiving waters free of any sediment deposits?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8. Are all stock piles or construction materials located in approved areas and protected from erosion?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9. Is construction entrance stopping sediment from being tracked onto paved roads?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10. Is all trash being collected and placed in covered dumpsters with no holes?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11. Are washout facilities (paint, concrete, etc.) present, clearly marked, and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
12. Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or other harmful material?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
13. Are potential contaminant materials stored inside or under cover?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
14. Are non-stormwater discharges (wash water, dewatering) properly controlled?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
15. (Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Comments:

*Note: All completed reports need to be kept in the SWPPP and all corrective actions need to be updated in the Log page in the SWPPP.