



**Alaska**  
**Department of**  
**Transportation**  
**and**  
**Public Facilities**

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**Alaska**  
**Storm Water**  
**Pollution**  
**Prevention Plan**  
**Guide**



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## List of Acronyms

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AASHTO	American Association of State Highway and Transportation Officials
ATS	Active Treatment System
ADF&G	Alaska Department of Fish and Game
AK-CESCL	Alaska Certified Erosion and Sediment Control Lead
APDES	Alaska Pollutant Discharge Elimination System
BMP	Best Management Practice
CGP	Construction General Permit
CISEC	Certified Inspector of Sediment and Erosion Control
COE	Corps of Engineers
CPESC	Certified Professional in Erosion and Sediment Control
CWA	Clean Water Act
DEC	Department of Environmental Conservation
DOT&PF	Department of Transportation and Public Facilities
EPA	U.S. Environmental Protection Agency
ESCP	Erosion and Sediment Control Plan
FHWA	Federal Highway Administration
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NOI	Notice of Intent
NOT	Notice of Termination
MLLW	Mean Lower Low Tide
MS4	Municipal Separate Storm Sewer System
PAM	Polyacrylamide
PS&E	Plans, Specifications, and Estimate
SWPPP	Storm Water Pollution Prevention Plan
TMDL	Total Maximum Daily Load
USFWS	U.S. Fish and Wildlife Service

# 1 Introduction

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- 1.1 Purpose of Guide
- 1.2 Summary of Applicable Water Quality Laws and Regulations

## 1.1 Purpose of Guide

The Alaska Department of Transportation and Public Facilities (DOT&PF) is committed to preventing stormwater runoff from polluting the nearby environment at Department properties, facilities, and activities. This guide helps contractors, consultants, and the public understand and comply with the requirements of the Alaska Pollutant Discharge Elimination System (APDES) Storm Water Construction General Permit (CGP) for small and large construction sites. Specifically it assists in developing an effective Storm Water Pollution Prevention Plan (SWPPP) required for coverage under the CGP. More detailed information on implementing a SWPPP can be found in the DOT&PF SWPPP Template, Forms and Form Instruction at: [http://www.dot.state.ak.us/stwddes/dcsconst/pop\\_conforms.shtml](http://www.dot.state.ak.us/stwddes/dcsconst/pop_conforms.shtml). Any reference to “you” or “the contractor” in this guide refers to the contractor or contractor’s designee.

A project may require coverage under the National Pollutant Discharge Elimination System (NPDES) CGP (e.g. projects within the Metlakatla Indian Reservation or within Denali National Park or Preserve). These are rare and this guide may not adequately address the permit requirements for these types of projects.

Erosion is a natural process that can be accelerated by human activity. Construction activities such as removing vegetation, disturbing soil, and redirecting drainage can increase the natural rate of erosion and allow soil particles (sediment) to easily wash away during a storm.

A SWPPP describes all planned controls for erosion and sediment on site. The SWPPP lays out the steps and techniques, in addition to inspection and maintenance procedures, used to reduce pollutants in stormwater runoff leaving the construction site.

You may use a variety of control measures referred to as Best Management Practices (BMPs). The BMPs form the basis of the SWPPP, and the contractor must select them based on the conditions at the construction location. Design, construct, inspect, and maintain the

BMPs properly during the life of the project to assure that the SWPPP is effective (see: Section 2.2.3. of this *Manual*).

## 1.2 Summary of Applicable Water Quality Laws and Regulations

Federal and state laws exist to minimize environmental harm from stormwater discharge at construction sites. Some laws and their associated regulations require implementing erosion and sediment control measures while others mandate that construction activities maintain water quality. Two important water quality related laws and regulations are the amended Federal Water Pollution Control Act (Clean Water Act or CWA) and the Alaska Water Quality Standards, found in Title 18 of the Alaska Administrative Code (*18 AAC 70.005*).

### 1.2.1 Clean Water Act

The Clean Water Act is intended to restore and maintain the chemical, physical and biological integrity of U.S. waters. CWA sections related to regulating construction storm water are outlined below.

**Section 401:** Authorizes states to comment on any federal permit when it has the potential to affect water quality. The Alaska Department of Environmental Conservation (DEC) can add conditions to the federal permit. These conditions would be found in the “401 Certification.”

**Section 402:** Authorizes the National Pollutant Discharge Elimination System (NPDES), a wastewater discharge program that includes regulating stormwater runoff. Most states have delegated authority to manage the NPDES on behalf of the Environmental Protection Agency (EPA). Alaska began managing this program as the Alaska Pollutant Discharge Elimination System (APDES) in October 2009 (*See: AS 46.03 and 18 AAC 83*). DEC manages the Construction General Permit (CGP).

For complete regulatory information on the Storm Water General Permit for Large and Small Construction Activities, visit the following website: <http://www.dec.state.ak.us/water/wnpssc/stormwater/index.htm>

**Section 404:** Authorizes the Army Corps of Engineers (COE) to issue permits to place dredged or fill material in all waters and tributaries of waters used

for interstate or foreign commerce, territorial seas, tidal waters, interstate wetlands, and waters with a significant ecological nexus to the any of the above waters. The EPA produces guidelines for permitting criteria under Section 404.

### **1.2.2 Water Quality Standards**

Water quality standards developed by DEC are found in *18 AAC 70*. The standards are based on the use of the water body. The use categories are:

- water supply,
- recreation, and
- fish propagation and growth.

Standards vary based on whether they affect fresh or marine water. The CGP requires that erosion, sediment, and pollution control measures be selected so that pollutant discharges are minimized as necessary to meet the applicable water quality standards. The current water quality standards are available on the DEC's website at:

<http://dec.alaska.gov/water/wqsar/wqs/index.htm>.

The next sections cover other federal and state laws and regulations concerning stormwater discharges from construction activities.

### **1.2.3 The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)**

ISTEA Sec. 1057 requires erosion control guidelines be developed for all federally funded highway construction projects. To comply, the Federal Highway Administration (FHWA) adopted the American Association of State Highway and Transportation Officials' (AASHTO) "*Highway Drainage Guidelines*." All state highway agencies adhere to these AASHTO guidelines for their federal highway projects.

The *Alaska Highway Drainage Manual* describes DOT&PF's adoption of the AASHTO guidelines in Chapter 16. The *Alaska Aviation Preconstruction Manual* also uses these guidelines for FAA-sponsored aviation projects.

Chapter 16 requires a SWPPP for all projects that disturb earth, regardless of project size. For small projects disturbing less than 1 acre of land, the detail of the SWPPP may be commensurate with the complexity and water quality risk of the project. Water quality standards must be met regardless of project size.

### **1.2.4 Alaska Statutes 16.05.841 and 16.05.871, Fish Passage and Anadromous Fishes**

The Alaska Department of Fish and Game (ADF&G) regulates construction and other activities in specified streams designated as important for the spawning, rearing or migration of anadromous fish or that affect fish passage in streams with resident fish. A Fish Habitat Permit (Title 16 Permit) may be required for any activity that:

- involves a hydraulic project,
- uses, diverts, obstructs, pollutes, or changes the natural flow or bed of specified river, lake or stream, or
- uses wheeled, tracked, or excavating equipment or log-dragging equipment in the bed of a river, lake, or stream.

Examples of such activities include bridge and culvert work, stream diversions, bank stabilization, water withdrawals, and repetitive crossing of anadromous streams by vehicles.

Title 16 generally does not apply to activities in a marine environment. However, projects affecting the mouth of a stream, defined by a line drawn between the seaward extremities of the exposed tideland banks at Mean Lower Low Tide (MLLW), will require a Fish Habitat Permit.

ADF&G's jurisdictional boundaries are depicted in the following diagram:

[http://www.adfg.alaska.gov/static/license/uselicense/pdfs/ord\\_hi\\_wtr.pdf](http://www.adfg.alaska.gov/static/license/uselicense/pdfs/ord_hi_wtr.pdf)

## 2 SWPPP Process and Plan Requirements

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- 2.1 Introduction
- 2.2 General Process

### 2.1 Introduction

The Storm Water Pollution Prevention Plan (SWPPP) complies with the DEC Construction General Permit (CGP). The CGP incorporates the provisions of the effluent limitations guidelines for the construction and development industry.

The SWPPP is an important part of the planning process. It is a site-specific written storm water management plan that demonstrates how the applicant intends to comply with each requirement in the CGP. It must be prepared before a Notice of Intent (NOI) for permit coverage can be issued under the CGP (See: Sec. 2.2.8. of this manual). The DOT&PF *Standard Specifications for Highway Construction* requires that in most cases a SWPPP be approved before any construction activities commence (*Standard Specifications Sec. 641*).

Any earth-disturbing activities associated with a DOT&PF project must address erosion and sediment control. The CGP defines an “Earth-disturbed area” as a portion of any site that has been altered from pre-existing conditions, including but not limited to:

- providing access to a site,
- grubbing and clearing of vegetation (including the roots),
- grading and earth moving,
- altering land forms, or
- other construction-related activities including stockpiles.

A SWPPP2 is used when construction activity outside the Project Zone requires permit coverage per *Standard Specification 641-1.03.4*. The Project Zone is defined in the *Standard Specifications* as:

“(T) he physical area provided by the Department for construction. The Project Zone includes the area of highway or facility under construction, project staging and equipment areas, and material and disposal sites; when those areas, routes and sites, are provided by the Contract.”

Material sites including material processing sites, disposal sites, haul routes, staging and equipment storage areas furnished by the contractor or commercial operator, are not included in the Project

Zone. For all contractor-furnished material sources that are not a commercial plant, the contractor will certify to the engineer that all permits and clearances relating to the use of the material source have been obtained prior to any clearing or ground disturbance in the material source.

This chapter describes the planning process for projects that disturb one or more acres of land or smaller parcels that are part of a larger plan of development and that drain to U.S. waters.

The flowchart in **Figure 1** illustrates the stormwater permitting process for DOT&PF projects.

### 2.2 General Process

The success of a SWPPP requires a cooperative effort between DOT&PF and the contractor to meet their responsibilities in making the plan effective. The contractor and the Department are co-permittees as both meet the definition of operator on a DOT&PF construction project.

The EPA guidance publication *Developing Your Stormwater Pollution Prevention Plan: A Guide for Construction Sites* outlines the process for developing and implementing a SWPPP for construction activities in the following general steps:

1. Site assessment and planning
2. Selecting erosion and sediment control and good housekeeping BMPs
3. Inspections, Maintenance and Recordkeeping
4. Certification and Notification
5. SWPPP Implementation
6. Final Stabilization and Permit Termination

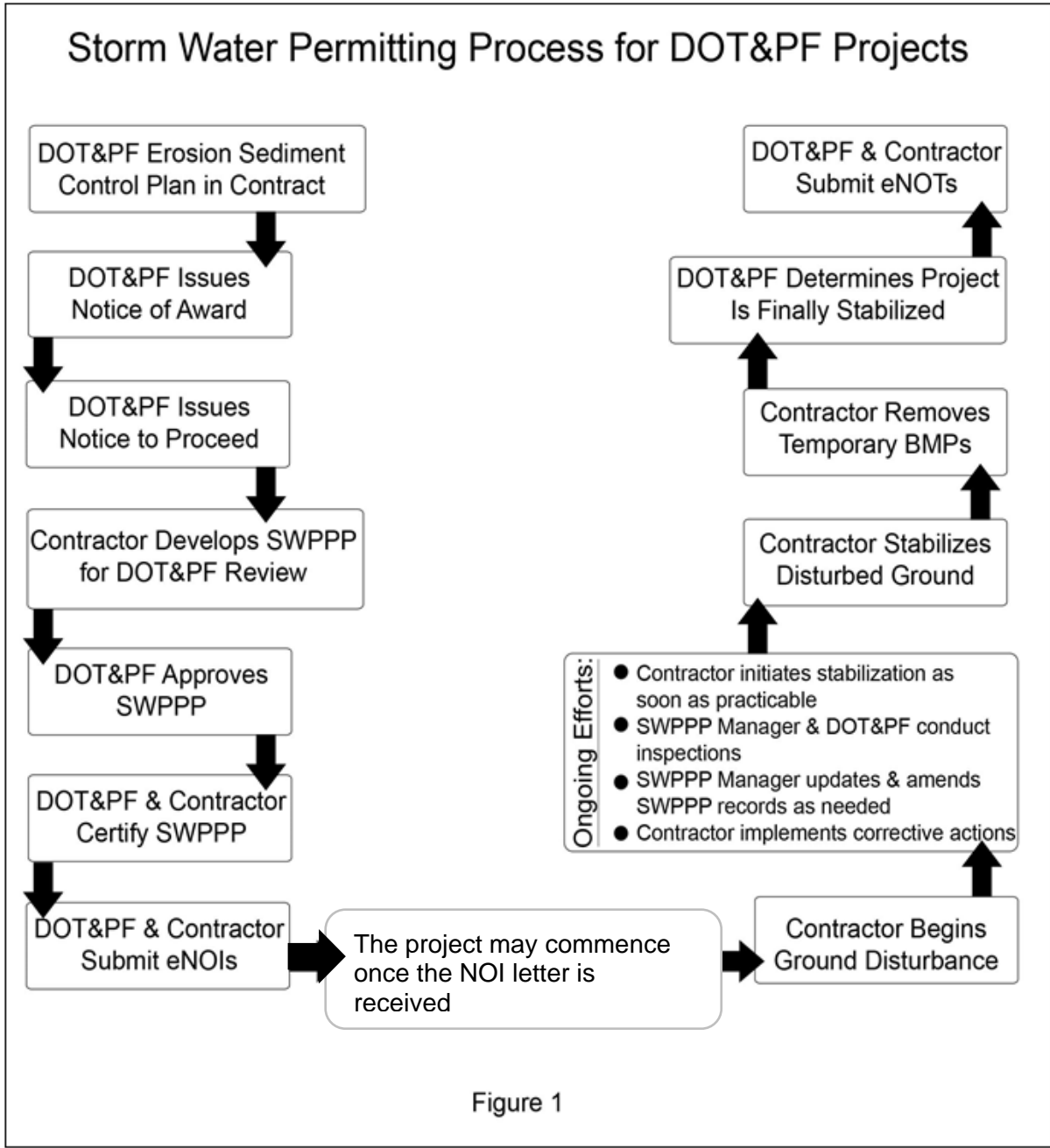
The EPA SWPPP Guide is available here:

[https://www3.epa.gov/npdes/pubs/sw\\_swppp\\_guide.pdf](https://www3.epa.gov/npdes/pubs/sw_swppp_guide.pdf)

#### 2.2.1 Site Assessment and Planning

An Erosion and Sediment Control Plan (ESCP) is a planning document developed by the DOT&PF Design Section that gives bidders a basis for estimating costs and developing an acceptable SWPPP. It is included in the Plans, Specifications, and Estimate (PS&E) package.

An ESCP explains site conditions and illustrates measures to control erosion and pollution. It provides a workable plan that still allows the contractor latitude



to develop a sequence of operations based on season, site conditions, personnel, and equipment.

Using the ESCP and their own construction sequence, the contractor submits the SWPPP to the Department. The project engineer reviews the SWPPP within 14 days after it is received. If the SWPPP is rejected, the engineer will list the reasons for its denial. When the contractor submits a revised SWPPP, the 14 day review period starts again. This is repeated until the project engineer approves the SWPPP.

The SWPPP must address all sections of the DOT&PF SWPPP template, with careful attention to the

sequence of major earth-disturbing activities and the installation sequence of all controls specified for the project. Note that a typical project schedule does not contain enough detail about the erosion and control measures to meet this SWPPP requirement.

The contractor’s SWPPP preparer conducts a preconstruction site visit to assess the existing site conditions, and identify stormwater systems, receiving waters, pollutant sources, and non-stormwater discharges. The preconstruction site visit is documented on DOT&PF Form 25D-106. The



preconstruction site visit must occur before construction activities begin, and it should identify:

1. Opportunities to phase construction to minimize exposed ground and erosion potential,
2. Appropriate BMPs and BMP sequencing, and
3. Sediment controls that must be installed prior to starting earth-disturbing work.

If the SWPPP is prepared when the ground is snow-covered, the site visit may be postponed and conducted after the SWPPP is written. If this is the case, use the site visit to verify that the three considerations listed above are adequately addressed in the SWPPP. If they are not, amend the SWPPP accordingly.

The SWPPP must be completed, approved and certified prior to seeking coverage under the CGP, as described in Section 2.2.8. Once the SWPPP is certified approved the contractor must provide one electronic copy and three hard copies of the SWPPP to the project engineer at least 21 calendar days before the planned start of construction activities.

The contractor's certified SWPPP becomes the project's SWPPP of Record.

### **2.2.2 Plan Contents**

For projects requiring CGP coverage (one acre or more of ground disturbance and drains to the waters of the U.S.), DOT&PF requires that the SWPPP preparer use both the DOT&PF SWPPP Template and the DEC SWPPP template. The DOT&PF SWPPP Template explains how to modify the DEC Template to meet both DOT&PF requirements and CGP. The most current version of the DOT&PF SWPPP Template is provided in Appendix A. It is also available online at: [http://www.dot.state.ak.us/stwddes/dcsconst/pop\\_consforms.shtml](http://www.dot.state.ak.us/stwddes/dcsconst/pop_consforms.shtml).

The SWPPP preparer should use the SWPPP Checklist in Appendix A of this Guide to review the draft SWPPP and ensure all requirements are met. Using a template ensures that the SWPPP is complete and prepared in a consistent order and format. However, you are cautioned to start every SWPPP with a blank template rather than one completed for a different project in order to avoid errors of mixing projects.

This section provides some general information for preparing the SWPPP content; however, the SWPPP

Template and the checklist are the best resources for preparing the SWPPP.

All SWPPP related forms and form instructions mentioned in this guide are found at: [http://www.dot.state.ak.us/stwddes/dcsconst/pop\\_consforms.shtml](http://www.dot.state.ak.us/stwddes/dcsconst/pop_consforms.shtml)

### **Endangered Species**

Review the documentation obtained by the DOT&PF on endangered and threatened species as defined by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS).

The SWPPP must evaluate whether stormwater discharges will affect listed species. Use the DOT&PF environmental document as a source of information to avoid any duplication of effort. For contractor-supplied support areas (such as material sources, staging yards and disposal areas) or contractor expansion of footprint of DOT&PF-supplied areas, consult either the USFWS website at <http://endangered.fws.gov> or <http://alaska.fws.gov/fisheries/endangered/index.htm> or the NMFS website at <http://www.fakr.noaa.gov/protectedresources/default.htm>, or one of their field offices listed in Appendix D.

If endangered species are present in work areas then consult with the project engineer and/or project environmental analyst to fill out the endangered species section of the Notice of Intent Form.

All other regulatory or agency environmental documents and permits should be added to the SWPPP under Appendix D.

### **Total Maximum Daily Loads (TMDLs)**

If there are any identified discharges into a water body with an EPA-approved or established Total Maximum Daily Load (TMDL), these must be identified on the NOI. Incorporate control measures into the SWPPP to ensure discharges of pollutants from construction activities are consistent with the TMDL.

Usually, it is assumed that if DOT&PF is compliant with the CGP, then the discharges will be consistent with the TMDL. If the TMDL specifically precludes construction site discharges, the project is not eligible for coverage under the CGP.

### **Other Applicable Requirements**

The DOT&PF environmental document and other applicable permits may be used as a source of information to show compliance with applicable federal, state, tribal, or local requirements, in order to

avoid any duplication of effort.

The SWPPP must summarize how the stormwater control measures will be implemented in compliance with other applicable requirements. This may include, but is not limited to, measures necessary to protect Outstanding Natural Resource Waters, wetlands, migratory birds, historic properties, archeological sites, and other sensitive resources adjacent to the project.

All other regulatory or agency environmental documents and permits should be added to the SWPPP in Appendix D.

If a sensitive resource such as a historic or archeological resource is discovered during construction, stop work immediately at the location and notify the project engineer or manager.

### Control Measures

Describe the appropriate control measures and BMPs to implement at the construction site and at off-site areas. Include BMPs for erosion control, sediment control, stormwater management measures and good housekeeping practices. Both erosion control and sediment control measures are required. An effective erosion (source) control program reduces the expense and maintenance of the sediment control program.

Describe the installation schedule for all identified BMPs and general sequence of stabilization practices to be implemented at the construction site and the off-site areas where the DOT&PF is a co-permittee. The narrative should describe the installation and sequencing in relation to the intended major activities that disturb soils (excavating, grading, filling).

Do not provide dates in the narrative. Instead, use language such as “installation will occur prior to...” or “...will occur concurrent with...” or “...will occur upon completion of...” The goal is to sequence activities to minimize the amount of time soil is exposed.

#### 2.2.3 Selecting Erosion and Sediment BMPs

Two key ways to prevent erosion and reduce sediment transport are to (1) ensure existing vegetation is preserved wherever possible and (2) to minimize the amount of disturbed land at any one time. The sooner stabilization is achieved in areas where work has stopped, the less disturbed ground there is to work to stabilize.

Essential to the success of the BMPs is understanding the interaction or codependency of the BMP to control stormwater into, through and off the construction site.

The correct BMP for the situation, and the timing of the BMP installation for the particular site situation, is paramount to whether the BMPs will work.

Evaluate each BMP by its contribution to the entire system and not simply as a measure to meet a DOT&PF standard.

Appendix B provides a list of detailed BMPs to be considered during the construction of DOT&PF projects. This list of BMPs include the application, design, construction, inspection, maintenance, and removal guidelines.

The following websites provide additional current BMP information:

- *Alaska Storm Water Guide* (DEC) at <http://www.dec.state.ak.us/water/wnpspc/stormwater/index.htm>
- “National Menu of Best Management Practices(BMPs) for Stormwater” (EPA) at <https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu>
- International Erosion Control Association at <http://www.ieca.org/ieca>
- Construction Industry Compliance Assistance Center at [www.CICAcenter.org/bmps.html](http://www.CICAcenter.org/bmps.html)

The SWPPP must include the description and location of all BMPs to be implemented at the construction site as well as listing the contractor, subcontractor, utility company, etc. responsible for implementing each.

### Types of BMPs

The greatest water pollution threat from soil-disturbing activities is the introduction of sediment from the construction site into storm drain systems or natural receiving waters. Soil-disturbing activities such as clearing, grubbing, and earthwork increase the exposure of soils to wind, rain, and concentrated flows that cause erosion. There are three primary types of BMPs necessary to combat storm water:

- Stabilization (erosion control) to control erosion at the source.
- Sediment control to trap, filter and/or remove sediment before it leaves the site.
- Stormwater management to divert water around, or manage it within the site.

“Good housekeeping” BMPs prevent pollution by addressing chemicals, sanitary wastes, fuels and other pollutants, or influencing administrative action, practice or procedure, such as scheduling, training, or daily operations.

The contractor selects BMPs based on the soil properties, terrain characteristics, intensity and duration of rainfall, volume and characteristics of the stormwater flow at the location and the duration that the BMP is required to function. The next section presents a brief description of the types of BMPs and examples of each.

**Erosion Control BMPs** are measures to prevent or minimize the loss of soil from land surfaces. This can be accomplished through preventative practices and stabilization measures.

Preventative practices include site delineation, preserving vegetation and native topsoil, and phasing construction activities. The CGP requires natural buffer areas be maintained at stream crossings and around the edge of any identified U.S. waters within or immediately adjacent to the site.

Stabilization measures use ground cover to protect soils. Initiate stabilization measures immediately after temporarily or permanently ceasing construction activity on a portion of the site. The CGP sets the maximum number of days allowed before initiating stabilization. In addition, the CGP requires that permanent stabilization measures be completed, or maintained, within seven calendar days of initiating those measures.

Examples of stabilization measures include:

- Temporary or permanent seeding and mulching (BMP-52.00, 53.00, 57.00)
- Tackifier (BMP-56.00)
- Rolled erosion control products (BMP-18.00)
- Compost blanket (BMP-50.00)
- Preserving existing grass, trees, or other vegetation (BMP-38.00)

While temporary or permanent seeding and surface roughening are erosion controls, neither are considered sufficient by themselves. They must be implemented in conjunction with other compatible stabilization BMPs to effectively control erosion.

Applying mulch to disturbed soils provides water retention, soil retention, and protection for germinating seeds. Mulch should completely cover the soil surface.

A tackifier is a biodegradable adhesive that holds soil or mulch in place. Tackifier is applied from more than one direction to ensure complete coverage. Tackifier should also completely cover the soil surface or mulch. Grading and minimal compaction of slopes should occur before applying tackifier.

Erosion control devices such as mulches or Rolled Erosion Control Products often called RECP's or blankets are rated for longevity. Select the product that survives for the appropriate length of time.

Frequently, the best and cheapest preventative measure against erosion is to preserve the existing vegetation at a construction site. Vegetation limits the capacity of flowing water to detach soil particles and transport sediment in two ways. It decreases the velocity of raindrops as they hit the ground and decreases runoff volume.

Multiyear projects and over-wintering projects require fall stabilization at sites in a manner that minimizes pollution during spring thaw.

For more information about seeding methods and species, see A Revegetation Manual for Alaska and the Alaska Coastal Revegetation and Erosion Control Guide, at: <http://www.plants.alaska.gov/>

**Sediment Control BMPs** are temporary measures that minimize the amount of sediment travelling in runoff and discharges from the project.

Sediment controls that fill up too quickly indicate that the erosion controls are not functioning adequately, are installed in the wrong place or are an inappropriate BMP for the task. Sediment control examples include:

- Check dam (BMP-31.00, 32.00, 33.00)
- Rock Filter Berm (BMP-16.00)
- Prefabricated barrier system (BMP-13.00)
- Fiber rolls (BMP-10.00)
- Silt fence (BMP-20.00)
- Tracking control at exits and entrances (BMP-23.00 & 24.00)
- Drain inlet protection (BMP-25.00, 26.00, 27.00, 28.00, & 29.00)
- Silt curtain (BMP 19.00)
- Temporary Sediment Traps, Ponds and Basins

Temporary Check Dams reduce scour, reduce velocity, dissipate energy, prevent erosion, and settle sediment behind the weir structure in an unlined channel or vegetative swale.

A Rock Filter Berm is a perimeter sediment control device to prevent sediment in silt-laden sheet flow from leaving the construction site. A properly installed berm intercepts sheet drainage, contains sediment on-site, and does not permit spillover or bypass.

A Prefabricated Barrier System slows and spreads overland flows and traps sediment behind it.

Fiber Rolls shorten the slope and help to slow, filter, and spread overland flows. They capture sediment, organic matter, and seeds that might otherwise be washed downslope.

Silt Fence traps sediment, preventing it from being transported away. Silt fencing is a geotextile fabric, usually 36 inches wide, with regular spaced pockets for supporting posts. The main benefit of silt fencing is to slow runoff and cause heavier particles in the runoff to settle.

Stabilized Construction Exits are used to clean mud and sediment from vehicle tires to minimize spreading them off-site.

Storm Drain Inlet Sediment Protection is used prior to permanent stabilization of the disturbed area to prevent sediment from entering downgradient storm drainage systems.

Silt Curtains isolate work areas within or adjacent to water bodies. When properly installed silt curtains function as a floating silt fence, retaining sediment within their boundaries.

The CGP requires temporary or permanent sediment basins for projects that have a common drainage area of 10 or more disturbed acres where practicable. It must provide storage for a calculated volume of runoff from the drainage area from a 2-yr, 24-hr storm or provide 3,600 cubic feet per acre drained if the calculation is not performed.

**Storm water management BMPs** avoids or minimizes erosion by diverting stormwater around or within a project site. Water within the project can be carried so that it doesn't come in contact with the disturbed ground. Storm water management BMPs include:

- Contained silt control system (BMP-07.00)
- Temporary diversion conveyance (BMP-34.00 & 35.00)
- Slope drain (BMP-21.00 & 22.00)
- Interception ditch (BMP-11.00)

**Good Housekeeping BMPs** address the practice of keeping all materials, supplies and containers well organized, storing materials securely when not in use, and only having materials that are needed for the current work activity in the work area. They also prevent stormwater pollution from accidental releases. These BMPs include:

- Vehicle/Equipment storage, maintenance and fueling (BMP-42.00)
- Tire wash (BMP- 36.00 & 37.00)
- Sanitary waste management (BMP-41.00)
- Concrete washout (BMP-06.00)
- Street sweeping (BMP-55.00)

Some of the CGP required SWPPP elements are contained in the DOT&PF-required *Hazardous Material Control Plan* (HMCP). Incorporate the HMCP into the SWPPP as an appendix and reference it where appropriate. The HMCP Template is available online at:  
[http://www.dot.state.ak.us/stwddes/dcsconst/pop\\_cons\\_tforms.shtml](http://www.dot.state.ak.us/stwddes/dcsconst/pop_cons_tforms.shtml).

### **BMP Manual or Publication Citations**

Fully describe all selected BMPs in the SWPPP, including their purpose, applicability, limitations, design specifications, installation, maintenance requirements, and removal procedures. This information is typically provided in a BMP manual or other publication. Consider including the DOT&PF contract specifications and plan sheets or the manufacturer's specifications, though these resources do not always provide all the necessary information. Any missing information must be incorporated by the SWPPP Preparer.

Reference all manuals or publications used to select and design BMPs described in the SWPPP. Include the author's name, the title of the publication, the publisher, and the date of publication in the citation.

If no published source exists for a BMP designed for a project specific situation, then note in the SWPPP "No published BMP manual was used for this design."

A caution about BMPs from other State manuals: When reviewing BMP requirements and obligations, refer to the details and make sure the Department is not liable for items that do not apply to the Alaska CGP. If you alter the specification of a BMP, the SWPPP writer signs and dates the altered BMP. Guidance for citing BMP manuals and other BMP

publications is included in the DOT&PF SWPPP Template.

### **Release of Reportable Quantities of Oil or Hazardous Substances**

Because construction personnel may handle and store, use, and dispose of petroleum and certain hazardous substances related to construction activities and equipment, all spills must be reported in accordance with the CGP.

If a spill of oil reaches any surface waters or a hazardous substances spill exceeds the Reportable Quantity level, notify the project engineer and the DEC Spill Prevention and Response program as soon as the spill becomes known. Any release of a hazardous substance must be reported as soon as the person has knowledge of the discharge.

The following list delineates classifications of petroleum spills and the mechanism and timing of notification:

- **1 to 10 gallon spill:** A person in charge of a facility or operation shall maintain, and provide to DEC on a monthly basis, a written record of all releases of oil.
- **10 gallons but less than 55 gallon spill:** Any release of oil must be reported within 48 hours after the person has knowledge of the discharge.
- **A spill 55 gallons or more:** Any release of oil must be reported as soon as the person has knowledge of the discharge.

Refer to Appendix E in this guide for additional reporting requirements.

### **Non-Storm Water Discharges**

The CGP allows a limited number of non-stormwater discharges. Within the SWPPP identify any allowable sources of non-stormwater that will be combined with stormwater discharges from the construction activity. Don't include flows from fire-fighting activities.

The following examples are common non-stormwater discharges associated with construction activity. These discharges must meet water quality standards and cannot contain pollutants, such as petroleum.

- Water used to control dust,
- Potable water including uncontaminated water line flushing's,

- Water used to wash vehicles and equipment (no detergents are permitted),
- Pavement wash waters (where no spills or leaks of toxic or hazardous materials have occurred and no detergents used),
- Water from uncontaminated excavation dewatering activities that are treated by an appropriate control measure, and
- Landscape irrigation

Identify and implement pollution prevention measures for the allowable non-stormwater discharges and eliminate or reduce them to the extent feasible. Describe prevention efforts for non-stormwater discharges barred by the CGP from release into U.S. waters.

### **Stormwater Discharges**

If there has been an incident of non-compliance with the CGP that may endanger health or the environment, immediately report the incident to the project engineer and follow the CGP, *Appendix A, Part 3.0*. Notify DEC within 24 hours after the permittee becomes aware of the circumstance. In addition, complete the DOT&PF Noncompliance Form 25D-143 within five days after the permittee becomes aware of the circumstance. Coordinate filing the written report with the project engineer. The report must include:

- A description of the noncompliance and its causes,
- The exact dates and times of noncompliance,
- The anticipated time the project will be brought back into compliance, and
- The corrective action taken or planned to reduce, eliminate and prevent reoccurrence.

The Contractor is responsible for their own reporting. The DOT&PF *Standard Specification 641-3.01.3* requires that the contractor coordinate to the extent possible reports with DOT&PF prior to submitting them to DEC. The best coordination would ensure DOT&PF and contractor reports use the same wording, time and date.

Notify the project engineer and COE Regulatory Program immediately if there is incident of non-compliance with a COE Permit.



## 2.2.4 Treatment Chemicals and Active Treatment Systems

The CGP allows for the use of treatment chemicals and Active Treatment Systems (ATS). Treatment chemicals use coagulation or flocculation to reduce erosion potential or can reduce sediment in stormwater discharges. An ATS utilizes a mechanical, or active, means for reducing turbidity caused by fine sediment, which could employ the use of treatment chemicals.

### Treatment Chemicals

If treatment chemicals are anticipated, list the types on the NOI. The NOI will need to be modified if this information was not listed previously.

When filling out the NOI, check “yes” in the Treatment Chemical section (VIII) if any product includes Polyacrylamide (PAM). The SWPPP must also provide the required documentation in accordance with the CGP.

Anyone handling the treatment chemicals must have an AK-CESCL certification, and it must be documented in the SWPPP.

Cationic polymers (with the exception of chitosan as part of an ATS) are prohibited, as is the application of treatment chemicals directly to waters of the U.S.

The selected treatment chemical must be appropriate for the site topography, soil types, amount of precipitation and type of use. This is confirmed either by testing the chemical with on-site soils or evaluating the product’s data for use on similar soils.

Apply treatment chemicals in conjunction with downstream physical control measures. When applied through the use of a manufactured product (e.g. gel bars, floc blocs, etc.), there must be at least 100 feet of ditch length downstream of the last manufactured product prior to reaching U.S. waters. Anyone handling the treatment chemicals must be AK-CESCL certified.

### Active Treatment Systems

If you anticipate using an ATS, submit the required documentation to DEC 14-days prior to its use. DEC submittal requirements are online at: [http://www.dec.state.ak.us/water/wnpssc/stormwater/sw\\_construction.htm](http://www.dec.state.ak.us/water/wnpssc/stormwater/sw_construction.htm).

The SWPPP must also include the required documentation in accordance with the CGP.

## 2.2.5 Permanent Storm Water Management Controls

The DOT&PF project design will include measures to control pollutants in storm water after construction is completed. Discuss these permanent controls in the SWPPP and describe how they will be protected during construction. Examples:

- Riprap
- Rock ditches
- Culverts
- Detention pond
- Infiltration measures
- Vegetated swales
- Natural depressions
- Vegetation on site

If the project is located in a Municipal Separate Storm Sewer System (MS4) consult with the MS4 operator. Operators of a regulated MS4 must comply with applicable design criteria for a variety of structural storm water management controls or Low Impact Development (LID) elements. A variety of stormwater controls and LID elements that are not discussed here may be applicable to site specific situations.

## 2.2.6 Winter Considerations

The CGP has provisions for winter shutdown, winter construction and winter clearing activities.

### Winter Shutdown

If winter shutdown is anticipated for a project, the project must be 100 percent stabilized before shutdown.

Document the anticipated dates of fall freeze-up and spring thaw in the SWPPP. Provide acceptable control measures prior to, during, and at the conclusion of winter shutdown to stabilize:

- conveyance channels,
- disturbed soils,
- slopes, and
- soil stockpiles.

Frozen ground by itself is not considered adequate stabilization.

Erosion and sediment controls must be capable of maintaining soil stability throughout the duration of spring thaw.

## Winter Construction

Winter construction activities must utilize control measures that will minimize erosion or sediment runoff during spring thaw. CGP coverage is unnecessary for constructing ice roads or placing sand or gravel on frozen tundra with no excavation or potential to pollute waters of the U.S.

## Winter Clearing

Cutting trees and brush on frozen ground must be done in accordance with the USFWS Migratory Bird Treaty Act. That act describes a “migratory bird window,” which is a period of time when birds are nesting. Clearing is not recommended without USFWS-authorized avoidance measures. The vegetative mat must be left undisturbed.

Use the DOT&PF environmental document as a source of information for DOT&PF-supplied areas to avoid any duplication of effort. In the case of contractor-supplied support areas or contractor expansion of DOT&PF supplied areas, notify the project engineer and consult with the USFWS.

If clearing is anticipated after spring thaw, or current temperatures are causing snow melt, then CGP coverage is required. A SWPPP must be developed and NOI must be filed prior to clearing.

### 2.2.7 Discharging to an Impaired Water

The CGP requires turbidity sampling for projects that disturb 20 acres or more at one time and discharge into a (Category 5 waterbody). Projects meeting these criteria must develop, implement, and modify a monitoring plan, as necessary. If a monitoring plan is required for a project, it will be provided by DOT&PF and must be included as part of the SWPPP.

The plan must be implemented by an AK-CESCL certified person “knowledgeable in the principles and practices of water quality monitoring.”

All monitoring data collected must be submitted to DEC in an annual report. If a discharge exceeding the water quality standard for turbidity is discovered, corrective action must be implemented within seven days of the date of discharge. A Corrective Action Report must be sent to DEC no later than 14 days after receiving the monitoring results.

### 2.2.8 Certification and Notification

The contractor and DOT&PF are “co-permittees” and each must receive coverage under the CGP. To receive coverage, each must submit an electronic NOI

form to DEC. For a copy of the form, complete instructions on filing and to file the NOI online, go to <http://www.dec.state.ak.us/water/wnpssc/stormwater/APDESeNOI.html>.

The eNOI form requires the following information:

1. Applicable permit number for which you are requesting coverage (the permit number is AKR100000).
2. Operator name, contact person, address, telephone number, and Employer Identification Number (EIN) as established by the Internal Revenue Service
3. Billing contact information
4. Project/site name, address, and latitude/longitude
5. Whether the SWPPP precedes the filing of the NOI (required by the permit), and location for viewing the applicable SWPPP
6. Name of the water(s) of the U.S. into which your site discharges (see NOI instructions for further explanation)
7. Whether the project discharges into a waterbody that is impaired or has a TMDL and if the discharge is consistent with the assumptions and requirements of applicable EPA approved or established TMDLs.
8. Estimated dates of commencement of construction activity and final stabilization (i.e., project start and completion dates)
9. Total acreage (to the nearest quarter acre) to be disturbed for which you are requesting coverage
10. The names of any polymer, flocculent or treatment chemical that will be used on the project
11. A certifying statement signed and dated by both a corporate officer including name and title (as defined by the Standard Permit Conditions of the CGP) and the DOT&PF regional director

DEC established the use of the eNOI to avoid the delay involved in mailed paper NOIs. A “myAlaska” account is needed to use the eNOI system.

The eNOI requires the same information as the standard NOI. Staff will prepare a hardcopy NOI for the certifying official’s use when submitting the eNOI. The appropriate corporate officer signs the hardcopy NOI and it is placed in the SWPPP.

DEC requires that only one of the co-permittees pay the required NOI fee. DOT&PF contracts require that the contractor pay the fee.

DOT&PF and the contractor should submit their NOIs as simultaneously as possible since construction activities cannot begin until DEC activates both NOIs. The CGP defines construction activities in terms of land disturbance. For example, mobilizing equipment may disturb land if moved over unstable soils, but would not disturb land if moved over paved areas. No land disturbance may occur prior to the acceptance of both NOIs, but non-land disturbing activities are still allowed.

The SWPPP must be certified by the DOT&PF and the contractor before submitting the NOI using Form 25D-109 for DOT&PF and Form 25D-111 for the contractor.

The DOT&PF Regional Director delegates signature authority to the position of project engineer (delegation to a position rather than an individual allows another person to sign in the case of changes of personnel during vacation or turnover) using Form 25D-107. The project engineer then certifies the SWPPP using Form 25D-109.

DOT&PF requires the contractor's corporate officer to delegate signature authority for SWPPP certification to the superintendent, using DOT&PF Form 25D-108. Either the contractor's corporate officer or the superintendent (only after being delegated) can certify the SWPPP using Form 25D-111. The contractor must also have each subcontractor read and certify the SWPPP using Form 25D-105 before they commence work at the project site.

The contractor compiles and retains the following records with the SWPPP:

1. SWPPP Certification Form, original copies, one for each operator DOT&PF Form 25D-109 and 25D-111
2. Delegation of Signature Authority, original copies, one for each operator DOT&PF Form 25D-107 and 25D-108
3. DOT&PF Form 25D-105 for each subcontractors

### Notice of Intent (NOI)

Include the signed and certified NOI forms that were submitted to DEC. Include both DOT&PF's and the contractor's NOIs. Also include a copy of the DEC email notifying you of both their receipt of the

administratively completed NOI and the date it becomes active.

### DEC and Local Requirements

If a project disturbs five acres or more of ground outside the area of a MS4 permitted municipality, submit both the DOT&PF- and contractor-certified SWPPP to DEC at the same time the NOI is filed.

Current MS4 permitted municipalities include Anchorage, Joint Base Elmendorf-Richardson, Port of Anchorage, Fairbanks North Star Borough, City of Fairbanks, and North Pole.

Use the address below:

Alaska Department of Environmental Conservation  
Wastewater Discharge Authorization Program  
Storm Water  
555 Cordova Street  
Anchorage, AK 99501

For projects within the MS4 that disturb one acre or more (or in some locations, 10,000 square feet or more), the SWPPP must be submitted to the appropriate MS4 entity *prior* to filing the NOI.

MS4 SWPPP review requirements vary by permit and municipality, so identify the requirements specific to the MS4 permit for that project location.

Local governments may have ordinances regarding stormwater. Your SWPPP should demonstrate compliance with applicable local requirements.

### Post a Notice

Post the following in a publicly accessible, noticeable location near the construction site's main entrance:

- APDES permit numbers and copies of the NOIs
- Name and phone number of contractor's local contact (if different from the NOI)
- Location of the SWPPP for viewing (if different from the NOI)

### 2.2.9 SWPPP Implementation

DOT&PF offers SWPPP Forms and Form Instructions to help the SWPPP Manager in maintaining the SWPPP and completing the forms. These are available electronically at:

[http://www.dot.state.ak.us/stwddes/dcsconst/pop\\_consfoms.shtml](http://www.dot.state.ak.us/stwddes/dcsconst/pop_consfoms.shtml)

The SWPPP Forms and Instructions are the best resource for ensuring a compliant SWPPP. The



information in this section is intended to provide some general background on SWPPP content.

### **SWPPP Modifications**

The contractor is responsible for amending or updating the SWPPP as conditions dictate (i.e., changes in design, construction, site conditions, or BMPs). For a construction activity to comply fully with the CGP, and for the SWPPP to be effective, the plan must accurately reflect current site features and operations.

Most SWPPP amendments require additional documentation attached to them. However, not all SWPPP updates require an amendment. The next two sections help differentiate the importance between when a SWPPP amendment is needed.

### **SWPPP Amendments**

A SWPPP amendment is necessary if there are any changes in the construction or if the previous plan is ineffective in controlling pollutants. The CGP requires an amendment to be added to the SWPPP within seven days from the day a problem is identified.

The following actions are a few examples that require a SWPPP amendment:

- Addition of a structural BMP not shown on the original SWPPP.
- Deletion of a structural BMP that is shown on the original SWPPP.
- Addition of different manufactured BMP.
- Change in named personnel (SWPPP Manager, Superintendent).
- Change in inspection frequency.
- Addition of support facility site.

Amendments may be done by adding new pages of text or drawings, or by markups in the margins of text or on the plan sheets.

Amendments are dated, initialed, easy-to-read, approved by an AK-CESCL (or equivalently) certified individual, and listed in the SWPPP Amendment Log DOT&PF Form 25D-114.

Only the contractor's Superintendent and SWPPP manager may amend the SWPPP per *Standard Specification 641-3.03*. Both must have a current AK-CESCL certification. Only the DOT&PF project engineer can approve amendments. To signify approval of a SWPPP Amendment, the AK-CESCL can sign the Amendment Log and date and initial the

actual page the amendment is on. The signature must be the full name of the approving individual. The certification number and expiration date of the approving individual must also be included on the amendment log.

### **SWPPP Updates**

Updates simply record actions that were planned for in the SWPPP. They include dates of installation, removal, or regular maintenance of BMPs that occur as per the SWPPP.

These notes are typically hand-written on the plan sheets, with each entry dated and signed or initialed.

When a plan sheet becomes too full to be read easily, fold and date it, transfer the current conditions to a new sheet and continue to document amendments and updates to the new sheet. Place the new page after the old page in the SWPPP binder.

In addition, the permit and DOT&PF contract require continually recording updates on logs, such as the rainfall, grading and stabilization activities and corrective actions.

### **Plan Location and Availability**

You must keep a copy of the SWPPP at the construction site from the time construction begins until final stabilization is achieved. The permit allows the SWPPP to be kept off-site during winter shutdown provided the NOI posting sign contains the winter location.

The SWPPP must be made available upon request by DEC, EPA, or other agencies as identified in the permit. If DEC requests information related to the CGP, the information must be provided to them within 30 days. The contractor's copy is the project's active SWPPP of Record.

### **Inspections**

Identify the personnel responsible for these inspections and describe their qualifications. The permit requires all inspectors to be qualified in the following; erosion and sediment control and storm water quality protection. For DOT&PF projects, inspectors meet both requirements if they are current in one of the following certifications: Alaska Certified Erosion and Sediment Control Lead (AK-CESCL), Certified Professional in Erosion and Sediment Control (CPESC) and Certified Inspector of Sediment and Erosion Control (CISEC).

Place copies of the certifications in the appropriate appendix of the SWPPP.

Describe the plan and frequency for inspection of the project in accordance with the CGP and contract. If the site is eligible for reduced inspection frequency indicate why it is eligible and provide the beginning and end dates. When changing from the regular inspection frequency to a reduced inspection frequency, or waiving inspections during winter shutdown, amend the SWPPP before the next regular inspection before conducting inspections on the new schedule.

Be sure the scope of the inspection is thorough enough to meet the CGP requirements. Inspections must include:

- all project areas disturbed by construction activities,
- observation of all of the discharge points (where collected and concentrated storm water exits the project, such as a drain inlet, ditch, stream, gully, swale, etc.),
- all of the installed control measures BMPs,
- areas where temporary stabilization measures have been placed,
- areas where permanent stabilization measures have been initiated but not yet reached “final stabilization,”
- locations where vehicles enter and exit,
- locations where vehicles are stored, fueled or maintained to check for leaks or spills, and
- locations where materials are stored and exposed to precipitation.

Use Inspection Report Form 25D-100 and follow the Inspection Report Form Instructions to ensure it meets CGP and DOT&PF requirements.

### **Joint Inspections**

SWPPP inspections must be conducted jointly by the SWPPP Manager or Superintendent titles and the Departments Stormwater Inspector per *Standard Specification Section 641-2.04 and 641-3.03*, unless approved by the engineer.

If the current SWPPP Manager is unavailable for an inspection, then an alternative SWPPP Manager may be assigned during the time of absence through a SWPPP amendment. Similarly, DOT&PF may have someone fill in for an absent stormwater inspector.

For the above paragraph, “engineer approval” means when both inspectors must fly to a remote area in the winter, or when one inspector is sick, or unable to travel to the site due to weather, or when the project

engineer determines a safety concern which makes the joint inspection impracticable. A memo explaining the situation is amended to the SWPPP. The operator who conducts the inspection must provide a copy of the Inspection Report to the other operator within three days of the inspection date and document the date of the report transmittal.

Inspection reports are certified by the project engineer and the superintendent, both with a current AK-CESCL certification or its equivalent.

### **Corrective Actions**

Corrective action is required when an inspection reveals a problem such as the need for a new BMP, the need to fix a BMP, a BMP being overdue for maintenance, a leak needs to be fixed and cleaned up, or a noncompliance with the CGP.

Corrective actions identified through the inspection must be described in the inspection report form, including the date by which the corrective action must be completed. This date must conform to CGP and contract requirements.

If control measures are not working effectively and water quality is threatened, take immediate action.

Each action item must be transferred to the Corrective Action Log (Form 25D-112), which documents the cause of the corrective action, the response, and date completed.

Corrective actions found outside of an inspection must also be documented in the Corrective Action Log and need to be corrected within the corrective action deadlines per the CGP *Section 8.2 and Standard Specification Section 641-3.01.4*. The Corrective Action Log provides a means to distinguish these corrective actions from those identified during an inspection.

### **Regular Maintenance**

Describe the procedures to regularly maintain temporary soil stabilization measures, existing vegetation, erosion and sediment control measures, and other protective measures.

Such practices may include removing sediment from structural controls (such as sediment ponds/traps, silt fences, or check dams), reinforcing and repairing silt fences or wattles, or reseeding areas as needed.

For sediment control BMPs such as inlets, check dams, berms, or other control measures the CGP requires maintenance before sediment accumulates to

more than one-half the distance up the above-ground height.

The CGP requires maintenance for silt fence when accumulations reach one-third the distance of the above-ground height for silt fence.

For sediment traps or sediment ponds, the CGP requires the removal of sediment when the design capacity has been reduced by fifty percent.

Maintenance procedures for other BMPs should be described in the SWPPP and may be specified in the contract.

Describe in the SWPPP winter shutdown maintenance procedures to ensure all control measures will remain functional during that time. It is particularly important for the control measures to be effective at the time of spring thaw.

The SWPPP documents regular maintenance including the date the maintenance need was discovered, the date the maintenance occurred, and the date the control measure returned to full function. The documentation should be specified on site maps and the corrective action log.

### **Recordkeeping**

Include in the SWPPP a copy of the CGP that is current at the time the NOI is filed.

Also keep all the forms that are included in Appendix A of this Guide in the SWPPP. Keep the forms up-to-date, preferably a daily basis, but at least on a weekly basis.

Other records to keep with the SWPPP include:

- A copy of the signed NOI from every permittee (usually the contractor and the DOT&PF, but there may be others).
- Copies of the DEC acknowledgement of receipt of each NOI.
- Correspondence related to storm water with regulatory authorities.
- Records of non-storm water discharges.
- Documentation of the SWPPP preparer's stormwater inspector's, Superintendent's and Project Engineer's erosion and sediment control certification(s). Be careful to update these records anytime there is either personnel turnover or someone goes on leave and is temporarily replaced. In the latter case, include in the SWPPP a memo that delegates

the position responsibilities and gives the dates.

- Copy of the DOT&PF Letter of Non-Objection from DEC regarding the permanent storm water management (when it is required).

SWPPP Records are legal documents and need to be prepared and kept with care.

Do not white-out mistakes on any SWPPP records (including inspections and logs). Simply cross-out the erroneous information, provide the correct information, and date and initial the correction.

For Inspection Reports, consult the 25D-100 Inspection Report Instructions for special guidance on all SWPPP site inspection related items.

### **Regulatory Inspection**

When a regulatory inspector (local government, DEC, or EPA) visits a site, the contractor's SWPPP is the SWPPP of Record.

Based on the reason for the inspection (routine or compliance), the permittee may or may not be contacted ahead of time to schedule the inspection. Do the following for these inspections:

- Relax, be courteous, professional and comply with all inquiries and requests for information.
- Notify the project engineer as soon as possible when a regulatory inspector contacts you or arrives on site.
- Request a business card or ask to see the inspector's credentials.
- During the inspection take your own photos/notes of items the inspector points out.
- Document all items mentioned and photographs.
- Ask for the exit meeting to review site visit and document everything.

### **Retention of Records**

Retain the following SWPPP documents for three years after filing the NOT:

1. A copy of the SWPPP, including any modifications made.
2. Inspection records detailing dates of earth-disturbing activities, BMP corrective action dates, the end of construction, and stabilization dates.
3. A copy of all monitoring information and reports (if applicable).

4. A copy of the NOI and NOT.
5. Any other reports and certifications required by the CGP.

### **2.2.10 Contractor and Subcontractor**

The SWPPP describes the roles and responsibilities of the various entities that are active at a project.

Identify the personnel of the prime contractor (and subcontractor, if applicable) responsible for implementing the SWPPP. List all contractors (prime or sub) who perform earth-disturbing activities or install and maintain erosion and sediment control measures.

If applicable, include a description of the utility company's role and responsibilities. If they have their own SWPPP, just reference that document in your SWPPP.

If the contractor has provided support activities, such as disposal or material sites that are covered in a separate SWPPP, then the project SWPPP must reference the other SWPPP plans.

### **2.2.11 Final Stabilization and Permit Termination**

The SWPPP remains in effect until construction activities are done and stabilization of disturbed areas prevent further erosion. Final stabilization means all earth-disturbing activities at the project site are complete and all disturbed land is stabilized through mechanical or vegetative means.

Mechanical stabilization includes:

- Paving
- Riprap
- Retaining structures
- Clean gravel
- Any naturally non-erodible surfaces such as bedrock and porous parent material

Vegetative stabilization means planting a uniform perennial vegetative cover with a density of 70 percent of the native background cover within the total disturbed area. In arid and semi-arid areas, temporary erosion control measures (e.g. degradable rolled erosion control product) should be used to provide erosion control for at least three years without active maintenance. A 70 percent vegetative cover needs to be established within those three years.

When background cover is less than 100 percent (e.g.: beaches or arid areas), the stabilization requirement is adjusted (see the Definitions in the CGP).

The project engineer will verify final stabilization, even if less than one acre remains in the disturbed area. An operator cannot file for termination of permit coverage until there is stabilization for all disturbed areas and all temporary BMPs are removed.

If the contractor or subcontractor's responsibility for final stabilization is complete or another subcontractor or DOT&PF has assumed responsibility for all areas of the site for final stabilization, the contractor may submit an electronic Notice of Termination (eNOT) to DEC. The NOT must be submitted within 30 days of the project engineer confirming final stabilization.

The NOT must include:

1. The APDES tracking number.
2. The basis for submitting the NOT (i.e. completed final stabilization or permittee no longer has responsibility over the site).
3. Your name, address, telephone number, and organization Employer Identification Number (EIN).
4. Name of project, address, and location.
5. A certification statement signed and dated by the corporate officer.

Submit NOTs to DEC in the same manner as the NOI (see 2.2.5). Provide a paper copy of the NOT to project engineer. For a stabilized project, the DOT&PF Regional Director submits an NOT, terminating the Department's coverage under the CGP.

Provide a complete and true copy of the contractor's SWPPP and all associated records to DOT&PF when the NOTs are officially terminated by DEC.