



**Alaska
Department of
Transportation
and
Public Facilities**

**Alaska
Storm Water
Pollution
Prevention Plan
Guide**

Table of Contents

| | |
|---|------------|
| 1. Introduction..... | 1-1 |
| 1.1. Purpose of Guide..... | 1-1 |
| 1.2. Summary of Applicable Water Quality Laws and Regulations | 1-1 |
| 1.2.1 <i>The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)</i> | 1-2 |
| 1.2.2 <i>The Coastal Zone Act Reauthorization Amendments of 1990</i> | 1-2 |
| 1.2.3 <i>Section 404 Permit of the Clean Water Act</i> | 1-2 |
| 1.2.4 <i>Alaska Statute 41.14.870, Anadromous Fish Act</i> | 1-2 |
| 2. NPDES Storm Water Construction General Permit (CGP) | 2-1 |
| 2.1. Introduction | 2-1 |
| 2.2. General Process | 2-1 |
| 2.2.1 <i>Site Evaluation and Assessment</i> | 2-1 |
| 2.2.2 <i>Plan Design and Selection of Storm Water Controls (BMPs)</i> | 2-1 |
| 2.2.3 <i>Notice of Intent (NOI)</i> | 2-2 |
| 2.2.4 <i>Construction and Implementation</i> | 2-3 |
| 2.2.5 <i>Final Stabilization and Termination</i> | 2-3 |
| 2.2.6 <i>Notice of Termination (NOT)</i> | 2-4 |
| 3. SWPPP Plan Requirements | 3-1 |
| 3.1. Introduction | 3-1 |
| 3.2. SWPPP Plan Details..... | 3-1 |
| 3.2.1 <i>Projects Disturbing 1 Acre Or More</i> | 3-1 |
| Appendices | |
| A. DOT&PF Construction Inspection Form..... | A-1 |
| B. Notice of Intent Form..... | B-1 |
| C. Notice of Termination Form | C-1 |
| D. Endangered or Threatened Species, Critical Habitat, and Historic Landmark Contacts | D-1 |
| E. Oil and Hazardous Materials Reporting Requirements..... | E-1 |
| F. Examples of Best Management Practices (BMPs) | F-1 |
| G. Storm Water General Permit Requirements | G-1 |
| H. Storm Water Pollution Prevention Plan Prototype | H-1 |

1. Introduction

- 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) prepared this guide to help contractors, consultants, and the public understand and comply with the requirements of the NPDES Storm Water Construction General Permit (CGP) for small and large construction sites. Specifically this guide focuses on the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) require for coverage under the CGP. Any reference to “you” or to “the contractor” in this guide refers to the contractor or contractor’s designee. The term “operator” or “site operator” refers to the person or persons in charge of the day-to-day activities at a construction site.

Construction activities may disturb the earth and allow soil particles (sediment) to be easily washed away during a storm. A SWPPP is a document that describes the nature and extent of a construction activity and the measures that are used to ensure that sediment and other pollutants are not carried into the storm water discharges from the construction site. To control these pollutants, the contractor can use a variety of measures, referred to as Best Management Practices, or BMPs. The BMPs form the basis of the SWPPP, and the contractor must select them based on the conditions at the construction location. For a SWPPP to be effective, the contractor must properly design, construct, and maintain the BMPs during the life of the project. See Appendix F of this guide for types of BMPs and their applications.

1.2. Summary of Applicable Water Quality Laws and Regulations

The federal and state governments have passed numerous laws to minimize environmental harm from storm water discharge at construction sites. Some of these laws and subsequent regulations require the implementation of erosion and sediment control measures, while others mandate that construction activities maintain water quality. The two most important water quality related laws and regulations are the Federal Clean Water Act and the State of

Alaska Water Quality Standards, as defined in the Alaska Administrative Code (18 AAC 70).

The 1972 amendments to the Federal Water Pollution Control Act (known as the Clean Water Act or CWA) form the primary law controlling construction site discharges and setting water quality standards. The CWA, implemented by the Environmental Protection Agency (EPA), required site operators to comply with a General Permit or an individual National Pollutant Discharge Elimination System (NPDES) permit.

In 1990, the EPA published regulations classifying construction projects that disturb more than 5 acres as industrial dischargers. From 1990 until 1998, a contractor had to either obtain an individual NPDES permit or comply with the stipulations of a General Permit. In 1992, the EPA issued a Construction General Permit for Alaska, Permit Number AK-R-10. This permit required the site operator to prepare a Storm Water Pollution Prevention Plan detailing the operator’s erosion and sediment control plan, permanent storm water management plan, and waste control plan, then file a Notice of Intent with EPA before the start of any earth-disturbing activities.

In 1998, EPA reissued the General Storm Water Permit for Construction Activities. In 2003, EPA modified the Storm Water General Permit to include both Large and Small Construction Activities (i.e. all construction projects disturbing 1 acre or more of ground).

For complete regulatory information on the Storm Water General Permit for Large and Small Construction Activities, visit the following Web site:

http://cfpub1.epa.gov/npdes/stormwater/const.cfm?program_id=6

The Alaska Department of Environmental Conservation (DEC) sets water quality standards for Alaska waters and regulates discharges into these waters. All discharges of storm water from construction projects disturbing 5 acres or more that are authorized under the EPA Storm Water General Permit for Large and Small Construction Activities must be reviewed by DEC, and require a plan review fee as specified by 18 AAC 72.955. For all projects disturbing 1 acre or more, the contractor must minimize potentially harmful water quality impacts by

using best management practices to control erosion and sedimentation.

Other federal and state laws and regulations applicable to storm water discharges from construction activities are as follows:

1.2.1 The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Section 1057 of this act requires the U.S. Department of Transportation to develop erosion control guidelines for the construction of all federally funded highway projects. To satisfy the provisions of Section 1057, the Federal Highway Administration (FHWA) has adopted the American Association of State Highway and Transportation Officials' (AASHTO) "Highway Drainage Guidelines," which address erosion and sediment control. Every state highway agency must comply with these AASHTO guidelines for projects that use federal highway funds.

1.2.2 The Coastal Zone Act Reauthorization Amendments of 1990

This act requires that every state participating in the federal Coastal Management Program use erosion and sediment control management measures. Alaska's Coastal Management Program (ACMP) requires that estuaries, wetlands, tide flats, lagoons, rivers, streams, and lakes be managed to protect natural vegetation, water quality, important fish and wildlife habitat, and natural water flow. The ACMP states in part that contractors for projects within the coastal zone must use "all feasible and prudent steps to maximize conformance" with this requirement. State and federal resource agencies that issue permits often require erosion control measures to ensure that a project will be consistent with the ACMP.

1.2.3 Section 404 Permit of the Clean Water Act

The U.S. Army Corps of Engineers (USACE) administers this requirement. A permit is required for dredging, grubbing, excavating, or filling in rivers, streams, lakes, ponds, tidelands, and wetlands. The 404 permit usually requires erosion and sediment controls to ensure minimal harm to jurisdictional areas.

1.2.4 Alaska Statute 41.14.870, Anadromous Fish Act

The Alaska Department of Natural Resources (ADNR) regulates construction activities that will affect freshwater anadromous fish habitat. Any activity that will pollute or change the natural flow or bed of a stream important for the spawning, rearing, or migration of anadromous fish must be approved by ADNR to ensure that the construction plans and specifications will protect fish and game. Often, the ADNR permit requires an erosion and sediment control plan.

2. NPDES Storm Water Construction General Permit (CGP)

- 2.1. Introduction
- 2.2. General Process

2.1. Introduction

The primary requirement of the EPA Storm Water General Permit for Large and Small Construction Activities is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is a written storm water management plan to preserve water quality by minimizing or eliminating the pollutants in the storm water discharges from construction activities. EPA requires the preparation of a SWPPP before the start of any construction activities that disturb 1 acre or more of land.

2.2. General Process

The success of a SWPPP requires a cooperative effort between DOT&PF and the contractor. Both parties have responsibilities during the process to ensure that the SWPPP will be effective. The process of developing and implementing a SWPPP for construction activities is outlined in the EPA guidance document “Storm Water Management For Construction Activities, Developing Pollution Prevention Plans And Best Management Practices” and consists of the following five phases:

1. Site evaluation and assessment
2. Plan design and selection of storm water controls (BMPs)
3. Notice of Intent (NOI)
4. Construction and implementation
5. Final stabilization and termination
6. Notice of Termination

2.2.1 Site Evaluation and Assessment

During the project design, DOT&PF will develop an Erosion and Sediment Control Plan (ESCP) for all earth-disturbing projects, which will be included in the Plans, Specifications, and Estimate (PS&E) package. An ESCP is a document that explains site conditions and illustrates measures to control erosion and pollution. It provides a practicable plan while giving the contractor enough latitude to develop a sequence of operations based on season, site

conditions, personnel, and equipment. The ESCP gives bidders a basis for cost estimating and ultimately provides the contractor information and guidance for developing an acceptable SWPPP.

Between contract award and the preconstruction conference, the contractor must review the ESCP for its suitability with the construction plan, schedule, and equipment. Using the information provided in the ESCP, the contractor must provide a draft version of the SWPPP and deliver it to the project engineer at least five calendar days prior to the preconstruction conference. The draft SWPPP must address the sequence of major earth-disturbing activities and the sequence of installation of all controls specified for the project. It must also account for erosion control measures while performing excavation and embankment construction. When reviewed and approved by the Department, this becomes the contractor’s and the Department’s Storm Water Pollution Prevention Plan (SWPPP), with the contractor and the Department being co-permittees, because both would meet the definition of operator on a construction project. The contractor is required to sign a SWPPP certification whereby they acknowledge that they understand and agree to comply with the terms and conditions of the Storm Water General Permit for Large and Small Construction Activities. The Department’s written approval of the contractor’s SWPPP will serve to meet their certification requirements as co-permittees. The SWPPP is a dynamic document, and the contractor will modify it as conditions dictate.

2.2.2 Plan Design and Selection of Storm Water Controls (BMPs)

There are a variety of controls (BMPs) that can be used on a construction project. See the following Web sites for descriptions and applications:

<http://h2osparc.wq.ncsu.edu:80/descprob/construc.html>
or <http://abe.msstate.edu/csd/p-dm/index.html>

Also, see Appendix F of this guide for a list of 17 commonly used BMPs, along with application, design, construction, inspection, maintenance, and removal guidelines.

The SWPPP must include a description and location of the BMPs to be implemented at the construction

site as well as the party (contractor, subcontractor, etc.) responsible for implementing each item. In addition, the SWPPP must clearly describe major earth-disturbing activities (excavating, grading, filling) and their sequence during the construction process.

Types of BMPs

There are stabilization (erosion control) BMPs for disturbed areas, structural BMPs to divert runoff and remove sediment, storm water management measures, and other measures. The contractor must base the selection of a BMP on the soil properties, terrain characteristics, intensity and duration of rainfall, and the volume and characteristics of the storm water flow at the location. The following is a brief description of the types of BMPs and examples of each:

Stabilization (erosion control) BMPs are measures to prevent or minimize the loss of soil from land surfaces. They are also known as erosion control BMPs. Examples include:

- Temporary or permanent seeding
- Sodding
- Mulching
- Surface roughening
- Rolled erosion control products
- Preserving existing grass, trees, or other vegetation

Structural BMPs are measures to divert flows away from disturbed areas, to store flows, or to limit the discharge of pollutants from the site. They are used for:

- Velocity control
- Interception /diversion ditch
- Slope drain
- Outlet protection
- Storm water conveyance channel
- Rock check dam
- Sediment control
- Check dam
- Temporary sediment trap

- Brush barrier
- Straw bale barrier
- Inlet protection
- Silt fence

Storm water management measures control pollutants in storm water after construction is completed. These permanent controls, which DOT&PF will include in the ESCP, are designed into the project and may include one or more of the following:

- Retention pond
- Detention pond
- Infiltration measures
- Vegetated swales
- Natural depressions

Other measures to address other potential pollutant sources that may exist on the site include:

- Ensuring proper disposal of construction site waste materials
- Treating or disposing of sanitary wastes that are generated on-site, in accordance with state or local requirements
- Minimizing off-site tracking of sediments and generation of dust

2.2.3 Notice of Intent (NOI)

The contractor and DOT&PF must receive coverage under the CGP as co-permittees. To receive coverage both must submit a Notice of Intent (NOI) form to the U.S. Environmental Protection Agency.

The NOI form requires the following information:

1. Applicable permit number for which you are requesting coverage (see Appendix B of the CGP).
2. Operator name, address, telephone number, and Employer Identification Number (EIN) as established by the Internal Revenue Service
3. Project/site name, address and latitude/longitude
4. Whether it is located in Indian country

5. Whether the SWPPP has been prepared in advance of filing of the NOI, and location where the applicable SWPPP may be viewed
6. Name of the water(s) of the U.S. into which your site discharges
7. Whether 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. Whether any federally listed threatened and endangered species, or federally designated critical habitat are in the project area to be covered by the permit, and the basis for certifying eligibility of permit coverage based on instruction in Appendix C of the CGP
11. A certifying statement signed and dated by a authorized representative as defined by Appendix G, Section 11 of the CGP, and the name and title of the authorized representative

Submit the completed NOI to EPA at one of the following addresses:

1. For regular U.S. Mail Delivery:

EPA Storm Water Notice Processing Center
 Mail Code 4203M
 U.S. EPA
 1200 Pennsylvania Avenue, NW
 Washington, D.C. 20460

2. For Overnight/Express mail Delivery:

EPA Storm Water Notice processing Center
 Room 7420
 U.S. EPA
 1201 Constitutional Avenue, NW
 Washington, D.C 20004

It may take several weeks for EPA to process your NOI and authorize use of the CGP. To facilitate authorization of construction activities under the CGP, EPA has established an Electronic Notice of Intent (eNOI).

To use the eNOI system, the certifying official must register online with EPA. The eNOI requires the same information as the standard NOI. It is recommended that staff prepare a hard copy NOI for the certifying official's use in submitting the eNOI. The certifying official should sign the hard copy NOI and place it in the project file.

Use of the eNOI will substantially reduce the time necessary to receive authorization to use the CGP from EPA. However, it requires close coordination between the contractor and DOT&PF so both eNOIs are submitted as close as possible to the same time.

A regional condition for Alaska requires that a copy of the NOI and SWPPP be submitted (along with \$400) to the Alaska Department of Environmental Conservation for projects that will disturb 5 or more acres of ground. More information on these requirements may be found on page 3-4 of this guide.

2.2.4 Construction and Implementation

During construction, the contractor must inspect and maintain the storm water controls and management practices. Based on these inspections, the contractor may need to update or modify the SWPPP if there are any changes in the construction or if the plan is ineffective in controlling pollutants. In addition to the inspection and maintenance records, the contractor must keep records of the construction activity on the site.

2.2.5 Final Stabilization and Termination

The SWPPP remains in effect until the construction activities are completed and the disturbed areas are stabilized to prevent further erosion of the soil. Final stabilization means that all earth-disturbing activities at the project site have been completed and stabilized through mechanical or vegetative means. Mechanical means include:

- Paving
- Riprap
- Retaining structures
- Free draining processed aggregate
- Any naturally non-erodible surfaces such as bedrock and porous parent material

Vegetative means include planting a uniform perennial vegetative cover with a density of 70 percent of the native background cover.

2.2.6 Notice of Termination (NOT)

If the contractor's or subcontractor's responsibility for final stabilization has been completed or if another subcontractor or DOT&PF has assumed responsibility for all areas of the site for final stabilization, you must submit a Notice of Termination (NOT) form to the U.S. Environmental Protection Agency.

A NOT must include:

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

All NOTs must be submitted to EPA at the same address as the NOI (see 2.2.3). Provide a copy of the NOT to the DOT&PF project engineer.

3. SWPPP Plan Requirements

- 3.1 Introduction
- 3.2 SWPPP Plan Details

3.1. Introduction

Federal and state laws, regulations, and water quality standards require that any DOT&PF earth-disturbing construction activities (highway, airport, or building) address erosion and sediment control measures. Earth-disturbing activities are defined as clearing, grubbing, excavating, or filling that disturbs the ground surface and results in earth (not aggregate or asphalt materials) being exposed to potential erosion from precipitation. An aggregate roadway exposed by removing asphalt is not considered to be disturbed ground.

3.2. SWPPP Plan Details

To satisfy the requirements for a SWPPP, the contractor must complete two items:

1. Plan Contents – site specific information for the project
2. Administrative Requirements – notices, forms, and records that must be filed or retained at the project site

3.2.1 Projects Disturbing 1 Acre Or More

The contractor must include the following information, as required by the EPA Storm Water General Permit for Large and Small Construction Activities (As part of the ESCP, DOT&PF will typically supply information for items followed by an asterisk .*):

Plan Contents

Site Description

1. Describe the construction activity, including the nature and extent of all new construction and/or reconstruction earth-disturbing activities for buildings, airport runways or taxiways, highways (including shoulders), bridges, curb and gutter, sidewalks, utilities, and drainage systems.*
2. Describe the intended sequence of major activities that disturb soils on major portions of the site within the project and right-of-way limits, including grubbing, excavation, and grading.

3. Estimate, to the nearest quarter acre, both the total area likely to be disturbed by excavation, grading, or other activities, and the total area of the project. For total project area on highway projects, include the area within the right-of-way and any known off-site disturbed areas supplied as materials sources, stockpile sites, and borrow/quarry sites. For total project area on airport projects, include the area within the airport boundaries, and any known off-site disturbed areas supplied as materials sources, stockpile sites, and borrow/quarry sites. List the on-site and off-site areas of each project separately.* (The Department's estimate will include project area and state-designated material sources and disposal sites.)
4. Include a general area location map * and a site map * indicating:
 - a. Drainage patterns and approximate slopes anticipated after major grading activities *
 - b. Locations of all structural and nonstructural controls identified in the plan * (the contractor may modify the Department's proposed controls)
 - c. Locations where stabilization activities are expected to occur * (the contractor may modify the Department's proposed locations)
 - d. Locations of off-site material, waste, borrow, or equipment storage areas
 - e. Give the location and describe any discharge associated with industrial activity other than construction, including asphalt and concrete plants dedicated solely to the project. Do not include commercial plants and sources (i.e. those pre-established plants and sources that serve other projects and remain in place after the project is completed).
5. Give the name of the receiving water(s), the extent of wetlands or other aquatic sites and locations where storm water discharges to a surface water *
6. Indicate the location of any impaired waters. * You may find a list of these waters at the following Web site:

<http://www.state.ak.us/local/akpages/ENV.CONSERV/dawq/tmdl/98onepage.htm>

7. Indicate the location of any waters with approved and final Total Maximum Daily Loads (TMDLs) for Alaska * You may find a list of these waters at the following Web site:

http://www.state.ak.us/dec/dawq/tmdl/fin_tmdl.htm

8. Provide information on endangered or threatened species, including (1) whether any listed species or designated critical habitat, as defined by the U.S. Fish and Wildlife Service and National Marine Fisheries Service (NMFS) (see Appendix D for addresses), are near the project area and the contractor's off-site material or disposal areas, and (2) whether such species may be affected by the storm water discharges from these areas. You may obtain information on the DOT&PF project site from the regional environmental coordinator. In the case of contractor-supplied material sources and disposal areas, consult either the U.S. Fish and Wildlife Service Web site at <http://endangered.fws.gov> or the National Marine Fisheries Service Web site at <http://www.fakr.noaa.gov/protectedresources/default.htm>, or one of their field offices listed in Appendix D. If endangered species are not present, check criterion A on the Notice of Intent Form.

If endangered species are present in areas outside of the limits of the DOT & PF Section 7 project clearances, you must satisfy the permit eligibility requirements by checking the appropriate criterion box or boxes on the Notice of Intent Form. It is advisable to consult with the project engineer and regional environmental coordinator to fill out this section of the form.

9. Give information on historic sites, including (1) whether any sites listed on the National Register of Historic Places may be affected by storm water discharges, and (2) whether any written agreement is in place with the state historic preservation officer (see Appendix D for address). You may obtain information on the DOT&PF project site from the regional environmental coordinator. If you find historic or archeological resources at any of your proposed off-site material or disposal areas, then you must notify the project engineer, and you must consult with the state historic

preservation officer. Project clearance could take from one to six months. If a historic or archaeological resource is eligible for the National Register of Historic Places, you must use an alternative material or disposal site if practical.

10. Include a copy of the permit requirements. For further details, see Appendix G of this guide.

In addition, you must include a copy of the signed and certified NOI form that was submitted to EPA. Upon receipt, also include a copy of the electronic mail message or letter from the EPA Storm Water Notice Processing Center notifying you of their receipt of your administratively completed NOI.

Control Measures

Describe the appropriate control measures (BMPs) you will implement at the construction site and the off-site areas. Include stabilization (erosion control) BMPs, structural BMPs, storm water management measures, and other measures.

Maintenance

Describe the procedures that you will use to maintain the vegetation, the 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 bale check dams) when 50 percent design capacity is reached; reinforcing and repairing silt fences; or reseeding areas as needed. You must also describe winter shutdown maintenance procedures to ensure all control measures will remain functional during that time.

Inspections

Describe the plan for inspection of the project's BMPs and identify the personnel responsible for these inspections. You may find project specific requirements in Section 641 of the construction contract special provisions.

Non-Storm Water Discharges

You must identify all sources of non-storm water that are combined with storm water discharges from the construction activity, except for flows from fire-fighting activities. Examples are:

- A water truck that is used to control dust at the construction site

- Water from water line flushings
- 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)
- Water from uncontaminated excavation dewatering activities

You must also identify pollution prevention measures, such as routing the non-storm water discharges to a sediment basin prior to discharge.

Contractor and Subcontractor (Responsible Parties)

Identify the prime contractor's and subcontractor's (if applicable) personnel responsible for implementing the SWPPP and each control measure. You must list all contractors (prime or sub) who perform earth-disturbing activities or install and maintain erosion and sediment control measures.

A representative from the prime contractor who performs or supervises the requisite activities, or who modifies the SWPPP will be required to sign the SWPPP certification: as defined by Appendix G, Section 11 of the CGP.

Administrative Requirements

The contractor must compile and retain the following records at the construction site:

Inspection and Maintenance Records

List inspection results on the SWPPP Construction Inspection Report Form 25D-100, found in the *Alaska Construction Manual*. Include project name, inspection date, name of inspectors (DOT&PF and contractor), type of inspection, site status, site conditions, deficiencies noted and recommended actions to correct deficiencies, follow-up actions to be taken, and signatures by both the DOT&PF and the contractor's representatives.

Construction Records (Foreman's Report)

- The dates of major grading activities in a particular area
- The dates construction activities cease in an area, either temporarily or permanently
- The dates an area is stabilized, either temporarily or permanently

Plan Location

You must keep a copy of the SWPPP at the construction site from the time construction begins until the site is finally stabilized.

Retention of Records

You must retain the following for three years after the completion of final site stabilization:

- A copy of the SWPPP
- Inspection records detailing dates of earth-disturbing activities, end of construction, and stabilization
- A copy of the NOI and NOT

Access

You must post the following at the construction site, or at the nearest DOT&PF construction office:

- EPA NPDES permit number, if available, and a copy of the NOI
- Name and phone number of contractor's local contact
- Location of the SWPPP for viewing by the public

Release of Reportable Quantities of Oil or Hazardous Substances

Because construction personnel may handle oil and certain hazardous substances, spills in amounts that reach Reportable Quantity (RQ) levels are possible. If a spill of oil reaches any surface waters or if a spill of certain hazardous substances exceeds the RQ level, the contractor must notify the project engineer, the National Response Center, and the Alaska Department of Environmental Conservation. If a spill of any amount of certain hazardous substances or a spill of 1 gallon or more of oil to land occurs, the contractor must notify the project engineer and the Alaska Department of Environmental Conservation. See Appendix E of this guide for reporting requirements and a list of these certain hazardous substances and their RQ levels.

Other Administrative Requirements

You must comply with the following additional administrative requirements, mandated by the Storm

Water General Permit for Large and Small Construction Activities:

1. Notice of Intent (NOI)

Before construction begins, the prime contractor must **prepare and** submit a NOI form to the U.S. Environmental Protection Agency. The NOI (see Appendix B) is a form that requests general information about the operator in charge of the day-to-day operations of the construction site, the location of the site, the name of receiving waters or the municipal separate storm sewer system, the estimated start date and completion date of the project, and other miscellaneous information about the site.

The contractor may submit the NOI to the U.S. Environmental Protection Agency either by Certified Mail or through the EPA's electronic NOI system. To use this electronic system, the prerequisite conditions must be met and the contractor must follow the directions as specified on the following Web site:

<http://cfpub.epa.gov/npdes/stormwater/enoi.cfm>

The electronic NOI system is designed to process the NOI in a time efficient manner. If the contractor elects to submit the NOI by Certified Mail, additional time (two to three weeks) will be required for the U.S. Environmental Protection Agency to complete their administrative process. The contractor should be aware of this and allow for adequate time prior to the start of construction activities when submitting the NOI by mail.

Whether submitting the NOI either electronically or by mail, the contractor may not begin earth-disturbing activities until the EPA has acknowledged receipt of the NOI, and the EPA has determined that the NOI has an active status. The EPA will post this information on their Web site:

<http://cfpub.epa.gov/npdes/stormwater/noi/noisearch.cfm>

The regional director will submit the Department's electronic NOI to the EPA.

2. Notice Of Termination (NOT)

The EPA NPDES general storm water permit for construction activities remains in effect until the construction activities are completed and the disturbed areas are stabilized to prevent further

erosion of the soil. Final stabilization means that all earth-disturbing activities at the project site have been completed and stabilized through mechanical or vegetative means. Mechanical means include:

- Paving
- Riprap
- Retaining structures
- Free draining processed aggregate
- Any naturally non-erodible surfaces such as bedrock and porous parent material

Vegetative means include planting a uniform perennial vegetative cover with a density of 70 percent of the native background cover.

The project engineer, in consultation with the regional environmental section, will determine when final stabilization has been achieved. Then the contractor must submit his or her signed NOT (see Appendix C) to the U.S. Environmental Protection Agency either electronically or by Certified Mail. The Regional Director will submit the Department's electronic NOT to the EPA.

3. SWPPP Modification

For a construction activity to be in full compliance with the Storm Water General Permit for Large and Small Construction Activities, and for the SWPPP to be effective, the plan must accurately reflect current site features and operations. When it does not, you must amend the plan. During the construction process, the contractor must inspect and maintain the storm water controls and management practices. Based on these inspections, the contractor may need to update or modify the SWPPP if there are any changes in the construction or if the plan is ineffective in controlling pollutants. The contractor must complete SWPPP amendments within seven calendar days of a storm or an inspection.

4. Alaska Department of Environmental Conservation and Municipality of Anchorage Requirements

For all projects that disturb 5 acres or more of ground outside the municipality of Anchorage, and for publicly funded projects that disturb 5 acres or more within the municipality of Anchorage, the contractor must submit copies of

the signed NOI, the signed and approved SWPPP, and the required fee to the DEC Storm Water Coordinator.

For all projects that disturb at least 1, but less than 5 acres of ground, the contractor must submit a copy of the signed NOI to the DEC Storm Water Coordinator for informational purposes.

The following address is applicable:

Alaska Department of Environmental
Conservation
Water Quality Permitting/Storm Water
555 Cordova Street
Anchorage, AK 99501

For private construction projects that disturb 1 or more acres of ground within the municipality of Anchorage, the contractor must submit a copy of the SWPPP to the Municipality of Anchorage accompanied by any municipality-required fee.

The following address is applicable:

Municipality of Anchorage
Office of Planning Development & Public Works
4700 S. Bragaw Street
P.O. Box 196650
Anchorage, AK 99519-6650