

STATE WATER RESOURCES CONTROL BOARD

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SEP 8 1992

To: Interested Parties

GENERAL CONSTRUCTION ACTIVITY STORM WATER PERMIT

Enclosed is a copy of the General Construction Activity Storm Water Permit (Permit), including the Fact Sheet, Notice of Intent (NOI) form, and NOI instructions, which was adopted by the State Water Resources Control Board (State Water Board) on August 20, 1992.

To be covered by this Permit, the owners of land where a construction activity occurs must submit the completed NOI form, with the appropriate fee, to the State Water Board. Permits are required for all storm water discharges associated with a construction activity where clearing, grading, and excavation results in a land disturbance of five or more acres. Storm water discharges from a construction activity that results in a land disturbance of less than five acres, but which is part of a larger common plan of development or sale, also require a permit. Permits are required until the construction is complete.

A permit must be obtained by October 1, 1992 for an ongoing construction activity that satisfies these criteria. For a new construction activity that begins after October 1, 1992, a permit must be obtained before construction starts.

The NOI must be sent to the following address:

State Water Resources Control Board
Division of Water Quality
Attention: Storm Water Permit Unit
P. O. Box 1977
Sacramento, CA 95812-1977

The NOI must be accompanied by the appropriate annual fee. The fee will either be \$250.00 or \$500.00 depending on the area of the construction activity. The NOI will not be processed if not accompanied by the fee. Enclosure 1 describes those areas in which the \$250.00 annual fee

applies. Dischargers in all other areas of the State must pay the \$500.00 fee.

Attachment No. 1 to the Permit lists the nine California Regional Water Quality Control Boards' (Regional Water Boards) addresses and telephone numbers. If you have any questions or concerns related to the Permit, you should discuss them with Regional Water Board staff.

We would appreciate it if you would inform other members of the construction industry of the need to obtain a storm water permit. If you know of others that need to obtain a permit but may be unaware of the State's program, please have them call the State Water Board's Construction Activity Storm Water Hotline at 916/647-1146.

Sincerely,

/s/

Walt Pettit
Executive Director

Enclosures (2)

March 22, 1994

Enclosure 1

AREAS OF THE STATE IN WHICH THE \$250.00 ANNUAL FEE APPLIES

<u>Municipality</u>	<u>Permitted Area</u>
1. Alameda County	The permitted area of the county is the westerly side of the county which drains to San Francisco Bay.
2. Contra Costa County	The entire county except for the Community of Brentwood.
3. El Dorado County	The permitted area consists of the easterly side of the county which drains into Lake Tahoe.
4. Los Angeles County	The permitted area consists of the five hydrologic subbasins which drain into the Pacific Ocean as follows: Santa Monica Bay, Upper Los Angeles River, including Sycamore Channel, Upper San Gabriel River, Lower Los Angeles River, and Lower San Gabriel River, including Santa Clarita Valley. The Permit does not cover the cities of Avalon, Lancaster, and Palmdale.
5. Orange County	The permitted area is delineated by the Los Angeles County line on the northwest, the San Bernardino County line on the north and northeast, the Riverside County line on the east, the San Diego County line on the south, and the Pacific Ocean on the southwest.
6. Placer Counties	The permitted area consists of the easterly side of the county which drains into Lake Tahoe.
7. Riverside County	The permitted area is delineated by the San Bernardino County line on the north and northwest, the Orange County line on the west, the San Diego County line on the south, and the Santa Ana/Colorado River Basin Regional Boards' boundary line on the east (mountain crest).

8. Sacramento County The entire county except for the incorporated City of Isleton.

9. San Bernardino County The permitted area is delineated by the Santa Ana-Lahontan Regional Board boundary line on the north and northeast, the Santa Ana-Colorado River Basin Regional Board boundary line on the east, the San Bernardino-Riverside County boundary line on the south and southeast, the San-Bernardino-Orange County boundary line on the southwest, and the San Bernardino-Los Angeles County boundary line on the west.

10. San Diego County The permitted area is delineated by the San Diego County lines on the north and south, the Pacific Ocean on the west, and the San Diego/Colorado River Basin Regional Board boundary on the east (mountain crest).

11. San Mateo County The entire county.

12. Santa Clara County The Santa Clara Valley Basin portion of the county containing eleven hydrologic subbasins which discharge into watercourses which in turn flow into South San Francisco Bay.

STATE WATER RESOURCES CONTROL BOARD
901 P STREET, SACRAMENTO, CALIFORNIA 95814

FACT SHEET
FOR

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR
STORM WATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITY

BACKGROUND

In 1972, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful, unless the discharge is in compliance with a NPDES permit. The 1987 amendments to the CWA added Section 402(p) which establishes a framework for regulating municipal and industrial storm water discharges under the NPDES program. On November 16, 1990, the U.S. Environmental Protection Agency (USEPA) published final regulations that establish storm water permit application requirements for specified categories of industries. The regulations require that discharges of storm water associated with construction activity (storm water discharges) from soil disturbances of five (5) acres or more must be regulated as an industrial activity and covered by a NPDES permit.

In a recent ruling, the Ninth Circuit Court of Appeals invalidated the exemption granted by USEPA for storm water discharges from soil disturbances of less than five acres but remanded the regulation to USEPA for further action. The State Water Board, at this time, is not requiring storm water discharges from soil disturbances of less than five acres to be covered by this general permit. Instead, the State Water Board will await future USEPA or court action clarifying the types of storm water discharges that must be permitted. If necessary, the State Water Board will reopen the general permit to accommodate such a clarification.

While federal regulations allow two permitting options for storm water discharges (individual permits and general permits), the State Water Board has elected to adopt only one statewide general permit at this time that will apply to all storm water discharges, except from those on Indian lands and the Lake Tahoe Hydrologic Unit. The State Water Board has previously adopted a separate statewide general permit for all other industrial storm water discharge categories, except for those discharges in Santa Clara County that drain to San Francisco Bay and on Indian Lands.

This general permit requires all owners of land where construction activity occurs (dischargers) to:

1. Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation,
2. Develop and implement a storm water pollution prevention plan, and
3. Perform inspections of storm water pollution prevention measures (control practices).

This general permit will be implemented and enforced by the nine California Regional Water Quality Control Boards (Regional Water Boards).

The general permit accompanying this fact sheet is intended to initiate regulation of storm water discharges. Regulating many storm water discharges under one permit will greatly reduce the otherwise overwhelming administrative burden associated with permitting individual storm water discharges. Dischargers must submit a notice of intent (NOI) to obtain coverage under this general permit. It is expected that as the storm water program develops, the Regional Water Boards may issue general permits containing more specific permit provisions. When this occurs, those dischargers will no longer be regulated by this general permit.

TYPES OF CONSTRUCTION ACTIVITY COVERED BY THIS GENERAL PERMIT

Construction activity includes clearing, grading, or excavation that results in soil disturbances of at least five acres of total land area. Construction activity that results in soil disturbances of less than five acres requires a permit if the construction activity is part of a larger common plan of development or sale. Construction activity does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility, nor does it include emergency construction activities required to protect public health and safety. Dischargers may confirm with the local Regional Water Board that a particular routine maintenance is not subject to this general permit.

Storm water discharges from those portions of a construction project which include dredging and/or filling which are subject to regulation by the U.S. Army Corps of Engineers (Corps), pursuant to Section 10 of the Rivers and Harbors Act and/or Section 404 of the CWA, are excluded from regulation under this general permit. Said portions of the project are, however, subject to the certification requirements of Section 401 of the CWA and must be addressed via the certification process. Storm

water discharges from dredge spoil placement which occurs outside of Corps jurisdiction (upland sites) and is part of a construction activity which disturbs five or more acres of land are covered by this general permit.

NOTIFICATION REQUIREMENTS

The owner of the land where the construction activity is occurring is responsible for obtaining coverage under this general permit by filing a NOI and appropriate fee in accordance with the NOI instructions. For construction activity conducted on easements, or on nearby property by agreement or permission, the entity responsible for the construction activity must file a NOI.

A separate NOI must be submitted to the State Water Board for each covered construction activity. Owners of land with ongoing construction activity will be required to submit a NOI by September 30, 1992. Owners of land with construction activity commencing after September 30, 1992 must submit a NOI prior to commencement of construction activity. The NOI requirements of the general permit are intended to establish a mechanism which can be used to clearly identify the responsible parties, locations, and scope of operations of dischargers covered by the general permit.

The NOI must be sent to the following address:

California State Water Resources Control Board
Division of Water Quality
Storm Water Permit Unit
P.O. Box 1977
Sacramento, CA 95812-1977

The current annual fee for this general permit is either \$500 or \$250 depending on location. Dischargers who fail to obtain coverage under this general permit and are not otherwise covered by a NPDES permit for storm water discharges will be in violation of the CWA and the California Water Code. When construction is complete or ownership has been transferred, dischargers are required to notify the State Water Board indicating that all State and local requirements have been met in accordance with Special Provision 7 of the general permit.

TYPES OF CONSTRUCTION ACTIVITY NOT COVERED BY THIS GENERAL PERMIT

This general permit does not apply to storm water discharges from those areas on Indian lands and the Lake Tahoe Hydrologic Unit. Storm water discharges in the Lake Tahoe Hydrologic Unit will be regulated by a separate permit(s) adopted by the California Regional Water Quality Control Board, Lahontan Region

(Lahontan Regional Water Board). USEPA will regulate storm water discharges on Indian lands. Permit applications for storm water discharges that will be conducted in the Lake Tahoe Hydrologic Unit should be submitted directly to the Lahontan Regional Water Board.

DESCRIPTION OF GENERAL PERMIT CONDITIONS

The following is a brief description of the major provisions of the general permit and the basis for the general permit. Dischargers should read the general permit carefully.

Prohibitions

This general permit authorizes the discharge of storm water associated with construction activity from construction sites. It prohibits the discharge of materials other than storm water and all discharges which contain a hazardous substance in excess of reportable quantities established at 40 Code of Federal Regulations (CFR) 117.3 or 40 CFR 302.4 unless a separate NPDES permit has been issued to regulate those discharges.

Effluent Limitations

Permits for storm water discharges associated with construction activity must meet all applicable provisions of Sections 301 and 402 of the CWA. These provisions require controls of pollutant discharges that utilize best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants, and any more stringent controls necessary to meet water quality standards.

It is not feasible at this time for the State Water Board to establish numeric effluent limitations. The reasons why establishment of numeric effluent limitations is not feasible is discussed in detail in State Water Board Orders Nos. WQ 91-03 and WQ 91-04. Therefore, the effluent limitations contained in this general permit are narrative and include the requirement to implement appropriate pollution prevention control practices and/or Best Management Practices (BMPs). The BMPs may include treatment of storm water discharges, along with source reduction, which will constitute BAT and BCT and will achieve compliance with water quality standards. The effluent limitations constitute compliance with the requirements of the CWA. However, if storm water discharges cause water quality standards to be exceeded, this general permit may be amended, or the appropriate Regional Water Board may adopt a general permit which replaces this general permit to include additional effluent limitations necessary to achieve water quality standards. Elimination or reduction of non-storm water discharges is a major goal of this general permit. Non-storm water discharges include a wide

variety of sources, including improper dumping, spills, or leakage from storage tanks or transfer areas. Non-storm water discharges may contribute a significant pollutant load to receiving waters. Measures to control spills, leakage, and dumping and to prevent illicit connections during construction can often be addressed through BMPs. This general permit prohibits the discharge of materials other than storm water. The general permit, however, recognizes that certain non-storm water discharges may be necessary for the practical performance and completion of construction projects. Such discharges include, but are not limited to: landscape irrigation of erosion control measures, pipe flushing and testing, street washing, and dewatering. Such discharges are allowed by this general permit if the discharges are (1) infeasible to eliminate, (2) comply with BMPs as described in the Storm Water Pollution Prevention Plan, (3) do not cause or contribute to a violation of water quality standards, and (4) are not required to be permitted by the local Regional Water Board (e.g., some Regional Water Boards have adopted general permits for dewatering discharges).

Storm Water Pollution Prevention Plan (SWPPP)

This general permit requires development and implementation of SWPPPs emphasizing storm water BMPs. This approach provides the flexibility necessary to establish control practices which can appropriately address sources of pollutants at different construction activities.

All dischargers must prepare, retain at the construction site, and implement a SWPPP. The SWPPP has two major objectives: (1) to help identify the sources of sediment and other pollutants that affect the quality of storm water discharges and (2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges. The SWPPP must include BMPs which address source reduction, and, if necessary, should include BMPs which require treatment.

The SWPPPs are considered reports available to the public under Section 308(b) of the CWA and will be made available by the Regional Water Board upon request. Required elements of the SWPPPs include: (1) site description, (2) erosion and sediment controls, (3) waste disposal, (4) implementation of approved local plans, (5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, and (6) non-storm water management.

Monitoring Program

Another major feature of the general permit is the development and implementation of a monitoring program. All dischargers are required to conduct inspections of the construction site prior to anticipated storm events and after actual storm events to identify areas contributing to a storm water discharge and to evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly implemented in accordance with the terms of the general permit or whether additional control practices are needed.

Each discharger must certify annually that its construction activity is in compliance with the requirements of this general permit and its SWPPP. Dischargers who cannot annually certify compliance or who have had other instances of noncompliance must notify the appropriate Regional Water Board. A well-developed monitoring program will provide a good method for checking on the effectiveness of the SWPPP.

Retention of Records

The discharger is required to retain records of all monitoring information, copies of all reports required by this general permit, and records of all data used to complete the NOI for the construction activity to be covered by the general permit for a period of at least three years. This period may be extended by request of the State and/or Regional Water Boards. With the exception of noncompliance reporting, dischargers are not required to submit the records, except upon specific request by the Regional Water Board.

STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD)
ORDER NO. 92-08 DWQ
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT NO. CAS000002

WASTE DISCHARGE REQUIREMENTS (WDRS)
FOR
DISCHARGES OF STORM WATER RUNOFF ASSOCIATED WITH CONSTRUCTION ACTIVITY

The State Water Board finds that:

1. Federal regulations for controlling pollutants in storm water runoff discharges were issued by the U.S. Environmental Protection Agency (USEPA) on November 16, 1990 (40 Code of Federal Regulations (CFR) Parts 122, 123, and 124). The regulations require discharges of storm water associated with construction activity including clearing, grading, and excavation activities (except operations that result in disturbance of less than five acres of total land area and which are not part of a larger common plan of development or sale)¹ to obtain a NPDES permit and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate storm water pollution.
2. This general permit shall regulate pollutants in discharges of storm water associated with construction activity (storm water discharges) except from those areas on Indian lands, the Lake Tahoe Hydrologic Unit, and where the storm water discharge is determined ineligible for coverage under this general permit by the California Regional Water Quality Control Boards (Regional Water Boards). Attachment 1 contains addresses and telephone numbers of each Regional Water Board office.
3. This general permit does not preempt or supersede the authority of local storm water management agencies to prohibit, restrict, or control storm water discharges to separate storm sewer systems or other watercourses within their jurisdiction, as allowed by State and Federal law.
4. To obtain authorization for current and future storm water discharges pursuant to this general permit, the owner of a site where construction activity occurs (discharger) must submit a Notice of Intent (NOI) and appropriate fee to the State Water Board. Dischargers who submit a NOI and

¹In a recent ruling, the Ninth Circuit Court of Appeals invalidated the exemption granted by USEPA for storm water discharges from soil disturbances less than five acres but remanded to USEPA for further action. This general permit may be reopened, as necessary, to accommodate a redefinition of the types of storm water discharges that must be permitted.

appropriate fee are authorized to discharge storm water under the terms and conditions of this general permit.

5. If an individual NPDES permit is issued to a discharger otherwise subject to this general permit, or an alternative general permit is subsequently adopted which covers storm water discharges regulated by this general permit, the applicability of this general permit to such discharges is automatically terminated on the effective date of the individual permit or the date of approval for coverage under the subsequent general permit.
6. This action to adopt a NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.), in accordance with Section 13389 of the California Water Code.
7. The State Water Board adopted the California Ocean Plan on March 22, 1990 and the California Inland Surface Waters Plan and Enclosed Bays and Estuaries Plan on April 11, 1991. In addition, the Regional Water Boards have adopted and the State Water Board has approved Water Quality Control Plans (Basin Plans). Dischargers regulated by this general permit must comply with the water quality standards in these Plans and subsequent amendments thereto.
8. It is not feasible at this time to establish numeric effluent limitations for pollutants in storm water discharges from construction activities. Instead, the provisions of this general permit that require implementation of Best Management Practices (BMPs) to control and abate the discharge of pollutants in storm water discharges constitute compliance with BAT/BCT requirements and with requirements to achieve water quality standards.
9. Discharges of non-storm water may be necessary for the practical performance and completion of certain construction projects. Such discharges include, but are not limited to: landscape irrigation of erosion control measures, pipe flushing and testing, street washing, and dewatering. Such discharges are allowed under this general permit so long as they comply with BMPs as described in the Storm Water Pollution Prevention Plan and they do not cause or contribute to violation of any water quality standard.
10. Following adoption of this general permit, the Regional Water Boards shall enforce the provisions of this general permit including the monitoring and reporting requirements.

11. Following public notice in accordance with State and Federal laws and regulations, the State Water Board in a public meeting held May 14, 1992 heard and considered all comments. The State Water Board has prepared written responses to all significant comments.
12. This Order is a NPDES permit in compliance with Section 402 of the Clean Water Act (CWA) and shall take effect upon adoption by the State Water Board.
13. This general permit does not authorize discharges of fill or dredged material regulated by the U.S. Army Corps of Engineers under CWA Section 404 and does not constitute a waiver of water quality certification under CWA Section 401.

IT IS HEREBY ORDERED that all dischargers who file a Notice of Intent (NOI) indicating their intention to be regulated under the provisions of this general permit shall comply with the following:

A. DISCHARGE PROHIBITIONS:

1. Discharges of material other than storm water, which are not otherwise regulated by a NPDES permit, to a separate storm sewer system or waters of the nation are prohibited, except as allowed in Provision C.3.
2. Storm water discharges shall not cause or threaten to cause pollution, contamination, or nuisance.
3. Storm water discharges regulated by this general permit shall not contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.

B. RECEIVING WATER LIMITATIONS:

1. Storm water discharges to any surface or ground water shall not adversely impact human health or the environment.
2. Storm water discharges shall not cause or contribute to a violation of any applicable water quality standards contained in the California Ocean Plan, Inland Surface Waters Plan, Enclosed Bays and Estuaries Plan, or the applicable Regional Water Board's Basin Plan.

C. SPECIAL PROVISIONS FOR CONSTRUCTION ACTIVITY:

1. All dischargers must file a NOI and appropriate fee for construction activities conducted at each site as required by Attachment 2: Notice of Intent--General Instructions.
2. All dischargers must develop and implement a Storm Water Pollution Prevention Plan in accordance with Section A: Storm Water Pollution Prevention Plan (SWPPP).
3. Discharges of non-storm water are allowed only when necessary for performance and completion of construction projects and where they do not cause or contribute to a violation of any water quality standard. Such discharges must be described in the SWPPP. Wherever feasible, alternatives which do not result in discharge of non-storm water shall be implemented, in accordance with Section A.7 of the SWPPP requirements.
4. All dischargers must develop and implement a monitoring program and reporting plan in accordance with Section B: Monitoring Program and Reporting Requirements.
5. All dischargers must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of storm water to separate storm sewer systems or other watercourses under their jurisdiction, including applicable requirements in municipal storm water management programs developed to comply with NPDES permits issued by the Regional Water Boards to local agencies.
6. All dischargers must comply with the standard provisions and reporting requirements contained in Section C: Standard Provisions.
7. The discharger may revoke (cancel) coverage under this general permit by submitting to the State Water Board certification, in accordance with the signatory requirements of Section C: Standard Provisions, Items 9 and 10, that construction activity has been completed, that all elements of the SWPPP have been completed, that construction and equipment maintenance waste have been disposed of properly, that the site is in compliance with all local storm water management requirements including erosion/sediment control requirements, policies, and guidelines. In addition, a discharger may revoke (cancel) coverage under this general permit when ownership of all or a portion of the project has been transferred. The new owner must comply with the provisions of Section

A(2)(c) and B(3)(b) of this general permit. The revocation should accompany the NOI from the new owner when possible.

8. This general permit will expire on August 20, 1997. Upon reissuance of a NPDES general permit by the State Water Board, dischargers subject to the reissued general permit may be required to file a revised NOI.

D. REGIONAL WATER BOARD AUTHORITIES:

1. Following adoption of this general permit, Regional Water Boards shall:
 - a. Implement the provisions of this general permit. Implementation of this general permit may include, but is not limited to, reviewing SWPPPs, reviewing monitoring reports, conducting compliance inspections, and taking enforcement actions.
 - b. Issue permits as they deem appropriate to individual dischargers, categories of dischargers, or dischargers in a geographic area. Upon issuance of such permits by a Regional Water Board, the affected dischargers shall no longer be regulated by this general permit.
2. Regional Water Boards may provide guidance to dischargers on SWPPP and Monitoring Program implementation.
3. Regional Water Boards may require dischargers to retain records for more than three years.
4. Regional Water Boards may require additional monitoring and reporting program requirements.

CERTIFICATION

The undersigned, Administrative Assistant to the State Water Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 20, 1992.

AYE: W. Don Maughan
Eliseo M. Samaniego
Marc Del Piero
James M. Stubchaer

NO: None

ABSENT: John Caffrey

ABSTAIN: None

/s/ _____
Maureen Marche'
Administrative Assistant to the Board

Section A: STORM WATER POLLUTION PREVENTION PLAN

1. Objectives

A Storm Water Pollution Prevention Plan (SWPPP) shall be developed and implemented for each construction site covered by this general permit. The SWPPP shall be certified in accordance with the signatory requirements of Standard Provision C.9. The SWPPP shall be developed and amended, when necessary, to meet the following objectives:

- a. To identify pollutant sources that may affect the quality of discharges of storm water associated with construction activity (storm water discharges) from the construction site, and
- b. To identify, construct, and implement storm water pollution prevention measures (control practices) to reduce pollutants in storm water discharges from the construction site both during construction and after construction is completed.

2. Implementation Schedule

- a. For construction activity commencing on and after October 1, 1992, the SWPPP must be developed and implemented concurrent with commencement of construction activities.
- b. For construction activity commencing prior to and continuing beyond October 1, 1992, the SWPPP must be developed and implemented by October 1, 1992.
- c. For ongoing construction activity involving a change of ownership of property covered by this general permit, the new owner must accept and maintain the existing SWPPP.

3. Availability

The SWPPP shall be kept on site during construction activity and made available upon request of a representative of the Regional Water Board and/or local agency.

4. Required Changes

- a. The discharger shall amend the SWPPP whenever there is a change in construction or operations which may affect the discharge of significant quantities of pollutants to surface waters, ground waters, or a municipal separate storm sewer system. The SWPPP should also be amended if it is in violation of any condition of this general

permit or has not achieved the general objective of reducing pollutants in storm water discharges.

- b. The Regional Water Board, or local agency with the concurrence of the Regional Water Board, may require the discharger to amend the SWPPP.

5. Source Identification

The SWPPP shall provide a description of potential sources which are likely to add significant quantities of pollutants to storm water discharges or which may result in non-storm water discharges from the construction site. The SWPPP shall include, at a minimum, the following items:

- a. A map extending approximately one-quarter mile beyond the property boundaries of the construction site showing: the construction site, surface water bodies (including known springs and wetlands²), known wells, an outline of off-site drainage areas that discharge into the construction site, general topography, and the anticipated discharge location(s) where the construction site's storm water discharges to a municipal storm sewer system or other water body. The requirements of this paragraph may be included in the site map required under the following paragraph if appropriate.
- b. A site map(s) showing:
 - i. Location of control practices used during construction;
 - ii. Areas used to store soils and wastes;
 - iii. Areas of cut and fill;
 - iv. Drainage patterns and slopes anticipated after major grading activities are completed;
 - v. Areas of soil disturbance;
 - vi. Surface water locations;
 - vii. Areas of potential soil erosion where control practices will be used during construction;
 - viii. Existing and planned paved areas and buildings;

²The determination of whether wetlands exist shall be made by the person who prepares the SWPPP and shall not be binding upon any other person.

- ix. Locations of post-construction control practices;
 - x. An outline of the drainage area for each on-site storm water discharge point;
 - xi. Vehicle storage and service areas; and
 - xii. Areas of existing vegetation.
- c. A narrative description of the following:
- i. Toxic materials that are known to have been treated, stored, disposed, spilled, or leaked in significant quantities onto the construction site;
 - ii. Practices to minimize contact of construction materials, equipment, and vehicles with storm water;
 - iii. Construction material loading, unloading, and access areas;
 - iv. Preconstruction control practices (if any) to reduce sediment and other pollutants in storm water discharges;
 - v. Equipment storage, cleaning, and maintenance areas;
 - vi. Methods of on-site storage and disposal of construction materials; and
 - vii. The nature of fill material and existing data describing the soil on the construction site.
- d. A list of pollutants (other than sediment) that are likely to be present in storm water discharges in significant quantities. Describe the control practices (if different from Item 6 below) appropriate to reduce these pollutants in the storm water discharges.
- e. An estimate of the size of the construction site (in acres or square feet), an estimate of the runoff coefficient of the construction site before and after construction, and an estimate of the percentage of the area of the construction site that is impervious (e.g., pavement, buildings, etc.) before and after construction.
- f. A copy of the NOI.

6. Erosion and Sediment Control

The SWPPP shall include:

- a. A description of soil stabilization practices. These practices shall be designed to preserve existing vegetation where feasible and to revegetate open areas as soon as feasible after grading or construction. In developing these practices, the discharger shall consider: temporary seeding, permanent seeding, mulching, sod stabilization, vegetative buffer strips, protection of trees, or other soil stabilization practices. At a minimum, the operator must implement these practices on all disturbed areas during the rainy season.
- b. A description or illustration of control practices which, to the extent feasible, will prevent a net increase of sediment load in storm water discharge. In developing control practices, the discharger shall consider a full range of erosion and sediment controls such as detention basins, straw bale dikes, silt fences, earth dikes, brush barriers, velocity dissipation devices, drainage swales, check dams, subsurface drain, pipe slope drain, level spreaders, storm drain inlet protection, rock outlet protection, sediment traps, temporary sediment basins, or other controls. At a minimum, sandbag dikes, silt fences, straw bale dikes, or equivalent controls practices are required for all significant sideslope and downslope boundaries of the construction area. The discharger must consider site-specific and seasonal conditions when designing the control practices.
- c. Control practices to reduce the tracking of sediment onto public or private roads. These public and private roads shall be inspected and cleaned as necessary.
- d. Control practices to reduce wind erosion.

7. Non-Storm Water Management

The SWPPP shall include provisions which eliminate or reduce to the extent feasible the discharge of materials other than storm water to the storm sewer system and/or receiving waters. Such provisions shall ensure, to the extent feasible, that no materials are discharged in quantities which will have an adverse effect on receiving waters. Materials other than storm water that are discharged shall be listed along with the estimated quantity of the discharged material.

8. Post-Construction Storm Water Management

The SWPPP shall describe the control practices to reduce pollutants in storm water discharges after all construction phases have been completed at the site. These must be consistent with all local post-construction storm water management requirements, policies, and guidelines. The discharger must consider site-specific and seasonal conditions when designing the control practices. Operation and maintenance of control practices after construction is completed shall be addressed, including short- and long-term funding sources and the responsible party.

9. Waste Management and Disposal

All wastes (including equipment maintenance waste) disposed at the site or removed from the site for disposal shall be disposed of in compliance with Federal, State, and local laws, regulations, and ordinances.

10. Maintenance, Inspection, and Repair

The SWPPP shall include maintenance, inspections, and repair procedures to ensure that all grade surfaces, walls, dams and structures, vegetation, erosion and sediment control measures, and other protective devices identified in the site plan are maintained in good and effective condition and are promptly repaired or restored.

11. Training

The SWPPP shall include procedures to ensure that all inspections required in Section B.4 of the Monitoring Program and Reporting Requirements of this general permit and maintenance and repair required in Paragraph 10 of this Section are done by trained personnel.

12. List of Contractors/Subcontractors

The SWPPP shall include a list of all contractors (or subcontractors) responsible for implementing the SWPPP.

13. Other Plans

This SWPPP may incorporate, by reference, the appropriate elements of other plans required by local, State, or Federal agencies. A copy of any requirements incorporated by reference shall be kept at the construction site.

14. Public Access

The SWPPP is considered a report that shall be available to the public under Section 308(b) of the CWA. Upon request by members of the public, the discharger shall make available for review a copy of the SWPPP either to the Regional Water Board or directly to the requester.

15. Preparer

The SWPPP shall include the signature and title of the person responsible for preparation of the SWPPP and include the date of initial preparation and each amendment, thereto.

Section B: MONITORING PROGRAM AND REPORTING REQUIREMENTS

1. General

Dischargers are required to conduct inspections before and after storm events and to annually certify that they are in compliance with the general permit and their SWPPP. Other than reporting incidents of noncompliance, dischargers are not required to submit reports or certifications.

2. Required Changes

The Regional Water Board may require the discharger to conduct additional site inspections, submit reports and certifications, or to perform sampling and analysis.

3. Implementation

- a. The requirements of this Section shall be implemented by October 1, 1992 or commencement of the construction activity. The discharger is responsible for implementing these requirements until construction activity is complete.
- b. For ongoing construction activity involving a change in ownership of property covered by this general permit, the new owner must implement the requirements of this Section concurrent with the change of ownership.

4. Site Inspections

Dischargers shall conduct inspections of the construction site prior to anticipated storm events and after actual storm events to identify areas contributing to a discharge of storm water associated with construction activity and to evaluate whether control practices to reduce pollutant loadings identified in the SWPPP are adequate and properly

implemented in accordance with the terms of the general permit or whether additional control practices are needed. A record of the inspections must include the date of the inspection, the individual(s) who performed the inspection, and the observations.

5. Compliance Certification

Each discharger must annually certify that its construction activity is in compliance with the requirements of this general permit and its SWPPP. This certification should be based upon the site inspections required in Paragraph 4 of this Section. The first certification must be completed by July 1, 1993, and each July 1 thereafter.

6. Noncompliance Reporting

Dischargers who cannot certify compliance, in accordance with Paragraph 5 of this Section and/or who have had other instances of noncompliance, must notify the appropriate Regional Water Board. The notifications shall identify the type(s) of noncompliance, describe the actions necessary to achieve compliance, and include a time schedule, subject to the modifications by the Regional Water Board, indicating when compliance will be achieved. Noncompliance notifications must be submitted within 30 days of identification of noncompliance.

7. Monitoring Records

Records of all inspections, compliance certifications, and noncompliance reporting must be retained for a period of at least three years. With the exception of noncompliance reporting, dischargers are not required to submit these records.

Section C: STANDARD PROVISIONS FOR CONSTRUCTION ACTIVITY

1. Duty to Comply

The discharger must comply with all of the conditions of this general permit. Any permit noncompliance constitutes a violation of the CWA and the Porter-Cologne Water Quality Control Act and is grounds for enforcement action and/or removal from general permit coverage.

The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this

general permit has not yet been modified to incorporate the requirement.

2. General Permit Actions

This general permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for a general permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any general permit condition.

If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this general permit, this general permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition; and the dischargers so notified.

3. Need to Halt or Reduce Activity Not a Defense

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

4. Duty to Mitigate

The discharger shall take all responsible steps to minimize or prevent any discharge in violation of this general permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Proper Operation and Maintenance

The discharger shall at all times properly operate and maintain any facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this general permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance may require the operation of backup or auxiliary facilities or similar systems, installed by a discharger when necessary to achieve compliance with the conditions of this general permit.

6. Property Rights

This general permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

7. Duty to Provide Information

The discharger shall furnish the Regional Water Board, State Water Board, or USEPA, within a reasonable time, any requested information to determine compliance with this general permit. The discharger shall also furnish, upon request, copies of records required to be kept by this general permit.

8. Inspection and Entry

The discharger shall allow the Regional Water Board, State Water Board, USEPA, and/or, in the case of construction sites which discharge through a municipal separate storm sewer, an authorized representative of the municipal operator of the separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the discharger's premises at reasonable times where a regulated construction activity is being conducted or where records must be kept under the conditions of this general permit;
- b. Have access to and copy at reasonable times, any records that must be kept under the conditions of this general permit;
- c. Inspect at reasonable times the construction site and the related erosion/sediment controls; and
- d. Sample or monitor at reasonable times for the purpose of ensuring general permit compliance.

9. Signatory Requirements

- a. All Notices of Intent submitted to the State Water Board shall be signed as follows:
 1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (a) a president, secretary, treasurer, or vice president of the

corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (b) the manager of the construction activity if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 3. For a municipality, State, Federal, or other public agency: by either a principal executive officer, ranking elected official, or duly authorized representative. The principal executive officer of a Federal agency includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA).
- b. All storm water pollution prevention plans, reports, certifications, or other information required by the general permit and/or requested by the Regional Water Board, State Water Board, USEPA, or the local storm water management agency shall be signed by a person described above or by a duly authorized representative. A person is a duly authorized representative if:
1. The authorization is made in writing by a person described above and retained as part of the SWPPP;
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the construction activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 3. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the construction activity, a new authorization must be attached to the SWPPP prior to submittal of any reports, information, or certifications to be signed by the authorized representative.

10. Certification

Any person signing documents under Provision 8 shall make the following certification:

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

11. Anticipated Noncompliance

The discharger will give advance notice to the Regional Water Board and local storm water management agency of any planned changes in the construction activity which may result in noncompliance with general permit requirements.

12. Penalties for Falsification of Reports

Section 309(c)(4) of the CWA provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this general permit, including reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than two years or by both.

13. Oil and Hazardous Substance Liability

Nothing in this general permit shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject under Section 311 of the CWA.

14. Severability

The provisions of this general permit are severable, and, if any provision of this general permit or the application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other

circumstances and the remainder of this general permit shall not be affected thereby.

15. Reopener Clause

This general permit may be modified, revoked and reissued, or terminated for cause due to promulgation of amended regulations, receipt of USEPA guidance concerning regulated activities, judicial decision, or in accordance with 40 CFR 122.62, 122.63, 122.64, and 124.5.

16. Penalties for Violations of Permit Conditions

- a. Section 309 of the CWA provides significant penalties for any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA or any permit condition or limitation implementing any such section in a permit issued under Section 402. Any person who violates any permit condition of this general permit is subject to a civil penalty not to exceed \$25,000 per day of such violation, as well as any other appropriate sanction provided by Section 309 of the CWA.
- b. The Porter-Cologne Water Quality Control Act also provides for civil and criminal penalties which in some cases are greater than those under the CWA.

17. Availability

A copy of this general permit shall be maintained at the construction site during construction activity and be available to operating personnel.

18. Transfers

This general permit is not transferable. A new owner of an ongoing construction activity must submit a NOI in accordance with the requirements of this general permit to be authorized to discharge under this general permit. An owner who sells property covered by this general permit shall inform the new owner of the duty to file a NOI and shall provide the new owner with a copy of this general permit.

19. Continuation of Expired Permit

This general permit continues in force and effect until a new general permit is issued or the State Water Board rescinds this general permit. Only those dischargers

authorized to discharge under the expiring general permit are covered by the continued general permit.

**NOTICE OF INTENT (NOI) TO COMPLY WITH THE TERMS
OF THE GENERAL PERMIT TO DISCHARGE STORM WATER
ASSOCIATED WITH CONSTRUCTION ACTIVITY**

GENERAL INSTRUCTIONS

Who Must Submit

Discharges of storm water associated with construction activity (storm water discharges) that results in the disturbance of five acres or more of total land area or which is a part of a larger common area of development or sale must be permitted. Construction activity includes clearing, grading, excavation, and reconstruction of existing facilities involving removal and replacement. Construction activity does not include routine maintenance maintain original line and grade, hydraulic capacity, or original purpose of the facility.

The owner of the land where the construction activity is occurring is responsible for obtaining a permit. Owners may obtain coverage under the General Storm Water Permit to Discharge Storm Water Associated With Construction Activity (General Permit) by filing a NOI in accordance with the following instructions. Coverage for construction activity conducted on easements (e.g., pipeline construction), or on nearby properties by agreement or permission, shall be obtained by the entity responsible for the construction activity.

Construction Activity Not Covered By This General Permit

Storm water discharges in the Lake Tahoe Hydrologic Unit will be regulated by a separate permit(s) adopted by the California Regional Water Quality Control Board, Lahontan Region, and may not seek coverage under the State Water Board's general permit. Storm water discharges on Indian lands will be regulated by the U.S. Environmental Protection Agency.

Where to Apply

The NOI should be mailed to the State Water Resources Control Board at the following address:

State Water Resources Control Board
Division of Water Quality
Attn: Storm Water Permit Unit
P.O. Box 1977
Sacramento, CA 95812-1977

When to Apply

Owners of ongoing construction must file a NOI, along with the appropriate annual fee, by September 30, 1992. Owners of new construction (those beginning construction after September 30, 1992) must file a NOI prior to the commencement of construction. For ongoing construction activity involving a change of ownership, the new owner must submit a new NOI within 30 days of the date of change of ownership. Preferably, the NOI should be sent with the revocation prepared by the previous owner.

Fees

The current annual fee is \$250.00 for each construction site which discharges into a municipal separate storm sewer system regulated by an areawide urban storm water permit and \$500.00 for all other construction sites.

Completing the NOI

Completion and submittal of the attached NOI (Form NOI-2) is required to gain coverage under the general permit. It must be completely and accurately filled out. A construction site will be considered to be covered by the general permit upon filing a complete and accurate NOI and submitting the appropriate annual fee. Upon receipt of the NOI and fee, each discharger will be sent a letter containing the discharger's identification number.

Questions?

If you have any questions on completing the NOI after reading the following line-by-line instructions, please call us at (916) 657-1146.

NOI-LINE-BY-LINE INSTRUCTIONS

The NOI consists of two parts--a NOI Form (Form NOI-2) and a site map. Please type or print when completing the NOI Form and site map.

Mark one of the three boxes at the top portion of the NOI. Check box 1 if the NOI is being completed for ongoing construction, box 2 if the construction site is new (commencing on or after October 1, 1992), and box 3 if the NOI is being submitted to report changes for a construction site already covered by the general permit. An example of a change that warrants a resubmittal of the NOI would be a change of ownership of the construction site. Complete only those portions of the NOI that apply to the changes (the NOI must always be signed). If box 3 is checked, the WDID No. must be included.

SECTION I--OWNER

Enter the owner of the construction site's official or legal name, address, contact person, and contact person's title and telephone number.

SECTION II--CONSTRUCTION SITE INFORMATION

In Part A, enter the name of the developer (or general contractor), official, or legal name, address, contact person, and contact person's title and telephone number. The contact person should be the construction site manager completely familiar with the construction site and charged with compliance and oversight of the general permit.

In Part B, enter the address, county, and telephone number (if any) of the construction site. Construction sites that do not have a street address must attach to the NOI a legal description of the construction site.

In Part C, indicate whether the construction site is part of a larger common plan of development or sale. For example, indicate yes if the construction activity is occurring on a two-acre site within an industrial park development of greater than five acres. If the construction site is part of a larger common plan of development or sale, name the common plan (e.g., XYZ Estates, ABC Industrial Park).

In Part D, indicate the construction commencement date (month, day, year). When there is a change in ownership of the property that requires a new NOI, the construction commencement date should be the date of the change in ownership.

In Part E, indicate when the construction is expected to be completed.

SECTION III--BILLING ADDRESS

To continue coverage under the general permit, the annual fee must be paid. Use this section to indicate whether the annual fee invoices should be sent to the owner, developer, or other party (include address).

SECTION IV--RECEIVING WATER INFORMATION

In Part A of this section, the owner is required to indicate whether the construction site's storm water runoff discharges to a separate storm sewer system, directly to waters of the United States, or indirectly to waters of the United States.

Discharges to separate storm sewer systems are those that discharge to a collection system operated by municipalities, flood control districts, utilities, or similar entities. Storm water discharges directly to waters of the United States will typically have an outfall structure directly from the facility to a river, creek, ocean, etc. Indirect discharges are those that may flow over adjacent properties or rights-of-way prior to discharging to waters of the United States.

Regardless of point of discharge, the owner must determine the closest receiving water for the construction site's storm water discharge. If discharge is to a separate storm sewer system, the owner of that system should know the receiving water. The name of the receiving water of a direct discharge should be easily available while the receiving water of an indirect discharge may require some effort to identify.

SECTION V--TYPE OF CONSTRUCTION

Indicate the type of construction taking place. Transportation should be checked for the construction of roads. Utility should be checked for installation of sewer, electric, and telephone systems.

SECTION VI--MATERIAL HANDLING/MANAGEMENT PRACTICES

Part A of this section requires identification of the type(s) of materials stored and handled outdoors. If materials other than those listed are maintained on site, please check "other" and describe the type of material.

Part B of this section requests information on proposed management practices to reduce pollutants in storm water discharges. Check the appropriate categories or list other control measures you will use at your construction site.

SECTION VII-SITE INFORMATION

List the site, in acres, of the facility and the percentage of the site that is impervious before construction and after construction is completed.

SECTION VIII--REGULATORY STATUS

Indicate whether the construction site's erosion/sediment control plan must be reviewed and approved by a local agency. If yes, identify the name of the local agency.

SECTION IX--CERTIFICATION

This section must be completed by the owner of the construction site. The certification provides for assurances that the NOI and site map were completed in an accurate and complete fashion and with the knowledge that penalties exist for providing false information. It also requires the owner to certify that the provisions in the general permit will be complied with.

The NOI must be signed by:

For a corporation: a responsible corporate officer (or authorized individual).

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

For a municipality, State, Federal, or other public agency: either a principal executive officer, ranking elected official, or duly authorized representative.

SITE MAP

Provide a "to scale" drawing of the construction site and its immediate surroundings. Include as much detail about the construction site as possible. At a minimum, show existing and proposed buildings, roadways, storm water collection and discharge points, a north arrow, and the names of adjacent streets.

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State of California
 State Water Resources Control Board
NOTICE OF INTENT
 TO COMPLY WITH THE TERMS OF THE
 GENERAL PERMIT TO DISCHARGE STORM WATER
 ASSOCIATED WITH CONSTRUCTION ACTIVITY (WQ ORDER No. 92-08-DWQ)



MARK ONLY ONE ITEM	1. <input type="checkbox"/> Ongoing Construction	3. <input type="checkbox"/> Change of Information	WDID # _____
	2. <input type="checkbox"/> New Construction		

I. OWNER

Name		Contact Person	
Local Mailing Address		Title	
City	State	Zip	Phone

II. CONSTRUCTION SITE INFORMATION

A. Developer		Contact Person	
Local Mailing Address		Title	
City	State	Zip	Phone
B. Site Address		County	
City	State	Zip	Phone
C. Is the construction site part of a larger common plan of development or sale? <input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, name of plan or development	
D. Construction commencement date		E. Projected construction completion date	

III. BILLING ADDRESS

Send to: <input type="checkbox"/> OWNER <input type="checkbox"/> DEVELOPER <input type="checkbox"/> OTHER (Enter information at right)	Name		
	Mailing Address		
	City	State	Zip

IV. RECEIVING WATER INFORMATION

A. Does your construction sites's storm water discharge to (Check one):	
1. <input type="checkbox"/> Storm drain system - Enter owners name _____	
2. <input type="checkbox"/> Directly to waters of U.S. (e.g., river, lake, creek, ocean)	
3. <input type="checkbox"/> Indirectly to waters of U.S.	
B. Name of closest receiving water _____	

STATE USE ONLY

WDID: _____	Regional Board Office _____	Date Permit Issued: _____
NPDES Permit Number: CA _____	Order Number: _____	Fee Amount Received: \$ _____
		Date NOI Received: _____

V. TYPE OF CONSTRUCTION (Check all that apply)

1. <input type="checkbox"/> Residential	2. <input type="checkbox"/> Commercial	3. <input type="checkbox"/> Industrial	4. <input type="checkbox"/> Reconstruction	5. <input type="checkbox"/> Transportation
6. <input type="checkbox"/> Utility	99. <input type="checkbox"/> Other (Please List)			

VI. MATERIAL HANDLING/MANAGEMENT PRACTICES

A. Types of materials that will be handled and/or stored at the site: (Check all that apply)

1. <input type="checkbox"/> Solvents	2. <input type="checkbox"/> Metal	3. <input type="checkbox"/> Petroleum Products	4. <input type="checkbox"/> Plated Products
5. <input type="checkbox"/> Asphalt Concrete	6. <input type="checkbox"/> Hazardous Substance	7. <input type="checkbox"/> Paints	8. <input type="checkbox"/> Wood Treated Products
99. <input type="checkbox"/> Other (Please list)			

B. Identify proposed management practices to reduce pollutants in storm water discharges: (Check all that apply)

1. <input type="checkbox"/> Oil/Water Separator	2. <input type="checkbox"/> Erosion Controls	3. <input type="checkbox"/> Sedimentation Controls	4. <input type="checkbox"/> Overhead Coverage
5. <input type="checkbox"/> Detention/Desiltation Pond	99. <input type="checkbox"/> Other (Please List)		

VII. SITE INFORMATION

A. Total size of construction site _____ Acres	B. Percent of site impervious (including rooftops) Before construction _____% After construction _____ %
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VIII. REGULATORY STATUS

Is the site subject to a locally approved erosion/sediment control plan? Yes No

If yes, name of local agency

IX. CERTIFICATIONS

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment." In addition, I certify that the provisions of the permit, including the development and implementation of a Storm Water Pollution Prevention Plan and a Monitoring Program Plan, will be complied with.

Printed Name: _____

Signature: _____ Date _____

Title: _____

DEFINITIONS

1. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from raw material storage.
2. "Clean Water Act" ("CWA") means the Federal Water Pollution Control Act enacted by Public Law 92-500 as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; 33 USC. 1251 et seq.
3. "Construction Site" is the location of the construction activity.
4. "Non-Storm Water Discharge" means any discharge to storm sewer systems that is not composed entirely of storm water except discharges pursuant to a NPDES Permit and discharges resulting from the fire fighting activities.
5. "Significant Materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of Title III of Superfund Amendments and Reauthorization Act (SARA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.
6. "Significant Quantities" is the volume, concentrations, or mass of a pollutant in storm water discharges that can cause or threaten to cause pollution, contamination, or nuisance; adversely impact human health or the environment; and cause or contribute to a violation of any applicable water quality standards for the receiving water.
7. "Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage. It excludes infiltration and runoff from agricultural land.
8. "Pollution" means the "man-made or man-induced alternation of the chemical, physical, biological, and radiological integrity of water". [Clean Water Act Section 502(19)]. Pollution also means "an alternation of the quality of the waters of the state by waste to a degree which unreasonably affects either...the waters for beneficial uses...or facilities which serve these beneficial uses." [California Water Code Section 13050(1)].
9. "Contamination" means "an impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of

disease... including any equivalent effect resulting from the disposal of waste, whether or not waters of the state are affected." [California Water Code Section 13050(k)].

10. "Nuisance" means "anything which meets all of the following requirements: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life and property; (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; (3) occurs during or as a result of the treatment or disposal of wastes." [California Water Code Section 13050(m)].
11. "Local Agency" means any agency that is involved with providing review, approval, or oversight of the construction sites' (a) construction activity, (b) erosion and sediment controls, or (c) storm water discharge.

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