

# Stormwater Management Plan

## for:

Super Star Carwash (Meadowbrook)  
Colorado Springs, CO

## Operator(s):

Super Star Carwash  
1830 N 95<sup>th</sup> Ave, Suite 106  
Phoenix, AZ 85037  
801-651-1748  
Tim Varley

## SWMP Preparer

Ayres Associates  
3665 JFK Parkway, Bldg, Suite 100  
Fort Collins, CO 80525  
262-522-4901  
Scott Maier P.E.

SWMP Checklist Item 1 - Add  
Qualified Stormwater Manager  
to the title sheet, if unknown  
now can leave blank like the site  
contractor.

## Site Contact(s):

Super Star Carwash  
1830 N 95<sup>th</sup> Ave, Suite 106  
Phoenix, AZ 85037  
801-651-1748  
Tim Varley

## Site Contractor:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State \_\_\_\_\_  
Contact # \_\_\_\_\_  
Contact Name \_\_\_\_\_

**SWPPP Preparation Date: July 20, 2023**

*Estimated Project Dates:*

**Project Start Date: December, 2023**

**Project Completion Date: August, 2024**

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## SECTION 1: SITE EVALUATION, ASSESSMENT, AND PLANNING

### 1.1 Project/Site Information

Project/Site Name: Super Star Carwash

Project Street/Location: Meadowbrook Parkway and El Jefe Dr.

Municipality: El Paso County (Colorado Springs) State: CO ZIP Code: 80910

County or Similar Subdivision: El Paso County

Is the project located in Indian country? ☐ Yes ☒ No

If yes, name of Reservation, or if not part of a Reservation, indicate "not applicable." \_\_\_\_\_

Is this project considered a federal facility? ☐ Yes ☒ No

NPDES project or permit tracking number\*: (Insert Permit Number Here Once Obtained)

*\*(This is the unique identifying number assigned to your project by your permitting authority after you have applied for coverage under the appropriate National Pollutant Discharge Elimination System (NPDES) construction general permit.)*

## **1.2 Contact Information/Responsible Parties**

### **Operator(s):**

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1830 N 95<sup>th</sup> Ave, Suite 106  
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### **Site Contractor(s):**

Name\_\_\_\_\_

Address\_\_\_\_\_

City, State\_\_\_\_\_

Contact #\_\_\_\_\_

Contact Name\_\_\_\_\_



## 1.2 Nature and Sequence of Construction Activity

Describe the general scope of the work for the project, major phases of construction, etc:

Super Star Carwash is planning to develop a Carwash on an approximate 1.5+/- acre vacant site located at the southeast corner of Meadowbrook Parkway and El Jefe Heights in Colorado Springs, CO. The site will be accessed by an internal private drive (El Jefe Heights).

The sequence of construction will be follow:

The following is an anticipated phasing and sequence of construction activities:

- Mobilization and erosion control installation
- Site preparation, construction entrance, clearing and grubbing
- Earthwork and site grading
- Building construction
- Concrete curb and gutter
- Base course surfacing and asphalt surfacing construction
- Site restoration/seeding
- Erosion control removal and demobilization

Estimate Disturbance Area: 1.4+/- Acres

What is the function of the construction activity?

☐ Residential    ☒ Commercial    ☐ Industrial    ☐ Road Construction    ☐ Linear Utility  
☐ Other (please specify):

Estimated Project Start Date:

December 2023

Estimated Project Completion Date:

August 2024

SWMP Checklist Item 6 - Add expected date on which final stabilization will be completed.

## 1.3 Existing Soils, Slopes, Vegetation, and Current Drainage Patterns

The existing site is vegetated with grass and generally drains from the northeast to the southwest where the runoff is collected within a storm sewer that will be constructed at the southwest corner of the site. The site is slopes average 2% across the site. The soils are generally sandy loams based on NRCS soil data.

This site will have limited non-stormwater discharge (landscape irrigation) that is considered CDPHE low risk runoff.

SWMP Checklist 9 - Provide a description of vegetation at the site and percent ground cover and method used to determine ground cover.

SWMP Checklist Item 8 - Discuss soil erosion potential and impacts on discharge that include a summary of data used to determine soil erosion potential.

SWMP Checklist Item 14 - Provide location of anticipated allowable non-stormwater discharge as well

## 1.4 Receiving Waters

Local RCP storm sewer within adjacent private street to a common stormwater detention facility.  
Ultimate outfall to East Fork of Sand Creek. There are no streams that cross the project area.

State that Portable toilets will be located a minimum of 10ft from stormwater inlets and 50ft from state waters. They will be secured at all four corners to prevent overturning and cleaned on a weekly basis. They will be inspected daily for spills

## 1.5 Potential Sources of Pollution and Erosion Potential

Potential sources of sediment to stormwater runoff include:

- Clearing, grading, and excavating activities, primarily un-stabilized areas, paving operations, demolition and debris disposal, dewatering operations, drilling, material delivery, concrete washouts, portable toilets, storage and use. and landscaping/dust control operations.

Potential pollutants other than sediment include the following materials and substances that could be expected to be present on-site during construction:

- Heavy Metals – from concrete additives, concrete washout, material delivery, storage and use, and hazardous substance/waste spills
- pH (Acids and Bases) – from concrete washout, painting and cleaning, drilling and blasting operations, material delivery, storage and use, hazardous waste spills, and sanitary/septic waste.
- Paints and Solvents – from concrete washout and waste, painting, concrete polishing, cleaning products, material delivery and use, hazardous waste spills, and sanitary/septic waste
- Trash, Debris and Solids – from clearing and grading, paving, concrete wash waste, construction painting and cleaning, demolition, drilling and blasting, material delivery storage and use, landscaping, and general construction
- Petroleum Based Products – from material delivery storage and use, hazardous waste spills, vehicle and equipment use on site, and vehicle and equipment fueling and maintenance and storage
- Pesticides/Herbicides – from material delivery, storage and use, hazardous waste spills, vehicle use, storage, service and maintenance
- Fertilizers/Nutrients – from painting, cleaning products, dewatering, material delivery and storage, spills during landscaping operation, sanitary/septic waste

## 1.6 Endangered Species Certification

Are endangered or threatened species and critical habitats on or near the project area?

☐ Yes ☒ No

Identify QSM in the SWMP and provide documentation of their credentials and/or state:  
"The QSM will be sufficiently qualified for the required duties per the ECM Appendix I.5.2.A"

## SECTION 2: EROSION AND SEDIMENT CONTROL BMPs

See plan references for installation instructions. All BMPs will be installed according to the installation instructions and Sequence of Construction Activities and inspected by the Qualified Inspector at the inspection. Any deficiency, required maintenance or ineffectiveness shall be reported by the Qualified Inspector. Corrective action will commence within 24 hours and be completed within 48 hours of report.

SWMP Checklist Items 18 & 19 - Provide narrative description of all structural and non-structural control measures to be used.

### 2.1 Phase Construction Activity

The General Contractor will be responsible for implementing the following Erosion and Sediment Control and Storm Water Management control measures. The General Contractor may designate these tasks to specific Subcontractors as necessary, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the General Contractor.

#### PHASE ONE

- a) A pre-construction meeting shall be held by the General Contractor and the Operator's Engineer prior to land disturbing activities.
- b) Construct temporary construction exits at locations shown on the SWPPP plan sheet.
- c) Install perimeter protection measures and temporary sediment basins and temporary diversion channels and slope drains in the locations shown on the SWPPP plan sheet.
- d) Begin clearing and grubbing operations. Clearing and grubbing shall be done only in areas where earthwork will be performed and only in areas where building is planned to commence within 14 days after clearing and grubbing.
- e) Implement temporary or permanent stabilization for all areas of the site where grading activity has ceased for more than 14 days.

#### PHASE TWO

- a) Commence site grading.
- b) Implement temporary or permanent stabilization for all areas of the site where grading activity has ceased for more than 14 days.
- c) Install inlet/outlet protection at the locations of all grate inlets, curb inlets, and at the ends of all exposed storm sewer pipes.

Make these sections project specific - what BMPs, only one TSB is proposed so that wouldn't be plural.

- d) Finalize pavement sub-grade preparation.
- e) Construct all curb and gutter, curb inlets, area inlets, and storm drainage manholes, as shown on the plans.
- f) Remove inlet protection around inlets and manholes no more than 48 hours prior to placing stabilized base course. Inlet protection is to remain at all inlets until contributing area achieves Final Stabilization and/or all potential pollutant sources are eliminated.
- g) Install base material as required for pavement.
- h) Complete final grading and seeding, planting and mulching stabilization.
- i) Inspect and clean storm drainage system
- j) BMP inspections, maintenance, record keeping and site posting shall continue until Final Stabilization.
- k) Remove perimeter protection measures (sediment fencing) only after all paving is complete and all exposed surfaces are stabilized.
- l) Remove temporary construction exits only prior to pavement construction in these areas (These areas are to be paved last).

#### **FINAL STABILIZATION AND LONG-TERM STORMWATER QUALITY**

- a) Final Stabilization is considered complete once 70% of the final vegetation has been established.
- b) A rain garden is part of this project to support the water quality of the site. A separate operation and maintenance plan has been prepared for the long-term maintenance of the rain garden.

### **SECTION 3: GOOD HOUSEKEEPING BMPs**

#### **SITE MAP (PROGRESS DRAWING)**

A SITE MAP (Progress Drawing) usually consisting of a print of the Phase I and Phase II Erosion and Sediment Control Plans will be used to record the locations of the Job Trailer, Sanitary Waste Facilities, Solid Waste Facilities, Fixed Fuel Storage Areas, Equipment Service Areas, Material Storage Areas, Petroleum Fueled Equipment, and Concrete Washout. The SITE MAP will also be used to record construction progress and current site conditions; which BMP's are currently in use and which are no longer in use. The SITE MAP will be updated

SWMP Checklist Item 26 - State if the project relies on control measures owned or operated by another entity. If yes - provide a documented agreement that identifies the location, installation and design specifications, and maintenance requirements and responsibility of the control measures.

daily to record where site stabilization has occurred. The SITE MAP will be updated to record and document any plan amendments or modifications and will be used to visually depict all modifications. The SITE MAP (Progress Drawing) shall be posted inside the job trailer wall. The SITE MAP posted shall agree with the current phase of the work.

## **OTHER CONTROLS**

### **Off-Site Vehicle Tracking**

A stabilized construction entrance/exit will be provided at each entrance used for construction access to help reduce vehicle tracking of sediments and the generation of dust. The paved streets adjacent to the site entrance will be inspected daily and swept as necessary to remove any excess mud, dirt, or rock tracked from the site. Dump trucks hauling material from the construction site will be covered with a tarpaulin. The job Contractor's Superintendent will be responsible for seeing that these procedures are followed.

### **Dust Control**

Minimizing wind erosion and controlling dust will be accomplished by one or more of the following methods

- Covering 30% or more of the soil surface with a non-erodible material.
- Roughening the soil to produce ridges perpendicular to the prevailing wind. Ridges should be about six (6) inches in height.
- Frequent watering of excavation and fill areas.
- Providing gravel or paving at entrance/exit drives, parking areas and transit paths.

### **Material Stockpiles**

Stormwater runoff to and from material stockpiles shall be controlled to prevent materials from creating a Diversion of surface water to disturbed soils or from entering the surface water. Topsoil stockpiles shall be surrounded with perimeter sediment control measures and be covered with non-erosive material as soon as practicable but no longer than 14 days after completion of the pile. Non-erosive material may include temporary seeding with straw mulch and tackifier, Mulch, or other material providing suitable cover. Topsoil stockpile heights shall not exceed 35 feet and side slopes shall not exceed 3:1.

### **Masonry Mixing Area**

Non-stormwater discharges into storm drainage systems or waterways containing slurries from concrete or mortar mixing operations shall not be permitted. Masonry mixing areas shall be located a minimum distance of 100 linear feet from drainage ways, inlets and surface waters and all storm water runoff from these areas shall be

contained by a berm or other measures. Run-on water to these areas will be diverted to prevent mixing of clean water and water contaminated with concrete slurry.

### **3.1 *Material Handling and Waste Management***

#### **A. MATERIALS COVERED**

The following materials or substances are expected to be present onsite during construction:

Concrete/Additives/Wastes	Cleaning solvents
Detergents	Petroleum based products
Paints/Solvents	Pesticides
Acids	Fertilizers
Solid and construction wastes	Sanitary wastes
Soil stabilization additives	

#### **B. MATERIALS MANAGEMENT PRACTICES**

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff. The Contractor's Superintendent will be responsible for ensuring that these procedures are followed:

##### **1. Good Housekeeping**

The following good housekeeping practices will be followed onsite during construction:

- a) An effort will be made to store only enough products required to do the job.
- b) All materials stored onsite will be stored in a neat, orderly manner and, if possible, under a roof or in a containment area. The Contractor will be responsible for showing the location of all materials storage areas on the Site Map. At a minimum, all containers will be stored with their lids on when not in use. Drip pans shall be provided under all dispensers.
- c) Products will be kept in their original containers with the original manufacturer's label in legible condition.
- d) Substances will not be mixed with one another unless recommended by the manufacturer.
- e) Whenever possible, all of a product will be used up before disposing of the container.
- f) Manufacturer's recommendations for proper use and disposal will be followed.
- g) The Contractor's Superintendent will be responsible for daily inspections to ensure proper use and disposal of materials.

## 2. Hazardous Substances

These practices will be used to reduce the risks associated with Hazardous Substances. Material Safety Data Sheets (MSDSs) for each product with hazardous properties that is used at the Project will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such product is stored and/or used and another copy of each MSDS will be maintained in the job trailer at the Project. Each employee who must handle a Hazardous Substance will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.

- a) Products will be kept in original containers with the original labels in legible condition.
- b) Original labels and MSDSs will be procured and used for each product.
- c) If surplus product must be disposed manufacturer's and local/state/federal required methods for proper disposal must be followed.

## 3. Hazardous Waste

It is imperative that all Hazardous Waste be properly identified and handled in accordance with all applicable Hazardous Waste Standards, including the storage, transport and disposal of the Hazardous Wastes. The General Contractor's Superintendent is responsible for properly identifying and handling or seeking assistance in properly identifying or handling any Hazardous Waste. There are significant penalties for the improper handling of Hazardous Wastes. Hazardous Waste may include certain Hazardous Substances, as well as pesticides, paints, paint solvents, cleaning solvents, pesticides, contaminated soils, and other materials, substances or chemicals that have been discarded (or are to be discarded) as being out-of-date, contaminated, or otherwise unusable, and can include the containers for those substances; other materials and substances can also be or become Hazardous Wastes.. The Contractor's Superintendent is also responsible for ensuring that all site personnel are instructed as to these Hazardous Waste requirements and also that the requirements are being followed.

## 4. Product Specific Practices

The following product specific practices will be followed on the job site:

### a) Petroleum Products

The following practices shall be followed in relation to petroleum products:

- 1. Inspections: All petroleum tanks and fueling areas shall be inspected at the inspection frequency required by law.



2. Secondary Containment: Petroleum products will be stored in tightly sealed containers which are clearly labeled and provided with secondary containment.
  - a. Any petroleum storage tanks stored onsite will be located within a containment area that is designed with an impervious surface between the tank and ground. Containment shall be sufficiently impervious to contain oil. Impervious surface shall be defined as a surface containing any spill for a minimum of 48 hours without penetration to any environmental media (soil, groundwater, etc...). All containment systems must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the system before cleanup occurs.
  - b. The secondary containment must be designed to provide a volume of 110% of the volume of the largest tank.
  - c. Any mobile petroleum tank shall be parked in a vehicular service area surrounded by a berm, with an impervious surface between the tank(s) and ground that provides a containment volume equal to 110% of the largest tank.
  - d. Accumulated rainwater in any secondary containment areas or other areas where petroleum is stored should be collected, inspected and/or tested so that It can be characterized properly and the rainwater can be properly and economically disposed or released on-site. Rainwater contaminated with fuel or spills from contaminated containment areas are to be promptly disposed of by a licensed hazardous waste transporter.
  - e. Drip pans shall be provided for all dispensers. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations. Asphalt paving machines shall not be cleaned on the Project site.
  - f. Spill diversion ponds and retention ponds will not be used for spill or secondary containment.
3. Location: Petroleum storage tanks shall be located at minimum 100 linear feet from drainage ways, inlets and surface waters to prevent surface drainage from reaching culverts, gutters, surface waters or other drainage systems.
4. SITE MAP: All fixed petroleum storage tanks shall be located on the SITE MAP.
5. Spill Kit: A petroleum spill kit shall be included on the site. The spill kit shall include: Personal Safety Wear (Apron (2), Shoe Booties (2), Chemical Goggles (2), Solvent Resistant Gloves (2)), Absorbents (Durasorb 40 lbs., 10' Booms (3), Static Resistant Pads (12 each), Sump Booms (2 each)), Clean Up Equipment (55 Gallon Steel Drum, Drum Liner, Broom, Solvent Resistant, Shovel, Non-Spark and Solvent Resistant, Residue Bags (50 each)). The Spill Kit shall be located in the construction trailer and shall be accessible at all times by trained personnel. The Spill Kit provides an active countermeasure that will be



quickly and immediately deployed after discovery of a small volume spill or any discharge of petroleum.

6. Petroleum Fueled Equipment (stationary non-self-propelled): Petroleum fueled equipment such as pumps and generators are to be provided with secondary containment for the entire footprint of the equipment sufficient to contain 110% of the volume of the largest tank serving the equipment. This requirement is for all stationary non-self-propelled equipment including hand-held equipment when not in use.

b) Fertilizers

Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure to storm water. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

c) Paints, Paint Solvents, and Cleaning Solvents

All containers will be tightly sealed and stored when not in use. Excess paint and solvents will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and federal regulations.

d) Concrete Wastes

The Project may require the use of multiple concrete wash out areas. These concrete wash out areas are to be made available to all trades and subcontractors working on the Project. The Contractor may designate certain wash out areas for particular trades or subcontractors, but the Contractor is responsible for the management of all concrete washout areas on the Project. All concrete wash out areas will be located in an area where the likelihood of the area contributing to storm water discharges is negligible. If required, additional BMPs must be implemented to prevent concrete wastes from contributing to storm water discharges. The location of concrete wash out area(s) must be identified on the SITE MAP by the Contractor once the locations have been determined.

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in specifically designated diked and impervious washouts which have been prepared to prevent contact between the concrete wash and storm water. Waste generated from concrete wash water shall not be allowed to be discharged into drainage ways, inlets, receiving waters or highway right of ways, or any location other than the designated concrete washout. Proper signage designating the "Concrete Washout" shall be placed near the facility. Concrete Washouts shall be

located at minimum 100 linear feet from drainage ways, inlets and surface waters. Waste concrete may be poured into forms to make riprap or other useful concrete products.

The hardened residue from the concrete wash out diked areas will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used on site as deemed appropriate by the Contractor. Maintenance of the washout is to include removal of hardened concrete. Facility shall have sufficient volume to contain all the concrete waste resulting from washout and a minimum freeboard of 12 inches. Facility shall not be filled beyond 95% capacity and shall be cleaned out once 75% full unless a new facility is constructed. The Contractor's Superintendent will be responsible for seeing that these procedures are followed.

Saw-cut Portland Cement Concrete (PCC) slurry shall not be allowed to enter storm drains or Watercourses. Saw-cut residue should not be left on the surface of pavement or be allowed to flow over and off pavement. Residue from saw-cutting and grinding shall be collected by vacuum and disposed of in the concrete washout facility.

e) Reserved

1. Solid and Construction Wastes

All waste materials will be collected and stored in an appropriately covered container and/or securely contained metal dumpster rented from a local waste management company which must be a licensed solid waste management company. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpster. The dumpster will be emptied a minimum of once per week or more often if necessary. Once building construction has commenced, the dumpster will be emptied a minimum of once per week or when 95% full, or more often if necessary to prevent overflow and the trash will be hauled to a landfill. No construction waste materials will be buried on site. All personnel will be instructed by the Qualified Inspector regarding the correct procedures for waste disposal.

All waste dumpsters and roll-off containers will be located in an area where the likelihood of the containers contributing to storm water discharges is negligible. Solid waste containers shall be located no less than 50 feet from any storm inlet, drainage way, or surface water. If required, additional BMPs must be implemented, such as gravel bags, wattles, Dikes, berms, and fences around the base, to prevent wastes

from contributing to storm water discharges. The location of waste dumpsters and roll-off containers must be identified on the SITE MAP by the Contractor once the locations have been determined.

## 2. Sanitary Wastes

A minimum of one portable sanitary unit will be provided for every ten (10) workers on the site. All sanitary waste will be collected from the portable units a minimum of one time per week by a licensed portable facility provider in complete compliance with local and state regulations.

All sanitary waste units will be located in an area where the likelihood of the unit contributing to storm water discharges is negligible. Additional containment BMPs must be implemented, such as gravel bags or specially designed plastic skid containers around the base, to prevent wastes from contributing to storm water discharges. The location of sanitary waste units must be identified on the PROGRESS DRAWING by the contractor once the locations have been determined

## 3. Contaminated Soils

Any contaminated soils (resulting from spills of Hazardous Substances or Oil or discovered during the course of construction) which may result from Construction Activities will be contained and cleaned up immediately in accordance with the SWPPP and in accordance with applicable state and federal regulations. Contaminated soils not resulting from Construction Activities, or which pre-existed Construction Activities, but which are discovered by virtue of Construction Activities, should be reported in the same manner as spills (see Section 819.C below), but with sufficient information to indicate that the discovery of an existing condition is being reported. If there is a release that occurs by virtue of the discovery of existing contamination, this should be reported as a spill, if it otherwise meets the requirements for a reportable spill.

### **C. SPILL PREVENTION AND RESPONSE PROCEDURES**

The Contractor will train all personnel in the proper handling and cleanup of spilled Hazardous Substances or Oil. No spilled Hazardous Substances or Oil will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge will be contained on site by measures such as, but not limited to absorbents, booms, static resistant pads, sump booms and other clean up equipment (see Spill Kit contents) until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be

SWMP Checklist Item 12 - Spill prevention & pollution controls for dedicated batch plants. If no dedicated batch plants will be used on site add a statement clarifying that.

the responsibility of the Contractor's Superintendent to be properly trained, and to train all personnel in spill prevention and clean up procedures.

1. In order to prevent or minimize the potential for a spill of Hazardous Substances or Oil to come into contact with storm water, the following steps will be implemented:
  - a) All Hazardous Substances or Oil (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, with their lids on, preferably under cover, when not in use.
  - b) The minimum practical quantity of all such materials will be kept at the Project.
  - c) Manufacturer's recommended methods for spill cleanup will be clearly posted inside the job trailer wall and site personnel will be trained regarding these procedures and the location of the information and cleanup supplies.
  - d) It is the Contractor's responsibility to ensure that all Hazardous Waste discovered or generated at the Project site is disposed of properly by a licensed hazardous material disposal company. The Contractor is responsible for not exceeding Hazardous Waste storage requirements mandated by the EPA or state and local authority.
2. In the event of a spill of Hazardous Substances or Oil, the following procedures must be followed:
  - a) All measures must be taken to contain and abate the spill and to prevent the discharge of the Hazardous Substance or Oil to storm water or off-site. (The spill area must be kept well ventilated and personnel must wear appropriate protective clothing to prevent injury from contact with the Hazardous Substances.)
  - b) Contact Info Track at 1-888-429-6281 (1-888-HAZMAT 1) to determine whether the spill is reportable.
  - c) If the release is equal to or in excess of a reportable quantity, the SWPPP must be modified within seven (7) calendar days of knowledge of the discharge to provide a description of the release, the circumstances leading to the release, and the date of the release. The SWPPP must identify measures to prevent the recurrence of such releases and to respond to such releases.
  - d) If the release is determined to not be reportable (less than a reportable quantity) it shall be noted on an inspection report as an unsatisfactory item and the corrective action item shall be noted and dated as implemented.

3. The Contractor's Superintendent will be the spill prevention and response coordinator. He will designate the individuals who will receive spill prevention and response training. These individuals will each become responsible for a particular phase of prevention and response. The names of these personnel will be posted in the material storage area and in the office trailer onsite.

#### **CONTROL OF NON-STORM WATER DISCHARGES**

Only specifically authorized non-stormwater discharges are allowed and all allowed non-stormwater discharges shall be eliminated or reduced to the extent practicable.

The following non-stormwater discharges are allowable under the Construction General Permit, and may be associated with the project:

- Discharge from fire fighting activities;
- Fire hydrant flushing;
- Waters used to control dust;
- Potable water including uncontaminated water line flushing;
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
- Landscape Irrigation.

Appropriate BMPs shall be used to minimize the discharge of pollutants. Such control measures (some of which have been mentioned previously in this SWPPP) will be strictly followed to ensure any impacts from non-stormwater discharges are reduced or eliminated. Appropriate BMPs are:

##### **Discharge from fire fighting activities**

##### **Fire hydrant flushing**

Concentrated flow is to be directed toward protected areas such as sediment basins and landscaped areas to minimize potential erosion and to allow chlorine in water to dissipate. Provide suitable sediment control measures such as wattles or sediment fence where flows will be directed to denuded areas. Provide storm inlet protection to protect against sediment or chlorine discharge. Super-chlorinated wastewaters (water containing chlorine above residual levels acceptable in drinking water systems) is to be retained on-site until the chlorine dissipates or shall be de-chlorinated or if acceptable to the local sanitary sewer authority discharged to the sanitary sewer. Suitable BMPs to treat chlorine include de-chlorination mats and bags at inlets, treatment with ascorbic acid for low levels of chlorine <2mg/L, and treatment with sodium ascorbate for high levels of chlorine up to 100 mg/L. Manufacturer's recommendations should be followed closely to prevent over-treatment or chemical reaction.

#### **Waters used to control dust**

Water used to control dust will be limited to the quantity needed to suppress dust without producing runoff. Any runoff produced in addition with the volume necessary to wet disturbed soil will be directed to suitable sediment control measures such as sediment fence, sediment basins and traps, wattles and inlet protection measures. Chlorinated water shall not be allowed to leave the site unless suitable BMPs are implemented to reduce the amount of chlorine entering the storm drain system.

#### **Potable water including uncontaminated water line flushing**

Concentrated flow is to be directed toward protected areas such as sediment basins and landscaped areas to minimize potential erosion and to allow chlorine in water to dissipate. Provide suitable sediment control measures such as wattles or sediment fence where flows will be directed to denuded areas. Provide storm inlet protection to protect against sediment or chlorine discharge. Super-chlorinated wastewaters (water containing chlorine above residual levels acceptable in drinking water systems) is to be retained on-site until the chlorine dissipates or shall be de-chlorinated or if acceptable to the local sanitary sewer authority discharged to the sanitary sewer. Suitable BMPs to treat chlorine include de-chlorination mats and bags at inlets, treatment with ascorbic acid for low levels of chlorine <2mg/L, and treatment with sodium ascorbate for high levels of chlorine up to 100 mg/L. Manufacturer's recommendations should be followed closely to prevent over-treatment or chemical reaction.

#### **Landscape Irrigation**

Volume of water used for irrigation prior to establishment of vegetation shall be controlled to prevent excess runoff and erosion. Temporary sediment control measures shall remain in place until all upstream disturbed areas are stabilized. Sediment loss will be controlled through the use of sediment control measures such as wattles, sediment fence, and vegetative buffers.

SWMP Checklist Item 21 - Provide procedure describing how the SWMP is to be revised. Add text stating that the SWMP should be viewed as a "living document" that is continuously being reviewed and modified as a part of the overall process of evaluating and managing SW quality issues at the site. The QSM shall amend the SWMP when there is a change in design, construction, O&M of the site which would require the implementation of new or revised BMPs or if the SWMP proves to be ineffective in achieving the general objectives of controlling pollutants in SW discharges associated with construction activity or when BMPs are no longer necessary and are removed.

SWMP Checklist Item 24 - Provide outline of permit holder inspection procedures to install, maintain, and effectively operate control measures to manage erosion and sediment.

SWMP Checklist Item 25 - Identify record keeping procedures including signatures on inspection logs and the location of the SWMP records on-site.

## **SWPPP APPENDICES**

Attach the following documentation to the SWPPP:

***Appendix A – General Location Map***

***Appendix B – Site Maps***

***Appendix C – Construction General Permit***

***Appendix D – NOI and Acknowledgement Letter from EPA/State***

***Appendix E – Inspection Reports***

***Appendix F – Corrective Action Log***

***Appendix G – SWPPP Amendment Log***

***Appendix H – Subcontractor Certifications/Agreements***

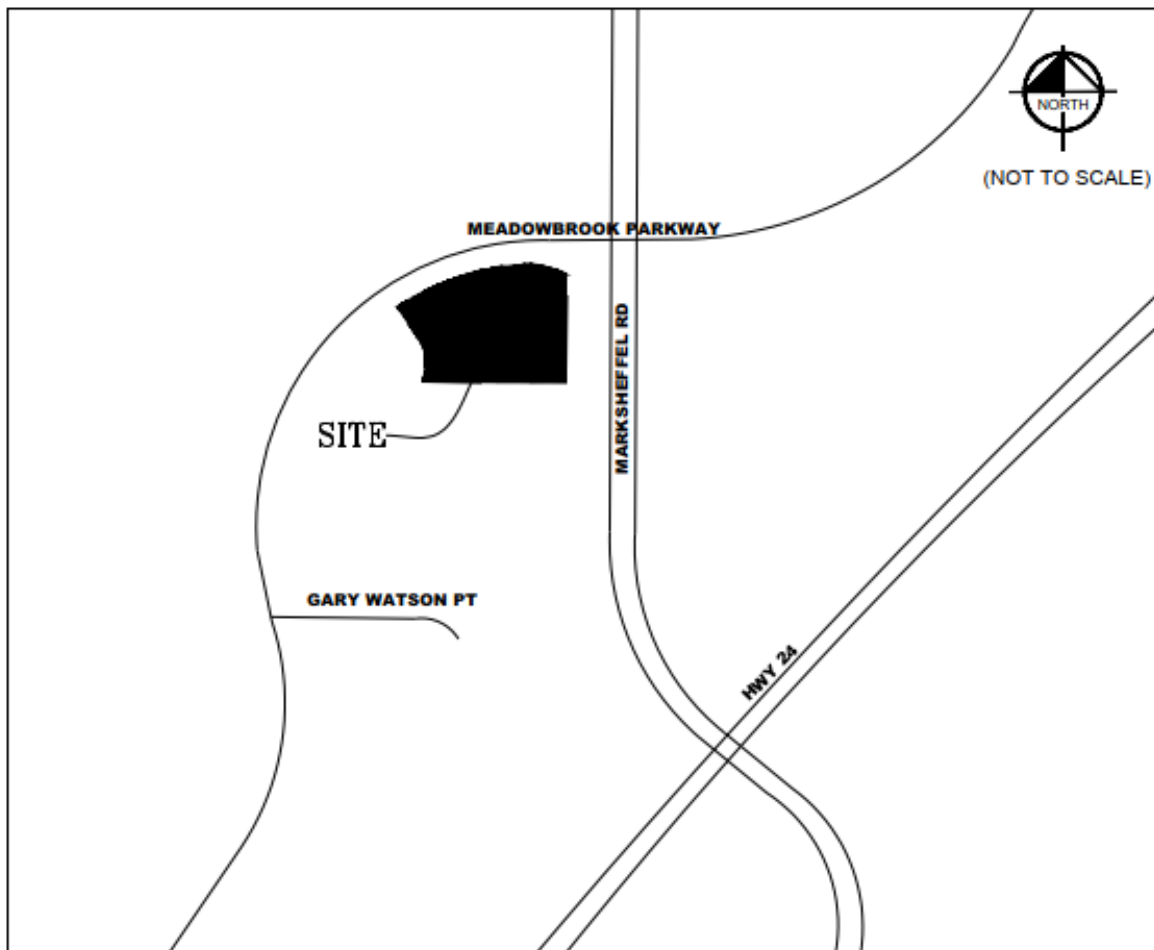
***Appendix I – Grading and Stabilization Activities Log***

***Appendix J – Training Log***

***Appendix K – Delegation of Authority***

Appendix A – General Location Map

## LOCATION MAP





## Appendix B – Site Map

# EROSION CONTROL AND GRADING PLAN

## SUPERSTAR CARWASH

### MEADOWBROOK PKWY

### COLORADO SPRINGS, CO 80915

#### PROJECT TEAM

**OWNER**  
SUPER STAR CAR WASH  
1830 N 95TH AVE, SUITE 106  
PHOENIX, AZ, 85037  
CONTACT: TIM VARLEY  
TEL: 801-651-1748  
EMAIL: TVARLEY@SSCWAZ.COM

**ENGINEER**  
AYRES ASSOCIATES  
3665 JFK PARKWAY BLDG. 2 SUITE 100  
FORT COLLINS, CO 80525  
CONTACT: SCOTT MAIER  
TEL: (262)-522-4901  
EMAIL:MAIERS@AYRESASSOCIATES.COM

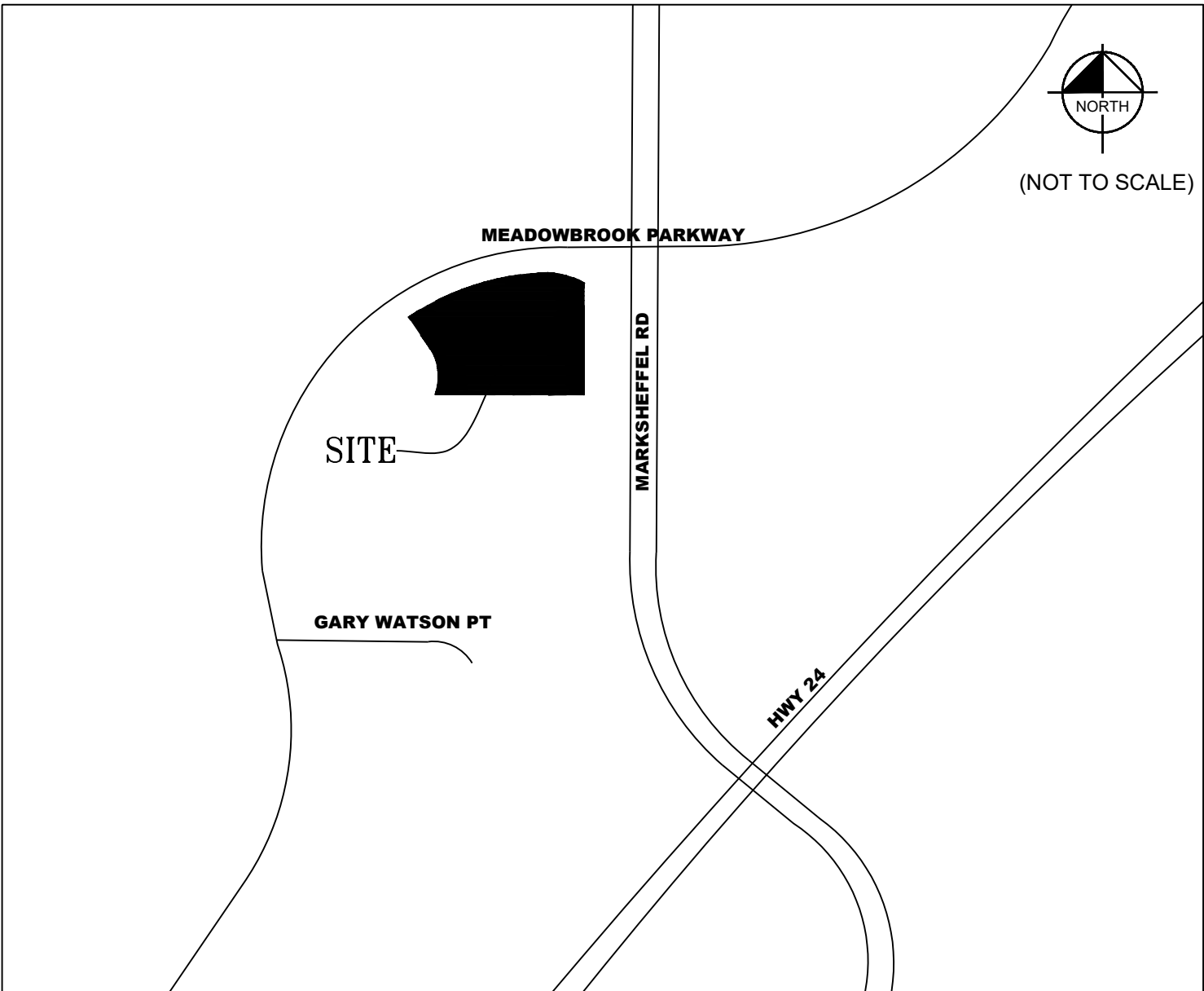
**LANDSCAPE ARCHITECT**  
AYRES ASSOCIATES  
3665 JFK PARKWAY BLDG. 2 SUITE 100  
FORT COLLINS, CO 80525  
CONTACT: DAVID LAND  
TEL: (303)-548-2870  
EMAIL: LANDD@AYRESASSOCIATES.COM

**ARCHITECT**  
AO ARCHITECTS  
144 N ORANGE STREET  
ORANGE CA 92866  
CONTACT: DUC HUYNH  
TEL: (714)-639-9860  
EMAIL: DUCH@AOARCHITECTS.COM

#### PROPERTY LEGAL DESCRIPTION

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 5, T14S, R65W, OF THE 6TH P.M., EL PASO COUNTY, COLORADO

#### LOCATION MAP



SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
E1.0	COVER SHEET
E2.0	EROSION CONTROL PLAN
E2.1	EROSION CONTROL DETAILS
E3.0	GRADING PLAN
E3.1	RAIN GARDEN

**Design Engineer's Statement:**  
This Grading and Erosion Control Plan was prepared under my direction and supervision and is correct to the best of my knowledge and belief. Said Plan has been prepared according to the criteria established by the County for Grading and Erosion Control Plans. I accept responsibility for any liability caused by any negligent acts, errors or omissions on my part in preparing this plan.

\_\_\_\_\_  
Scot Maier, PE # \_\_\_\_\_ Date \_\_\_\_\_

**Owner/Developer's Statement:**  
I, the owner/developer have read and will comply with all of the requirements specified in these detailed plans and specifications.

\_\_\_\_\_  
Tim Varley  
Super Star Car Wash  
1830 N 95th Ave, Suite 106  
Phoenix, AZ, 85037  
\_\_\_\_\_  
Date \_\_\_\_\_

**EL PASO COUNTY**  
County plan review is provided only for general conformance with County Design Criteria. The County is not responsible for the accuracy and adequacy of the design, dimensions, and/ or elevations which shall be confirmed at the job site. The County through the approval of this document assumes no responsibility for completeness and/ or accuracy of this document.

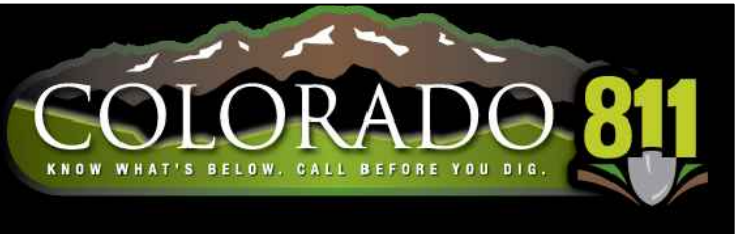
Filed in accordance with the requirements of the El Paso County Land Development Code, Drainage Criteria Manual Volumes 1 and 2, and Engineering Criteria Manual, as amended.

In accordance with ECM Section 1.12, these construction documents will be valid for construction for a period of 2 years from the date signed by the El Paso County Engineer. If construction has not started within those 2 years, the plans will need to be resubmitted for approval, including payment of review fees at the Planning and Community Development Director's discretion.

\_\_\_\_\_  
County Engineer/ECM Administrator \_\_\_\_\_ Date \_\_\_\_\_

#### CONTRACTOR NOTE

CONTRACTOR SHALL KEEP A COPY OF EL PASO COUNTY STAMPED/APPROVED PLANS ON-SITE AT ALL TIMES FOR GENERAL CONTRACTOR AND MUNICIPAL INSPECTOR REFERENCE.



**AYRES ASSOCIATES**  
3665 JFK PARKWAY  
BUILDING 2, SUITE 100  
FORT COLLINS, CO  
80525  
262.522.4901  
www.AyresAssociates.com



DATE	REVISION								

SUPERSTAR CARWASH  
MEADOWBROOK PKWY  
COLORADO SPRING, CO 80915  
COVER SHEET

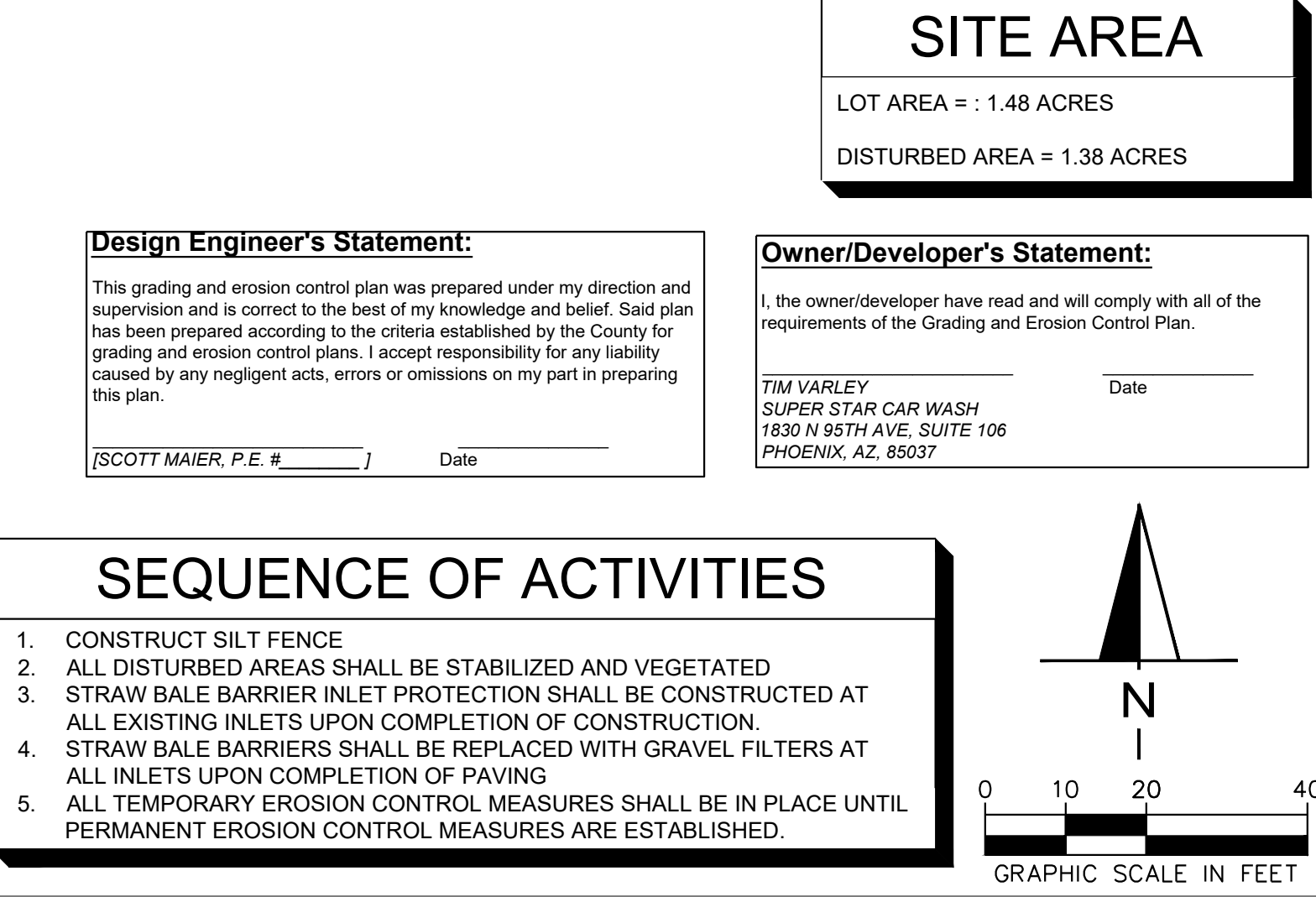
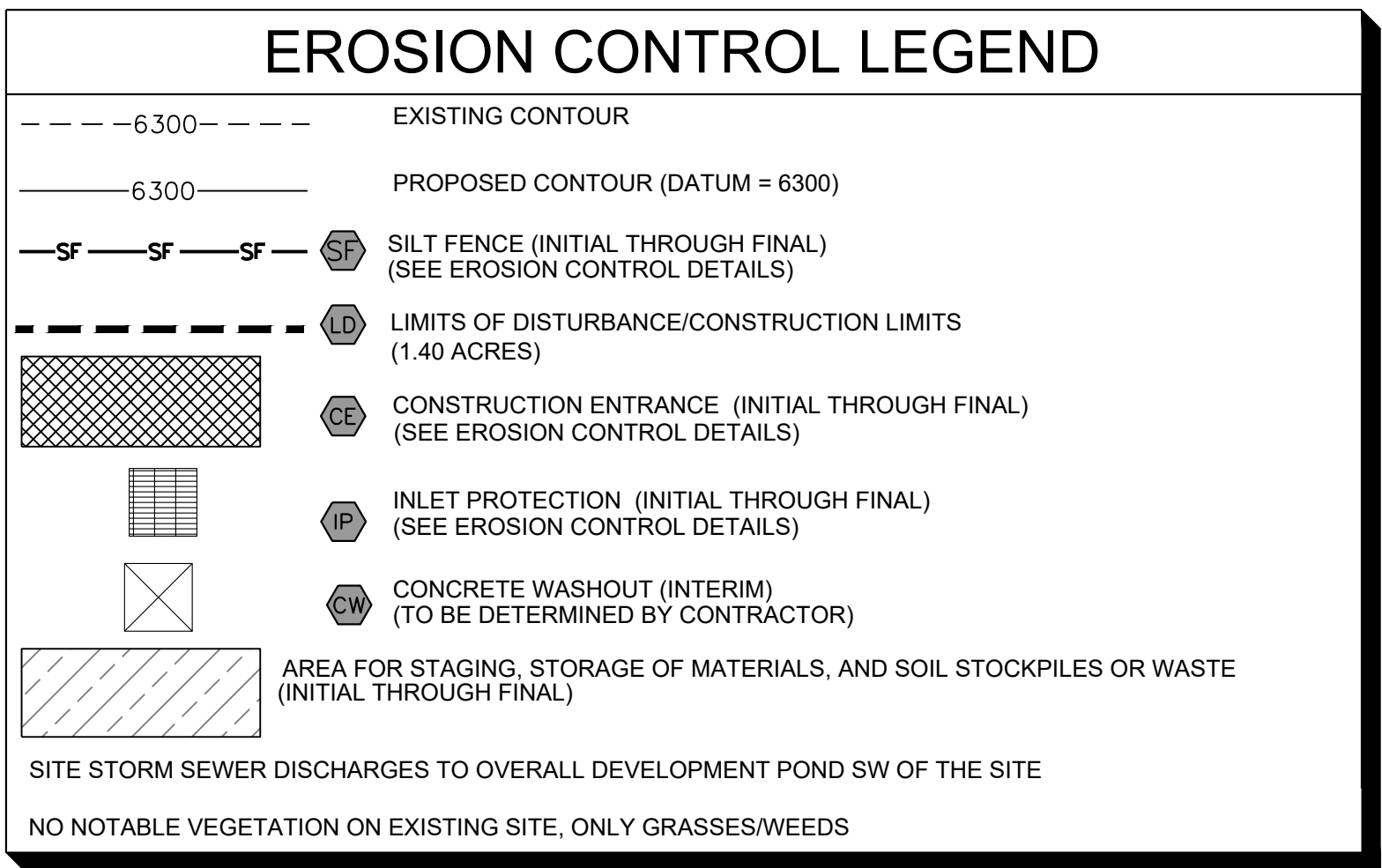
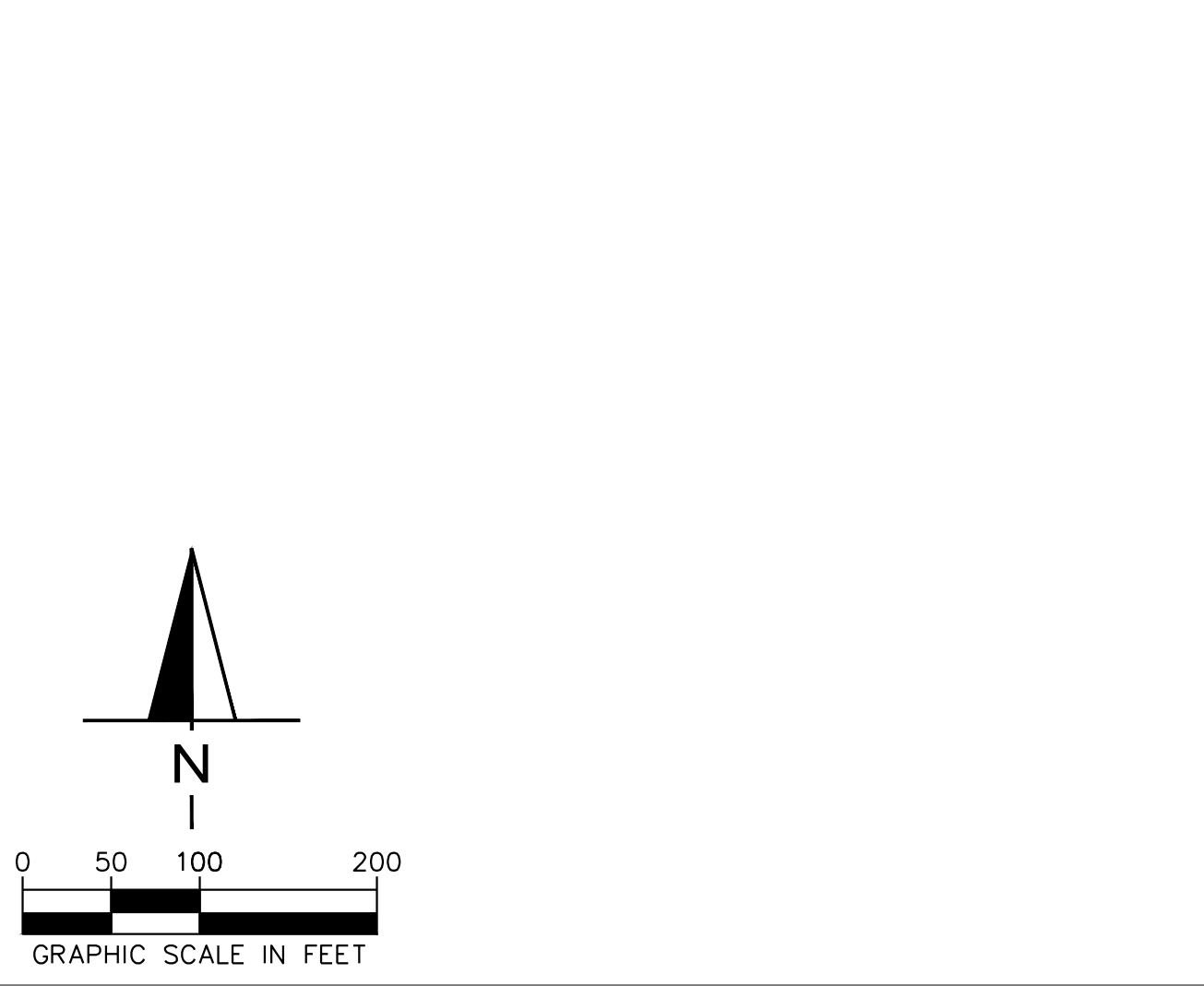
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Checked By: SEM  
Date: 06/23/2023  
Project No. 24-0409  
Sheet Number

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1. STORMWATER DISCHARGES FROM CONSTRUCTION SHALL NOT CAUSE OR THREATEN TO CAUSE POLLUTION, CONTAMINATION, OR DEGRADATION OF STATE WATERS, LOCAL WATER AND EARTH DISTURBANCE SHALL BE DONE IN A MANNER THAT MINIMIZES POLLUTION OF ANY ON-SITE OR OFF-SITE WATER RESOURCES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
  - a. DISTURBANCE OF ANY WATERSHED OR WATERSHEDS THAT ARE ADJACENT TO THE PROJECT SITE.
  - b. DISTURBANCE OF ANY WATERSHED OR WATERSHEDS THAT ARE ADJACENT TO THE PROJECT SITE.
2. NOTWITHSTANDING ANYTHING DEFECTED IN THESE PLANS IN WORDS OR GRAPHIC REPRESENTATION, ALL DESIGN AND CONSTRUCTION RELATED TO ROADS, STORM DRAINAGE AND EROSION CONTROL SHALL CONFORM TO THE STANDARDS AND REQUIREMENTS OF THE MOST RECENT VERSION OF THE RELEVANT ADAPTED EL PASO COUNTY STANDARDS, INCLUDING THE LAND DEVELOPMENT CODE, THE ENGINEERING CRITERIA MANUAL, THE DRAINAGE CRITERIA MANUAL AND THE DRAINAGE CRITERIA MANUAL VOLUME 2. ANY DEVIATIONS FROM REGULATIONS AND STANDARDS MUST BE REQUESTED AND APPROVED IN WRITING.
3. A SEPARATE STORMWATER MANAGEMENT PLAN (SWMP) FOR THIS PROJECT SHALL BE COMPLETED AND AN EROSION AND STORMWATER QUALITY CONTROL PERMIT (ISSUED) FOR THE COMMENCED CONSTRUCTION. MANAGEMENT OF THE SWMP DURING CONSTRUCTION IS THE RESPONSIBILITY OF THE DESIGNATED QUALIFIED STORMWATER MANAGER OR CERTIFIED EROSION CONTROL INSPECTOR. THE SWMP SHALL BE A PART OF THE EROSION CONTROL PLAN AND SHALL BE KEPT UP TO DATE WITH WORK PROGRESS AND CHANGES IN THE FIELD.
4. ONCE THE EROSION IS APPROVED AND A NOTICE TO PROCEED HAS BEEN ISSUED, THE CONTRACTOR MAY INSTALL THE INITIAL STAGE EROSION AND SEDIMENT CONTROL MEASURES AS INDICATED ON THE APPROVED GEC. A PRECONSTRUCTION MEETING BETWEEN THE CONTRACTOR, ENGINEER, AND EL PASO COUNTY WILL BE HELD PRIOR TO ANY CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE APPLICANT TO COORDINATE THE MEETING TIME AND PLACE WITH COUNTY STAFF.
5. CONTROL MEASURES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF ACTIVITIES THAT COULD CONTRIBUTE POLLUTANTS TO STORMWATER. CONTROL MEASURES FOR ALL SLOPES, CHANNELS, DITCHES, AND DISTURBED LAND AREAS SHALL BE INSTALLED IMMEDIATELY UPON COMPLETION OF THE DISTURBANCE.
6. ALL TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN EFFECTIVE OPERATIONAL CONDITION UNTIL PERMANENT EROSION CONTROL MEASURES ARE IMPLEMENTED AND FINAL STABILIZATION IS ESTABLISHED. ALL PERSONS ENGAGED IN LAND DISTURBANCE ACTIVITIES SHALL ASSESS THE ADEQUACY OF CONTROL MEASURES AT THE SITE AND IDENTIFY IF CHANGES TO THOSE CONTROL MEASURES ARE NEEDED TO ENSURE THE CONTINUED EFFECTIVE PERFORMANCE OF THE CONTROL MEASURES. ALL CHANGES TO TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE APPROVED BY THE ENGINEER AND THE COUNTY ENGINEER PRIOR TO IMPLEMENTATION.
7. TEMPORARY STABILIZATION SHALL BE IMPLEMENTED ON DISTURBED AREAS AND STOCKPILES WHERE GROUND DISTURBING CONSTRUCTION ACTIVITY HAS PERMANENTLY CEASED OR TEMPORARILY CEASED FOR LONGER THAN 14 DAYS.
8. FINAL STABILIZATION MUST BE IMPLEMENTED AT ALL APPLICABLE CONSTRUCTION SITES. FINAL STABILIZATION IS ACHIEVED WHEN ALL GROUND DISTURBING ACTIVITIES ARE COMPLETE AND ALL DISTURBED AREAS EITHER HAVE A UNIFORM VEGETATIVE COVER WITH INDIVIDUAL PLANT DENSITY AND TYPE OF COVER OF AT LEAST 50% OF THE DISTURBED AREA OR EQUIVALENT PERMANENT STABILIZATION METHOD IS IMPLEMENTED. ALL TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES SHALL BE REMOVED UPON FINAL STABILIZATION AND BEFORE PERMIT CLOSURE.
9. ALL PERMANENT STORMWATER MANAGEMENT FACILITIES SHALL BE INSTALLED AS DESIGNED IN THE APPROVED PLANS. ANY PROPOSED CHANGES THAT EFFECT THE DESIGN OR FUNCTION OF PERMANENT STORMWATER MANAGEMENT STRUCTURES MUST BE APPROVED BY THE ECM AND THE COUNTY ENGINEER PRIOR TO IMPLEMENTATION.
10. EARTH DISTURBANCE SHALL BE CONDUCTED IN SUCH A MANNER SO AS TO EFFECTIVELY MINIMIZE ACCELERATED SOIL EROSION AND RESULTING SEDIMENTATION. ALL DISTURBANCES SHALL BE DESIGNED, CONSTRUCTED, AND COMPLETED SO THAT THE EXPOSED AREA OF ANY DISTURBED LAND SHALL BE LIMITED TO THE SHORTEST PRACTICAL PERIOD OF TIME. PRE-EXISTING VEGETATION SHALL BE PROTECTED AND MAINTAINED WITHIN 50 HORIZONTAL FEET OF A WATERS OF THE STATE UNLESS SHOWN TO BE INFEASIBLE AND SPECIFICALLY REQUESTED AND APPROVED.
11. THE EROSION CONTROL PLAN SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION. EROSION CONTROL MEASURES SHOULD BE ACHIEVED BY VEGETATIVE COVER, AREAS DESIGNATED FOR INFILTRATION CONTROL MEASURES SHALL ALSO BE PROTECTED FROM SEDIMENTATION DURING CONSTRUCTION UNTIL FINAL STABILIZATION IS ACHIEVED. IF COMPACTION PREVENTION IS NOT FEASIBLE DUE TO SITE CONSTRAINTS, ALL AREAS DESIGNATED FOR INFILTRATION AND VEGETATION CONTROL MEASURES MUST BE LOOSENEED PRIOR TO INSTALLATION OF THE INFILTRATION MEASURES.
12. ANY TEMPORARY OR PERMANENT FACILITY DESIGNED AND CONSTRUCTED FOR THE CONVEYANCE OF STORMWATER AROUND, THROUGH, OR FROM THE EARTH DISTURBANCE AREA SHALL BE A STABILIZED CONVEYANCE DESIGNED TO MINIMIZE EROSION AND THE DISCHARGE OF SEDIMENT OFF-SITE.
13. CONCRETE WASH WATER SHALL BE CONTAINED AND DISPOSED OF IN ACCORDANCE WITH THE SWMP. NO WASH WATER SHALL BE DISCHARGED TO OR FROM THE EROSION CONTROL MEASURES, INCLUDING ANY SURFACE OR SUBSURFACE STORM DRAINAGE SYSTEM OR FACILITIES. CONCRETE WASHOUTS SHALL NOT BE LOCATED IN AN AREA WHERE SHALLOW GROUNDWATER MAY BE PRESENT, OR WITHIN 50 FEET OF A SURFACE WATER BODY, CREEK OR STREAM.
14. DURING DEWATERING OPERATIONS, UNCONTAMINATED GROUNDWATER MAY BE DISCHARGED ON-SITE, BUT SHALL NOT LEAK INTO THE EROSION CONTROL MEASURES OR OFF-SITE.
15. EROSION CONTROL, BLANKETING OR OTHER PROTECTIVE COVERING SHALL BE USED ON SLOPES STEEPER THAN 3:1.
16. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL WASTES FROM THE CONSTRUCTION SITE FOR DISPOSAL. IN ACCORDANCE WITH LOCAL AND STATE REGULATORY REQUIREMENTS, NO CONSTRUCTION DEBRIS, TREE SLASH, BUILDING MATERIAL WASTES OR UNUSUED BUILDING MATERIALS SHALL BE BURIED, DUMPED, OR DISCHARGED AT THE SITE.
17. WASTE MATERIALS SHALL NOT BE TEMPORARILY PLACED OR STORED IN THE STREET, ALLEY, OR OTHER PUBLIC WAY, UNLESS IN ACCORDANCE WITH AN APPROVED CONSTRUCTION PLAN. CONTROL MEASURES MAY BE REQUIRED BY EL PASO COUNTY ENGINEERING IF DEEMED NECESSARY, BASED ON SPECIFIC CONDITIONS AND CIRCUMSTANCES.
18. TRACKING OF SOILS AND CONSTRUCTION DEBRIS OFF-SITE SHALL BE MINIMIZED. MATERIALS TRACKED OFF-SITE SHALL BE CLEANED UP AND PROPERLY DISPOSED OF IMMEDIATELY.
19. THE OWNER/DEVELOPER SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL CONSTRUCTION DEBRIS, DIRT, TRASH, ROCK, SEDIMENT, SOIL, AND ANY OTHER MATERIALS THAT ACCUMULATE IN ROADS, STORM DRAINS AND OTHER DRAINAGE CONVEYANCE SYSTEMS AND STORMWATER APPURTENANCES AS A RESULT OF SITE DEVELOPMENT.
20. THE QUANTITY OF MATERIALS STORED ON THE PROJECT SITE SHALL BE LIMITED, AS MUCH AS PRACTICAL, TO THAT QUANTITY REQUIRED TO PERFORM THE WORK IN AN ORDERLY SEQUENCE. ALL MATERIALS STORED ON-SITE SHALL BE STORED IN A NEAT, ORDERLY MANNER. IN THEIR OWNERSHIP, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL MATERIALS ON-SITE AND TO PREVENT ANY SPILLED MATERIALS FROM ENTERING STATE WATERS, ANY SURFACE OR SUBSURFACE STORM DRAINAGE SYSTEM OR OTHER FACILITIES.
21. NO PERSON SHALL PLACE THE IMPEDIMENT OF STORMWATER FLOW IN THE CURB AND GUTTER OR DITCH EXCEPT WITH APPROVED SEDIMENT CONTROL MEASURES.
22. OWNER/DEVELOPER AND THEIR AGENTS SHALL COMPLY WITH THE "COLORADO WATER QUALITY CONTROL ACT" (TITLE 25, ARTICLE 6, CRS), AND "CLEAN WATER ACT" (33 USC 1344) APPROXIMATE TO THE DEWATERINGS OF THE LAND DEVELOPMENT CODE, DO NOT VIOLATE I AND THE ECM AND ANY APPROPRIATE PERMITS MUST BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION (1041, NPDES, FLOODPLAIN, 404, FUGITIVE DUST, ETC.). IN THE EVENT OF CONFLICTS BETWEEN THESE REQUIREMENTS AND OTHER LAWS, RULES, OR REGULATIONS OF OTHER AGENCIES, STATE OR LOCAL, OR COURTS, THE CONTRACTOR SHALL RESERVE THE RIGHT TO FOLLOW LAWS, RULES, OR REGULATIONS THAT APPLY.
23. ALL CONSTRUCTION TRAFFIC MUST ENTER/EXIT THE SITE ONLY AT APPROVED CONSTRUCTION ACCESS POINTS.
24. PRIOR TO CONSTRUCTION THE PERMITTEE SHALL VERIFY THE LOCATION OF EXISTING UTILITIES.
25. A WATER SOURCE SHALL BE AVAILABLE ON-SITE DURING EARTHWORK OPERATIONS AND SHALL BE UTILIZED AS REQUIRED TO MINIMIZE DUST FROM EARTHWORK EQUIPMENT AND WIND.
26. THE SOILS REPORT FOR THIS SITE HAS BEEN PREPARED BY PARTNER ENGINEERING AND SCIENCE, DATE: 7/13/2023 AND SHALL BE CONSIDERED A PART OF THESE PLANS.
27. THERE ARE NO DEDICATED ASPHALT OR CONCRETE PAVES DEDICATED FOR THIS SITE.
28. AT LEAST TEN (10) DAYS PRIOR TO THE ANTICIPATED START OF CONSTRUCTION, FOR PROJECTS THAT WILL DISTURB ONE (1) ACRE OR MORE, THE EROSION CONTROL PLAN AND CONSTRUCTION ACTIVITY SHALL BE SUBMITTED TO THE EL PASO COUNTY ENGINEERING DIVISION, THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, WATER QUALITY DIVISION. THE APPLICATION CONTAINS CERTIFICATION OF COMPLETION OF A STORMWATER MANAGEMENT PLAN (SWMP), OF WHICH THIS GRADING AND EROSION CONTROL PLAN MAY BE A PART. FOR INFORMATION OR FOR FURTHER CONTACT:

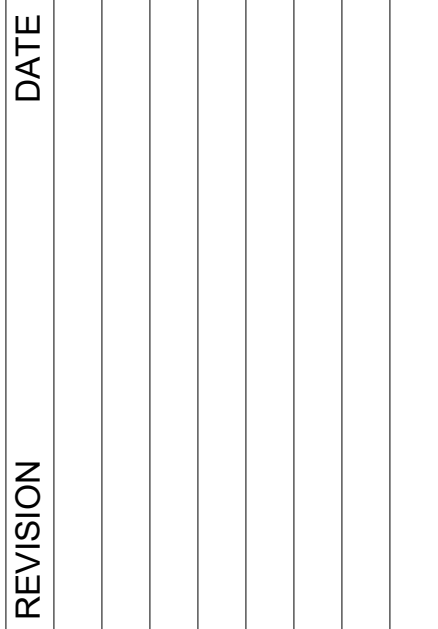
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL DIVISION  
WQCD - PERMITS  
4300 CHERRY CREEK DRIVE SOUTH  
DENVER, CO 80246-1530  
ATTN: PERMITS UNIT











Drawn By:	AJJ
Checked By:	SEM
Date:	06/23/2023
Project No.	24-0409
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- CONTRACTOR TO VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON THE SITE AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO STARTING WORK. THE CONTRACTOR SHALL ENSURE THAT POSITIVE DRAINAGE OCCURS AT ALL JOINTS WITH EXISTING CONDITIONS.
2. ALL PAVEMENT SPOT GRADE ELEVATIONS AND RIM ELEVATIONS WITHIN OR ALONG CURB AND GUTTER REFER TO FLOW LINE ELEVATIONS UNLESS OTHERWISE NOTED.
3. ALL ELEVATIONS SHOWN DEPICT FINISHED GRADE UNLESS OTHERWISE NOTED. GENERAL CONTRACTOR TO COORDINATE WITH EXCAVATION, LANDSCAPE AND PAVING SUBCONTRACTORS REGARDING TOPSOIL, THICKNESS FOR LANDSCAPE AREAS AND PAVEMENT SECTION THICKNESS FOR PAVED AREAS TO PROPERLY ENSURE ADEQUATE CUT TO ESTABLISH SUBGRADE ELEVATIONS.
4. MAXIMUM SLOPE IN ACCESSIBLE PARKING SPACES AND LOADING ZONES SHALL NOT EXCEED 2.0% IN ALL DIRECTIONS.
5. MAXIMUM RUNNING SLOPE SHALL NOT EXCEED 5% AND CROSS SLOPE SHALL NOT EXCEED 2.0% ON ALL SIDEWALKS AND ACCESSIBLE ROUTES.
6. WHEN NATURAL FLOW OF DRAINAGE IS AWAY FROM CURB, CONTRACTOR TO INSTALL REVERSE GUTTER PITCH.
7. MATCH EXISTING ELEVATIONS AT THE PROPERTY LINE.
8. NO GRADING SLOPES SHALL EXCEED 4:1 SLOPES.
9. WATER TRUCK CALLED FOR BY THE CITY INSPECTOR WILL BE PROVIDED TO KEEP WIND EROSION IN CHECK.
10. ANY SETTLEMENT OR SOIL ACCUMULATIONS BEYOND THE PROPERTY LIMITS DUE TO GRADING OR EROSION SHALL BE REPAIRED IMMEDIATELY BY THE CONTRACTOR.
11. ANY CONSTRUCTION DEBRIS OR MUD TRACKING IN THE PUBLIC RIGHT-OF-WAY RESULTING FROM THIS DEVELOPMENT SHALL BE REMOVED IMMEDIATELY BY THE CONTRACTOR. THE CONTRACTOR SHALL IMMEDIATELY FIX ANY EXCAVATIONS OR EXCESSIVE PAVEMENT FAILURES CAUSED BY THE DEVELOPMENT AND SHALL PROPERLY REPAIR THE SITE UNTIL CONSTRUCTION IS COMPLETE. FAILURE BY THE CONTRACTOR TO CORRECT ANY OF THE ABOVE WITHIN 48 HOURS OF WRITTEN NOTICE BY THE COUNTY SHALL CAUSE THE CITY TO ISSUE A STOP WORK ORDER (RED TAG) AND/OR DO THE WORK AND MAKE A CLAIM AGAINST THE LETTER OF CREDIT FOR ANY COST INCURRED BY THE CITY.
12. AREAS BEING DISTURBED BY THE GRADING SHALL BE RESEEDING WITH NATIVE VEGETATION OR AS APPROVED ON THE DEVELOPMENT PLAN.
13. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT AND ADJACENT TO THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUEST SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
14. THE DUTY OF THE COUNTY TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURE IN, ON, OR NEAR THE CONSTRUCTION SITE.
15. CONTRACTOR SHALL CONTACT UTILITY NOTIFICATION CENTER OF COLORADO (1-800-922-1967) FOR LOCATION OF UNDERGROUND GAS, ELECTRIC, AND TELEPHONE UTILITIES AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
16. CONTRACTOR SHALL REFERENCE GEOTECHNICAL SOILS REPORT FOR GRADING DESIGN OF SLOPES, EMBANKMENTS, MATERIALS, MITIGATION, ETC.

### PROPOSED SITE IS PRIMARILY A FILL SITE

BW = BOTTOM OF WALL  
TC = TOP OF CURB  
ME = MATCH EXISTING ELEVATION  
LP = LOW POINT  
FG = FINISHED GRADE  
SLOPE AND FLOW DIRECTION  
EXISTING CONTOUR  
PROPOSED CONTOUR (DATUM = 6300)  
LIMITS OF DISTURBANCE  
SPECIAL CURB

This grading and erosion control plan was prepared under my direction and supervision and is correct to the best of my knowledge and belief. Said plan has been prepared according to the criteria established by the County for grading and erosion control plans. I accept responsibility for any liability caused by any negligent acts, errors or omissions on my part in preparing this plan.

I, the owner/developer have read and will comply with all of the requirements of the Grading and Erosion Control Plan.

**TIM VARLEY**  
**SUPER STAR CAR WASH**  
 1830 N 95TH AVE, SUITE 106  
 PHOENIX, AZ, 85037

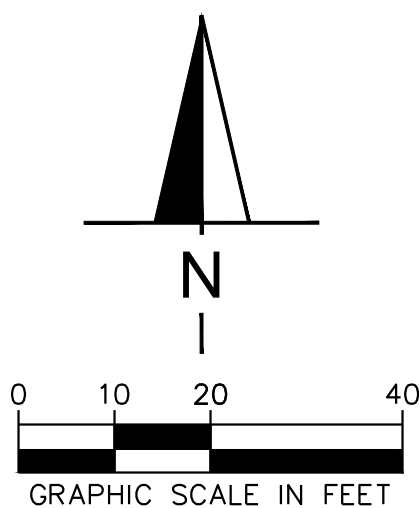


Diagram illustrating the cross-section of a Special Curb. The curb is 1.5' wide and 2.0' high. It features a smooth finished concrete top and a bottom wall. A flow line is shown on the right side, sloping down to the concrete pavement. A #4 rebar is placed at 12 inches on center. A 2.0' minimum dimension is indicated for the bottom wall. The diagram is labeled "SPECIAL CURB".

County plan review is provided only for general conformance with County Design Criteria. The County is not responsible for the accuracy and adequacy of the design, dimensions, and/or elevations which shall be confirmed at the job site. The County through the approval of this document assumes no responsibility for completeness and/or accuracy of this document.

Filed in accordance with the requirements of the El Paso County Land Development Code, Drainage Criteria Manual, Volumes 1 and 2, and Engineering Criteria Manual as amended.

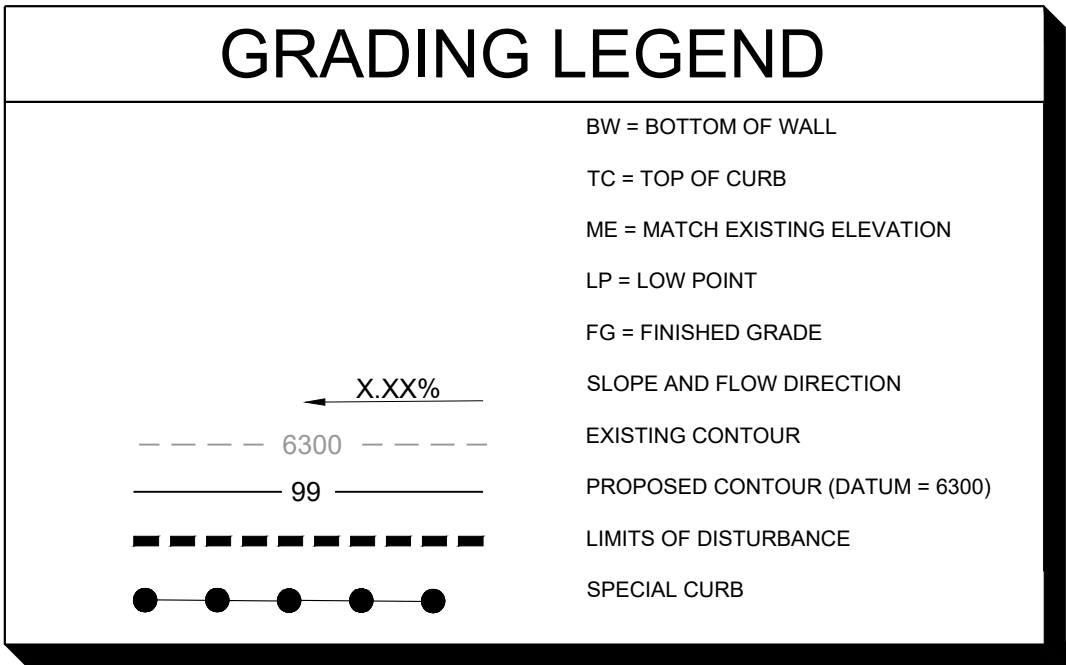
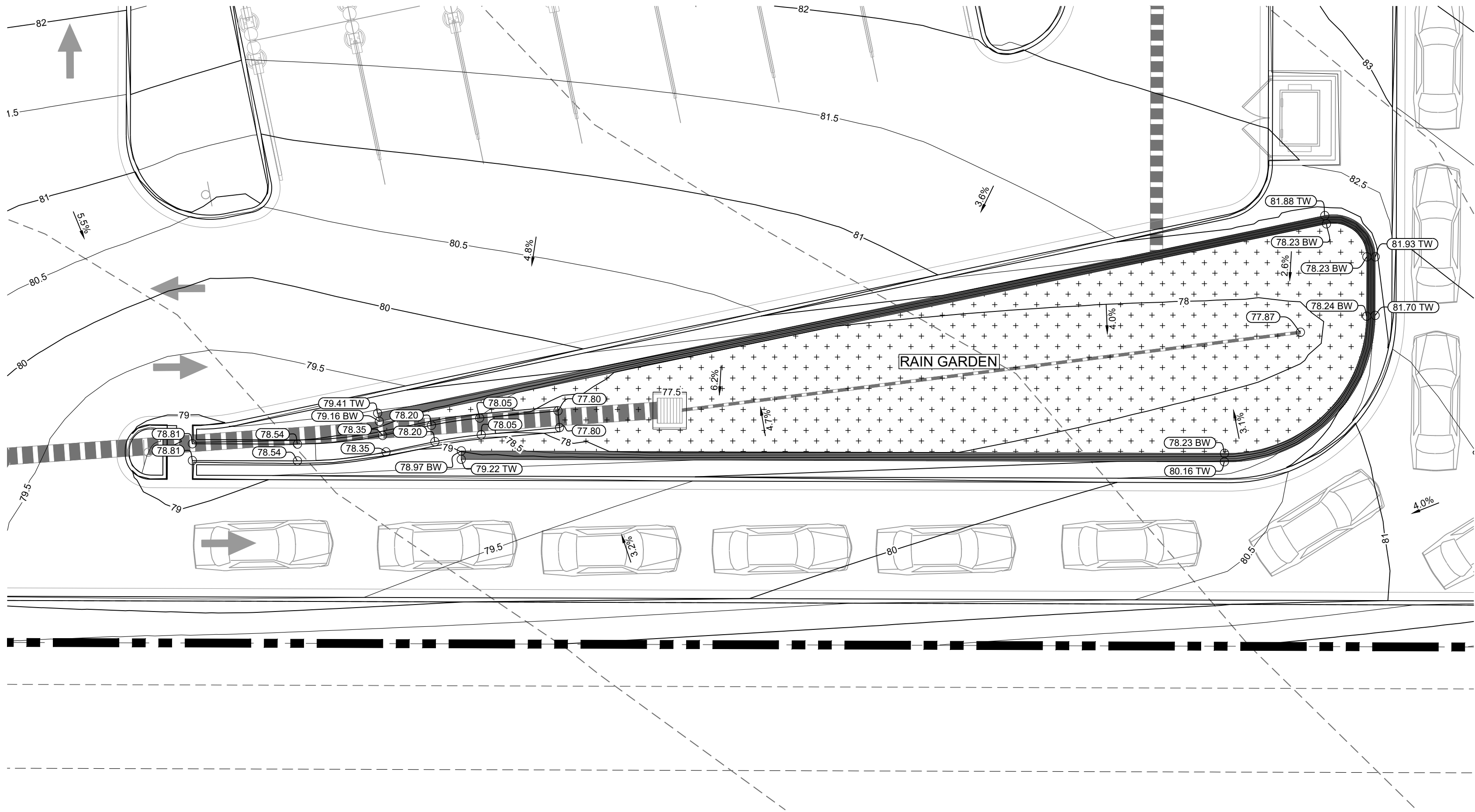
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Jennifer Irvine, P.E. \_\_\_\_\_ Date \_\_\_\_\_  
County Engineer / ECM Administrator

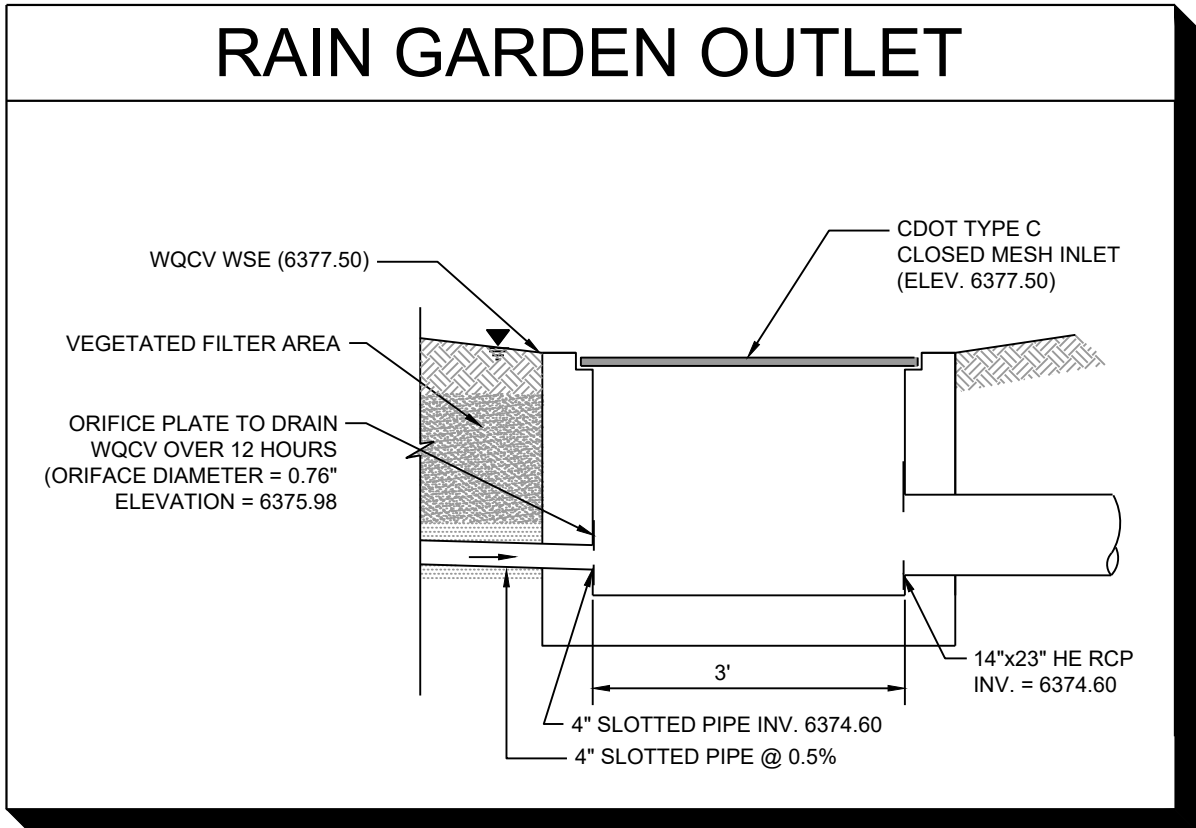
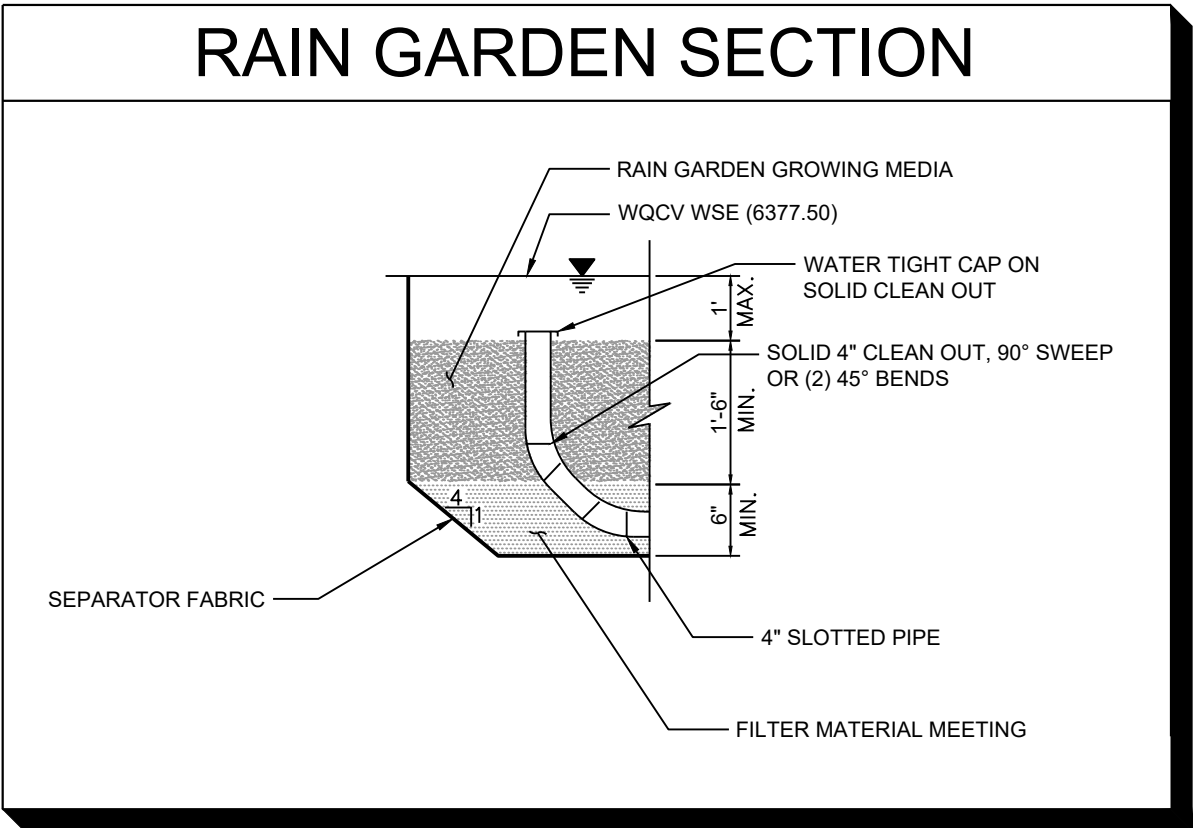
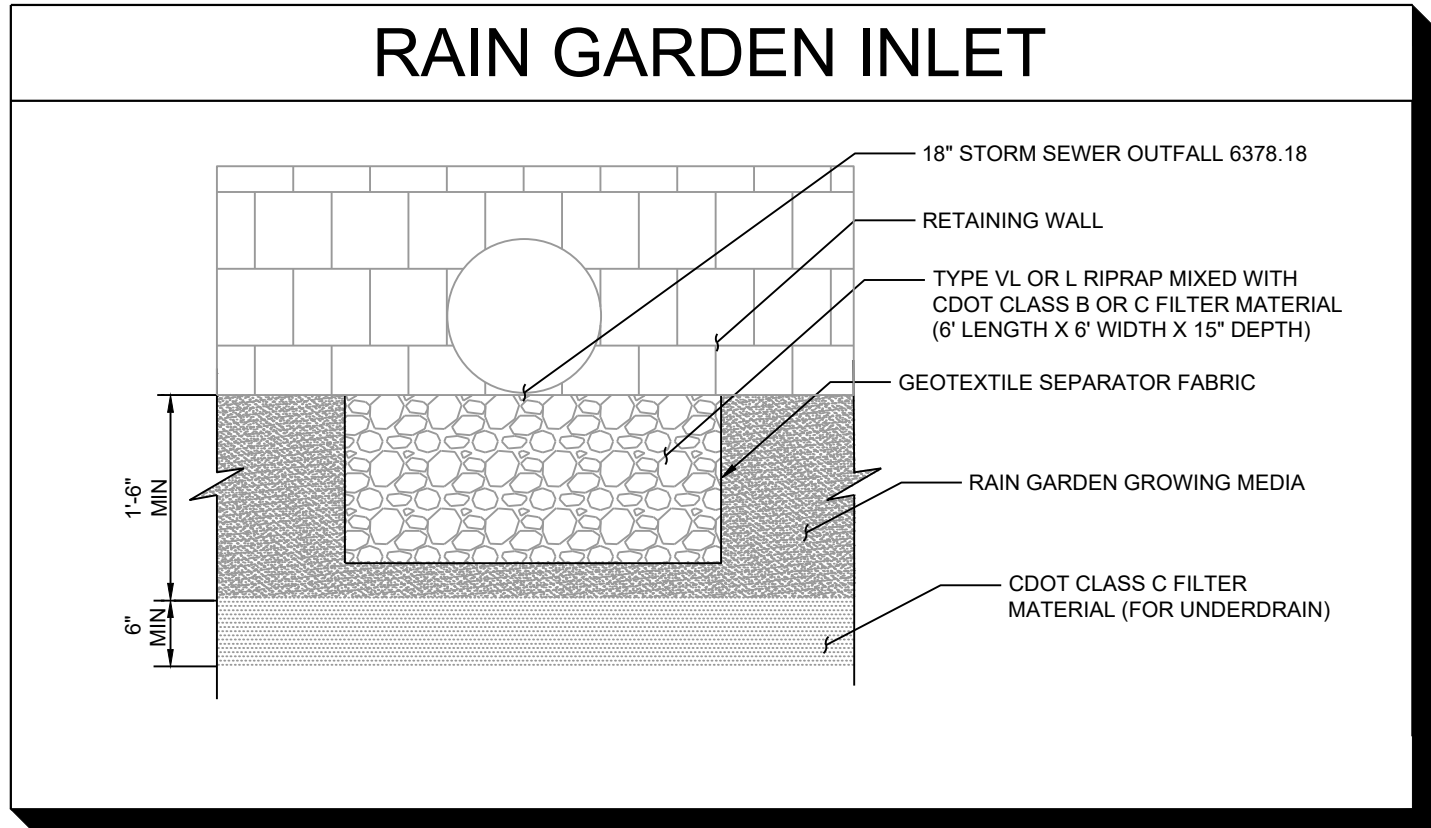
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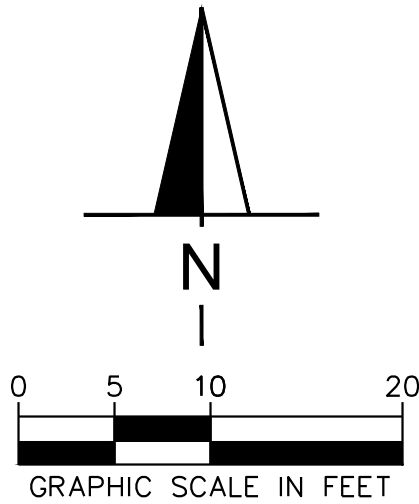
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RAIN GARDEN SEED MIX				
Common Name	Scientific Name	Variety	PLS <sup>2</sup> lbs per Acre	Ounces per Acre
Sand Bluestern	Andropogon hallii	Garden	3.5	
Sideoats grama	Bouteloua curtipendula	Butte	3	
Prairie sandreed	Calamovilfa longifolia	Goshen	3	
Indian ricegrass	Oryzopsis hymenoides	Paloma	3	
Switchgrass	Panicum virgatum	Blackwell	4	
Western Wheatgrass	Pascopyrum smithii	Ariba	3	
Little Bluestem	Schizachyrium scoparium	Patura	3	
Alkali Sacaton	Sporobolus airoides		3	
Sand Dropseed	Sporobolus cryptandrus		3	
Pasture Sage <sup>1</sup>	Artemisia frigida			2
Blue Aster <sup>1</sup>	Aster laevis			4
Blanket Flower <sup>1</sup>	Gaillardia aristata			8
Prairie Coneflower <sup>1</sup>	Ratibida columnifera			4
Purple Prairieclover <sup>1</sup>	Dalea (Petalostemum) purpurea			4
Sub-Totals			27.5	22
Total labs per acre:				28.9
<sup>1</sup> Wildflower seed (optional) for a more diverse and natural look				
<sup>2</sup> PLS = Pure Live Seed				



SEPARATOR FABRIC		
Property	Class B	
	Elongation <50% <sup>2</sup>	Elongation > 50% <sup>2</sup>
Grab Strength, N (lbs.)	800 (180)	
Puncture Resistance, N (lbs.)	310 (70)	
Trapezoidal Tear Strength, N (lbs.)	310 (70)	
Apparent Opening Size, mm (US Sieve Size)	AOS < 0.3 mm (US Sieve Size No. 50)	
Permittivity, sec <sup>-1</sup>	0.02 default value, must also be greater than that of soil	
Permeability cm/sec	k fabric > k soil for all classes	
Ultraviolet Degradation at 500 hours	50% strength retained for all classes	



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CAR WASH

DATE

REVISION

**SUPERSTAR CARWASH**  
MEADOWBROOK PKWY  
COLORADO SPRING, CO 80915

**RAIN GARDEN**

Drawn By: AJJ  
Checked By: SEM  
Date: 06/23/2023  
Project No. 24-0409  
Sheet Number

**E3.1**



## Appendix C – Construction General Permit



# STATE OF COLORADO

## COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

### Water Quality Control Division

CDPS GENERAL PERMIT STORMWATER DISCHARGES ASSOCIATED WITH  
CONSTRUCTION ACTIVITY AUTHORIZATION TO DISCHARGE UNDER THE COLORADO DISCHARGE PERMIT SYSTEM (CDPS)  
**COR400000**

In compliance with the provisions of the Colorado Water Quality Control Act, (25-8-101 et seq., CRS, 1973 as amended) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.; the "Act"), this permit authorizes the discharge of stormwater associated with construction activities (and specific allowable non-stormwater discharges in accordance with Part I.A.1. of the permit) certified under this permit, from those locations specified throughout the State of Colorado to specified waters of the State.

Such discharges shall be in accordance with the conditions of this permit. This permit specifically authorizes the facility listed on the certification to discharge in accordance with permit requirements and conditions set forth in Parts I and II hereof. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

This permit becomes effective on April 1, 2019, and shall expire at midnight March 31, 2024.

Issued and signed this 28th day of January, 2021.

*Meg Parish*

Meg Parish, Permits Section Manager Water Quality Control Division

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

#### Permit History

Minor Modification Issued January 28, 2021 Effective February 1, 2021

Modification Issued December 31, 2020 Effective February 1, 2021

Originally signed and issued October 31, 2018; effective April 1, 2019



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## Part I

Note: At the first mention of terminology that has a specific connotation for the purposes of this permit, the terminology is electronically linked to the definitions section of the permit in Part I.E.

### A. COVERAGE UNDER THIS PERMIT

#### 1. Authorized Discharges

This general permit authorizes permittee(s) to discharge the following to state waters: stormwater associated with construction activity and specified non-stormwater associated with construction activity. The following types of stormwater and non-stormwater discharges are authorized under this permit:

##### a. Allowable Stormwater Discharges

- i. Stormwater discharges associated with construction activity.
- ii. Stormwater discharges associated with producing earthen materials, such as soils, sand, and gravel dedicated to providing material to a single contiguous site, or within ¼ mile of a construction site (e.g. borrow or fill areas).
- iii. Stormwater discharges associated with [dedicated asphalt](#), [concrete batch plants](#) and [masonry mixing stations](#) (Coverage under this permit is not required if alternative coverage has been obtained.)

##### b. Allowable Non-Stormwater Discharges

The following non-stormwater discharges are allowable under this permit if the discharges are identified in the stormwater management plan in accordance with [Part I.C](#) and if they have appropriate [control measures](#) in accordance with [Part I.B.1](#).

- i. Discharges from uncontaminated springs that do not originate from an area of land disturbance.
- ii. Discharges to the ground of concrete washout water associated with the washing of concrete tools and concrete mixer chutes. Discharges of concrete washout water must not leave the site as surface runoff or reach [receiving waters](#) as defined by this permit. Concrete on-site waste disposal is not authorized by this permit except in accordance with [Part I.B.1.a.ii\(b\)](#).
- iii. Discharges of landscape irrigation return flow.
- iv. Discharges from [diversions](#) of state waters within the permitted site.

##### c. Emergency Fire Fighting

Discharges resulting from emergency firefighting activities during the active emergency response are authorized by this permit.

#### 2. Limitations on Coverage

Discharges not authorized by this permit include, but are not limited to, the discharges and activities listed below. Permittees may seek individual or alternate general permit coverage for the discharges, as appropriate and available.

##### a. Discharges of Non-Stormwater

Discharges of non-stormwater, except the authorized non-stormwater discharges listed in Part

I.A.1.b., are not eligible for coverage under this permit.

- b. Discharges Currently Covered by another Individual or General Permit
- c. Discharges Currently Covered by a Water Quality Control Division (division) Low Risk Guidance Document

### 3. Permit Certification and Submittal Procedures

#### a. Duty to Apply

The following activities shall apply for coverage under this permit:

- i. Construction activity that will disturb one acre or more; or
- ii. Construction activity that is part of a [common plan of development or sale](#); or
- iii. Stormwater discharges that are designated by the division as needing a stormwater permit because the discharge:
  - (a) Contributes to a violation of a water quality standard; or
  - (b) Is a significant contributor of [pollutants](#) to state waters.

#### b. Application Requirements

To obtain authorization to discharge under this permit, applicants applying for coverage following the effective date of the renewal permit shall meet the following requirements:

- i. Owners and operators submitting an application for permit coverage will be co-permittees subject to the same benefits, duties, and obligations under this permit.
- ii. Signature requirements: Both the [owner](#) and [operator](#) (permittee) of the construction site, as defined in Part I.E., must agree to the terms and conditions of the permit and submit a completed application that includes the signature of both the owner and the operator. In cases where the duties of the owner and operator are managed by the owner, both application signatures may be completed by the owner. Both the owner and operator are responsible for ensuring compliance with all terms and conditions of the permit, including implementation of the stormwater management plan.
- iii. The applicant(s) must develop a stormwater management plan (SWMP) in accordance with the requirements of Part I.C. The applicant(s) must also certify that the SWMP is complete, or will be complete, prior to commencement of any construction activity.
- iv. In order to apply for certification under this general permit, the applicant(s) must submit a complete, accurate, and signed permit application form as provided by the division by electronic delivery at least 10 days prior to the commencement of construction activity, except those construction activities that are in response to a [public emergency related site](#); [public emergency related sites](#) shall apply for coverage no later than 14 days after the commencement of construction activities. The provisions of this part in no way remove a violation of the Colorado Water Quality Control Act if a [point source](#) discharge occurs prior to the issuance of a CDPS permit.
- v. The application in its entirety must be submitted via the division's online permitting system unless a waiver is granted by the division. If a waiver is granted, the application in its entirety, including signatures by both the owner and operator, must be submitted to:

Colorado Department of Public Health and Environment  
Water Quality Control Division  
Permits Section, WQCD-PS-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246

- vi. The applicant(s) must receive written notification that the division granted permit coverage prior to conducting construction activities except for construction activities that are in response to a public emergency related site.

c. Division Review of Permit Application

Within 10 days of receipt of the application, and following review of the application, the division may:

- i. Issue a certification of coverage;
- ii. Request additional information necessary to evaluate the discharge;
- iii. Delay the authorization to discharge pending further review;
- iv. Notify the applicant that additional terms and conditions are necessary; or
- v. Deny the authorization to discharge under this general permit.

d. Alternative Permit Coverage

i. Division Required Alternative Permit Coverage:

The division may require an applicant or permittee to apply for an individual permit or an alternative general permit if it determines the discharge does not fall under the scope of this general permit, including if any additional terms and conditions are necessary in order to ensure that discharges authorized by this permit shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any applicable water quality standard, including narrative standards for water quality. In this case, the division will notify the applicant or permittee that an individual permit application is required.

ii. Permittee Request for Alternative Permit Coverage:

A permittee authorized to discharge stormwater under this permit may request to be excluded from coverage under this general permit by applying for an individual permit. In this case, the permittee must submit an individual application, with reasons supporting the request, to the division at least 180 days prior to any discharge. When an individual permit is issued, the permittee's authorization to discharge under this permit is terminated on the effective date of the individual permit.

e. Submittal Signature Requirements

Documents required for submittal to the division in accordance with this permit, including applications for permit coverage and other documents as requested by the division, must include signatures by **both** the owner and the operator, except for instances where the duties of the owner and operator are managed by the owner.

Signatures on all documents submitted to the division as required by this permit must meet the Standard Signatory Requirements in [Part II.K](#) of this permit in accordance with 40 C.F.R. 122.41(k).

i. Signature Certification

Any person(s) signing documents required for submittal to the division must 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."

f. Compliance Document Signature Requirements

Documents which are required for compliance with the permit, but for which submittal to the division is not required unless specifically requested by the division, must be signed by the individual(s) designated as the [Qualified Stormwater Manager](#), as defined in Part I.E.

- i. Any person(s) signing inspection documents required for compliance with the permit per [Part I.D.5.c.xiii](#) must make the following statement and provide the date of the statement:

"I verify that, to the best of my knowledge and belief, that if any corrective action items were identified during the inspection, those corrective actions are complete, and the site is currently in compliance with the permit."

g. Field Wide Permit Coverage for Oil and Gas Construction

At the discretion of the division, a single permit certification may be issued to a single oil and gas permittee to cover construction activity related discharges from an oil and gas field at multiple locations that are not necessarily contiguous.

h. Permit Coverage without Application

**Qualifying Local Program:** When a small construction site is within the jurisdiction of a qualifying local program, the owner and operator of the construction activity are authorized to discharge stormwater associated with [small construction activity](#) under this general permit without the submittal of an application to the division. Sites covered by a qualifying local program are exempt from the following sections of this general permit: Part I.A.3.a.; Part I.A.3.b.; Part I.A.3.c.; Part I.A.3.d.; Part I.A.3.g.; Part I.A.3.i.; Part I.A.3.j.; Part I.A.3.k.

Sites covered by a qualifying local program are subject to the following requirements:

- i. **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.
- ii. **Permit Coverage Termination:** When a site under a Qualifying Local Program is finally stabilized, coverage under this permit is automatically terminated.
- iii. **Compliance with Qualifying Local Program:** Qualifying Local Program requirements that are equivalent to the requirements of this permit are incorporated by reference. Permittees authorized to discharge under this permit, must comply with the equivalent requirements of the Qualifying Local Program that has jurisdiction over the site as a condition of this permit.
- iv. **Compliance with Remaining Permit Conditions.** Requirements of this permit that are in addition to or more stringent than the requirements of the Qualifying Local Program apply in addition to the requirements of the Qualifying Local Program.
- v. **Written Authorization of Coverage:** The division or local municipality may require any permittee within the jurisdiction of a Qualifying Local Program covered under this permit to

apply for, and obtain written authorization of coverage under this permit. The permittee must be notified in writing that an application for written authorization of coverage is required.

i. Permittee Initiated Permit Actions

Permittee initiated permit actions, including but not limited to modifications, contact changes, transfers, and terminations, shall be conducted following [Part II.L](#), division guidance and using appropriate division-provided forms.

j. Sale of Residence to Homeowner

**Residential construction sites only:** The permittee may remove residential lots from permit coverage once the lot meets the following criteria:

- i. The residential lot has been sold to the homeowner(s) for private residential use;
- ii. A certificate of occupancy, or equivalent, is maintained on-site and is available during division inspections;
- iii. The lot is less than one acre of disturbance;
- iv. All construction activity conducted on the lot by the permittee is complete;
- v. The permittee is not responsible for final stabilization of the lot; and
- vi. The SWMP was modified to indicate the lot is no longer part of the construction activity.

If the residential lot meets the criteria listed above then activities occurring on the lot are no longer considered to be construction activities with a duty to apply and maintain permit coverage. Therefore, the permittee is not required to meet the final stabilization requirements and may terminate permit coverage for the lot.

k. Permit Expiration and Continuation of Permit Coverage

Authorization to discharge under this general permit shall expire at midnight on March 31, 2024. While Regulation 61.4 requires a permittee to submit an application for continuing permit coverage 180 days before the permit expires, the division is requiring that permittees desiring continued coverage under this general permit must reapply at least 90 days in advance of this permit expiration. The division will determine if the permittee may continue to discharge stormwater under the terms of the general permit. An individual permit may be required for any facility not reauthorized to discharge under the reissued general permit.

If this permit is not reissued or replaced prior to the expiration date, it will be administratively continued and remain in force and effect. For permittees that have applied for continued permit coverage, discharges authorized under this permit prior to the expiration date will automatically remain covered by this permit until the earliest of:

- i. An authorization to discharge under a reissued permit, or a replacement of this permit, following the timely and appropriate submittal of a complete application requesting authorization to discharge under the new permit and compliance with the requirements of the new permit; or
- ii. The issuance and effect of a termination issued by the division; or
- iii. The issuance or denial of an individual permit for the facility's discharges; or
- iv. A formal permit decision by the division not to reissue this general permit, at which time the division will identify a reasonable time period for covered dischargers to seek coverage under

an alternative general permit or an individual permit. Coverage under this permit will cease when coverage under another permit is granted/authorized; or

- v. The division has informed the permittee that discharges previously authorized under this permit are no longer covered under this permit.

## B. EFFLUENT LIMITATIONS

### 1. Requirements for Control Measures Used to Meet Effluent Limitations

The permittee must implement control measures to [minimize](#) the discharge of pollutants from all potential pollutant sources at the site. Control measures must be installed prior to commencement of construction activities. Control measures must be selected, designed, installed and maintained in accordance with [good engineering, hydrologic and pollution control practices](#). Control measures implemented at the site must be designed to prevent pollution or degradation of state waters.

#### a. Stormwater Pollution Prevention

The permittee must implement structural and/or nonstructural control measures that effectively minimize erosion, sediment transport, and the release of other pollutants related to construction activity.

##### i. Control Measures for Erosion and Sediment Control

Control measures for erosion and sediment control may include, but are not limited to, wattles/sediment control logs, silt fences, earthen dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions, sediment basins, temporary vegetation, permanent vegetation, mulching, geotextiles, sod stabilization, slope roughening, maintaining existing vegetation, protection of trees, and preservation of mature vegetation.

Specific control measures must meet the requirements listed below.

- (a) Structural and nonstructural vehicle tracking controls shall be implemented to minimize vehicle tracking of sediment from disturbed areas and may include tracking pads, minimizing site access, wash racks, graveled parking areas, maintaining vehicle traffic to paved areas, street sweeping and sediment control measures.
- (b) Stormwater runoff from all disturbed areas and soil storage areas must utilize or flow to one or more control measures to minimize erosion or sediment in the discharge. The control measure(s) must be selected, designed, installed and adequately sized in accordance with good engineering, hydrologic and pollution control practices for the intended application. The control measure(s) must contain or filter flows in order to prevent the [bypass](#) of flows without treatment and must be appropriate for stormwater runoff from disturbed areas and for the expected flow rate, duration, and flow conditions (e.g. sheet or concentrated flow).
- (c) Selection of control measures should prioritize the use of structural and nonstructural control measures that minimize the potential for erosion (i.e. covering materials). Selection should also prioritize phasing construction activities to minimize the amount of soil disturbance at any point in time throughout the duration of construction.
- (d) Outlets that withdraw water from or near the surface shall be installed when discharging from basins and impoundments, unless [infeasible](#).
- (e) Maintain pre-existing vegetation or equivalent control measures for areas within 50 horizontal feet of receiving waters as defined by this permit, unless infeasible.



- (f) Soil compaction must be minimized for areas where infiltration control measures will occur or where [final stabilization](#) will be achieved through vegetative cover.
  - (g) Unless infeasible, topsoil shall be preserved for those areas of a site that will utilize vegetative final stabilization.
  - (h) Minimize the amount of soil exposed during construction activity, including the disturbance of [steep slopes](#).
  - (i) Diversion control measures must minimize soil transport and erosion within the entire diversion, minimize erosion during discharge, and minimize run-on into the diversion. The permittee must minimize the discharge of pollutants throughout the installation, implementation and removal of the diversion. Diversions must meet one or more of the following conditions:
    - (1) Lined or piped structures that result in no erosion in all flow conditions.
    - (2) Diversion channels, berms, and coffer dams must be lined or composed of a material that minimizes potential for soil loss in the entire wetted perimeter during anticipated flow conditions (e.g. vegetated swale, non-erosive soil substrate). The entire length of the diversion channel must be designed with all of the following considerations: maximum flow velocity for the type of material(s) exposed to the anticipated flows to ensure that the calculated maximum shear stress of flows in the channel is not expected to result in physical damage to the channel or liner and result in discharge of pollutants. Additionally, the conditions relied on to minimize soil loss must be maintained for the projected life of the diversion (i.e. a vegetated swale must be limited to a period of time that ensures vegetative growth, minimizes erosion and maintains stable conditions).
    - (3) An alternative diversion criteria, approved by the division prior to implementation. The diversion method must be designed to minimize the discharge of pollutants and to prevent the potential for pollution or degradation to state waters as a result of the diverted flow through the diversion structure. In addition, the alternative diversion method must minimize the discharge of pollutants throughout the installation, implementation and removal of the diversion.
- ii. Practices for Other Common Pollutants
- (a) Bulk storage, individual containers of 55 gallons or greater, for petroleum products and other liquid chemicals must have secondary containment, or equivalent protection, in order to contain [spills](#) and to prevent spilled material from entering state waters.
  - (b) Control measures designed for concrete washout waste must be implemented. This includes washout waste discharged to the ground as authorized under this permit and washout waste from concrete trucks and masonry operations contained on site. The permittee must ensure the washing activities do not contribute pollutants to stormwater runoff, or receiving waters in accordance [Part I.A.1.b.ii](#). Discharges that may reach groundwater must flow through soil that has buffering capacity prior to reaching groundwater, as necessary to meet the effluent limits in this permit, including [Part I.B.3.a](#). The concrete washout location must not be located in an area where shallow groundwater may be present and would result in buffering capacity not being adequate, such as near natural drainages, springs, or wetlands. This permit authorizes discharges to the ground of concrete washout waste, but does not authorize on-site waste disposal per [Part I.B.3.d](#).
  - (c) In the event that water remains onsite and contains pollutants either from the

firefighting activities or picked up from the site (i.e. in a gutter, sediment basin, etc.) after active emergency response is complete, the permittee must ensure the remaining water containing pollutants is properly removed and disposed of in order to minimize pollutants from discharging from the site, unless infeasible.

iii. Stabilization Requirements

The following requirements must be implemented for each site.

- (a) Temporary stabilization must be implemented for earth disturbing activities on any portion of the site where ground disturbing construction activity has permanently ceased, or temporarily ceased for more than 14 calendar days. Temporary stabilization methods may include, but are not limited to, tarps, soil tackifier, and hydroseed. The permittee may exceed the 14-day schedule when either the function of the specific area of the site requires it to remain disturbed or physical characteristics of the terrain and climate prevent stabilization. The SWMP must document the constraints necessitating the alternative schedule, provide the alternate stabilization schedule, and identify all locations where the alternative schedule is applicable on the site map. Minimum inspection frequency and scope, as directed in Part I.D., must be followed for temporarily stabilized areas.
- (b) Final stabilization must be implemented for all construction sites covered under this permit. Final stabilization is reached when (1), (2), and (3) below are complete:
  - (1) All construction activities are complete.
  - (2) Permanent stabilization methods are complete. Permanent stabilization methods include, but are not limited to, permanent pavement or concrete, hardscape, xeriscape, stabilized driving surfaces, vegetative cover, or equivalent permanent alternative stabilization methods. The division may approve alternative final stabilization criteria for specific operations. Vegetative cover must meet the following criteria:
    - a. Evenly distributed perennial vegetation, and
    - b. Coverage, at a minimum, equal to 70 percent of what would have been provided by native vegetation in a local, undisturbed area or adequate reference site, and
  - (3) The permittee must ensure all temporary control measures are removed from the construction site once final stabilization is achieved, except when the control measure specifications allow the control measure to be left in place (i.e. bio-degradable control measures).
- (c) Final stabilization must be designed and installed as a permanent feature. Final stabilization measures for obtaining a vegetative cover or alternative stabilization methods include, but are not limited to, the following as appropriate:
  - (1) Seed mix selection and application methods;
  - (2) Soil preparation and amendments;
  - (3) Soil stabilization methods to provide adequate protection to minimize erosion (e.g. crimped straw, hydro mulch or rolled erosion control products);
  - (4) Appropriate sediment control measures as needed until final stabilization is achieved;

(5) Permanent pavement, hardscape, xeriscape, stabilized driving surfaces;

(d) Other alternative stabilization practices as applicable.

b. Maintenance

The permittee must ensure that all control measures remain in effective operating condition and are protected from activities that would reduce their effectiveness. Control measures must be maintained in accordance with good engineering, hydrologic and pollution control practices. Observations leading to the required maintenance of control measures can be made during a site inspection, or during general observations of site conditions. The necessary repairs or modifications to a [control measure requiring routine maintenance](#), as defined in Part I.E., must be conducted to maintain an effective operating condition. This section is not subject to the requirements in [Part I.B.1.c](#) below.

c. Corrective Actions

The permittee must assess the adequacy of control measures at the site, and the need for changes to those control measures, to ensure continued effective performance.

When an [inadequate control measure](#), as defined in Part I.E., is identified (i.e., new or replacement control measures become necessary), the following corrective action requirements apply. The permittee is in noncompliance with the permit until the inadequate control measure is replaced or corrected and returned to effective operating condition in compliance with [Part I.B.1](#) and the general requirements in [Part I.B.3](#). If the inadequate control measure results in noncompliance that meets the conditions of Part II.L., the permittee must also meet the requirements of that section.

- i. The permittee must take all necessary steps to minimize or prevent the discharge of pollutants from the permitted area and manage any stormwater run-on onto the site until a control measure is implemented and made operational and/or an inadequate control measure is replaced or corrected and returned to effective operating condition. If it is infeasible to install or repair the control measure immediately after discovering the deficiency, the following must be documented in the SWMP in [Part I.D.5.c](#) and kept on record in accordance with the recordkeeping requirements in Part II.

(a) Describe why it is infeasible to initiate the installation or repair immediately; and

(b) Provide a schedule for installing or repairing the control measure and returning it to an effective operating condition as soon as possible.

- ii. If applicable, the permittee must remove and properly dispose of any unauthorized release or discharge within and from the permitted area (e.g., discharge of non-stormwater, untreated stormwater containing pollutants, spill, or leak not authorized by this permit.) The permittee must also clean up any contaminated surfaces, if feasible, to minimize discharges of the material in subsequent storm events, including water remaining from the response that contains pollutants after active emergency firefighting response is complete.

2. Discharges to an Impaired Waterbody

a. [Total Maximum Daily Load](#) (TMDL)

If the discharge from the site of permit coverage flows to or could reasonably be expected to flow to any water body for which a TMDL has been approved, and stormwater discharges associated with construction activity were assigned a pollutant-specific Wasteload Allocation (WLA) under the TMDL, the division may:

- i. Ensure the WLA is implemented properly through alternative local requirements, such as by a

municipal stormwater permit; or

- ii. Notify the permittee of the WLA and amend the permittee's certification to add specific effluent limits and other requirements, as appropriate. The permittee may be required to do the following:
  - (a) Under the permittee's SWMP, implement specific control measures based on requirements of the WLA, and evaluate whether the requirements are met through implementation of existing stormwater control measures or if additional control measures are necessary. Document the calculations or other evidence demonstrating that the requirements are expected to be met; and
  - (b) If the evaluation shows that additional or modified control measures are necessary, describe the type and schedule for the control measure additions or modifications.
- iii. Discharge monitoring may also be required. The permittee may maintain coverage under the general permit provided they comply with the applicable requirements outlined above. The division reserves the right to require individual or alternate general permit coverage.

### 3. General Requirements

- a. Discharges authorized by this permit shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any applicable water quality standard, including narrative standards for water quality.
- b. The division may require sampling and testing, on a case-by-case basis, in the event that there is reason to suspect that the SWMP is not adequately minimizing pollutants in stormwater or in order to measure the effectiveness of the control measures in removing pollutants in the effluent. Such monitoring may include Whole Effluent Toxicity testing.
- c. The permittee must comply with the lawful requirements of federal agencies, municipalities, counties, drainage districts and other local agencies including applicable requirements in [Municipal Stormwater Management Programs](#) developed to comply with CDPS permits. The permittee must comply with local stormwater management requirements, policies and guidelines including those for erosion and sediment control.
- d. All construction site wastes must be properly managed to prevent potential pollution of state waters. This permit does not authorize on-site waste disposal.
- e. This permit does not relieve the permittee of the reporting requirements in 40 CFR 110, 40 CFR 117 or 40 CFR 302. Any discharge of hazardous material must be handled in accordance with the division's Noncompliance Notification Requirements (see [Part II.L](#) of the permit).

## C. STORMWATER MANAGEMENT PLAN (SWMP) REQUIREMENTS

### 1. SWMP General Requirements

- a. A SWMP shall be developed for each construction site listed under [Part I.A.3.a](#), including but not limited to, construction activity that will disturb one acre or more and/or are part of a common plan of development or sale covered by this permit. The SWMP must be prepared in accordance with good engineering, hydrologic and pollution control practices.
  - i. For public emergency related sites, a SWMP shall be created no later than 14 days after the commencement of construction activities.
- b. The permittee must implement the provisions of the SWMP as written and updated, from commencement of construction activity until final stabilization is complete. The division may review the SWMP.

- c. A copy of the SWMP must be retained onsite or be onsite when construction activities are occurring at the site unless the permittee specifies another location and obtains approval from the division.

## 2. SWMP Content

- a. The SWMP, at a minimum, must include the following elements.
  - i. Qualified Stormwater Manager. The SWMP must list individual(s) by title and name who are designated as responsible for implementing the SWMP in its entirety and meet the definition of a Qualified Stormwater Manager. This role may be filled by more than one individual.
  - ii. Spill Prevention and Response Plan. The SWMP must have a spill prevention and response plan. The plan may incorporate by reference any part of a Spill Prevention Control and Countermeasure (SPCC) plan under section 311 of the Clean Water Act (CWA) or a Spill Prevention Plan required by a separate CDPS permit. The relevant sections of any referenced plans must be available as part of the SWMP consistent with [Part I.C.4](#).
  - iii. Other CDPS Permits. The SWMP must list the applicable CDPS permits associated with the permitted site and the activities occurring on the permitted site (e.g. a CDPS Dewatering Permit).
  - iv. Materials Handling. The SWMP must describe handling procedures of all control measures implemented at the site to minimize impacts from handling [significant materials](#) that could contribute pollutants to runoff. These handling procedures can include control measures for pollutants and activities such as, exposed storage of building materials, paints and solvents, landscape materials, fertilizers or chemicals, sanitary waste material, trash and equipment maintenance or fueling procedures.
  - v. Potential Sources of Pollution. The SWMP must list all potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the site. This may include, but is not limited to, the following pollutant sources:
    - (a) Disturbed and stored soils;
    - (b) Vehicle tracking of sediments;
    - (c) Management of contaminated soils, if known to be present, or if contaminated soils are found during construction;
    - (d) Loading and unloading operations;
    - (e) Outdoor storage activities (erodible building materials, fertilizers, chemicals, etc.);
    - (f) Vehicle and equipment maintenance and fueling;
    - (g) Significant dust or particulate generating processes (e.g., saw cutting material, including dust);
    - (h) Routine maintenance activities involving fertilizers, pesticides, herbicides, detergents, fuels, solvents, oils, etc.;
    - (i) On-site waste management practices (waste piles, liquid wastes, dumpsters);
    - (j) Concrete truck/equipment washing, including washing of the concrete truck chute and associated fixtures and equipment;
    - (k) Dedicated asphalt, concrete batch plants and masonry mixing stations;

(l) Non-industrial waste sources such as worker trash and portable toilets.

- vi. Implementation of Control Measures. The SWMP must include design specifications that contain information on the implementation of all the structural and nonstructural control measures in use on the site in accordance with good engineering, hydrologic and pollution control practices; including, as applicable, drawings, dimensions, installation information, materials, implementation processes, control measure-specific inspection expectations, and maintenance requirements.

The SWMP must include a documented use agreement between the permittee and the owner or operator of any control measures located outside of the permitted area, that are utilized by the permittee's construction site for compliance with this permit, but not under the direct control of the permittee. The permittee is responsible for ensuring that all control measures located outside of their permitted area, that are being utilized by the permittee's construction site, are properly maintained and in compliance with all terms and conditions of the permit. The SWMP must include all information required of and relevant to any such control measures located outside the permitted area, including location, installation specifications, design specifications and maintenance requirements.

- vii. Site Description. The SWMP must include a site description which includes, at a minimum, the following:
- (a) The nature of the construction activity at the site;
  - (b) The proposed schedule for the sequence for major construction activities and the planned implementation of control measures for each phase. (e.g. clearing, grading, utilities, vertical, etc.);
  - (c) Estimates of the total acreage of the site, and the acreage expected to be disturbed by clearing, excavation, grading, or any other construction activities;
  - (d) A summary of any existing data and sources used in the development of the construction site plans or SWMP that describe the soil types found in the permitted area and the erodibility of the identified soil types;
  - (e) A description of the percent cover of native vegetation on the site if the site is undisturbed, or the percent cover of native vegetation in a similar, local undisturbed area or adequate reference area if the site is disturbed. Include the source or methodology for determining the percentage. If a percent cover is not appropriate for the site location (i.e. arid), describe the technique and justification for the identified cover of native vegetation;
  - (f) A description of any allowable non-stormwater discharges at the site, including those being discharged under a separate CDPS permit or a division low risk discharge guidance policy, and applicable control measures installed;
  - (g) A description of the drainage patterns from the site, including a description of the immediate source receiving the discharge and the receiving water(s) of the discharge, if different than the immediate source. If the stormwater discharge is to a [municipal separate storm sewer system](#), include the name of the entity owning that system, the location(s) of the stormwater discharge, and the receiving water(s);
  - (h) A description of all stream crossings located within the construction site boundary; and
  - (i) A description of the alternate temporary stabilization schedule, if applicable ([Part I.B.1.a.iii\(a\)](#)).

- (j) A description of the alternative diversion criteria as approved by the division, if applicable ([Part I.B.1.a.i\(i\)\(3\)](#)).

viii. Site Map. The SWMP must include a site map which includes, at a minimum, the following:

- (a) Construction site boundaries;
- (b) Flow arrows that depict stormwater flow directions on-site and runoff direction;
- (c) All areas of ground disturbance including areas of borrow and fill;
- (d) Areas used for storage of soil;
- (e) Locations of all waste accumulation areas, including areas for liquid, concrete, masonry, and asphalt;
- (f) Locations of dedicated asphalt, concrete batch plants and masonry mixing stations;
- (g) Locations of all structural control measures;
- (h) Locations of all non-structural control measures (e.g. temporary stabilization);
- (i) Locations of springs, streams, wetlands, diversions and other state waters, including areas that require pre-existing vegetation be maintained within 50 feet of a receiving water, where determined feasible in accordance with [Part I.B.1.a.i\(e\)](#);
- (j) Locations of all stream crossings located within the construction site boundary; and
- (k) Locations where alternative temporary stabilization schedules apply.

ix. Temporary Stabilization, Final Stabilization and Long Term Stormwater Management.

- (a) The SWMP must document the constraints necessitating an alternative temporary stabilization schedule, as referenced in [Part I.B.1.a.iii\(a\)](#), provide the alternate stabilization schedule, and identify all locations where the alternative schedule is applicable on the site map.
- (b) The SWMP must describe and locate the methods used to achieve final stabilization of all disturbed areas at the site, as listed in [Part I.B.1.a.iii\(b\)](#).
- (c) The SWMP must describe the measures used to establish final stabilization through vegetative cover or alternative stabilization method, as referenced in [Part I.B.1.a.iii\(c\)](#), and describe and locate any temporary control measures in place during the process of final stabilization.
- (d) The SWMP must describe and locate any planned permanent control measures to control pollutants in stormwater discharges that will occur after construction operations are completed, including but not limited to, detention/retention ponds, rain gardens, stormwater vaults, etc.

x. Inspection Reports. The SWMP must include documented inspection reports in accordance with [Part I.D.5.c](#).

### 3. SWMP Review and Revisions

Permittees must keep a record of SWMP changes made that includes the date and identification of the changes. The SWMP must be amended when the following occurs:

- a. A change in design, construction, operation, or maintenance of the site requiring implementation



of new or revised control measures;

- b. The SWMP proves ineffective in controlling pollutants in stormwater runoff in compliance with the permit conditions;
- c. Control measures identified in the SWMP are no longer necessary and are removed; and
- d. Corrective actions are taken onsite that result in a change to the SWMP.
- e. The site or areas of the site qualifying for reduced frequency inspections under [Part I.D.4](#).

For SWMP revisions made prior to or following a change(s) onsite, including revisions to sections addressing site conditions and control measures, a notation must be included in the SWMP that identifies the date of the site change, the control measure removed, or modified, the location(s) of those control measures, and any changes to the control measure(s). The permittee must ensure the site changes are reflected in the SWMP. The permittee is noncompliant with the permit until the SWMP revisions have been made.

#### 4. SWMP Availability

A copy of the SWMP must be provided upon request to the division, EPA, and any local agency with authority for approving sediment and erosion plans, grading plans or stormwater management plans within the time frame specified in the request. If the SWMP is required to be submitted to any of these entities, the submission must include a signed certification in accordance with [Part I.A.3.e](#), certifying that the SWMP is complete and compliant with all terms and conditions of the permit.

All SWMPs required under this permit are considered reports that must be available to the public under Section 308(b) of the CWA and Section 61.5(4) of the CDPS regulations. The permittee must make plans available to members of the public upon request. However, the permittee may claim any portion of a SWMP as confidential in accordance with 40 CFR Part 2.

### D. SITE INSPECTIONS

Site inspections must be conducted in accordance with the following requirements. The required inspection schedules are a minimum frequency and do not affect the permittee's responsibility to implement control measures in effective operating condition as prescribed in the SWMP, [Part I.C.2.a.vi](#), as proper maintenance of control measures may require more frequent inspections. Site inspections shall start within 7 calendar days of the commencement of construction activities on site.

#### 1. Person Responsible for Conducting Inspections

The person(s) inspecting the site may be on the permittee's staff or a third party hired to conduct stormwater inspections under the direction of the permittee(s). The permittee is responsible for ensuring that the inspector meets the definition of a Qualified Stormwater Manager. The inspector may be different than the individual(s) listed in [Part I.C.2.a.i](#).

#### 2. Inspection Frequency

Permittees must conduct site inspections in accordance with on the following minimum frequencies, unless the site meets the requirements of [Part I.D.3](#). All inspections must be recorded per [Part I.D.5.c](#).

- a. At least one inspection every 7 calendar days; or
- b. At least one inspection every 14 calendar days, if post-storm event inspections are conducted within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. Post-storm inspections may be used to fulfill the 14-day routine inspection requirement.
- c. When site conditions make the schedule required in this section impractical, the permittee may



petition the division to grant an alternate inspection schedule. The alternative inspection schedule must not be implemented prior to written approval by the division and incorporation into the SWMP.

### 3. Inspection Frequency for Discharges to Outstanding Waters

Permittees must conduct site inspections at least once every 7 calendar days for sites that discharge to a water body designated as an Outstanding Water by the Water Quality Control Commission.

### 4. Reduced Inspection Frequency

The permittee may perform site inspections at the following reduced frequencies when one of the following conditions exists:

#### a. Post-Storm Inspections at Temporarily Idle Sites

For permittees choosing an inspection frequency pursuant to [Part I.D.2.b](#) and if no construction activities will occur following a storm event, post-storm event inspections must be conducted prior to re-commencing construction activities, and no later than 72 hours following the storm event. If the post-storm event inspection qualifies under this section, the inspection delay must be documented in the inspection record per [Part I.D.5.c](#). Routine inspections must still be conducted at least every 14 calendar days.

#### b. Inspections at Completed Sites/Areas

When the site, or portions of a site, are awaiting establishment of a vegetative ground cover and final stabilization, the permittee must conduct a thorough inspection of the stormwater management system at least once every 30 days. Post-storm event inspections are not required under this schedule. This reduced inspection schedule is allowed if all of the following criteria are met:

- i. All construction activities resulting in ground disturbance are complete;
- ii. All activities required for final stabilization, in accordance with [Part I.B.1.a.iii\(b\) & \(c\)](#) and with the SWMP, have been completed, with the exception of the application of seed that has not occurred due to seasonal conditions or the necessity for additional seed application to augment previous efforts; and
- iii. The SWMP has been amended to locate those areas to be inspected in accordance with the reduced schedule allowed for in this paragraph.

#### c. Winter Conditions Inspections Exclusion

Inspections are not required for sites that meet all of the following conditions: construction activities are temporarily halted, snow cover exists over the entire site for an extended period, and melting conditions posing a risk of surface erosion do not exist. This inspection exception is applicable only during the period where melting conditions do not exist, and applies to the routine 7-day, 14-day and monthly inspections, as well as the post-storm-event inspections. When this inspection exclusion is implemented, the following information must be documented in accordance with the requirements in [Part I.C.3](#) and [Part I.D.5.c](#):

- i. Dates when snow cover existed;
- ii. Date when construction activities ceased; and
- iii. Date melting conditions began.

### 5. Inspection Scope

a. Areas to Be Inspected

When conducting a site inspection the following areas, if applicable, must be inspected for evidence of, or the potential for, pollutants leaving the construction site boundaries, entering the stormwater drainage system or discharging to state waters:

- i. Construction site perimeter;
- ii. All disturbed areas;
- iii. Locations of installed control measures;
- iv. Designated haul routes;
- v. Material and waste storage areas exposed to precipitation;
- vi. Locations where stormwater has the potential to discharge offsite; and
- vii. Locations where vehicles exit the site.

b. Inspection Requirements

- i. Visually verify whether all implemented control measures are in effective operational condition and are working as designed in their specifications to minimize pollutant discharges.
- ii. Determine if there are new potential sources of pollutants.
- iii. Assess the adequacy of control measures at the site to identify areas requiring new or modified control measures to minimize pollutant discharges.
- iv. Identify all areas of non-compliance with the permit requirements and, if necessary, implement corrective action(s) in accordance with [Part I.B.1.c.](#)

c. Inspection Reports

The permittee must keep a record of all inspections conducted for each permitted site. Inspection reports must identify any incidents of noncompliance with the terms and conditions of this permit. All inspection reports must be signed and dated in accordance with [Part I.A.3.f.](#) Inspection records must be retained in accordance with [Part II.O.](#) At a minimum, the inspection report must include:

- i. The inspection date;
- ii. Name(s) and title(s) of personnel conducting the inspection;
- iii. Weather conditions at the time of inspection;
- iv. Phase of construction at the time of inspection;
- v. Estimated acreage of disturbance at the time of inspection;
- vi. Location(s) and identification of control measures requiring routine maintenance;
- vii. Location(s) and identification of discharges of sediment or other pollutants from the site;
- viii. Location(s) and identification of inadequate control measures;
- ix. Location(s) and identification of additional control measures needed that were not in place at the time of inspection;

- x. Description of corrective action(s) for items vii, viii, ix, above, dates corrective action(s) were completed, including requisite changes to the SWMP, as necessary;
- xi. Description of the minimum inspection frequency (either in accordance with [Part I.D.2](#), [Part I.D.3](#) or [Part I.D.4](#).) utilized when conducting each inspection.
- xii. Deviations from the minimum inspection schedule as required in [Part I.D.2](#). This would include documentation of division approval for an alternate inspection schedule outlined in [Part I.D.2.c](#);
- xiii. After adequate corrective action(s) have been taken, or where a report does not identify any incidents requiring corrective action, the report shall contain a statement as required in [Part I.A.3.f](#).

#### E. DEFINITIONS

For the purposes of this permit:

- (1) Bypass the intentional diversion of waste streams from any portion of a treatment facility in accordance with 40 CFR 122.41(m)(1)(i) and Regulation 61.2(12).
- (2) Common Plan of Development or Sale - A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules, but remain related. The division has determined that "contiguous" means construction activities located in close proximity to each other (within ¼ mile). Construction activities are considered to be "related" if they share the same development plan, builder or contractor, equipment, storage areas, etc. "Common plan of development or sale" includes construction activities that are associated with the construction of field wide oil and gas permits for facilities that are related.
- (3) Construction Activity - Ground surface disturbing and associated activities (land disturbance), which include, but are not limited to, clearing, grading, excavation, demolition, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Construction does not include routine maintenance to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. Activities to conduct repairs that are not part of routine maintenance or for replacement are construction activities and are not routine maintenance. Repaving activities where underlying and/or surrounding soil is exposed as part of the repaving operation are considered construction activities. Construction activity is from initial ground breaking to final stabilization regardless of ownership of the construction activities.
- (4) Control Measure - Any best management practice or other method used to prevent or reduce the discharge of pollutants to state waters. Control measures include, but are not limited to, best management practices. Control measures can include other methods such as the installation, operation, and maintenance of structural controls and treatment devices.
- (5) Control Measure Requiring Routine Maintenance - Any control measure that is still operating in accordance with its design and the requirements of this permit, but requires maintenance to prevent a breach of the control measure. See also inadequate control measure.
- (6) Dedicated Asphalt, Concrete Batch Plants and Masonry Mixing Stations - Are batch plants or mixing stations located on, or within ¼ mile of, a construction site and that provide materials only to that specific construction site.
- (7) Diversion - Discharges of state waters that are temporarily routed through channels or structures (e.g. in-stream, uncontaminated springs, non-pumped groundwater, temporary rerouting of surface waters).
- (8) Final Stabilization - The condition reached when construction activities at the site have been

- completed, permanent stabilization methods are complete, and temporary control measures are removed. Areas being stabilized with a vegetative cover must have evenly distributed perennial vegetation. The vegetation coverage must be, at a minimum, equal to 70 percent of what would have been provided by native vegetation in a local, undisturbed area or adequate reference site.
- (9) Good Engineering, Hydrologic and Pollution Control Practices: are methods, procedures, and practices that:
- a. Are based on basic scientific fact(s).
  - b. Reflect best industry practices and standards.
  - c. Are appropriate for the conditions and pollutant sources.
  - d. Provide appropriate solutions to meet the associated permit requirements, including practice based effluent limits.
- (10) Inadequate Control Measure - Any control measure that is not designed or implemented in accordance with the requirements of the permit and/or any control measure that is not implemented to operate in accordance with its design. See also Control Measure Requiring Routine Maintenance.
- (11) Infeasible - Not technologically possible, or not economically practicable and achievable in light of best industry practices.
- (12) Minimize - reduce or eliminate to the extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.
- (13) Municipality - A city, town, county, district, association, or other public body created by, or under, State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or a designated and approved management agency under section 208 of CWA (1987).
- (14) Municipal Separate Storm Sewer System (MS4) - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
- a. Owned or operated by a State, city, town, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to state waters;
    - i. Designed or used for collecting or conveying stormwater;
    - ii. Are not a combined sewer; and
    - iii. Are not part of a Publicly Owned Treatment Works (POTW). See 5 CCR 1002-61.2(62).
- (15) Municipal Stormwater Management Program - A stormwater program operated by a municipality, typically to meet the requirements of the municipalities MS4 discharge certification.
- (16) Operator - The party that has operational control over day-to-day activities at a project site which are necessary to ensure compliance with the permit. This party is authorized to direct individuals at a site to carry out activities required by the permit (i.e. the general contractor).

- (17) Outstanding Waters - Waters designated as outstanding waters pursuant to Regulation 31, Section 31.8(2)(a). The highest level of water quality protection applies to certain waters that constitute an outstanding state or national resource.
- (18) Owner - The party that has overall control of the activities and that has funded the implementation of the construction plans and specifications. This is the party that may have ownership of, a long term lease of, or easements on the property on which the construction activity is occurring (e.g. the developer).
- (19) Permittee(s) - The owner and operator named in the discharge certification issued under this permit for the construction site specified in the certification.
- (20) Point Source - Any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. Point source does not include irrigation return flow. See 5 CCR 102-61.2(75).
- (21) Pollutant - Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, or any industrial, municipal or agricultural waste. See 5 CCR 1002-61.2(76).
- (22) Presentation of credentials - a government issued form of identification, if in person; or (ii) providing name, position and purpose of inspection if request to enter is made via telephone, email or other form of electronic communication. A Permittee's non-response to a request to enter upon presentation of credentials constitutes a denial to such request, and may result in violation of the Permit.
- (23) Process Water - Any water which, during manufacturing or processing, comes into contact with or results from the production of any raw material, intermediate product, finished product, by product or waste product.
- (24) Public Emergency Related Site - a project initiated in response to an unanticipated emergency (e.g., mud slides, earthquake, extreme flooding conditions, disruption in essential public services), for which the related work requires immediate authorization to avoid imminent endangerment to human health or the environment, or to reestablish essential public services.
- (25) Qualified Stormwater Manager - An individual knowledgeable in the principles and practices of erosion and sediment control and pollution prevention, and with the skills to assess conditions at construction sites that could impact stormwater quality and to assess the effectiveness of stormwater controls implemented to meet the requirements of this permit.
- (26) Qualifying Local Program - A municipal program for stormwater discharges associated with small construction activity that was formally approved by the division as a qualifying local program.
- (27) Receiving Water - Any classified or unclassified surface water segment (including tributaries) in the State of Colorado into which stormwater associated with construction activities discharges. This definition includes all water courses, even if they are usually dry, such as borrow ditches, arroyos, and other unnamed waterways.
- (28) Severe Property Damage - substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. See 40 CFR 122.41(m)(1)(ii).
- (29) Significant Materials - Include, but 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 CERCLA; any chemical the permittee is required to report under section 313 of Title III of the 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 stormwater discharges.
- (30) Small Construction Activity - The discharge of stormwater from construction activities that result in land disturbance of equal to, or greater than, one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan ultimately disturbs equal to, or greater than, one acre and less than five acres.
- (31) Spill - An unintentional release of solid or liquid material which may pollute state waters.
- (32) State Waters - means any and all surface and subsurface waters which are contained in or flow in or through this state, but does not include waters in sewage systems, waters in treatment works of disposal systems, waters in potable water distribution systems, and all water withdrawn for use until use and treatment have been completed.
- (33) Steep Slopes: where a local government, or industry technical manual (e.g. stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 3:1 or greater.
- (34) Stormwater - Precipitation runoff, snow melt runoff, and surface runoff and drainage. See 5 CCR 1002-61.2(103).
- (35) Total Maximum Daily Loads (TMDLs) -The sum of the individual wasteload allocations (WLA) for point sources and load allocations (LA) for nonpoint sources and natural background. For the purposes of this permit, a TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes WLAs, LAs, and must include a margin of safety (MOS), and account for seasonal variations. See section 303(d) of the CWA and 40 C.F.R. 130.2 and 130.7.
- (36) Upset - an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation in accordance with 40 CFR 122.41(n) and Regulation 61.2(114).

#### F. MONITORING

The division may require sampling and testing, on a case-by-case basis. If the division requires sampling and testing, the division will send a notification to the permittee. Reporting procedures for any monitoring data collected will be included in the notification.

If monitoring is required, the following applies:

1. The thirty (30) day average must be determined by the arithmetic mean of all samples collected during a thirty (30) consecutive-day period; and
2. A grab sample, for monitoring requirements, is a single "dip and take" sample.

#### G. OIL AND GAS CONSTRUCTION

Stormwater discharges associated with construction activities directly related to oil and gas exploration, production, processing, and treatment operations or transmission facilities are regulated under the Colorado Discharge Permit System Regulations (5 CCR 1002-61), and require coverage under this permit in accordance with that regulation. However, references in this permit to specific authority under the CWA do not apply to

stormwater discharges associated with these oil and gas related construction activities, to the extent that the references are limited by the federal Energy Policy Act of 2005.

## Part II: Standard Permit Conditions

### A. DUTY TO COMPLY

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Water Quality Control Act and is grounds for:

1. Enforcement action;
2. Permit termination, revocation and reissuance, or modification; or
3. Denial of a permit renewal application.

### B. DUTY TO REAPPLY

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain authorization as required by Part I.A.3.k. of the permit.

### C. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

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

### D. DUTY TO MITIGATE

A permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

### E. PROPER OPERATION AND MAINTENANCE

A permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit. This requirement can be met by meeting the requirements for Part I.B., I.C., and I.D. above. See also 40 C.F.R. § 122.41(e).

### F. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated for cause. The permittee request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. Any request for modification, revocation, reissuance, or termination under this permit must comply with all terms and conditions of Regulation 61.8(8).

### G. PROPERTY RIGHTS

In accordance with 40 CFR 122.41(g) and 5 CCR 1002-61, 61.8(9):

1. The issuance of a permit does not convey any property or water rights in either real or personal property, or stream flows or any exclusive privilege.
2. The issuance of a permit does not authorize any injury to person or property or any invasion of personal rights, nor does it authorize the infringement of federal, state, or local laws or regulations.
3. Except for any toxic effluent standard or prohibition imposed under Section 307 of the Federal act or any standard for sewage sludge use or disposal under Section 405(d) of the Federal act, compliance with a permit during its term constitutes compliance, for purposes of enforcement, with Sections 301,



302, 306, 318, 403, and 405(a) and (b) of the Federal act. However, a permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in Section 61.8(8) of the Colorado Discharge Permit System Regulations.

#### H. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the division, within a reasonable time, any information which the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the division, upon request, copies of records required to be kept by this permit in accordance with 40 CFR 122.41(h) and/or Regulation 61.8(3)(q).

#### I. INSPECTION AND ENTRY

The permittee shall allow the division and the authorized representative, upon the [presentation of credentials](#) as required by law, to allow for inspections to be conducted in accordance with 40 CFR 122.41(i), Regulation 61.8(3), and Regulation 61.8(4):

1. To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
2. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit;
3. At reasonable times, inspect any monitoring equipment or monitoring method required in the permit; and
4. To enter upon the permittee's premises in a reasonable manner and at a reasonable time to inspect or investigate, any actual, suspected, or potential source of water pollution, or any violation of the Colorado Water Quality Control Act. The investigation may include: sampling of any discharges, stormwater or [process water](#), taking of photographs, interviewing site staff on alleged violations and other matters related to the permit, and assessing any and all facilities or areas within the site that may affect discharges, the permit, or an alleged violation.

The permittee shall provide access to the division or other authorized representatives upon presentation of proper credentials. A permittee's non-response to a request to enter upon presentation of credentials constitutes a denial of such request, and may result in a violation of the permit.

#### J. MONITORING AND RECORDS

1. Samples and measurements taken for the purpose of monitoring must be representative of the volume and nature of the monitored activity.
2. The permittee must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date the permit expires or the date the permittee's authorization is terminated. This period may be extended by request of the division at any time.
3. Records of monitoring information must include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) analyses were performed

- d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
4. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in the permit.

#### K. SIGNATORY REQUIREMENTS

##### 1. Authorization to Sign:

All documents required to be submitted to the division by the permit must be signed in accordance with the following criteria:

- a. For a corporation: by a responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means:
  - i. A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
  - ii. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- c. For a [municipality](#), state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes
  - i. The chief executive officer of the agency, or
  - ii. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency. (e.g. Regional Administrator of EPA)

##### 2. Electronic Signatures

For persons signing applications for coverage under this permit electronically, in addition to meeting other applicable requirements stated above, such signatures must meet the same signature, authentication, and identity-proofing standards set forth at 40 CFR § 3.2000(b) for electronic reports (including robust second-factor authentication). Compliance with this requirement can be achieved by submitting the application using the Colorado Environmental Online Service (CEOS) system.

##### 3. Change in Authorization to Sign

If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to the division, prior to the re-authorization, or together with any reports, information, or applications to be signed by an authorized representative.

## L. REPORTING REQUIREMENTS

### 1. Planned Changes

The permittee shall give advance notice to the division, in writing, of any planned physical alterations or additions to the permitted facility in accordance with 40 CFR 122.41(l) and Regulation 61.8(5)(a). Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.41(a)(1).

### 2. Anticipated Non-Compliance

The permittee shall give advance notice to the division, in writing, of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. The timing of notification requirements differs based on the type of non-compliance as described in subparagraphs 5, 6, 7, and 8 below.

### 3. Transfer of Ownership or Control

The permittee shall notify the division, in writing, ten (10) calendar days in advance of a proposed transfer of the permit. This permit is not transferable to any person except after notice is given to the division.

- a. Where a facility wants to change the name of the permittee, the original permittee (the first owner or operators) must submit a Notice of Termination.
- b. The new owner or operator must submit an application. See also signature requirements in Part II.K, above.
- c. A permit may be automatically transferred to a new permittee if:
  - i. The current permittee notifies the division in writing 30 calendar days in advance of the proposed transfer date; and
  - ii. The notice includes a written agreement between the existing and new permittee(s) containing a specific date for transfer of permit responsibility, coverage and liability between them; and
  - iii. The division does not notify the existing permittee and the proposed new permittee of its intent to modify, or revoke and reissue the permit.
  - iv. Fee requirements of the Colorado Discharge Permit System Regulations, Section 61.15, have been met.

### 4. Monitoring reports

Monitoring results must be reported at the intervals specified in this permit per the requirements of 40 CFR 122.41(l)(4).

### 5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule in the permit, shall be submitted on the date listed

in the compliance schedule section. The fourteen (14) calendar day provision in Regulation 61.8(4)(n)(i) has been incorporated into the due date.

6. Twenty-four Hour Reporting

In addition to the reports required elsewhere in this permit, the permittee shall report the following circumstances orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances, and shall mail to the division a written report containing the information requested within five (5) working days after becoming aware of the following circumstances:

- a. Circumstances leading to any noncompliance which may endanger health or the environment regardless of the cause of the incident;
- b. Circumstances leading to any unanticipated bypass which exceeds any effluent limitations in the permit;
- c. Circumstances leading to any upset which causes an exceedance of any effluent limitation in the permit;
- d. Daily maximum violations for any of the pollutants limited by Part I of this permit. This includes any toxic pollutant or hazardous substance or any pollutant specifically identified as the method to control any toxic pollutant or hazardous substance.
- e. The division may waive the written report required under subparagraph 6 of this section if the oral report has been received within 24 hours.

7. Other Non-Compliance

A permittee must report all instances of noncompliance at the time monitoring reports are due. If no monitoring reports are required, these reports are due at least annually in accordance with Regulation 61.8(4)(p). The annual report must contain all instances of non-compliance required under either subparagraph 5 or subparagraph 6 of this subsection.

8. Other Information

Where a permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Permitting Authority, it has a duty to promptly submit such facts or information.

M. BYPASS

1. Bypass Not Exceeding Limitations

The permittees may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Part II.M.2 of this permit. See 40 CFR 122.41(m)(2).

2. Notice of Bypass

- a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, the permittee must submit prior notice, if possible at least ten days before the date of the bypass. See 40 CFR §122.41(m)(3)(i) and/or Regulation 61.9(5)(c).
- b. Unanticipated bypass. The permittee must submit notice of an unanticipated bypass in accordance with Part II.L.6. See 40 CFR §122.41(m)(3)(ii).

3. Prohibition of Bypass

Bypasses are prohibited and the division may take enforcement action against the permittee for bypass, unless:

- a. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. Proper notices were submitted to the division.

#### N. UPSET

##### 1. Effect of an upset

An upset constitutes an affirmative defense to an action brought for noncompliance with permit effluent limitations if the requirements of Part II.N.2. of this permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review in accordance with Regulation 61.8(3)(j).

##### 2. Conditions Necessary for Demonstration of an Upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

- a. An upset occurred and the permittee can identify the specific cause(s) of the upset;
- b. The permitted facility was at the time being properly operated and maintained; and
- c. The permittee submitted proper notice of the upset as required in Part II.L.6.(24- hour notice); and
- d. The permittee complied with any remedial measure necessary to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. In addition to the demonstration required above, a permittee who wishes to establish the affirmative defense of upset for a violation of effluent limitations based upon water quality standards shall also demonstrate through monitoring, modeling or other methods that the relevant standards were achieved in the receiving water.

##### 3. Burden of Proof

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

#### O. RETENTION OF RECORDS

##### 1. Post-Expiration or Termination Retention

Copies of documentation required by this permit, including records of all data used to complete the application for permit coverage to be covered by this permit, must be retained for at least three years from the date that permit coverage expires or is terminated. This period may be extended by request of EPA at any time.

##### 2. On-site Retention

The permittee must retain an electronic version or hardcopy of the SWMP at the construction site from

the date of the initiation of construction activities to the date of expiration or inactivation of permit coverage; unless another location, specified by the permittee, is approved by the division.

#### P. REOPENER CLAUSE

##### 1. Procedures for Modification or Revocation

Permit modification or revocation of this permit or coverage under this permit will be conducted according to Regulation 61.8(8).

##### 2. Water Quality Protection

If there is evidence indicating that the stormwater discharges authorized by this permit cause, have the reasonable potential to cause or contribute to an excursion above any applicable water quality standard, the permittee may be required to obtain an individual permit, or the permit may be modified to include different limitations and/or requirements.

#### Q. SEVERABILITY

The provisions of this permit are severable. If any provisions or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

#### R. NOTIFICATION REQUIREMENTS

##### 1. Notification to Parties

All notification requirements, excluding information submitted using the CEOS portal, shall be directed as follows:

- a. Oral Notifications, during normal business hours shall be to:  
Clean Water Compliance Section  
Water Quality Control Division  
Telephone: (303) 692-3500
- b. Written notification shall be to:  
Clean Water Compliance Section  
Water Quality Control Division  
Colorado Department of Public Health and Environment  
WQCD-WQP-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

#### S. RESPONSIBILITIES

##### 1. Reduction, Loss, or Failure of Treatment Facility

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the effluent limitations of the permit. It shall not be a defense for a permittee in an enforcement action that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

#### T. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 (Oil and Hazardous Substance Liability) of the CWA.

#### U. EMERGENCY POWERS

Nothing in this permit shall be construed to prevent or limit application of any emergency power of the division.

#### V. CONFIDENTIALITY

Any information relating to any secret process, method of manufacture or production, or sales or marketing data which has been declared confidential by the permittee, and which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the Water Quality Control Commission or the division, but shall be kept confidential. Any person seeking to invoke the protection of this section shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

#### W. FEES

The permittee is required to submit payment of an annual fee as set forth in the 2016 amendments to the Water Quality Control Act. Section 25-8-502 (1.1) (b), and the Colorado Discharge Permit System Regulations 5 CCR 1002-61, Section 61.15 as amended. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S.1973 as amended.

#### X. DURATION OF PERMIT

The duration of a permit shall be for a fixed term and shall not exceed five (5) years. If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least ninety (90) calendar days before this permit expires. Filing of a timely and complete application shall cause the expired permit to continue in force to the effective date of the new permit. The permit's duration may be extended only through administrative extensions and not through interim modifications. If the permittee anticipates there will be no discharge after the expiration date of this permit, the division should be promptly notified so that it can terminate the permit in accordance with Part I.A.3.i.

#### Y. SECTION 307 TOXICS

If a toxic effluent standard or prohibition, including any applicable schedule of compliance specified, is established by regulation pursuant to Section 307 of the Federal Act for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the discharge permit, the division shall institute proceedings to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition

***Appendix D – NOI and Acknowledgement Letter from EPA/State  
(Insert copy of permits here once obtained)***



## ***Appendix E – Inspection Report***

## Stormwater Inspection Report Template

Facility Name		Permittee					
Date of Inspection		Weather Conditions					
Permit Certification #		Disturbed Acreage					
Phase of Construction		Inspector Title					
Inspector Name							
Is the above inspector a qualified stormwater manager? (permittee is responsible for ensuring that the inspector is a qualified stormwater manager)			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	YES	NO	<input type="checkbox"/>	<input type="checkbox"/>
YES	NO						
<input type="checkbox"/>	<input type="checkbox"/>						

### INSPECTION FREQUENCY

Check the box that describes the minimum inspection frequency utilized when conducting each inspection		
At least one inspection every 7 calendar days	<input type="checkbox"/>	
At least one inspection every 14 calendar days, with post-storm event inspections conducted within 24 hours after the end of any precipitation or snowmelt event that causes surface erosions	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>This is this a post-storm event inspection. Event Date: _____</li> </ul>	<input type="checkbox"/>	
Reduced inspection frequency - Include site conditions that warrant reduced inspection frequency	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Post-storm inspections at temporarily idle sites</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Inspections at completed sites/area</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Winter conditions exclusion</li> </ul>	<input type="checkbox"/>	
Have there been any deviations from the minimum inspection schedule? If yes, describe below.	YES <input type="checkbox"/>	NO <input type="checkbox"/>

### INSPECTION REQUIREMENTS\*

i. Visually verify all implemented control measures are in effective operational condition and are working as designed in the specifications
ii. Determine if there are new potential sources of pollutants
iii. Assess the adequacy of control measures at the site to identify areas requiring new or modified control measures to minimize pollutant discharges
iv. Identify all areas of non-compliance with the permit requirements, and if necessary, implement corrective action
*Use the attached <b>Control Measures Requiring Routine Maintenance</b> and <b>Inadequate Control Measures Requiring Corrective Action</b> forms to document results of this assessment that trigger either maintenance or corrective actions

### AREAS TO BE INSPECTED

Is there evidence of, or the potential for, pollutants leaving the construction site boundaries, entering the stormwater drainage system or discharging to state waters at the following locations?			
	NO	YES	If "YES" describe discharge or potential for discharge below. Document related maintenance, inadequate control measures and corrective actions <b>Inadequate Control Measures Requiring Corrective Action</b> form
Construction site perimeter	<input type="checkbox"/>	<input type="checkbox"/>	
All disturbed areas	<input type="checkbox"/>	<input type="checkbox"/>	
Designated haul routes	<input type="checkbox"/>	<input type="checkbox"/>	
Material and waste storage areas exposed to precipitation	<input type="checkbox"/>	<input type="checkbox"/>	
Locations where stormwater has the potential to discharge offsite	<input type="checkbox"/>	<input type="checkbox"/>	
Locations where vehicles exit the site	<input type="checkbox"/>	<input type="checkbox"/>	
Locations of installed control measures	<input type="checkbox"/>	<input type="checkbox"/>	

## CONTROL MEASURES REQUIRING ROUTINE MAINTENANCE

Definition: Any control measure that is still operating in accordance with its design and the requirements of the permit, but requires maintenance to prevent a breach of the control measure. These items are not subject to the corrective action requirements as specified in Part I.B.1.c of the permit.

Are there control measures requiring maintenance?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	If "YES" document below

[illegible]

Definition: Any control measure that is not designed or implemented in accordance with the requirements of the permit and/or any control measure that is not implemented to operate in accordance with its design. This includes control measures that have not been implemented for pollutant sources. If it is infeasible to install or repair the control measure immediately after discovering the deficiency the reason must be documented and a schedule included to return the control measure to effective operating condition as possible.

Are there additional control measures needed that were not in place at the time of inspection?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	If "YES" document below

[illegible]

## REPORTING REQUIREMENTS

The permittee shall report the following circumstances orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances, and shall mail to the division a written report containing the information requested within five (5) working days after becoming aware of the following circumstances. The division may waive the written report required if the oral report has been received within 24 hours.

<b>All Noncompliance Requiring 24-Hour Notification per Part II.L.6 of the Permit</b>		
<b>a. Endangerment to Health or the Environment</b> Circumstances leading to any noncompliance which may endanger health or the environment regardless of the cause of the incident (See Part II.L.6.a of the Permit) <i>This category would primarily result from the discharge of pollutants in violation of the permit</i>		
<b>b. Numeric Effluent Limit Violations</b> <ul style="list-style-type: none"> <li>○ Circumstances leading to any unanticipated bypass which exceeds any effluent limitations (See Part II.L.6.b of the Permit)</li> <li>○ Circumstances leading to any upset which causes an exceedance of any effluent limitation (See Part II.L.6.c of the Permit)</li> <li>○ Daily maximum violations (See Part II.L.6.d of the Permit)</li> </ul> <i>Numeric effluent limits are very uncommon in certifications under the COR400000 general permit. This category of noncompliance only applies if numeric effluent limits are included in a permit certification.</i>		

Has there been an incident of noncompliance requiring 24-hour notification?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	If "YES" document below

Date and Time of Incident	Location	Description of Noncompliance	Description of Corrective Action	Date and Time of 24 Hour Oral Notification	Date of 5 Day Written Notification *

\*Attach copy of 5 day written notification to report. Indicate if written notification was waived, including the name of the division personnel who granted waiver.

"I verify that, to the best of my knowledge and belief, all corrective action identified during the inspection are complete, and the site is currently in compliance with the permit."

\_\_\_\_\_  
Name of Qualified Stormwater Manager

\_\_\_\_\_  
Title of Qualified Stormwater Manager

\_\_\_\_\_  
Signature of Qualified Stormwater Manager

\_\_\_\_\_  
Date

Notes/Comments

--

## Appendix F – Corrective Action Log

**Project Name:**  
**SWPPP Contact:**

[illegible]

## Appendix G –SWPPP Amendment Log

**Project Name:**  
**SWPPP Contact:**

[illegible]



## Appendix H –Subcontractor Certifications/Agreements

### SUBCONTRACTOR CERTIFICATION STORMWATER POLLUTION PREVENTION PLAN

Project Number: \_\_\_\_\_

Project Title: \_\_\_\_\_

Operator(s): \_\_\_\_\_

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

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

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

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

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Type of construction service to be provided: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix I – Grading and Stabilization Activities Log

**Project Name:**  
**SWPPP Contact:**

[illegible]

## Appendix J –SWPPP Training Log

### Stormwater Pollution Prevention Training Log

Project Name:

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: \_\_\_\_\_ Date: \_\_\_\_\_

Course Length (hours): \_\_\_\_\_

Stormwater Training Topic: *(check as appropriate)*

- ☐ Erosion Control BMPs      ☐ Emergency Procedures  
☐ Sediment Control BMPs      ☐ Good Housekeeping BMPs  
☐ Non-Stormwater BMPs

Specific Training Objective: \_\_\_\_\_

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

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

## Appendix K – Delegation of Authority Form

### Delegation of Authority

I, \_\_\_\_\_ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Construction General Permit, at the \_\_\_\_\_ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

\_\_\_\_\_ (name of person or position)  
\_\_\_\_\_ (company)  
\_\_\_\_\_ (address)  
\_\_\_\_\_ (Village, state, zip)  
\_\_\_\_\_ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in \_\_\_\_\_ (Reference State Permit), and that the designee above meets the definition of a “duly authorized representative” as set forth in \_\_\_\_\_ (Reference State Permit).

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

**Name:** \_\_\_\_\_

**Company:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_