

# Who Wants To Be A Millionaire?

---



# Millionaire Review Question #1

Which of the following is not required to be shown on the Vicinity Map?

A) Construction site perimeter

B) Known wells

C) Discharge locations

D) Contractor's storage yard

## Millionaire Review Question #2

The Contractors WPCM and SWPPP preparer shall have a minimum of \_\_\_ hours of formal training?

A) 8

B) 16

C) 24

D) 40

## Millionaire Review Question #3

Which of the following operations is allowed before SWPPP approval is granted?

A) Concrete Placement

B) Construction Signing

C) Soil Import or Export

D) Utility relocation

# Millionaire Review Question #4

**The cost for BMP implementation must be included in the SWPPP in:**

**A) Maint., Inspection and Repair Program**

**B) Project Schedule**

**C) Special Provisions**

**D) SWPPP Cost Breakdown**

# RE Responsibilities During Construction

## ➔ Course Highlights

- ⇒ Introduction
- ⇒ Recent Fines
- ⇒ Role of the Players
- ⇒ Management Tools
- ⇒ RE Responsibilities Before Construction
- ⇒ **RE Responsibilities During Construction**
- ⇒ Project Closeout Responsibilities

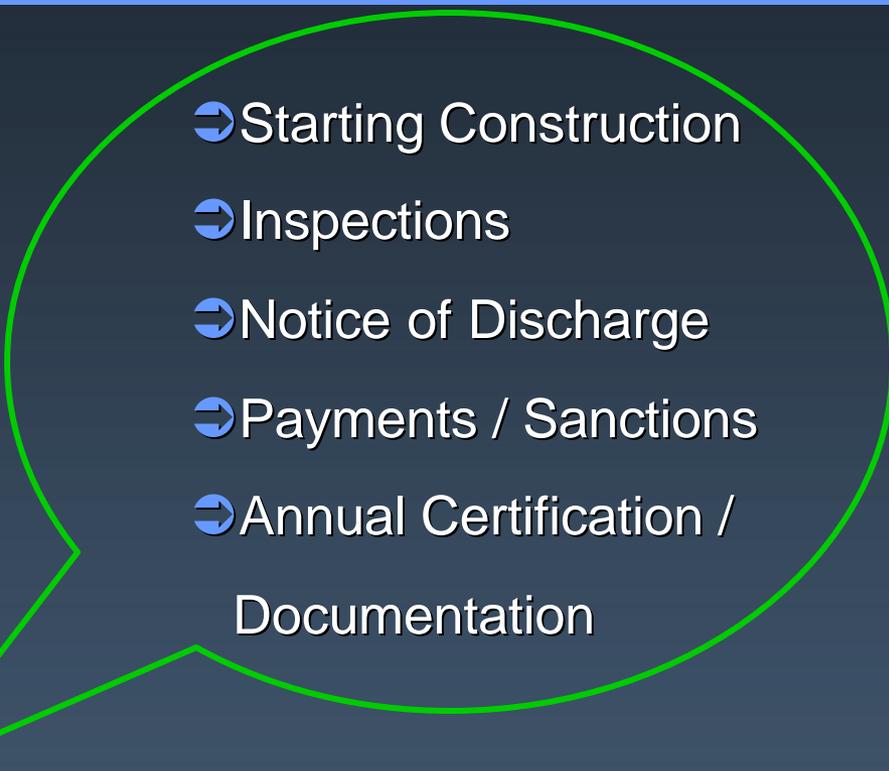


# RE Responsibilities During Construction

---

## ➔ Course Highlights

- ⇒ Introduction
- ⇒ Recent Fines
- ⇒ Role of the Players
- ⇒ Management Tools
- ⇒ RE Responsibilities Before Construction
- ⇒ **RE Responsibilities During Construction**
- ⇒ Project Closeout Responsibilities

- 
- ➔ Starting Construction
  - ➔ Inspections
  - ➔ Notice of Discharge
  - ➔ Payments / Sanctions
  - ➔ Annual Certification / Documentation

# Starting Construction

- ➔ No work having the potential to cause water pollution can start before RE approval of the SWPPP/WPCP
- ➔ Contractor should not:
  - ⇒ Move-in equipment or pollutant causing materials
  - ⇒ Disturb soil areas
  - ⇒ Track sediment onto adjacent roads



# Starting Construction

---

## ⇒ Conditional Approval

⇒ After submission of a SWPPP/WPCP, the RE may allow certain construction activities to start while the revisions are incorporated

## ⇒ Consider the following:

⇒ Season

⇒ Type of activity

⇒ Location of activity

⇒ Whether required SWPPP revision addresses activity

# RE Responsibilities During Construction

---

## ➔ Course Highlights

- ➔ Introduction
- ➔ Recent Fines
- ➔ Role of the Players
- ➔ Management Tools
- ➔ RE Responsibilities Before Construction
- ➔ **RE Responsibilities During Construction**
- ➔ Project Closeout Responsibilities

- 
- ➔ Starting Construction
  - ➔ Inspections
  - ➔ Notice of Discharge
  - ➔ Payments / Sanctions
  - ➔ Annual Certification / Documentation

# Inspections

## ➔ Contractor

⇒ Review contractor inspection reports

## ➔ Caltrans

⇒ Inspect the contractor's operations for water pollution control compliance

⇒ If compliance inspection rating of **3 or 4** is received RWQCB notification may be required – CPD 01-08

Attachment H  
Storm Water Quality Construction Inspection Checklist

GENERAL INFORMATION				
Project Name				
Caltrans Contract N°				
Contractor				
Inspector's Name				
Inspector's Title				
Signature				
Date of Inspection				
Inspection Type (Check Applicable)	<input type="checkbox"/> Prior to forecast rain			<input type="checkbox"/> After a rain event
	<input type="checkbox"/> 24-hr intervals during extended rain			<input type="checkbox"/> Other _____
Season (Check Applicable)	<input type="checkbox"/> Rainy		<input type="checkbox"/> Non-Rainy	
Storm Date	Storm Start Date & Time:		Storm Duration (hrs):	
	Time elapsed since last storm (Circle Applicable Units)	Min	Hr	Days
			Approximate Rainfall Amount (mm)	

PROJECT AREA SUMMARY AND DISTURBED SOIL AREA (DSA) SIZE LIMITS FROM SPECIAL PROVISIONS			
Total Project Area	_____ Hectares	_____ Acres	
Rainy Season DSA Limit	_____ Hectares	_____ Acres	
Field Estimate of Active DSAs	_____ Hectares	_____ Acres	

OTHER REQUIREMENTS				
Requirement	Yes	No	N/A	Corrective Action
<b>Preservation of Existing Vegetation</b>				
Is temporary fencing provided to preserve vegetation in areas where no construction activity is planned?				
Location:				
Location:				
Location:				

# Inspections

## ➔ Frequency

- ⇒ Prior to anticipated storm events
- ⇒ During extended storm events (once each 24-hour period)
- ⇒ After actual storm events
- ⇒ Weekly during rainy season
- ⇒ Every 2 weeks during non-rainy season
- ⇒ As specified in the Special Provisions



# Inspections

- ➔ **Prior to an anticipated storm event, confirm:**
  - ⇒ Active areas limited as specified (rainy season)
  - ⇒ The protection of active and non-active DSAs
  - ⇒ The control of off-site storm water run-on
  - ⇒ The condition of drainage systems
  - ⇒ BMPs are properly implemented



# Inspections

## ➔ During a storm event:

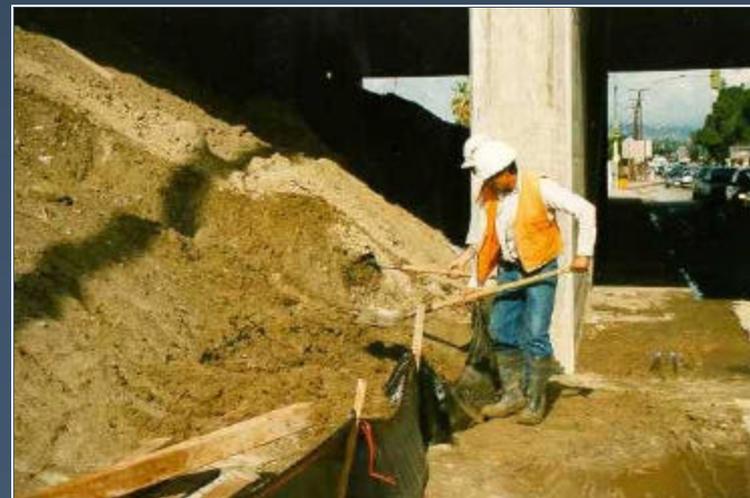
- ⇒ Best time to review BMPs!
- ⇒ Confirm the proper functioning of BMPs
- ⇒ Ensure BMPs do not cause flooding or traffic hazard
- ⇒ Repair or revise BMPs as conditions allow
- ⇒ Good learning experience



# Inspections

## ➔ After an actual storm event:

- ⇒ Identify BMPs that failed
- ⇒ Identify BMPs that need maintenance
- ⇒ Repair, revise and maintain BMPs as necessary
- ⇒ Good learning experience

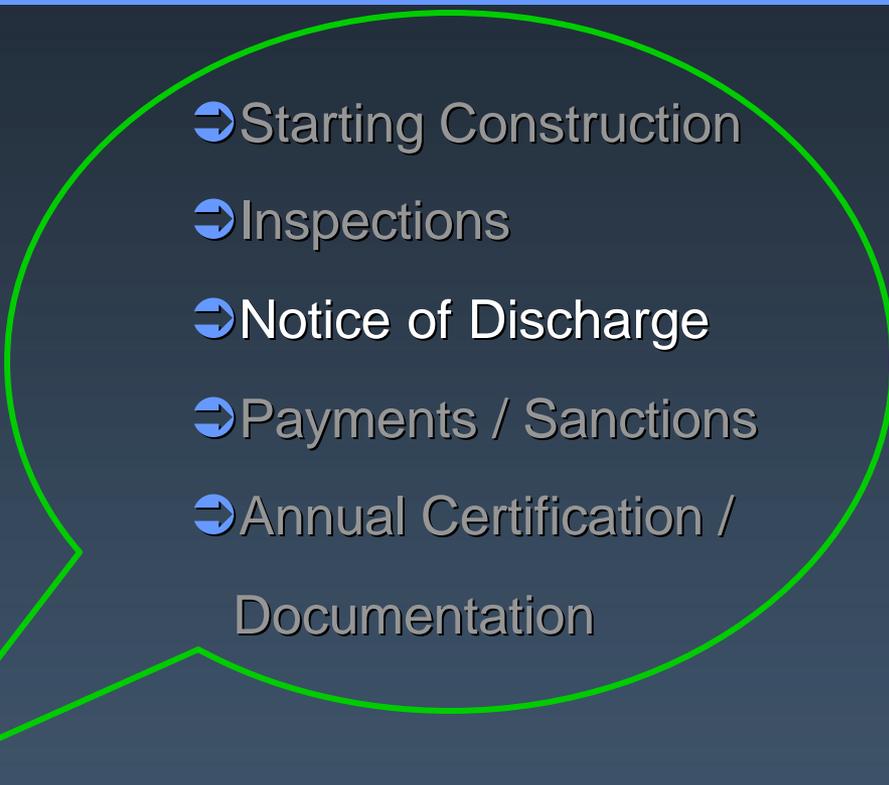


# RE Responsibilities During Construction

---

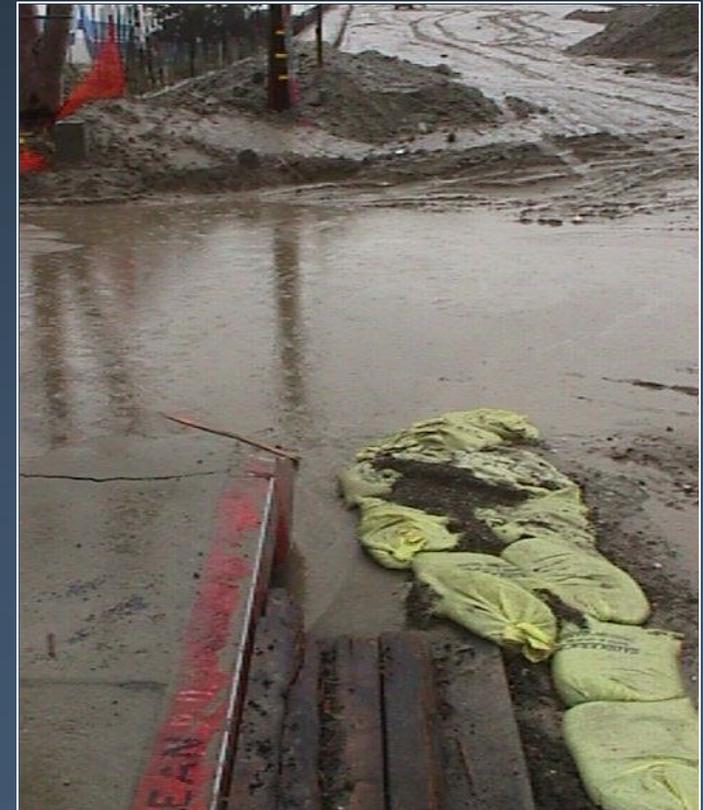
## ➔ Course Highlights

- ➔ Introduction
- ➔ Recent Fines
- ➔ Role of the Players
- ➔ Management Tools
- ➔ RE Responsibilities Before Construction
- ➔ **RE Responsibilities During Construction**
- ➔ Project Closeout Responsibilities

- 
- ➔ Starting Construction
  - ➔ Inspections
  - ➔ Notice of Discharge
  - ➔ Payments / Sanctions
  - ➔ Annual Certification / Documentation

# Notice Of Discharge

- ➔ Action required upon discovery of a discharge or if the project receives a written notice or order from any regulatory agency
- ➔ Failure to report is subject to \$32,500 fine
- ➔ See Section 9.4 of the SWMP for noncompliance reporting



# Notice Of Discharge

## ➔ Applicable Discharges:

- ⇒ Storm water from a DSA that discharged to a waterway without treatment by a BMP
- ⇒ Storm water discharged to a waterway or storm drain system where control measures have been overwhelmed or not properly maintained or installed
- ⇒ Prohibited non-storm water discharges/spills
- ⇒ Where water quality samples indicate elevated sediment or non-visible pollutants
- ⇒ Others as directed by RE





# Notice Of Discharge

---

## ➔ Contents:

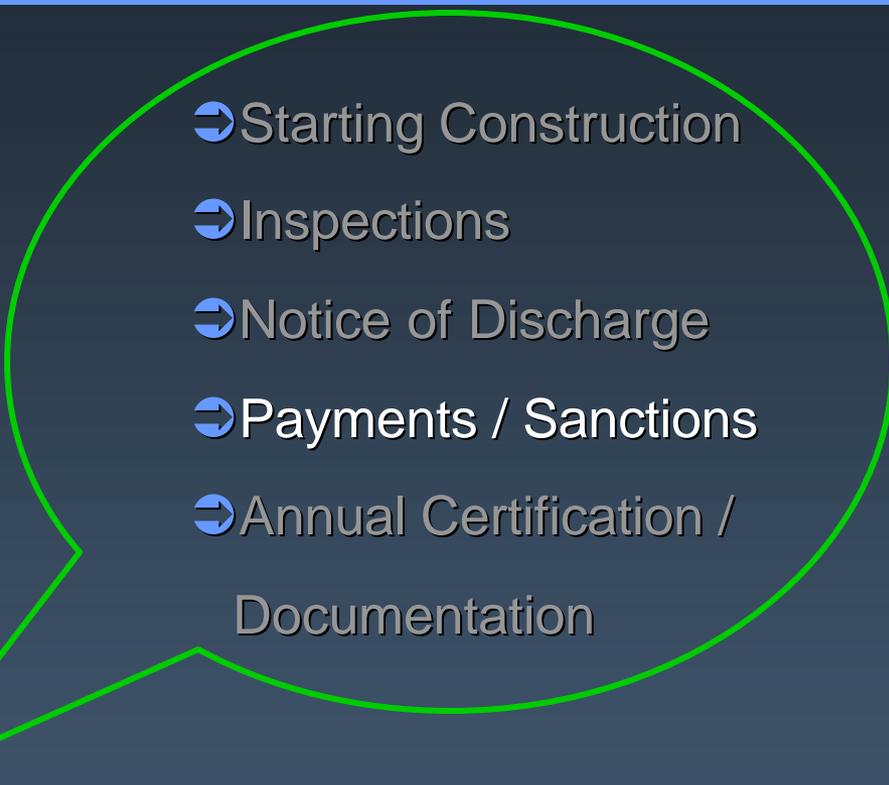
- ⇒ Date, time, and location of discharge
- ⇒ Nature of operation
- ⇒ Assessment of impact
- ⇒ The BMPs deployed before the discharge
- ⇒ The BMPs deployed after the discharge
- ⇒ Steps planned to reduce, eliminate and/or prevent re-occurrence
- ⇒ An implementation and maintenance schedule

# RE Responsibilities During Construction

---

## ➔ Course Highlights

- ➔ Introduction
- ➔ Recent Fines
- ➔ Role of the Players
- ➔ Management Tools
- ➔ RE Responsibilities Before Construction
- ➔ **RE Responsibilities During Construction**
- ➔ Project Closeout Responsibilities

- 
- ➔ Starting Construction
  - ➔ Inspections
  - ➔ Notice of Discharge
  - ➔ Payments / Sanctions
  - ➔ Annual Certification / Documentation

# Progress Payments

---

- ➔ Cost Break Down (Schedule of Values or specific items)
- ➔ Manage SWPPP items like other contract items
- ➔ 50/50 BMP Maintenance sharing – specific BMPs are identified in Specials
- ➔ Move-In/Out (Permanent Erosion Control)

# Contractual Sanctions

---

## ⇒ Enforcement tools:

- ⇒ Suspending any work that would exacerbate the noncompliance or interfere with or prevent the contractor's efforts to correct the deficiency (Standard Specifications 8-1.05)
- ⇒ Withholding funds from contract progress payments as specified in the contract (Special Provisions 10-1)

# Contractual Sanctions

---

## ⇒ Enforcement Tools:

- ⇒ Hold contractor responsible for all costs and liabilities resulting from a failure to comply with Water Pollution Control special provisions (Special Provisions 10-1)
- ⇒ Discharge any subcontractor or person employed by the contractor who Caltrans deems to be incompetent or who acts in a disorderly or improper manner (Standard Specifications 5-1.12)

# Contractual Sanctions

---

## ➔ Available negative reinforcement:

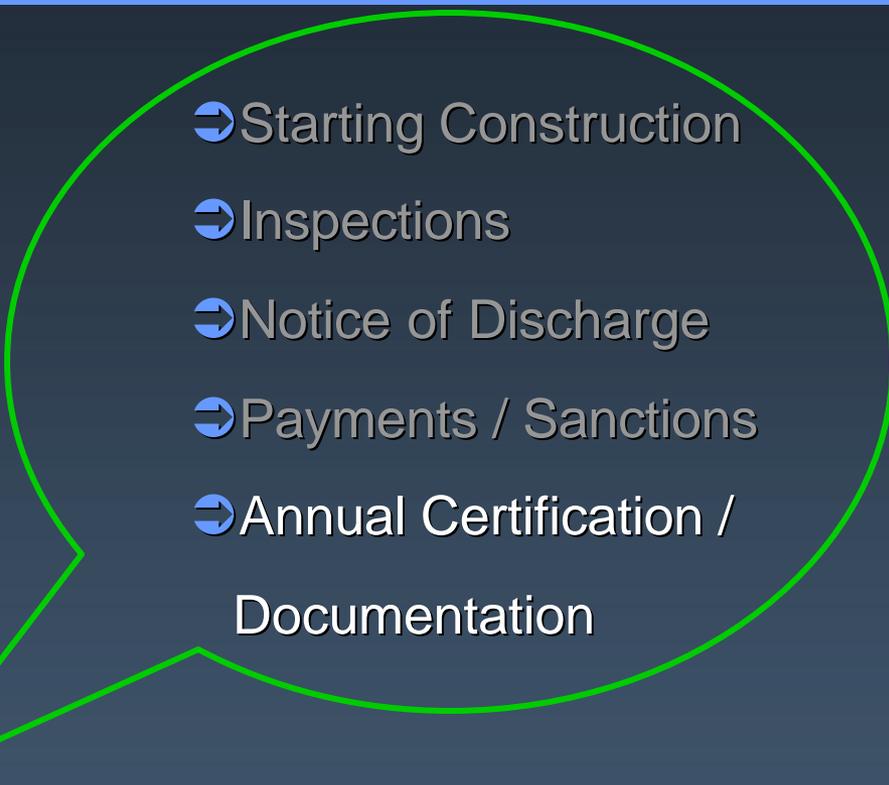
- ⇒ Assessing liquidated damages including passing along fines for permit violations (Standard Specifications 8-1.07)
- ⇒ Bringing in a separate contractor or Caltrans Maintenance to complete the work (Standard Specifications 8-1.08)
- ⇒ Initiating cancellation of the contract (Standard Specifications 8-1.11)

# RE Responsibilities During Construction

---

## ➔ Course Highlights

- ➔ Introduction
- ➔ Recent Fines
- ➔ Role of the Players
- ➔ Management Tools
- ➔ RE Responsibilities Before Construction
- ➔ **RE Responsibilities During Construction**
- ➔ Project Closeout Responsibilities

- 
- ➔ Starting Construction
  - ➔ Inspections
  - ➔ Notice of Discharge
  - ➔ Payments / Sanctions
  - ➔ Annual Certification / Documentation

# Annual Compliance Certification

- ➔ Contractor to complete, sign and submit to RE
- ⇒ Before June 15 of each year
- ⇒ RE to sign and return to contractor
- ⇒ File in the project records
- ⇒ \$10,000 fine and/or up to 2 years imprisonment for knowingly falsifying records

**Attachment M**

Annual Certification of Compliance Form

**INSTRUCTIONS**

- By June 15<sup>th</sup> of each year, the Contractor shall complete and submit this form to the Resident Engineer for approval as required in Section 100.3 of the SWPPP. Annual certification of compliance is based on the site inspections required in the SWPPP.
- Completed and signed Annual Certifications and Approvals shall be included in Section 100.3 of the SWPPP following the required text of the section.
- This Annual Certification of Compliance form does not need to be completed at the initial approval, but it shall be submitted during the first year of the initial SWPPP approval.

Annual Certification of Compliance for the Construction Contractor

Project Name: \_\_\_\_\_

Caltrans Contract Number: \_\_\_\_\_

Contractor Company Name: \_\_\_\_\_

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

Construction Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Description of Work:

Work Now in Progress:

 Caltrans Storm Water Quality Handbooks  
SWPPP/WPCP Preparation Manual  
November 2000

Annual Certification of Compliance  
1 of 3

# Annual Compliance Certification

## ➔ Form Requirements for the Contractor

- ⇒ Project Name
- ⇒ Caltrans Contract Number
- ⇒ Contractors Company Name
- ⇒ Contractors Address
- ⇒ Construction Start and Completion Dates
- ⇒ Description of Work
- ⇒ Work In Progress
- ⇒ Work planed for the Next 12 Months
- ⇒ Contractors Signature and Date

# Annual Compliance Certification

## ➔ Approval of the Resident Engineer

- ⇒ Are storm water pollution control measures being implemented in accordance with the approved SWPPP?
- ⇒ Are the project site and activities in compliance with the Caltrans Statewide Permit, NPDES General Permit, or local permit?
- ⇒ If no is answered to either of these questions the RE must:
  - File a notice of non-compliance within 30 days of identification
  - Document follow up actions
  - Notify the contractor
  - Initiate corrective actions in accordance with the contract
- ⇒ RE Signature and Date

# Contract Documentation

## ➔ Category 20 files

- ⇒ SWPPP/WPCP
- ⇒ Amendments
- ⇒ Annual certification
- ⇒ Contractor inspection reports
- ⇒ Caltrans inspection reports
- ⇒ Correspondence with the contractor
- ⇒ SWTF inspection reports
- ⇒ Correspondence with regulatory agencies



# Project Closeout Responsibilities

## ➔ Course Highlights

- ⇒ Introduction
- ⇒ Recent Fines
- ⇒ Role of the Players
- ⇒ Management Tools
- ⇒ RE Responsibilities Before Construction
- ⇒ RE Responsibilities During Construction
- ⇒ **Project Closeout Responsibilities**



# Project Closeout Responsibilities

---

## ➔ Course Highlights

- ➔ Introduction
- ➔ Recent Fines
- ➔ Role of the Players
- ➔ Management Tools
- ➔ RE Responsibilities Before Construction
- ➔ RE Responsibilities During Construction
- ➔ **Project Closeout Responsibilities**

- ➔ Maintenance Review
- ➔ Relief for Maintenance
- ➔ Contract Acceptance
- ➔ Terminating Permit Coverage
- ➔ Post-construction meeting with Design
- ➔ Retention of Records

# Maintenance Review

- ➔ **Conduct at 90% complete**
- ➔ **Conduct with Maintenance Superintendent/Supervisor**
- ➔ **During field review, discuss:**
  - ⇒ Temporary BMPs to remain
  - ⇒ Permanent structural storm water BMP devices
  - ⇒ Requested field adjustments
- ➔ **Furnish information pertaining to permanent BMP devices (RE Pending File)**



# Relief From Maintenance

- ➔ Construction Manual 2-07 and Standard Specifications Section 7-1.15
- ➔ Upon request, the Contractor may be relieved from the duty of maintaining and protecting certain completed portions of the work
- ➔ To qualify, such portions must be completed in all respects (including water pollution control) in accordance with the requirements of the contract and to the satisfaction of the RE



# Contract Acceptance

- ➔ **Construction Manual 2-07 and Standard Specifications Section 7-1.17**
- ➔ **Post construction BMP devices implemented**
  - ⇒ Final erosion control
  - ⇒ Planting and irrigation
- ➔ **Temporary controls removed and properly disposed**



# Terminating Permit Coverage

- ➔ Complete construction
- ➔ Meet final stabilization requirements
- ➔ Notice of Completion of Construction (NCC)



# Terminating Permit Coverage

## ➔ Final Stabilization Requirements

⇒ **Special Provision requirements**

⇒ **NPDES permit requirements**

- Areas where construction has been completed in conformance with the contract plans and permanent erosion control is in place and functional.
- Erosion control is considered functional when a uniform vegetative cover equivalent to 70 percent of the native background vegetation coverage has been established or equivalent stabilization measures have been employed.





# Terminating Permit Coverage

---

- ➔ Until all requirements for completion are met, the project must still comply with the permit including:
  - ⇒ The SWPPP must remain on site during working hours
  - ⇒ Site inspections continue prior to, during, and after storm events
  - ⇒ The June 15 Annual Certification of Compliance
  - ⇒ Notice of Discharge reporting

# Post-Construction Meeting With Design

## ➔ Lessons Learned

- ⇒ Discussion of what worked and what didn't work
- ⇒ Allows for incorporation of lessons learned into future designs



# Retention Of Records

---

- ➔ Retain the following records for a period of at least 3 years from the date generated:
  - ⇒ Approved SWPPP documents and amendments
  - ⇒ Records of all inspections
  - ⇒ Compliance certifications
  - ⇒ Notification of Construction
  - ⇒ Notice of Discharge reporting
  - ⇒ Notice of Completion of Construction

# Closing Comments

---

- ➔ The REs SWPPP responsibilities are many!
  - ⇒ Assistance should be obtained when necessary, especially for larger projects
- ➔ Resources available to you
  - ⇒ CSWC
  - ⇒ Manuals - BMP / SWPPP-WPCP / Construction
- ➔ Be proactive, not reactive!