

Lincoln's New Ordinance
for Construction Site Discharges:
Stormwater Pollution Prevention Plan
Requirements

*Lincoln Engineers Club
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Where We've Been



Where We're Going.....



The Top 10 Ways to Avoid NPDES Fines & Litigation on a Construction Site

1. Submit a Notice of Intent before starting work.
2. Obtain an NPDES permit before starting work.
3. Prepare a Storm Water Pollution Prevention Plan (SWPPP) before starting work.
4. Keep a signed copy of your SWPPP on site and update it regularly.
5. Implement all parts of your SWPPP throughout the project.

The Top 10 Ways to Avoid NPDES Fines & Litigation on a Construction Site

6. Properly train all involved contractors.
7. Correctly install and maintain Best Management Practices.
8. Perform timely inspections and correct problems within 48 hours.
9. Maintain complete records of all SWPPP activities.
10. Never discharge muddy water or other pollutants from the site.

So, What is a SWPPP?

- Stormwater Pollution Prevention Plans must be a combination of:

- A narrative describing the timing for installation of BMP's
- Plan sheets detailing the placement of BMP's
- Standard details describing BMP's



Purpose of the SWPPP

- Minimize accelerated soil erosion on disturbed areas
- Minimize the discharge of sediment & other pollutants in stormwater runoff
- Maintain compliance with the local Ordinance and State NPDES Permit



Components of the SWPPP

LMC Chapter 28.01.060

- Project Information
 - Permittee Contact Info
 - Legal Interest in Land
 - Location of property
 - Legal Description
 - Certification by Permittee
 - Authorization for City/NRD to Inspect

The SWPPP Narrative

- Describe the BMP's to be implemented.
- Narrative MUST address all phases of construction activity.
 - Initial Grading
 - Infrastructure
 - Building Phase of Development
 - Final Stabilization

The Narrative Includes:

- Start & Completion Dates
- Schedule/sequence of all phases of construction
- List of proposed BMP's
- Construction details, application schedule, procedures for proposed BMP's
- O&M Program for proposed BMP's

Narrative Also Includes....

- Contact Info. for Authorized Rep.
- Contingency Plan for ESC problems in emergency situations (large storm events)
- Illicit discharge prevention, containment & response
 - Spill Prevention Plan
 - Solid Waste Containment
- Sensitive areas prone to high erosion rates (steep slopes, channels, etc.)

The Narrative Cont.



Details, Details.....

- Construction Sequencing
 - Spec's describing the relationship between:
 - the implementation & maintenance of sediment controls
 - Permanent & temporary stabilization
 - Various stages/phases of land disturbance & construction

More Details....

- Maintenance Program
 - Description of Inspection Schedules
 - Spare materials needed
 - Stockpile locations
 - *Instructions for sediment removal & disposal*
 - Instructions for repair of damaged structures/BMP's
 - *Include a clear statement defining maintenance responsibility*

Drainage Criteria Manual Chapter 9: Erosion & Sediment Control

- Newly Revised to reflect current local, State, and Federal Guidelines
- Available at both City of Lincoln and Lower Platte South NRD Websites
- Section 9.3: SWPPP Requirements for Construction Activity
 - *Best resource you can utilize for creating SWPPP's*

Requirements for the Building Phase of Development

LMC Section 28.01.070

28.01.070 Requirements for the Building Phase of Development.

Any person who engages in construction activity is responsible for compliance with this chapter and all applicable terms and conditions of the Permit and SWPPP as it relates to the building phase of development. The following information shall be included on the application for a building permit and be submitted to the Director of Building and Safety:

- (a) The legal description and permit number for the Construction Activity SWPPP;
- (b) The location of the property where the building phase of development is to occur; and

(c) A certification that the building phase of development for the property described on the application for a building permit will be conducted in accordance with Chapter 28.01 and the Construction Activity SWPPP. (Ord. 18949 §7, June 25, 2007).

Office Use Only
Construction Stormwater Permit # _____
Issued By: _____

Individual Lot
0711 UNITS Notice of Intent (NOI)
11111111
For Coverage Under the Federal Clean Water Act
For Construction Activity that is Part of a Larger Common Plan of Development or Sale

Submission of this form constitutes an agreement between the applicant and the Stormwater Pollution Prevention Plan (SWPPP) for the lot indicated in the application and fulfills the notification and discharge authorization procedures for individual lots, as required by Lincoln Municipal Code, Chapter 28.01 - Regulations for Construction Site Discharges. The applicant assumes sole responsibility for the building phase of development for this lot.

At the time of application, 2 copies of this form are required.
One copy will be retained by the City of Lincoln. One copy will be retained by the Applicant.

I. Applicant Information
Name of Applicant _____ Legal Interest in the Land _____
Company Name _____
24-hour Contact Person _____ Phone _____
Mailing Address _____
City _____ State _____ Zip Code _____
Lot Owner (if different from Applicant)
Name _____ Phone _____
Mailing Address _____
City _____ State _____ Zip Code _____

II. Legal Description
Name of Sub-division _____ Lot No. _____ Block No. _____
Construction Site Address _____
City _____ State _____ Zip Code _____

III. Construction Activity Information
Estimated Start Date _____ Estimated Completion Date _____ Estimated Disturbed Acreage _____

IV. Certification
I certify under penalty of law, that I am familiar with and agree to comply with the terms and conditions provided in this Notice of Intent (NOI) and Stormwater Pollution Prevention Plan (SWPPP) and that I am solely responsible for the individual lot covered by this NOI and SWPPP. I understand that both the City of Lincoln and the Lower Platte South Natural Resources District are authorized to inspect the site at reasonable times pursuant to Lincoln Municipal Code, Chapter 28.01.

Signature: _____ Date: _____

Site Inspections

- EPA & NDEQ will require more emphasis on in-house inspections and documentation.
- EPA conducted site visits in Omaha in Spring and Summer of 2004:
 - 75-100% of sites with fines from EPA will list a lack of, or poor documentation as a violation.
- EPA Conducted inspections in Lincoln & Hickman the week of June 26th, 2006

The importance of assigning someone inspection and documentation duties for the SWPPP must NOT be overlooked by the developer or owner!!







Proper Placement of Silt Fence?



Wetland Protection?



Even if you implement your SWPPP to the letter, are you still in compliance?





Explain everything!!





This is NOT a
BMP!



Building Phase of Construction

- BMP's such as seeding, mulching, and sediment controls to protect new public right-of-way is crucial!
- Plan for your SWPPP to be updated during and immediately after Utility construction.











For More Information

- Environmental Protection Agency
 - www.epa.gov
- Nebraska Dept. of Environmental Quality
 - www.ndeq.state.ne.us
- International Erosion Control Association
 - www.ieca.org
- IECA-Great Rivers Chapter (NE, IA, KS, MO)
 - www.greatriversieca.org
- Lower Platte South NRD
 - www.lpsnrd.org (Keyword: Stormwater)
- City of Lincoln Watershed Management
 - www.lincoln.ne.gov (Keyword: WSM)

*Questions?
Comments?
Concerns?*
