

# SUDAS Revision Submittal Form

**Status Date:** As of 5/18/2023      **Topic:** ESC Regulatory Requirements  
**Manual:** Design      **Manual Location:** Section 7B-1, B, 3 and C, 3

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## Requested Revision:

### B. NPDES Construction Site Permitting

3. **Compliance with NPDES General Permit No. 2:** Once a Notice of Intent has been filed, activities at the site must comply with the requirements of NPDES General Permit No. 2. These requirements include:
- a. Implement pollution prevention practices as detailed on the SWPPP.
  - b. Maintain the SWPPP and keep it current by noting significant changes.
  - c. Inspecting the site and pollution prevention measures at the required intervals.
  - d. Contractors and subcontractors, identified in the SWPPP, are required to sign on as co-permittees.
  - e. Note changes of ownership or transfer of the permit responsibilities.
  - f. If there is a construction trailer, shed, or other covered structure located on the property, retain a copy of the SWPPP required by this permit at the construction site from the date of project initiation to the date of final stabilization. If there is no construction trailer, shed, or other covered structure located on the property, retain a copy of the plan from the date of project initiation to the date of final stabilization at a readily available alternative site approved by Iowa DNR and provide it for inspection upon request.
  - g. Retain copies of the SWPPP and all reports required by this permit, and **all** records ~~of all data~~ used to complete the Notice of Intent covered by this permit, for a period of at least 3 years from the date that the site is finally stabilized and a Notice of Discontinuation has been submitted to Iowa DNR.

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### C. Stormwater Pollution Prevention Plans (SWPPP)

#### 3. Required Content of the SWPPP

- b. **Controls:** The plan needs to show what erosion and sediment controls and stormwater management practices will be used to reduce or eliminate contamination of stormwater by pollutants.
- 1) **Sequence:** List the anticipated sequence of major construction activities and clearly describe the order for implementation of the control measures. It is not necessary to list anticipated dates for completion of the various stages of construction and implementation of practices; rather the SWPPP should indicate the stage of construction at which individual control measures are to be installed.
  - 2) **Stabilizing Practices:**
    - Describe the temporary and permanent stabilizing practices (protection of existing vegetation, surface roughening, seeding, mulching, compost blankets, Rolled Erosion Control Products (RECPs), sod, vegetative buffer strips, etc.). **Temporary or continued stabilization must be implemented and maintained when necessary to prevent erosion of seeded areas prior to the establishment of vegetative cover of sufficient density and height to preclude erosion.**
    - Note that areas not subject to construction activity for 14 calendar days or more must have stabilizing measures initiated immediately after construction activity has ceased.

**3) Structural Practices:**

- According to General Permit No. 2 Part IV.D.2.A.a.(2).~~(e)~~iii, the permittee(s) shall minimize soil compaction and, unless infeasible, preserve topsoil. "Infeasible" shall mean not technologically possible, or not economically practicable and achievable in light of the best industry practices. "Unless infeasible, preserve topsoil" shall mean that, unless infeasible, topsoil from any areas of the site where the surface of the ground for the permitted construction activities is disturbed, shall remain within the area covered by the applicable General Permit No. 2 authorization. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted. Preserving topsoil is not required where the intended function of a specific area of the site dictates that the topsoil be disturbed or removed. The permittee(s) shall control stormwater volume and velocity to minimize soil erosion in order to minimize pollutant discharges and shall control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points. An affidavit signed by the permittee(s) may be submitted to demonstrate compliance.

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**6) State and Local Requirements:**

- List additional state or local regulations that apply to the project. Note that some local jurisdictions may have an erosion and sediment control ordinance. The requirements of this ordinance must be listed in the SWPPP.
- List any applicable procedures or requirements specified on plans approved by state or local officials.
- Section 161A.64 of the Code of Iowa requires that prior to performing any "land-disturbing" activity (not including agricultural activities) in a city or county that does not have an erosion control ordinance and a 28E agreement with the Soil and Water District, a signed affidavit must be filed with the local Soil and Water Conservation District stating that the project will not exceed the soil loss limits stated. It should be noted that this requirement is not a condition of the NPDES General Permit No. 2.
- An indication of whether this facility has existing quantitative data describing the concentration of pollutants in storm water discharges. Any existing data should be retained as part of the SWPPP.

- c. Maintenance:** The SWPPP must describe the maintenance procedures required to keep the controls functioning in an effective manner. Adequate laboratory controls and appropriate quality assurance procedures will be provided to maintain compliance with the permit. For each type of erosion or sediment control practice utilized, a description of the proper methods for maintenance must be provided. In addition, maintenance should include removal of sediment from streets, ditches, or other off-site areas.

**Reason for Revision:** Matching the new NPDES General Permit No. 2 requirements, effective March 1, 2023.

**Comments:** None.

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**District:**       1     2     3     4     5     6    **2/22/2023 Webinar**

**Comments:** None.

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**District:**       1     2     3     4     5     6    **4/2023 Meetings**

**Comments:** None.

**Action:**             Deferred                             Not Approved             Approved

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**Final District Action Summary:** All 6 districts approved.

**Board of Directors Action:** Approved.