

June 2013

# The Monthly Dirt

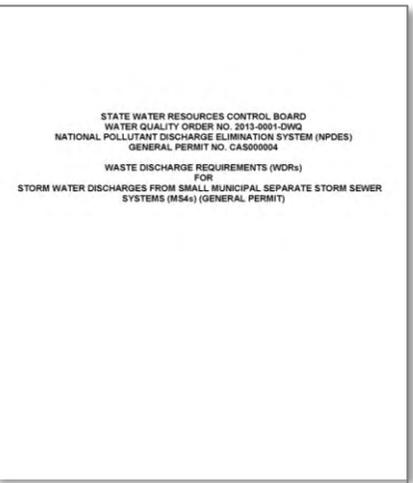
A Monthly Newsletter on the California Construction General Permit  
By WGR Southwest, Inc.

## MS4 Impact

**Question:** *Other than the Construction General Permit, can another NPDES permit have an influence on a construction project and its best management practices?*

**Answer:** *Yes! More than you know! Starting July 1 projects occurring in municipalities with a population less than 100,000 will begin to feel the influence of another NPDES permit.*

What are we talking about? The new Phase II MS4 NPDES Permit, which goes effect in less than a month on July 1, will bring some changes to certain construction projects. In case you are still not following me ... let me explain. Construction sites are not the only entities that must have their storm water discharges covered by an NPDES permit; industrial facilities and municipalities must also have NPDES permits. This is not a new requirement. In 1990, the USEPA promulgated rules to establish the first storm water NPDES permits that were issued not only to construction sites (> 5 acres), but also to industrial facilities and large municipalities (>100,000 population). This first round of permitting was known as "Phase I". In 2003, smaller municipalities or Municipal Separate Storm Sewer Systems (MS4s) were regulated in a second wave of permitting (Phase II). The 2003 Phase II MS4 Permit required applicable small municipalities to implement a construction control program which included developing ordinances to provide the municipality with legal authority to implement the program, require projects to implement BMPs to control pollutants, review submitted plans for storm water pollution prevention measures, and to develop an inspection program. You may have seen some of the influences of the 2003 Phase II MS4 permit on your projects at the plan check process or in the field when municipal inspectors have visited your construction sites. However, this permit expired but was renewed by the State of California in February of this year and becomes effective on July 1. Projects occurring in a small municipality, will soon begin to notice the effects of this new permit during the design phase, at the plan check counter, during active construction, and after the project is complete.



### What about Projects in Large Municipalities?

Large and medium sized municipalities were required to obtain MS4 permits in California starting around 1992. Most of these larger municipalities have customized individual permits. In many cases, a regional group of municipalities will be under a single Phase I permit, such as is the case in the Bay Area, Sacramento County, and Southern California. Most of these MS4s have been through several 5-year permit terms, with the construction program requirements being "ratcheted-up" with each permit renewal. Until this year's Phase II permit renewal, the Phase II permittees had requirements that were considered not as strict or involved as those of Phase I permittees. Many people consider this Phase II renewal to have "leap-frogged" the Phase I's and now have requirements that are more onerous. The bottom line is this ... if a project is located in a large or small municipality, it will have more than the State to answer to. It will also be subject to local storm water ordinances, plan reviewers, and inspectors.

## Phase II MS4 Impacts

There are many ways that this permit will have an effect on construction projects. Municipalities are scrambling to try to ramp up and prepare for the new requirements. Section E.10 of the new permit contains most of the construction program requirements for MS4s. The following is a summary of how this permit may impact your project:

- The MS4 must establish ordinances for all projects that disturb **less than one acre** of soil. The construction site storm water runoff control ordinance shall include, at a minimum, requirements for erosion and sediment controls, soil stabilization, dewatering, source controls, pollution prevention measures and prohibited discharges.
- The MS4 must require operators of construction sites to utilize **BMPs consistent with the California Storm Water Quality Association (CASQA) Best Management Practice Handbooks** or equivalent.
- The MS4 must require each project within its jurisdiction to **prepare and submit an erosion and sediment control plan** for the municipality's review and written approval. The erosion and sediment control plan must include the rationale used for selecting BMPs including supporting soil loss calculations (RUSLE). The municipality shall not approve any erosion and sediment control plan unless it contains appropriate site-specific construction site BMPs that meet the minimum requirements of the construction site storm water runoff control ordinance. If the erosion and sediment control plan is revised, the municipality must review and approve those revisions. The municipality must utilize a QSD to review or supervise the review of the plans.
- **Prior to allowing an operator to commence land disturbance** during the rainy season, the municipality must perform an inspection, to ensure all necessary sediment controls are in place. During active construction, the municipality is required to conduct inspections, based on prioritization of construction sites. Active construction inspections shall include at a minimum: inspection and maintenance of BMPs, effectiveness of BMPs installed and verification that pollutants of concern are not discharged into receiving water bodies. At the conclusion of the project, the municipality must inspect to ensure that all disturbed areas have been stabilized and that all temporary erosion and sediment control measures that are no longer needed have been removed as required by the local construction site storm water control ordinance. The municipality must utilize a QSP to perform or oversee these inspections.

The new Phase II MS4 permit can be downloaded at:

[www.swrcb.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

## Upcoming Training ...

- Got SWPPP? QSP/QSD Class  
✓ Lodi – July 9 - 11, 2013
- CPESC Review Class – August 6
- CPESC Math Review – August 7
- CPESC Exam – August 8
- If you are interested in taking a CESSWI review class in Lodi, contact John Teravskis at [jteravskis@wgr-sw.com](mailto:jteravskis@wgr-sw.com). If there is enough interest, we will coordinate an event taught by an EnviroCert Intl.-approved instructor.

For more information about these classes, go to [www.gotswppp.com](http://www.gotswppp.com).

## Thank You!

This year's PDU Week was a great success! We have been receiving many good comments from those of you who attended the workshops. Apparently there is a real need for this type of training. We had 175 registrants for the 14 workshops that were offered during the week. Also our presenters and host facilities were fantastic and really helped to make this event a success! Many of you have encouraged us to keep offering this type of storm water education. We have already started to plan a second event for this year, which will be the 2<sup>nd</sup> Annual Storm Water Awareness Week occurring during the last week of September. In many ways, it will be very similar to the format of the PDU Week, but it will be a broader event as far as content including industrial, municipal, and construction storm water-related topics. We want to get as many workshop options as possible all across California. If you are interested in providing one or more workshops, please contact us. Our goal is to bring quality storm water education to California for free ... and prove that storm water education should not have to be expensive.

*Please contact us if you have any questions ...*

**The Monthly Dirt** Newsletter Editor:

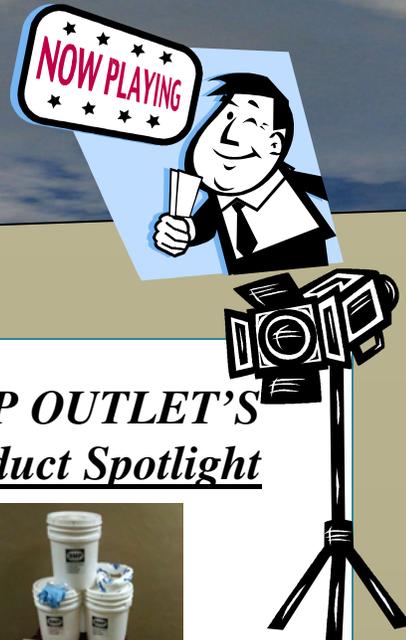
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**Technical Questions about Environmental Compliance?**

Call ...

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**June Special**  
**\$18.50**  
**Silt Sifter Bag**



The patented dual-component, bag-within-a-bag design, Silt Sifter Bag is the original cushioned sediment control device incorporating materials specifically chosen for both filtration and high-flow performance.

**Specs:**

- Outer Material - High density polyethylene - Poly thread (4) lock stitching
- Filtering Media - Pine Wood Excelsior
- Rock Bag - High density polyethylene - Poly thread (4) lock stitching
- Dimensions - 30"L x 16"W x 6"H
- Durability - 500 lb. burst strength
- **Rock not included**

**...Just Add Rock**

**BMP OUTLET'S**  
**Product Spotlight**



**Universal Spill Bucket** is a convenient, all in one bucket spill kit. The bucket is a UN rated screw top pail. The screw top allows not only easy access, but also provides you the confidence that the bucket is completely close and sealed. The contents of the spill bucket include approximately 2.5 gallons of granular absorbent, 6 universal spill pads, 1 universal absorbent soc, and two 2.5 mil, 18 gallon waste bags. One of the features of BMP Outlet's Universal Spill Bucket that sets it apart from other spill kits is that Personal Protective Equipment (PPE) is included with each spill bucket. Pair of clear safety glasses and nitrile gloves is included. For easy access in the event of spill the glasses and gloves are sitting on the top of the bucket when opened.

- Absorbs up to 5 gallons;
- UN Container 1H2/Y25/S;
  - Screw top lid;
  - Contents identified on easy to read label;

**Contents include:**

Approximately 2.5 gallons of granular absorbent, 6 Universal Spill Pads, 1 Universal Soc, Safety Glasses, Nitrile Gloves (Powder-free) and 2 Disposal Bags

**Hornet's Nest Drain Inlet Filter**



**Starting at \$49.50**

A unique, under-grate storm drain filter. The oversized base allows the filter to be used with a variety of size and shape drain inlets. Simply insert the filter, place the grate into place and trim the excess material for a custom fit and clean appearance. The yellow webbing secures the filter to the grate and doubles as lifting straps to quickly and easily remove the filter, grate and all, for simple cleaning. The sediment collection cone has 4 overflow portals to ease congestion during heavy storm events.

- Material - 8 ounce non-woven geotextile  
 Strapping - Weather resistant 2" polypropylene webbing  
 Flow Rate - 90 gpm/ft  
 Dimensions - 48" x 36"



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