



THE UNIVERSITY OF TEXAS AT TYLER STORMWATER POLLUTION PREVENTION PROGRAM

POLICY:

- **All UT Tyler projects are to implement storm water “Best Management Practices” (BMP) for site control devices and monitoring.**
- **An approved Storm Water Pollution Prevention Plan (SWPPP) shall be implemented on ALL UT Tyler Projects, unless specifically authorized otherwise for projects of less than one (1) Acre.**
- **All UT Tyler projects will be done under the UT Tyler Municipal Separate Stormwater Sewer System (MS4) permit when approved. Until approval, all UT Tyler construction projects will be done following the TPDES Construction General Permit.**

RESPONSIBILITY:

1. The Vice President for Business Affairs (VPBA) is responsible for overall compliance of all UT Tyler projects with regard to National Pollutant Discharge Elimination System (NPDES) and Texas Pollutant Discharge Elimination System (TPDES) permitting and site erosion and sedimentation control. Compliance includes development of guidelines for consultants and staff and specifications for contractors, coordination of review/approval of all SWPPP, monitoring of construction phase activities for all projects, and monitoring of completion of the project..
2. The Director of Physical Plant is responsible for overall compliance of all projects within their jurisdiction. Director of Physical Plant coordinates design of SWPPP through registered consulting Civil Engineer.
3. The Director of Environmental Health & Safety (EH&S) has the following responsibilities (as delegated by the VPBA):
 - a. Review of design of SWPPP and production of NOI, if applicable.
 - b. Implementation of SWPPP, monitoring of contractor compliance, program certifications, delegation of authority, and other required documents to VPBA for signature.
 - c. Periodic monitoring of the Contractor’s SWPPP implementation program and updates along with maintenance of documents, for coordinating efforts of Contractor’s Inspector (CI) for regular site inspections, for taking action as necessary to insure that the construction site is in compliance with the SWPPP, and for conducting and certifying all SWPPP Owner inspection reports.
4. The Contractor’s Inspector (CI) is responsible for regular monitoring of the Contractor’s SWPPP implementation program and, specifically, for performing site reviews every two weeks and after rain events, for executing the appropriate inspection report forms, and for confirming that the Construction Notice(s) are appropriately placed at the site. The CI is also responsible for monitoring Contractor site inspection reports and updates to the Site Erosion and Sedimentation Control Plan (SWPPP Drawing).
5. The UT Tyler Financial Services Contract Manager is responsible for acquiring the concurrence of EH&S that all disturbed areas have attained 70% final cover before processing Final Payment.

POLICY DETAIL:

1. This policy pertains to both new construction and renovation projects managed by UT Tyler. Any project that includes a site construction office, a lay-down area or material storage area, vehicular and/or equipment access, excavation or grading, or any disturbance of the existing site conditions requires best practices for site control and monitoring, as a minimum.
2. **ALL PROJECTS**, regardless of size, type, or location shall include storm water management “Best Management Practices” (**BMP**) for site control devices and monitoring procedures. BMPs include:
 - a. Evaluation of the likely impact to the site from constructing the project.
 - b. Identification and proposed location of site control requirements and devices.
 - c. Inclusion of specific requirements in the construction contract.
 - d. Review and acceptance of the Contractor’s site layout and control plan.
 - e. Implementation of effective site control devices prior to beginning construction activity.
 - f. Routine monitoring and reporting throughout construction.
 - g. Continuous maintenance and repair of site control devices.
 - h. Periodic evaluation of control effectiveness and adjustments to site control as necessary.
3. **ALL PROJECTS** on the U. T. Tyler campuses disturbing 1 acre or more require a SWPPP, construction site posting of notice and maintenance of SWPPP book on-site. Contractor’s Inspectors (CI) and Environmental Inspectors (EI) from UT Tyler EH&S shall implement appropriate monitoring of site conditions and site control devices. If project disturbs five (5) or more acres, both the Contractor and UT Tyler will file an NOI until the MS4 program is approved.
4. **ALL PROJECTS** disturbing less than one (1) acre, will require BMP controls installed and appropriate monitoring. Projects exempted from a SWPPP shall still require implementation of “Best Practices” for any exterior storage, lay-down or office areas.
5. **ALL PROJECTS** disturbing an area of ten (10) acres or more must include a temporary or permanent sediment basin that provides storage for a calculated volume of runoff from a 2 year, 24 hour storm from each disturbed acre drained, or equivalent control measures. Where no such calculation has been performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided.

PROCEDURES:

1. SWPPP & NOI Development, Approval & Certification

- a. Normal site analysis and development of site utilization and grading plans are included as Basic Services in standard A/E Agreements. Preparation of a SWPPP document, which includes investigation of wetlands, endangered species, and historic areas present on the site in addition to detailed analysis of storm water control, should be handled as an Additional Service under the A/E's responsibility.
- b. All aspects of SWPPP development and production of SWPPP documents must be performed by a registered (Texas) Civil Engineer qualified to perform the Work. The Civil Engineer is to schedule a detailed site analysis prior to beginning SWPPP development and should schedule such sufficiently in advance to allow for Owner participation. The SWPPP is submitted to Directory of Physical Plant as part of the regular design phase reviews of the project documents. Note, however, that the SWPPP must be approved before any work can begin on the site, so it is customary for completion of the SWPPP to be needed in advance of completion of the remainder of the documents on CM/R and Design Build projects.
- c. Once the SWPPP has been determined acceptable by the Director of Physical Plant, a copy is submitted to the Director of EH&S for review and approval. If not approved the SWPPP is returned for corrective action by the Consulting Civil Engineer and then resubmits for re-review and approval.
- d. Upon approval of the SWPPP by all UT Tyler parties, the Director of Physical Plant transmits to the Contractor a copy of the SWPPP along with required forms.
- e. The Contractor must complete required forms and return them to the Director of EH&S. The Contractor must also provide delegation of authority to a specific individual or position to enable them to perform SWPPP inspections along with statements of qualifications for any authorized positions.
- f. The Director of EH&S will submit, if the project is larger than 5 acres, both the Contractor's NOI and the Owner's NOI to the TCEQ Storm water Permit processing center requesting issuance of TPDES permits. The TCEQ will issue separate permits for the Owner and Contractor.
- g. The SWPPP certifications, delegations of authority, and qualification statements must be inserted in the SWPPP booklet and kept at the jobsite throughout construction. Any change in SWPPP inspection personnel or those responsible for certifying inspection reports must be reflected in the updated SWPPP, including new delegation of authority and qualification statements for the new personnel.

2. Initial SWPPP Implementation and Start-up

- a. At least one weeks prior to commencing activities disturbing the site, the Construction Site Notice will be prepared by EH&S along with any other needed documentation. A copy of all documents shall be retained by the Director of EH&S in addition to being located at the jobsite.
- b. Upon issuance of the Notice to Proceed, the Contractor must place the SWPPP at the jobsite and

must post the Construction Site Notices (signed by corporation Vice-President or higher) at construction entrances so they are accessible for viewing by the public. The Site Erosion & Sedimentation Control Plan (drawing included in the SWPPP indicating site layout & control) must be kept in a readily accessible location in the construction office.

- c. The very first activity the Contractor undertakes on the jobsite is to be implementation of the SWPPP including installation of all site control devices. Once initial implementation is completed the Contractor is to contact the Director of EH&S for initial review and acceptance.
- d. The CI shall arrange for joint inspection of the SWPPP implementation when possible.

3. SWPPP Compliance Monitoring

- a. The Contractor will monitor SWPPP implementation and the status of control devices, must perform regular site inspections, and must maintain documentation of findings throughout construction.

- b. Inspections are required to occur at the same day each week.

Notes:

- i. Site evaluations will be regularly scheduled to occur on either Monday or Tuesday of every other week to allow for corrective action to be completed during the workweek,*
- ii. Timing of site evaluations should be scheduled jointly with the contractor so that both parties conduct evaluations at the same time,*

- c. The CI records site evaluation findings on the standard inspection form, sets a time requirement for corrective action noted, and tracks resolution of deficiencies. The Inspector's name and reference to the page in the SWPPP book where qualifications are listed are entered on the form. Each report is copied to the UT Tyler EH&S office and is also maintained in the Inspector's file at the site. The CI reviews Contractor site inspection reports for compliance, name and qualifications noted for Contractor's inspector, and authorized signature of authority.
- d. Both the EI and the CI shall inspect disturbed areas of the construction site that have not been fully stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site. Vehicle exit locations should be inspected for evidence of tracking of dirt / sediment off-site. Storage locations should be inspected for evidence of, or potential for, pollutants entering the drainage system.
- e. Sediment and erosion control measures identified in the SWPPP should be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they should be inspected to ascertain whether erosion control measures are effective in preventing sediment from leaving the jobsite. Where discharge locations are not accessible, nearby down-stream or down-slope locations should be inspected to determine whether or not sediment appears which could have resulted from construction operations. Based on findings of effectiveness of control devices, the SWPPP should be modified (e.g. show additional controls on map, relocate controls, revise type of controls, etc.) to include additional or modified BMPs to correct problems identified.
- f. The CI reviews the Site Erosion and Sedimentation Control Plan to insure that modifications and updates are accurately reflected on the plan and elsewhere as applicable in the SWPPP.

4. Record Keeping

- a. The SWPPP, the Site Erosion and Sedimentation Control Plan, and all Owner and Contractor SWPPP Compliance Report forms with appropriate signatures and delegations of authority for signature parties must be kept readily accessible on the jobsite at all times throughout construction.
- b. A copy of all EI and CI SWPPP Compliance Reports should also be maintained off-site at the UT Tyler EH&S office. It is recommended that the Contractor also maintain a copy off-site.
- c. The Project SWPPP and all SWPPP Compliance Reports must be retained for at least three years from the date that the site is finally stabilized as indicated on the Notice of Termination form.

5. NOT Development, Certification & Issuance

- a. Upon achieving FINAL STABILIZATION of a project (defined as 70% vegetation), the Contractor shall request confirmation of Final Stabilization from EH&S, which must be provided to UT Tyler Financial Services prior to issuance of Final Payment to the contractor.

6. SWPPP Exemption procedures

- a. A request for exemption from SWPPP requirements may be made IF the project meets ALL of the following criteria:
 - ✓ disturbs less than one acre and is primarily an interior renovation or repair project,
 - ✓ is not adjacent or nearby an existing waterway, and
 - ✓ the Director of Physical Plant considers that a SWPPP is not appropriate.
- b. To request an exemption, the Director of Physical Plant submits a completed SWPPP Exemption Authorization Form (EAF) to the EH&S office for concurrence along with a site layout and control plan sufficient to evaluate grading, vegetation, and adjacencies. The Director of Physical Plant must allow a minimum of seven (7) working days for processing of exemption request; a site visit may be required to authorize exemption.

SWPPP COMPLIANCE FORMS

Copies of Standard Forms to use in SWPPP compliance are included here as Exhibits.

Exhibit "A" -	UT Tyler MS4 Program (pending)
Exhibit "B" -	TCEQ TXPDES Construction Storm Water Program
Exhibit "C" -	UT Tyler SWPPP Project Start-Up
Exhibit "D" -	UT Tyler SWPPP Inspection Report
Exhibit "E" -	Construction Site Notice
Exhibit "F" -	UT Tyler SWPPP Exemption Authorization Form
Exhibit "G" -	Sample Qualifications Page
Exhibit "H" -	Subcontractor's Signature Page
Exhibit "I" -	Sample Delegation Letter

Electronic copies of exhibits are located as shown below.

Exhibit A:

[Stormwater Management Program, UT Tyler Environmental Health & Safety](#)

Exhibit B:

<http://www.tnrcc.state.tx.us/permitting/waterperm/wwperm/txr150000.pdf>

The University of Texas Tyler

SWPPP Project Start-up

Contractors must meet four (4) TPDES requirements before soil-disturbing activities can commence on OFPC construction projects. This form provides the Contractor and Owner an acceptance of compliance with initial BMP's and required paperwork for commencement of work on the project site.

The Contractor is to initial items that are certified as complete and then review for concurrence with the Owner's Designated Representative.

1 Best Management Practices (BMP's) applicable to this project have been inspected to ensure correct placement in accordance with the SWPPP and for proper installation according to specifications.

Initial by Contractor

Initial by EH&S

2 The approved Storm Water Pollution Prevention Plan (SWPPP) is signed and on site.

Initial by Contractor

Initial by EH&S

3 The TCEQ TPEDS Storm Water Program forms and permits are complete and posted at the main entrance to the project site.

Initial by Contractor

Initial by EH&S

4 Inspector qualifications and letter of delegation of authority are posted in the SWPPP.

Initial by Contractor

Initial by EH&S

Having met the above requirements and in recognition of prior receipt of Notice to Proceed, the Contractor is authorized to commence work on site.

Contractor

UT Tyler Project # _____

Owner's Designated Representative

Date: _____



Weekly Construction/Implementation Compliance Inspection

Project: _____

Contractor: _____

Conducted By: _____ **Date:** _____

Part 1:
Verify what stage of construction project is in, and record dates when activities started and were completed.

a. Construction Phasing

Phase or Location	Site Preparation	Utility Installation	Rough Grading Roads	Road Construction	Final Grading	BMP's in Place?

Notes:

1. _____
2. _____
3. _____

Part 2: Walk through the facility and look for signs of soil erosion.

b. Site Inspection	Y	N	Note
1. Are there signs of pollution leaving site?			
2. Are structural BMPs working properly?			
a. Construction Entrance			
b. Sediment Barrier			
c. Rock Filter Dam			
d. Earth Containment Berm			
e. Other			
3. Are structural BMPs in good condition?			
4. Are additional BMPs needed?			
5. Is Construction Permit Notice posted?			

Part 3: Walk through the facility and look for signs of pollution including paint, solvents, chemicals, solid waste, oil, and fuel.

d. Hazardous Materials	Y	N	Notes
1. Are there any signs of hazardous materials being exposed to storm water runoff?			
2. Have there been any reportable quantity releases of hazardous materials?			
3. Was the National Response Center notified?			
4. Was permitting authority notified in writing within 14 days?			
5. Was the SWPPP modified to include:			
• Date of the release:			
• Circumstances leading to release.			
• Steps taken to prevent reoccurrence			

Part 4: Inspection report summary.	
c. Inspection Report Summary	Information/Comments
1. Name of Inspector	
2. Qualifications of Inspector	See SWPPP book
3. Measures/Areas Inspected	
4. Observed conditions:	
5. Changes necessary to the SWPPP:	
6. Was inspection conducted within 24 hours of last rainfall over 1/2"?	

Part 5: Are any modifications to the SWPPP needed?			
e. Modification of SWPPP	Y	N	Notes
1. Has EPA or the City notified you of any changes needed to comply?			
2. Have there been any changes in design, construction operation or maintenance, which has a potential for pollution discharge?			
3. If a reportable quantity release occurred, has the SWPPP been changed to prevent reoccurrence?			

Part 6: Final Stabilization/Termination Checklist.			
f. Final Stabilization/Termination Checklist	Y	N	Notes
1. Are all soil disturbing activities complete?			
2. Are temporary erosion/ sediment control measures removed/will be removed when appropriate?			
3. Have all areas of the site not covered by pavement or structure achieved a density of 70% coverage?			
4. Date of Final Stabilization:			
5. Has Notice of Termination been filed?			
If construction ceases on the site for more than 14 days, the site must be stabilized until construction resumes.			
Date Construction Stopped	Date Construction Resumed	Measures Taken to Stabilize Site	

Inspector certifies that the site is in compliance with Permit/SWPPP Yes No

"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 ensure 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."

Signature: _____ Date: _____
 Printed Name: _____
 Title: _____

NOTE: All items of non-compliance shall be repaired/installed within seven (7) calendar days of inspection. Repairs/installation shall be completed immediately, if storm conditions are imminent.



**CONSTRUCTION SITE NOTICE
FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000**

The following information is posted in compliance with **Part II.D.2.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from construction sites. Additional information regarding the TCEQ storm water permit program may be found on the internet at:

www.tnrcc.state.tx.us/permitting/waterperm/wwperm/tpdestorm

Contact Name and Phone Number:	
Project Description: (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized)	
Location of Storm Water Pollution Prevention Plan :	

For Construction Sites Authorized Under Part II.D.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I _____(Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.D.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and implemented according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4 system. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title

Date

The University of Texas Tyler

SWPPP EXEMPTION AUTHORIZATION FORM

Project No. & Name: _____

Site Area (10th of an Acre): _____

Project Includes: ___ New Construction ___ Renovation ___ Both

Gross Sq. Ft.: _____ New _____ Renovation _____ Total Gsf.

CCL: \$ _____ TPC: \$ _____

This form is submitted in request of an exemption from the requirement to provide and implement a SWPPP and to issue a NOI on the identified project. I have personally reviewed the project scope, project site, and adjacent activities, and hereby recommend that this project not include a SWPPP. Best Practices for site control, storm water discharge potential, erosion control, and containment have been developed and are included in the contract documents for the project. The following information is provided in support of this recommendation.

1. The total project site is less than one (1) acre in size.
2. The project is _____ adjacent to, or approximately _____ (feet/miles) away from, any other OFPC or Campus-managed construction activity either now in progress or planned to occur during the duration of this project.
3. This project site is _____ adjacent to, or approximately _____ (feet/miles) away from, the nearest creek, stream, river, lake or other waterway.
4. Existing vegetation on the project site is _____ dense _____ medium _____ minimal.
5. Existing slope of the site is approximately _____ (percent) from _____ to _____ (NESW).
6. Excavation is planned up to a maximum of _____ feet below existing (original) grade.
7. Final slope of the site is to be approximately _____ (percent) from _____ to _____ (NESW).
8. Gasoline, oil, diesel, or other fuels will be stored on site during construction - _____ yes _____ no.
9. The project includes a power plant or hazardous material storage or treatment facilities - _____ yes _____ no.
(i.e.: Water treatment, acid dilution or storage, chemical processing, etc.)
10. Other Considerations: _____
11. Other Considerations: _____

Recommended & Submitted By: _____
Senior Project Manager Date

Exemption Authorized: _____ (Yes/No)	Exemption Authorized: _____ (Yes/No)
_____ Director, EH&S	_____ Vice President for Business Affairs
_____ Date	_____ Date

Sample Qualifications Page

Qualifications for Barbara N. O’Keeffe

M.S. in Hazardous Waste Management from College of Engineering, Wayne State University
Course work included Landfill design, water runoff calculations, soil sedimentation types, and hydrology.

Environmental Project Manager at Advancia Corporation, Lawton, Oklahoma 1996 - 1999. Projects include design of erosion control measures for landfill closure at Fort Sill, Stormwater erosion site mapping, hazardous waste demonstration site compliance work.

Director of Environmental Health & Safety, UT Tyler, 2001 – present. Inspections of SWPPP on existing construction projects handled by the university including Soccer Field Construction (2001), Tennis Court/Parking Lot Construction (2001), Longview Parking Lot expansion (2002), and Cowan Center Parking Lot Expansion (2003).

SUBCONTRACTOR CERTIFICATION STORM WATER POLLUTION PREVENTION PLAN

University of Texas at Tyler Project Number: _____

Project Title: _____

General Contractor _____

Each subcontractor engaged in activities that disturb surface soils must be identified and sign the following certification statement:

“I certify under penalty of law that I understand the terms and conditions of the Texas Pollutant Discharge Elimination System (TPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification.”

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

Company _____

Address _____

Telephone No. _____

Type of Construction Service To Be Provided _____

Signature _____

Title _____

Date _____

Executive Director
Texas Commission on Environmental Quality, Mail Code 228
P.O. Box 13087
Austin, Texas 78711-3087

RE: TNPDES Storm Water General Permit No. TXR150000
Delegating an "Authorized Representative"

Dear Director:

This letter serves to designate either a person or specifically described position as an authorized person for signing reports, storm water pollution prevention plans, certifications or other information requested by the Director or required by the permit. This authorization cannot be used for signing an TPDES permit application (e.g. Notice of Intent (NOI)) in accordance with 30 TAC 305.128 and 30 TAC 305.44. The following person or position is hereby authorized to sign reports, plans or certifications other than the NOI application:

By signing this authorization, I confirm that I meet the following requirements to make such a designation as set forth in Section II.D.6 of the General Permit and 30 TAC 305.128 and 30 TAC 305.44.

For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: 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 the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

"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

Title

Date