


Dakota Access Pipeline
Draft Stormwater Pollution Prevention Plan

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1.0 INTRODUCTION

Dakota Access, LLC and Energy Transfer Crude Oil Company, LLC (COMPANY) will implement this Stormwater Pollution Prevention Plan (SWPPP) during construction of the Dakota Access Pipeline (DAPL) Project and the Energy Transfer Crude Oil Pipeline (ETCOP) Project (Project). The primary purpose of the SWPPP is to minimize the impacts of stormwater runoff during Project construction activities through the implementation of Best Management Practices (BMP).

1.1 RESPONSIBILITY FOR IMPLEMENTATION

The Construction Manager is responsible for implementation of the SWPPP. As stated in the construction contract or as otherwise agreed, the Contractor may be responsible for all or part of the implementation of the SWPPP. Where Environmental Inspectors (EI) or Chief Inspectors (CI) are utilized, they will fulfill the responsibilities as described herein. If neither an EI nor CI is utilized for the Project, those responsibilities will be assumed by the Construction Manager (CM) or a designee.


2.0 SITE DESCRIPTION

2.1 PROJECT NAME, LOCATION, AND PURPOSE

Project Name: Dakota Access Pipeline (DAPL) Project and Energy Transfer Crude Oil Pipeline (ETCOP) Project.

Project Purpose: ETC's primary objective for the proposed Project is to allow for transport of approximately 400,000BPD of crude oil between Stanley, ND and Nederland, TX. The crude oil transported will provide supplemental crude oil supply for markets in the United States. In addition, the proposed project will open railroad transport for other products produced locally that otherwise would not be accessible to other markets.

Project Location: The DAPL and ETCOP projects consist of a Gathering Area, a Mainline Transmission Pipeline, and the Conversion of an existing natural gas transmission line to crude oil. The Gathering System commences at Stanley, North Dakota and ends at Johnson Corner, North Dakota. There are six proposed pump stations along the Gathering System, namely Stanley, Ramberg, Epping, Trenton, Watford City, and Johnson Corner. The Mainline Transmission Pipeline begins at Johnson Corner, North Dakota and ends southeast of the proposed Illinois Patoka Custody Transfer and Metering Station. Approximately 992 miles of mainline make up the DAPL project. The ETCOP project begins at the Patoka Custody

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Transfer and Metering Station and consists of approximately 24 miles of new Mainline Transmission Pipeline. This will eventually tie into the future expansion of 757 miles of conversion pipeline that extends from Johnsonville, Illinois to Nederland, Texas.

There will be tanks constructed at the six pump stations along the Gathering System. There will be one 50,000 barrel tank at Stanley, one 200,000 barrel tank and one 100,000 barrel tank at Ramberg, one 100,000 barrel tank at Epping, one 100,000 barrel tank at Trenton, two 100,000 barrel tanks at Watford City, and one 200,000 barrel tank at Johnson Corner.

There will be mainline valve sites on both sides of major water body and major highway crossings for isolation in the event of emergency shutdown. In addition to the mainline valves, multiple pump stations and one custody transfer metering station will also be installed along the Mainline Transmission Pipeline. The proposed custody transfer station will be located near Patoka, Illinois. Launcher and Receiver traps will also be installed along the Mainline Transmission Pipeline at locations less than 100 miles apart.

A proposed rail yard and rail loading facility will also potentially be integrated into the DAPL project. The location of the rail yard will be on the east side of Historical Route 66 and on the west side of Niemanville Trail / Co Rd 225E in Litchfield, Illinois.


2.2 NATURE OF THE CONSTRUCTION ACTIVITY

ETC proposes to install the new pipeline within a variable-width construction right-of-way. Actual workspace width will depend on site engineering and available workspace constraints. In general, the pipeline will be constructed using an approximate 150-foot-wide construction right-of-way, which includes a new proposed 50-foot-wide permanent easement and 100-foot-wide temporary easement. The temporary easement will be allowed to revert to its original land use following construction. All pump stations and mainline valve sites to be constructed will be located on tracts of sufficient size to accommodate all aboveground appurtenances along the right-of-way.

2.3 SEQUENCE OF MAJOR SOIL-DISTURBING EVENTS

The following represents a typical sequence of major soil-disturbing events during the Project:

- Installation of stabilized construction entrances and surface water (including wetlands) protection BMPs.

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- Clearing of the Project Right-Of-Way area as necessary. This may include clearing of brush and trees to create right-of-way needed for temporary workspace, soil storage, construction activities, and areas needed for access to particular construction sites within the Project area.
- Installation of additional BMPs for erosion and stormwater management, as needed.
- Pipe stringing, bending, welding, and testing.
- Excavation of ditch (trackhoes or similar equipment will be used to excavate the ditch to the required depth).
- Installation of pipe in ditch.
- Tie-ins of the sections of pipeline which will be welded together in the ditch.
- Backfilling the ditch line (excavated soil will be used to cover the pipe).
- Hydrostatic testing of the pipeline as necessary.
- Removal of temporary erosion/sediment controls when other construction activity is completed and final stabilization is achieved.

3.0 CONTROLS

This section describes controls used to prevent or control stormwater pollution. The COMPANY BMPs are based on the current best accepted practices endorsed by the American Gas Association, Gas Research Institute, Association of Pipeline Contractors, EPA, and USACE. Appendix A contains diagrams showing typical installation of BMPs.

The Project's EI is responsible for determining the schedule and placement of BMPs. This plan will be updated by the Contractor, EI, and/or CI to identify the location and schedule of planned or installed controls as the need for these controls is determined.

When used from this point forward in this Plan, "EI" will refer to the responsible person, whether it is the EI, CI, Health, Safety and Environmental (HSE) Coordinator, or Project Manager or other responsible person.

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The following represents a typical sequence of major soil-disturbing events during the Project and the control measures that will be implemented.


- Clearing of the Project area as necessary. This may include clearing of brush and trees in the right-of-way, in areas adjacent to the right-of-way needed for soil storage, and/or in areas needed for access to particular construction sites within the Project area. The Project's EI will implement such measures as temporary slope breakers, silt fencing, and hay/straw bales prior to any soil-disturbing activities, and will install additional BMPs for erosion and stormwater management, as needed based on existing site conditions.
- Excavation of ditch (trackhoes or similar equipment will be used to excavate the ditch to the required depth). The Project's EI will implement such measures as temporary slope breakers, silt fencing, and hay/straw bales prior to excavation activities, and will install additional BMPs for erosion and stormwater management, as needed based on existing site conditions.
- Backfilling the ditch line (excavated soil will be used to cover the pipe). The Project's EI will implement such measures as temporary slope breakers, silt fencing, and hay/straw bales prior to backfilling, and will install additional BMPs for erosion and stormwater management, as needed based on existing site conditions.
- Performing cleanup and stabilization. This phase will begin after backfilling and will continue throughout the remainder of the Project's construction. This phase will include minor grading to level small areas, and revegetation. Project areas to be stabilized by vegetation will be seeded and mulched.
- The Project's EI will remove temporary erosion/sediment controls when other construction activity is completed and final stabilization is achieved.

3.1 EROSION AND SEDIMENT CONTROLS

3.1.1 Short- and Long-Term Goals and Criteria (as applicable)

(a) The construction phase erosion and sediment controls are designed to retain sediment on-site to the greatest extent practicable.

(b) Control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or

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other information indicate that a control has been installed and/or used inappropriately and/or incorrectly, the control shall be replaced and/or modified as needed.

(c) If sediment escapes the Project area, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impact (e.g., fugitive sediment in street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets).

(d) Sediment must be removed from sediment traps when capacity has been reduced by 50 percent.

(e) Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).


3.1.2 Temporary Erosion Control Measures

The following temporary erosion and sediment controls will be utilized as necessary:

Temporary Slope Breakers: Temporary slope breakers (water bars/terraces) will be installed as necessary (at the EI's discretion) diagonally across the right-of-way on slopes to control erosion by reducing and shortening the velocity, length and concentration of runoff according to the figures provided in Appendix A. These breakers will divert water to a well-vegetated area. If a vegetated area is not available, erosion control barriers will be installed to filter the runoff at the outlet of the slope breakers and off of the construction right-of-way. Silt fence, hay/straw bales, or sandbags may be used in place of temporary slope breakers at the discretion of the EI.

Natural vegetation acts as an effective filter medium for silt removal from surface runoff. Its use as a sediment barrier results in less disturbance to the land than other methods. In areas where natural vegetation is not present or does not constitute a suitable barrier, temporary sediment and/or erosion control barriers will be installed. Temporary sediment barriers, typically hay/straw bale filters or silt fences, dissipate the energy of flowing water to allow settlement of sediment from surface water runoff.

Silt Fence/Hay/Straw Bales: Silt fences and hay/straw bales will be installed in accordance with figures provided in Appendix A. The silt fences and/or hay/straw bales will be installed as necessary to prevent erosion and sediment laden runoff from stormwater discharges. These measures will remain in place until permanent revegetation measures have been judged


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successful. Silt fence and hay bale structures are also used to control erosion and sedimentation for hydrostatic test water discharges. Bale filters are effective for small rills that can be spanned by one or two bales. Bales are constructed of hay (or straw) that is securely bound to form a berm, which is held in place by two stakes driven through each bale. The first stake is driven at an angle toward the previously positioned bale, and the second stake is driven perpendicular to ground surface. The bindings of the bales will be horizontal. Filter fabric fences (silt fences) perform the same function as hay bale berms, but have the advantage of ease of installation, versatility, and light weight.

A silt fence is a geotextile fabric with fence posts spaced no more than 10 feet apart. Both silt fences and hay/straw bales will be installed according to the manufacturer's instructions where site conditions allow. Otherwise, the silt fence will be imbedded in the ground a minimum of 6 inches. Where two sections are joined, they will be overlapped a minimum of 6 inches. Accumulated sediment will be removed regularly and the silt fencing inspected to ensure the bottom of the silt fence remains imbedded in the ground. A sufficient stockpile of silt fence will be maintained on-site for emergency use.

Hay bales may be left in place. These barriers are required after the initial disturbance of the soil and are typically installed at the following locations:

- At the outlet of a temporary slope breaker when vegetation is not enough to control erosion.
- Along banks of waterbodies between the graded right-of-way and the waterbody after clearing.
- Downslope of any stockpiled soil in the vicinity of waterbodies and wetlands.
- At the base of slopes adjacent to road crossings where vegetation has been disturbed.
- At sideslope and downslope boundaries of the construction where runoff is not otherwise directed by temporary slope breakers.
- In the right-of-way at boundaries between wetlands and adjacent disturbed upland areas to prevent flow of sediment into the wetland where runoff is not otherwise directed by a temporary slope breaker.

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- At the edge of the right-of-way to prevent siltation of ponds, wetlands, or other waterbodies adjacent to the downslope of the right-of-way or as necessary to contain spoil and sediment within the right-of-way.
- For hydrostatic test water discharges, the water should be released directly into the silt fence/hay bale structures in conjunction with other approved velocity dissipating devices.

Temporary Trench Plugs: Temporary trench plugs prevent water diversion from waterbodies or drainage tiles into upland portions of the pipeline trench during construction and prevent silt-laden stormwater from flowing down the trench into waterbodies. The EI or CI will determine the need for and spacing of trench plugs. Otherwise, the Contractor will install hard trench plugs (undisturbed soil) on either side of waterbody crossings or drain tiles. Topsoil will not be used for trench plugs.

3.1.3 Stabilization Practices


The stabilization measures of the pipeline right-of-way incorporate permanent erosion and sedimentation measures. However, in the event that final restoration cannot be implemented immediately post-construction, temporary erosion and sedimentation control measures will be employed as specified by the Contractor until the weather is suitable for final cleanup.

For pipeline construction in areas with sloping terrain, COMPANY will use permanent trench plugs for soil stabilization.

3.1.3.1 Upland Areas

Temporary Stabilization:

- Temporary stabilization measures will be initiated as soon as practicable in portions of the right-of-way where construction activities have temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day is precluded by weather, stabilization measures will be initiated as soon as machinery is able to access the right-of-way. If activities resume within 21 days from when the activities ceased, stabilization measures do not have to be initiated by the 14th day following cessation of the activity. These guidelines are based on National Pollutant Discharge Elimination System (NPDES) requirements and may be modified based on state-specific PDES regulations.
- In the event that construction is completed more than 30 days before the seeding season for perennial vegetation, areas adjacent to waterbodies will be mulched with


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3 tons/acre of straw, or its equivalent, to a minimum of 100 feet on either side of the waterbody. These guidelines are based on NPDES requirements and may be modified based on state-specific PDES regulations.

- Temporary sediment barriers may be removed from an area when that area is successfully revegetated (i.e., if the right-of-way surface condition is similar to adjacent undisturbed lands). These guidelines are based on NPDES requirements and may be modified based on state-specific PDES regulations.

Permanent Stabilization:


- Erosion and sedimentation control practices (installation of structures, revegetation, and maintenance practices) will be implemented to minimize the potential for soil erosion or sedimentation of streams and to restore the right-of-way and any other disturbed areas. Final grading will be completed within 10 days of construction completion (including the installation of permanent erosion control measures in the areas of steep slopes only), weather permitting. Construction debris will be removed from the right-of-way and the right-of-way will be graded so that the soil is left in proper condition for planting.
- The right-of-way on off-road sections will be graded to preconstruction contours, as practical, with a small crown of soil left over the ditch to compensate for settling, as approved by the CM, EI, and/or CI. Openings will be left in the completed crown to restore lateral surface drainage to preconstruction patterns.
- Where topsoil has been segregated, the topsoil will be spread back along the right-of-way in an even layer.
- Fences that were cut and replaced by gaps during construction will be repaired to at least their equivalent state during preconstruction activities.
- Permanent slope breakers will be constructed after final grading and prior to seeding in accordance with the applicable regulations to replace temporary barriers at pedestrian, trail, road, waterbody, and wetland crossings.

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3.1.3.2 Revegetation and Seeding

Seed, fertilizer, and agricultural lime application will be accomplished at the following rates and mixtures unless otherwise instructed by applicable permits or land managing agency requirements:

- Seed Mixture: German Foxtail Millet "hulled" at a rate of 20 pounds per acre, with "hulled" Bermuda grass at a rate of 10 pounds per acre.
- Fertilizer: 5-19-19 at a rate of 300 pounds per acre.
- Agricultural Lime: at a rate of 2,000 pounds per acre.
- Final revegetation standards that will be used by COMPANY for stabilization of the right-of-way will be determined through discussions with the individual state and local agencies and through the permit process.
- The right-of-way will be seeded after final grading in accordance with recommended seeding dates, weather and soil conditions permitting.
- Turf, ornamental shrubs, and other landscaping materials will be restored in accordance with landowner agreements. Selection is based on adaptation of plants to the soils and climate, ease of establishment, suitability for specific use, longevity or ability to re-seed, maintenance required, aesthetic values, and landowner agreement. Personnel familiar with local horticultural and turf establishment practices must perform the restoration work.
- Where broadcast or hydro seeding is to be done, the seedbed will be prepared as necessary to ensure sites for seeds to lodge and germinate.
- Where hand broadcast seeding is used, the seed will be applied at one-half the rate in each of two separate passes.
- The seedbed will be prepared to a depth of 3 to 4 inches using appropriate equipment to provide a firm, smooth seedbed that is free of debris.
- The Project area should be seeded as deemed appropriate by the CM and/or EI. If seeding cannot be done soon after final grading, temporary erosion and sediment controls will be used and seeding of permanent cover will be done at the beginning of


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the next seeding season. Meanwhile, temporary stabilization measures will be implemented as appropriate.

- Slopes steeper than 3:1 will be seeded immediately after final grading in accordance with recommended seeding dates, weather permitting.
- Seed will be purchased in accordance with the Pure Live Seed (PLS) specifications for seed mixes and used within 12 months of testing.
- Legume seed will be treated with an inoculant specific to the species. The manufacturer's recommended inoculant rates will be used.
- The seed will be uniformly applied and covered 0.5 to 1 inch deep, depending on seed size. A seed drill equipped with cultipacker is preferred, but broadcast or hydro seeding can be used at double the recommended seeding rates. Where broadcast seeding is used, the seedbed will be firmed with a cultipacker, roller, or similar method after seeding.
- Other alternative seed mixes specifically requested by the landowner or land-managing agency may be used.
- Areas that are seeded after the recommended seeding date should be mulched if permitted.

3.1.3.3 Wetland Restoration

- COMPANY's approach to wetland mitigation and restoration involves a combination of impact minimization during construction, substrate and hydrology restoration, and vegetation establishment involving successful natural processes as a key component.
- The construction workspace for the Project will be designed to limit impacts to wetlands.
- During the restoration phase, segregated topsoil will be replaced over the trenchline and wetland contours and drainage patterns will be restored to approximate original condition. Surface rocks and boulders that had been windrowed during the construction phase will be distributed in a natural pre-construction configuration in the temporary work

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areas. Following restoration of the substrate, wetlands will typically be seeded with annual ryegrass or other seed mixture as directed by regulatory agencies.

3.1.3.4 Riparian Areas

Riparian areas are defined as "on or pertaining to the bank of a natural course of water" (stream, pond, lake, or wetland). The EPA defines "riparian areas" as areas adjacent to streams and lakes where the high water table creates distinct soil and vegetative characteristics from the *adjacent* uplands.

- Following installation of the pipeline, stream banks and riparian areas will be re-contoured and stabilized. Banks will typically be stabilized with an herbaceous mixture and erosion control fabric such as jute netting. Rock riprap may be used to stabilize particularly erosive or unstable areas at the recommendation/approval of the state agencies and by the USACE.


3.1.4 Other Surface Applications

Other surface applications will be applied as outlined below unless otherwise instructed by applicable permits or land managing agency requirements:

(a) Mulch: After seeding, mulch may be applied as determined necessary by the EI at a rate of approximately 2 tons/acre on the entire right-of-way except on wetlands, lawns, agricultural crop areas, and areas where hydro-mulch is used. Mulching before seeding may be done if construction or restoration activity is interrupted for an extended period, such as when seeding cannot be completed due to seeding period restrictions. Except for site-specific locations that may be identified during construction, mulch before seeding if final cleanup (including final grading and installation of permanent erosion controls in the areas of steep slopes) is not completed in an area within approximately 10 days after construction completion.

If mulching occurs before seeding, the Contractor shall increase mulch application on slopes within 100 feet of waterbodies and wetlands to a rate of 3 tons/acre. Up to 1 ton/acre of wood chips may be added to mulch if areas are top-dressed with 11 pounds/acre available nitrogen (at least 50 percent of which is slow release).

If a mulch blower is used, the strands will not be shredded to less than 8 inches in length to allow anchoring. The mulch will be anchored immediately after placement to minimize

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loss by wind and water. When anchoring by mechanical means, the Contractor shall use a mulch-anchoring tool to properly crimp the mulch to a depth of 2 to 3 inches.

When anchoring with liquid mulch binders, the Contractor shall use the rates recommended by the manufacturer. The Contractor shall not use liquid mulch binders within 100 feet of wetlands or waterbodies.

(b) **Matting/Netting:** Matting or netting consists of jute, wood excelsior, or similar materials, and will be installed by the Contractor to anchor mulch and stabilize the surface of the soil during the critical period of vegetative establishment, where directed by the EI.

Matting or netting will be applied to critical, sensitive areas (e.g., steep slopes, banks of waterbodies, bar ditches) as specified by the EI. On waterbody banks, the matting or netting will be installed at the time of the final bank re-contouring. In the event that erosion control fabric is not readily available, COMPANY will temporarily use mulch anchored via crimping (or some other means) or hydromulch until the erosion control fabric material becomes available. Matting or netting will be anchored with pegs or staples as recommended by the manufacturer.

3.2 **STORMWATER MANAGEMENT**

Stormwater management will be conducted through stormwater flow attenuation, velocity dissipation devices, and water filtration. COMPANY’s construction procedures describe the criteria for placement and use of stormwater control methods/devices. The EI will have the authority to determine the location of these controls.


If herbicides or pesticides are to be used for vegetation maintenance, the applications of those substances will be in accordance with applicable landowner and land management or state agency specifications. COMPANY will not use herbicides or pesticides in or within 100 feet of any waterbody except as specified by the appropriate land management or state agency.

3.3 **OTHER CONTROLS**

3.3.1 **Waste Materials**

(a) Trash, litter, and debris will be collected for off-site disposal; it will not be discarded along the right-of-way. Refuse will be disposed of according to state and local regulations.

(b) Solid waste that contains (or at any time contained) oil, grease, solvents, or other petroleum products, falls within the scope of the oil and hazardous substances control, cleanup,

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and disposal procedures of COMPANY’s Spill Prevention Control and Countermeasures (SPCC) plan. This material shall be segregated for handling and disposal as hazardous waste under the provisions of the plan.

3.3.2 Offsite Vehicle Tracking

(a) A stabilized construction entrance will be used, if appropriate, to reduce vehicle tracking of soil and sediments. Access to the right-of-way will normally be from existing public roads. Attempts will be made to locate roadway crossings/access points to ensure that safe and accessible conditions exist throughout the construction phase. Use of 50-foot-long crushed stone access pads, sweeping, culvert installation, matting, and other forms of rutting protection may be used subject to local permit conditions. Periodic sweeping and scraping will remove sediment tracked onto public roads. If crushed stone access pads are used in active agricultural areas, the stone will be placed on a synthetic fabric to facilitate later removal.


(b) The stabilized construction entrances will be installed before clearing and grading. Once other construction activities permanently cease in an area, that area will be stabilized by reseeding and/or mulching as needed. Once revegetation has been judged successful, temporary erosion/sediment control structures will be removed.

4.0 MAINTENANCE

Erosion and sediment control measures and other protective measures identified in this SWPPP must be maintained in effective operating condition. If site inspections required by Section 5 of this SWPPP identify erosion control devices that are not operating properly, maintenance shall be performed before the next anticipated storm event, or as necessary to maintain the continued effectiveness of erosion controls. If maintenance prior to the next anticipated storm event is impractical, maintenance must be scheduled and accomplished as soon as practicable. Temporary sediment barriers will remain in place until permanent revegetation measures have been judged successful.


5.0 INSPECTIONS

The EI will inspect disturbed areas of the Project area that have not been finally stabilized (including areas used for storage of materials that are exposed to precipitation, staging areas, temporary contractor yards, access roads, structural control measures, and locations where vehicles enter or exit the site). The Project area should be considered stabilized when construction activity ceases and a uniform vegetative cover (see below) has been established.

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Areas that are not revegetated should be considered to have achieved final stabilization when they have a permanent cover that will prevent erosion of soil by wind or water. At that time, activity under this plan, including inspections, will cease. Inspections shall be conducted as follows and/or in accordance with the applicable National or State-Specific Pollution Discharge Elimination System guidelines:

- Conduct **daily inspections and following any storm event of 0.5 inch of precipitation or greater**, except those portions of the site that have been finally or temporarily stabilized, for which inspections will be conducted at least weekly. Inspections should continue until disturbed areas are completely stabilized (for areas to be revegetated, this means that perennial vegetation cover has reached a uniform cover of at least 70 percent of the preconstruction cover).
- **Inspect control measures** daily in areas of active construction or equipment operation and on a weekly basis in areas with no construction. Inspect within 24 hours of the end of a storm event that is 0.5 inch of rainfall or greater. Control measures will be maintained in good working order; if repair is necessary, it should be initiated within 24 hours of report.
- **Inspect disturbed areas** for evidence of or potential for pollutants entering the drainage system. Sediment from silt fences should be removed regularly and the fence inspected to ensure that the bottom of the fence remains imbedded in ground. Damaged hay/straw bales will be replaced with new bales as necessary.
- **Inspect material storage areas** where materials are exposed to precipitation for evidence of potential for pollutants entering the drainage system.
- **Inspect vehicle entrances** for evidence of off-site sediment tracking.
- **Inspect discharge points**, if accessible, to determine if erosion control measures are effective in preventing significant impacts to receiving waters. If these points are inaccessible, inspectors should inspect nearby downstream locations.
- **Inspect vegetation** after the first and second growing season after seeding to determine the success of revegetation. Wetland revegetation is considered successful if at least 80 percent of the total cover is native species and the level of diversity of the native species present after construction is at least 50 percent of the level originally found in

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the wetland. Restoration shall be considered successful if the right-of-way surface condition is similar to adjacent undisturbed lands.

- **Complete an inspection report** of each inspection. Inspection forms and form instructions provided in Appendix C provide additional guidance.

See Section 7 for additional detail on requirements for construction activity and inspection documentation and record keeping.

6.0 PLAN MODIFICATION


This plan may need to be modified and/or updated based on information and experience gathered during actual construction activities (e.g., include or modify BMPs designed to correct problems, etc.). If changes to the design, construction, or maintenance that can have significant effect on the potential for discharging pollutants in stormwater at the site occur, this plan should be modified accordingly by the Contractor, EI, and/or CI. In addition, if the plan proves to be ineffective in controlling pollutants, any necessary modifications to the application of the practices presented in this plan should be made by the Contractor, EI, and/or CI in order to prevent the discharge of pollutants into stormwater.

7.0 REQUIRED REPORTS, DOCUMENTATION, AND RECORDKEEPING

7.1 RECORDS RETENTION

All permit-related documents will be retained as part of the SWPPP for at least three years from the date that the site is finally stabilized as required by COMPANY's document retention policies. The following documentation will be kept on file at the construction site:


- A copy of this SWPPP and referenced attachment(s)
- Inspection reports
- Log of construction and BMP installation/maintenance activities and/or construction alignment sheets/construction plans showing the placement of BMPs.
- Notice of Intent and Notice of Termination

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7.2 INSPECTION REPORTS

A separate report will be developed for each inspection. Inspection reports will identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report will contain a certification that the facility is in compliance with this SWPPP. In addition, inspection reports should:

- Summarize the scope of the inspection.
- Provide the name(s), title(s), and qualifications of personnel making the inspection.
- Indicate the date(s) of the inspection.
- Provide weather information and a description of any discharges occurring at the time of the inspection.
- Provide weather information for the period since the last inspection (or since commencement of construction activity if first inspection), including:
 - A best-estimate of the beginning of each storm event
 - Duration of each storm event
 - Approximate amount of rainfall for each storm event (in inches)
 - If any discharges occurred
- Indicate the location(s) of discharges of sediment or other pollutants from the site.
- Indicate the location(s) of BMPs that need to be maintained.
- Indicate the location(s) of BMPs that failed to operate as designed or proved inadequate for that particular location and plans for correction of the problem (including implementation dates of corrective action).
- Indicate location(s) where additional BMPs are needed that did not exist at the time of inspection.

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7.3 LOG OF CONSTRUCTION AND BMP INSTALLATION AND MAINTENANCE ACTIVITIES

In addition to inspection and maintenance reports, keep a record of construction activity on the site with this SWPPP. In particular, keep record of the following:


- The dates when major grading activities occur in a particular area.
- The date when construction activities cease in an area, temporarily or permanently.
- The date when an area is stabilized, temporarily or permanently.
- Erosion control maintenance activities.

8.0 SWPPP CERTIFICATION

8.1 COMPANY’S CERTIFICATION

I certify under penalty of law that this document and its appendices 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.

Signed: _____ Date _____
Print Name: _____
Title: _____
Company: _____

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8.2 CONTRACTOR'S/SUBCONTRACTOR'S CERTIFICATION

I certify under penalty of law that I understand the terms and conditions of the governing PDES permit that authorizes the stormwater discharges associated with industrial activity from the construction site identified as part of this certification.

Signed: _____ Date _____
Print Name: _____
Title: _____
Company: _____

I certify under penalty of law that I understand the terms and conditions of the governing PDES permit that authorizes the stormwater discharges associated with industrial activity from the construction site identified as part of this certification.

Signed: _____ Date _____
Print Name: _____
Title: _____
Company: _____

I certify under penalty of law that I understand the terms and conditions of the governing PDES permit that authorizes the stormwater discharges associated with industrial activity from the construction site identified as part of this certification.

Signed: _____ Date _____
Print Name: _____
Title: _____
Company: _____