

Module 1: Course Overview

Module 1 Objectives

After completing this module, you will be able to:

- Describe the purpose of the Virginia Stormwater Management Program and the need for plan review
- Discuss the role and responsibilities of a certified plan reviewer for compliance with a Virginia Stormwater Management Program

Module 1 Content

1a. Overview of Virginia Stormwater Management Program

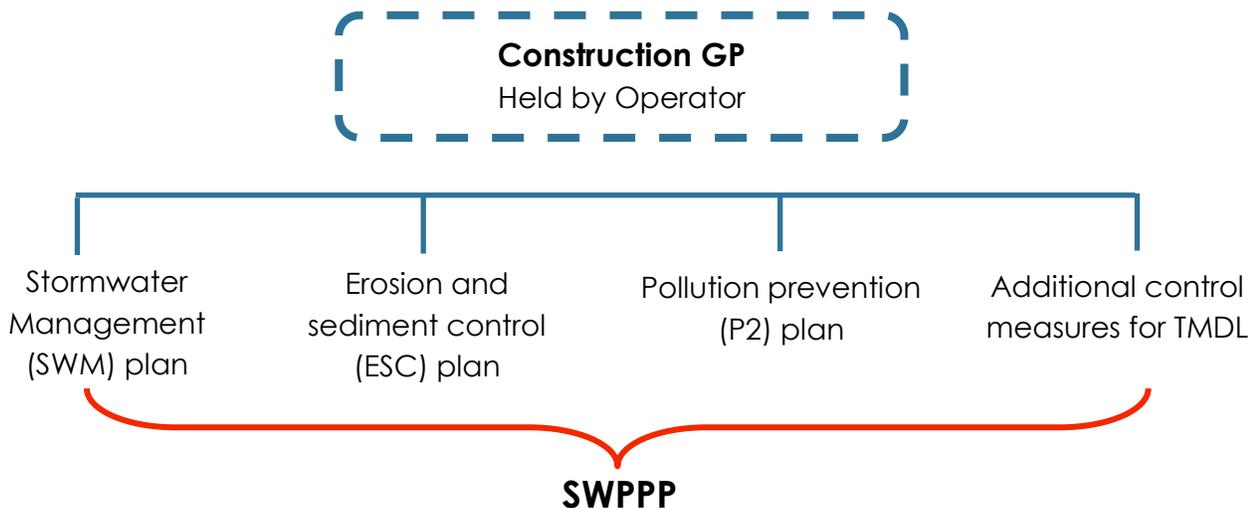
1b. Purpose of Plan Review

1c. Plan Review Documentation

1a. Overview of Virginia Stormwater Management Program

The Virginia Stormwater Management Program (VSMP) uses a comprehensive approach in the management of stormwater at the local level by controlling stormwater with erosion and sediment controls (ESC), pollution prevention (P2), and post-construction stormwater best management practices (BMPs).

Owners or operators of a construction project or land disturbing activity (LDA) that are one or more acres can discharge stormwater from a construction site under the General VPDES Permit for Discharges of Stormwater from Construction Activities (Construction GP). *★ Projects disturbing less than an acre and part of a larger (disturbing more than 1 acre) common plan of development or sale must also have state permit coverage.*



VSMP authority review of SWM plan and ESC plan before Construction GP issuance by DEQ
Additional control measures for TMDLs may be on SWM plan
Review of P2 plan in the field

The application process for the Construction GP consists of the following:

1. Operator completes the stormwater pollution prevention plan (SWPPP), which includes a stormwater management plan, erosion and sediment control plan, pollution prevention (P2) plan, and additional control measures for TMDLs during construction
2. Next, operator submits the stormwater management plan and erosion and sediment control plan (two components of the SWPPP) to the locality's VSMP authority and Virginia Erosion and Sediment Control Program (VESCP) authority, respectively, for review and approval
3. After both plans have been approved and the VSMP authority confirms all necessary application components are in place, state permit coverage is issued by DEQ

VSMP authority permit

A locality VSMP authority can adopt an ordinance that requires projects less than one acre to hold a VSMP authority permit and follow the administrative and technical criteria of the locality's VSMP (approved ESC and SWM plans and development and implementation of P2 plan and additional control measures to address a TMDL). The VSMP Regulations requires locality VSMP authorities to adopt ordinances that are at least as stringent as the Construction GP (9VAC25-870-106).

Chesapeake Bay Preservation Act LDA

Any operator conducting land disturbing activity that is 2,500 square feet or more and less than one acre in an area of a jurisdiction that is subject to the Chesapeake Bay Preservation Act (called a "CBPA land disturbing activity") must have an approved erosion and sediment control and a stormwater management plan. Where appropriate, the CBPA LDA must have a VSMP authority permit. The VSMP Regulations do not require CBPA LDAs to develop a pollution prevention plan.

VSMP Process - See Module 5a of the Basic Stormwater Management Course for more information about the Construction GP approval process.



1b. Purpose of Plan Review

Plan Review

Plan reviewers play a critical role in ensuring project compliance with the Construction GP, Virginia Erosion and Sediment Control Program (VESCP), and the VSMP Regulations, as well as protecting natural resources. The review of plans can occur at different stages:

- Review and approval of the **stormwater management (SWM) plan** by a certified VSMP plan reviewer and the erosion and **sediment control (ESC) plan** by a certified VESCP plan reviewer prior to issuance of the Construction GP
- Review of **additional control measures to address TMDLs**, which may be included on the SWM plan
- Review of **pollution prevention (P2) plan** in the field, usually by a VSMP inspector after Construction GP issuance (or prior to permit issuance if required by a local VSMP authority as part of a more stringent program)
- Review and approval of **SWM and ESC plan revisions** after permit issuance and during the course of construction
- Review of **construction record drawings** and **notice of termination (NOT)** prior to termination of the Construction GP for the LDA

Plan Review Certification

Erosion and sediment control and stormwater management plan review must be conducted by DEQ certified plan reviewers. This may be the same individual in an implementing authority, or it may be different plan reviewers depending on how the authority's programs are set-up. The requirements for plan review certification are included in the *Erosion and Sediment Control and Stormwater Management Certification Regulations* (9VAC25-850).

Certified Plan Reviewer for ESC - an employee or agent of a VESCP authority who:

1. Holds a certificate of competence from the board in the classification of plan reviewer in the area of ESC;
2. Is licensed as a professional engineer, architect, certified landscape architect, or land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia; or

3. Is a professional soil scientist as defined in Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia” (9VAC25-850-10)

Certified Plan Reviewer for SWM - an employee or agent of a VSMP authority who holds a certificate of competence from the Board in the classification of plan reviewer in the area of SWM” (9VAC25-850-10).

SWM and ESC Plans

The SWM plan is reviewed by certified staff to ensure that the general and technical criteria of the Construction GP and Part II of the VSMP Regulations are adequately addressed for the LDA. The criteria include post-construction stormwater management controls to address water quality and quantity. Plan review includes the review of plans, specifications, engineering calculations, and engineering models or studies used to demonstrate compliance. Likewise, the ESC plan and supporting documents are reviewed by certified staff to ensure compliance with requirements of the Construction GP and the Virginia Erosion and Sediment Control Regulations, including Federal Effluent Guidelines and Virginia’s Minimum Standards for ESC. Both of these plans must be reviewed and approved before issuance of the Construction GP. If revisions to the approved SWM or ESC plans are required during implementation, a certified plan reviewer must review the revisions for consistency with the applicable regulations and program.

Pollution Prevention (P2) Plan

The Construction GP and VSMP program do not require the P2 plan to be approved by the VSMP authority. However, the P2 plan is an important part of the SWPPP and should be periodically reviewed in the field by a VSMP inspector to ensure compliance. A VSMP authority may choose to adopt a more stringent program that requires the P2 plan to be submitted for review and approval prior to permit issuance.

Additional Control Measures to Address TMDLs

If an operator intends to discharge stormwater to a waterway that has an assigned waste load allocation (WLA) for a pollutant in an approved total maximum daily load (TMDL) that has been assigned to stormwater discharges from a construction activity (e.g., sediment, sediment-related parameter or nutrients), then the operator must identify additional control measures in the SWPPP so that the discharges are consistent with the assumptions and requirements of the

WLA (9VAC25-870-54). The VSMP Regulations do not require the control measures to be approved by a VSMP plan reviewer.

Construction Record Drawings and Notice of Termination (NOT)

Following construction and implementation of post-construction BMPs and prior to termination of the Construction GP, the permittee is required to compile and submit construction record drawings documenting how the BMPs have been constructed and are in compliance with the approved SWM plan and additional control measures. The VSMP authority may require that certified staff review the construction record drawings before the Construction GP is terminated and any surety is released to the permittee. In addition to the construction record drawings, the permittee is required to submit a notice of termination (NOT) to the VSMP authority.

The NOT includes information specific to the post-construction BMPs, including:

- Location by hydrologic unit code
- Drainage area treated by the BMPs
- Number and types of BMPs
- Dates the BMPs began operating and treating post-construction stormwater runoff

1c. Plan Review Documentation

Documentation during plan review

Plan review includes two phases where proper documentation of the plan review findings is necessary:

- Completeness review
- Technical review

For both reviews, approval or denial must be documented in writing, provided to the applicant, and retained with the VSMP authority records as discussed below.

Documentation during construction

If the approved SWM plan requires modifications during construction and implementation, the plan review authority must document the review and approval or denial of the modifications in writing, provide the documentation to the permittee, and retain the records as discussed below.

Documentation at project completion

Following construction and submittal of the construction record drawings and NOT, the VSMP authority should document acceptance of the documents, provide documentation of acceptance to the permittee and DEQ, and maintain the documents in accordance with the reports and record keeping list below.

★ *A note about reports and record keeping* ([9VAC25-870-126](#))

A VSMP authority must keep records in accordance with the following:

- Project records, including plan review comments, approved stormwater management plans and NOTs, must be kept for **three** years after construction
- Construction record drawings must be maintained **in perpetuity** or until a stormwater management **facility is removed**