

# Module 5

## Administering a VSMP: Construction and Post-Construction Requirements

# Module 5 Contents

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# Module 5a.

## Overview

# Overview

- When to inspect LDA
- What to look for during inspections
- Enforcement
- Permit termination
- Post-construction inspections

# Module 5b.

## Construction Inspection Requirements

# Inspections

## 9. VESCP and VSMP authority inspections

# Right of Entry

- Authorized under Act
  - Reasonable times
  - Reasonable circumstances



# Inspection Frequency

- VSMP authority inspections
  - Periodically inspect for:
    - ☑ Compliance with ESC plan
    - ☑ Compliance with SWM plan
    - ☑ Development, updating, implementation of P2 plan
    - ☑ Development and implementation of additional control measures to address a TMDL (when required)

# State projects

- Programmatic inspections
  - Periodically
- SWPPP inspection
  - Inspection schedule in the Construction GP
- DEQ inspections
  - Randomly

# Construction GP Requirements

- Qualified person must conduct inspections to ensure compliance with the SWPPP
  - Standard inspection schedule
    - At least once every 5 business days, or
    - At least once every 10 business days and no later than 48 hours following a measurable storm event

# Construction GP Requirements

- Qualified person
  - Person knowledgeable in the principles and practices of erosion and sediment and stormwater management controls who possesses the skills to assess conditions at the construction site for the operator that could impact stormwater quality and quantity to assess the effectiveness of ESC measures or SWM facilities

# Construction GP Requirements

- Requirements for TMDLs, impaired waterways and exceptional waterways
  - SWPPP must minimize the pollutants of concern, and be consistent with the TMDL (when applicable)

# Construction GP Requirements

- Requirements for TMDLs, impaired waterways and exceptional waterways
  - Operator must :
    - List the impaired water(s), approved TMDL(s), and pollutant(s) of concern, when applicable, in the SWPPP
    - Apply permanent or temporary soil stabilization to denuded areas within 7 days after final grade is reached on **any portion** of the site
    - Apply nutrients in accordance with manufacturer's recommendations or an approved nutrient management plan and not apply during rainfall events

# Construction GP Requirements

- Requirements for TMDLs, impaired waterways and exceptional waterways
  - Amend SWPPP inspections
    - At least once every 4 business days, or
    - At least once every 5 business days and no later than 48 hours following a measurable storm event

# Construction GP Requirements

## Standard SWPPP Inspection Frequency

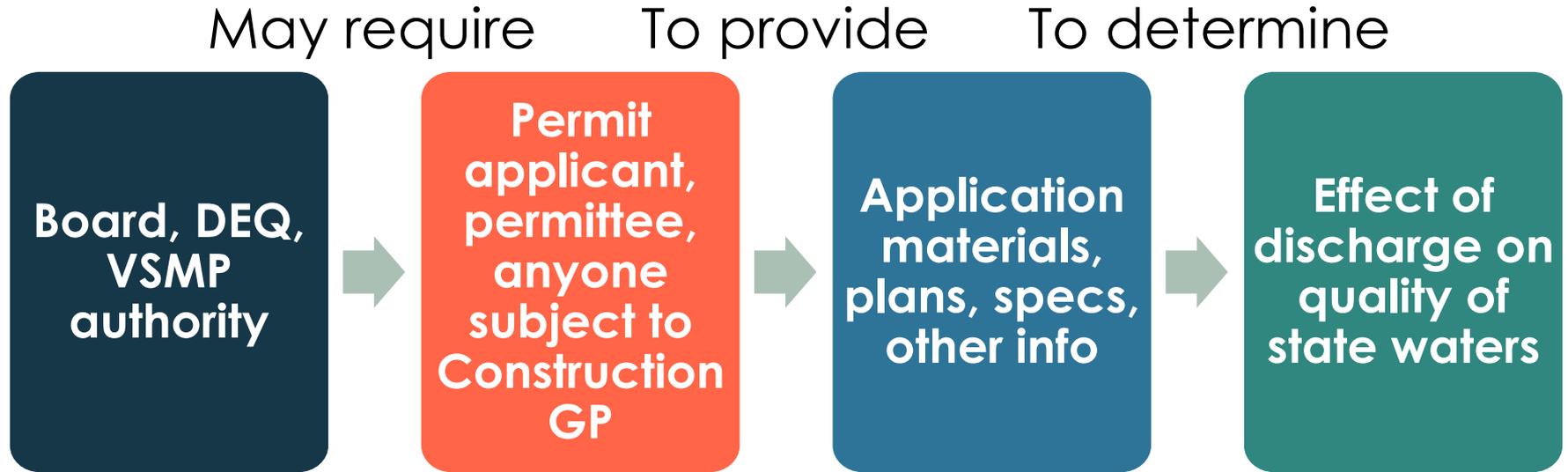
- At least once every 5 business days; OR
- At least once every 10 business days and no later than 48 hours following a measurable storm event.

## SWPPP Inspection Frequency for TMDLs, Impaired Waters, Exceptional Waterways

- At least once every 4 business days; OR
- At least once every 5 business days and no later than 48 hours following a measurable storm event.

# Construction GP Requirements

- Duty of the operator to provide information



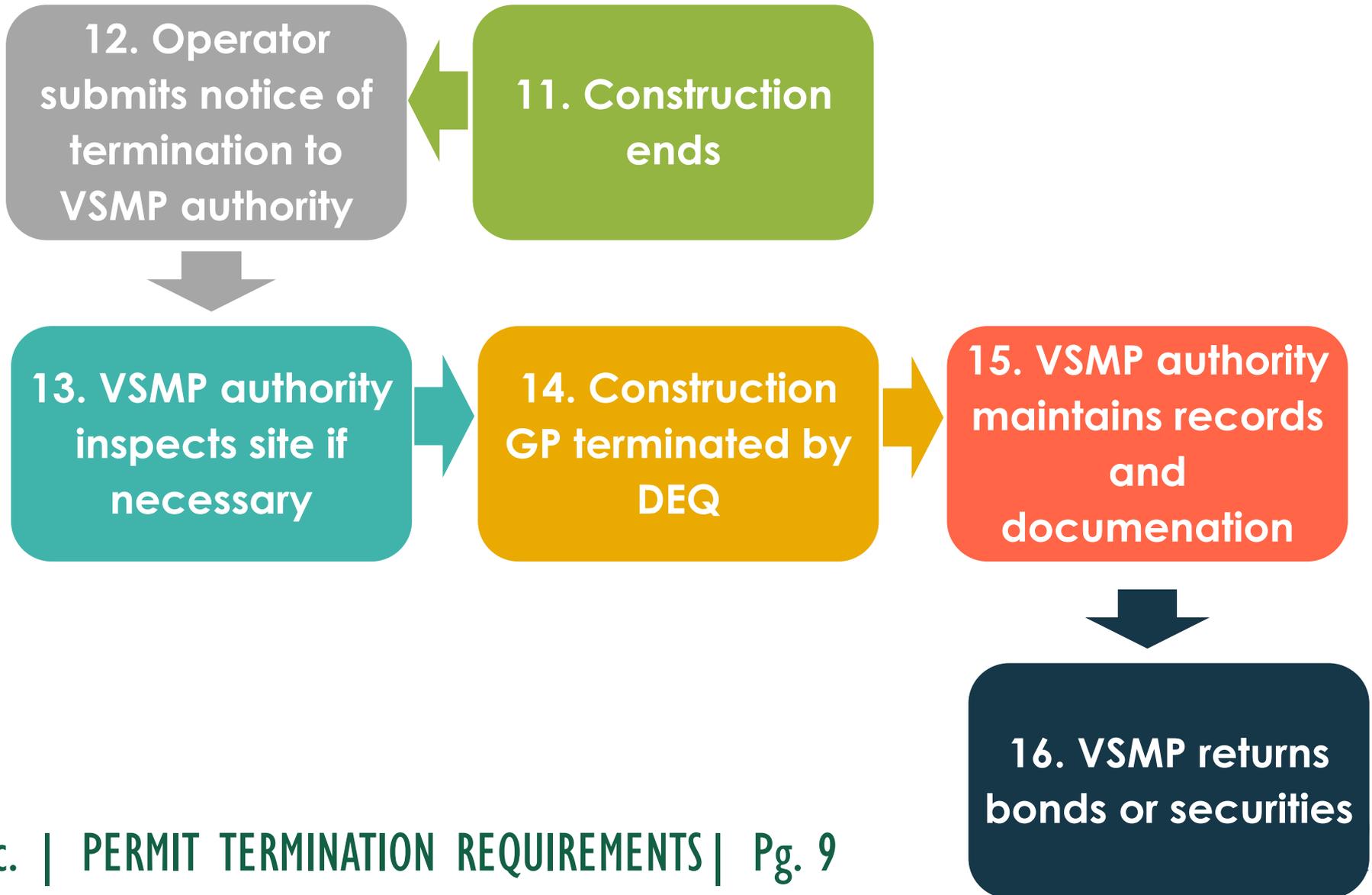
# Construction GP Requirements

- Signatory requirements
  - Reports, inspection reports
    - Operator, or
    - Authorized representative

# Module 5c.

## Permit Termination Requirements

# Construction GP Requirements



# Construction GP Requirements

## Permit termination checklist

- ☑ Permit termination requirements met
- ☑ DEQ Notice of Termination form completed
  - Confirmation long-term maintenance agreement(s) recorded in local land records (when applicable)
  - Information on permanent control measures recorded (when applicable)
- ☑ Construction record drawing(s) for permanent stormwater management facilities submitted to VSMP authority (when applicable)
- ☑ Notice of Termination information entered into Construction General Permit System

# Construction GP Requirements

- N.O.T. and Construction GP termination requirements

**30  
days**

# Construction GP Requirements

- N.O.T. and Construction GP termination requirements
  1. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible.
    - *When applicable, long-term responsibility and maintenance requirements for permanent control measures must be recorded in the local land records before the submission of the Notice of Termination*

# Construction GP Requirements

- N.O.T. and Construction GP termination requirements
  2. Another operator has assumed control over all areas of the site that have not been fully stabilized and obtained coverage for the ongoing discharge

# Construction GP Requirements

- N.O.T and Construction GP termination requirements
  3. Coverage under an alternative VPDES or state permit has been obtained
  4. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner

**Notice of Termination**  
**General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)**

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(Please Type or Print All Information)

**1. Construction Activity Operator:**

Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Email address (if available): \_\_\_\_\_

**2. Name and Location of the Construction Activity: (As listed on the Registration Statement.)**

Name: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees): \_\_\_\_\_

**3. General Permit Registration Number:** \_\_\_\_\_

**4. Reason for Terminating Coverage Under the General Permit:** (The operator shall submit a Notice of Termination after one or more of the following conditions have been met.)

A. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a notice of termination;

B. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;

C. Coverage under an alternative VPDES or state permit has been obtained; or

# Construction GP Requirements

- Long-term maintenance agreements

4. **Reason for Terminating Coverage under the General Permit:** (The operator shall submit a Notice of Termination after one or more of the following conditions have been met.)

- A. Necessary permanent control measures included in the SWPPP for the site are in place and functioning effectively and final stabilization has been achieved on all portions of the site for which the operator is responsible. When applicable, long-term responsibility and maintenance requirements for permanent control measures shall be recorded in the local land records prior to the submission of a Notice of Termination;
- B. Another operator has assumed control over all areas of the site that have not been finally stabilized and obtained coverage for the ongoing discharge;
- C. Coverage under an alternative VPDES or state permit has been obtained; or
- D. For residential construction only, temporary soil stabilization has been completed and the residence has been transferred to the homeowner.



# Construction GP Requirements

- Information on permanent control measures

5. **Permanent Control Measures Installed:** (When applicable, a list of the on-site and off-site permanent control measures (both structural and nonstructural) that were installed to comply with the stormwater management technical criteria. Attach a separate list if additional space is needed.)

**Permanent Control Measure #1**

Type of Permanent Control Measure: \_\_\_\_\_

Date Functional: \_\_\_\_\_

Address (if available): \_\_\_\_\_

City: State: Zip: \_\_\_\_\_

County (if not located within a City): \_\_\_\_\_

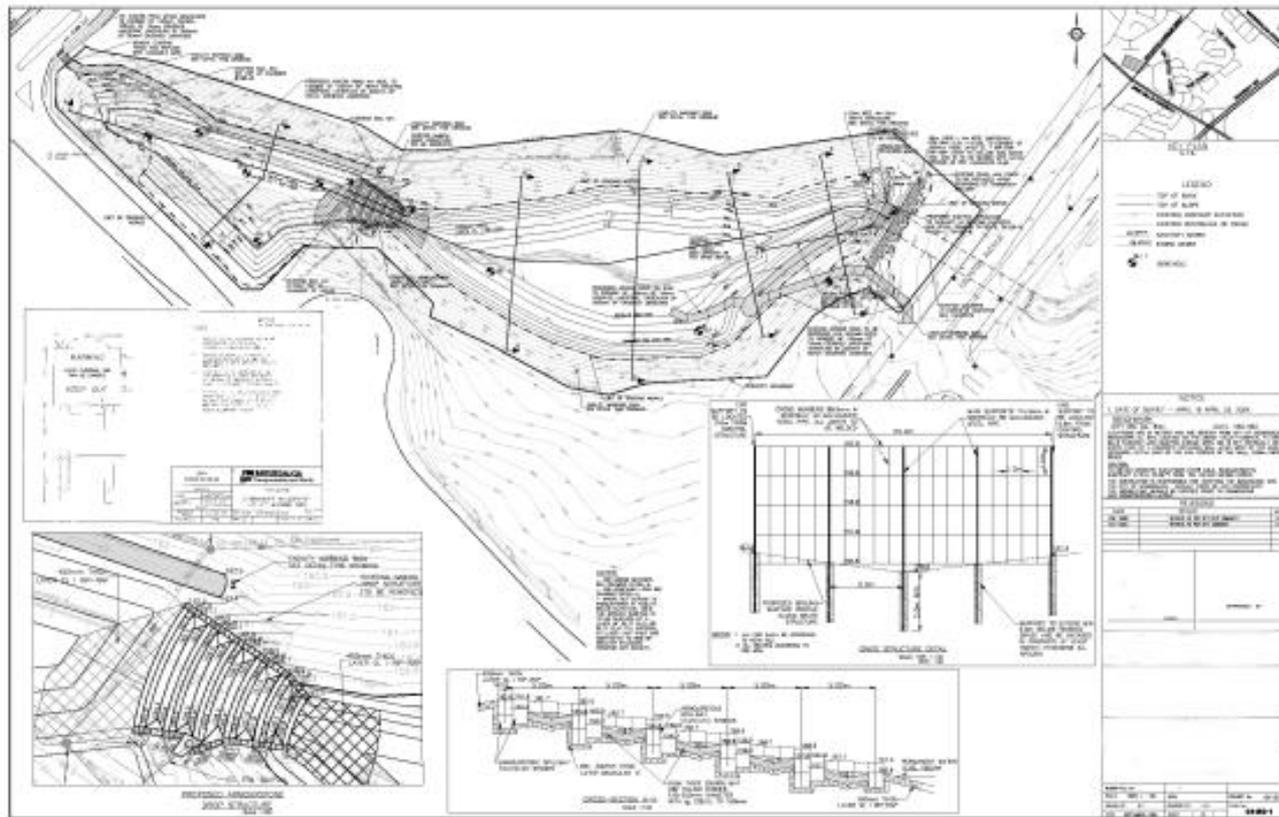
Latitude (decimal degrees): \_\_\_\_\_ Longitude (decimal degrees) \_\_\_\_\_

Receiving Water: \_\_\_\_\_

Total Acres Treated: \_\_\_\_\_ Impervious Acres Treated: \_\_\_\_\_

# Construction GP Requirements

- Construction record drawings



# Construction GP Requirements

- Construction General Permit System

Ready for permit termination



The screenshot shows the DEQ website interface. At the top, there is a black navigation bar with 'Virginia.gov' on the left, 'Agencies | Governor' in the center, and 'Search Virginia.Gov' on the right. Below this is the DEQ logo, which includes a green and blue graphic of a river and the text 'DEQ VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY'. A blue horizontal menu bar contains the following links: 'My DEQ', 'Permits', 'Laws & Regulations', 'Programs', 'Locations', 'About Us', and 'Connect With DEQ'. The main content area is white and features the heading 'Welcome to the Stormwater Construction General Permit System'. Below the heading is a 'Log In' link and a text input field with the placeholder text 'Enter your Stormwater Construction General Permit System account credentials to log into the application.'

# Construction GP Requirements

- Security for performance

60  
days

# Module 5d.

## Post-Construction Inspection Requirements

# Post-Construction Inspections

- Inspection frequency

17. Inspections  
after construction

At  
least 1  
every  
5 yrs.



# Post-Construction Inspections

- Inspection frequency

VSMP authority can use inspection reports from:

Licensed professional engineer, architect, landscape architect, or land surveyor

Someone working under the direction and oversight of the licensed professional

DEQ certified SWM Inspector

# Post-Construction Inspections

- Inspection frequency
  - If long-term maintenance agreement is not required, facility is not subject to VSMP authority post-construction inspection requirements

# Post-Construction Inspections

- State agency annual standards + specifications

Operation  
and  
maintenance  
stays with  
state agency

If sold,  
operation  
and  
maintenance  
transfers to  
new owner

State agency  
must inspect  
at least  
yearly or  
after certain  
storms

# Questions?