



# Salt Lake County

CONSTRUCTION STANDARD OPERATING PROCEDURES

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## **Pre-Construction, Pre-SWPPP & SWPPP Review Site Inspections & Enforcement Response**

### **Purpose:**

Outline the procedures and responsibilities for meeting the construction sediment and erosion control requirements in the Salt Lake County stormwater discharge permit.

### **Projects that require coverage under the Construction General Permit (CGP)**

Salt Lake County requires projects to apply for coverage when:

- Disturb one acre or more of land,
- Disturb land of any size if the site is adjacent (within 50 feet) to regulated wetlands or surface waters or located in the Salt Lake City watershed,
- Disturb less than one acre of land and are part of a larger common plan of development that disturbs one acre or more.

### **SWPPP Review and Approval:**

- a. The operator must prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) document with a map that includes site plans and construction details for proposed best management practices (BMPs) for erosion and sediment control at the construction site. The State of Utah Division of Water Quality (DWQ) construction permit application and SWPPP requirements are available at: <https://deq.utah.gov/water-quality/general-construction-storm-water-updes-permits>.
- b. The preparer will submit the SWPPP for Salt Lake County to review for compliance with the UPDES Construction General Permit UTRC00000 (CGP).
- c. The SWPPP review will utilize the State [UPDES Storm Water Inspection Evaluation Form For SWPPP Compliance](#). This form includes evaluation of contact names, site map, disturbed areas, erosion and sediment controls, good housekeeping controls, and signatures.
- d. Salt Lake County shall inform the applicant of any deficiencies in the SWPPP and ensure that the applicant addresses those deficiencies before the SWPPP is approved.
- e. Once the SWPPP has been approved, the operator can apply for a construction permit through the DWQ [Net NPDES eReporting Tool](#).

### **Permit Application:**

- a. The preparer or signatory must obtain a UPDES Stormwater General Permit for construction activities from the DWQ after the final approval of the SWPPP.
- b. The preparer or signatory must create an account in the DWQ [Net NPDES eReporting Tool](#).
- c. Follow the instructions on how to [create a new permit in Net CGP](#).
- d. Complete eligibility information and select Construction General Permit (CGP) Notice

of Intent (NOI).

- e. The permit is active after the form is certified and payment is received.
- f. The permit remains active for one year after the date signed.

**Pre-Construction Meeting:**

A pre-construction meeting shall be held prior to groundbreaking. The stormwater requirements for the pre-construction meeting include but are not limited to:

- a. Discuss the plan for maintaining an updated SWPPP document and map that reflects any changes in the BMPs, corrective action plans, and inspections.
- b. Discuss emergency spill procedures and the enforcement process for stormwater violations.
- c. Discuss inspection requirements and frequency.
- d. Discuss the annual renewal requirements of the CGP.
- e. Discuss the requirements for stabilization and the procedure for the Notice of Termination (NOT) of permit.

**Operator Responsibilities:**

The Operator is responsible for adherence to the requirements of the DWQ Construction General Permit (CGP) including:

- a. The operator shall provide evidence that the person responsible for supervising and inspecting the installation and maintenance of BMPs is qualified, as described in the CGP Section 4.1.
- b. The inspector shall inspect sites every fourteen (14) days and immediately after any significant rainfall (0.5 or greater) and snowfall and snowmelt or as required by SWPPP.
- c. The inspector shall inspect sites discharging to sensitive waters or sites within 50 feet of a waterbody every seven (7) calendar days and within 24 hours of the occurrence of a storm event of 0.50 inches or greater.
- d. The operator shall apply and provide copies of permits for construction issued by the State of Utah DEQ, Salt Lake County Flood Control, and any other applicable permits required for the site.
- e. The operator shall post the SWPPP sign in a conspicuous, safe, publicly accessible place near the entrance to the project.
- f. The operator will maintain an updated SWPPP document and map that reflects any changes in the BMPs, corrective action plans, and inspections.
- g. The operator will make available the most current version of the SWPPP easily accessible at the time of an on-site inspection or upon request by DWQ, the EPA, the MS4, or the County.
- h. The operator shall install and maintain all BMPs as specified in the current SWPPP.

### **MS4 Inspections:**

- a. All site inspections will utilize the DWQ SWPPP Compliance Inspection Form (Appendix XXX).
- b. The County Inspector shall inspect sites once every thirty (30) days for standard sites or every fourteen (14) days for sites within 50 feet of a Water of the State.
- c. The Stormwater Supervisor shall respond to stormwater-related requests and complaints submitted by the public and perform an inspection based on the complaint/tip.
- d. The County Inspector or Stormwater Supervisor shall inspect the erosion and sediment BMPs, review inspection records, and revisions to the SWPPP.
- e. The County Inspector Stormwater Supervisor shall report all corrective actions needed to the construction site contact person.
  - a. When a corrective action does not require a new or replacement control or significant repair, the corrective action must be completed by the close of the next business day.
  - b. When the problem requires a new or replacement control or significant repair, the corrective action must be completed within seven (7) calendar days.

### **Project Closeout:**

- a. The operator shall submit the electronic NOT through the DWQ [Net NPDES eReporting Tool](#) when the project is complete (70% Stabilized).
- b. The County Inspector or Stormwater Supervisor shall inspect the final stabilization using the DWQ UPDES Stormwater Notice of Termination Inspection Form (Appendix XXX).
- c. The County Stormwater Supervisor shall approve the NOT in the DWQ [Net NPDES eReporting Tool](#) if the stabilization meets the

### **Violations and Enforcement:**

- a. The Salt Lake County Inspector shall initiate enforcement actions in accordance with the **Enforcement Response Guide** for violations that do not enter a storm drain or Water of the State.
- b. If a construction site discharge enters a storm drain or a Water of the State, the Inspector will follow the procedure for **IDDE Reporting and Response** and the **Reporting and Response Flow Chart**.

## Enforcement Response Guide

Violations of the stormwater requirements for construction activities generally fall into the following areas:

### **Compliance Order:**

These violations involve a written or verbal order with a time frame for correcting permit, SWPPP, BMP(s), and records deficiencies.

### **Stop Work Order:**

This order is issued when the time frame for the Compliance order is not met. This order requires that all work at the construction cease until the compliance order conditions are met.

### **Notice of Violation (NOV) and Penalty Assessment:**

Salt Lake County will prepare and issue an NOV with a compliance schedule and penalty assessment (if appropriate) when there is no response to the Stop Work Order.

### **Referral to County Attorney:**

If work continues at the site, refer to Salt Lake County District Attorney for further action.

### **Discharge Violations:**

Immediately notify the Salt Lake County Health Department and Utah Department of Environmental Quality if a site has sediment or other pollutants discharging to a storm drain or waterway. Follow the procedures in **IDDE Large, Hazardous, or Storm drain Impacting Illicit Discharges**. Assist the agencies with the illicit discharge investigation and enforcement actions as directed.

### **Considerations:**

Each violation may result in varying enforcement actions depending on the severity and the duration of the violation. Typically, the following circumstances are evaluated when determining appropriate actions or escalating enforcement for continued violations:

- Magnitude of the violation (type and severity)
- Duration of the violation
- Effect of the violation on the environment and public health
- Effect of the violation on surface waters
- Economic benefit realized because of non-compliance
- Repeat offenders