TERRA ENVIRONMENTAL, LLC
PLANNING | CONSULTING | MANAGEMENT | REMEDIATION

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March 18, 2019

Mr. Andrew MacLean, Town Administrator
Town of Pepperell
1 Main Street,
Pepperell, MA 01463

Subject: Nashua Road Quarry Reclamation Project
161 Nashua Road Pepperrell, MA

Dear Mr. MacLean,

On behalf of Mass Composting Group, Inc. (MCGI), TERRA Environmental, LLC is pleased to provide the Town of Pepperell with this letter and revised Soil Management Plan summarizing the reclamation of the Nashua Road Quarry located at 161 Nashua Road in Pepperell, MA (the "Site"). The revised Soil Management Plan was updated based on comments received from MassDEP in their July 19, 2018 Memorandum, TERRA responses to MassDEP Comments provided in our Memorandum dated September 7, 2018 and meaningful input received from the Town of Pepperell during Town Meetings.

As discussed with Town officials and MassDEP, the purpose of this Reclamation Project is to improve current topographic conditions by restoring elevations to pre-quarrying conditions, install a sustainable vegetative cover and prepare the property for future development. The Reclamation Project will accept, receive and place similar soils in a manner that is protective of human health, safety and the environment. No waste material will be accepted. A copy of the Soil Management Plan has been included in Attachment A.

Based on feedback received from the Town, MCGI engaged Landtech Engineering to assist with the Project's re-design to address information received from the Town during Select Board meetings. Two of the most significant changes include the decrease of the finished height and volume required to complete the project. The proposed height of the Project was reduced from 380 ft to 299.5 feet; and the volume of soil was reduced from 4-million cubic yards to approximately 3-million cubic yards. The entire Project will take place over the course of 7 to 9 years. The Reclamation Project will be completed in accordance with a MassDEP issued Administrative Consent Order (ACO) permit that will incorporate the methods and procedures to be followed by MCGI during the management and execution of the Project.

MCGI is seeking the Town's support and meaningful input with respect to the Reclamation Project. On behalf of MCGI, TERRA Environmental requests a meeting with the Town of Pepperell at the earliest mutually-convenient date to discuss the Reclamation Project and answer any questions regarding the Project.

If you should have any questions or require additional information, please do not hesitate to contact Bill Scott or myself directly at your convenience.

Respectfully submitted,

TERRA ENVIRONMENTAL, LLC

Philip M. Peterson, LSP
Principal Consultant / Manager

ATTACHMENT A: SOIL MANAGEMENT PLAN

CC: **PEPPERELL BOARD OF SELECTMEN (1-COPY)**
MASSDEP – CENTRAL REGIONAL OFFICE (MARK BALDI, VIA EMAIL)
BILL SCOTT, OWNER (MCGI, VIA EMAIL)

ATTACHMENT A

REVISED SOIL MANAGEMENT PLAN, (MARCH 12, 2019)

TERRA ENVIRONMENTAL, LLC
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SOIL MANAGEMENT PLAN

NASHUA ROAD QUARRY RECLAMATION PROJECT
161 NASHUA ROAD
PEPPERELL, MA 01463

Prepared for:
Mass Composting Group, Inc.
161 Nashua Road
Pepperell, MA 01463

Prepared by:
TERRA Environmental, LLC
159 Haven St., 2nd Floor
Reading, MA 01867

Prepared: June 28, 2018
Revised & Resubmitted: March 12, 2019

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1. 0 INTRODUCTION

The Nashua Road Quarry Reclamation Project location is 161 Nashua Road in Pepperell, Massachusetts (the "Site" or the "Project"). The location is shown on **Figure 1 -** MassDEP Phase I Site Assessment Map, **Figure 2 -** Topographic map, and is identified as parcel 6-20-0 in the Town of Pepperell's Assessor's Property Map 6, **Figure 3**. The Site is zoned Industrial by the Town of Pepperell.

The following soil management plan and attachments discuss our approach to reclaiming the gravel pit in accordance with previously issued removal permits and MassDEP policies including, "Similar Soils Policy WSC#-13-500 and MassDEP, Policy #COMM-15-01, Interim Policy on the Re-use of Soil for Large Reclamation Projects (i.e. quarries, sand and gravel pits).

Historically, the Site was used as a quarry to produce gravel by Shattuck prior to 1972. The Site access is located off Nashua Road/Route 111 and the Site is being prepared for future development under its existing Industrial Zoning (**Figure 4**)**.**

There will be no new impervious area(s) added as part of the proposed Project. The Project will include semi-permanent placement of silt fence along the Site boundaries and will serve as a visible and physical barrier between the work area and surrounding properties.

It is anticipated that the reclamation Project will take approximately 7 to 9 years to complete based upon the size of the area to be filled; Projections of volumes of fill material likely available and anticipated daily operations at the Site. It is estimated that approximately 3.2-million cubic yards of soil will be received over the course of the Project. Anticipated sources of fill material include excess soil from excavation and construction Projects in Massachusetts, as well as qualified soils from Vermont, New Hampshire and Maine. The intended fill material will include native deposits of soil including sand, gravel, organic soils, estuarine deposits, marine sands, glacial till, clay, fill soils, and soil/bentonite clay mixtures from foundation installations.

Soil intended for reuse in the filling operation must meet the Acceptance Criteria established for this location. The derivation of the Acceptance Criteria is based on MassDEP's Similar Soils Policy WSC#-13-500, MassDEP Policy #COMM-15-01 (Policy for re-use of soil for Large Reclamation Projects), Massachusetts Contingency Plan (MCP) and any other applicable state and federal regulations. All reclamation soil will be sampled and analyzed under the supervision of a Licensed Site Professional (LSP) prior to accepting such soil for reuse by the Project.

The Property owner including "involved parties" identified in Section 2. 0 of this Plan have met the Town regarding this Project, see **Appendix A.**

A Notice of Intent (NOI) will be prepared and implemented in accordance with USEPA National Pollutant Discharge Elimination System (NPDES) requirements for a Construction General Permit disturbing over 1 acre of land. A copy of the Storm Water Pollution Prevention Plan has been prepared and will be submitted within 30-days of starting land disturbance activities. The Storm Water Pollution Prevention Plan is included in **Appendix B**.

1.1 SITE BACKGROUND AND HISTORY

The Shattuck Gravel Pit, hereinafter referred to as "Shattuck Pit" is located off Nashua Road, also known as and identified as State Route Number 111 and is located within the Industrial Zone as shown on the Town of Pepperell Zoning Map. Under current Town Zoning Regulations, Earth and soil removal operations are allowed by Board of Selectmen Special Permit in the Industrial Zone. Such use has been an allowed use in the Industrial Zone since on or about 1973 by Special Permit and prior thereto as a matter of right (1968+). Gravel removal operations have occurred at the Shattuck Pit under previously issued permits. No gravel removal operations will occur as part of the reclamation Project.

Gravel removal operations for the Shattuck Pit date back to prior to 1972. It is reported that gravel removal operations were originally initiated in 1965. Shattuck's removal operation mandates restoration standards to be completed and include a provision to restore excavated areas. The final grades will be covered with topsoil and seeded. Such restoration standards have been in effect since adoption of the Town Zoning regulations for soil removal and have been a recited "condition" in each permit granted for soil removal operations for the Shattuck Pit and which restoration conditions remain outstanding. The reclamation Project would be undertaken pursuant to "reclamation" provisions provided in previously issued permits and including "MassDEP, Policy #COMM-15-01, Interim Policy on the Re-use of Soil for Large Reclamation Projects (i.e. quarries, sand and gravel pits) "and MassDEP "Similar Soils Policy WSC#-13-500."

1.1.1 Topography, Geology, and Soils

The topography of the Site consists of a relatively flat-bottomed quarry with a steep blasted edge running north and south through the center of the pit. The highest elevation on the Site exists in the center of the property and is approximately 260 feet +/- (NAD 83) and the lowest elevation on the Site exists at the edge of the southeast corner along the Nashua River and is approximately 172 feet +/- (NAD 83).

1.1.2 Wetlands Delineation

The proposed Project includes the clearing of minor scrub bushes. No clearing, filling or disturbance will take place within 100' of any wetlands or river frontage, as indicated on the **Construction Drawings, Sheet C-1**. It should be noted based on comments received during the February 5, 2019 Pepperell Conservation Commission hearing, the Commission will engage a third-party reviewer to verify Oxbow Associates Inc.'s (OAI) wetland delineation. The Project team agreed to and will pay for this third-party reviewer and based on the third-party input, the Site plans will be revised, if necessary.

Additionally, MassDEP requested that the Site plans be revised to include a second depiction of the Flood Plain area based on elevations. The Project team agreed to provide this depiction and performed the required topographic survey to provide the necessary data which in turn has been plotted on the Site plans. It should be noted; the plans also depict the flood plain areas based on FEMA Flood maps. An Abbreviated Notice of Resource Area Delineation filing is included as **Appendix C**.

1.1.3 Endangered Species

According to the Massachusetts Division of Fisheries and Wildlife; the Site or a portion thereof is within a Priority Habitat for Rare Species, and may require special permitting under National Heritage, or the Massachusetts Endangered Species Act (MESA). More specifically, the Site is located within Priority Habitat 2029 and Estimated Habitat 1346 as indicated in the Massachusetts Natural Heritage Atlas (14th Edition). These habitats are for the Wood Turtle and Blanding's Turtle, respectively. This condition will be verified by the Division and is currently being addressed by Oxbow Associates, Inc.

1.1.4 Site Setting and Potential Receptors

Pursuant to the MCP, the soil and groundwater Reportable Concentrations (RCs) applicable to the Site - are RCS-1 and RCS-2 for soil and RCGW-1 and RCGW-2 for groundwater. The determination is supported by the following criteria:

Soil: Based on a review of the Town Map including Zoning Maps, local file reviews and conditions observed at the Site meets the criteria of soil category S-1 and S-2, see **Construction Drawings, Sheet C-1**.

- There are residential properties within 500 feet from the Site which are located to the northwest, south and southwest.
- According to interviews with town officials, and review of available documents, all properties within 1,000 feet are reportedly connected to the municipal water distribution system.
- There are no private/residential drinking water wells within ¼ mile of the Site.
- There will be no athletic fields or areas of high intensity activity in the area to be filled under this proposal and the intended future use of the Site is industrial as allowed by the Town of Pepperell.
- There are also no planned vegetable or communal vegetable gardens.

Groundwater: Based on a review of the MassGIS (Zone II) Map, local file reviews and conditions observed at the Site, groundwater at the Site meets the criteria of groundwater category RCGW-1 and RCGW-2.

- **RCGW-1:** This criterion applies since the northwestern portion of the reclamation area is located within the geographic boundaries of a MassDEP Approved Wellhead Protection Area (Zone II), Interim Wellhead Protection Area. The area is not located within Zone A of Class A surface water body used as a public water supply, Potentially Productive Aquifer or an aquifer protection district. According to Zoning Maps, the Site is not located within an aquifer or groundwater protection district

- **RCGW-2:** This criterion also applies to the remainder of the Site which is not located within a current or potential drinking water resource area.

1. 2 GROUNDWATER MONITORING

A groundwater monitoring program will be implemented to monitor groundwater quality and assess potential changes to environmental conditions at the Site during reclamation activities. A total of five (5) groundwater-monitoring wells will be installed and the four proposed locations are shown on **Construction Drawings, Sheet C-1**. The purpose of the monitoring well installations is to establish background concentrations of dissolved components in groundwater at the Project Site and to complete annual monitoring of the groundwater.

Upon the completion of the monitoring well installations, the Construction Plan will be updated to show the as-built location of the monitoring wells. In addition, Well Installation Reports will be prepared and attached to the Soil Management Plan.

1.2.1 Groundwater Monitoring Plan

The groundwater monitoring network will be established to demonstrate groundwater flow direction and utilized to monitor any contaminant releases that may occur within the entire fill area at the Site. A system of five (5) monitoring wells will be employed across four (4) locations on the Site. The portion of the Site within the Zone II Area will include a monitoring well couplet.

The wells will be sampled using low-flow sampling procedures, and samples will be analyzed for the presence of polychlorinated biphenyls (PCBs), semi-volatile organic compounds (SVOCs), total MCP-14 metals, volatile organic compounds (VOCs), herbicides, pesticides, extractable petroleum hydrocarbons (EPH), pH and amenable cyanide. Samples collected for MCP-14 metals will include both filtered and unfiltered containers; the unfiltered sample containers will be analyzed initially by the laboratory, with an option to analyze the filtered sample should the unfiltered samples contain elevated levels of the MCP-14 metals.

Monitoring will be conducted annually throughout the duration of reclamation activities and annually thereafter for two (2) years after its completion. The results of the sampling data will be added to this plan as **Appendix D** as obtained.

When required by the Department and/or determined from monitoring results or other Soil Management Plan (SMP) activity at the Project location, the Project will conduct an appropriate risk assessment and associated mitigation, if necessary, when any potential or adverse impact(s) have been identified as a result of Project activities. All risk assessment activities, and any related activities, will be performed in compliance with the Massachusetts Contingency Plan (MCP) at 310 CMR 40.0000 and any applicable MassDEP policy or guidance.

2. 0 PARTIES INVOLVED

Several parties will be involved with the placement of fill material associated with the Nashua Road Quarry Reclamation Project at 161 Nashua Street.

Property Owner/Emergency Contact:

David Burton Mass Composting Group, Inc. 161 Nashua Road Pepperell, MA	Office:	(978) 433-2051

Reclamation Project LSP and Manager:

Philip Peterson, LSP #5753 TERRA Environmental, LLC 159 haven Street, 2nd Floor Reading, MA 01867	Office: email:	(781) 944-6851 pperterson@terra-env.com

Review and Approval of Submittal Packages:

William J. Mallio, Ph.D., LSP #4966 TERRA Environmental, LLC 159 haven Street, 2nd floor Reading, MA 01867	Office: email:	(781) 944-6851 wmallio@terra-env.com

3. 0 RECLAMATION SOIL ACCEPTANCE CRITERIA

Soil acceptance criteria has been established for various constituents in soil intended for use as fill material at the Nashua Road Site. The criteria were based on review of available and applicable soil standards, guidelines, values, criteria, and background levels established by MassDEP in various regulations, guidelines, and MassDEP technical guidance documents including the Interim Policy on the Re-Use of Soil for Large Reclamation Projects, Policy #COMM-15-01 dated August 28, 2015, the Similar Soils Provision Guidance WSC#-13-500 dated September 4, 2014 (Similar Soils Guidance), and concentration ranges of typical contaminants detected in historic fill, naturally-deposited soil, Boston Blue Clay, and other soil. The acceptance criteria were established to be protective of surrounding natural resource areas including groundwater and nearby wetland areas.

3.1 DEVELOPMENT OF SOIL ACCEPTANCE CRITERIA

3.1.1 Groundwater Classification

A portion of the reclamation area is located within a Current Drinking Water Source Area:

(a) MassDEP Phase I Site Assessment Map, and MassGIS Zone II Mapping (**Figure 5**) shows a portion of the property is located within the Zone II for a public water supply. This information has been added to Sheet C-1;
    i. The Zone II Area will be characterized as RCGW-1.
    ii. Areas outside Zone II will be characterized as RCGW-2
(b) MassDEP Phase I Site Assessment Map shows the Site is not within the Interim Wellhead Protection Area for a public water supply;
(c) A review of MassGIS mapping and the MassDEP Phase I Site Assessment Map shows the Site is not within the Zone A of a Class A surface water body used as a public water supply; and
(d) A review of the Town of Pepperell, Board of Health drilling permits shows the fill portion of the Project is not within 500 feet of a private water supply well. It should be noted that the airport located to the east of the Site does not have a private well onsite and receives its water from the Town of Pepperell.

The Site is not located within a Potential Drinking Water Source Area:

(a) A review of the Town of Pepperell utilities shows the property is within 500 feet of a public water supply distribution pipeline located on Nashua Road;
(b) The property is not within an area designated by the municipality specifically for the protection of groundwater quality to ensure its availability for use as a source of potable water supply.
(c) There is no local ordinance or bylaw adopted by the municipality for protection of groundwater at the Site, there is no inter-municipal agreement approved by the Town of Pepperell and no executed inter-governmental contract for the purchase or sale of drinking water derived from the Site; and
(d) MassGIS mapping shows the property is not within a Potentially Productive Aquifer that has not been excluded as a Non-Potential Drinking Water Source Area. This is a non-potential Drinking Water Source as this groundwater underlies land which has been developed for heavy industry as of January 1, 1996. This Industrial Zoning Area has been in industrial use (granite quarrying and material processing) for over 120 years encompassing an area greater than 100 acres.

Accordingly, the Site is subject to RCGW-2 reporting criteria **Construction Drawings, Sheet C-1**.

3.1.2 Soil Testing Requirements and Standards

Chemical constituents within candidate soil must be less than established Acceptance Criteria. The Criteria were established for the following: MCP-14 Metals (pursuant to DEP Policy #COMM-15-01, Semi-volatile Organic Compounds (SVOCs), Total Petroleum Hydrocarbons (TPH), Volatile Organic Compounds (VOCs), Polychlorinated Biphenyls (PCBs), pH/corrosivity, Specific Conductance. As needed based on source location-specific history, Moisture Content/Free Liquids, Reactivity (cyanide and sulfide), Ignitibility/Flash Point, Herbicides, and Pesticides, maybe required.

Reporting limits for laboratory tests must be appropriate and adequate for evaluation and comparison to Acceptance Criteria. MassDEP Compendium of Analytical Methods (CAM) and levels must be utilized for all CAM analytes.

When multiple composite samples are submitted from a donor/source Project for reuse as reclamation soil, each single composite analysis submitted for acceptance must be below the acceptance criteria. Averaging of concentrations will not be allowed to meet Soil Acceptance Criteria. Soil samples containing a chemical constituent at a concentration equal to or greater than the Soil Acceptance Criteria will not be accepted.

3.1.3 Visual, Olfactory, and Field Screening Criteria

All soil intended for reuse in the Nashua Road Site as filling and grading material will meet visual, olfactory, and field screening criteria prior to being accepted and placed. The Donors'/Sources' representative shall perform visual inspection of soil at the time of soil borings, test pits, stockpile sampling, and at the time of excavation. MCGI's onsite representative shall inspect material upon arrival at the Project Site prior to acceptance and placement. The onsite representative will observe off-loading of trucks and perform visual inspections of soil.

Soil will exhibit no indication of staining or other discoloration indicative of a release or impact of oil or hazardous material or other nuisance conditions. Soil and fill materials approved for use at the property shall contain a deminimus amount, no more than a total of 5% by volume of asphalt, brick and concrete ("ABC") material. Any such ABC material must measure less than 6 inches in any dimension and acceptance of such soil will be considered on a case-by-case basis. Soil and fill materials approved for use at the property may contain only incidental, randomly dispersed, deminimus quantities of ash and/or Solid Wastes, as defined in 310 CMR 16. 00 and 310 CMR 19. 00, collectively present at less than 1% by volume. Loads arriving with material not meeting acceptance criteria or determined to contain contaminants at levels at or exceeding acceptance criteria based on quality assurance/quality control sampling will be rejected and removed from the Nashua Road Site at the expense of the Source/Donor/Originator of that material. Loads not meeting acceptance criteria at the time of delivery to the Project Site due to debris, odors, or other non-conformance with Acceptance Criteria will be rejected prior to off-loading or reloaded immediately by the facility operator. Such loads will be removed from the Project Site immediately in the truck they were delivered in.

Should testing or observations indicate soil, as delivered, does not meet the acceptance criteria, the Source/Donor/Originator of that soil and the party contracting with Nashua Road for placement of soil will promptly remove such soil from the Project Site at a maximum not to exceed seven (7) days. Additional soil will not be accepted from a source where soil failed a QA/QC test or soil was rejected by the facility upon arrival, until appropriate resolution is reached. If the Source/Donor/Originator of the soils fails to act, the rejected soil will be removed from the Site within fourteen-days of delivery by Mass Composting Group.

Soil will not contain nuisance odors; such as, petroleum, chemicals, solvent, or organic material/hydrogen sulfide as described on soil boring or test pit logs, stockpile sampling plans, and/or upon arrival at the Project location. Soil with natural organic/hydrogen sulfide odor that is mixed with an odor reducing agent at the location of origin will be evaluated on a case-by-case basis. The Safety Data Sheet (SDS) for all odor-reducing products is required with soil submittal packages.

All soils considered for delivery to the Site must be field screened by the Source/Donor/Originator for Total Organic Vapors (TOV) following the MassDEP Jar Headspace Screening Procedure MassDEP Policy #WSC-94-400, modified to be based upon an isobutylene response factor rather than a Benzene standard at the time of sample collection from borings, test pits, stockpiles, or other locations or at the time of excavation and load out. Soil must be field screened at a frequency of one (1) field-screening test per approximately 50 cubic yards of soil. These samples shall be preferentially obtained from soils displaying signs of contamination, such as discoloration or odors, if present. Soil must contain less than five (5) parts per million volume (ppmv) TOV above ambient background by the jar headspace screening procedure to meet Acceptance Criteria. Natural organic soils, which exhibit TOV screening levels above five (5) ppmv, may be considered for acceptance on a case-by-case basis provided the following:

- Results of analytical testing, particularly VOC analysis, for the soil that exceeded the 5 ppmv TOV value identifies no exceedances of acceptance criteria; or
- Source of elevated TOV screening levels can be attributed to a source other than oil or hazardous material (such as hydrogen sulfide interference on PID).

Soil/slurry mixtures proposed for reuse must contain less than 1% by volume of bentonite clay. Additionally, a description of the process and materials generating the soil with slurry must be provided. The safety data sheet (SDS) for all slurry and additive products must be submitted for review. The pH of the soil/slurry mix must be tested after mixing, at a rate of one (1) sample per 500-cubic yards. If needed, pH must be adjusted to meet Acceptance Criteria prior to arrival at the fill Site. Soil with slurry mixture is subject to field screening for pH upon arrival at the fill Site and subject to rejection if Acceptance Criteria are not met.

Soil shall not contain any free draining liquids. Soils may contain naturally deposited silts and clay with minor amounts of naturally occurring organic material and moisture levels that would be expected to evaporate quickly while it is being worked and spread rather than move through the soil to groundwater. Dredge spoils, slurry, and any material delivered in a tanker or vacuum truck are prohibited.

3.2 SOURCE REVIEW, ACCEPTANCE CRITERIA, AND PROCEDURES

3.2.1 Source Site History and Use Criteria

Relevant Site history and uses of each soil origin/source regarding the presence, use, disposal, and/or release of oil or hazardous material must be provided in submittal packages prior to acceptance at Nashua Road. The Source/Donor/Originator's LSP, or other qualified environmental professional will consider all relevant reports including MCP phase reports, URAMs, RAMS, LRAs, ASTM Environmental Site Assessment Reports, or similar documentation regarding suitability of soil as fill material for this Project. In addition, MassDEP's Similar Soils Policy will be applied for the acceptance and reuse of Reclamation Soils. Soil that meets the definition of Remediation Waste as defined in Section 40.0032 of the MCP will **not** be considered for reuse at the Nashua Road Project Site.

3.2.2 Source Soil Sampling Approach

A composite approach is preferred in obtaining samples for chemical analysis. Each composite sample subjected to chemical testing should be comprised of at least eight (8) sub-samples obtained throughout the area/volume being evaluated. However, in no case shall soil displaying apparent signs of contamination (i.e., staining, discoloration, odors, or elevated PID readings) be composited/mixed with soils that do not display these signs. If present, these suspicious soils shall be sampled or composited for separate analyses.

An LSP, or other qualified environmental professional (i.e. QEP), must justify the representativeness and usability of any testing data obtained from discrete soil samples or composite samples with fewer than five (5) sub-samples.

3.2.3 Source Soil Chemical Testing Requirements

Testing is required on all soil proposed for acceptance as fill material from all sources; including but not limited to: developed areas with historic fill soil; locations identified as an MCP Disposal Site or other oil or hazardous material release or spill locations; locations with history of manufacturing or industrial use; locations with current or past chemical or petroleum storage; soil known to contain naturally-occurring elevated levels of metals including Boston Blue Clay; and soil from Worcester County with arsenic.

Upon review of initial submittal package information from a soil source, source-specific supplemental testing of specific areas for specific contaminants where the proposed soil is adjacent to other soils with exceedance(s) of acceptance criteria to define/confirm limits of acceptable soil may be required at the discretion of the reviewing LSP prior to acceptance of proposed soil.

Test Profile parameters required on soil to be considered for acceptance include:

- Volatile Organic Compounds (EPA 8260 with methanol preservation)
- Semi-volatile Organic Compounds (EPA 8270 full list)
- Metals (MCP 14 metals)
- PCBs
- Total Petroleum Hydrocarbons (summation of EPH Fractions may be substituted)
- Hexavalent Chromium if Total Chromium > 100 mg/kg
- pH/Corrosivity
- Specific Conductance (conductivity; may be limited based on Site history)
- Field Screening for Total Organic Vapors (PID following MADEP Jar Headspace Screening Procedure based upon an isobutylene response factor)
- Herbicides (may be excluded or limited based on Site history)
- Pesticides (may be excluded or limited based on Site history)
- Ignitibility/Flash point (may be excluded or limited based on Site history)
- Reactive Cyanide (may be excluded or limited based on Site history)
- Reactive Sulfide (may be excluded or limited based on Site history)
- TCLP for any analyte exceeding EPA TCLP Trigger Values (20 times rule)
- Others as deemed prudent based on soil source Site history.

Current and appropriate versions of applicable methods are to be used in accordance with MassDEP Compendium of Analytical Methods. Reporting limits for analyses must be appropriate for comparison to Acceptance Criteria. Source/Donor/Originator and Qualified Environmental Professional/LSP must assert that data is appropriate for use as intended.

3.2.4 Required Chemical Testing and Frequency

Initial testing by the Source/Donor/Originator is required at the minimum frequencies below. Additional testing may be required for the following situations when an Acceptance Criterion is exceeded within or in proximity to soil requested for reuse at 161 Nashua Road:

	Source/Origin Description	Minimum Sampling Frequency
1	**Naturally Deposited Soils** Not from an area of known or suspected high background levels of metals, No / not proximate to historic fill soil, No / not proximate to MCP Disposal Site No industrial/commercial history No agricultural history with likely pesticide / herbicide use	**1 test profile per 1,000 cubic yards** (1,500 – 1,700 ton) including documentation of Site background / area conditions.
2	**Other naturally-deposited soils from known or suspected areas of elevated metals (i.e. Boston Blue Clay, Marine Soils).** No / not proximate to historic fill soil, No / not proximate to MCP Disposal Site No industrial or manufacturing history No agricultural history with likely pesticide / herbicide use	**1 test profile per 1,000 cubic yards** (1,500 – 1,700 ton). If any acceptance criteria are exceeded, supplemental in-situ or ex-situ (stockpile) samples must be obtained at a minimum frequency of **1 sample/100 cubic yards** to confirm limits of acceptable soils for the contaminant(s) that exceeded acceptance criteria.
3	**Historic Fill Soil** Historic Fill and other soil in areas where impacts would be expected from lead paint, oils, pesticides/herbicides use, and other anthropogenic activities. No industrial or manufacturing history	**1 test profile per 500-cy** (750-850 ton). If any acceptance criteria are exceeded, supplemental in-situ or ex-situ (stockpile) samples must be obtained at a minimum frequency of **1 sample / 100 cubic yards** to confirm limits of acceptable soils for the contaminant(s) that exceeded acceptance criteria.

	Source/Origin Description	Minimum Sampling Frequency
4	**Commercial/Industrial Soils** Soil from current or former Industrial, Commercial, or Manufacturing Site with history of Tannery, Textiles, Chemical/Paint Production, Circuit Board manufacturing, Plating/Metal finishing, Foundry operations, Coal Gasification, Dry Cleaning, Salvage Yards, or Herbicide / Pesticide use, storage or distribution facilities. **No soil or fill shall be obtained from, or immediately contiguous, to such locations unless an LSP, LSRP, or LEP provides a report detailing why such soils conform to acceptance criteria.**	Minimum **1 test profile per 500-cy** (750-850 ton). If any acceptance criteria are exceeded, supplemental in-situ or ex-situ (stockpile) samples must be obtained at a minimum frequency of **1 sample/100 cubic yards** to confirm limits of acceptable soils for the contaminant(s) that exceeded acceptance criteria. Additional test parameters such as cyanide must be included as appropriate.

5	**Other** Soil from source not otherwise described above where historic test data indicate exceedance of Acceptance Criteria, or where past use or Site history indicated use or storage of oil or hazardous materials at more than household quantities, or use of pesticide/herbicides	Minimum **1 test profile per 500-cy** (750-850 ton). If any acceptance criteria are exceeded, supplemental in-situ or ex-situ (stockpile) samples must be obtained at a minimum frequency of **1 sample/100 cubic yards** to confirm limits of acceptable soils for the contaminant(s) that exceeded acceptance criteria.
The more conservative sampling protocol shall apply to soils that meet more than one of the above		

Analytical results for VOCs, SVOCs, metals, PCBs, EPH/TPH, and Herbicides/Pesticides must be expressed on dry-weight basis. If a proposed shipment of soil falls into more than one category, the more conservative sampling protocol shall apply.

3.2.5 Test Data Quality and Usability

Test data provided for review and acceptance must be considered current. If aged data (greater than one (1) year old) is to be utilized for acceptance, then a statement from the qualified environmental professional making the submittal must be provided indicating Site conditions have not changed since collection of data and that no documented releases that may impact Site conditions have occurred since data was collected.

Prior to submittal, the environmental professional making the submittal must perform a quality assurance/quality control (QA/QC) evaluation of the data to document that data is representative and usable for its intended purpose. This evaluation must include a justification of the representativeness of analytical data obtained for discrete soil samples or composite samples with less than five (5) sub-samples.

4.0 SOIL SUBMITTAL PROCESS

A soil submittal package must be provided by representatives of each soil source/origin for review and approval by representatives of TERRA Environmental. A complete submittal package will be forwarded to:

- Email: pepperellapprovals@terra-env.com

TERRA's Project Management Team will perform an initial review to establish whether the submittal is complete, and soil is appropriate for reuse as fill material at Nashua Road. If the is submittal complete, it will then be assigned an Acceptance Code and forwarded to the Site LSP to complete a final review and approval.

All Projects proposing to reuse soil at the Pepperell Reclamation Project are required to provide an LSP, or Qualified Environmental Professional (QEP) Opinion detailing the soil source/origin for all proposed shipments, acknowledging the Pepperell Reclamation Project's Acceptance Criteria are not exceeded.

Upon completion of the submittal review process and determination that soil meets acceptance criteria, an acceptance letter will be issued. The acceptance letter will reference the assigned acceptance code, will state a review of information as provided was performed and found adequate and appropriate for acceptance, the quantity of soil that is approved, any samples/soils that are not acceptable, and any other conditions applicable to the acceptance of applicable the soil. The property owner will retain soil submittal packages and approval letters.

A complete submittal package must contain the following:

- Soil/Site information;
- LSP/QEP Opinion Letter stating relevant Site history and use, and a statement that the soil requested for acceptance at Nashua Road meets Acceptance Criteria established in this plan;
- Appropriate shipping papers (Either MCP Bill of Lading or Material Shipping Record & Log) signed by an LSP/Qualified Environmental Professional and the Source/Donor/Originator;
- Laboratory test data reports with chain-of-custody and QA/QC for the soil samples intended for reuse at Nashua Road;
- A data summary table comparing soil test data to the Nashua Road acceptance criteria; and
- Supplemental Site investigation reports or information supporting acceptance of subject soil at Nashua Road.

Copies of soil submittal form is included in **Appendix E**. Soil acceptance criteria for use in a data comparison table are listed in **Table 1** and **Table 2**.

Table 1 – RCS-2 Acceptance Criteria

Parameter Analyzed	Acceptance Criteria / Limit (mg/kg)
MCP 14 Metals Antimony	< 10
Arsenic	< 20
Barium	< 375
Beryllium	< 4
Cadmium	< 20
Chromium (Total)	< 200
Chromium (III)	< 225
Chromium (VI)	< 200
Lead	< 500
Mercury	< 3
Nickel	< 150
Selenium	< 5
Silver	< 6
Thallium	< 6
Vanadium	< 225
Zinc	< 500
Total VOCs	<10% RCS-2 or 0. 1 mg/kg [1]
SVOCs – Targets	
Acenaphthene	< 5
Acenaphthylene	< 5

Anthracene	< 10
Benzo(a)anthracene	< 20
Benzo(a)pyrene	< 7
Benzo(b)fluoranthene	< 20
Benzo(g,h,i)perylene	< 10
Benzo(k)fluoranthene	< 10
Chrysene	< 20
Indeno(1,2,3-cd)pyrene	< 10
Dibenzo(a,h)anthracene	< 4
Fluoranthene	< 40
Fluorene	< 10
2-Methylnaphthalene	< 5
Naphthalene	< 5
Phenanthrene	< 30
Pyrene	< 40
Parameter Analyzed	Acceptance Criteria / Limit
PCBs (mg/kg)	< 0.1
TPH (mg/kg)	< 1,000
All Pesticides	< 10% of RCS-2
All Herbicides	< 10% of RCS-2
Waste Characteristics	
pH (Corrosivity)	4-11.5
Reactive sulfide (mg/kg)	< 500
Reactive cyanide (mg/kg)	< 250
Pesticides and Herbicides (mg/kg)	< 10% RCS-2 or 0. 05 [2]
Free Liquid/Paint Filter Test	No Free Liquid
Flashpoint (Degrees F)	>140
Conductivity (umhos/cm)	< 2,000
TVOC Screening (ppmv)	< 5.0

Notes:

1. VOCs shall be less than 10% of their RCS-2 value or 0.1 mg/kg, whichever is greater.
2. Pesticides and Herbicides shall be less than 10% of their RCS-2 value, or 0.05 mg/kg, whichever is greater

Table 2 – RCS-1 Acceptance Criteria

Parameter Analyzed	Acceptance Criteria / Limit (mg/kg)
MCP 14 Metals Antimony	< 10

Arsenic	< 20
Barium	< 375
Beryllium	< 4
Cadmium	< 20
Chromium (Total)	< 100
Chromium (III)	< 225
Chromium (VI)	< 100
Lead	< 200
Mercury	< 3
Nickel	< 150
Selenium	< 5
Silver	< 6
Thallium	< 6
Vanadium	< 225
Zinc	< 500
Total VOCs	< 10% RCS-1 or 0. 1 mg/kg [1]
SVOCs – Targets	(mg/kg)
Acenaphthene	< 4
Acenaphthylene	< 1
Anthracene	< 10
Benzo(a)anthracene	< 7
Benzo(a)pyrene	< 2
Benzo(b)fluoranthene	< 7
Benzo(g,h,i)perylene	< 10
Benzo(k)fluoranthene	< 10
Chrysene	< 20
Indeno(1,2,3-cd)pyrene	< 7
Dibenzo(a,h)anthracene	< 0.7
Fluoranthene	< 40
Fluorene	< 10
2-Methylnaphthalene	< 0.7
Naphthalene	< 4
Phenanthrene	< 10
Pyrene	< 40
Parameter Analyzed	Acceptance Criteria / Limit
PCBs (mg/kg)	< 0. 1
TPH (mg/kg)	<500
All Pesticides	< 10% of RCS-1
All Herbicides	< 10% of RCS-1
Waste Characteristics	
pH (Corrosivity)	4-11.5

Reactive sulfide (mg/kg)	< 500
Reactive cyanide (mg/kg)	< 250
Pesticides and Herbicides (mg/kg)	< 10% RCS-1 or 0. 05 [2]
Free Liquid/Paint Filter Test	No Free Liquid
Flashpoint (Degrees F)	> 140
Conductivity (umhos/cm)	< 2,000
TVOC Screening (ppmv)	< 5.0

Notes:

1. VOCs shall be less than 10% of their RCS-1 value or 0.1 mg/kg, whichever is greater.
2. Pesticides and Herbicides shall be less than 10% of their RCS-1 value, or 0.05 mg/kg, whichever is greater

The assigned acceptance code must be placed at the top of each page of the intended shipping papers. Trucks will not be allowed access to the Nashua Road Site without an acceptance code on shipping papers.

5. 0 ENVIRONMENTAL CONTROLS AND HEALTH AND SAFETY

5. 1 DUST AND SEDIMENT CONTROL

The Project will utilize several best management practices (BMPs) to control fugitive dust and sediment associated with transporting, spreading, and compacting soil to fill the Site including any BMPs that are proposed in the SWPPP. These measures are as follows:

- Re-use operations shall be suspended when winds speeds exceed 40-mile per hour or when wind carries dust beyond the property line despite implementation of dust control measures.
- An operational water truck will always be on Site. Water will be applied to control dust as needed to prevent visible dust emissions and offsite dust impacts.
- Truck and trailer dumping of soil will be conducted in a manner to minimize fugitive dust generation.
- Wheel washers will be installed to prevent track-out where Project vehicles or equipment exit the Site.
- A gravel tracking pad will be constructed as appropriate at equipment/vehicle exit points to remove soil buildup from wheels and tracks and to assist in minimizing track-out onto public ways.
- Roads from the Site will be swept as needed to control fugitive dust and tracking of soil/sediment onto the public way.
- Erosion controls will be installed at the 100-foot wetland buffer. Erosion controls may include hay bales, sand bags, and geotextile fabric/silt sacks. The SWPPP provides the final documentation on wetland buffer zones and runoff protection.

5. 2 HEALTH AND SAFETY

Site Specific Health and Safety Plan (SS-HASP) will be prepared by MCGI to specify the types of personal protection and engineering controls necessary to manage physical hazards associated with soil work. No environmental monitoring will be necessary as soils are <RCS-2 and will not constitute unacceptable exposures through ingestion, dermal contact, and inhalation.

6. 0 SITE ACCESS, QUANTITY DETERMINATION, AND SITE REJECTION OF MATERIAL

Directions to the Site from the South via Massachusetts State Roads:

- US-3 North toward the New Hampshire border.
- Use the right 2 lanes to take exit 5 for NH-111 toward Nashua/Pepperell (MA/NH 111A).
- Keep left to continue toward NH-111 West/West Hollis Street.
- Keep Right to continue to Exit 5W, follow signs for NH-111/NH-111A/Pepperell, MA and merge onto NH-111 West/West Hollis Street.
- Follow NH-111 West to MA-111 South.
- Enter the Site on the left.

Directions to the Site from the South via New Hampshire and Massachusetts State Roads:

- US-3 North toward the New Hampshire border.
- Use right lane to take exit 35 for MA-113 toward Tyngsborough, MA.
- Continue toward MA-111.
- Keep Right to continue to Exit 5W, follow signs for NH-111/NH-111A/Pepperell, MA and merge onto NH-111 West/West Hollis Street.
- Follow MA-113 West, turn right onto MA-111 North.
- Follow MA 111 North to 161 Nashua Road in Pepperell
- Enter the Site on the left.

Trucks will be weighed at the on-site certified scale to determine the quantity of soil delivered. Access will be through the access road into the Site, and roadways will be maintained for truck access. The owner will maintain the appropriate equipment year-round to spread, dry, process, and compact the soils.

Loads deemed unacceptable by the Facility Operations Personnel will be rejected from the Site. No additional loads will be accepted from the source in question until the Source/Donor/Originator, Source/Donor/Originator's LSP, and the contracting party provide an appropriate explanation and assurance that no additional, similar loads will be delivered to the Project Site.

7.0 QUALITY CONTROL/QUALITY ASSURANCE

For quality control/quality assurance purposes, Mass Composting Group Inc. proposes to contract with an independent third-party consultant to once monthly randomly collect and test a grab sample to confirm soil as received meets established Acceptance Criteria. Soil will be randomly sampled during off-loading of trucks at the Site and analyzed for all the Test Profile parameters listed in Section 3.2.3.
During each inspection, at a minimum, the Inspector shall:

- Observe the practices involved in the receipt and/or placement of soil and fill materials at the Property, to the extent that such activities are occurring;
- Inspect the soil and fill materials that are being unloaded and/or placed/recently placed during the inspection, if any, and inspect all areas of the Property where soil and fill materials have been placed since the previous inspection;
- Collect a grab sample of any load of soil that appears to be contaminated, based upon staining, discoloration, odors, or PID readings, upon its arrival to the facility. The collected sample will be submitted to a laboratory for the Test Profile analyses specified in the Soil Management Plan. The composite sample shall consist of a minimum of 5 to 10 subsamples from the load(s) under

evaluation. A minimum of two (2) samples shall be collected per calendar quarter during active operation.

- If no loads arrive during inspection, the sampling may be omitted for the month, or postponed to a later date that month.
- Inspect all erosion control measures including but not limited to, silt fence, hay bales, temporary basins and swales.

The independent third-party inspector shall prepare an inspection report documenting the findings for each inspection and shall submit such report to the Facility Operators and MassDEP on or before the 21st of the month following the month during which testing was performed.

Loads or areas of soil selected for sampling performed by the Inspector will be segregated pending receipt of test results. Should the test results indicate that contaminants detected in soil are not below all Acceptance Criteria, the Material Source, Source/Donor/Originator and/or party contracting for soil placement shall be immediately notified of the need to remove the soil from the Site. If the Source/Donor/Originator and/or party contracting for soil placement fail to remove unacceptable soil within 7 days of notification, then MCGI will remove the soil from the Project Site within 14 days of receipt of the laboratory results for proper off-Site management or disposal. On behalf of the owner, TERRA will seek recovery from the Source, Source/Donor/Originator and/or party contracting for soil placement for all costs associated with removal of any unacceptable soil from the Pepperell Reclamation Project Site. Other sampling and testing may be performed by MCGI should soil as received appear to be inconsistent with the characterization data and information used to obtain acceptance.

Soil deemed not meeting Acceptance Criteria due to debris, odors, or other observations at the time of arrival at the Reclamation Project Site will be rejected and will be reloaded into the truck from which it arrived. No additional loads will be accepted from that source until appropriate explanation and assurance that no additional similar loads will be delivered to the Pepperell Reclamation Project Site is provided by the Source/Donor/Originator, Source/Donor/Originator 's LSP, and the party contracting delivery of soil to the Reclamation Project Site.

8. 0 MONTHLY REPORT SUBMITTALS TO MASSDEP

Monthly reports shall be submitted electronically to MassDEP by the Project's LSP. The Project's LSP will submit monthly reports to MassDEP in compliance with the requirements of the ACO.

Additionally, all reports prepared by the Independent third-party Inspector will be submitted directly to MassDEP by the third-party Inspector and will include:

- Notations on any practices that are not compliant with the SMP and/or Consent Order;
- Notations on whether solid or hazardous waste, stained soils, odors, or sheen were observed at the fill Site;
- Notations on airborne dust and dust control measures employed;
- Specific recommendations, if any, for repair, replacement or changes to erosion control measures at the Property;
- Status updates of actions taken by Respondent to implement the recommendations made in prior inspection reports, if any;
- The results and laboratory analytical report(s) for the soil sample(s) collected during the inspection, including, but not limited to the following, providing that the testing results for a given

inspection may be submitted in the next monthly report if not available for submittal with the inspection report:

- ❖ the analytical results in a tabular format comparing the results to the Acceptance Criteria identified in the Soil Management Plan;
- ❖ a clear statement regarding whether any of the Acceptance Criteria were exceeded; and
- ❖ the laboratory analytical reports and chain of custody documentation.

- Any other information or data deemed to be significant and/or noteworthy by the Facility Owner or Project LSP.

9.0 ADDITIONAL CONSIDERATIONS, RESTRICTIONS, AND/OR LIMITATIONS

The Project Owner proposes the following Reclamation Project considerations, restrictions and/or Limitations.

1. Reclamation soil will not enter the pit before 6:30 A.M., and the operation will cease for the day by 5:00 P.M Monday through Friday. Acceptance of reclamation soils on weekends and after hours will be proposed to the Town for their consideration on a case by case basis.
2. Nashua Road will be kept free of debris and soil. Roadways and entrance will be maintained at all times.
3. Maintain onsite dust control at all times.
4. Access road to the operation to be surfaced with bituminous concrete or similar material and will be a minimum of 50 ft. off Nashua Road.
5. All perimeter slopes will be established at a 2:1 ratio, and properly restored with top-soil and seeding during the progress of the reclamation operation.
    a. Grading, restoration of top-soil, and seeding of areas will be completed as final grades are met and as soon as weather and soil conditions permit.
6. To the greatest extent possible proposed finish grades in the reclamation area through the use of temporary grade stakes to aid in inspections of the operation by the Town.
7. TERRA Environmental will provide the Selectmen and their agents monthly inspections reports as discussed in this Plan.
8. The Selectmen and their agents shall be free to inspect the premises at any time during the hours of operation, with reasonable prior notice.
9. Monthly MassDEP Reclamation reports will be provided to the Town.
10. Owner to provide the Town with a Certificate of Insurance naming the Town as additional insured.

FIGURES

FIGURE 1 MASSDEP PHASE I SITE ASSESSMENT MAP

MassDEP - Bureau of Waste Site Cleanup

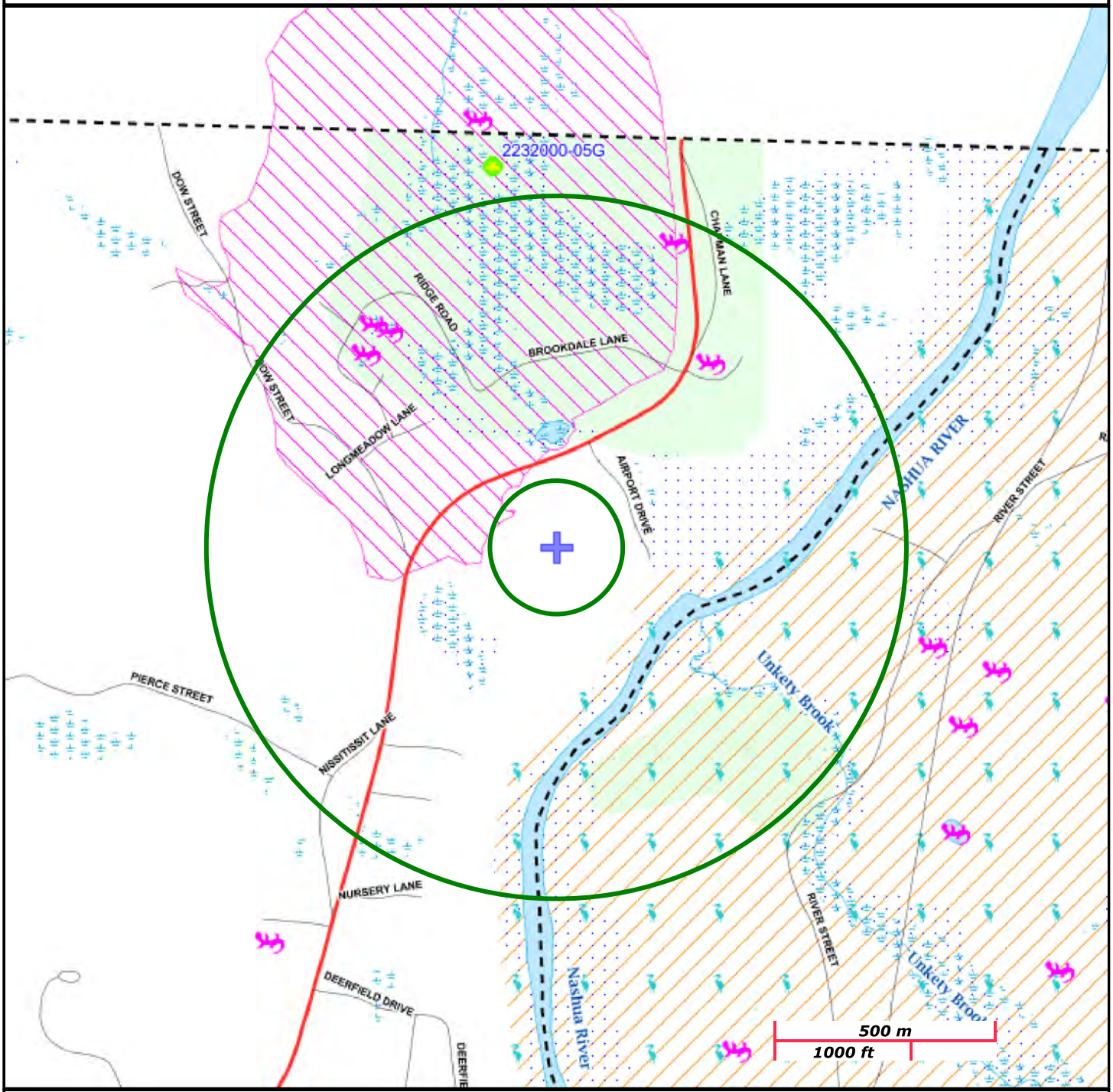
Phase 1 Site Assessment Map: 500 feet & 0.5 Mile Radii

Site Information:
161 NASHUA ROAD
161 NASHUA ROAD PEPPERELL, MA

NAD83 UTM Meters:
4730068mN , 290617mE (Zone: 19)
March 8, 2018

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at: http://www.mass.gov/mgis/.

MassDEP
Commonwealth of Massachusetts
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail

Boundaries: Town, County, DEP Region; Train; Powerline; Pipeline; Aqueduct

Basins: Major, PWS; Streams: Perennial, Intermittent, Man Made Shore, Dam

Aquifers: Medium Yield, High Yield, EPA Sole Source

Non Potential Drinking Water Source Area: Medium, High (Yield)

PWS Protection Areas: Zone II, IWPA, Zone A

Hydrography: Open Water, PWS Reservoir, Tidal Flat

Wetlands: Freshwater, Saltwater, Cranberry Bog

FEMA 100yr Floodplain; Protected Open Space; ACEC

Est. Rare Wetland Wildlife Hab; Vernal Pool: Cert., Potential

Solid Waste Landfill; PWS: Com.GW,SW, Emerg., Non-Com.

FIGURE 2 TOPOGRAPHIC MAP

Topographic Map

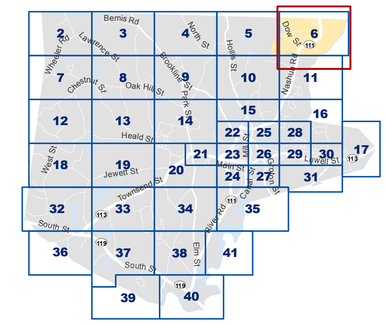
Site Address:	161 Nashua Road, Pepperell, MA
MassDEP RTN:	N/A
Base Map:	MassGIS (USGS Topographic Quadrangles)
Prepared by:	TERRA Environmental, LLC

FIGURE 3 ASSESSOR'S MAP

Assessor's Property Map

6

Locus Map



Parcel Boundary
Common Ownership Parcel Boundary
Common Ownership Hook
Parcel Matching Map Number
Easement or Conservation Restriction
Right of Way
Historic Map Line
Map Index Grid
Town Boundary
Water Feature (approximate)

Parcel Label Key:
1-1 - Parcel number
1.5 AC - Assessor database acreage
XYZ - Other note

0 200 400 Feet

1 inch = 250 feet on 26" x 36" sheet

N

NOTE: Map acreages are derived from the Assessor's database and may include multiple parcels with common ownership (see common ownership boundaries).

Data Sources:
Town of Pepperell Assessor's Office (FY2018 2/6/2017 Patriot extract, Public Ways); Middlesex South Registry of Deeds; MassGIS (survey town boundaries, 2013/2014 structures); MassDOT/MassGIS/NMCOG (2013 roads); MassDEP/MassGIS/NMCOG (2009 hydrography); NH GRANIT (New Hampshire roads, towns)

This map is for assessment purposes only. The Town of Pepperell assumes no responsibility for the accuracy of the individual parcels and it is not a valid document for legal description or conveyance. Lot dimensions were compiled from existing assessor's maps and survey based plans. For legal determination please refer to parcel specific deeds or the Town of Pepperell Assessor Office. Water features are based on 2009 MassDEP hydrography data and are for illustration purposes only.

Northern Middlesex Council of Governments (NMCOG) does not make any warranty, expressed or implied, nor assume any legal liability or responsibility for the accuracy, completeness, or usefulness of the Geographic Information System (GIS) Data or any other data provided herein. The GIS data is illustrative only material and should not be considered for any other purpose. The data does not take the place of a professional survey and has no legal bearing on the true shape, size, location, or existence of a geographic feature, property line, or political representation. Any use of this information is at the recipient's own risk.

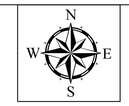
Produced by:

Northern Middlesex Council of Governments
40 Church Street, Suite 200
Lowell, Massachusetts 01852
978-454-8021 www.nmcog.org

Map produced: June 30, 2017

FIGURE 4 ZONING MAP

Pepperell, MA Official Zoning Map:



May 6, 2014

BROOKLINE, NH

HOLLIS, NH

NASHUA, NH

TOWNSEND

DUNSTABLE

GROTON

GROTON

SHIRLEY

Project Site

Legend

- Community Boundaries

Public Ways
- Laid Out and Accepted
- Not Laid Out but Accepted
- Parcel Boundaries

Water
- Streams & Rivers
- Lakes, Ponds & Reservoirs

Zoning Districts
- Commercial
- Industrial
- Recreation Residence
- Rural Residence
- Suburban Residence
- Town Residence
- Urban Residence

Zoning Overlay Districts
- Sewer
- Aquifer-Watershed Protection Zone (AWPZ)
- Water Source Protection Zone (WSPZ)
- Well Protection Zone (WPZ)

0 0.125 0.25 0.5 Miles

DATA SOURCES: MassGIS, MassDEP, SEA Consultants, Inc. and the Town of Pepperell.
DISCLAIMER: The information depicted on this map is for planning purposes only. All data are representational and are not adequate for boundary definition, regulatory interpretation, or parcel-based analysis.

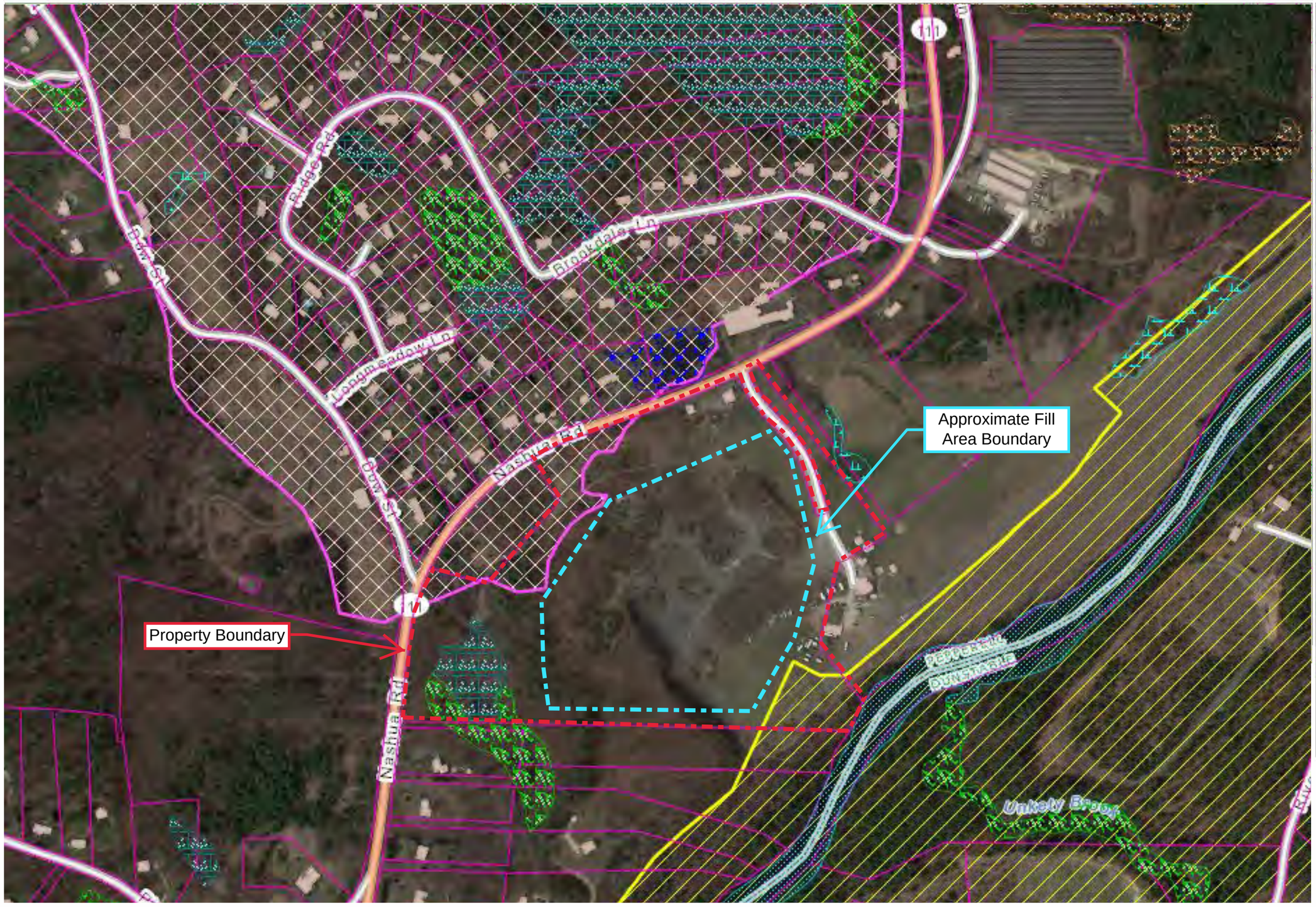
PREPARED BY:

Town of Pepperell GIS
May 2014
One Main Street
Pepperell, MA 01463

/ZoningMapProject_2013/Pepperell_OfficialZoningMap_30x40L.mxd [1:13,000] 05_19_14

FIGURE 5 MASSGIS ZONE II MAP

161 Nashua Road, Pepperell, MA



DEP Wetlands Detailed With Outlines
- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Coniferous
- Barrier Beach-Wooded Swamp Deciduous
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees

Tax Parcels

Detailed Features

Structures

NHESP Priority Habitats of Rare Species

IWPAs

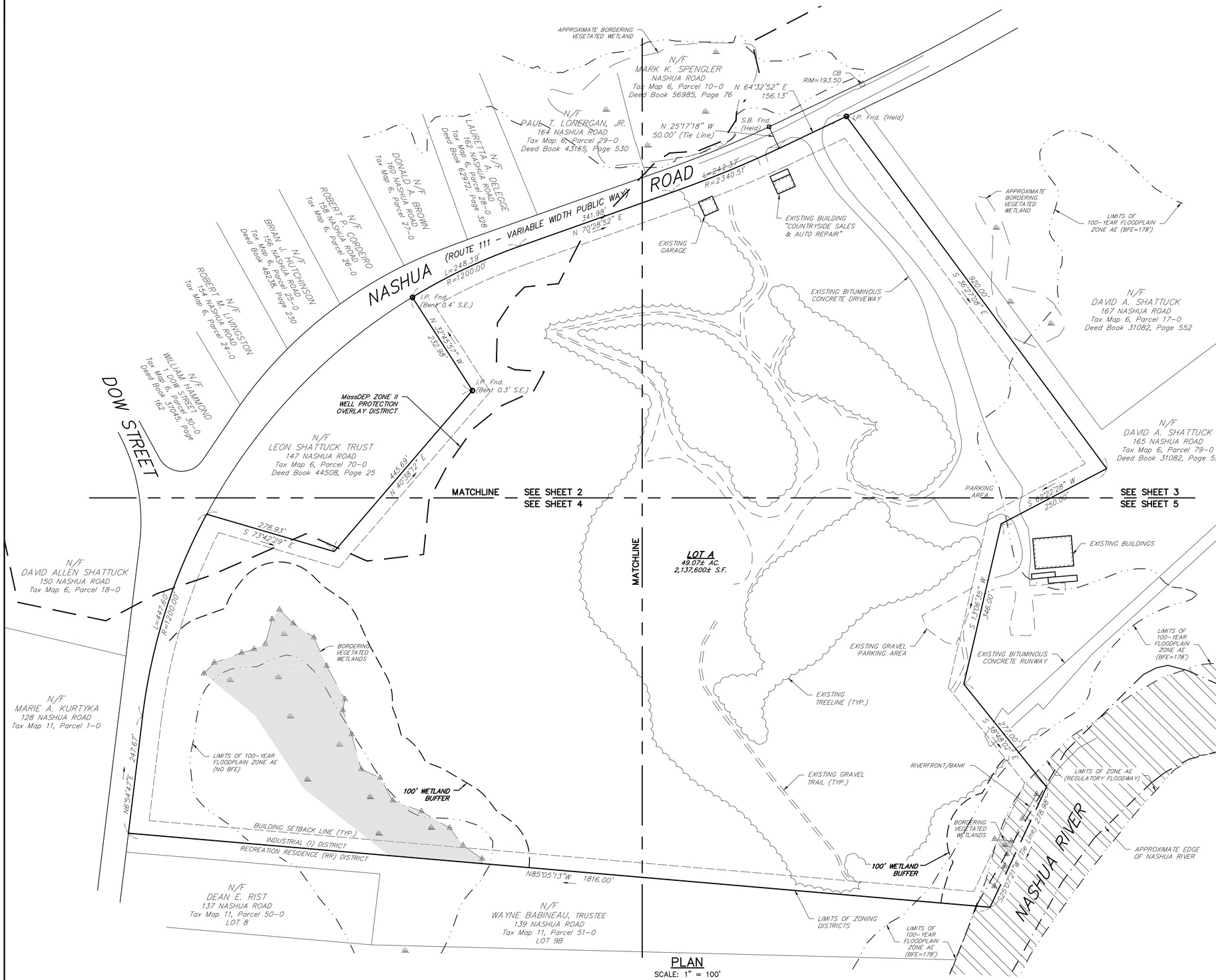
Zone Is

Zone IIs

Google 2014-2017 Orthoimagery

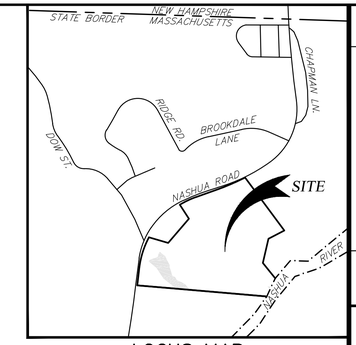
MassGIS Statewide Basemap
MassGIS Topographic Features Basemap

DRAWINGS – CONSTRUCTION



PLAN
SCALE: 1" = 100'

0 100' 200' 300'
SCALE IN FEET



LOCUS MAP
SCALE: 1" = 1000'

RECORD OWNERS

MASS COMPOSTING GROUP INC.
2 LINDEN STREET
READING, MA 01867

ASSESSOR'S REFERENCES

TAX MAP 6, PARCEL 20–0

DEED REFERENCES

BOOK 23267, PAGE 23, M.S.D.R.D.

PLAN REFERENCES

PLAN 253 OF 1991, M.S.D.R.D.

NOTES

1. BOUNDARY, RIGHT–OF–WAY, AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ON–THE–GROUND SURVEY PERFORMED BY LANDTECH CONSULTANTS IN OCTOBER AND NOVEMBER OF 2018.
2. BOUNDARY AND RIGHT–OF–WAY INFORMATION SHOWN HEREON IS BASED ON INFORMATION OBTAINED FROM THE PUBLIC RECORDS. A TITLE SEARCH WAS NOT PERFORMED.
3. BORDERING VEGETATED WETLANDS (FLAG SERIES A & B) AND RIVER BANK (FLAG SERIES R) SHOWN HEREON WERE DELINEATED BY OXBOW ASSOCIATES, INC. IN JANUARY OF 2017 AND FIELD LOCATED BY LANDTECH CONSULTANTS IN OCTOBER OF 2018.
4. A SUBSURFACE INVESTIGATION WAS NOT PERFORMED.
5. THE BEARINGS AND DISTANCES AND THE COORDINATES THEY ARE BASED ON SHOWN ON THIS PLAN ARE IN U.S. SURVEY FEET IN THE MA. STATE PLANE COORDINATE SYSTEM (MAINLAND ZONE) REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), CORS ADJUSTMENT (NA2011/GEOID 12A) AS DETERMINED BY GPS OBSERVATIONS PERFORMED IN OCTOBER OF 2018 UTILIZING THE MACORS (MASSACHUSETTS CONTINUOUS OPERATING REFERENCE STATION NETWORK) RTK GPS NETWORK.
6. THE VERTICAL DATUM FOR THIS PROJECT IS REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), CORS ADJUSTMENT (NA2011/GEOID 12A) AS DETERMINED BY GPS OBSERVATIONS PERFORMED IN OCTOBER OF 2018 UTILIZING THE MACORS (MASSACHUSETTS CONTINUOUS OPERATING REFERENCE STATION NETWORK) RTK GPS NETWORK.
7. THE LOCUS PROPERTY IS PARTIALLY LOCATED IN ZONE AE (1% ANNUAL CHANCE FLOODPLAIN WITH A BASE FLOOD ELEVATION & REGULATORY FLOODWAY) AS DEFINED ON FEMA FLOOD INSURANCE RATE MAP NUMBER 25017C0083E, EFFECTIVE DATE JUNE 4, 2010. FLOOD ELEVATIONS FROM THIS MAP ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
8. OFFSITE WETLANDS, FLOODPLAINS, AND WELL PROTECTION ZONES SHOWN HEREON WERE OBTAINED FROM DATA AVAILABLE THROUGH THE MASSACHUSETTS GIS ONLINE MAPS.
9. PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT.
   MINIMUM YARD SETBACKS: FRONT: 40 FT.
   SIDE: 30 FT.
   REAR: 45 FT.

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
2 LINDEN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141–163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=100'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, – Westford, MA 01886
Ph: (978) 692–6100 – landtechinc.com

JOB NO.	DWG. NO.	SHEET
18–200	10519	EX–1

N

NAD83

APPROXIMATE BORDERING VEGETATED WETLAND

N/F
PAUL T. LONERGAN, JR.
164 NASHUA ROAD
Tax Map 6, Parcel 29-0
Deed Book 43165, Page 530

N/F
LAURETTA A. DELEGGE
162 NASHUA ROAD
Tax Map 6, Parcel 28-0
Deed Book 62972, Page 328

N/F
DONALD A. BROWN
160 NASHUA ROAD
Tax Map 6, Parcel 27-0

N/F
ROBERT P. CORDEIRO
158 NASHUA ROAD
Tax Map 6, Parcel 26-0

N/F
BRIAN J. HUTCHINSON
156 NASHUA ROAD
Tax Map 6, Parcel 25-0
Deed Book 48238, Page 230

N/F
ROBERT M. LIVINGSTON
154 NASHUA ROAD
Tax Map 6, Parcel 24-0

N/F
WILLIAM HAMMOND
1 DOW STREET
Tax Map 6, Parcel 30-0
Deed Book 37045, Page 162

N/F
LEON SHATTUCK TRUST
147 NASHUA ROAD
Tax Map 6, Parcel 70-0
Deed Book 44508, Page 25

NASHUA ROAD
(ROUTE 111 - VARIABLE WIDTH PUBLIC WAY)

DOW STREET

341.98'
N 70°28'52" E

L=248.39'
R=1200.00

I.P. Fnd.
(Bent 0.4' S.E.)

N 32°45'27" W
222.98'

I.P. Fnd.
(Bent 0.3' S.E.)

445.69'
N 40°38'12" E

MassDEP ZONE II
WELL PROTECTION
OVERLAY DISTRICT

EXISTING GRAVEL PATH

EXISTING TREE LINE

240.74

235.36

253.13

218 220 222 224 226 228 230 240 250 210 216

CONTINUED ON SHEET 3

CONTINUED ON SHEET 4

0 50' 100' 150'
SCALE IN FEET

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
21 LINCOLN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141-163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=50'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10519	EX-2

N/F
MARK K. SPENGLER
NASHUA ROAD
Tax Map 6, Parcel 10-0
Deed Book 56985, Page 76

MassDEP ZONE II
WELL PROTECTION
OVERLAY DISTRICT

CB
RIM=193.50

N 64°32'52" E
156.13'

UP-94

UP-93

I.P. Fnd. (Held)

"SKYDIVE PEPPERELL" SIGN

S.B. Fnd.
(Held)

N 25°17'18" W
50.00' (Tie Line)

UP-92

"COUNTRYSIDE" SIGN

NASHUA ROAD
(ROUTE 111 - VARIABLE WIDTH PUBLIC WAY)

L=242.37'
R=2340.51'

UP-9

UP-93-1

EXISTING BUILDING
"COUNTRYSIDE SALES
& AUTO REPAIR"

EXISTING
GARAGE

APPROXIMATE
BORDERING
VEGETATED WETLAND

LIMITS OF 100-YEAR
FLOODPLAIN ZONE AE
(BFE=178')

CONTINUED ON SHEET 2

GRAVEL ACCESS
DRIVE

183.08

S 36°27'08" E
920.00'

EXISTING BITUMINOUS
CONCRETE DRIVEWAY

EXISTING
TREE LINE

183.10

204.91

GRAVEL ACCESS
DRIVE

204.09

209.06

183.26

PARKING
AREA

S 62°22'28" W
250.90'

CONTINUED ON SHEET 5

N/F
DAVID A. SHATTUCK
167 NASHUA ROAD
Tax Map 6, Parcel 17-0
Deed Book 31082, Page 552

N/F
DAVID A. SHATTUCK
165 NASHUA ROAD
Tax Map 6, Parcel 79-0
Deed Book 31082, Page 552

N

NAD83

0 50' 100' 150'

SCALE IN FEET

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
71 LINCOLN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141-163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=50'

Landtech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10519	EX-3

N

NAD83

CONTINUED ON SHEET 2

N/F
DAVID ALLEN SHATTUCK
150 NASHUA ROAD
Tax Map 6, Parcel 18-0

N/F
MARIE A. KURTYKA
128 NASHUA ROAD
Tax Map 11, Parcel 1-0

NASHUA ROAD
(ROUTE 111 - VARIABLE WIDTH PUBLIC WAY)

N65°54'47"E 247.67'

L=447.60'
R=1200.00'

278.93'
S 73°42'29" E

MassDEP ZONE II
WELL PROTECTION
OVERLAY DISTRICT

WF-A0
WF-A1
WF-A2
WF-A3
WF-A4
WF-A5
WF-A6
WF-A6.1
WF-A7
WF-A8
WF-A9
WF-A10
WF-A10
WF-A11
WF-A11.1
WF-A12
WF-A12.1
WF-A13
WF-A14
WF-A15

BORDERING
VEGETATED
WETLANDS

LIMITS OF 100-YEAR
FLOODPLAIN ZONE AE
(NO BFE)

100' WETLAND
BUFFER

BUILDING SETBACK LINE (TYP.)

INDUSTRIAL (I) DISTRICT
RECREATION RESIDENCE (RR) DISTRICT

N85°05'13"W 1816.00'

260.72
219.32
242.89
242.12
279.17

CONTINUED ON SHEET 5

N/F
DEAN E. RIST
137 NASHUA ROAD
Tax Map 11, Parcel 50-0
LOT 8

T.P. Fnd.

N/F
PHILLIP M. DZUBINSKI
133 NASHUA ROAD
Tax Map 11, Parcel 48-0
LOT 6

N/F
WAYNE BABINEAU, TRUSTEE
139 NASHUA ROAD
Tax Map 11, Parcel 51-0
LOT 9B

N/F
WAYNE BABINEAU, TRUSTEE
135 NASHUA ROAD
Tax Map 11, Parcel 49-0
LOT 7B

N/F
WAYNE BABINEAU, TRUSTEE
131 NASHUA ROAD
Tax Map 11, Parcel 47-0
LOT 5B

0 50' 100' 150'
SCALE IN FEET

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
21 LINCOLN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

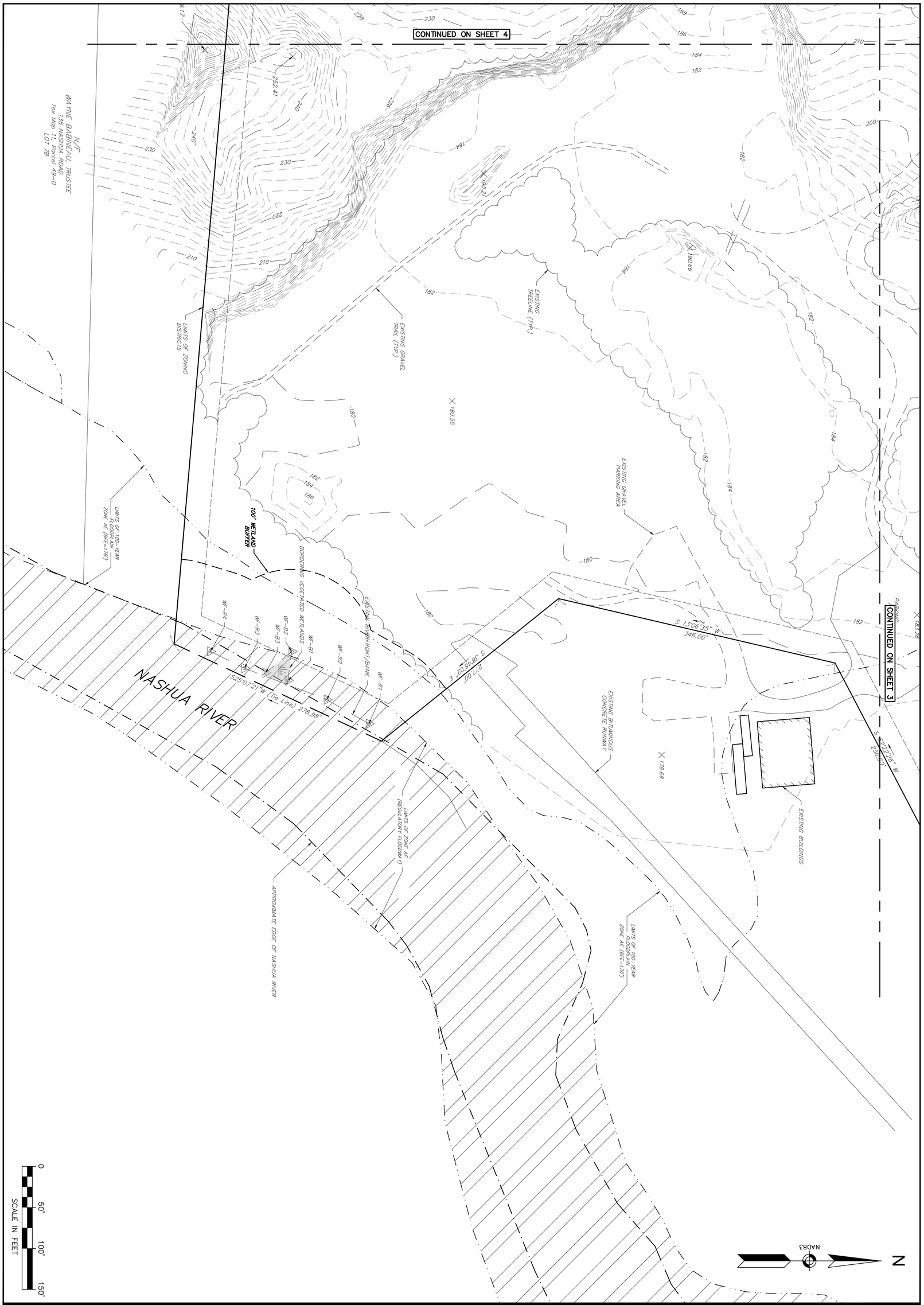
141-163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=50'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10519	EX-4



JOB NO. 18-200	LandTech Consultants Engineering/Design/Surveying/Permitting 515 Groton Road, – Westford, MA 01886 Ph: (978) 692-6100 – landtechinc.com	EXISTING CONDITIONS PLAN 141–163 NASHUA ROAD PEPPERELL, MA	PREPARED FOR: BILL SCOTT, JR. MASS COMPOSTING GROUP INC. 2 LINDEN STREET READING, MA 01867		
DWG. NO. 10519					
SHEET EX-5		SCALE: 1"=50' DECEMBER 28, 2018	DESIGN --	DRAFT MJS	CHECK MR

DATE	REVISION	BY

LEGEND

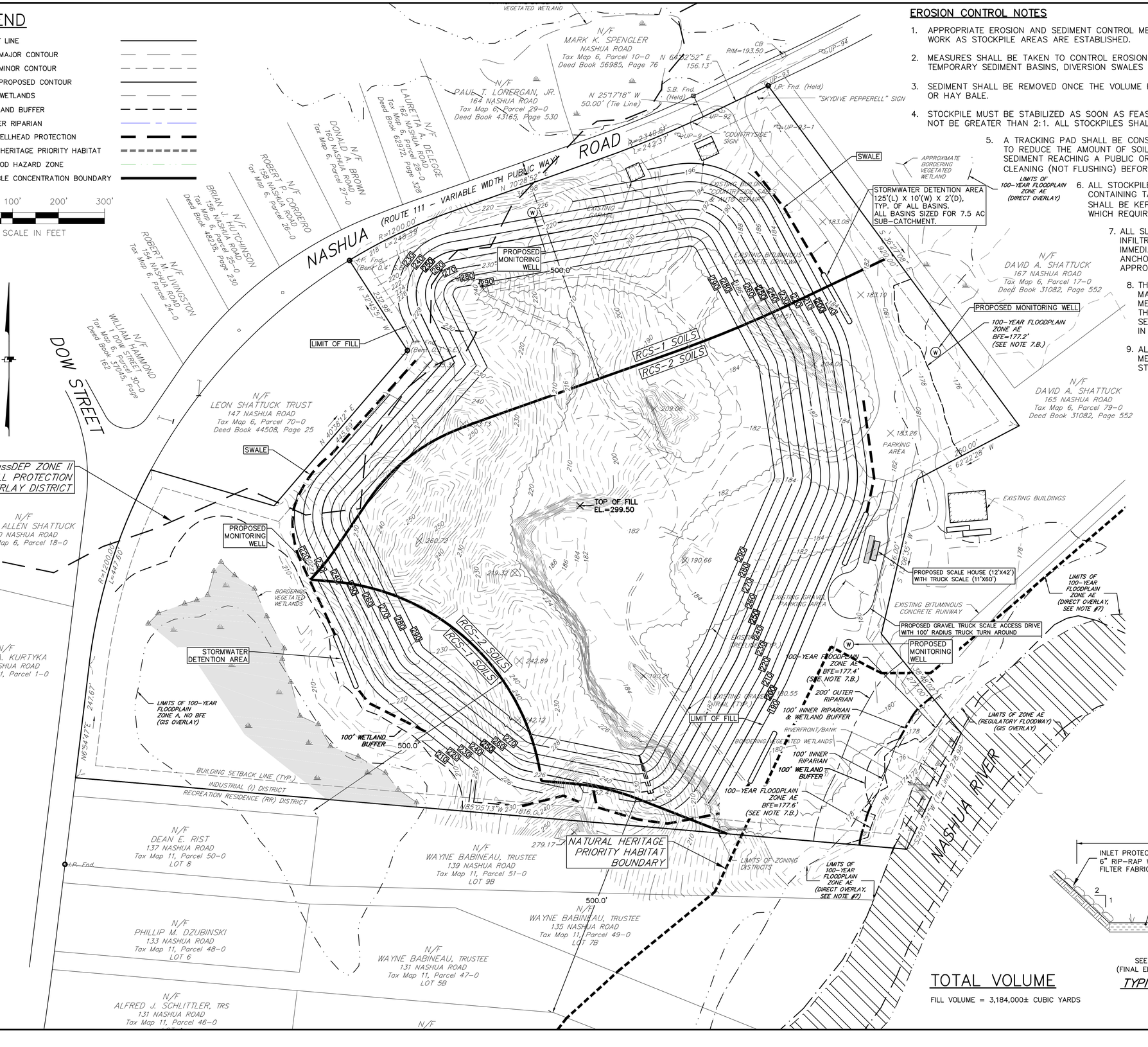
- PROPERTY LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING PROPOSED CONTOUR
- EDGE OF WETLANDS
- 100' WETLAND BUFFER
- 200' OUTER RIPARIAN
- ZONE II WELLHEAD PROTECTION
- NATURAL HERITAGE PRIORITY HABITAT
- FEMA FLOOD HAZARD ZONE
- REPORTABLE CONCENTRATION BOUNDARY

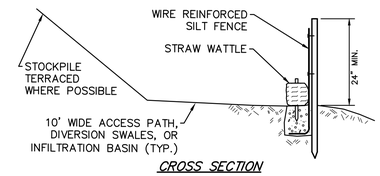
0' 100' 200' 300'

SCALE IN FEET

EROSION CONTROL NOTES

1. APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED ALONG THE LIMITS OF WORK AS STOCKPILE AREAS ARE ESTABLISHED.
2. MEASURES SHALL BE TAKEN TO CONTROL EROSION WITHIN THE PROJECT AREA INCLUDING CONSTRUCTING TEMPORARY SEDIMENT BASINS, DIVERSION SWALES AND EARTHEN BERMS.
3. SEDIMENT SHALL BE REMOVED ONCE THE VOLUME REACHES 1/4 TO 1/2 THE HEIGHT OF THE SILT FENCE OR HAY BALE.
4. STOCKPILE MUST BE STABILIZED AS SOON AS FEASIBLE TO MINIMIZE DUST. STOCKPILE SIDE SLOPES SHALL NOT BE GREATER THAN 2:1. ALL STOCKPILES SHALL BE SURROUNDED BY SEDIMENT CONTROLS.
5. A TRACKING PAD SHALL BE CONSTRUCTED AT ALL ENTRANCE/EXIT POINTS OF THE SITE TO REDUCE THE AMOUNT OF SOIL CARRIED ONTO ROADWAYS AND OFF THE SITE. ANY SEDIMENT REACHING A PUBLIC OR PRIVATE ROAD SHALL BE REMOVED BY STREET CLEANING (NOT FLUSHING) BEFORE THE END OF EACH WORKDAY.
6. ALL STOCKPILE SLOPES SHALL BE STABILIZED WITH HYDROSEED CONTAINING TACKIFIER. JUTE NETTING EROSION CONTROL BLANKETS SHALL BE KEPT ON-SITE (5-10 ROLLS) AND BE INSTALLED IN AREAS WHICH REQUIRE ADDITIONAL STABILIZATION.
7. ALL SLOPES AS WELL AS PERIMETER SWALES AND INFILTRATION BASINS, MUST, UPON COMPLETION, BE IMMEDIATELY STABILIZED WITH SOD, OR LOAM AND SEED WITH ANCHORED STRAW MULCH OR MULCH BLANKETS, OR OTHER APPROVED STABILIZATION MEASURES.
8. THE SITE MANAGER SHALL MONITOR AND ENSURE MAINTENANCE OR EROSION AND SEDIMENT CONTROL MEASURES THROUGHOUT THE COURSE OF CONSTRUCTION. THEY SHALL ENSURE THAT INSPECTIONS OCCUR EVERY SEVEN CALENDAR DAYS, AND AFTER EACH RAINFALL EVENT IN EXCESS OF 0.25 INCHES OR GREATER.
9. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED AFTER FINAL SITE STABILIZATION IS CONFIRMED.

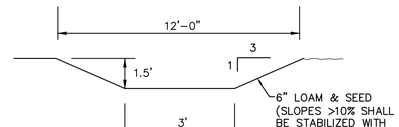




CROSS SECTION

TYPICAL EROSION CONTROL

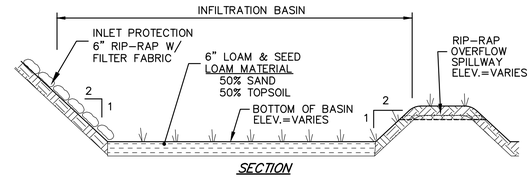
NOT TO SCALE



CROSS SECTION

DIVERSION SWALE

NOT TO SCALE



SECTION

125'(L)x10'(W)x3'(H)
SEE PLAN VIEW FOR BASIN LOCATIONS
(FINAL ELEVATIONS TO BE DETERMINED IN FIELD)

TYPICAL INFILTRATION BASIN

NOT TO SCALE

TOTAL VOLUME

FILL VOLUME = 3,184,000± CUBIC YARDS

BY	DATE	REVISION

COMMONWEALTH OF MASSACHUSETTS MATTHEW A. CRAWFORD 52208 REGISTERED PROFESSIONAL ENGINEER

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
2 JUNDA STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
MJS	MJS	MAW

CONSTRUCTION PLAN

NASHUA ROAD QUARRY
RECLAMATION PROJECT
161 NASHUA ROAD
PEPPERELL, MA

JANUARY 28, 2019

SCALE:1"=100'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10549	C-1

APPENDICES

APPENDIX A CORRESPONDENCE TIMELINE WITH THE TOWN OF PEPPERRELL

Timeline

- **December 5, 2017**: Representatives from MCGI met with certain Town representatives;
- **February 11, 2018**: Mr. David Burton, the President of MCGI, met with and distributed a letter describing the Reclamation Project to various Town officials.
- June 28, 2018:
- MCGI submits this Soil Management Plan to Town of Pepperell and requests meeting with the Town of Pepperell's Town Administrator and Town Planner as well as the Selectmen at the earliest mutually-convenient date to discuss the Reclamation Project and to answer any questions or respond to any concerns regarding the Reclamation Project.
- As of the date of this Soil Management Plan, representatives from the Town of Pepperell have not directly contacted representatives from MCGI, and/or Mr. David Burton to discuss the Project.
- **July 5, 2018**: Mr. Moak via email, acting Town Administrator requests an electronic version of Soil Management Plan.
- **July 9, 2018**: Mr. Moak, acting Town Administrator returns email stating that he will contact TERRA after July 16, 2018.
- **July 17, 2018**: Mr. Moak writes, "You have requested a meeting with staff and Board of Selectmen, at last night's Board of Selectmen's Meeting, members requested that we plan a meeting with the landowner and his consultant group. I would like to begin that process. We have engaged the law firm of Mirick O'Connell to assist the Town with this Project. We confirmed the selection last evening, as soon as I have had an opportunity to communicate with David McCay, the lead attorney, I will proceed in scheduling this meeting. Independent of the Selectman's meeting I will also attempt to schedule a staff meeting with landowner and consultants. Yesterday we held our first staff meeting with DEP regarding this Project."
- **July 24, 2018 (9:38am)**: Mr. Moak writes, "The Board of Selectmen for the Town of Pepperell have asked me to invite you and your associates to present a public presentation of your proposal on August 6, 2018. The meeting is scheduled for the Senior Center to begin at 7:15. You will be the only agenda item for that evening. This will be a public meeting of the Board of Selectmen and there will be a period of time when the public may ask questions. The Board will structure the meeting. There is some ability for media presentation at the Senior Center, if you believe that a more sophisticated media venue is important, we can look to hold meeting at our middle school."
- **July 24, 2018 (1:45pm)**: Mr. Moak writes, "I am sorry for this inconvenience, but after the Board set the schedule last evening, we have learned of a number of conflicts. I am not certain, will get back to you soon, but looks like August 20th is a better date."
- **August 14, 2018:** Town confirms meeting, "Board of Selectmen's meeting which has one agenda item for August 20, 2018, Pepperell Senior Center, 7:15PM. Please indicate how many people will make up your team, I am trying to configure the layout of space for presenters. Will you need any audio-visual assistance? The Senior has Projection units, they are not ceiling mounted. As I mentioned earlier, the Board of Selectmen will be running this meeting. Our plan is a presentation from MCGI with questions from the Board and then a time to allow public comment and questions. The presentation will be filmed and broadcast live on our cable station, similar to all Board of Selectmen's meetings.
- **August 20, 2018:** MCGI Team presents Project to Board of Selectmen and public. Meeting began at 7:15 and ended at about 10:15. MCGI team answered questions from both the BOS and Pepperell Residents.
- **October 9, 2018**: Letter dated October 9, 2018 from Pepperell Inspector of Buildings to Pepperell Board of Selectmen responding to the BOS' question whether the project represents a

"commercial dumping ground" and answering affirmatively that the project would be a "commercial dumping ground."; and

- **January 30, 2019**: Pepperell Zoning Board of Appeals mails Decision and Notice of Decision for 161 Nashua Road dated January 16, 2019, granting an Administrative Appeal to overturn Building Inspector Determination for the subject property.

APPENDIX B STORMWATER POLLUTION PREVENTION PLAN / ENOI (TO BE ADDED)

Stormwater Pollution Prevention Plan (SWPPP)

For Construction Activities At:

Nashua Road Quarry Reclamation Project
161 Nashua Road
Pepperell, MA 01463

SWPPP Prepared For:

Mass Composting Group, Inc.
2 Linden Street
Reading, MA 01867

SWPPP Prepared By:

Landtech Consultants
515 Groton Road
Westford, MA 01886
(978) 692-6100

SWPPP Preparation Date:

01/30/2019

Estimated Project Dates:

Project Start Date: 04/15/2019

Project Completion Date: 09/30/2020

Contents

SECTION 1: CONTACT INFORMATION/RESPONSIBLE PARTIES

1.1 Operator(s) / Subcontractor(s)

Operator(s):

Mass Composting Group Inc.
2 Linden Street
Reading, MA 01867

Subcontractor(s):

Mass Composting Group, Inc.
Bill Scott
2 Linden Street
Reading, MA 01867
(781) 929-3774
bill@universalfinco.com

Emergency 24-Hour Contact:

Mass Composting Group, Inc.
Bill Scott
(781) 929-3774

1.2 Stormwater Team

Stormwater Team		
Name and/or position, and contact	Responsibilities	I Have Read the CGP and Understand the Applicable Requirements
Bill Scott Mass Composting Group Site Operator (781) 929-3774 bill@universalfinco.com	To maintain compliance with SWPPP, general oversight of project and coordination between subcontractors	☐ Yes Date: Click here to enter a date.
Matthew Waterman, PE Site Engineer (978) 692-6100 mwaterman@landtechinc.com	Filing SWPPP and coordinating any amendments or corrective actions with stormwater team	x Yes Date: 2/1/2019

[Insert or delete rows as necessary.]

SECTION 2: SITE EVALUATION, ASSESSMENT, AND PLANNING

2.1 Project/Site Information

Project Name and Address

Project/Site Name: Nashua Road Quarry Reclamation Project
Project Street/Location: 161 Nashua Road
City: Pepperell
State: Massachusetts
ZIP Code: 01886
County or Similar Subdivision: Middlesex

Business days and hours for the project: 7AM – 6PM

Project Latitude/Longitude

Latitude: 42.6940º N (decimal degrees)
Longitude: - 71.5603 º W (decimal degrees)

Latitude/longitude data source:

☐ Map ☐ GPS X Other (please specify): LatLong.net_____

Horizontal Reference Datum:

☐ NAD 27 ☐ NAD 83 X WGS 84

Additional Project Information

Are you requesting permit coverage as a "federal operator" as defined in Appendix A of the 2017 CGP? ☐ Yes X No

Is the project/site located on Indian country lands, or located on a property of religious or cultural significance to an Indian tribe? ☐ Yes X No

If yes, provide the name of the Indian tribe associated with the area of Indian country (including the name of Indian reservation if applicable), or if not in Indian country, provide the name of the Indian tribe associated with the property: N/A

If you are conducting earth-disturbing activities in response to a public emergency, document the cause of the public emergency *(e.g., natural disaster, extreme flooding conditions)*, information substantiating its occurrence *(e.g., state disaster declaration)*, and a description of the construction necessary to reestablish effective public services: N/A

2.2 Discharge Information

Does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)?	☐ Yes X No
Are there any waters of the U.S. within 50 feet of your project's earth disturbances?	☐ Yes X No

For each point of discharge, provide a point of discharge ID (a unique 3-digit ID, e.g., 001, 002), the name of the first water of the U.S. that receives stormwater directly from the point of discharge and/or from the MS4 that the point of discharge discharges to, and the following receiving water information, if applicable:								
Point of Discharge ID	Name of receiving water:	Is the receiving water impaired (on the CWA 303(d) list)?	If yes, list the pollutants that are causing the impairment:	Has a TMDL been completed for this receiving waterbody?	If yes, list TMDL Name and ID:	Pollutant(s) for which there is a TMDL:	Is this receiving water designated as a Tier 2, Tier 2.5, or Tier 3 water?	If yes, specify which Tier (2, 2.5, or 3)?
[001]	Nashua River	x Yes ☐ No	Phosphorous	☐ Yes x No			x Yes ☐ No	Tier 2.5
[002]		☐ Yes ☐ No		☐ Yes ☐ No			☐ Yes ☐ No	[INSERT "Tier 2", "Tier 2.5", or "Tier 3"]
[003]		☐ Yes ☐ No		☐ Yes ☐ No			☐ Yes ☐ No	[INSERT "Tier 2", "Tier 2.5", or "Tier 3"]
[004]		☐ Yes ☐ No		☐ Yes ☐ No			☐ Yes ☐ No	[INSERT "Tier 2", "Tier 2.5", or "Tier 3"]
[005]		☐ Yes ☐ No		☐ Yes ☐ No			☐ Yes ☐ No	[INSERT "Tier 2", "Tier 2.5", or "Tier 3"]
[006]		☐ Yes ☐ No		☐ Yes ☐ No			☐ Yes ☐ No	[INSERT "Tier 2", "Tier 2.5", or "Tier 3"]

[Include additional rows or delete as necessary.]

2.3 Nature of the Construction Activities

General Description of Project

Provide a general description of the nature of your construction activities, including the age dates of past renovations for structures that are undergoing demolition:

The Nashua Road Quarry Reclamation Project is located at 161 Nashua Road in the Town of Pepperell, Massachusetts. The property is identified as Parcel 6-20-0 on the Town of Pepperell's Assessor's Map 6 and is zoned for Industrial use on the Town's Zoning Maps. The property has previously been used as a quarry prior to 1972 for the production of gravel.

Construction activities for this project will include the filling of the existing gravel quarry to bring the site back to pre-mining conditions in accordance with previously issued removal permits. The project will source qualified fill materials from construction projects in Massachusetts, New Hampshire, and Maine. It is anticipated that the volume of fill brought onto the site will exceed 3 million cubic yards. The intended fill materials will include native deposits of soil including sand, gravel, organic soils, estuarine deposits, marine sands, glacial till, clay, fill soils, and soil/slurry mixtures from foundation installations. It is anticipated that the project will take approximately 7 to 9 years to complete.

Size of Construction Site

Size of Property	49.1 Acres
Total Area Expected to be Disturbed by Construction Activities	29.6 Acres
Maximum Area Expected to be Disturbed at Any One Time	10 Acres

[Repeat as necessary for individual project phases.]

Type of Construction Site *(check all that apply):*

☐ Single-Family Residential ☐ Multi-Family Residential ☐ Commercial ☐ Industrial
☐ Institutional ☐ Highway or Road ☐ Utility X Other: Stockpiling

Will there be demolition of any structure built or renovated before January 1, 1980?	☐ Yes	X No	
If yes, do any of the structures being demolished have at least 10,000 square feet of floor space?	☐ Yes	☐ No	X N/A
Was the pre-development land use used for agriculture (see Appendix A for definition of "agricultural land")?	☐ Yes	X No	

Pollutant-Generating Activities

List and describe all pollutant-generating activities and indicate for each activity the type of pollutant that will be generated. Take into account where potential spills and leaks could occur that contribute pollutants to stormwater discharges, and any known hazardous or toxic substances, such as PCBs and asbestos, that will be disturbed during construction.

Pollutant-Generating Activity (e.g., paving operations; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations)	**Pollutants or Pollutant Constituents** (e.g., sediment, fertilizers, pesticides, paints, caulks, sealants, fluorescent light ballasts, contaminated substrates, solvents, fuels)
Stockpiling	Sediment/Soil erosion, hydraulic oil, gasoline, antifreeze

2.4 Sequence and Estimated Dates of Construction Activities

Phase I

INSERT GENERAL DESCRIPTION OF PHASE	
Estimated Start Date of Construction Activities for this Phase	5/1/2019
Estimated End Date of Construction Activities for this Phase	5/1/2019
Estimated Date(s) of Application of Stabilization Measures for Areas of the Site Required to be Stabilized	Varies *[Add additional dates as necessary]*
Estimated Date(s) when Stormwater Controls will be Removed	10/30/2027 *[Add additional dates as necessary]*

- Estimated start of construction 05/01/2019.
- Construction would include approximately 300 feet of gravel roadway and the construction of the scale house and installation of the truck scale. Other construction activities would include construction of the storm water collection system and installation of the sediment and erosion control devices.
- Final stabilization would be completed when stockpile reaches the proposed limits, with an estimated completion date of 10/30/2027. Construction activities are estimated to be completed in 7 to 9 years due to the volume of fill to be brought onto the site.

2.5 Authorized Non-Stormwater Discharges

List of Authorized Non-Stormwater Discharges Present at the Site

Type of Authorized Non-Stormwater Discharge	**Likely to be Present at Your Site?**
Discharges from emergency fire-fighting activities	☐ Yes x No
Fire hydrant flushings	☐ Yes x No
Landscape irrigation	☐ Yes x No
Waters used to wash vehicles and equipment	☐ Yes x No
Water used to control dust	x Yes ☐ No
Potable water including uncontaminated water line flushings	☐ Yes x No
External building washdown (soaps/solvents are not used and external surfaces do not contain hazardous substances)	☐ Yes x No
Pavement wash waters	☐ Yes x No
Uncontaminated air conditioning or compressor condensate	☐ Yes x No

Uncontaminated, non-turbid discharges of ground water or spring water	☐ Yes x No
Foundation or footing drains	☐ Yes x No
Construction dewatering water	☐ Yes x No

(Note: You are required to identify the likely locations of these authorized non-stormwater discharges on your site map. See Section 2.6, below, of the SWPPP Template.)

2.6 Site Maps

See Appendix A.

- USGS Locus Map
- Existing Conditions Plan
- Construction Plan

SECTION 3: DOCUMENTATION OF COMPLIANCE WITH OTHER FEDERAL REQUIREMENTS

3.1 Endangered Species Protection

Instructions (see CGP Parts 1.1.5, 7.2.9.a, Appendix D, and the "Endangered Species Protection" section of the Appendix J – NOI form):

Using the instructions in Appendix D of the permit, determine under which criterion listed below (A-F) you are eligible for coverage under this permit with respect to the protection of endangered species. To make this determination, you must use information from **BOTH** the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS). Both the NMFS and USFWS maintain lists of Endangered Species Act-listed (ESA-listed) species and designated critical habitat. Operators must consult both when determining their eligibility.

- Check only 1 box, include the required information and provide a sound basis for supporting the criterion selected. Select the most conservative criterion that applies
- Include documentation supporting your determination of eligibility.
- A step-by-step guide and flow-chart on ESA provisions for EPA's CGP is available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#species

Eligibility Criterion

Under which criterion listed in Appendix D are you eligible for coverage under this permit?

☐ **Criterion A**: No ESA-listed species and/or designated critical habitat present in action area. Using the process outlined in Appendix D of this permit, you certify that ESA-listed species and designated critical habitat(s) under the jurisdiction of the USFWS or NMFS are not likely to occur in your site's "action area" as defined in Appendix A of this permit.

Basis statement content/Supporting documentation: A basis statement supporting the selection of Criterion A should identify the USFWS and NMFS information sources used. Attaching aerial image(s) of the site to your NOI is helpful to EPA, USFWS, and NMFS in confirming eligibility under this criterion. Please Note: NMFS' jurisdiction includes ESA-listed marine and estuarine species that spawn in inland rivers. Check the applicable source(s) of information you relied upon:

☐ Specific communication with staff of the USFWS and/or NMFS. INSERT DATE OF COMMUNICATION AND WHO YOU SPOKE WITH

☐ Species list from USFWS and/or NMFS. See the CGP ESA webpage, Step 2 for available websites. INSERT SPECIFIC DOCUMENT AND/OR WEBSITE RELIED UPON

☐ **Criterion B:** Eligibility requirements met by another operator under the 2017 CGP. The construction site's discharges and discharge-related activities were already addressed in another operator's valid certification of eligibility for your "action area" under eligibility Criterion A, C, D, E, or F of the 2017 CGP and you have confirmed that no additional ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS not considered in the that certification may be present or located in the "action area." To certify your eligibility under this criterion, there must be no lapse of NPDES permit coverage in the other CGP operator's certification. By certifying eligibility under this criterion, you agree to comply with any conditions upon which the other CGP operator's certification was based. You must include in your NOI the NPDES ID from the other 2017CGP operator's notification of authorization under this permit. If your certification is based on

another 2017 CGP operator's certification under criterion C, you must provide EPA with the relevant supporting information required of existing dischargers in criterion C in your NOI form.

Basis statement content/Supporting documentation: A basis statement supporting the selection of Criterion B should identify the eligibility criterion of the other CGP NOI, the authorization date, and confirmation that the authorization is effective.

- ✓ Provide the 9-digit NPDES ID number from the other operator's NOI under the 2017 CGP: _ _ _ _ _ _ _ _ _
- ✓ Authorization date of the other 2017 CGP operator: INSERT AUTHORIZATION DATE OF OTHER OPERATOR
- ✓ Eligibility criterion of the other 2017 CGP operator: ☐A ☐C ☐D ☐E ☐F
- ✓ Provide a brief summary of the basis the other operator used for selecting criterion A, C, D, E, or F: INSERT TEXT HERE

X **Criterion C:** Discharges not likely to adversely affect ESA-listed species and/or designated critical habitat. ESA-listed species and/or designated critical habitat(s) under the jurisdiction of the USFWS and/or NMFS are likely to occur in or near your site's "action area," and you certify to EPA that your site's discharges and discharge-related activities are not likely to adversely affect ESA-listed threatened or endangered species and/or designated critical habitat. This certification may include consideration of any stormwater controls and/or management practices you will adopt to ensure that your discharges and discharge-related activities are not likely to adversely affect ESA-listed species and/or designated critical habitat. To certify your eligibility under this criterion, indicate 1) the ESA-listed species and/or designated habitat located in your "action area" using the process outlined in Appendix D of this permit; 2) the distance between the site and the listed species and/or designated critical habitat in the action area (in miles); and 3) a rationale describing specifically how adverse effects to ESA-listed species will be avoided from the discharges and discharge-related activities. You must also include a copy of your site map from your SWPPP showing the upland and in-water extent of your "action area" with this NOI.

Basis statement content/Supporting documentation: A basis statement supporting the selection of Criterion C should identify the information resources and expertise (e.g., state or federal biologists) used to arrive at this conclusion. Any supporting documentation should explicitly state that both ESA-listed species and designated critical habitat under the jurisdiction of the USFWS and/or NMFS were considered in the evaluation.

- ✓ Resources used to make determination: INSERT RESOURCES YOU USED TO DETERMINE THAT DISCHARGES ARE NOT LIKELY TO ADVERSELY AFFECT ESA-LISTED SPECIES OR DESIGNATED CRITICAL HABITAT
- ✓ ESA-listed Species/Critical Habitat in action area: See US Dept. of Interior Fish and Wildlife Serivce species list in Appendix K.
- ✓ Distance between site and ESA-listed Species/Critical Habitat: N/A
- ✓ How adverse effects will be avoided: Minimizing disturbed areas during construction, protecting habitats outside of construction activities.

☐ **Criterion D**: Coordination with USFWS and/or NMFS has successfully concluded.

Coordination between you and the USFWS and/or NMFS has concluded. The coordination must have addressed the effects of your site's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS

and/or NMFS, and resulted in a written concurrence from USFWS and/or NMFS that your site's discharges and discharge-related activities are not likely to adversely affect listed species and/or critical habitat. You must include copies of the correspondence with the participating agencies in your SWPPP and this NOI.

Basis statement content/Supporting documentation: A basis statement supporting the selection of Criterion D should identify whether USFWS or NMFS or both agencies participated in coordination, the field office/regional office(s) providing that coordination, and the date that coordination concluded.

- ✓ Agency coordinated with: ☐USFWS ☐ NMFS
- ✓ Field/regional office(s) providing coordination: INSERT FIELD/REGIONAL OFFICE(S) PROVIDING COORDINATION
- ✓ Date coordination concluded: INSERT DATE COORDINATION CONCLUDED
- ✓ Attach copies of any letters or other communication between you and the U.S. Fish & Wildlife Service or National Marine Fisheries Service concluding coordination activities.

☐ **Criterion E:** ESA Section 7 consultation has successfully concluded. Consultation between a Federal Agency and the USFWS and/or NMFS under section 7 of the ESA has concluded. The consultation must have addressed the effects of the construction site's discharges and discharge-related activities on ESA-listed species and/or designated critical habitat under the jurisdiction of USFWS and/or NMFS. To certify eligibility under this criterion, Indicate the result of the consultation:

- ☐ Biological opinion from USFWS and/or NMFS that concludes that the action in question (taking into account the effects of your site's discharges and discharge-related activities) is not likely to jeopardize the continued existence of listed species, nor the destruction or adverse modification of critical habitat; or
- ☐ Written concurrence from USFWS and/or NMFS with a finding that the site's discharges and discharge-related activities are not likely to adversely affect ESA-listed species and/or designated critical habitat. You must include copies of the correspondence between yourself and the USFWS and/or NMFS in your SWPPP and this NOI.

Basis statement content/Supporting documentation: A basis statement supporting the selection of Criterion E should identify the federal action agency(ies) involved, the field office/regional office(s) providing that consultation, any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, PCTS number), and the date the consultation was completed.

- ✓ Federal agency(ies) involved: INSERT FEDERAL AGENCY(IES) INVOLVED
- ✓ Field/regional office(s) providing consultation: INSERT FIELD/REGIONAL OFFICE(S) PROVIDING CONSULTATION
- ✓ Tracking numbers associated with consultation: INSERT CONSULTATION TRACKING NUMBER(S)
- ✓ Date consultation completed: INSERT DATE CONSULTATION COMPLETED
- ✓ Attach copies of any letters or other communication between you and the U.S. Fish & Wildlife Service or National Marine Fisheries Service concluding consultation.

☐ **Criterion F:** Issuance of section 10 permit. Potential take is authorized through the issuance of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization

addresses the effects of the site's discharges and discharge-related activities on ESA-listed species and designated critical habitat. You must include copies of the correspondence between yourself and the participating agencies in your SWPPP and your NOI.

Basis statement content/Supporting documentation: A basis statement supporting the selection of Criterion F should identify whether USFWS or NMFS or both agencies provided a section 10 permit, the field office/regional office(s) providing permit(s), any tracking numbers of identifiers associated with that consultation (e.g., IPaC number, PCTS number), and the date the permit was granted.

- ✓ Agency providing section 10 permit: ☐USFWS ☐NMFS
- ✓ Field/regional office(s) providing permit: INSERT FIELD/REGIONAL OFFICE(S) PROVIDING PERMIT
- ✓ Tracking numbers associated with consultation: INSERT CONSULTATION TRACKING NUMBER(S)
- ✓ Date permit granted: INSERT DATE PERMIT GRANTED
- ✓ Attach copies of any letters or other communication between you and the U.S. Fish & Wildlife Service or National Marine Fisheries Service.

3.2 Historic Preservation

Instructions (see CGP Part 1.1.6, 7.2.9.b, Appendix E, and the "Historic Preservation" section of the Appendix J – NOI form):

Follow the screening process in Appendix E of the permit for determining whether your installation of subsurface earth-disturbing stormwater controls will have an effect on historic properties.

- Include documentation supporting your determination of eligibility.
- To contact your applicable state or tribal historic preservation office, information is available at *www.achp.gov/programs/html*.

Appendix E, Step 1

Do you plan on installing any of the following stormwater controls at your site? Check all that apply below, and proceed to Appendix E, Step 2.

☐ Dike

☐ Berm

☐ Catch Basin

X Pond

X Stormwater Conveyance Channel (e.g., ditch, trench, perimeter drain, swale, etc.)

☐ Culvert

☐ Other type of ground-disturbing stormwater control: INSERT SPECIFIC TYPE OF STORMWATER CONTROL

(Note: If you will not be installing any ground-disturbing stormwater controls, no further documentation is required for Section 3.2 of the Template.)

Appendix E, Step 2

If you answered yes in Step 1, have prior surveys or evaluations conducted on the site already determined that historic properties do not exist, or that prior disturbances at the site have precluded the existence of historic properties? X YES ☐ NO

- If yes, no further documentation is required for Section 3.2 of the Template.
- If no, proceed to Appendix E, Step 3.

Appendix E, Step 3

If you answered no in Step 2, have you determined that your installation of subsurface earth-disturbing stormwater controls will have no effect on historic properties? ☐ YES ☐ NO

If yes, provide documentation of the basis for your determination. INSERT REFERENCES TO DOCUMENTS, STUDIES, OR OTHER SOURCES RELIED UPON

If no, proceed to Appendix E, Step 4.

Appendix E, Step 4

If you answered no in Step 3, did the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Office (THPO), or other tribal representative (whichever applies) respond to you within 15 calendar days to indicate whether the subsurface earth disturbances caused by the installation of stormwater controls affect historic properties? ☐ YES ☐ NO

If no, no further documentation is required for Section 3.2 of the Template.

If yes, describe the nature of their response:

- ☐ Written indication that no historic properties will be affected by the installation of stormwater controls. INSERT COPIES OF LETTERS, EMAILS, OR OTHER COMMUNICATION BETWEEN YOU AND THE APPLICABLE SHPO, THPO, OR OTHER TRIBAL REPRESENTATIVE
- ☐ Written indication that adverse effects to historic properties from the installation of stormwater controls can be mitigated by agreed upon actions. INSERT COPIES OF LETTERS, EMAILS, OR OTHER COMMUNICATION BETWEEN YOU AND THE APPLICABLE SHPO, THPO, OR OTHER TRIBAL REPRESENTATIVE
- ☐ No agreement has been reached regarding measures to mitigate effects to historic properties from the installation of stormwater controls. INSERT COPIES OF LETTERS, EMAILS, OR OTHER COMMUNICATION BETWEEN YOU AND THE APPLICABLE SHPO, THPO, OR OTHER TRIBAL REPRESENTATIVE
- ☐ Other: INSERT COPIES OF LETTERS, EMAILS, OR OTHER COMMUNICATION BETWEEN YOU AND THE APPLICABLE SHPO, THPO, OR OTHER TRIBAL REPRESENTATIVE

3.3 Safe Drinking Water Act Underground Injection Control Requirements

Instructions (see CGP Part 7.2.9.c):

- If you will use any of the identified controls in this section, include documentation of contact between you and the applicable state agency or EPA Regional Office responsible for implementing the requirements for underground injection wells in the Safe Drinking Water Act and EPA's implementing regulations at 40 CFR Parts 144-147. \
- For state UIC program contacts, refer to the following EPA website: https://www.epa.gov/uic.

Do you plan to install any of the following controls? Check all that apply below.

☐ Infiltration trenches (if stormwater is directed to any bored, drilled, driven shaft or dug hole that is deeper than its widest surface dimension, or has a subsurface fluid distribution system)

☐ Commercially manufactured pre-cast or pre-built proprietary subsurface detention vaults, chambers, or other devices designed to capture and infiltrate stormwater flow

☐ Drywells, seepage pits, or improved sinkholes (if stormwater is directed to any bored, drilled, driven shaft or dug hole that is deeper than its widest surface dimension, or has a subsurface fluid distribution system)

N/A

SECTION 4: EROSION AND SEDIMENT CONTROLS

The owner/developer is responsible for controlling the erosion and sediment during the construction process. Site specific conditions may require modifications in the field, but the owner/contractor must ensure that the project specifications that are developed in the field meet the minimum requirements of this plan. Any field modifications must be reviewed and approved by the conservation commission or it's agent.

In order to minimize erosion and sediment runoff from the site, the owner/developer should maintain existing vegetation where attainable and stabilize disturbed portions of the site as quickly as possible. This may include phasing the project as needed to minimize the size of the disturbed areas on the site.

The owner/developer must also anticipate increased runoff from steeper slopes and during high groundwater conditions. This may occur during the wet season, typically March through April, or after significant precipitation events.

The owner/developer is responsible for the installation of silt fences, drainage swales, earth dikes, temporary settling basins, check dams and temporary or permanent sediment basins. These practices divert flows from exposed soils, limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.

All disturbed surfaces shall be stabilized within 14 days after construction in any portion of the site that has been completed or where construction has temporarily ceased.

All erosion control devices shall be inspected weekly or after a significant storm event. All erosion control devices are to be maintained in proper working condition. Any build up of sediment shall be removed and disposed of to a proper upland disposal location. Sediment shall be removed once the volume reaches ¼ to ½ the height of the silt fence or hay bales.

No erosion or sediment runoff shall be allowed to enter the wetlands; any such material entering the wetlands shall be removed immediately.

The owner/developer shall, at all times, have a stockpile of straw wattles and silt fence adequate to reinforce/replace erosion and sediment control as needed.

Discharge locations shall be inspected on a weekly basis or after significant storm events.

All drainage system components are to be owned and maintained by the owner/developer.

Roadway and parking areas are to be kept free of sediment, litter and yard waste. Cleaning and or sweeping is to occur as needed and at a minimum of every spring and fall. Any accumulated debris from roadway shall be disposed of off-site.

4.1 Natural Buffers or Equivalent Sediment Controls

Buffer Compliance Alternatives

Are there any waters of the U.S. within 50 feet of your project's earth disturbances? ☐ YES X NO

(Note: If no, no further documentation is required for Part 4.1 in the SWPPP Template. Continue on to Part 4.2.)

Check the compliance alternative that you have chosen:

☐ (i) I will provide and maintain a 50-foot undisturbed natural buffer.

(Note (1): You must show the 50-foot boundary line of the natural buffer on your site map.)

(Note (2): You must show on your site map how all discharges from your construction disturbances through the natural buffer area will first be treated by the site's erosion and sediment controls. Also, show on the site map any velocity dissipation devices used to prevent erosion within the natural buffer area.)

☐ (ii) I will provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by additional erosion and sediment controls, which in combination achieves the sediment load reduction equivalent to a 50-foot undisturbed natural buffer.

(Note (1): You must show the boundary line of the natural buffer on your site map.)

(Note (2): You must show on your site map how all discharges from your construction disturbances through the natural buffer area will first be treated by the site's erosion and sediment controls. Also, show on the site map any velocity dissipation devices used to prevent erosion within the natural buffer area.)

- INSERT WIDTH OF NATURAL BUFFER TO BE RETAINED
- INSERT EITHER ONE OF THE FOLLOWING:

  (1) THE ESTIMATED SEDIMENT REMOVAL FROM A 50-FOOT BUFFER USING APPLICABLE TABLES IN APP. G, ATTACHMENT 1. INCLUDE INFORMATION ABOUT THE BUFFER VEGETATION AND SOIL TYPE THAT PREDOMINATE AT YOUR SITE

  OR

  (2) IF YOU CONDUCTED A SITE-SPECIFIC CALCULATION FOR THE ESTIMATED SEDIMENT REMOVAL OF A 50-FOOT BUFFER, PROVIDE THE SPECIFIC REMOVAL EFFICIENCY, AND INFORMATION YOU RELIED UPON TO MAKE YOUR SITE-SPECIFIC CALCULATION.
- INSERT DESCRIPTION OF ADDITIONAL EROSION AND SEDIMENT CONTROLS TO BE USED IN COMBINATION WITH NATURAL BUFFER AREA
- INSERT THE FOLLOWING INFORMATION:
  - (1) SPECIFY THE MODEL OR OTHER TOOL USED TO ESTIMATE SEDIMENT LOAD REDUCTIONS FROM THE COMBINATION OF THE BUFFER AREA AND ADDITIONAL EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE, AND
  - (2) INCLUDE THE RESULTS OF CALCULATIONS SHOWING THAT THE COMBINATION OF YOUR BUFFER AREA AND THE ADDITIONAL EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE WILL MEET OR EXCEED THE SEDIMENT REMOVAL EFFICIENCY OF A 50-FOOT BUFFER

☐ (iii) It is infeasible to provide and maintain an undisturbed natural buffer of any size, therefore I will implement erosion and sediment controls that achieve the sediment load reduction equivalent to a 50-foot undisturbed natural buffer.

- INSERT RATIONALE FOR CONCLUDING THAT IT IS INFEASIBLE TO PROVIDE AND MAINTAIN A NATURAL BUFFER OF ANY SIZE
- INSERT EITHER ONE OF THE FOLLOWING:

  (1) THE ESTIMATED SEDIMENT REMOVAL FROM A 50-FOOT BUFFER USING APPLICABLE TABLES IN APP. G, ATTACHMENT 1. INCLUDE INFORMATION ABOUT THE BUFFER VEGETATION AND SOIL TYPE THAT PREDOMINATE AT YOUR SITE

  OR

  (2) IF YOU CONDUCTED A SITE-SPECIFIC CALCULATION FOR THE ESTIMATED SEDIMENT REMOVAL OF A 50-FOOT BUFFER, PROVIDE THE SPECIFIC REMOVAL EFFICIENCY, AND INFORMATION YOU RELIED UPON TO MAKE YOUR SITE-SPECIFIC CALCULATION.
- INSERT DESCRIPTION OF ADDITIONAL EROSION AND SEDIMENT CONTROLS TO BE USED IN COMBINATION WITH NATURAL BUFFER AREA
- INSERT THE FOLLOWING INFORMATION:
  - (1) SPECIFY THE MODEL OR OTHER TOOL USED TO ESTIMATE SEDIMENT LOAD REDUCTIONS FROM THE EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE, AND
  - (2) INCLUDE THE RESULTS OF CALCULATIONS SHOWING THAT THE ADDITIONAL EROSION AND SEDIMENT CONTROLS INSTALLED AT YOUR SITE WILL MEET OR EXCEED THE SEDIMENT REMOVAL EFFICIENCY OF A 50-FOOT BUFFER

☐ I qualify for one of the exceptions in Part 2.2.1.b. (If you have checked this box, provide information on the applicable buffer exception that applies, below.)

Buffer Exceptions

Which of the following exceptions to the buffer requirements applies to your site?

☐ There is no discharge of stormwater to the water of the U.S. that is located 50 feet from my construction disturbances.

(Note: If this exception applies, no further documentation is required for Section 4.1 of the Template.)

☐ No natural buffer exists due to preexisting development disturbances that occurred prior to the initiation of planning for this project.

(Note (1): If this exception applies, no further documentation is required for Section 4.1 of the Template.)

(Note (2): Where some natural buffer exists but portions of the area within 50 feet of the surface water are occupied by preexisting development disturbances, you must still comply with the one of the CGP Part 2.2.1.a compliance alternatives.)

☐ For a "linear construction sites" (defined in Appendix A), site constraints (e.g., limited right-of-way) make it infeasible to meet any of the CGP Part 2.2.1.a compliance alternatives. INCLUDE DOCUMENTATION HERE OF THE FOLLOWING: (1) WHY IT IS INFEASIBLE FOR YOU TO MEET ONE OF THE BUFFER COMPLIANCE ALTERNATIVES, AND (2) BUFFER WIDTH RETAINED AND/OR SUPPLEMENTAL EROSION AND SEDIMENT CONTROLS TO TREAT DISCHARGES TO THE SURFACE WATER

☐ The project qualifies as "small residential lot" construction (defined in Appendix A) (see Appendix G, Part G.3.2).

☐ For Alternative 1:
- INSERT WIDTH OF NATURAL BUFFER TO BE RETAINED
- INSERT APPLICABLE REQUIREMENTS BASED ON TABLE G-1
- INSERT DESCRIPTION OF HOW YOU WILL COMPLY WITH THESE REQUIREMENTS

☐ For Alternative 2:
- INSERT (1) THE ASSIGNED RISK LEVEL BASED ON APP. G APPLICABLE TABLE G-2 THROUGH G-6 AND (2) THE PREDOMINANT SOIL TYPE AND AVERAGE SLOPE AT YOUR SITE
- INSERT APPLICABLE REQUIREMENTS BASED ON APP. G, TABLE G-7
- INSERT DESCRIPTION OF HOW YOU WILL COMPLY WITH THESE REQUIREMENTS

☐ Buffer disturbances are authorized under a CWA Section 404 permit. INSERT DESCRIPTION OF ANY EARTH DISTURBANCES THAT WILL OCCUR WITHIN THE BUFFER AREA

(Note (1): If this exception applies, no further documentation is required for Section 4.1 of the Template.)

(Note (2): This exception only applies to the limits of disturbance authorized under the Section 404 permit, and does not apply to any upland portion of the construction project.)

☐ Buffer disturbances will occur for the construction of a water-dependent structure or water access area (e.g., pier, boat ramp, and trail). INSERT DESCRIPTION OF ANY EARTH DISTURBANCES THAT WILL OCCUR WITHIN THE BUFFER AREA

(Note (1): If this exception applies, no further documentation is required for Section 4.1 of the Template.)

4.2 Perimeter Controls

General

- To protect the resource areas during construction, a combination straw bale/silt fence barrier is proposed at the locations shown on the plans. This barrier will also function as the limit of work boundary. The erosion control will be maintained in good condition until on-site soils are stabilized. The straw bale portion of the barrier is proposed to withstand the weight of any sedimentation, and also provides an area for reclamation of sediment. Any accumulated sediment against the wattles will be removed and stabilized prior to removing the erosion control barrier.

Specific Perimeter Controls

Silt Fence / Straw Wattle
Description: Wire reinforced silt fence with straw wattles will be installed around the perimeter of the project site as well as around topsoil stockpiles. Silt fences will be installed by excavating a 12-inch-deep trench along the line of proposed installation. Wooden posts supporting the silt fence will be spaced eight (8) feet apart and driven securely into the ground; a minimum of 24 inches deep. The silt fence will be fastened securely to the wooden posts with wire ties spaced every 24 inches at the top, mid section, and bottom of the wooden post. The bottom edge of the silt fence will extend across the bottom of the trench and the trench will be backfilled and compacted to prevent stormwater and sediment from discharging underneath the silt fence. Wattles will be installed in front of the silt fence in respect to the direction of flow. Two (2) wood stakes will be driven through each wattles securely into the ground; a minimum of 12 inches.

Installation	5/1/2019 Silt fence with straw wattles will be installed prior to construction activities, as necessary, and around stockpiles once they have been established
Maintenance Requirements	The Silt fence and wattle line will be inspected weekly and immediately after storm events to secure it is intact and there are no gaps where the fence meets the ground or tears along the length of the fence. Accumulated sediment will be removed from the fence if it reaches one-half of any perimeter control the height of the silt fence. Before the wattles and silt fence are removed from the project area, the sediment will be removed.
Design Specifications	See site plans in Appendix A

4.3 Sediment Track-Out

General

- A temporary stone construction entrance shall be installed in accordance with the detail provided in the plan set to prevent vehicle tracking of sediment onto off-site roadways. The entrance shall be properly maintained until the project is completed or pavement is in.

Specific Track-Out Controls

Temporary Stone Construction Entrance	
Description: Stone Construction Entrance shall be installed where the construction vehicle entrance meets the existing pavement. Entrance shall be a minimum of 50' (L) x 20' (W) and shall include 1 ½" crushed stone.	
Installation	5/1/2019 Entrance shall be installed as soon as the erosion control is in place and construction equipment is on site.
Maintenance Requirements	The entrance shall be maintained in a condition which will prevent tracking or flow of mud onto public rights of way. This may require periodic top dressing with additional stone. Any material dropped onto the adjacent road shall be removed immediately. Where sediment has been tracked-out from your site onto paved roads, sidewalks, or other paved areas outside of your site, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. You are prohibited from hosing or sweeping tracked-out sediment into any stormwater conveyance, storm drain inlet, or water of the U.S.
Design Specifications	See site plans in Appendix A

4.4 Stockpiled Sediment or Soil

General

- Stockpile management procedures are provided to reduce or eliminate storm water pollution from stockpiles. These procedures include locating stockpiles outside of critical areas, providing temporary erosion control devices and providing temporary stabilization of stockpiles.

Specific Stockpile Controls

Stockpile Protection	
Description: Area to contain excavated and delivered earthen material. All stockpiled soils shall be encircled by silt fence and straw wattles to control sediment.	
Installation	5/1/2019 Silt fences shall be employed when stockpiled materials arrive on-site.
Maintenance Requirements	Inspect weekly during the rainy season and at two week intervals in the non-rainy season to verify erosion control measures. Repair and or replace perimeter controls as needed to keep them functioning properly. It is prohibited from hosing down or sweeping soil or sediment accumulated on pavement or other impervious surfaces into any stormwater conveyance, storm drain inlet, or water of the U.S.
Design Specifications	See site plans in Appendix A

4.5 Minimize Dust

General

- Best management practices are to be implemented to minimize dust control. This includes sweeping paved areas, wetting down unpaved traffic areas and providing a temporary construction entrance to minimize off-site tracking.

Specific Dust Controls

Dust Control Devices	
Description: Adjacent paved areas and roads used for construction traffic shall be maintained free of tracked soil and shall be cleaned as necessary by sweeping or washing. During construction unpaved traffic areas shall be wet down as necessary to minimize dust. Temporary stabilized construction entrance shall be provided at active site entrances. Additionally, construction vehicles shall only access the site at the designated construction entrance.	
Installation	Varying dates. Shall be monitored during dry seasons. Dust control measures will be in place from the start of construction until the site has been completely stabilized.
Maintenance Requirements	Paved areas shall be left clean at the end of each work day. Non-paved areas shall be left in a condition that will minimize dust from being generated by providing temporary stockpiles covers, and wetting down active surfaces as necessary. During non-working hours, the site shall be left in a condition that will minimize dust from being generated.
Design Specifications	N/A

4.6 Minimize Steep Slope Disturbances

General

- Steep slopes are to be stabilized as soon as possible with seeding, jute netting and ground plantings.

Specific Steep Slope Controls

Steep Slope Control	
Description: Site plans include both short and long term drainage devices for the on-site steep slopes. This includes stabilizing 3:1 slopes with loam, seeding, and jute netting to provide soil stabilization.	
Installation	Varying dates. Shall be monitored during construction. Construction sequencing is provided for areas with steep slopes to assure that they are properly constructed and stabilized quickly and effectively.
Maintenance Requirements	Inspections are required for these areas after significant rain events and on a weekly basis. Areas with erosion shall be immediately covered with additional loam and seed.
Design Specifications	See site plans in Appendix A

4.7 Topsoil

General

- Topsoil management procedures are provided to reuse topsoil on-site and include procedures to temporarily stockpile topsoil outside of critical areas, providing temporary erosion control devices and providing temporary stabilization of stockpiles. Long term maintenance is also provided to ensure a healthy vegetative cover.

Specific Topsoil Controls

Topsoil Control	
Description: Any temporary stockpiling of top soils shall be stored outside the 50' wetlands buffer. Additionally, staked straw wattles and silt fence shall be installed to help control erosion of the stockpile. Any inactive stockpiles shall be protected with soil stabilization measures.	
Installation	Varying dates. Shall be monitored throughout construction. Large vegetated areas and general site stabilization are critical to storm water management. This includes spreading loam and seed as soon as construction permits and permanently establishing vegetation.
Maintenance Requirements	Inspect weekly during the rainy season and at two week intervals in the non-rainy season to verify stabilization. Areas with erosion shall be immediately covered with additional erosion control blankets, loam, and seed. Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding.
Design Specifications	See site plans in Appendix A

4.8 Storm Drain Inlets

General

- Silt sacks are to be installed at all catch basin inlets to allow water to pass but prevent silt and sediment from clogging the drain system.

Specific Storm Drain Inlet Controls

Silt Sack	
Description: Silt sacks are to be provided at any catch basin immediately offsite to protect against any sediment that may track out from the site. No new catch basins are proposed on site but existing catch basins found on Nashua Road shall be protected from sediment from this site.	
Installation	3/25/2019 Silt sacks are to be installed prior to construction for existing catch basins.
Maintenance Requirements	Inspect silt sacks after each rainfall event and clean or replace as necessary. Clean, or remove and replace the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the deposited sediment by the end of the same business day in which it is found or by the end of the following business day if removal by the same business day is not feasible.
Design	See site plans in Appendix A

4.10 Stormwater Conveyance Channels

Instructions (see CGP Parts 2.2.11 and 7.2.6):

If you will be installing a stormwater conveyance channel, describe control practices (e.g., velocity dissipation devices), including design specifications and details (volume, dimensions, outlet structure), that will be implemented at the construction site.

General

- Erosion controls and velocity dissipation devices are to be provided within and along the length of any stormwater conveyance channel. This can include rip rap check dams or rip rap lining od channels. Devices to control erosion and dissipate velocity shall be installed at any outlet from a stormwater conveyance to slow runoff to minimize erosion.

Specific Conveyance Channel Controls

Rip Rap Check Dam	
Description: A check dam is a small dam constructed across a drainage ditch, swale, or channel to lower the speed of flow. Reduced runoff speed reduces erosion and gullying in the channel and allows sediments to settle out. A check dam may be built from stone, sandbags filled with pea gravel, or logs.	
Installation	During construction of drainage channels
Maintenance Requirements	Inspect check dams after each rainfall event. Remove any accumulated sediment. Check structures for erosion, piping, or rock displacement.
Design Specifications	See site plans in Appendix A

[Repeat as needed for individual stormwater conveyance channel controls.]

4.11 Sediment Basins

Instructions (see CGP Parts 2.2.12 and 7.2.6.b.iv):

If you will install a sediment basin, include design specifications and other details (volume, dimensions, outlet structure) that will be implemented in conformance with CGP Part 2.2.12.

- Sediment basins must be situated outside waters of the U.S. and any natural buffers established under CGP Part 2.2.1; and designed to avoid collecting water from wetlands.
- At a minimum, sediment basins provide storage for either (1) the calculated volume of runoff from the 2-year, 24-hour storm (see CGP App. H), or (2) 3,600 cubic feet per acre drained
- Sediment basins must also utilize outlet structures that withdraw water from the surface, unless infeasible

General

- INSERT GENERAL DESCRIPTION OF HOW YOU WILL COMPLY WITH CGP PART 2.2.12. IF YOU HAVE DETERMINED THAT IT IS INFEASIBLE FOR YOU TO UTILIZE AN OUTLET STRUCTURE THAT DISCHARGES FROM THE SURFACE, PROVIDE AN EXPLANATION FOR WHY THIS IS THE CASE.

Specific Sediment Basin Controls

INSERT NAME OF SEDIMENT BASIN CONTROL TO BE INSTALLED	
Description: A sediment basin is a settling pond with a controlled storm water release structure used to collect and store sediment produced by construction activities. A sediment basin can be constructed by excavation or by placing an earthen embankment across a low area or drainage swale. Sediment basins can be designed to maintain a permanent pool or to drain completely dry. The basin detains sediment-laden runoff long enough to allow most of the sediment to settle out.	
Installation	Varies, to be installed as necessary during construction.
Maintenance Requirements	Remove accumulated sediment to maintain at least one-half of the design capacity and conduct all other appropriate maintenance to ensure the basin or impoundment remains in effective operating condition.
Design Specifications	See site plans in Appendix A.

[Repeat as needed for individual sediment basin controls.]

4.12 Chemical Treatment

Instructions (see CGP Parts 2.2.13 and 7.2.6.v):

If you are using treatment chemicals at your site, provide details for each of the items below. This information is required as part of the SWPPP requirements in CGP Part 7.2.6.v.

Soil Types

List all the soil types (including soil types expected to be found in fill material) that are expected to be exposed during construction in areas of the project that will drain to chemical treatment systems: INSERT TEXT HERE

Treatment Chemicals
List all treatment chemicals that will be used at the site and explain why these chemicals are suited to the soil characteristics: N/A
Describe the dosage of all treatment chemicals you will use at the site or the methodology you will use to determine dosage: N/A

Provide information from any applicable Safety Data Sheets (SDS): N/A

Describe how each of the chemicals will stored: N/A

Include references to applicable state or local requirements affecting the use of treatment chemicals, and copies of applicable manufacturer's specifications regarding the use of your specific treatment chemicals and/or chemical treatment systems: N/A

Special Controls for Cationic Treatment Chemicals (if applicable)
If the applicable EPA Regional Office authorized you to use cationic treatment chemicals, include the official EPA authorization letter or other communication, and identify the specific controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to an exceedance of water quality standards: N/A

Schematic Drawings of Stormwater Controls/Chemical Treatment Systems
Provide schematic drawings of any chemically-enhanced stormwater controls or chemical treatment systems to be used for application of treatment chemicals: N/A

Training
Describe the training that personnel who handle and apply chemicals have received prior to permit coverage, or will receive prior to the use of treatment chemicals: N/A

4.13 Dewatering Practices

General
- N/A

Specific Dewatering Practices

N/A	
Description: N/A	
Installation	N/A
Maintenance Requirements	N/A
Design Specifications	N/A

4.14 Other Stormwater Controls

Instructions:
– Describe any other stormwater controls that do not fit into the above categories.

General
- N/A

Specific Stormwater Control Practices

N/A	
Description: N/A	
Installation	N/A
Maintenance Requirements	N/A
Design Specifications	N/A

[Repeat as needed.]

4.15 Site Stabilization

Instructions (see CGP Parts 2.2.14 and 7.2.6.vi):

The CGP requires you to immediately initiate stabilization when work in an area of your site has permanently or temporarily stopped, and to complete certain stabilization activities within prescribed deadlines. Construction projects disturbing more than 5 acres at any one time have a different deadline than projects disturbing 5 acres or less at any one time. See CGP Part 2.2.14.a. The CGP also requires that stabilization measures meet certain minimum criteria. See CGP Part 2.2.14.b. For your SWPPP, you must include the following:

- Describe the specific vegetative and/or non-vegetative practices that will be used to stabilize exposed soils where construction activities have temporarily or permanently ceased. Avoid using impervious surfaces for stabilization whenever possible.
- The stabilization deadline(s) that will be met in accordance with Part 2.2.14.a
- Once you begin construction, consider using the Grading/Stabilization Activities log in Appendix H of the Template to document your compliance with the stabilization requirements in CGP Part 2.2.14.

Total Amount of Land Disturbance Occurring at Any One Time

☐ *Five Acres or less*

☐ *More than Five Acres*

Use this template box if you are <u>not</u> located in an arid, semi-arid, or drought-stricken area

INSERT NAME OF SITE STABILIZATION PRACTICE	
☐ *Vegetative* ☐ *Non-Vegetative* ☐ *Temporary* ☐ *Permanent*	
Description: ▪ INSERT DESCRIPTION OF STABILIZATION PRACTICE TO BE INSTALLED ▪ NOTE HOW DESIGN WILL MEET REQUIREMENTS OF PART 2.2.14.b	
Installation	INSERT APPROXIMATE DATE OF INSTALLATION
Completion	INSERT APPROXIMATE COMPLETION DATE
Maintenance Requirements	INSERT MAINTENANCE REQUIREMENTS FOR THE STABILIZATION PRACTICE
Design Specifications	INCLUDE COPIES OF DESIGN SPECIFICATIONS HERE

[Repeat as needed for additional stabilization practices.]

Use this template box if you are located in an arid, semi-arid, or drought-stricken area.

INSERT NAME OF SITE STABILIZATION PRACTICE	
☐ *Vegetative* ☐ *Non-Vegetative* ☐ *Temporary* ☐ *Permanent*	
Description: ▪ INSERT DESCRIPTION OF STABILIZATION PRACTICE TO BE INSTALLED ▪ NOTE HOW DESIGN WILL MEET REQUIREMENTS OF PART 2.2.14.b	
Dry Period	▪ Beginning date of seasonally dry period: INSERT APPROXIMATE DATE ▪ Ending date of seasonally dry period: INSERT APPROXIMATE DATE ▪ Site conditions during this period: DESCRIBE YOUR SITE CONDITIONS DURING THIS PERIOD
Installation and completion schedule	DESCRIBE THE SCHEDULE YOU WILL FOLLOW FOR INITIATING AND COMPLETING VEGETATIVE STABILIZATION ▪ Approximate installation date: INSERT APPROXIMATE DATE ▪ Approximate completion date: INSERT APPROXIMATE DATE
Maintenance Requirements	INSERT MAINTENANCE REQUIREMENTS FOR THE STABILIZATION PRACTICE
Design Specifications	INCLUDE COPIES OF DESIGN SPECIFICATIONS HERE

[Repeat as needed for additional stabilization practices.]

Use this template box if unforeseen circumstances have delayed the initiation and/or completion of vegetative stabilization. Note: You will not be able to include this information in your initial SWPPP. If you are affected by circumstances such as those described in CGP Part 2.2.14.a.iii, you will need to modify your SWPPP to include this information.

INSERT NAME OF SITE STABILIZATION PRACTICE	
☐ *Vegetative* ☐ *Temporary* ☐ *Permanent*	
Description: ▪ INSERT DESCRIPTION OF STABILIZATION PRACTICE TO BE INSTALLED ▪ NOTE HOW DESIGN WILL MEET REQUIREMENTS OF PART 2.2.14.b	
Justification	INSERT DESCRIPTION OF CIRCUMSTANCES THAT PREVENT YOU FROM MEETING THE DEADLINES REQUIRED IN CGP PARTS 2.2.14.a

Installation and completion schedule	**Vegetative Measures:** DESCRIBE THE SCHEDULE YOU WILL FOLLOW FOR INITIATING AND COMPLETING VEGETATIVE STABILIZATION ▪ Approximate installation date: INSERT APPROXIMATE DATE ▪ Approximate completion date: INSERT APPROXIMATE DATE
	Non-Vegetative Measures: *(must be completed within 14 days of the cessation of construction if disturbing 5 acres or less; within 7 days if disturbing more than 5 acres)* ▪ Approximate installation date: INSERT APPROXIMATE DATE ▪ Approximate completion date: INSERT APPROXIMATE DATE
Maintenance Requirements	INSERT MAINTENANCE REQUIREMENTS FOR THE STABILIZATION PRACTICE
Design Specifications	INCLUDE COPIES OF DESIGN SPECIFICATIONS HERE

[Repeat as needed for additional stabilization practices.]

SECTION 5: POLLUTION PREVENTION STANDARDS

5.1 Potential Sources of Pollution

Instructions (see CGP Part 7.2.3.g):

- Identify and describe all pollutant-generating activities at your site (e.g., paving operations; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal).
- For each pollutant-generating activity, include an inventory of pollutants or pollutant constituents associated with that activity (e.g., sediment, fertilizers, and/or pesticides, paints, solvents, fuels), which could be exposed to rainfall or snowmelt, and could be discharged from your construction site. You must take into account where potential spills and leaks could occur that contribute pollutants to stormwater discharges, and any known hazardous or toxic substances, such as PCBs and asbestos, that will be disturbed or removed during construction.

Construction Site Pollutants

INSERT TEXT OR USE TABLE BELOW

Pollutant-Generating Activity	**Pollutants or Pollutant Constituents** (that could be discharged if exposed to stormwater)	**Location on Site** (or reference SWPPP site map where this is shown)

[Include additional rows as necessary.]

5.2 Spill Prevention and Response

- Employee Training: All employees will be trained at the beginning of the project and as additional measures dictate.
- Vehicle Maintenance: All major vehicle and equipment maintenance shall be performed off-site. All vehicles and equipment including subcontractor vehicles will be checked for leaking oil and fluids. Vehicles leaking fluids will not be allowed on-site. Drip pans will be placed under all vehicles and equipment that are parked overnight.
- Hazardous Material Storage: Hazardous materials will be stored as outlined below and federal and municipal regulations.
- Spill Kits: Spill kits will be within the materials storage area and concrete washout areas.
- Spills: All spills will be cleaned up immediately upon discovery. The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with the hazardous substances. Spent absorbent materials and rags will be hauled off-site immediately after the spill is cleaned up for disposal. Spills of toxic or hazardous materials will be reported to the appropriate federal, state, and/or local government agency regardless of the size of the spill. The owner shall be notified of the spill.
- Material safety data sheets, a material inventory, and emergency contact information will be maintained at the on-site project trailer.
- If the spill exceeds a Reportable Quantity, the SWPPP must be modified within seven (7) calendar days of knowledge of the discharge to provide a description of the release, the circumstances leading to the release, and the date of the release. The plans must identify measures to prevent the recurrence of such releases and to respond to such release.

5.3 Fueling and Maintenance of Equipment or Vehicles

General

- All Fueling and maintenance of equipment or vehicles shall be done off-site in accordance with local, state and federal regulations.

Specific Pollution Prevention Practices

Pollution Prevention of Fueling Maintenance for Equipment or Vehicles	
Description: All contractors and sub-contractors shall provide an effective means of eliminating discharge of spilled or leaked substances.	
Installation	▪ Ensure adequate supplies are available at all times handle spills, leaks, and disposal of used liquids ▪ Use drip pans and absorbents under or around leaky equipment or vehicles ▪ Dispose of or recycle oil or oily waste, off-site, per federal, state, or local
Maintenance Requirements	▪ Clean up spills or contaminated surfaces immediately using dry clean up measures where possible and eliminate the source of the spill to prevent additional spilling or discharge ▪ Do not clean surfaces by hosing the area down
Design Specifications	N/A

5.4 Washing of Equipment and Vehicles

General

- All equipment and vehicle washing shall be performed off-site.

Specific Pollution Prevention Practices

Pollution Prevention of Washing Equipment and Vehicles	
Description: If small scale wheel washing occurs to prevent off-site tracking, the contractor shall provide an effective means of minimizing discharge of pollutants from equipment and vehicle, and other types of washing.	
Installation	▪ Storage is allowed of small amounts of soaps, detergents, or solvents for the prevention of off-site tracking wheel washing only. ▪ Storage shall include a cover to prevent them from coming into contact with water. ▪ Small amounts shall be limited to quantities typically associated with "household use".
Maintenance Requirements	Dispose of liquid waste in accordance with sections 5.6 - 5.8 below.
Design Specifications	N/A

5.5 Storage, Handling, and Disposal of Building Products, Materials, and Wastes

5.5.1 Building Products

All building products (including asphalt shingles and copper roofing) shall be properly stored at all times when on-site.

General

- Storage of building products shall be limited to the buildings under active construction.

Specific Pollution Prevention Practices

Pollution Prevention of Building Products	
Description: Cover to prevent coming into contact with water or a similarly effective means designed to prevent discharge.	
Installation	Storage shall be limited to active construction areas outside the 100-foot buffer zone.
Maintenance Requirements	Building supply storage areas shall be inspected regularly to ensure that no discharge occurs. Comply with disposal requirements included on label in accordance with local, state and federal regulations.
Design Specifications	N/A

5.5.2 Pesticides, Herbicides, Insecticides, Fertilizers, and Landscape Materials

General

- All pesticides, herbicides, insecticides, fertilizers, and landscape materials shall be properly stored at all times when on-site.

Specific Pollution Prevention Practices

Pollution Prevention of Pesticides, Herbicides, Insecticides, Fertilizers, and Landscape Materials

Description: Cover to prevent coming into contact with water or a similarly effective means designed to prevent discharge.	
Installation	Storage shall be limited to active construction areas outside the 100-foot buffer zone.
Maintenance Requirements	Storage areas shall be inspected regularly to ensure that no discharge occurs. Comply with disposal requirements included on label in accordance with local, state and federal regulations.
Design Specifications	N/A

5.5.3 Diesel Fuel, Oil, Hydraulic Fluids, Other Petroleum Products, and Other Chemicals

General

- All diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals shall be properly stored at all times when on-site.

Specific Pollution Prevention Practices

Pollution Prevention of Diesel Fuel, Oil, Hydraulic Fluids, Other Petroleum Products, and Other Chemicals	
Description: Cover to prevent coming into contact with water or a similarly effective means designed to prevent discharge.	
Installation	Storage shall be limited to active construction areas outside the 100-foot buffer zone.
Maintenance Requirements	Building supply storage areas shall be inspected regularly to ensure that no discharge occurs. Comply with disposal requirements included on label in accordance with local, state and federal regulations.
Design Specifications	N/A

5.5.4 Hazardous or Toxic Waste

Examples include paints, solvents, petroleum-based products, wood preservatives, additives, curing compounds, acids.

General

- Hazardous materials shall be stored separate from construction and domestic waste with proper labels.

Specific Pollution Prevention Practices

Pollution Prevention of Hazardous or Toxic Waste
Description: All hazardous waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed shipping containers. Hazardous waste materials will be stored in appropriate and clearly marked containers and segregated from other non-waste materials. Secondary containment will be provided for all waste materials and will consist of commercially available spill pallets. All hazardous waste materials will be disposed of in accordance with federal, state, and municipal regulations. Hazardous waste materials will not be disposed of into the on-site dumpsters. All personnel will be instructed, during tailgate training sessions, regarding proper procedures for hazardous waste disposal. Notices that state these procedures will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that

these procedures are followed.	
Installation	Shipping containers used to store hazardous waste materials will be installed once the site materials storage area has been installed.
Maintenance Requirements	Clean up spills immediately using dry clean-up methods where possible. Dispose of used materials off-site in accordance with local, state and federal regulations. Do not clean by hosing down area. The hazardous waste material storage areas will be inspected weekly and immediately after storm events. The storage areas will be kept clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Material safety data sheets, material inventory, and emergency contact numbers will be maintained in the office trailer.
Design Specifications	N/A

5.5.5 Construction and Domestic Waste

Examples include packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, concrete, and other trash or building materials.

General

- All waste materials will be collected and disposed of into metal trash dumpsters.

Specific Pollution Prevention Practices

Pollution Prevention of Construction and Domestic Waste	
Description: Dumpsters will be placed away from stormwater conveyances and drains, and meet all federal, state, and municipal regulations. Only trash and construction debris from the site will be deposited in the dumpster. No construction materials will be buried on site.	
Installation	Trash dumpsters will be installed once the materials storage area has been established. All personnel will be instructed, during tailgate training sessions, regarding the correct disposal of trash and construction debris. Notices that state these practices will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that these practices are followed.
Maintenance Requirements	Dumpsters will be inspected weekly and immediately after storm events. Dumpster will be emptied weekly. If trash and construction debris are exceeding the dumpster's capacity, the dumpsters will be emptied more frequently.
Design Specifications	N/A

5.5.6 Sanitary Waste

General

- Temporary sanitary facilities (portable toilets) shall be provided at the site throughout the construction phase.

Specific Pollution Prevention Practices

Pollution Prevention of Sanitary Waste
Description: The portable toilets will be brought to the site at the commencement of

construction.	
Installation	The portable toilets will be located away from concentrated flow paths and traffic flow and will have collection pans underneath as secondary containment.
Maintenance Requirements	All sanitary waste will be collected from the portable facilities at minimum of once per week by a licensed portable facility provider in complete compliance with local and state regulations. The portable toilets will be inspected weekly for evidence of leaking holding tanks. Toilets with leaking holding tanks will be removed from the site and replaced with new portable toilets.
Design Specifications	N/A

5.6 Washing of Applicators and Containers used for Paint, Concrete or Other Materials

General

- All site contractors and sub-contractors shall provide an effective means of eliminating discharges from the washing of applicators and containers used for paint, concrete or other materials.

Specific Pollution Prevention Practices

Pollution Prevention Washing of Applicators and Containers used for Paint, Concrete or Other Materials	
Description: Direct all wash-water into a leak-proof container or pit which must be designed to that no overflows can occur due to inadequate sizing or precipitation.	
Installation	Locate any washout or cleanout activities as far away as possible from surface waters or stormwater inlets or conveyances, and designate areas for these activities if practicable. Discharge of liquid waste into storm sewers is prohibited.
Maintenance Requirements	Dispose of liquid waste in accordance with Disposal section above. Remove and dispose of hardened concrete waste in accordance with Disposal section above.
Design Specifications	N/A

5.7 Fertilizers

General

- Fertilizers will be applied only in the minimal amounts recommended by the manufacturer. Once applied, the fertilizer will be worked into the soil to limit exposure to stormwater. Storage will be in a covered area outside of the 100' buffer zone; and the contents of any partially used bags will be transferred to a sealable, plastic bin to avoid spills. Organic fertilizers are less harmful to wetland areas.

Specific Pollution Prevention Practices

Pollution Prevention of Fertilizers
Description: Any buffer zone vegetation maintenance shall apply low nitrogen fertilizers only. Permanent stabilization will be done immediately after the final design grades are achieved but

no later than 14 days after construction ceases.	
Installation	Use fertilizer in moderation. Do not apply more than recommended amounts (1/2 pound of nitrogen per 1000 square feet of lawn). Apply fertilizer to lawn areas in late April and September. Do not fertilize before a rain event. Never apply to frozen ground. Never apply to drainage channels. Follow state and local requirements. Organic fertilizers are strongly encouraged. To improve treatment, soil can be tested to optimize fertilizer applications.
Maintenance Requirements	The plan set adequately describes the use and disposal of landscape and garden chemicals including fertilizers.
Design Specifications	N/A

5.8 Other Pollution Prevention Practices

General

Certain types of discharges are allowed under the NPDES General Permit for Construction Activity and it is the intent of this SWPPP to allow such discharges. These types of discharges will be allowed under the conditions that no pollutants will be allowed to come into contact with the water prior to or after its discharge.

Potential allowable non-stormwater discharges include:

- Discharges from fire fighting activities
- Fire hydrant flushing (testing)
- Potable water including water line flushing (testing)
- Irrigation drainage
- Landscape watering, provide all pesticides, herbicides, and fertilizers have been applied in accordance with manufacturer's instructions
- Uncontaminated spring ground water runoff
- Foundation or footing drains where flows are not contaminated with process materials

Control measures will be strictly followed to ensure that no contamination of these non-stormwater discharges takes place and that the appropriate erosion and sediment control are implemented.

SECTION 6: INSPECTION, MAINTENANCE, AND CORRECTIVE ACTION

6.1 Inspection Personnel and Procedures

Instructions (see CGP Parts 3.2, 4, 5, and 7.2.7):

Describe the procedures you will follow for conducting inspections in accordance with CGP Parts 3.2, 4, 5, and 7.2.7.

Personnel Responsible for Inspections

INSERT NAMES OF PERSONNEL OR TYPES OF PERSONNEL WHO WILL BE CONDUCTING SITE INSPECTIONS HERE

Note: All personnel conducting inspections must be considered a "qualified person." CGP Part 4.1 clarifies that a "qualified person" is a person knowledgeable in the principles and practices of erosion and sediment controls and pollution prevention, who possesses the appropriate skills and training to assess conditions at the construction site that could impact stormwater quality, and the appropriate skills and training to assess the effectiveness of any stormwater controls selected and installed to meet the requirements of this permit.

Inspection Schedule

Select the inspection frequency(ies) that applies, based on CGP Parts 4.2, 4.3, or 4.4

(Note: you may be subject to different inspection frequencies in different areas of the site. Check all that apply)

Standard Frequency:
x Every 7 days ☐ Every 14 days and within 24 hours of a 0.25" rain or the occurrence of runoff from snowmelt sufficient to cause a discharge
Increased Frequency (if applicable):
For areas of sites discharging to sediment or nutrient-impaired waters or to waters designated as Tier 2, Tier 2.5, or Tier 3 ☐ Every 7 days and within 24 hours of a 0.25" rain
Reduced Frequency (if applicable)
For stabilized areas ☐ Twice during first month, no more than 14 calendar days apart; then once per month after first month; ▪ SPECIFY LOCATIONS WHERE STABILIZATION STEPS HAVE BEEN COMPLETED ▪ INSERT DATE THAT THEY WERE COMPLETED (Note: It is likely that you will not be able to include this in your initial SWPPP. If you qualify for this reduction (see CGP Part 4.4.1), you will need to modify your SWPPP to include this information.)
For stabilized areas on "linear construction sites" ☐ Twice during first month, no more than 14 calendar days apart; then once more within 24 hours of a 0.25" rain ▪ SPECIFY LOCATIONS WHERE STABILIZATION STEPS HAVE BEEN COMPLETED ▪ INSERT DATE THAT THEY WERE COMPLETED

(Note: It is likely that you will not be able to include this in your initial SWPPP. If you qualify for this reduction (see CGP Part 4.4.1), you will need to modify your SWPPP to include this information.)

For arid, semi-arid, or drought-stricken areas during seasonally dry periods or during drought

☐ Once per month and within 24 hours of a 0.25" rain

Insert beginning and ending dates of the seasonally-defined dry period for your area or the valid period of drought:

- Beginning date of seasonally dry period: INSERT APPROXIMATE DATE
- Ending date of seasonally dry period: INSERT APPROXIMATE DATE

For frozen conditions where earth-disturbing activities are being conducted

☐ Once per month

Insert beginning and ending dates of frozen conditions on your site:

- Beginning date of frozen conditions: INSERT APPROXIMATE DATE
- Ending date of frozen conditions: INSERT APPROXIMATE DATE

Rain Gauge Location (if applicable)

SPECIFY LOCATION(S) OF RAIN GAUGE TO BE USED FOR DETERMINING WHETHER A RAIN EVENT OF 0.25 INCHES OR GREATER HAS OCCURRED (only applies to inspections conducted for Part 4.2.2, 4.3, or 4.4.2)

Inspection Report Forms

INSERT COPY OF ANY INSPECTION REPORT FORMS YOU WILL USE HERE OR IN APPENDIX D OF THIS SWPPP TEMPLATE

(Note: EPA has developed a sample inspection form that CGP operators can use. The form is available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources)

6.2 Corrective Action

Instructions (CGP Parts 5 and 7.2.7):

- Describe the procedures for taking corrective action in compliance with CGP Part 5.

Personnel Responsible for Corrective Actions

INSERT NAMES OF PERSONNEL OR TYPES OF PERSONNEL RESPONSIBLE FOR CORRECTIVE ACTIONS

Corrective Action Forms

INSERT A COPY OF ANY CORRECTIVE ACTION FORMS YOU WILL USE HERE OR IN APPENDIX E OF THIS SWPPP TEMPLATE

(Note: EPA has developed a sample corrective action form that CGP operators can use. The form is available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources)

6.3 Delegation of Authority

Instructions:

- Identify the individual(s) or positions within the company who have been delegated authority to sign inspection reports.
- Attach a copy of the signed delegation of authority (see example in Appendix J of the Template.)
- For more on this topic, see Appendix I, Subsection 11 of EPA's CGP.

Duly Authorized Representative(s) or Position(s):

Insert Company or Organization Name
Insert Name
Insert Position
Insert Address
Insert City, State, Zip Code
Insert Telephone Number
Insert Fax/Email

SECTION 7: TRAINING

Instructions (see CGP Part 6 and 7.2.8):

- Complete the table below to provide documentation that the personnel required to be trained in CGP Part 6 completed the appropriate training
- If personnel will be taking course training (which is not required as part of the CGP), consider using Appendix I of this SWPPP template to track completion of this training
- The following personnel, at a minimum, must receive training, and therefore should be listed out individually in the table below:
  - ✓ Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls (including pollution prevention measures);
  - ✓ Personnel responsible for the application and storage of treatment chemicals (if applicable);
  - ✓ Personnel who are responsible for conducting inspections as required in Part 4.1; and
  - ✓ Personnel who are responsible for taking corrective actions as required in Part 5.
- CGP Part 6 requires that the required personnel must be trained to understand the following if related to the scope of their job duties:
  - ✓ The permit deadlines associated with installation, maintenance, and removal of stormwater controls and with stabilization;
  - ✓ The location of all stormwater controls on the site required by this permit, and how they are to be maintained;
  - ✓ The proper procedures to follow with respect to the permit's pollution prevention requirements; and
  - ✓ When and how to conduct inspections, record applicable findings, and take corrective actions.

Table 7-1: Documentation for Completion of Training

Name	Describe Training	Date Training Completed
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
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INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE
INSERT NAME OF PERSONNEL		INSERT COMPLETION DATE

SECTION 8: CERTIFICATION AND NOTIFICATION

Instructions (CGP Appendix I, Part I.11.b):

- The following certification statement must be signed and dated by a person who meets the requirements of Appendix I, Part I.11.b.
- This certification must be re-signed in the event of a SWPPP Modification.

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 have no personal knowledge that the information submitted is other than 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: _____

Signature: _____ Date: _____

[Repeat as needed for multiple construction operators at the site.]

SWPPP APPENDICES

Attach the following documentation to the SWPPP:

Appendix A – Site Maps

Appendix B – Copy of 2017 CGP
(Note: The 2017 CGP is available at https://www.epa.gov/npdes/epas-2017-construction-general-permit-cgp-and-related-documents)

Appendix C – NOI and EPA Authorization Email

Appendix D – Inspection Form
(Note: EPA has developed a sample inspection form that CGP operators can use. The form is available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources)

Appendix E – Corrective Action Form
(Note: EPA has developed a sample corrective action form that CGP operators can use. The form is available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources)

Appendix F – SWPPP Amendment Log

Appendix G – Subcontractor Certifications/Agreements

Appendix H – Grading and Stabilization Activities Log

Appendix I – Training Log

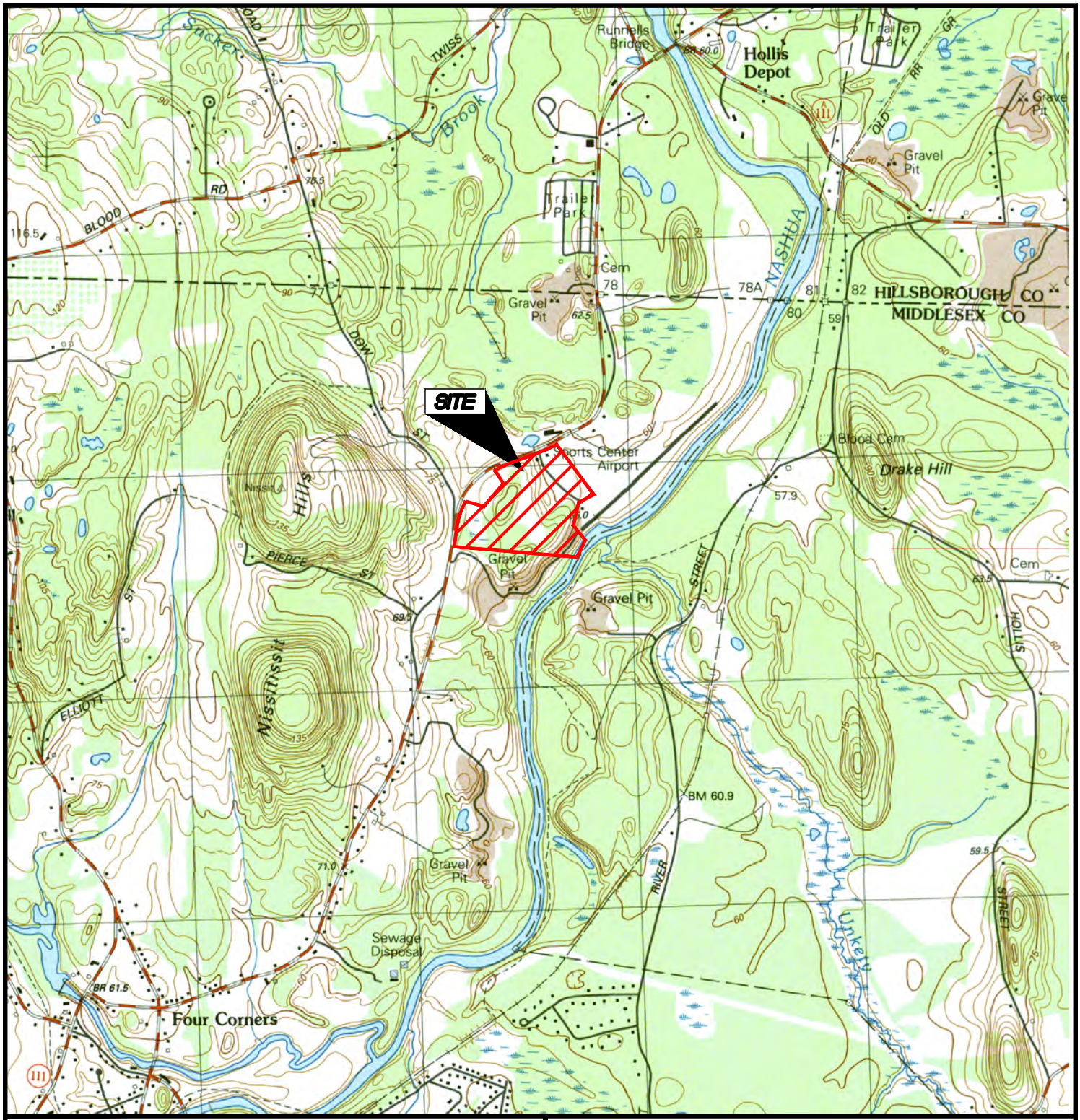
Appendix J – Delegation of Authority

Appendix K – Endangered Species Documentation

Appendix L – Historic Preservation Documentation

Appendix A – Site Maps

- USGS Locus Map
- Existing Conditions Plan
- Construction Plan



U.S.G.S. QUADRANGLE LOCUS MAP

Scale: 1"=2000' JANUARY 31, 2019

161 NASHUA ROAD
PEPPERELL, MA

Prepared for: MASS COMPOSTING GROUP INC.
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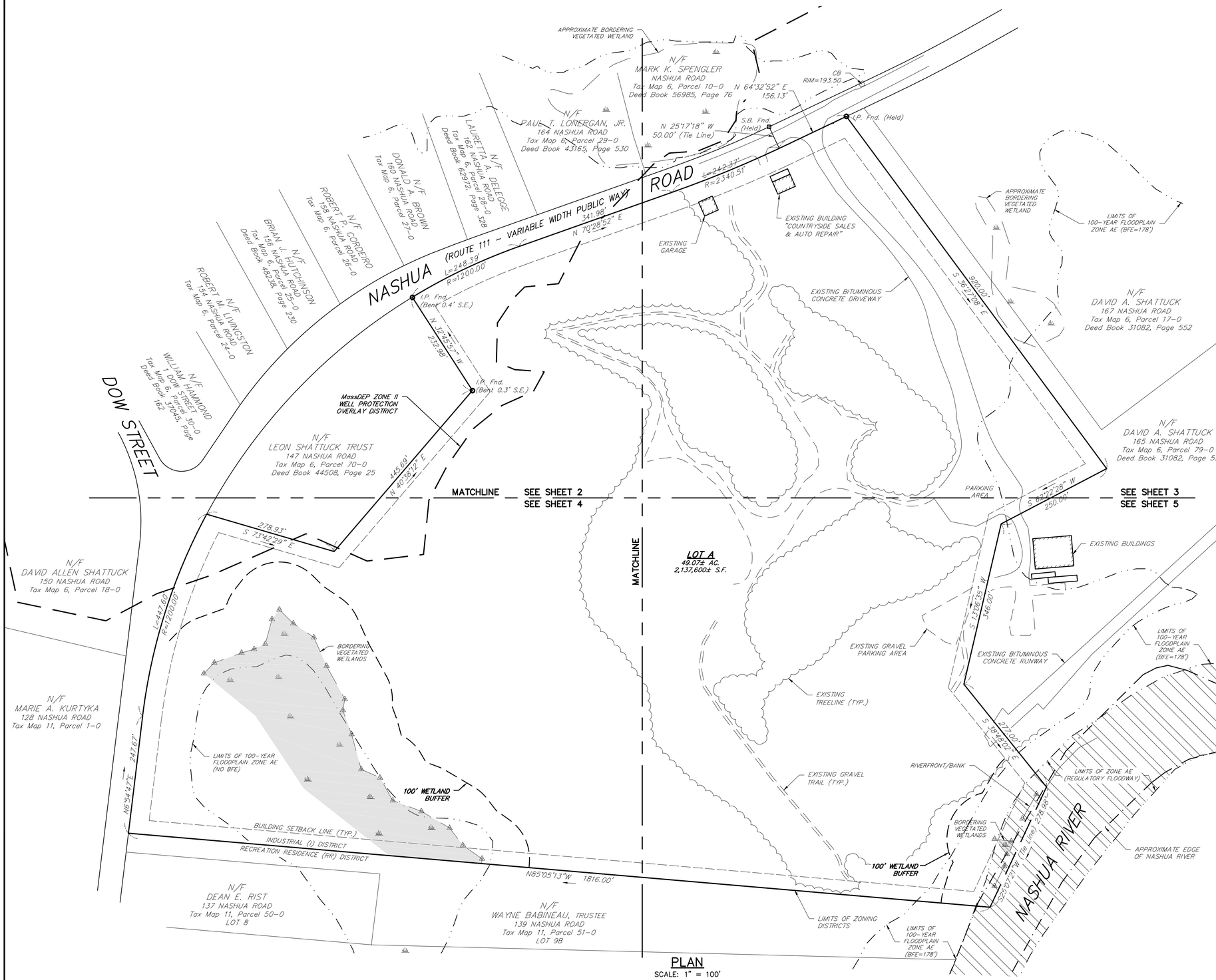
READING, MA 01867

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, – Westford, MA 01886
Ph: (978) 692–6100 – landtechinc.com

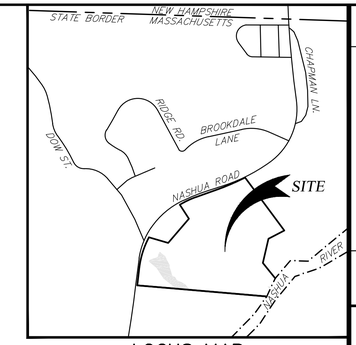
Draft: MJS

Job No. 18–200



PLAN
SCALE: 1" = 100'

0 100' 200' 300'
SCALE IN FEET



LOCUS MAP
SCALE: 1" = 1000'

RECORD OWNERS

MASS COMPOSTING GROUP INC.
2 LINDEN STREET
READING, MA 01867

ASSESSOR'S REFERENCES

TAX MAP 6, PARCEL 20–0

DEED REFERENCES

BOOK 23267, PAGE 23, M.S.D.R.D.

PLAN REFERENCES

PLAN 253 OF 1991, M.S.D.R.D.

NOTES

1. BOUNDARY, RIGHT–OF–WAY, AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ON–THE–GROUND SURVEY PERFORMED BY LANDTECH CONSULTANTS IN OCTOBER AND NOVEMBER OF 2018.
2. BOUNDARY AND RIGHT–OF–WAY INFORMATION SHOWN HEREON IS BASED ON INFORMATION OBTAINED FROM THE PUBLIC RECORDS. A TITLE SEARCH WAS NOT PERFORMED.
3. BORDERING VEGETATED WETLANDS (FLAG SERIES A & B) AND RIVER BANK (FLAG SERIES R) SHOWN HEREON WERE DELINEATED BY OXBOW ASSOCIATES, INC. IN JANUARY OF 2017 AND FIELD LOCATED BY LANDTECH CONSULTANTS IN OCTOBER OF 2018.
4. A SUBSURFACE INVESTIGATION WAS NOT PERFORMED.
5. THE BEARINGS AND DISTANCES AND THE COORDINATES THEY ARE BASED ON SHOWN ON THIS PLAN ARE IN U.S. SURVEY FEET IN THE MA. STATE PLANE COORDINATE SYSTEM (MAINLAND ZONE) REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), CORS ADJUSTMENT (NA2011/GEOID 12A) AS DETERMINED BY GPS OBSERVATIONS PERFORMED IN OCTOBER OF 2018 UTILIZING THE MACORS (MASSACHUSETTS CONTINUOUS OPERATING REFERENCE STATION NETWORK) RTK GPS NETWORK.
6. THE VERTICAL DATUM FOR THIS PROJECT IS REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), CORS ADJUSTMENT (NA2011/GEOID 12A) AS DETERMINED BY GPS OBSERVATIONS PERFORMED IN OCTOBER OF 2018 UTILIZING THE MACORS (MASSACHUSETTS CONTINUOUS OPERATING REFERENCE STATION NETWORK) RTK GPS NETWORK.
7. THE LOCUS PROPERTY IS PARTIALLY LOCATED IN ZONE AE (1% ANNUAL CHANCE FLOODPLAIN WITH A BASE FLOOD ELEVATION & REGULATORY FLOODWAY) AS DEFINED ON FEMA FLOOD INSURANCE RATE MAP NUMBER 25017C0083E, EFFECTIVE DATE JUNE 4, 2010. FLOOD ELEVATIONS FROM THIS MAP ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
8. OFFSITE WETLANDS, FLOODPLAINS, AND WELL PROTECTION ZONES SHOWN HEREON WERE OBTAINED FROM DATA AVAILABLE THROUGH THE MASSACHUSETTS GIS ONLINE MAPS.
9. PARCEL IS LOCATED IN THE INDUSTRIAL ZONING DISTRICT.
   MINIMUM YARD SETBACKS: FRONT: 40 FT.
   SIDE: 30 FT.
   REAR: 45 FT.

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
2 LINDEN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141–163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=100'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, – Westford, MA 01886
Ph: (978) 692–6100 – landtechinc.com

JOB NO.	DWG. NO.	SHEET
18–200	10519	EX–1

N

NAD83

APPROXIMATE BORDERING VEGETATED WETLAND

N/F
PAUL T. LONERGAN, JR.
164 NASHUA ROAD
Tax Map 6, Parcel 29-0
Deed Book 43165, Page 530

N/F
LAURETTA A. DELEGGE
162 NASHUA ROAD
Tax Map 6, Parcel 28-0
Deed Book 62972, Page 328

N/F
DONALD A. BROWN
160 NASHUA ROAD
Tax Map 6, Parcel 27-0

N/F
ROBERT P. CORDEIRO
158 NASHUA ROAD
Tax Map 6, Parcel 26-0

N/F
BRIAN J. HUTCHINSON
156 NASHUA ROAD
Tax Map 6, Parcel 25-0
Deed Book 48238, Page 230

N/F
ROBERT M. LIVINGSTON
154 NASHUA ROAD
Tax Map 6, Parcel 24-0

N/F
WILLIAM HAMMOND
1 DOW STREET
Tax Map 6, Parcel 30-0
Deed Book 37045, Page 162

N/F
LEON SHATTUCK TRUST
147 NASHUA ROAD
Tax Map 6, Parcel 70-0
Deed Book 44508, Page 25

NASHUA ROAD
(ROUTE 111 - VARIABLE WIDTH PUBLIC WAY)

DOW STREET

341.98'
N 70°28'52" E

L=248.39'
R=1200.00

I.P. Fnd.
(Bent 0.4' S.E.)

N 32°45'27" W
222.98'

I.P. Fnd.
(Bent 0.3' S.E.)

445.69'
N 40°38'12" E

MassDEP ZONE II
WELL PROTECTION
OVERLAY DISTRICT

EXISTING GRAVEL PATH

EXISTING TREE LINE

240.74

235.36

253.13

218 220 222 224 226 228 230 240 250 210 216

CONTINUED ON SHEET 3

CONTINUED ON SHEET 4

0 50' 100' 150'
SCALE IN FEET

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
21 LINCOLN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141-163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=50'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10519	EX-2

N/F
MARK K. SPENGLER
NASHUA ROAD
Tax Map 6, Parcel 10-0
Deed Book 56985, Page 76

MassDEP ZONE II
WELL PROTECTION
OVERLAY DISTRICT

CB
RIM=193.50

N 64°32'52" E
156.13'

UP-94

UP-93

I.P. Fnd. (Held)

"SKYDIVE PEPPERELL" SIGN

S.B. Fnd.
(Held)

N 25°17'18" W
50.00' (Tie Line)

UP-92

"COUNTRYSIDE" SIGN

NASHUA ROAD
(ROUTE 111 - VARIABLE WIDTH PUBLIC WAY)

L=242.37'
R=2340.51'

UP-9

UP-93-1

EXISTING BUILDING
"COUNTRYSIDE SALES
& AUTO REPAIR"

EXISTING
GARAGE

APPROXIMATE
BORDERING
VEGETATED WETLAND

LIMITS OF 100-YEAR
FLOODPLAIN ZONE AE
(BFE=178')

CONTINUED ON SHEET 2

GRAVEL ACCESS
DRIVE

183.08

S 36°27'08" E
920.00'

EXISTING BITUMINOUS
CONCRETE DRIVEWAY

EXISTING
TREE LINE

183.10

204.91

GRAVEL ACCESS
DRIVE

204.09

209.06

183.26

PARKING
AREA

S 62°22'28" W
250.90'

CONTINUED ON SHEET 5

N/F
DAVID A. SHATTUCK
167 NASHUA ROAD
Tax Map 6, Parcel 17-0
Deed Book 31082, Page 552

N/F
DAVID A. SHATTUCK
165 NASHUA ROAD
Tax Map 6, Parcel 79-0
Deed Book 31082, Page 552

N

NAD83

0 50' 100' 150'

SCALE IN FEET

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
71 LINCOLN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141-163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=50'

Landtech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10519	EX-3

N

NAD83

CONTINUED ON SHEET 2

N/F
DAVID ALLEN SHATTUCK
150 NASHUA ROAD
Tax Map 6, Parcel 18-0

N/F
MARIE A. KURTYKA
128 NASHUA ROAD
Tax Map 11, Parcel 1-0

NASHUA ROAD
(ROUTE 111 - VARIABLE WIDTH PUBLIC WAY)

N65°54'47"E 247.67'

L=447.60'
R=1200.00'

278.93'
S 73°42'29" E

MassDEP ZONE II
WELL PROTECTION
OVERLAY DISTRICT

WF-A0
WF-A1
WF-A2
WF-A3
WF-A4
WF-A5
WF-A6
WF-A6.1
WF-A7
WF-A8
WF-A9
WF-A10
WF-A10
WF-A11
WF-A11.1
WF-A12
WF-A12.1
WF-A13
WF-A14
WF-A15

BORDERING
VEGETATED
WETLANDS

LIMITS OF 100-YEAR
FLOODPLAIN ZONE AE
(NO BFE)

100' WETLAND
BUFFER

BUILDING SETBACK LINE (TYP.)

INDUSTRIAL (I) DISTRICT
RECREATION RESIDENCE (RR) DISTRICT

N85°05'13"W 1816.00'

260.72
219.32
242.89
242.12
279.17

CONTINUED ON SHEET 5

N/F
DEAN E. RIST
137 NASHUA ROAD
Tax Map 11, Parcel 50-0
LOT 8

T.P. Fnd.

N/F
PHILLIP M. DZUBINSKI
133 NASHUA ROAD
Tax Map 11, Parcel 48-0
LOT 6

N/F
WAYNE BABINEAU, TRUSTEE
139 NASHUA ROAD
Tax Map 11, Parcel 51-0
LOT 9B

N/F
WAYNE BABINEAU, TRUSTEE
135 NASHUA ROAD
Tax Map 11, Parcel 49-0
LOT 7B

N/F
WAYNE BABINEAU, TRUSTEE
131 NASHUA ROAD
Tax Map 11, Parcel 47-0
LOT 5B

0 50' 100' 150'
SCALE IN FEET

BY	DATE	REVISION

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
21 LINCOLN STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
---	MJS	MR

EXISTING CONDITIONS PLAN

141-163 NASHUA ROAD
PEPPERELL, MA

DECEMBER 28, 2018

SCALE: 1"=50'

LandTech Consultants
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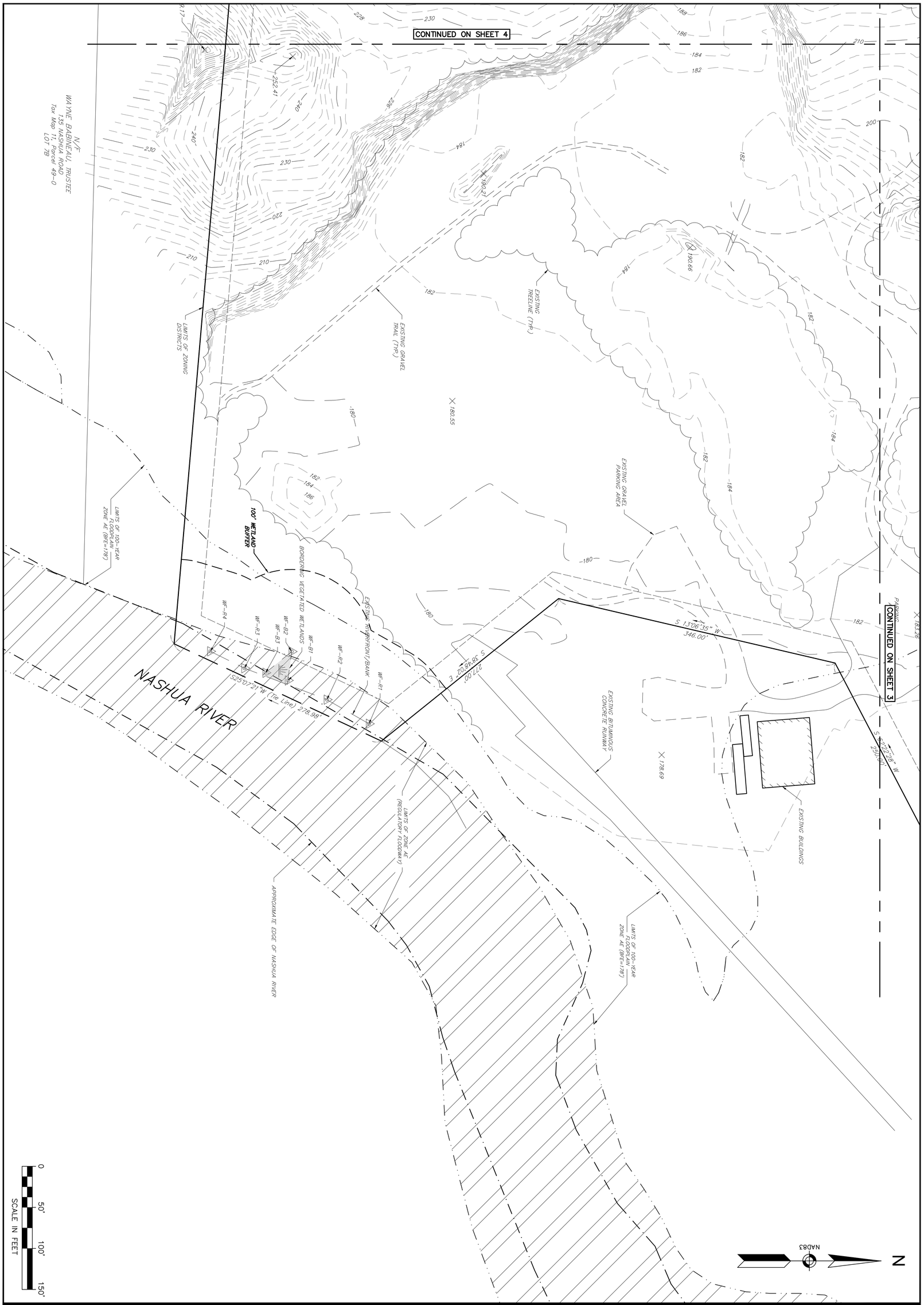
JOB NO.	DWG. NO.	SHEET
18-200	10519	EX-4



JOB NO. 18-200	LandTech Consultants Engineering/Design/Surveying/Permitting 515 Groton Road, – Westford, MA 01886 Ph: (978) 692-6100 – landtechinc.com	EXISTING CONDITIONS PLAN 141–163 NASHUA ROAD PEPPERELL, MA	PREPARED FOR: BILL SCOTT, JR. MASS COMPOSTING GROUP INC. 2 LINDEN STREET READING, MA 01867		
DWG. NO. 10519					
SHEET EX-5		SCALE: 1"=50' DECEMBER 28, 2018	DESIGN --	DRAFT MJS	CHECK MR

DATE	REVISION	BY

LEGEND

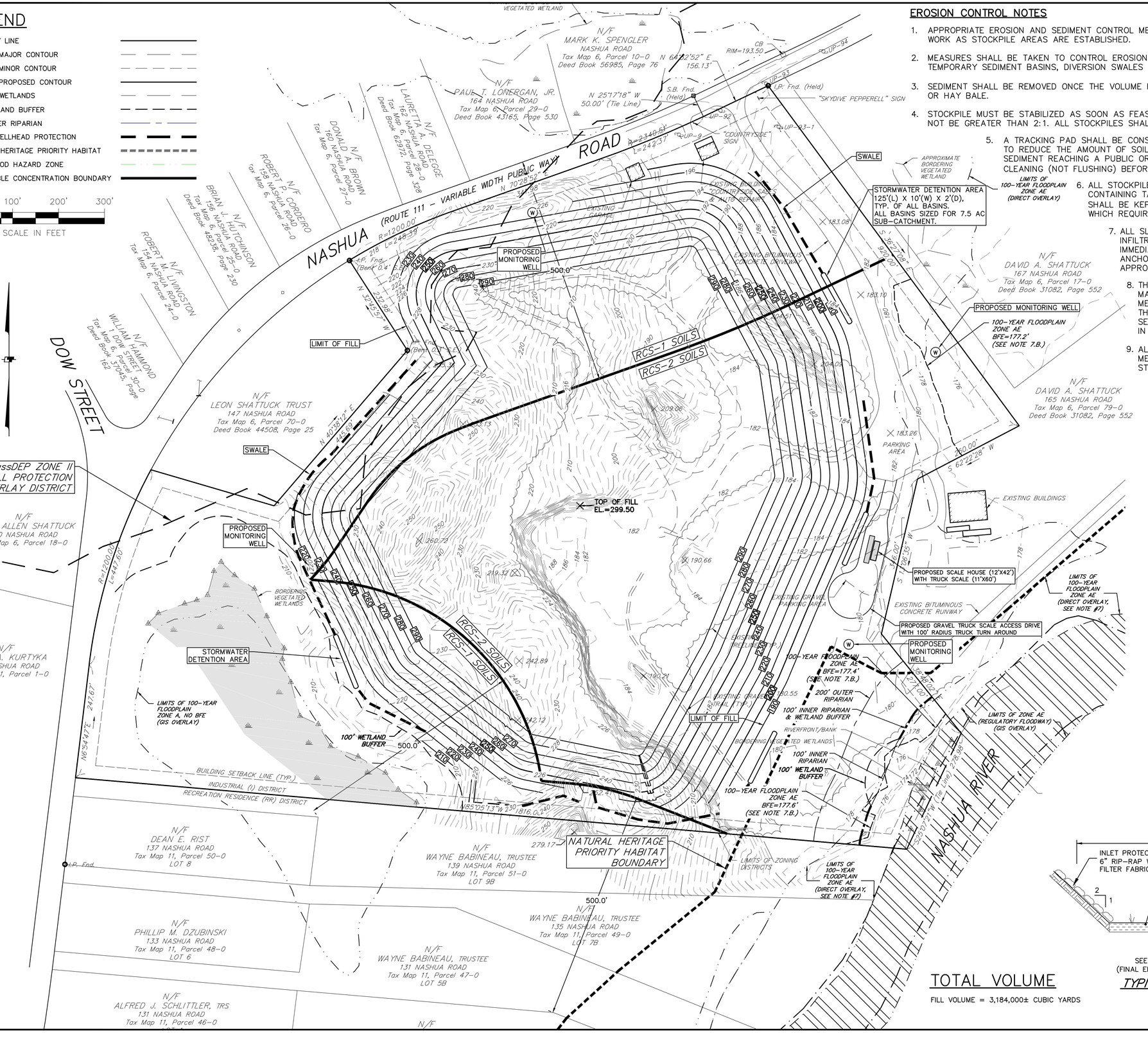
- PROPERTY LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING PROPOSED CONTOUR
- EDGE OF WETLANDS
- 100' WETLAND BUFFER
- 200' OUTER RIPARIAN
- ZONE II WELLHEAD PROTECTION
- NATURAL HERITAGE PRIORITY HABITAT
- FEMA FLOOD HAZARD ZONE
- REPORTABLE CONCENTRATION BOUNDARY

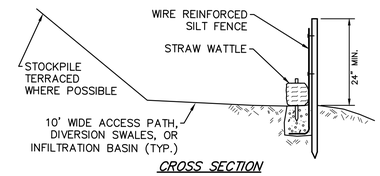
0' 100' 200' 300'

SCALE IN FEET

EROSION CONTROL NOTES

1. APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED ALONG THE LIMITS OF WORK AS STOCKPILE AREAS ARE ESTABLISHED.
2. MEASURES SHALL BE TAKEN TO CONTROL EROSION WITHIN THE PROJECT AREA INCLUDING CONSTRUCTING TEMPORARY SEDIMENT BASINS, DIVERSION SWALES AND EARTHEN BERMS.
3. SEDIMENT SHALL BE REMOVED ONCE THE VOLUME REACHES 1/4 TO 1/2 THE HEIGHT OF THE SILT FENCE OR HAY BALE.
4. STOCKPILE MUST BE STABILIZED AS SOON AS FEASIBLE TO MINIMIZE DUST. STOCKPILE SIDE SLOPES SHALL NOT BE GREATER THAN 2:1. ALL STOCKPILES SHALL BE SURROUNDED BY SEDIMENT CONTROLS.
5. A TRACKING PAD SHALL BE CONSTRUCTED AT ALL ENTRANCE/EXIT POINTS OF THE SITE TO REDUCE THE AMOUNT OF SOIL CARRIED ONTO ROADWAYS AND OFF THE SITE. ANY SEDIMENT REACHING A PUBLIC OR PRIVATE ROAD SHALL BE REMOVED BY STREET CLEANING (NOT FLUSHING) BEFORE THE END OF EACH WORKDAY.
6. ALL STOCKPILE SLOPES SHALL BE STABILIZED WITH HYDROSEED CONTAINING TACKIFIER. JUTE NETTING EROSION CONTROL BLANKETS SHALL BE KEPT ON-SITE (5-10 ROLLS) AND BE INSTALLED IN AREAS WHICH REQUIRE ADDITIONAL STABILIZATION.
7. ALL SLOPES AS WELL AS PERIMETER SWALES AND INFILTRATION BASINS, MUST, UPON COMPLETION, BE IMMEDIATELY STABILIZED WITH SOD, OR LOAM AND SEED WITH ANCHORED STRAW MULCH OR MULCH BLANKETS, OR OTHER APPROVED STABILIZATION MEASURES.
8. THE SITE MANAGER SHALL MONITOR AND ENSURE MAINTENANCE OR EROSION AND SEDIMENT CONTROL MEASURES THROUGHOUT THE COURSE OF CONSTRUCTION. THEY SHALL ENSURE THAT INSPECTIONS OCCUR EVERY SEVEN CALENDAR DAYS, AND AFTER EACH RAINFALL EVENT IN EXCESS OF 0.25 INCHES OR GREATER.
9. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED AFTER FINAL SITE STABILIZATION IS CONFIRMED.

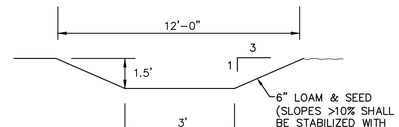




CROSS SECTION

TYPICAL EROSION CONTROL

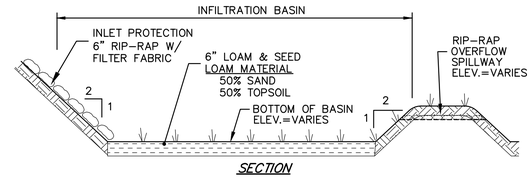
NOT TO SCALE



CROSS SECTION

DIVERSION SWALE

NOT TO SCALE



SECTION

125'(L)x10'(W)x3'(H)
SEE PLAN VIEW FOR BASIN LOCATIONS
(FINAL ELEVATIONS TO BE DETERMINED IN FIELD)

TYPICAL INFILTRATION BASIN

NOT TO SCALE

TOTAL VOLUME

FILL VOLUME = 3,184,000± CUBIC YARDS

BY	DATE	REVISION

COMMONWEALTH OF MASSACHUSETTS MATTHEW A. CRAWFORD 52208 REGISTERED PROFESSIONAL ENGINEER

PREPARED FOR:
BILL SCOTT, JR.
MASS COMPOSTING GROUP INC.
2 JUNDA STREET
READING, MA 01867

DESIGN	DRAFT	CHECK
MJS	MJS	MAW

CONSTRUCTION PLAN

NASHUA ROAD QUARRY
RECLAMATION PROJECT
161 NASHUA ROAD
PEPPERELL, MA

JANUARY 28, 2019

SCALE:1"=100'

LandTech Consultants
Engineering/Design/Surveying/Permitting
515 Groton Road, - Westford, MA 01886
Ph: (978) 692-6100 - landtechinc.com

JOB NO.	DWG. NO.	SHEET
18-200	10549	C-1

Appendix B – Copy of 2017 CGP

INSERT COPY OF 2017 CGP

(Note: The 2017 CGP is available at https://www.epa.gov/npdes/epas-2017-construction-general-permit-cgp-and-related-documents)

National Pollutant Discharge Elimination System
General Permit for Discharges from
Construction Activities

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 et. seq., (hereafter CWA), as amended by the Water Quality Act of 1987, P.L. 100-4, "operators" of construction activities (defined in Appendix A) that meet the requirements of Part 1.1 of this National Pollutant Discharge Elimination System (NPDES) general permit, are authorized to discharge pollutants in accordance with the effluent limitations and conditions set forth herein. Permit coverage is required from the "commencement of construction activities" (see Appendix A) until one of the conditions for terminating CGP coverage has been met (see Part 8.2).

This permit becomes effective on **February 16, 2017**.

This permit and the authorization to discharge expire at 11:59pm, **February 16, 2022.**

Signed and issued this 11th day of January 2017

Deborah Szaro,
Acting Regional Administrator, EPA Region 1

Signed and issued this 11th day of January 2017

William K. Honker, P.E.,
Director, Water Division, EPA Region 6

Signed and issued this 11th day of January 2017

Javier Laureano, Ph.D.,
Director, Clean Water Division, EPA Region 2

Signed and issued this 11th day of January 2017

Karen Flournoy,
Director, Water, Wetlands, and Pesticides Division, EPA Region 7

Signed and issued this 11th day of January 2017

Jose C. Font,
Acting Director, Caribbean Environmental Protection Division, EPA Region 2.

Signed and issued this 11th day of January 2017

Darcy O'Connor,
Assistant Regional Administrator, Office of Water Protection, EPA Region 8

Signed and issued this 11th day of January 2017

Dominique Lueckenhoff,
Acting Director, Water Protection Division, EPA Region 3

Signed and issued this 11th day of January 2017

Kristin Gullatt
Deputy Director, Water Division, EPA Region 9

Signed and issued this 11th day of January 2017

César A. Zapata,
Deputy Director, Water Protection Division, EPA Region 4

Signed and issued this 11th day of January 2017

Daniel D. Opalski,
Director, Office of Water and Watersheds, EPA Region 10

Signed and issued this 11th day of January 2017

Christopher Korleski,
Director, Water Division, EPA Region 5

CONTENTS

1 HOW TO OBTAIN COVERAGE UNDER THE CONSTRUCTION GENERAL PERMIT (CGP)

To be covered under this permit, you must meet the eligibility conditions and follow the requirements for obtaining permit coverage in this Part.

1.1 ELIGIBILITY CONDITIONS

1.1.1 You are an "operator" of a construction site for which discharges will be covered under this permit. For the purposes of this permit and in the context of stormwater discharges associated with construction activity, an "operator" is any party associated with a construction project that meets either of the following two criteria:

a. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications *(e.g., in most cases this is the owner of the site);* or

b. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions *(e.g., they are authorized to direct workers at a site to carry out activities required by the permit; in most cases this is the general contractor (as defined in Appendix A) of the project)*.

Where there are multiple operators associated with the same project, all operators must obtain permit coverage.[1] Subcontractors generally are not considered operators for the purposes of this permit.

1.1.2 Your site's construction activities:

a. Will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land; or

b. Have been designated by EPA as needing permit coverage under 40 CFR 122.26(a)(1)(v) or 40 CFR 122.26(b)(15)(ii);

1.1.3 Your site is located in an area where EPA is the permitting authority (see Appendix B);

1.1.4 Discharges from your site are not:

a. Already covered by a different NPDES permit for the same discharge; or

b. In the process of having coverage under a different NPDES permit for the same discharge denied, terminated, or revoked.[2,3]

1.1.5 You are able to demonstrate that you meet one of the criteria listed in Appendix D with respect to the protection of species that are federally listed as endangered or threatened under the Endangered Species Act (ESA) and federally designated critical habitat;

---

[1] If the operator of a "construction support activity" (see Part 1.2.1c) is different than the operator of the main site, that operator must also obtain permit coverage. See Part 7.1 for clarification on the sharing of liability between and among operators on the same site and for conditions that apply to developing a SWPPP for multiple operators associated with the same site.

[2] Parts 1.1.4a and 1.1.4b do not include sites currently covered under the 2012 CGP that are in the process of obtaining coverage under this permit, nor sites covered under this permit that are transferring coverage to a different operator.

[3] Notwithstanding a site being made ineligible for coverage under this permit because it falls under the description of Parts 1.1.4a or 1.1.4b, above, EPA may waive the applicable eligibility requirement after specific review if it determines that coverage under this permit is appropriate.

1.1.6 You have completed the screening process in Appendix E relating to the protection of historic properties; and

1.1.7 You have complied with all requirements in Part 9 imposed by the applicable state, Indian tribe, or territory in which your construction activities and/or discharge will occur.

1.1.8 For "new sources" (as defined in Appendix A) only:

a. EPA has not, prior to authorization under this permit, determined that discharges from your site will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard. Where such a determination is made prior to authorization, EPA may notify you that an individual permit application is necessary. However, EPA may authorize your coverage under this permit after you have included appropriate controls and implementation procedures designed to bring your discharge into compliance with this permit, specifically the requirement to meet water quality standards. In the absence of information demonstrating otherwise, EPA expects that compliance with the requirements of this permit, including the requirements applicable to such discharges in Part 3, will result in discharges that will not cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard.

b. Discharges from your site to a Tier 2, Tier 2.5, or Tier 3 water[4] will not lower the water quality of the applicable water. In the absence of information demonstrating otherwise, EPA expects that compliance with the requirements of this permit, including the requirements applicable to such discharges in Part 3.2, will result in discharges that will not lower the water quality of such waters.

1.1.9 If you plan to add "cationic treatment chemicals" (as defined in Appendix A) to stormwater and/or authorized non-stormwater prior to discharge, you may not submit your Notice of Intent (NOI) unless and until you notify your applicable EPA Regional Office (see Appendix L) in advance and the EPA Regional Office authorizes coverage under this permit after you have included appropriate controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to discharges that cause an exceedance of water quality standards.

1.2 TYPES OF DISCHARGES AUTHORIZED[5]

1.2.1 The following stormwater discharges are authorized under this permit provided that appropriate stormwater controls are designed, installed, and maintained (see Parts 2 and 3):

a. Stormwater discharges, including stormwater runoff, snowmelt runoff, and surface runoff and drainage, associated with construction activity under 40 CFR 122.26(b)(14) or 122.26(b)(15)(i);

[4] Note: Your site will be considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water to which you discharge is identified by a state, tribe, or EPA as a Tier 2, Tier 2.5, or Tier 3 water. For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system. See list of Tier 2, Tier 2.5, and Tier 3 waters in Appendix F.

[5] See "Discharge" as defined in Appendix A. Note: Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the SWPPP, or during an inspection.

b. Stormwater discharges designated by EPA as needing a permit under 40 CFR 122.26(a)(1)(v) or 122.26(b)(15)(ii);

c. Stormwater discharges from construction support activities *(e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas)* provided that:

   i. The support activity is directly related to the construction site required to have permit coverage for stormwater discharges;

   ii. The support activity is not a commercial operation, nor does it serve multiple unrelated construction sites;

   iii. The support activity does not continue to operate beyond the completion of the construction activity at the site it supports; and

   iv. Stormwater controls are implemented in accordance with Part 2 and Part 3 for discharges from the support activity areas.

d. Stormwater discharges from earth-disturbing activities associated with the construction of staging areas and the construction of access roads conducted prior to active mining.

1.2.2 The following non-stormwater discharges associated with your construction activity are authorized under this permit provided that, with the exception of water used to control dust and to irrigate vegetation in stabilized areas, these discharges are not routed to areas of exposed soil on your site and you comply with any applicable requirements for these discharges in Parts 2 and 3:

a. Discharges from emergency fire-fighting activities;

b. Fire hydrant flushings;

c. Landscape irrigation;

d. Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes;

e. Water used to control dust;

f. Potable water including uncontaminated water line flushings;

g. External building washdown, provided soaps, solvents, and detergents are not used, and external surfaces do not contain hazardous substances (as defined in Appendix A) *(e.g., paint or caulk containing polychlorinated biphenyls (PCBs));*

h. Pavement wash waters, provided spills or leaks of toxic or hazardous substances have not occurred (unless all spill material has been removed) and where soaps, solvents, and detergents are not used. You are prohibited from directing pavement wash waters directly into any water of the U.S., storm drain inlet, or stormwater conveyance, unless the conveyance is connected to a sediment basin, sediment trap, or similarly effective control;

i. Uncontaminated air conditioning or compressor condensate;

j. Uncontaminated, non-turbid discharges of ground water or spring water;

k. Foundation or footing drains where flows are not contaminated with process materials such as solvents or contaminated ground water; and

l. Construction dewatering water discharged in accordance with Part 2.4.

1.2.3 Also authorized under this permit are discharges of stormwater listed above in Part 1.2.1, or authorized non-stormwater discharges listed above in Part 1.2.2, commingled with a discharge authorized by a different NPDES permit and/or a discharge that does not require NPDES permit authorization.

1.3 PROHIBITED DISCHARGES[6]

1.3.1 Wastewater from washout of concrete, unless managed by an appropriate control as described in Part 2.3.4;

1.3.2 Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;

1.3.3 Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;

1.3.4 Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown; and

1.3.5 Toxic or hazardous substances from a spill or other release.

To prevent the above-listed prohibited non-stormwater discharges, operators must comply with the applicable pollution prevention requirements in Part 2.3.

1.4 SUBMITTING YOUR NOTICE OF INTENT (NOI)

All "operators" (as defined in Appendix A) associated with your construction site, who meet the Part 1.1 eligibility requirements, and who seek coverage under this permit, must submit to EPA a complete and accurate NOI in accordance with the deadlines in **Table 1** prior to commencing construction activities.

Exception: If you are conducting construction activities in response to a public emergency *(e.g., mud slides, earthquake, extreme flooding conditions, widespread disruption in essential public services)*, and the related work requires immediate authorization to avoid imminent endangerment to human health, public safety, or the environment, or to reestablish essential public services, you may discharge on the condition that a complete and accurate NOI is submitted within 30 calendar days after commencing construction activities (see Table 1) establishing that you are eligible for coverage under this permit. You must also provide documentation in your Stormwater Pollution Prevention Plan (SWPPP) to substantiate the occurrence of the public emergency.

1.4.1 Prerequisite for Submitting Your NOI

You must develop a SWPPP consistent with Part 7 before submitting your NOI for coverage under this permit.

1.4.2 How to Submit Your NOI

You must use EPA's NPDES eReporting Tool (NeT) to electronically prepare and submit your NOI for coverage under the 2017 CGP, unless you received a waiver from your EPA Regional Office.

To access NeT, go to https://www.epa.gov/npdes/stormwater-discharges-construction-activities#ereporting.

[6] EPA includes these prohibited non-stormwater discharges here as a reminder to the operator that the only non-stormwater discharges authorized by this permit are at Part 1.2.2. Any unauthorized non-stormwater discharges must be covered under an individual permit or alternative general permit.

Waivers from electronic reporting may be granted based on one of the following conditions:

a. If your operational headquarters is physically located in a geographic area (*i.e., ZIP code or census tract*) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission; or

b. If you have limitations regarding available computer access or computer capability.

If the EPA Regional Office grants you approval to use a paper NOI, and you elect to use it, you must complete the form in Appendix J.

1.4.3 Deadlines for Submitting Your NOI and Your Official Date of Permit Coverage

Table 1 provides the deadlines for submitting your NOI and the official start date of your permit coverage, which differ depending on when you commence construction activities.

Table 1 NOI Submittal Deadlines and Official Start Date for Permit Coverage.

Type of Operator	**NOI Submittal Deadline[7]**	**Permit Authorization Date[8]**
Operator of a new site (*i.e., a site where construction activities commence on or after February 16, 2017*)	At least 14 calendar days before commencing construction activities.	14 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization is delayed or denied.
Operator of an existing site *(i.e., a site with 2012 CGP coverage where construction activities commenced prior to February 16, 2017*)	No later than **May 17, 2017**.	
New operator of a permitted site (*i.e., an operator that through transfer of ownership and/or operation replaces the operator of an already permitted construction site that is either a "new site" or an "existing site"*)	At least 14 calendar days before the date the transfer to the new operator will take place.	
Operator of an "emergency-related project" (*i.e., a project initiated in response to a public emergency (e.g., mud slides, earthquake, extreme flooding conditions, disruption in essential public services), for which the related work requires immediate authorization to avoid imminent endangerment to human health or the environment, or to reestablish essential public services*)	No later than 30 calendar days after commencing construction activities.	You are considered provisionally covered under the terms and conditions of this permit immediately, and fully covered 14 calendar days after EPA notifies you that it has received a complete NOI, unless EPA notifies you that your authorization is delayed or denied.

[7] If you miss the deadline to submit your NOI, any and all discharges from your construction activities will continue to be unauthorized under the CWA until they are covered by this or a different NPDES permit. EPA may take enforcement action for any unpermitted discharges that occur between the commencement of construction activities and discharge authorization.

[8] Discharges are not authorized if your NOI is incomplete or inaccurate or if you are not eligible for permit coverage.

1.4.4 Modifying your NOI

If after submitting your NOI you need to correct or update any fields, you may do so by submitting a "Change NOI" form using NeT. Waivers from electronic reporting may be granted as specified in Part 1.4.1. If the EPA Regional Office has granted you approval to submit a paper NOI modification, you may indicate any NOI changes on the same NOI form in Appendix J.

When there is a change to the site's operator, the new operator must submit a new NOI, and the previous operator must submit a Notice of Termination (NOT) form as specified in Part 8.3.

1.4.5 Your Official End Date of Permit Coverage

Once covered under this permit, your coverage will last until the date that:

a. You terminate permit coverage consistent with Part 8; or

b. You receive permit coverage under a different NPDES permit or a reissued or replacement version of this permit after expiring on February 16, 2022; or

c. You fail to submit an NOI for coverage under a revised or replacement version of this permit before the deadline for existing construction sites where construction activities continue after this permit has expired.

1.5 REQUIREMENT TO POST A NOTICE OF YOUR PERMIT COVERAGE

You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site. The notice must be located so that it is visible from the public road that is nearest to the active part of the construction site, and it must use a font large enough to be readily viewed from a public right-of-way.[9] At a minimum, the notice must include:

a. The NPDES ID (*i.e., permit tracking number assigned to your NOI*);

b. A contact name and phone number for obtaining additional construction site information;

c. The Uniform Resource Locator (URL) for the SWPPP (if available), or the following statement: "If you would like to obtain a copy of the Stormwater Pollution Prevention Plan (SWPPP) for this site, contact the EPA Regional Office at [*include the appropriate CGP Regional Office contact information found at https://www.epa.gov/npdes/contact-us-stormwater#regional*];" and

d. The following statement "If you observe indicators of stormwater pollutants in the discharge or in the receiving waterbody, contact the EPA through the following website: https://www.epa.gov/enforcement/report-environmental-violations."

[9] If the active part of the construction site is not visible from a public road, then place the notice of permit coverage in a position that is visible from the nearest public road and as close as possible to the construction site.

2 TECHNOLOGY-BASED EFFLUENT LIMITATIONS

You must comply with the following technology-based effluent limitations in this Part for all authorized discharges.[10]

2.1 GENERAL STORMWATER CONTROL DESIGN, INSTALLATION, AND MAINTENANCE REQUIREMENTS

You must design, install, and maintain stormwater controls required in Parts 2.2 and 2.3 to minimize the discharge of pollutants in stormwater from construction activities. To meet this requirement, you must:

2.1.1 Account for the following factors in designing your stormwater controls:

a. The expected amount, frequency, intensity, and duration of precipitation;

b. The nature of stormwater runoff and run-on at the site, including factors such as expected flow from impervious surfaces, slopes, and site drainage features. You must design stormwater controls to control stormwater volume, velocity, and peak flow rates to minimize discharges of pollutants in stormwater and to minimize channel and streambank erosion and scour in the immediate vicinity of discharge points; and

c. The soil type and range of soil particle sizes expected to be present on the site.

2.1.2 Design and install all stormwater controls in accordance with good engineering practices, including applicable design specifications.[11]

2.1.3 Complete installation of stormwater controls by the time each phase of construction activities has begun.

a. By the time construction activity in any given portion of the site begins, install and make operational any downgradient sediment controls (*e.g., buffers, perimeter controls, exit point controls, storm drain inlet protection*) that control discharges from the initial site clearing, grading, excavating, and other earth-disturbing activities.[12]

b. Following the installation of these initial controls, install and make operational all stormwater controls needed to control discharges prior to subsequent earth-disturbing activities.

[10] For each of the effluent limits in Part 2, as applicable to your site, you must include in your SWPPP (1) a description of the specific control(s) to be implemented to meet the effluent limit; (2) any applicable design specifications; (3) routine maintenance specifications; and (4) the projected schedule for its (their) installation/implementation. See Part 7.2.6.

[11] Design specifications may be found in manufacturer specifications and/or in applicable erosion and sediment control manuals or ordinances. Any departures from such specifications must reflect good engineering practices and must be explained in your SWPPP. You must also comply with any additional design and installation requirements specified for the effluent limits in Parts 2.2 and 2.3.

[12] Note that the requirement to install stormwater controls prior to each phase of construction activities for the site does not apply to the earth disturbance associated with the actual installation of these controls. Operators should take all reasonable actions to minimize the discharges of pollutants during the installation of stormwater controls.

2.1.4 Ensure that all stormwater controls are maintained and remain in effective operating condition during permit coverage and are protected from activities that would reduce their effectiveness.

a. Comply with any specific maintenance requirements for the stormwater controls listed in this permit, as well as any recommended by the manufacturer.[13]

b. If at any time you find that a stormwater control needs routine maintenance, you must immediately initiate the needed maintenance work, and complete such work by the close of the next business day.

c. If at any time you find that a stormwater control needs repair or replacement, you must comply with the corrective action requirements in Part 5.

2.2 EROSION AND SEDIMENT CONTROL REQUIREMENTS

You must implement erosion and sediment controls in accordance with the following requirements to minimize the discharge of pollutants in stormwater from construction activities.

2.2.1 Provide and maintain natural buffers and/or equivalent erosion and sediment controls when a water of the U.S. is located within 50 feet of the site's earth disturbances.

a. **Compliance Alternatives.** For any discharges to waters of the U.S. located within 50 feet of your site's earth disturbances, you must comply with one of the following alternatives:

i. Provide and maintain a 50-foot undisturbed natural buffer; or

ii. Provide and maintain an undisturbed natural buffer that is less than 50 feet and is supplemented by erosion and sediment controls that achieve, in combination, the sediment load reduction equivalent to a 50-foot undisturbed natural buffer; or

iii. If infeasible to provide and maintain an undisturbed natural buffer of any size, implement erosion and sediment controls to achieve the sediment load reduction equivalent to a 50-foot undisturbed natural buffer.

See Appendix G, Part G.2 for additional conditions applicable to each compliance alternative.

b. **Exceptions.** See Appendix G, Part G.2 for exceptions to the compliance alternatives.

2.2.2 Direct stormwater to vegetated areas and maximize stormwater infiltration and filtering to reduce pollutant discharges, unless infeasible.

2.2.3 Install sediment controls along any perimeter areas of the site that will receive pollutant discharges.[14]

a. Remove sediment before it has accumulated to one-half of the above-ground height of any perimeter control.

b. **Exception**. For areas at "linear construction sites" (as defined in Appendix A) where perimeter controls are infeasible *(e.g., due to a limited or restricted right-of-way),*

[13] Any departures from such maintenance recommendations made by the manufacturer must reflect good engineering practices and must be explained in your SWPPP.

[14] Examples of perimeter controls include filter berms, silt fences, vegetative strips, and temporary diversion dikes.

implement other practices as necessary to minimize pollutant discharges to perimeter areas of the site.

2.2.4 Minimize sediment track-out.

a. **Restrict vehicle use to properly designated exit points;**

b. Use appropriate stabilization techniques[15] at all points that exit onto paved roads.

   i. **Exception**: Stabilization is not required for exit points at linear utility construction sites that are used only episodically and for very short durations over the life of the project, provided other exit point controls[16] are implemented to minimize sediment track-out;

c. Implement additional track-out controls[17] as necessary to ensure that sediment removal occurs prior to vehicle exit; and

d. Where sediment has been tracked-out from your site onto paved roads, sidewalks, or other paved areas outside of your site, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. You are prohibited from hosing or sweeping tracked-out sediment into any stormwater conveyance, storm drain inlet, or water of the U.S.[18]

2.2.5 Manage stockpiles or land clearing debris piles composed, in whole or in part, of sediment and/or soil:

a. Locate the piles outside of any natural buffers established under Part 2.2.1 and away from any stormwater conveyances, drain inlets, and areas where stormwater flow is concentrated;

b. Install a sediment barrier along all downgradient perimeter areas;[19]

c. For piles that will be unused for 14 or more days, provide cover[20] or appropriate temporary stabilization (consistent with Part 2.2.14);

d. You are prohibited from hosing down or sweeping soil or sediment accumulated on pavement or other impervious surfaces into any stormwater conveyance, storm drain inlet, or water of the U.S.

[15] Examples of appropriate stabilization techniques include the use of aggregate stone with an underlying geotextile or non-woven filter fabric, and turf mats.

[16] Examples of other exit point controls include preventing the use of exit points during wet periods; minimizing exit point use by keeping vehicles on site to the extent possible; limiting exit point size to the width needed for vehicle and equipment usage; using scarifying and compaction techniques on the soil; and avoiding establishing exit points in environmentally sensitive areas *(e.g., karst areas; steep slopes)*.

[17] Examples of additional track-out controls include the use of wheel washing, rumble strips, and rattle plates.

[18] Fine grains that remain visible *(i.e., staining)* on the surfaces of off-site streets, other paved areas, and sidewalks after you have implemented sediment removal practices are not a violation of Part 2.2.4.

[19] Examples of sediment barriers include berms, dikes, fiber rolls, silt fences, sandbags, gravel bags, or straw bale.

[20] Examples of cover include tarps, blown straw and hydroseeding.

2.2.6 Minimize dust. On areas of exposed soil, minimize the generation of dust through the appropriate application of water or other dust suppression techniques.

2.2.7 Minimize steep slope disturbances. Minimize the disturbance of "steep slopes" (as defined in Appendix A).

2.2.8 Preserve native topsoil, unless infeasible.[21]

2.2.9 Minimize soil compaction.[22] In areas of your site where final vegetative stabilization will occur or where infiltration practices will be installed:

a. Restrict vehicle and equipment use in these locations to avoid soil compaction; and

b. Before seeding or planting areas of exposed soil that have been compacted, use techniques that rehabilitate and condition the soils as necessary to support vegetative growth.

2.2.10 Protect storm drain inlets.

a. Install inlet protection measures that remove sediment from discharges prior to entry into any storm drain inlet that carries stormwater flow from your site to a water of the U.S., provided you have authority to access the storm drain inlet;[23] and

b. Clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the deposited sediment by the end of the same business day in which it is found or by the end of the following business day if removal by the same business day is not feasible.

2.2.11 Minimize erosion of stormwater conveyance channels and their embankments, outlets, adjacent streambanks, slopes, and downstream waters. Use erosion controls and velocity dissipation devices[24] within and along the length of any stormwater conveyance channel and at any outlet to slow down runoff to minimize erosion.

2.2.12 If you install a sediment basin or similar impoundment:

a. Situate the basin or impoundment outside of any water of the U.S. and any natural buffers established under Part 2.2.1;

b. Design the basin or impoundment to avoid collecting water from wetlands;

c. Design the basin or impoundment to provide storage for either:

[21] Stockpiling topsoil at off-site locations, or transferring topsoil to other locations, is an example of a practice that is consistent with the requirements in Part 2.2.8. Preserving native topsoil is not required where the intended function of a specific area of the site dictates that the topsoil be disturbed or removed. For example, some sites may be designed to be highly impervious after construction, and therefore little or no vegetation is intended to remain, or may not have space to stockpile native topsoil on site for later use, in which case, it may not be feasible to preserve topsoil.

[22] Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted.

[23] Inlet protection measures can be removed in the event of flood conditions or to prevent erosion.

[24] Examples of velocity dissipation devices include check dams, sediment traps, riprap, and grouted riprap at outlets.

ii. The calculated volume of runoff from a 2-year, 24-hour storm (see Appendix H); or

iii. 3,600 cubic feet per acre drained.

d. Utilize outlet structures that withdraw water from the surface of the sediment basin or similar impoundment, unless infeasible;[25]

e. Use erosion controls and velocity dissipation devices to prevent erosion at inlets and outlets; and

f. Remove accumulated sediment to maintain at least one-half of the design capacity and conduct all other appropriate maintenance to ensure the basin or impoundment remains in effective operating condition.

2.2.13 If using treatment chemicals (*e.g., polymers, flocculants, coagulants*):

a. **Use conventional erosion and sediment controls before and after the application of treatment chemicals.** Chemicals may only be applied where treated stormwater is directed to a sediment control *(e.g., sediment basin, perimeter control)* before discharge.

b. **Select appropriate treatment chemicals**. Chemicals must be appropriately suited to the types of soils likely to be exposed during construction and present in the discharges being treated *(i.e., the expected turbidity, pH, and flow rate of stormwater flowing into the chemical treatment system or area)*.

c. **Minimize discharge risk from stored chemicals.** Store all treatment chemicals in leak-proof containers that are kept under storm-resistant cover and surrounded by secondary containment structures *(e.g., spill berms, decks, spill containment pallets),* or provide equivalent measures designed and maintained to minimize the potential discharge of treatment chemicals in stormwater or by any other means *(e.g., storing chemicals in a covered area, having a spill kit available on site and ensuring personnel are available to respond expeditiously in the event of a leak or spill)*.

d. **Comply with state/local requirements.** Comply with applicable state and local requirements regarding the use of treatment chemicals.

e. **Use chemicals in accordance with good engineering practices and specifications of the chemical provider/supplier.** Use treatment chemicals and chemical treatment systems in accordance with good engineering practices, and with dosing specifications and sediment removal design specifications provided by the provider/supplier of the applicable chemicals, or document in your SWPPP specific departures from these specifications and how they reflect good engineering practice.

f. **Ensure proper training.** Ensure that all persons who handle and use treatment chemicals at the construction site are provided with appropriate, product-specific training. Among other things, the training must cover proper dosing requirements.

g. **Perform additional measures specified by the EPA Regional Office for the authorized use of cationic chemicals.** If you have been authorized to use cationic chemicals at your site pursuant to Part 1.1.9, you must perform all additional measures as

[25] The circumstances in which it is infeasible to design outlet structures in this manner are rare. Exceptions may include areas with extended cold weather, where using surface outlets may not be feasible during certain time periods (although they must be used during other periods). If you determine that it is infeasible to meet this requirement, you must provide documentation in your SWPPP to support your determination, including the specific conditions or time periods when this exception will apply.

conditioned by your authorization to ensure that the use of such chemicals will not cause an exceedance of water quality standards.

2.2.14 Stabilize exposed portions of the site. Implement and maintain stabilization measures (e.g., seeding protected by erosion controls until vegetation is established, sodding, mulching, erosion control blankets, hydromulch, gravel) that minimize erosion from exposed portions of the site in accordance with Parts 2.2.14a and 2.2.14b.

a. **Stabilization Deadlines:**[26]

Total Amount of Land Disturbance Occurring At Any One Time[27]	**Deadline**
i. **Five acres or less (≤5.0)** **Note: this includes sites disturbing more than five acres (>5.0) total over the course of a project, but that limit disturbance at any one time *(i.e., phase the disturbance)* to five acres or less (≤5.0)**	• Initiate the installation of stabilization measures immediately[28] in any areas of exposed soil where construction activities have permanently ceased or will be temporarily inactive for 14 or more calendar days;[29] and • Complete the installation of stabilization measures as soon as practicable, but no later than 14 calendar days after stabilization has been initiated.[30]

[26] EPA may determine, based on an inspection carried out under Part 4.8 and corrective actions required under Part 5.3, that the level of sediment discharge on the site makes it necessary to require a faster schedule for completing stabilization. For instance, if sediment discharges from an area of exposed soil that is required to be stabilized are compromising the performance of existing stormwater controls, EPA may require stabilization to correct this problem.

[27] Limiting disturbances to five (5) acres or less at any one time means that at no time during the project do the cumulative earth disturbances exceed five (5) acres. The following examples would qualify as limiting disturbances at any one time to five (5) acres or less:

1. The total area of disturbance for a project is five (5) acres or less.
2. The total area of disturbance for a project will exceed five (5) acres, but the operator ensures that no more than five (5) acres will be disturbed at any one time through implementation of stabilization measures. In this way, site stabilization can be used to "free up" land that can be disturbed without exceeding the five (5)-acre cap to qualify for the 14-day stabilization deadline. For instance, if an operator completes stabilization of two (2) acres of land on a five (5)-acre disturbance, then two (2) additional acres could be disturbed while still qualifying for the longer 14-day stabilization deadline.

[28] The following are examples of activities that would constitute the immediate initiation of stabilization:

1. Prepping the soil for vegetative or non-vegetative stabilization as long as seeding, planting, and/or installation of non-vegetative stabilization products takes place as soon as practicable, but no later than one (1) calendar day of completing soil preparation;
2. Applying mulch or other non-vegetative product to the exposed area;
3. Seeding or planting the exposed area;
4. Starting any of the activities in # 1 – 3 on a portion of the entire area that will be stabilized; and
5. Finalizing arrangements to have stabilization product fully installed in compliance with the deadlines for completing stabilization.

[29] The requirement to initiate stabilization immediately is triggered as soon as you know that construction work on a portion of the site is temporarily ceased and will not resume for 14 or more days, or as soon as you know that construction work is permanently ceased. In the context of this provision, "immediately" means as soon as practicable, but no later than the end of the next business day, following the day when the construction activities have temporarily or permanently ceased.

[30] If vegetative stabilization measures are being implemented, stabilization is considered "installed" when all activities necessary to seed or plant the area are completed. If non-vegetative stabilization measures are being implemented, stabilization is considered "installed" when all such measures are implemented or applied.

Total Amount of Land Disturbance Occurring At Any One Time[27]	Deadline
ii. **More than five acres (>5.0)**	• Initiate the installation of stabilization measures immediately[31] in any areas of exposed soil where construction activities have permanently ceased or will be temporarily inactive for 14 or more calendar days;[32] and • Complete the installation of stabilization measures as soon as practicable, but no later than seven (7) calendar days after stabilization has been initiated.[33]

iii. **Exceptions:**

(a) Arid, semi-arid, and drought-stricken areas (as defined in Appendix A)**.** If it is the seasonally dry period or a period in which drought is occurring, and vegetative stabilization measures are being used:

(i) Immediately initiate and, within 14 calendar days of a temporary or permanent cessation of work in any portion of your site, complete the installation of temporary non-vegetative stabilization measures to the extent necessary to prevent erosion;

(ii) As soon as practicable, given conditions or circumstances on the site, complete all activities necessary to seed or plant the area to be stabilized; and

(iii) If construction is occurring during the seasonally dry period, indicate in your SWPPP the beginning and ending dates of the seasonally dry period and your site conditions. Also include the schedule you will follow for initiating and completing vegetative stabilization.

(b) Operators that are affected by unforeseen circumstances[34] that delay the initiation and/or completion of vegetative stabilization:

(i) Immediately initiate and, within 14 calendar days, complete the installation of temporary non-vegetative stabilization measures to prevent erosion;

(ii) Complete all soil conditioning, seeding, watering or irrigation installation, mulching, and other required activities related to the planting and initial establishment of vegetation as soon as conditions or circumstances allow it on your site; and

(iii) Document in the SWPPP the circumstances that prevent you from meeting the deadlines in Part 2.2.14a and the schedule you will follow for initiating and completing stabilization.

(c) Discharges to a sediment- or nutrient-impaired water or to a water that is identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 for antidegradation purposes. Complete stabilization as soon as practicable, but no later than seven (7) calendar days after stabilization has been initiated.

[31] See footnote 27

[32] See footnote 28

[33] See footnote 29

[34] Examples include problems with the supply of seed stock or with the availability of specialized equipment and unsuitability of soil conditions due to excessive precipitation and/or flooding.

b. **Final Stabilization Criteria** (for any areas not covered by permanent structures)**:**

i. Establish uniform, perennial vegetation *(i.e., evenly distributed, without large bare areas)* that provides 70 percent or more of the cover that is provided by vegetation native to local undisturbed areas; and/or

ii. Implement permanent non-vegetative stabilization measures[35] to provide effective cover.

iii. **Exceptions:**

(a) Arid, semi-arid, and drought-stricken areas (as defined in Appendix A). Final stabilization is met if the area has been seeded or planted to establish vegetation that provides 70 percent or more of the cover that is provided by vegetation native to local undisturbed areas within three (3) years and, to the extent necessary to prevent erosion on the seeded or planted area, non-vegetative erosion controls have been applied that provide cover for at least three years without active maintenance.

(b) Disturbed areas on agricultural land that are restored to their preconstruction agricultural use. The Part 2.2.14b final stabilization criteria does not apply.

(c) Areas that need to remain disturbed. In limited circumstances, stabilization may not be required if the intended function of a specific area of the site necessitates that it remain disturbed, and only the minimum area needed remains disturbed *(e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, materials)*.

2.3 POLLUTION PREVENTION REQUIREMENTS[36]

You must implement pollution prevention controls in accordance with the following requirements to minimize the discharge of pollutants in stormwater and to prevent the discharge of pollutants from spilled or leaked materials from construction activities.

2.3.1 For equipment and vehicle fueling and maintenance:

a. Provide an effective means of eliminating the discharge of spilled or leaked chemicals, including fuels and oils, from these activities;[37]

[35] Examples of permanent non-vegetative stabilization measures include riprap, gravel, gabions, and geotextiles.

[36] Under this permit, you are not required to minimize exposure for any products or materials where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use).

[37] Examples of effective means include:

- Locating activities away from waters of the U.S. and stormwater inlets or conveyances so that stormwater coming into contact with these activities cannot reach waters of the U.S.;
- Providing secondary containment (*e.g., spill berms, decks, spill containment pallets*) and cover where appropriate; and
- Having a spill kit available on site and ensuring personnel are available to respond expeditiously in the event of a leak or spill.

b. If applicable, comply with the Spill Prevention Control and Countermeasures (SPCC) requirements in 40 CFR part 112 and Section 311 of the CWA;

c. Ensure adequate supplies are available at all times to handle spills, leaks, and disposal of used liquids;

d. Use drip pans and absorbents under or around leaky vehicles;

e. Dispose of or recycle oil and oily wastes in accordance with other federal, state, tribal, or local requirements; and

f. Clean up spills or contaminated surfaces immediately, using dry clean up measures (do not clean contaminated surfaces by hosing the area down), and eliminate the source of the spill to prevent a discharge or a continuation of an ongoing discharge.

2.3.2 For equipment and vehicle washing:

a. Provide an effective means of minimizing the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other types of wash waters;[38]

b. Ensure there is no discharge of soaps, solvents, or detergents in equipment and vehicle wash water; and

c. For storage of soaps, detergents, or solvents, provide either (1) cover *(e.g., plastic sheeting, temporary roofs)* to minimize the exposure of these detergents to precipitation and to stormwater, or (2) a similarly effective means designed to minimize the discharge of pollutants from these areas.

2.3.3 For storage, handling, and disposal of building products, materials, and wastes:

a. *For building materials and building products*[39], provide either (1) cover (*e.g., plastic sheeting, temporary roofs*) to minimize the exposure of these products to precipitation and to stormwater, or (2) a similarly effective means designed to minimize the discharge of pollutants from these areas.

b. *For pesticides, herbicides, insecticides, fertilizers, and landscape materials:*

   i. In storage areas, provide either (1) cover (*e.g., plastic sheeting, temporary roofs*) to minimize the exposure of these chemicals to precipitation and to stormwater, or (2) a similarly effective means designed to minimize the discharge of pollutants from these areas; and

   ii. Comply with all application and disposal requirements included on the registered pesticide, herbicide, insecticide, and fertilizer label (see also Part 2.3.5).

c. *For diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals*:

   i. Store chemicals in water-tight containers, and provide either (1) cover *(e.g., plastic sheeting, temporary roofs)* to minimize the exposure of these containers to precipitation and to stormwater, or (2) a similarly effective means designed to minimize the discharge of pollutants from these areas *(e.g., having a spill kit available on site and ensuring personnel are available to respond expeditiously in*

[38] Examples of effective means include locating activities away from waters of the U.S. and stormwater inlets or conveyances and directing wash waters to a sediment basin or sediment trap, using filtration devices, such as filter bags or sand filters, or using other similarly effective controls.

[39] Examples of building materials and building products typically present at construction sites include asphalt sealants, copper flashing, roofing materials, adhesives, concrete admixtures, and gravel and mulch stockpiles.

the event of a leak or spill), or provide secondary containment *(e.g., spill berms, decks, spill containment pallets)*; and

ii. Clean up spills immediately, using dry clean-up methods where possible, and dispose of used materials properly. You are prohibited from hosing the area down to clean surfaces or spills. Eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge.

d. *For hazardous or toxic wastes*:[40]

i. Separate hazardous or toxic waste from construction and domestic waste;

ii. Store waste in sealed containers, which are constructed of suitable materials to prevent leakage and corrosion, and which are labeled in accordance with applicable Resource Conservation and Recovery Act (RCRA) requirements and all other applicable federal, state, tribal, or local requirements;

iii. Store all outside containers within appropriately-sized secondary containment (*e.g., spill berms, decks, spill containment pallets*) to prevent spills from being discharged, or provide a similarly effective means designed to prevent the discharge of pollutants from these areas *(e.g., storing chemicals in a covered area, having a spill kit available on site);*

iv. Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended method of disposal and in compliance with federal, state, tribal, and local requirements;

v. Clean up spills immediately, using dry clean-up methods, and dispose of used materials properly. You are prohibited from hosing the area down to clean surfaces or spills. Eliminate the source of the spill to prevent a discharge or a furtherance of an ongoing discharge; and

vi. Follow all other federal, state, tribal, and local requirements regarding hazardous or toxic waste.

e. *For construction and domestic wastes*:[41]

i. Provide waste containers *(e.g., dumpster, trash receptacle)* of sufficient size and number to contain construction and domestic wastes;

ii. Keep waste container lids closed when not in use and close lids at the end of the business day for those containers that are actively used throughout the day. For waste containers that do not have lids, provide either (1) cover *(e.g., a tarp, plastic sheeting, temporary roof)* to minimize exposure of wastes to precipitation, or (2) a similarly effective means designed to minimize the discharge of pollutants *(e.g., secondary containment)*;

iii. On business days, clean up and dispose of waste in designated waste containers; and

iv. Clean up immediately if containers overflow.

[40] Examples of hazardous or toxic waste that may be present at construction sites include paints, caulks, sealants, fluorescent light ballasts, solvents, petroleum-based products, wood preservatives, additives, curing compounds, and acids.

[41] Examples of construction and domestic waste include packaging materials, scrap construction materials, masonry products, timber, pipe and electrical cuttings, plastics, styrofoam, concrete, demolition debris; and other trash or building materials.

f. *For sanitary waste*, position portable toilets so that they are secure and will not be tipped or knocked over, and located away from waters of the U.S. and stormwater inlets or conveyances.

2.3.4 For washing applicators and containers used for stucco, paint, concrete, form release oils, curing compounds, or other materials:

a. Direct wash water into a leak-proof container or leak-proof and lined pit designed so that no overflows can occur due to inadequate sizing or precipitation;

b. Handle washout or cleanout wastes as follows:

   i. Do not dump liquid wastes in storm sewers or waters of the U.S.;

   ii. Dispose of liquid wastes in accordance with applicable requirements in Part 2.3.3; and

   iii. Remove and dispose of hardened concrete waste consistent with your handling of other construction wastes in Part 2.3.3; and

c. Locate any washout or cleanout activities as far away as possible from waters of the U.S. and stormwater inlets or conveyances, and, to the extent feasible, designate areas to be used for these activities and conduct such activities only in these areas.

2.3.5 For the application of fertilizers:

a. Apply at a rate and in amounts consistent with manufacturer's specifications, or document in the SWPPP departures from the manufacturer specifications where appropriate in accordance with Part 7.2.6.b.ix;

b. Apply at the appropriate time of year for your location, and preferably timed to coincide as closely as possible to the period of maximum vegetation uptake and growth;

c. Avoid applying before heavy rains that could cause excess nutrients to be discharged;

d. Never apply to frozen ground;

e. Never apply to stormwater conveyance channels; and

f. Follow all other federal, state, tribal, and local requirements regarding fertilizer application.

2.3.6 Emergency Spill Notification Requirements

Discharges of toxic or hazardous substances from a spill or other release are prohibited, consistent with Part 1.3.5. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110, 40 CFR 117, or 40 CFR 302 occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302 as soon as you have knowledge of the release. You must also, within seven (7) calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release. State, tribal, or local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies.

2.4 CONSTRUCTION DEWATERING REQUIREMENTS

Comply with the following requirements to minimize the discharge of pollutants in ground water or accumulated stormwater that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation, in accordance with Part 1.2.2.[42]

2.4.1 Treat dewatering discharges with controls to minimize discharges of pollutants;[43]

2.4.2 Do not discharge visible floating solids or foam;

2.4.3 Use an oil-water separator or suitable filtration device (such as a cartridge filter) that is designed to remove oil, grease, or other products if dewatering water is found to contain these materials;

2.4.4 To the extent feasible, use vegetated, upland areas of the site to infiltrate dewatering water before discharge. You are prohibited from using waters of the U.S. as part of the treatment area;

2.4.5 At all points where dewatering water is discharged, comply with the velocity dissipation requirements of Part 2.2.11;

2.4.6 With backwash water, either haul it away for disposal or return it to the beginning of the treatment process; and

2.4.7 Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

3 WATER QUALITY-BASED EFFLUENT LIMITATIONS

3.1 GENERAL EFFLUENT LIMITATION TO MEET APPLICABLE WATER QUALITY STANDARDS

Discharges must be controlled as necessary to meet applicable water quality standards. Discharges must also comply with any additional state or tribal requirements that are in Part 9.

In the absence of information demonstrating otherwise, EPA expects that compliance with the conditions in this permit will result in stormwater discharges being controlled as necessary to meet applicable water quality standards. If at any time you become aware, or EPA determines, that discharges are not being controlled as necessary to meet applicable water quality standards, you must take corrective action as required in Parts 5.1 and 5.2, and document the corrective actions as required in Part 5.4.

EPA may insist that you install additional controls (to meet the narrative water quality-based effluent limit above) on a site-specific basis, or require you to obtain coverage under an individual permit, if information in your NOI or from other sources indicates that your discharges are not controlled as necessary to meet applicable water quality

[42] Uncontaminated, clear (non-turbid) dewatering water can be discharged without being routed to a control.

[43] Appropriate controls include sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, filtration systems (*e.g., bag or sand filters*), and passive treatment systems that are designed to remove sediment. Appropriate controls to use downstream of dewatering controls to minimize erosion include vegetated buffers, check dams, riprap, and grouted riprap at outlets.

standards. This includes situations where additional controls are necessary to comply with a wasteload allocation in an EPA-established or approved TMDL.

If during your coverage under a previous permit, you were required to install and maintain stormwater controls specifically to meet the assumptions and requirements of an EPA-approved or established TMDL (for any parameter) or to otherwise control your discharge to meet water quality standards, you must continue to implement such controls as part of your coverage under this permit.

3.2 DISCHARGE LIMITATIONS FOR SITES DISCHARGING TO SENSITIVE WATERS[44]

For any portion of the site that discharges to a sediment or nutrient-impaired water or to a water that is identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 for antidegradation purposes, you must comply with the inspection frequency specified in 4.3 and you must comply with the stabilization deadline specified in Part 2.2.14.a.iii.(c).[45]

If you discharge to a water that is impaired for a parameter other than a sediment-related parameter or nutrients, EPA will inform you if any additional controls are necessary for your discharge to be controlled as necessary to meet water quality standards, including for it to be consistent with the assumptions of any available wasteload allocation in any applicable TMDL, or if coverage under an individual permit is necessary.

In addition, on a case-by-case basis, EPA may notify operators of new sites or operators of existing sites with increased discharges that additional analyses, stormwater controls, or other measures are necessary to comply with the applicable antidegradation requirements, or notify you that an individual permit application is necessary.

If you discharge to a water that is impaired for polychlorinated biphenyls (PCBs) and are engaging in demolition of any structure with at least 10,000 square feet of floor space built or renovated before January 1, 1980, you must:

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[44] Sensitive waters include waters that are impaired and Tier 2, Tier 2.5, and Tier 3 waters.

"Impaired waters" are those waters identified by the state, tribe, or EPA as not meeting an applicable water quality standard and (1) requires development of a TMDL (pursuant to section 303(d) of the CWA; or (2) is addressed by an EPA-approved or established TMDL; or (3) is not in either of the above categories but the waterbody is covered by a pollution control program that meets the requirements of 40 CFR 130.7(b)(1). Your construction site will be considered to discharge to an impaired water if the first water of the U.S. to which you discharge is an impaired water for the pollutants contained in the discharge from your site. For discharges that enter a storm sewer system prior to discharge, the first water of the U.S. to which you discharge is the waterbody that receives the stormwater discharge from the storm sewer system. For assistance in determining whether your site discharges to impaired waters, EPA has developed a tool that is available both within the electronic NOI form in NeT, and at https://www.epa.gov/npdes/epas-stormwater-discharge-mapping-tools.

Tiers 2, 2.5 and 3 refer to waters either identified by the state as high quality waters or Outstanding National Resource Waters under 40 CFR 131.12(a)(2) and (3). For the purposes of this permit, you are considered to discharge to a Tier 2, Tier 2.5, or Tier 3 water if the first water of the U.S. to which you discharge is identified by a state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3. For discharges that enter a storm sewer system prior to discharge, the water of the U.S. to which you discharge is the first water of the U.S. that receives the stormwater discharge from the storm sewer system. See list of Tier 2, Tier 2.5, and Tier 3 waters in Appendix F.

EPA may determine on a case-by-case basis that a site discharges to a sensitive water.

[45] If you qualify for any of the reduced inspection frequencies in Part 4.4, you may conduct inspections in accordance with Part 4.4 for any portion of your site that discharges to a sensitive water.

a. Implement controls[46] to minimize the exposure of PCB-containing building materials, including paint, caulk, and pre-1980 fluorescent lighting fixtures, to precipitation and to stormwater; and

b. Ensure that disposal of such materials is performed in compliance with applicable state, federal, and local laws.

4 SITE INSPECTION REQUIREMENTS

4.1 PERSON(S) RESPONSIBLE FOR INSPECTING SITE

The person(s) inspecting your site may be a person on your staff or a third party you hire to conduct such inspections. You are responsible for ensuring that the person who conducts inspections is a "qualified person."[47]

4.2 FREQUENCY OF INSPECTIONS.[48]

At a minimum, you must conduct a site inspection in accordance with one of the two schedules listed below, unless you are subject to the Part 4.3 site inspection frequency for discharges to sensitive waters or qualify for a Part 4.4 reduction in the inspection frequency:

4.2.1 At least once every seven (7) calendar days; *or*

4.2.2 Once every 14 calendar days *and* within 24 hours of the occurrence of a storm event of 0.25 inches or greater, or the occurrence of runoff from snowmelt sufficient to cause a discharge.[49] To determine if a storm event of 0.25 inches or greater has occurred on your site, you must either keep a properly maintained rain gauge on your site, or obtain the storm event information from a weather station that is representative of your location. For any day of rainfall during normal business hours that measures 0.25 inches or greater, you must record the total rainfall measured for that day in accordance with Part 4.7.1d.

4.3 INCREASE IN INSPECTION FREQUENCY FOR SITES DISCHARGING TO SENSITIVE WATERS.

For any portion of the site that discharges to a sediment or nutrient-impaired water or to a water that is identified by your state, tribe, or EPA as Tier 2, Tier 2.5, or Tier 3 for antidegradation purposes (see Part 3.2), instead of the inspection frequency specified in

[46] Examples of controls to minimize exposure of PCBs to precipitation and stormwater include separating work areas from non-work areas and selecting appropriate personal protective equipment and tools, constructing a containment area so that all dust or debris generated by the work remains within the protected area, using tools that minimize dust and heat (<212°F). For additional information, refer to Part 2.3.3 of the CGP Fact Sheet.

[47] A "qualified person" is a person knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possesses the appropriate skills and training to assess conditions at the construction site that could impact stormwater quality, and the appropriate skills and training to assess the effectiveness of any stormwater controls selected and installed to meet the requirements of this permit.

[48] Inspections are only required during the site's normal working hours.

[49] "Within 24 hours of the occurrence of a storm event" means that you must conduct an inspection within 24 hours once a storm event has produced 0.25 inches within a 24-hour period, even if the storm event is still continuing. Thus, if you have elected to inspect bi-weekly in accordance with Part 4.2.2 and there is a storm event at your site that continues for multiple days, and each day of the storm produces 0.25 inches or more of rain, you must conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the end of the storm.

Part 4.2, you must conduct inspections in accordance with the following inspection frequencies:

Once every seven (7) calendar days *and* within 24 hours of the occurrence of a storm event of 0.25 inches or greater, or the occurrence of runoff from snowmelt sufficient to cause a discharge. To determine if a storm event of 0.25 inches or greater has occurred on your site, you must either keep a properly maintained rain gauge on your site, or obtain the storm event information from a weather station that is representative of your location. For any day of rainfall during normal business hours that measures 0.25 inches or greater, you must record the total rainfall measured for that day in accordance with Part 4.7.1d.

4.4 REDUCTIONS IN INSPECTION FREQUENCY

4.4.1 Stabilized areas.

a. You may reduce the frequency of inspections to twice per month for the first month, no more than 14 calendar days apart, then once per month in any area of your site where the stabilization steps in 2.2.14a have been completed. If construction activity resumes in this portion of the site at a later date, the inspection frequency immediately increases to that required in Parts 4.2 and 4.3, as applicable. You must document the beginning and ending dates of this period in your SWPPP.

b. **Exception.** For "linear construction sites" (as defined in Appendix A) where disturbed portions have undergone final stabilization at the same time active construction continues on others, you may reduce the frequency of inspections to twice per month for the first month, no more than 14 calendar days apart, in any area of your site where the stabilization steps in 2.2.14a have been completed. After the first month, inspect once more within 24 hours of the occurrence of a storm event of 0.25 inches or greater. If there are no issues or evidence of stabilization problems, you may suspend further inspections. If "wash-out" of stabilization materials and/or sediment is observed, following re-stabilization, inspections must resume at the inspection frequency required in Part 4.4.1a Inspections must continue until final stabilization is visually confirmed following a storm event of 0.25 inches or greater.

4.4.2 Arid, semi-arid, or drought-stricken areas (as defined in Appendix A). If it is the seasonally dry period or a period in which drought is occurring, you may reduce the frequency of inspections to once per month and within 24 hours of the occurrence of a storm event of 0.25 inches or greater. You must document that you are using this reduced schedule and the beginning and ending dates of the seasonally dry period in your SWPPP. To determine if a storm event of 0.25 inches or greater has occurred on your site, you must either keep a properly maintained rain gauge on your site, or obtain the storm event information from a weather station that is representative of your location. For any day of rainfall during normal business hours that measures 0.25 inches or greater, you must record the total rainfall measured for that day in accordance with Part 4.7.1d.

4.4.3 Frozen conditions:

a. If you are suspending construction activities due to frozen conditions, you may temporarily suspend inspections on your site until thawing conditions (as defined in Appendix A) begin to occur if:

i. Runoff is unlikely due to continuous frozen conditions that are likely to continue at your site for at least three (3) months based on historic seasonal averages. If unexpected weather conditions (such as above freezing temperatures or rain events) make discharges likely, you must immediately resume your regular inspection frequency as described in Parts 4.2 and 4.3, as applicable;

ii. Land disturbances have been suspended; and

iii. All disturbed areas of the site have been stabilized in accordance with Part 2.2.14a.

b. If you are still conducting construction activities during frozen conditions, you may reduce your inspection frequency to once per month if:

i. Runoff is unlikely due to continuous frozen conditions that are likely to continue at your site for at least three (3) months based on historic seasonal averages. If unexpected weather conditions (such as above freezing temperatures or rain events) make discharges likely, you must immediately resume your regular inspection frequency as described in Parts 4.2 and 4.3, as applicable; and

ii. Except for areas in which you are actively conducting construction activities, disturbed areas of the site have been stabilized in accordance with Part 2.2.14a.

You must document the beginning and ending dates of this period in your SWPPP.

4.5 AREAS THAT MUST BE INSPECTED

During your site inspection, you must at a minimum inspect the following areas of your site:

4.5.1 All areas that have been cleared, graded, or excavated and that have not yet completed stabilization consistent with Part 2.2.14a;

4.5.2 All stormwater controls (including pollution prevention controls) installed at the site to comply with this permit;[50]

4.5.3 Material, waste, borrow, and equipment storage and maintenance areas that are covered by this permit;

4.5.4 All areas where stormwater typically flows within the site, including drainageways designed to divert, convey, and/or treat stormwater;

4.5.5 All points of discharge from the site; and

4.5.6 All locations where stabilization measures have been implemented.

You are not required to inspect areas that, at the time of the inspection, are considered unsafe to your inspection personnel.

4.6 REQUIREMENTS FOR INSPECTIONS

During your site inspection, you must at a minimum:

4.6.1 Check whether all stormwater controls *(i.e., erosion and sediment controls and pollution prevention controls)* are properly installed, appear to be operational, and are working as intended to minimize pollutant discharges;

[50] This includes the requirement to inspect for sediment that has been tracked out from the site onto paved roads, sidewalks, or other paved areas consistent with Part 2.2.4.

4.6.2 Check for the presence of conditions that could lead to spills, leaks, or other accumulations of pollutants on the site;

4.6.3 Identify any locations where new or modified stormwater controls are necessary to meet the requirements of Parts 2 and/or 3;

4.6.4 Check for signs of visible erosion and sedimentation *(i.e., sediment deposits)* that have occurred and are attributable to your discharge at points of discharge and, if applicable, the banks of any waters of the U.S. flowing within or immediately adjacent to the site;

4.6.5 Identify any incidents of noncompliance observed;

4.6.6 If a discharge is occurring during your inspection:

a. Identify all discharge points at the site; and

b. Observe and document the visual quality of the discharge, and take note of the characteristics of the stormwater discharge, including color; odor; floating, settled, or suspended solids; foam; oil sheen; and other indicators of stormwater pollutants.

4.6.7 Based on the results of your inspection, complete any necessary maintenance under Part 2.1.4 and corrective action under Part 5.

4.7 INSPECTION REPORT

4.7.1 You must complete an inspection report within 24 hours of completing any site inspection. Each inspection report must include the following:

a. The inspection date;

b. Names and titles of personnel making the inspection;

c. A summary of your inspection findings, covering at a minimum the observations you made in accordance with Part 4.6, including any necessary maintenance or corrective actions;

d. If you are inspecting your site at the frequency specified in Part 4.2.2, Part 4.3, or Part 4.4.1b, and you conducted an inspection because of rainfall measuring 0.25 inches or greater, you must include the applicable rain gauge or weather station readings that triggered the inspection; and

e. If you determined that it is unsafe to inspect a portion of your site, you must describe the reason you found it to be unsafe and specify the locations to which this condition applies.

4.7.2 Each inspection report must be signed in accordance with Appendix I, Part I.11 of this permit.

4.7.3 You must keep a copy of all inspection reports at the site or at an easily accessible location, so that it can be made available at the time of an on-site inspection or upon request by EPA.

4.7.4 You must retain all inspection reports completed for this Part for at least three (3) years from the date that your permit coverage expires or is terminated.

4.8 INSPECTIONS BY EPA

You must allow EPA, or an authorized representative of EPA, to conduct the following activities at reasonable times. To the extent that you are utilizing shared controls that are not on site to comply with this permit, you must make arrangements for EPA to have access at all reasonable times to those areas where the shared controls are located.

4.8.1 Enter onto all areas of the site, including any construction support activity areas covered by this permit, any off-site areas where shared controls are utilized to comply with this permit, discharge locations, adjoining waterbodies, and locations where records are kept under the conditions of this permit;

4.8.2 Access and copy any records that must be kept under the conditions of this permit;

4.8.3 Inspect your construction site, including any construction support activity areas covered by this permit (see Part 1.2.1c), any stormwater controls installed and maintained at the site, and any off-site shared controls utilized to comply with this permit; and

4.8.4 Sample or monitor for the purpose of ensuring compliance.

5 CORRECTIVE ACTIONS

5.1 CONDITIONS TRIGGERING CORRECTIVE ACTION.

You must take corrective action to address any of the following conditions identified at your site:

5.1.1 A stormwater control needs repair or replacement (beyond routine maintenance required under Part 2.1.4); or

5.1.2 A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly; or

5.1.3 Your discharges are causing an exceedance of applicable water quality standards; or

5.1.4 A prohibited discharge has occurred (see Part 1.3).

5.2 CORRECTIVE ACTION DEADLINES

For any corrective action triggering conditions in Part 5.1, you must:

5.2.1 Immediately take all reasonable steps to address the condition, including cleaning up any contaminated surfaces so the material will not discharge in subsequent storm events;

5.2.2 When the problem 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;

5.2.3 When the problem requires a new or replacement control or significant repair, install the new or modified control and make it operational, or complete the repair, by no later than seven (7) calendar days from the time of discovery. If it is infeasible to complete the installation or repair within seven (7) calendar days, you must document in your records why it is infeasible to complete the installation or repair within the 7-day timeframe and document your schedule for installing the stormwater control(s) and making it operational as soon as feasible after the 7-day timeframe. Where these actions result in changes to any of the stormwater controls or procedures documented in your SWPPP,

you must modify your SWPPP accordingly within seven (7) calendar days of completing this work.

5.3 CORRECTIVE ACTION REQUIRED BY EPA

You must comply with any corrective actions required by EPA as a result of permit violations found during an inspection carried out under Part 4.8.

5.4 CORRECTIVE ACTION REPORT

For each corrective action taken in accordance with this Part, you must complete a report in accordance with the following:

5.4.1 Within 24 hours of identifying the corrective action condition, document the specific condition and the date and time it was identified.

5.4.2 Within 24 hours of completing the corrective action (in accordance with the deadlines in Part 5.2), document the actions taken to address the condition, including whether any SWPPP modifications are required.

5.4.3 Each corrective action report must be signed in accordance with Appendix I, Part I.11 of this permit.

5.4.4 You must keep a copy of all corrective action reports at the site or at an easily accessible location, so that it can be made available at the time of an on-site inspection or upon request by EPA.

5.4.5 You must retain all corrective action reports completed for this Part for at least three (3) years from the date that your permit coverage expires or is terminated.

6 STAFF TRAINING REQUIREMENTS

Each operator, or group of multiple operators, must assemble a "stormwater team" to carry out compliance activities associated with the requirements in this permit.

6.1 Prior to the commencement of construction activities, you must ensure that the following personnel[51] on the stormwater team understand the requirements of this permit and their specific responsibilities with respect to those requirements:

a. Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls (including pollution prevention controls);

b. Personnel responsible for the application and storage of treatment chemicals (if applicable);

c. Personnel who are responsible for conducting inspections as required in Part 4.1; and

d. Personnel who are responsible for taking corrective actions as required in Part 5.

[51] If the person requiring training is a new employee who starts after you commence construction activities, you must ensure that this person has the proper understanding as required above prior to assuming particular responsibilities related to compliance with this permit.

For emergency-related projects, the requirement to train personnel prior to commencement of construction activities does not apply, however, such personnel must have the required training prior to NOI submission.

6.2 You are responsible for ensuring that all activities on the site comply with the requirements of this permit. You are not required to provide or document formal training for subcontractors or other outside service providers, but you must ensure that such personnel understand any requirements of this permit that may be affected by the work they are subcontracted to perform.

6.3 At a minimum, members of the stormwater team must be trained to understand the following if related to the scope of their job duties *(e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections*):

a. The permit deadlines associated with installation, maintenance, and removal of stormwater controls and with stabilization**;**

b. The location of all stormwater controls on the site required by this permit and how they are to be maintained;

c. The proper procedures to follow with respect to the permit's pollution prevention requirements; and

d. When and how to conduct inspections, record applicable findings, and take corrective actions.

6.4 Each member of the stormwater team must have easy access to an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWPPP, and other relevant documents or information that must be kept with the SWPPP.

7 STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

7.1 GENERAL REQUIREMENTS

All operators associated with a construction site under this permit must develop a SWPPP consistent with the requirements in Part 7 prior to their submittal of the NOI.[52, 53] The SWPPP must be kept up-to-date throughout coverage under this permit.

[52] The SWPPP does not establish the effluent limits that apply to your site's discharges; these limits are established in this permit in Parts 2 and 3.

[53] You have the option of developing a group SWPPP where you are one of several operators at your site. For instance, if both the owner and the general contractor of the construction site are operators and thus are both required to obtain a permit, the owner may be the party undertaking SWPPP development, and the general contractor (or any other operator at the site) can choose to use this same SWPPP, as long as the SWPPP addresses the general contractor's (or other operator's) scope of construction work and functions to be performed under the SWPPP. Regardless of whether there is a group SWPPP or several individual SWPPPs, all operators would be jointly and severally liable for compliance with the permit.

Where there are multiple operators associated with the same site through a common plan of development or sale, operators may assign to themselves various permit-related functions under the SWPPP provided that each SWPPP, or a group SWPPP, documents which operator will perform each function under the SWPPP. However, dividing the functions to be performed under each SWPPP, or a single group SWPPP, does not relieve an individual operator from liability for complying with the permit should another operator fail to implement any measures that are necessary for that individual operator to comply with the permit, e.g., the installation and maintenance of any shared controls. In addition, all operators must ensure, either directly or through coordination with other operators, that their activities do not cause a violation and/or render any other operators' controls and/or any shared controls ineffective. All operators who rely on a shared control to comply with the permit are jointly and severally liable for violations of the permit resulting from the failure to properly install, operate and/or maintain the shared control.

If a SWPPP was prepared under a previous version of this permit, the operator must review and update the SWPPP to ensure that this permit's requirements are addressed prior to submitting an NOI for coverage under this permit.

7.2 SWPPP CONTENTS

At a minimum, the SWPPP must include the information specified in this Part and as specified in other parts of this permit.

7.2.1 All Site Operators. Include a list of all other operators who will be engaged in construction activities at the site, and the areas of the site over which each operator has control.

7.2.2 Stormwater Team. Identify the personnel (by name or position) that are part of the stormwater team, as well as their individual responsibilities, including which members are responsible for conducting inspections.

7.2.3 Nature of Construction Activities.[54] Include the following:

a. A description of the nature of your construction activities, including the age or dates of past renovations for structures that are undergoing demolition;

b. The size of the property (in acres or length in miles if a linear construction site);

c. The total area expected to be disturbed by the construction activities (to the nearest quarter acre or nearest quarter mile if a linear construction site);

d. A description of any on-site and off-site construction support activity areas covered by this permit (see Part 1.2.1c);

e. The maximum area expected to be disturbed at any one time, including on-site and off-site construction support activity areas;

f. A description and projected schedule for the following:

   i. Commencement of construction activities in each portion of the site, including clearing and grubbing, mass grading, demolition activities, site preparation (*i.e., excavating, cutting and filling*), final grading, and creation of soil and vegetation stockpiles requiring stabilization;

   ii. Temporary or permanent cessation of construction activities in each portion of the site;

   iii. Temporary or final stabilization of exposed areas for each portion of the site; and

   iv. Removal of temporary stormwater controls and construction equipment or vehicles, and the cessation of construction-related pollutant-generating activities.

g. A list and description of all pollutant-generating activities[55] on the site. For each pollutant-generating activity, include an inventory of pollutants or pollutant constituents (*e.g., sediment, fertilizers, pesticides, paints, caulks, sealants, fluorescent light ballasts, contaminated substrates, solvents, fuels*) associated with that activity, which could be discharged in stormwater from your construction site. You must take

[54] If plans change due to unforeseen circumstances or for other reasons, the requirement to describe the sequence and estimated dates of construction activities is not meant to "lock in" the operator to meeting these dates. When departures from initial projections are necessary, this should be documented in the SWPPP itself, or in associated records, as appropriate.

[55] Examples of pollutant-generating activities include paving operations; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations.

into account where potential spills and leaks could occur that contribute pollutants to stormwater discharges, and any known hazardous or toxic substances, such as PCBs and asbestos, that will be disturbed or removed during construction;

h. Business days and hours for the project;

i. If you are conducting construction activities in response to a public emergency (see Part 1.4), a description of the cause of the public emergency *(e.g., mud slides, earthquake, extreme flooding conditions, widespread disruption in essential public services)*, information substantiating its occurrence *(e.g., state disaster declaration or similar state or local declaration)*, and a description of the construction necessary to reestablish affected public services.

7.2.4 Site Map. Include a legible map, or series of maps, showing the following features of the site:

a. Boundaries of the property;

b. Locations where construction activities will occur, including:

   i. Locations where earth-disturbing activities will occur (note any phasing), including any demolition activities;

   ii. Approximate slopes before and after major grading activities (note any steep slopes (as defined in Appendix A));

   iii. Locations where sediment, soil, or other construction materials will be stockpiled;

   iv. Any water of the U.S. crossings;

   v. Designated points where vehicles will exit onto paved roads;

   vi. Locations of structures and other impervious surfaces upon completion of construction; and

   vii. Locations of on-site and off-site construction support activity areas covered by this permit (see Part 1.2.1c).

c. Locations of all waters of the U.S. within and one mile downstream of the site's discharge point. Also identify if any are listed as impaired, or are identified as a Tier 2, Tier 2.5, or Tier 3 water;

d. Areas of federally listed critical habitat within the site and/or at discharge locations;

e. Type and extent of pre-construction cover on the site (*e.g., vegetative cover, forest, pasture, pavement, structures*);

f. Drainage patterns of stormwater and authorized non-stormwater before and after major grading activities;

g. Stormwater and authorized non-stormwater discharge locations, including:

   i. Locations where stormwater and/or authorized non-stormwater will be discharged to storm drain inlets;[56] and

   ii. Locations where stormwater or authorized non-stormwater will be discharged directly to waters of the U.S.

h. Locations of all potential pollutant-generating activities identified in Part 7.2.3g;

[56] The requirement to show storm drain inlets in the immediate vicinity of the site on your site map only applies to those inlets that are easily identifiable from your site or from a publicly accessible area immediately adjacent to your site.

i. Locations of stormwater controls, including natural buffer areas and any shared controls utilized to comply with this permit; and

j. Locations where polymers, flocculants, or other treatment chemicals will be used and stored.

7.2.5 Non-Stormwater Discharges. Identify all authorized non-stormwater discharges in Part 1.2.2 that will or may occur.

7.2.6 Description of Stormwater Controls.

a. For each of the Part 2.2 erosion and sediment control effluent limits, Part 2.3 pollution prevention effluent limits, and Part 2.4 construction dewatering effluent limits, as applicable to your site, you must include the following:

   i. A description of the specific control(s) to be implemented to meet the effluent limit;

   ii. Any applicable stormwater control design specifications (including references to any manufacturer specifications and/or erosion and sediment control manuals/ordinances relied upon);[57]

   iii. Routine stormwater control maintenance specifications; and

   iv. The projected schedule for stormwater control installation/implementation.

b. You must also include any of the following additional information as applicable.

   i. **Natural buffers and/or equivalent sediment controls** (see Part 2.2.1 and Appendix G). You must include the following:

      (a) The compliance alternative to be implemented;

      (b) If complying with alternative 2, the width of natural buffer retained;

      (c) If complying with alternative 2 or 3, the erosion and sediment control(s) you will use to achieve an equivalent sediment reduction, and any information you relied upon to demonstrate the equivalency;

      (d) If complying with alternative 3, a description of why it is infeasible for you to provide and maintain an undisturbed natural buffer of any size;

      (e) For "linear construction sites" where it is infeasible to implement compliance alternative 1, 2, or 3, a rationale for this determination, and a description of any buffer width retained and/or supplemental erosion and sediment controls installed; and

      (f) A description of any disturbances that are exempt under Part 2.2.1 that occur within 50 feet of a water of the U.S.

   ii. **Perimeter controls for a "linear construction site"** (see Part 2.2.3). For areas where perimeter controls are not feasible, include documentation to support this determination and a description of the other practices that will be implemented to minimize discharges of pollutants in stormwater associated with construction activities.

   Note: Routine maintenance specifications for perimeter controls documented in the SWPPP must include the Part 2.2.3a requirement that sediment be removed

[57] Design specifications may be found in manufacturer specifications and/or in applicable erosion and sediment control manuals or ordinances. Any departures from such specifications must reflect good engineering practice and must be explained in the SWPPP.

before it has accumulated to one-half of the above-ground height of any perimeter control.

iii. **Sediment track-out controls** (see Parts 2.2.4b and 2.2.4c)**.** Document the specific stabilization techniques and/or controls that will be implemented to remove sediment prior to vehicle exit.

iv. **Sediment basins** (see Part 2.2.12). In circumstances where it is infeasible to utilize outlet structures that withdraw water from the surface, include documentation to support this determination, including the specific conditions or time periods when this exception will apply.

v. **Treatment chemicals** (see Part 2.2.13), you must include the following:

(a) A listing of the soil types that are expected to be exposed during construction in areas of the project that will drain to chemical treatment systems. Also include a listing of soil types expected to be found in fill material to be used in these same areas, to the extent you have this information prior to construction;

(b) A listing of all treatment chemicals to be used at the site and why the selection of these chemicals is suited to the soil characteristics of your site;

(c) If the applicable EPA Regional Office authorized you to use cationic treatment chemicals for sediment control, include the specific controls and implementation procedures designed to ensure that your use of cationic treatment chemicals will not lead to an exceedance of water quality standards;

(d) The dosage of all treatment chemicals to be used at the site or the methodology to be used to determine dosage;

(e) Information from any applicable Safety Data Sheet (SDS);

(f) Schematic drawings of any chemically enhanced stormwater controls or chemical treatment systems to be used for application of the treatment chemicals;

(g) A description of how chemicals will be stored consistent with Part 2.2.13c;

(h) References to applicable state or local requirements affecting the use of treatment chemicals, and copies of applicable manufacturer's specifications regarding the use of your specific treatment chemicals and/or chemical treatment systems; and

(i) A description of the training that personnel who handle and apply chemicals have received prior to permit coverage, or will receive prior to use of the treatment chemicals at your site.

vi. **Stabilization measures** (see Part 2.2.14). You must include the following:

(a) The specific vegetative and/or non-vegetative practices that will be used;

(b) The stabilization deadline that will be met in accordance with Part 2.2.14.a.i-ii;

(c) If complying with the deadlines for sites in arid, semi-arid, or drought-stricken areas, the beginning and ending dates of the seasonally dry period and the schedule you will follow for initiating and completing vegetative stabilization; and

(d) If complying with deadlines for sites affected by unforeseen circumstances that delay the initiation and/or completion of vegetative stabilization, document the circumstances and the schedule for initiating and completing stabilization.

vii. **Spill prevention and response procedures** (see Part 1.3.5 and Part 2.3). You must include the following:

(a) Procedures for expeditiously stopping, containing, and cleaning up spills, leaks, and other releases. Identify the name or position of the employee(s) responsible for detection and response of spills or leaks; and

(b) Procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity consistent with Part 2.3.6 and established under either 40 CFR 110, 40 CFR 117, or 40 CFR 302, occurs during a 24-hour period. Contact information must be in locations that are readily accessible and available to all employees.

You may also reference the existence of Spill Prevention Control and Countermeasure (SPCC) plans developed for the construction activity under Part 311 of the CWA, or spill control programs otherwise required by an NPDES permit for the construction activity, provided that you keep a copy of that other plan on site.[58]

viii. **Waste management procedures** (see Part 2.3.3). Describe the procedures you will follow for handling, storing and disposing of all wastes generated at your site consistent with all applicable federal, state, tribal, and local requirements, including clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste.

ix. **Application of fertilizers** (see Part 2.3.5). Document any departures from the manufacturer specifications where appropriate.

7.2.7 Procedures for Inspection, Maintenance, and Corrective Action. Describe the procedures you will follow for maintaining your stormwater controls, conducting site inspections, and, where necessary, taking corrective actions, in accordance with Part 2.1.4, Part 4, and Part 5 of this permit. Also include:

a. The inspection schedule you will follow, which is based on whether your site is subject to Part 4.2 or Part 4.3, or whether your site qualifies for any of the reduced inspection frequencies in Part 4.4;

b. If you will be conducting inspections in accordance with the inspection schedule in Part 4.2.2, Part 4.3, or Part 4.4.1b, the location of the rain gauge or the address of the weather station you will be using to obtain rainfall data;

c. If you will be reducing your inspection frequency in accordance with Part 4.4.1b, the beginning and ending dates of the seasonally defined arid period for your area or the valid period of drought;

d. If you will be reducing your inspection frequency in accordance with Part 4.4.3, the beginning and ending dates of frozen conditions on your site; and

e. Any maintenance or inspection checklists or other forms that will be used.

[58] Even if you already have an SPCC or other spill prevention plan in existence, your plans will only be considered adequate if they meet all of the requirements of this Part, either as part of your existing plan or supplemented as part of the SWPPP.

7.2.8 Staff Training. Include documentation that the required personnel were, or will be, trained in accordance with Part 6.

7.2.9 Compliance with Other Requirements.

a. **Threatened and Endangered Species Protection.** Include documentation required in Appendix D supporting your eligibility with regard to the protection of threatened and endangered species and designated critical habitat.

b. **Historic Properties.** Include documentation required in Appendix E supporting your eligibility with regard to the protection of historic properties.

c. **Safe Drinking Water Act Underground Injection Control (UIC) Requirements for Certain Subsurface Stormwater Controls.** If you are using any of the following stormwater controls at your site, document any contact you have had with the applicable state agency[59] or EPA Regional Office responsible for implementing the requirements for underground injection wells in the Safe Drinking Water Act and EPA's implementing regulations at 40 CFR 144 -147. Such controls would generally be considered Class V UIC wells:

   i. Infiltration trenches (if stormwater is directed to any bored, drilled, driven shaft or dug hole that is deeper than its widest surface dimension, or has a subsurface fluid distribution system);

   ii. Commercially manufactured pre-cast or pre-built proprietary subsurface detention vaults, chambers, or other devices designed to capture and infiltrate stormwater flow; and

   iii. Drywells, seepage pits, or improved sinkholes (if stormwater is directed to any bored, drilled, driven shaft or dug hole that is deeper than its widest surface dimension, or has a subsurface fluid distribution system).

7.2.10 SWPPP Certification. You must sign and date your SWPPP in accordance with Appendix I, Part I.11.

7.2.11 Post-Authorization Additions to the SWPPP. Once you are authorized for coverage under this permit, you must include the following documents as part of your SWPPP:

a. A copy of your NOI submitted to EPA along with any correspondence exchanged between you and EPA related to coverage under this permit;

b. A copy of the acknowledgment letter you receive from NeT assigning your NPDES ID (*i.e., permit tracking number*);

c. A copy of this permit (an electronic copy easily available to the stormwater team is also acceptable).

7.3 ON-SITE AVAILABILITY OF YOUR SWPPP

You must keep a current copy of your SWPPP at the site or at an easily accessible location so that it can be made available at the time of an on-site inspection or upon request by EPA; a state, tribal, or local agency approving stormwater management plans; the operator of a storm sewer system receiving discharges from the site; or representatives of the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS).

[59] For state UIC program contacts, refer to the following EPA website: https://www.epa.gov/uic.

EPA may provide access to portions of your SWPPP to a member of the public upon request. Confidential Business Information (CBI) will be withheld from the public, but may not be withheld from EPA, USFWS, or NMFS.[60]

If an on-site location is unavailable to keep the SWPPP when no personnel are present, notice of the plan's location must be posted near the main entrance of your construction site.

7.4 SWPPP MODIFICATIONS

7.4.1 You must modify your SWPPP, including the site map(s), within seven (7) days of any of the following conditions:

a. Whenever new operators become active in construction activities on your site, or you make changes to your construction plans, stormwater controls, or other activities at your site that are no longer accurately reflected in your SWPPP. This includes changes made in response to corrective actions triggered under Part 5. You do not need to modify your SWPPP if the estimated dates in Part 7.2.3f change during the course of construction;

b. To reflect areas on your site map where operational control has been transferred (and the date of transfer) since initiating permit coverage;

c. If inspections or investigations by EPA or its authorized representatives determine that SWPPP modifications are necessary for compliance with this permit;

d. Where EPA determines it is necessary to install and/or implement additional controls at your site in order to meet the requirements of this permit, the following must be included in your SWPPP:

   i. A copy of any correspondence describing such measures and requirements; and

   ii. A description of the controls that will be used to meet such requirements.

e. To reflect any revisions to applicable federal, state, tribal, or local requirements that affect the stormwater controls implemented at the site; and

f. If applicable, if a change in chemical treatment systems or chemically enhanced stormwater control is made, including use of a different treatment chemical, different dosage rate, or different area of application.

7.4.2 You must maintain records showing the dates of all SWPPP modifications. The records must include the name of the person authorizing each change (see Part 7.2.10 above) and a brief summary of all changes.

7.4.3 All modifications made to the SWPPP consistent with Part 7.4 must be authorized by a person identified in Appendix I, Part I.11.b.

7.4.4 Upon determining that a modification to your SWPPP is required, if there are multiple operators covered under this permit, you must immediately notify any operators who may be impacted by the change to the SWPPP.

[60] Information covered by a claim of confidentiality will be disclosed by EPA only to the extent of, and by means of, the procedures set forth in 40 CFR Part 2, Subpart B. In general, submitted information protected by a business confidentiality claim may be disclosed to other employees, officers, or authorized representatives of the United States concerned with implementing the CWA. The authorized representatives, including employees of other executive branch agencies, may review CBI during the course of reviewing draft regulations.

8 HOW TO TERMINATE COVERAGE

Until you terminate coverage under this permit, you must comply with all conditions and effluent limitations in the permit. To terminate permit coverage, you must submit to EPA a complete and accurate Notice of Termination (NOT), which certifies that you have met the requirements for terminating in Part 8.

8.1 MINIMUM INFORMATION REQUIRED IN NOT

8.1.1 NPDES ID *(i.e., permit tracking number)* provided by EPA when you received coverage under this permit;

8.1.2 Basis for submission of the NOT (see Part 8.2);

8.1.3 Operator contact information;

8.1.4 Name of site and address (or a description of location if no street address is available); and

8.1.5 NOT certification.

8.2 CONDITIONS FOR TERMINATING CGP COVERAGE

You must terminate CGP coverage only if one or more of the following conditions has occurred:

8.2.1 You have completed all construction activities at your site and, if applicable, construction support activities covered by this permit (see Part 1.2.1c), and you have met the following requirements:

a. For any areas that (1) were disturbed during construction, (2) are not covered over by permanent structures, and (3) over which you had control during the construction activities, you have met the requirements for final vegetative or non-vegetative stabilization in Part 2.2.14b;

b. You have removed and properly disposed of all construction materials, waste and waste handling devices, and have removed all equipment and vehicles that were used during construction, unless intended for long-term use following your termination of permit coverage;

c. You have removed all stormwater controls that were installed and maintained during construction, except those that are intended for long-term use following your termination of permit coverage or those that are biodegradable; and

d. You have removed all potential pollutants and pollutant-generating activities associated with construction, unless needed for long-term use following your termination of permit coverage; or

8.2.2 You have transferred control of all areas of the site for which you are responsible under this permit to another operator, and that operator has submitted an NOI and obtained coverage under this permit; or

8.2.3 Coverage under an individual or alternative general NPDES permit has been obtained.

8.3 HOW TO SUBMIT YOUR NOT

You must use EPA's NPDES eReporting Tool (NeT) to electronically prepare and submit your NOT for the 2017 CGP.

To access NeT, go to https://www.epa.gov/npdes/stormwater-discharges-construction-activities#ereporting.

Waivers from electronic reporting may be granted as specified in Part 1.4.1. If the EPA Regional Office grants you approval to use a paper NOT, and you elect to use it, you must complete the form in Appendix K.

8.4 DEADLINE FOR SUBMITTING THE NOT

You must submit your NOT within 30 calendar days after any one of the conditions in Part 8.2 occurs.

8.5 EFFECTIVE DATE OF TERMINATION OF COVERAGE

Your authorization to discharge under this permit terminates at midnight of the calendar day that a complete NOT is submitted to EPA.

9 PERMIT CONDITIONS APPLICABLE TO SPECIFIC STATES, INDIAN COUNTRY LANDS, OR TERRITORIES

The provisions in this Part provide modifications or additions to the applicable conditions of this permit to reflect specific additional conditions required as part of the state or tribal CWA Section 401 certification process, or the Coastal Zone Management Act (CZMA) certification process, or as otherwise established by the permitting authority. The specific additional revisions and requirements only apply to activities in those specific states, Indian country, and areas in certain states subject to construction projects by Federal Operators. States, Indian country, and areas subject to construction by Federal Operators not included in this Part do not have any modifications or additions to the applicable conditions of this permit.

9.1 EPA REGION 1

9.1.1 NHR100000 State of New Hampshire

a. If you disturb 100,000 square feet or more of contiguous area, you must also apply for an Alteration of Terrain (AoT) permit from DES pursuant to RSA 485- A:17 and Env-Wq 1500. This requirement also applies to a lower disturbance threshold of 50,000 square feet or more when construction occurs within the protected shoreline under the Shoreland Water Quality Protection Act (see RSA 483-B and Env-Wq 1400). A permit application must also be filed if your project disturbs an area of greater than 2,500 square feet, is within 50 feet of any surface water, and has a flow path of 50 feet or longer disturbing a grade of 25 percent or greater. Project sites with disturbances smaller than those discussed above, that have the potential to adversely affect state surface waters, are subject to the conditions of an AoT General Permit by Rule.

b. You must determine that any excavation dewatering discharges are not contaminated before they will be authorized as an allowable non-stormwater discharge under this permit (see Part 1.2.2). The water is considered uncontaminated if there is no groundwater contamination within 1,000 feet of the groundwater dewatering location. Information on groundwater contamination can be generated over the Internet via the NHDES web site http://des.nh.gov/ by using the One Stop Data Mapper at http://des.nh.gov/onestop/gis.htm. If it is determined that the groundwater to be dewatered is near a remediation or other waste site you must

apply for the Remediation General Permit (see https://www3.epa.gov/region1/npdes/rgp.html.)

c. You must treat any uncontaminated excavation dewatering discharges as necessary to remove suspended solids and turbidity. The discharges must be sampled at least once per week during weeks when discharges occur. Samples must be analyzed for total suspended solids (TSS) or turbidity and must meet monthly average and daily maximum limits of 50 milligrams per liter (mg/L) and 100 mg/L, respectively for TSS or 33 mg/l and 67 mg/l, respectively for turbidity. TSS (a.k.a. Residue, Nonfilterable) or turbidity sampling and analysis must be performed in accordance with Tables IB and II in 40 CFR 136.3 (http://www.ecfr.gov/cgi-bin/text-idx?SID=0243e3c4283cbd7d8257eb6afc7ce9a2&mc=true&node=se40.25.136_13&rgn=div8). Records of any sampling and analysis must be maintained and kept with the SWPPP for at least three years after final site stabilization.

d. Construction site owners and operators must consider opportunities for post-construction groundwater recharge using infiltration best management practices (BMPs) during site design and preparation of the SWPPP. If your construction site is in a town that is required to obtain coverage under the NPDES General Permit for discharges from Municipal Separate Storm Sewer Systems (MS4) you may be required to use such practices. The SWPPP must include a description of any on-site infiltration that will be installed as a post-construction stormwater management measure or reasons for not employing such measures such as 1) The facility is located in a wellhead protection area as defined in RSA 485- C:2; or 2) The facility is located in an area where groundwater has been reclassified to GAA, GAI or GA2 pursuant to RSA 485-C and Env-DW 901; or 3) Any areas that would be exempt from the groundwater recharge requirements contained in Env-Wq 1507.04(e), including all land uses or activities considered to be a "High-load Area" (see Env-Wq 1502.26). For design considerations for infiltration measures see Volume II of the NH Stormwater Manual.

e. Appendix F contains a list of Tier 2, or high quality waters. Although there is no official list of tier 2 waters, it can be assumed that all NH surface waters are tier 2 for turbidity unless 1) the surface water that you are proposing to discharge into is listed as impaired for turbidity in the states listing of impaired waters (see Surface Water Quality - Watershed Report Cards at http://des.nh.gov/organization/divisions/water/wmb/swqa/report_cards.htm) or 2) sampling upstream of the proposed discharge location shows turbidity values greater than 10 NTU. A single grab sample collected during dry weather (no precipitation within 48 hours) is acceptable.

f. To ensure compliance with RSA 485-C, RSA 485-A, RSA 485-A:13, I(a), Env-Wq 1700 and Env-Wq 302, the following information may be requested by NHDES. This information must be kept on site unless you receive a written request from NHDES that it be sent to the address shown in Part 9.1.4 (g).

   i. A site map required in Part 7.2.4, showing the type and location of all post-construction infiltration BMPs utilized at the facility or the reason(s) why none were installed;

   ii. A list of all non-stormwater discharges that occur at the facility, including their source locations and the control measures being used (see Part 1.2.2).

iii. Records of sampling and analysis of TSS required for construction dewatering discharges (see Part 9.1.4 (c)).

g. All required or requested documents must be sent to:

NH Department of Environmental Services, Wastewater Engineering Bureau,
Permits & Compliance Section
P.O. Box 95
Concord, NH 03302-0095

9.2 EPA REGION 3

9.2.1 DCR100000 District of Columbia

a. The permittee must comply with the District of Columbia Water Pollution Control Act of 1984, as amended, (D.C. Official Code §8-103.01 *et seq.*) and its implementing regulations in Title 21, Chapters 11 and 19 of the District of Columbia Municipal Regulations. Nothing in this permit will be construed to preclude the institution of any legal action or relieve the permitee from any responsibilities, liabilities, or penalties established pursuant to District of Columbia laws and regulations.

b. The permittee must comply with the District of Columbia Stormwater Management, and Soil Erosion and Sediment Control in Chapter 5 of Title 21 of the District of Columbia Municipal Regulations.

c. The permittee must comply with the District of Columbia Flood Management control in Chapter 31 of Title 20 of the District of Columbia Municipal Regulations.

d. The Department may request a copy of the Stormwater Pollution Prevention Plan (SWPPP) and the permittee is required to submit the SWPPP to the Department with 14 days of such request. The Department may conduct an inspection of any facility covered by this permit to ensure compliance with District's law requirements including water quality.

9.2.2 DER10F000 Areas in the State of Delaware subject to construction by a Federal Operator

a. Federal agencies engaging in construction activities must submit, to DNREC, a sediment and stormwater management (S&S) plan and obtain approval from DNREC in accordance with 7 Del. C. §4010, 7 DE Admin. Code 5101, and 7 DE Admin. Code 7201.

b. Federal agencies engaging in construction activities must provide for construction review by a certified construction reviewer in accordance with 7 Del. C. §§4010 & 4013 and 7 DE Admin. Code 5101, subsection 6.1.6.

c. Federal agencies engaging in construction activities must certify that all responsible personnel involved in the construction project will have attended the blue card training prior to initiation of any land disturbing activity – *see* 7 Del. C. §§ 4002 & 4014 and 7 DE Admin. Code 5101.

9.3 EPA REGION 5

9.3.1 MNR10I000 Indian country within the State of Minnesota

9.3.1.1 Fond du Lac Band of Lake Superior Chippewa. The following conditions apply only to discharges on the Fond du Lac Band of Lake Superior Chippewa Reservation:

a. A copy of the Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the Office of Water Protection at least fifteen (15) days in advance of sending the Notice of Intent (NOI) to EPA. The SWPPP can be submitted electronically to richardgitar@FDLREZ.com or by hardcopy sent to:

   Fond du Lac Reservation
   Office of Water Protection
   1720 Big Lake Road
   Cloquet, MN 55720

   CGP applicants are encouraged to work with the FDL Office of Water Protection in the identification of all proposed receiving.

b. Copies of the Notice of Intent (NOI) and the Notice of Termination (NOT) must be sent to the Fond du Lac Office of Water Protection at the same time they are submitted to EPA.

c. The turbidity limit shall NOT exceed 10% of natural background within the receiving water(s) as determined by Office of Water Protection staff.

d. Turbidity sampling must take place within 24 hours of a ½-inch or greater rainfall event. The results of the sampling must be reported to the Office of Water Protection within 7 days of the sample collection. All sample reporting must include the date and time, location (GPS: UTM/Zone 15), and NTU. CGP applicants are encouraged to work with the Office of Water Protection in determining the most appropriate location(s) for sampling.

e. Receiving waters with open water must be sampled for turbidity prior to any authorized discharge as determined by Office of Water Protection staff. This requirement only applies to receiving waters in which no ambient turbidity data exists.

f. This Certification does not pertain to any new discharge to Outstanding Reservation Resource Waters (ORRW) as described in §105 b.3. of the Fond du Lac Water Quality Standards (Ordinance #12/98, as amended). Although additional waters may be designated in the future, currently Perch Lake, Rice Portage Lake, Miller Lake, Deadfish Lake, and Jaskari Lake are designated as ORRWs. New dischargers wishing to discharge to an ORRW must obtain an individual permit from EPA for stormwater discharges from large and small construction activities.

g. All work shall be carried out in such a manner as will prevent violations of water quality criteria as stated in the Water Quality Standards of the Fond du Lac Reservation, Ordinance 12/98, as amended. This includes, but is not limited to, the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of water of the Fond du Lac Reservation for any of the uses designated in the Water Quality Standards of the Fond du Lac Reservation. These uses include wildlife, aquatic life, warm water fisheries, cold water fisheries, subsistence fishing (netting), primary contact recreation, secondary contact recreation, cultural, wild rice areas, aesthetic waters, agriculture, navigation, and commercial.

h. Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the Fond du Lac Reservation. All spills must be reported to the appropriate emergency management

agency (National Response Center AND the State Duty Officer), and measures shall be taken immediately to prevent the pollution of waters of the Fond du Lac Reservation, including groundwater. The Fond du Lac Office of Water Protection must also be notified immediately of any spill regardless of size.

i. This certification does not authorize impacts to cultural, historical, or archeological features or sites, or properties that may be eligible for such listing.

9.3.1.2 Grand Portage Band of Lake Superior Chippewa. The following conditions apply only to discharges on the Grand Portage Band of Lake Superior Chippewa Reservation:

a. The CGP authorization is for construction activities that may occur within the exterior boundaries of the Grand Portage Reservation in accordance to the Grand Portage Land Use Ordinance. The CGP regulates stormwater discharges associated with construction sites of one acre or more in size. Only those activities specifically authorized by the CGP are authorized by this certification (the "Certification"). This Certification does not authorize impacts to cultural, historical, or archeological features or sites, or properties that may be eligible for listing as such.

b. All construction stormwater discharges authorized by the CGP must comply with the Water Quality Standards and Water Resources Ordinance, as well as Applicable Federal Standards (as defined in the Water Resources Ordinance). As such, appropriate steps must be taken to ensure that petroleum products or other chemical pollutants are prevented from entering the Waters of the Reservation (as defined in the Water Resources Ordinance). All spills must be reported to the appropriate emergency-management agency, and measures must be taken to prevent the pollution of the Waters of the Reservation, including groundwater.

c. The 2017 CGP requires inspections and monitoring reports of the construction site stormwater discharges by a qualified person. Monitoring and inspection reports must comply with the minimum requirements contained in the 2017 CGP. The monitoring plan must be prepared and incorporated into the Stormwater Pollution Prevention Plan (the "SWPPP"). A copy of the SWPPP must be submitted to the Board at least 30 days in advance of sending the requisite Notice of Intent to EPA. The SWPPP should be sent to:

Grand Portage Environmental Resources Board
P.O. Box 428
Grand Portage, MN 55605

Copies of the Notice of Intent and Notice of Termination required under the CGP must be submitted to the Board at the address above at the same time they are submitted to the EPA.

d. If requested by the Grand Portage Environmental Department, the permittee must provide additional information necessary for a case-by-case eligibility determination to assure compliance with the Water Quality Standards and any Applicable Federal Standards.

e. Discharges that the Board has determined to be or that may reasonably be expected to be contributing to a violation of Water Quality Standards or Applicable Federal Standards are not authorized by this Certification.

f. The Board retains full authority provided by the Water Resources Ordinance to ensure compliance with and to enforce the provisions of the Water Resource Ordinance and Water Quality Standards, Applicable Federal Standards, and these Certification conditions.

g. Appeals related to Board actions taken in accordance with any of the preceding conditions may be heard by the Grand Portage Tribal Court.

9.3.2 WIR10I000 Indian country within the State of Wisconsin, except the Sokaogon Chippewa (Mole Lake) Community

9.3.2.1 Bad River Band of Lake Superior Tribe of Chippewa Indians: The following conditions apply only to discharges on the Bad River Band of the Lake Superior Tribe of Chippewa Indians Reservation:

a. Only those activities specifically authorized by the CGP are authorized by this Certification. This Certification does not authorize impacts to cultural properties, or historical sites, or properties that may be eligible for listing as such.[61, 62]

b. Operators are not eligible to obtain authorization under the CGP for all new discharges to an Outstanding Tribal Resource Water (or Tier 3 water).[63] Outstanding Tribal Resource Waters, or Tier 3 waters, include the following: Kakagon Slough and the lower wetland reaches of its tributaries that support wild rice, Kakagon River, Bad River Slough, Honest John Lake, Bog Lake, a portion of Bad River, from where it enters the Reservation through the confluence with the White River, and Potato River.[64]

c. Projects utilizing cationic treatment chemicals[65] within the Bad River Reservation boundaries are not eligible for coverage under the CGP.[66]

d. All projects which are eligible for coverage under the CGP and are located within the exterior boundaries of the Bad River Reservation shall be implemented in such a manner that is consistent with the Tribe's Water Quality Standards (WQS).[67]

e. An operator proposing to discharge to an Outstanding Resource Water (or Tier 2.5 water) under the CGP must comply with the antidegradation provisions of the Tribe's WQS. Outstanding Resource Waters, or Tier 2.5 waters, include the following: a portion of Bad River, from downstream the confluence with the White River to Lake Superior, White River, Marengo River, Graveyard Creek, Bear Trap Creek, Wood Creek, Brunsweiler River, Tyler Forks, Bell Creek, and Vaughn Creek.[68] The antidegradation

[61] Bad River Band of Lake Superior Tribe of Chippewa Indians Water Quality Standards adopted by Resolution No. 7-6-11-441 (hereafter, Tribe's WQS).

[62] 36 C.F.R. § 800.16(l)(2).

[63] Tribe's WQS: See provisions E.3.ii. and E.4.iv.

[64] Tribe's WQS: See provision E.2.iii.

[65] See definition of cationic treatment chemicals in Appendix A of the CGP.

[66] Tribe's WQS: See provisions E.6.ii.a. and E.6.ii.c.

[67] See footnote 61.

[68] Tribe's WQS: See provision E.2.ii.

demonstration materials described in provision E.4.iii. must be submitted to the following address:

Bad River Tribe's Natural Resources Department
Attn: Water Resources Specialist
P.O. Box 39
Odanah, WI 54861

f. An operator proposing to discharge to an Exceptional Resource Water (or Tier 2 water) under the CGP must comply with the antidegradation provisions of the Tribe's WQS. Exceptional Resource Waters, or Tier 2 waters, include the following: any surface water within the exterior boundaries of the Reservation that is not specifically classified as an Outstanding Resource Water (Tier 2.5 water) or an Outstanding Tribal Resource Water (Tier 3 water).[69] The antidegradation demonstration materials described in provision E.4.ii. must be submitted to the following address:

Bad River Tribe's Natural Resources Department
Attn: Water Resources Specialist
P.O. Box 39
Odanah, WI 54861

g. A discharge to a surface water within the Bad River Reservation boundaries shall not cause or contribute to an exceedance of the turbidity criterion included in the Tribe's WQS, which states: Turbidity shall not exceed 5 NTU over natural background turbidity when the background turbidity is 50 NTU or less, or turbidity shall not increase more than 10% when the background turbidity is more than 50 NTU.[70]

h. All projects which are eligible for coverage under the CGP within the exterior boundaries of the Bad River Reservation must comply with the Bad River Reservation Wetland and Watercourse Protection Ordinance, or Chapter 323 of the Bad River Tribal Ordinances, including the erosion and sedimentation control, natural buffer, and stabilization requirements. Questions regarding Chapter 323 and requests for permit applications can be directed to the Wetlands Specialist in the Tribe's Natural Resources Department at (715) 682-7123 or wetlands@badriver-nsn.gov.

i. An operator of a project, which is eligible for coverage under the CGP, that would result in an allowable discharge under the CGP occurring within the exterior boundaries of the Bad River Reservation must notify the Tribe prior to the commencing earth-disturbing activities.[71, 72] The operator must submit a copy of the Notice of Intent (NOI) to the following addresses at the same time it is submitted to the U.S. EPA:

Bad River Tribe's Natural Resources Department
Attn: Water Resources Specialist
P.O. Box 39
Odanah, WI 54861

[69] Tribe's WQS: See provision E.2.i.

[70] Tribe's WQS: See provision E.7.iii.

[71] See footnote 61.

[72] See footnote 62.

Bad River Tribe's Natural Resources Department
Attn: Tribal Historic Preservation Officer (THPO)
P.O. Box 39
Odanah, WI 54861

The operator must also submit a copy of the Notice of Termination (NOT) to the above addresses at the same time it is submitted to the U.S. EPA.

j. The THPO must be provided 30 days to comment on the project.[73]

k. The operator must obtain THPO concurrence in writing. This written concurrence will outline measures to be taken to prevent or mitigate effects to historic properties. For more information regarding the specifics of the cultural resources process, see 36 CFR Part 800. A best practice for an operator is to consult with the THPO during the planning stages of an undertaking.[74]

l. An operator of a project, which is eligible for coverage under the CGP, that would result in an allowable discharge under the CGP occurring within the exterior boundaries of the Bad River Reservation must submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the following address at the same time as submitting the NOI: [75]

Bad River Tribe's Natural Resources Department
Attn: Water Resources Specialist
P.O. Box 39
Odanah, WI 54861

m. Any corrective action reports that are required under the CGP must be submitted to the following address within one (1) working day of the report completion: [76]

Bad River Tribe's Natural Resources Department
P.O. Box 39
Odanah, WI 54861

n. An operator shall be responsible for meeting any additional permit requirements imposed by the U.S. EPA necessary to comply with the Tribe's antidegradation policies if the discharge point is located upstream of waters designated by the Tribe.[77]

9.3.2.2 Lac du Flambeau Band of Lake Superior Tribe of Chippewa Indians: The following conditions apply only to discharges on the Lac du Flambeau Band of the Lake Superior Tribe of Chippewa Indians Reservation:

a. A copy of the Stormwater Pollution Prevention Plan must be submitted to the following office, for the Traival environmental review process, at least thirty (30) days in advance of sending the Notice of Intent (NOI) to EPA:

Lac du Flambeau
Tribal Land Management

[73] 36 C.F.R. § 800.3(c)(4).

[74] 36 C.F.R. § 800.3(b).

[75] See footnote 61.

[76] See footnote 61.

[77] See footnote 61.

P.O. Box 279
Lac du Flambeau, WI 54538

CGP applicants are encouraged to work with the LdF Water Resources Program in the identification of all proposed receiving waters.

b. Copies of the NOI and the Notice of Termination (NOT) must be sent to the LdF Water Resources Program at the same time they are submitted to EPA.

c. All work shall be carried out in such a manner as will prevent violations of water quality criteria as stated in the Water Quality Standards of the Lac du Flambeau Reservation. This includes, but is not limited to, the prevention of any discharge that cause a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of water of the Lac du Flambeau Reservation for any of the uses designated in the Water Quality Standards of the Lac du Flambeau Reservation.

d. Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the Lac du Flambeau Reservation. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the Lac du Flambeau reservation, including groundwater.

e. This certification does not authorize impacts to cultural, historical, or archeological features or sties, or properties that may be eligible for such listing.

f. Due to the significant ecological and cultural importance of the Lac du Flambeau Reservation, any operator requesting a permit for a point source discharge of pollutants (i.e., discharge) associated with the Stormwater Discharge will need a stormwater pollution prevention plan in place that does not violate Lac du Flambeau Water Quality Standards to protect Reservation Waters.

9.4 EPA REGION 6

9.4.1 NMR100000 State of New Mexico, except Indian country

a. If construction dewatering activities are anticipated at a site, permittees must complete the following steps:

   i. Investigative information must be documented in the facility SWPPP.

   ii. Refer to the GWQB Mapper at https://gis.web.env.nm.gov/GWQB/ AND the PSTB Mapper (Go Mapper) at https://gis.web.env.nm.gov/GoNM/ and check if the following sources are located within the noted distance from your anticipated construct site groundwater dewatering activity:

Project Location Relative to a Source of Potential Groundwater Contamination	***Constituents likely to be required for testing***
Within 0.5 mile of an open Leaking Underground Storage Tank (LUST) site	*BTEX (Benzene, Toluene, Ethylbenzene, and Xylene) plus additional parameters depending on site conditions.**

Project Location Relative to a Source of Potential Groundwater Contamination	***Constituents likely to be required for testing***
Within 0.5 mile of an open Voluntary Remediation site	*All parameters listed in Appendix A (or an alternate list approved by the NMED SWQB)***
Within 0.5 mile of an open RCRA Corrective Action Site	
Within 0.5 mile of an open Abatement Site	
Within 0.5 mile of an open Brownfield Site	
Within 1.0 mile or more of a Superfund site or National Priorities List (NPL) site with associated groundwater contamination.	

**For further assistance determining whether dewatering may encounter impacted groundwater, the permittee may contact the NMED Ground Water Quality Bureau at: 505-827-2965.*

***EPA approved-sufficiently sensitive methods must be used - approved methods are listed in 40 CFR Part 136.3.*

iii. If dewatering activities are anticipated, information on flow and potential to encounter impacted groundwater must be provided directly to NMED at the following address:

Program Manager, Point Source Regulation Section
NMED Surface Water Quality Bureau
PO Box 5469, Santa Fe, NM 87502

Information may also be emailed - the contact information for the program manager is located on the website at: www.env.nm.gov/swqb/PSR.

iv. Permittee must test the quality of the water being considered for discharge. Permittees must contact the Point Source Regulation Section Program Manager for information on constituents that must be monitored.

v. Permittee must send test result data to EPA Region 6 and the NMED Surface Water Quality Bureau. If the test data exceed standards, it cannot be discharged from the construction site into surface waters under this permit. Discharge to surface waters must be conducted under a separate NPDES individual permit to ensure proper treatment and disposal.

vi. If disposal will be to the ground surface or in an unlined pond, the permittee must submit an NOI/ to the NMED Ground Water Quality Bureau.

b. Operators are not eligible to obtain authorization under this permit for all new and existing storm water discharges to outstanding national resource waters (ONRWs) (also referred to as "Tier 3" waters.)

i. Although state WQS provide for temporary and short-term degradation of water quality in an ONRW under very limited circumstances if approved by the Water Quality Control Commission as specified at 20.6.4.8.A NMAC, the approval process required for these activities does not lend itself for use for projects covered under this general permit. This condition is necessary to ensure that no degradation is allowed in ONRWs by requiring proposed storm water discharges to be reviewed under the individual permit process. Tier 3 waters are defined in Appendix F of the proposed permit.

c. Operators who intend to obtain authorization under this permit for new and existing storm water discharges from construction sites must satisfy the following condition: The SWPPP must include site-specific interim and permanent stabilization, managerial, and structural solids, erosion and sediment control best management practices (BMPs) and/or other controls that are designed to prevent to the maximum extent practicable an increase in the sediment yield and flow velocity from pre-construction, pre-development conditions to assure that applicable standards in 20.6.4.NMAC, including the antidegradation policy, or TMDL waste load allocations (WLAs) are met. This requirement applies to discharges both during construction and after construction operations have been completed. The SWPPP must identify and document the rationale for selecting these BMPs and/or other controls. The SWPPP must also describe design specifications, construction specifications, maintenance schedules (including a long term maintenance plan), criteria for inspections, and expected performance and longevity of these BMPs. For sites greater than 5 acres in size, BMP selection must be made based on the use of appropriate soil loss prediction models (i.e. SEDCAD, RUSLE, SEDIMOT, MULTISED, etc.) OR equivalent generally accepted (by professional erosion control specialists) soil loss prediction tools.

   i. For all sites, the operator(s) must demonstrate, and include documentation in the SWPPP, that implementation of the site-specific practices will assure that the applicable standards or TMDL WLAs are met, and will result in sediment yields and flow velocities that, to the maximum extent practicable, will not be greater than the sediment yield levels and flow velocities from preconstruction, pre-development conditions.

   ii. All SWPPPs must be prepared in accordance with good engineering practices by qualified (e.g. CPESC certified, engineers with appropriate training) erosion control specialists familiar with the use of soil loss prediction models and design of erosion and sediment control systems based on these models (or equivalent soil loss prediction tools). Qualifications of the preparer (e.g., professional certifications, description of appropriate training) must be documented in the SWPPP. The operator(s) must design, implement, and maintain BMPs in the manner specified in the SWPPP.

d. State regulations at 20.6.2.1203 NMAC state: *With respect to any discharge from any facility of oil or other water contaminant, in such quantity as may with reasonable probability injure or be detrimental to human health, animal or plant life, or property, or unreasonably interfere with the public welfare or the use of property, the following notifications and corrective actions are required*:

   i. As soon as possible after learning of such a discharge, but in no event more than twenty-four (24) hours thereafter, any person in charge of the facility shall orally notify the Chief of the Ground Water Quality Bureau of the department, or his counterpart in any constituent agency delegated responsibility for enforcement of these rules as ta any facility subject to such delegation.

   Permittees can call 505-827-9329 for emergencies at any time and 505-476-6000 for non-emergencies during business hours from 5am-5pm, Monday through Friday.

e. NMED does not allow permittees to use the Equivalent Analysis Waiver.

9.4.2 NMR10I000 Indian country within the State of New Mexico, except Navajo Reservation Lands that are covered under Arizona permit AZR10000I and Ute Mountain Reservation Lands that are covered under Colorado permit COR10000I.

9.4.2.1 Pueblo of Isleta. The following conditions apply only to discharges on the Pueblo of Isleta Reservation:

a. CGP at 1.3 Prohibited discharges: Stormwater discharges associated with construction activity that EPA or the Pueblo of Isleta, prior to authorization under this perm it, determines will cause, have the reasonable potential to cause, or may reasonably be expected to contribute to a violation or excursion of any applicable water quality standard, including the antidegradation policy, or the impairment of a designated use of receiving waters are not authorized by this permit.

b. CGP at 1.4.1 How to Submit Your NOI: The operator shall provide a copy of the Notice of Intent ("NOI") to the Pueblo of Isleta at the same time it is submitted to the U.S. Environmental Protection Agency, for projects occurring within the exterior boundaries of the Pueblo of Isleta. The operator shall also notify the Pueblo of Isleta when it has submitted the Notice of Termination ("NOT"). The NOI and NOT shall be sent to the Pueblo of Isleta at the following address:

Water Quality Control Officer
Pueblo of Isleta
Environment Division
PO Box 1270
Isleta, NM 87022
(505) 869-7565
E-mail: POI36871@isletapueblo.com

Overnight/Express Mail Delivery
Pueblo of Isleta
Environment Division
6 Sagebrush St.
Albuquerque, NM 87105

c. CGP at 1.5 Requirement to post a notice of your permit coverage: Amend to read: "You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site. The notice must be located so that it is visible from the public road or tribal road that is nearest to the active part of the construction site…"

d. CGP at 7.2.6 Description of stormwater controls: The SWPPP will be considered to be incomplete if the operator has not coordinated requirements under this Part with the Pueblo of Isleta Public Services Department.

e. CGP I.12.6.1 at pg.I-6 of 8. The Pueblo of Isleta requests notification within 10 hours (rather than 24 hrs.) if health or the environment become endangered.

f. CGP at I.12.2 Anticipated noncompliance: Amend to read: "You must give advance notice to EPA and the Pueblo of Isleta at the address indicated in 1.4.1(a) of any planned changes in the permitted facility or activity which may results in noncompliance with permit requirements."

g. CGP at I.12.6.1: Any noncompliance for projects within the exterior boundaries of the Pueblo of Isleta which may endanger health or the environment shall be reported directly to the EPA Regional Office [(see contacts at https://www.epa.gov/npdes/contact-us-stormwater#regional) I and to the Pueblo of Isleta Water Quality Control Officer. Any information must be provided orally with n 12 hours of the time you become aware of the circumstances. Other requirements of

this Part for a written submission apply. Electronic communication (E-mail) shall be provided as soon as practical. Verbal notice shall be provided to:

Water Quality Control Officer
Pueblo of Isleta
E-mail: POI36871@isletapueblo.com
(505) 869-7565
(505) 263-5425 cellular
(505) 869-3030 Police Dispatch

h. CGP at 2.2 Erosion and sediment control requirements: Erosion and sediment controls shall be designed to retain sediment on-site.

i. CGP at 2.2 Under Sediment control requirements, Standard Permit Condition Duty to Mitigate Volumes of sediment at or over (five) 5 cubic yards must be removed and placed for disposal within a tribally approved sediment Disposal Site, located on Pueblo of Isleta lands. CGP 2.2 at pg. 8.

j. Under Minimize erosion, a permittee must secure permission from the Pueblo or affected Pueblo of Isleta land assignment owner if a dissipation device needs to be placed up- or down- elevation of a given construction site. CGP 2.2.11 at pg. 11.

k. CGP at 2.3.6 Emergency spill notification requirements: You must notify the Pueblo of Isleta Water Quality Control Officer and National Response Center (NRC) [at (800) 424-8802 or, in the Washington, DC metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR 110, 40 CFR 117, and 40 CFR 302] as soon as you have knowledge of the release. Verbal and electronic notice shall be provided as specified in I.12.6.1

l. CGP at C.3 Equivalent analysis waiver: Parties wishing to apply for an Equivalent Analysis Waiver (see Appendix D, Section C) must provide a copy of the waiver analysis to the Pueblo of Isleta Water Quality Control Officer at the address indicated in 1.4.1 (a).

9.4.2.2 Pueblo of Sandia. The following conditions apply only to discharges on the Pueblo of Sandia Reservation:

a. Only those activities specifically authorized by the CGP are authorized by the Pueblo of Sandia's Water Quality certification. The Pueblo of Sandia's Water Quality Certification does not authorize impact to cultural properties, historical sites or properties that may be eligible as such.

b. Copies of all Notices of Intent (NOI) submitted to the EPA must also be sent concurrently to the Pueblo of Sandia at the following address. Discharges are not authorized by this permit unless an accurate and complete NOI has been submitted to the Pueblo of Sandia, either by mail or electronically.

Regular U.S. Delivery Mail:
Pueblo of Sandia Environment Department
Attention: Scott Bulgrin, Water Quality Manager
481 Sandia Loop
Bernalillo, New Mexico 87004

Electronically:
sbulgrin@sandiapueblo.nsn.us

c. Any correspondences between the applicant and EPA related to analytical data, written reports, corrective action, enforcement, monitoring, or an adverse incident written reports should likewise be routed to the Pueblo of Sandia at the above address.

d. The Stormwater Pollution Prevention Plan (SWPPP) must be available to the Pueblo of Sandia Environment Department either electronically or hard copy upon request for review. The SWPPP must be made available at least fourteen (14) days before construction begins. The fourteen (14) day period will give Pueblo staff time to become familiar with the project site, prepare for construction site inspections, and determine compliance with the Pueblo of Sandia Water Quality Standards. Failure to provide a SWPPP to the Pueblo of Sandia may result in the delay or denial of the construction project.

e. If requested by the Pueblo of Sandia Environment Department, the permittee must provide additional information necessary for a case-by-case eligibility determination to assure compliance with the Pueblo of Sandia Water Quality Standards and/or applicable Federal Standards not authorized by this certification.

f. An "Authorization to Proceed Letter" with site specific mitigation requirements may be sent out to the permittee when a review of the NOI and SWPPP, on a case- by-case basis is completed by the Pueblo of Sandia Environment Department. This approval will allow the application to proceed if all mitigation requirements are met.

g. The Pueblo of Sandia will not allow Small construction Waivers (Appendix C) or the Rainfall Erosivity Waiver (Appendix C.1) to be granted for any small construction activities.

h. Before submitting a Notice of Termination (NOT) to the EPA, permittees must clearly demonstrate to the Pueblo of Sandia Environment Department through a site visit or documentation that requirements for site stabilization have been met and any temporary erosion control structures have been removed. A short letter stating the NOT is acceptable and all requirements have been met will be sent to the permittee to add to the permittee's NOT submission to EPA.

i. Copies of all NOT submitted to the EPA must also be sent concurrently to the Pueblo of Sandia through the mail or electronically.

> Regular U.S. Delivery Mail:
> Pueblo of Sandia Environment Department
> Attention: Scott Bulgrin, Water Quality Manager 481 Sandia Loop
> Bernalillo, New Mexico 87004
>
> Electronically:
> sbulgrin@sandiapueblo.nsn.us

j. The Pueblo of Sandia may require the permittee to perform water quality monitoring for pH, turbidity, and total suspended solids (TSS) during the permit term if the discharge is to a surface water leading to the Rio Grande for the protection of public health and the environment.

9.4.2.3 Pueblo of Santa Ana. The following conditions apply only to discharges on the Pueblo of Santa Ana Reservation:

a. The operator shall provide a copy of the Notice of Intent (NOI) to the Pueblo of Santa Ana (the Pueblo), at the same time it is submitted to the U.S. Environmental Protection Agency (EPA), for projects with discharges onto the lands of the Pueblo as defined in the Pueblo of Santa Ana Water Quality Standards.

b. The operator shall provide a copy of the Stormwater Pollution Prevention Plan (SWPPP), at the same time that an NOI is submitted to the EPA, to the Pueblo for projects with discharges onto the lands of the Pueblo as defined in the Pueblo of Santa Ana Water Quality Standards.

c. The operator shall provide a copy of the SWPPP, copies of inspections reports, and copies of corrective action reports to the Pueblo at the address below for review, upon request.

d. The NOI, SWPPP and Notice of Termination (NOT) shall be sent to the Pueblo at the following address:

Pueblo of Santa Ana Department of Natural Resources,
Attention: Water Quality Program Specialist
2 Dove Road
Santa Ana Pueblo, NM, 87004

e. Discharges are not authorized by this permit unless an accurate and complete NOI and SWPPP have been submitted to the Pueblo. Failure to provide an accurate and complete NOI and SWPPP may result in a denial of the discharge permit or groundbreaking or construction delay.

f. The operator will not proceed with site work until authorized by the Pueblo. The Pueblo requires review of the complete and final SWPPP by the Pueblo before authorization to proceed. The Pueblo will provide an "authorization to proceed" notice after review and approval of the SWPPP.

g. Before submitting a NOT, permittees must certify to the Pueblo's Department of Natural Resources in writing that requirements for site stabilization have been met, and any temporary erosion control structures have been removed. Documentation of the Pueblo's review that such requirements have been reviewed and met will be provided for the permittee to add to the permittee's NOT submission to EPA. Copies of all NOT submitted to the EPA must also be sent to the Pueblo at the address provided above.

9.4.2.4 Pueblo of Santa Clara. The following conditions apply only to discharges on the Pueblo of Santa Clara Reservation:

a. The operator must provide a copy of the Notice of Intent (NOI) and Notice of Termination (NOT) to the Santa Clara Pueblo Governor's Office at the same time it is provided to the US Environmental Protection Agency.

b. A copy of the Storm water Pollution Prevention Plan shall be made available to the Pueblo of Santa Clara staff upon request.

9.4.2.5 Pueblo of Tesuque. The following conditions apply only to discharges on the Pueblo of Tesuque Reservation:

a. The operator shall provide a copy of the Notice of Intent (NOI) to the Pueblo of Tesuque Governor's Office and Environment Department at same time it is submitted to the Environmental Protection Agency, for projects occurring within the exterior boundaries of our tribal lands. The operator shall also notify the Pueblo of Tesuque Governor's Office and Environment Department when it submitted the Notice of Termination. The NOI and NOT shall be sent to the Pueblo of Tesuque Governor's Office and Environment Department at the following address:

Pueblo of Tesuque
Office of the Governor
Route 42 Box 360-T
Santa Fe, NM 87506 or
email: governor@puebloftesuque.org

b. The operator shall also provide a copy of the Stormwater Pollution Prevention Plan, copies of inspections reports, and copies of corrective action reports to staff in the Pueblo of Tesuque Environment Department.

9.4.2.6 Taos Pueblo. The following conditions apply only to discharges on the Taos Pueblo Reservation:

a. The operator shall provide a copy of the Notice of Intent (NOI) to the Taos Pueblo Governor's Office, War Chief's Office and Environmental Office, at the same time it is submitted to the U.S. Environmental Protection Agency, for projects occurring within the exterior boundaries of Taos Pueblo. The operator shall also notify Taos Pueblo when it has submitted the Notice of Termination (NOT). The NOI and NOT shall be sent to the Taos Pueblo at the following addresses:

i. Taos Pueblo Governor's Office
P.O. Box 1846
Taos NM 87571

ii. Taos Pueblo War Chief's Office
P.O. Box 2596
Taos NM 87571

iii. Environmental Office
Attn: Program Manger
P.O. Box 1846
Taos NM 87571

b. Taos Pueblo requests that in the event Indian artifacts or human remains are inadvertently discovered on projects occurring near or on Taos Pueblo lands that consultation with the tribal Governor's Office occur at the earliest possible time.

c. The operator shall provide a copy of the Stormwater Pollution Prevention Plan, copies of inspections reports, and copies of corrective action reports to staff in the Taos Pueblo Environmental Office for review and copy, upon request.

9.4.2.7 Ohkay Owingeh. The following conditions apply only to discharges on the Ohkay Owingeh Reservation:

a. Prior to commencement of any construction activity on Ohkay Owingeh Lands requiring permit coverage under EPA's Construction General Permit, the operator(s) shall submit to Ohkay Owingeh Office of Environmental Affairs, a copy of the electronic "Notice of Intent," submitted to the Environmental Protection Agency, immediately following EPA's electronic notification that the NOI has been received. A copy of the Stormwater Pollution Prevention Plan(s) must be made available to the Ohkay Owingeh Office of Environmental Affairs upon the tribe's request either electronically or hard copy. Operator(s) shall also submit to Ohkay Owingeh Office of Environmental Affairs a copy of the electronic Notice of Termination (NOT) submitted to the Environmental Protection Agency. Documents shall be submitted to Ohkay Owingeh at the following address:

Ohkay Owingeh Office of Environment Affairs
Attention: Environmental Programs Manager
P.O. Box 717
Ohkay Owingeh, New Mexico 87566
Office # 505.852.4212
Fax # 505.852.1432
Electronic mail: naomi.archuleta@ohkay.org

b. Ohkay Owingeh will not allow the Rainfall Erosivity Waivers (see Appendix C) to be granted for any small construction activities.

c. All vegetation used to prevent soil loss, seeding or planting of the disturbed area(s) to meet the vegetative stabilization requirements must utilize native seeds/vegetation commonly known to the area. All temporary erosion control structures, such as silt fences must be removed as soon as stabilization requirements are met.

9.4.3 OKR10I000 Indian country within the State of Oklahoma

9.4.3.1 Pawnee Nation. The following conditions apply only to discharges within Pawnee Indian country:

a. Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) must be provided to the Pawnee Nation at the same time it is submitted to the Environmental Protection Agency to the following address:

Pawnee Nation Department of Environmental Conservation and Safety
P.O. Box 470
Pawnee, OK 74058
Or email to mmatlock@pawneenation.org

b. The Storm Water Pollution Prevention Plan must be available to Departmental inspectors upon request.

c. The Department must be notified at 918.762.3655 immediately upon discovery of any noncompliance with any provision of the permit conditions.

9.4.4 OKR10F000 Discharges in the State of Oklahoma that are not under the authority of the Oklahoma Department of Environmental Quality, including activities associated with oil and gas exploration, drilling, operations, and pipelines (includes SIC Groups 13 and 46, and SIC codes 492 and 5171), and point source discharges associated with agricultural production, services, and silviculture (includes SIC Groups 01, 02, 07, 08, 09).

a. For activities located within the watershed of any Oklahoma Scenic River, including the Illinois River, Flint Creek, Barren Fork Creek, Upper Mountain Fork, Little Lee Creek, and Lee Creek or any water or watershed designated "ORW" in Oklahoma's Water Quality Standards, this permit may only be used to authorize discharges from temporary construction activities. Certification is denied for any on-going activities such as sand and gravel mining or any other mineral mining.

b. For activities located within the watershed of any Oklahoma Scenic River, including the Illinois River, Flint Creek, Barren Fork Creek, Upper Mountain Fork, Little Lee Creek, and Lee Creek or any water or watershed designated "ORW" in Oklahoma's Water Quality Standards, certification is denied for any discharges originating from support activities, including concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, or borrow areas.

c. In order to company with Oklahoma's Water Quality Standards, these conditions and restrictions also apply to any construction projects located wholly or partially on Indian Country lands within the State of Oklahoma.

9.5 EPA REGION 8

9.5.1 MTR10I000 Indian country within the State of Montana

9.5.1.1 The Confederated Salish and Kootenai Tribes of the Flathead Nation. The following conditions apply only to discharges on the Confederated Salish and Kootenai Tribes of the Flathead Nation Reservation:

a. Permittees must submit the Stormwater Pollution Prevention Plan (SWPPP) to the Confederated Salish and Kootenai Tribes at least 30 days before construction starts.

b. Before submitting the Notice of Termination (NOT), permittees must clearly demonstrate to an appointed Tribal staff person during an onsite inspection that requirements for site stabilization have been met.

c. The permittee must send a copy of the Notice of Intent (NOI) and the NOT to CSKT.

d. Permittees may submit their SWPPPs, NOIs and NOTs electronically to: clintf@cskt.org.

e. Written SWPPPs, NOIs and NOTs may be mailed to:

Clint Folden, Water Quality Regulatory Specialist
Confederated Salish and Kootenai Tribes
Natural Resources Department
P.O. Box 278
Pablo, MT 59855

9.6 EPA REGION 9

9.6.1 CAR10I000 Indian country within the State of California

9.6.1.1 Twenty-Nine Palms Band of Mission Indians. The following conditions apply only to discharges on the Twenty-Nine Palms Band of Mission Indians Reservation:

a. At the time the applicant submits its Notice of Intent (NOI) to the EPA, the applicant must concurrently submit written notification of the NOI and a copy of the Stormwater Pollution Prevention Plan (SWPPP) to the Twenty-Nine Palms Band of Mission Indians at the address below:

Tribal Environmental Coordinator
Twenty-Nine Palms Band of Mission Indians
46-200 Harrison Place
Coachella, CA 92236

b. The applicant must also concurrently submit to the Tribal Environmental Coordinator written notification of any other forms or information submitted to the EPA, including waivers, reporting, and Notice of Termination (NOT).

c. Permitted entities under the CGP must keep the Tribal EPA informed of authorized discharges under the CGP by submitting written information about the type, quantity, frequency and location, intended purpose, and potential human health and/or environmental effects of their activities. These requirements are pursuant to Section 4 of the Twenty-Nine Palms Band of Mission Indians Water Pollution Control Ordinance (022405A). This information may be submitted to Tribal EPA in the form of Stormwater Pollution Prevention Plans (SWPPPs), monitoring reports, or other reports as required

under the CGP. Spills, leaks, or unpermitted discharges must be reported in writing to Tribal EPA within 24 hours of the incident.

9.6.2 GUR100000 Island of Guam. The following conditions apply only to discharges on the Island of Guam:

a. Any earth-moving operations which require a permit must be obtained from the Department of Public Works (DPW) with clearance approval from various Government of Guam Agencies including Guam EPA prior to the start of any earth-moving activity.

b. In the event that the construction sites are within the Guam Sole Source Aquifer, the construction site owner and operator must consider opportunities to facilitate groundwater recharge for construction and post-construction implementing infiltration Best Management Practices. Stormwater disposal systems shall be designed and operated within the boundaries of the project. Stormwater systems shall not be permitted within any Wellhead Protection Zone unless the discharge meets the Guam Water Quality Standards within the zone. Waters discharged within the identified category G-2 recharge zone shall receive treatment to the degree required to protect the drinking water quality prior to it entering the category G-1 resource zone.

c. All conditions and requirements set forth in the 22 Guam Administrative Rules and Regulations (GARR), Division II, Water Control, Chapter 10, Guam Soil Erosion and Sediment Control Regulations (GSESCR) that are more protective than the CGP regarding construction activities must be complied with.

d. All standards and requirements set forth in the 22 GARR, Division II, Water Control, Chapter 5, *Guam Water Quality Standards (GWQS) 2001 Revisions*, must be complied with to include reporting GWQS exceedance to Guam EPA.

e. All operators/owners of any property development or earth moving activities shall comply with the erosion control pre-construction and post-construction BMP design performance standards and criteria set forth in the 2006 CNMI and Guam Stormwater Management Manual.

f. All conditions and requirements regarding dewatering activities set forth in 22 Guam Administrative Rules and Regulations Chapter 7, Water Resources Development and Operating Regulations must be complied with to include securing permits with Guam EPA prior to the start of any dewatering activities.

g. If a project to be developed is covered under the Federal Stormwater Regulations (40 CFR Parts 122 & 123), a Notice of Intent (NOI) to discharge stormwater to the surface and marine waters of Guam must be submitted to the U.S. EPA and a copy furnished to Guam EPA, pursuant to Section 10, 104(B)(5)(d) 22GAR, Division II, Chapter 10.

h. Guam EPA shall apply the Buffer Requirements listed in Appendix G of the CGP NPDES Permit for construction activities as it pertains to Waters of the U.S. in Guam. Guam EPA shall also apply the same buffer requirements for sinkholes in Guam.

i. When Guam EPA, through its permit review process, identifies that the proposed construction activity is close proximity to marine waters, contractors and owners will be informed that any activity that may impair water quality are required to stop

during peak coral spawning periods as per the Guam Coral Spawning Construction Moratoriums.

j. The Proposed Construction General Permit must set appropriate measures and conditions to protect Guam's Threatened and Endangered Species and Outstanding Resource Waters of exceptional recreational or ecological significance as determined by the Guam EPA Administrator as per *Guam Water Quality Standards 2001 Revisions,* §5102, Categories of Waters, D. Outstanding Resource Waters.

k. When Guam EPA through its permit review process identifies that proposed construction activity is in close proximity to any Section 303d impaired waters, which includes marine waters and surface waters, shall ensure that construction activity does not increase the impaired water's ambient parameters.

l. When Rainfall Erosivity and TMDL Waivers reflected in the CGP, Appendix C, are submitted to the U.S. EPA, Guam EPA will review waivers on a project by project basis.

m. Prior to submission of the Notice of Termination (NOT) to the U.S. EPA, permittees must clearly demonstration to Guam EPA that the project site has met all soil stabilization requirements and removal of any temporary erosion control as outlined in the GSESCR.

9.7 EPA REGION 10

9.7.1 IDR100000 State of Idaho, except Indian country

a. *Idaho's Antidegradation Policy*. The WQS contain an antidegradation policy providing three levels of protection to water bodies in Idaho (IDAPA 58.01.02.051).

1. Tier I Protection. The first level of protection applies to all water bodies subject to Clean Water Act jurisdiction and ensures that existing uses of a water body and the level of water quality necessary to protect those existing uses will be maintained and protected (IDAPA 58.01.02.051.01; 58.01.02.052.01). Additionally, a Tier 1 review is performed for all new or reissued permits or licenses (IDAPA 58.01.02.052.05).

2. Tier II Protection. The second level of protection applies to those water bodies considered high quality and ensures that no lowering of water quality will be allowed unless deemed necessary to accommodate important economic or social development (IDAPA 58.01.02.051.02; 58.01.02.052.08).

3. Tier III Protection. The third level of protection applies to water bodies that have been designated outstanding resource waters and requires that activities not cause a lowering of water quality (IDAPA 58.01.02.051.03; 58.01.02.052.09).

   DEQ is employing a water body by water body approach to implementing Idaho's antidegradation policy. This approach means that any water body fully supporting its beneficial uses will be considered high quality (IDAPA 58.01.02.052.05.a). Any water body not fully supporting its beneficial uses will be provided Tier I protection for that use, unless specific circumstances warranting Tier II protection are met (IDAPA 58.01.02.052.05.c). The most recent federally approved Integrated Report and supporting data are used to determine support status and the tier of protection (IDAPA 58.01.02.052.05).

b. *Pollutants of Concern.* The primary pollutants of concern associated with stormwater discharges from construction activities are sediment, typically measured as total suspended solids and turbidity. Other potential pollutants include the following:

phosphorus, nitrogen, pesticides, organics, metals, PCBs, petroleum products, construction chemicals, and solid wastes.

c. *Receiving Water Body Level of Protection.* The CGP provides coverage to construction activities throughout the entire State of Idaho. Because of the statewide applicability, all of the jurisdictional waters within Idaho could potentially receive discharges either directly or indirectly from activities covered under the CGP. DEQ applies a water body by water body approach to determine the level of antidegradation a water body will receive.

All waters in Idaho that receive discharges from activities authorized under the CGP will receive, at minimum Tier I antidegradation protection because Idaho's antidegradation policy applies to all waters of the state. Water bodies that fully support their aquatic life or recreational uses are considered to be *high quality waters* and will receive Tier II antidegradation protection.

Although Idaho does not currently have any Tier III designated outstanding resource waters (ORWs) designated, it is possible for a water body to be designated as an ORW during the life of the CGP. Because of this potential, the antidegradation review also assesses whether the permit complies with the outstanding resource water requirements of Idaho's antidegradation policy.

To determine the support status of the receiving water body, persons filing a Notice of Intent (NOI) for coverage under this general permit must use the most recent EPA-approved Integrated Report, available on Idaho DEQ's website: http://www.deq.idaho.gov/water-quality/surface-water/monitoring-assessment/integrated-report/.

High quality waters are identified in Categories 1 and 2 of the Integrated Report. If a water body is in either Category 1 or 2, it is a Tier II water body.

Unassessed waters are identified as Category 3 of DEQ's Integrated Report. These waters require a case-by-case determination to be made by DEQ based on available information at the time of the application for permit coverage. If a water body is unassessed, the applicant is directed to contact DEQ for assistance in filing the NOI.

Impaired waters are identified in Categories 4 and 5 of the Integrated Report. Category 4(a) contains impaired waters for which a TMDL has been approved by EPA. Category 4(b) contains impaired waters for which controls other than a TMDL have been approved by EPA. Category 5 contains waters which have been identified as "impaired," for which a TMDL is needed. These waters are Tier I waters, for the use which is impaired. With the exception, if the aquatic life uses are impaired for any of these three pollutants—dissolved oxygen, pH, or temperature—and the biological or aquatic habitat parameters show a health, balanced biological community, then the water body shall receive Tier II protection, in addition to Tier I protection, for aquatic life uses (IDAPA 58.01.02.052.05.c.i.).

DEQ's webpage also has a link to the state's map-based Integrated Report which presents information from the Integrated Report in a searchable, map-based format: http://www.deq.idaho.gov/assistance-resources/maps-data/.

Water bodies can be in multiple categories for different causes. If assistance is needed in using these tools, or if additional information/clarification regarding the

support status of the receiving water body is desired, the operator is directed to make contact with the appropriate DEQ regional office of the State office in the table below:

Regional and State Office	Address	Phone Number	Email
Boise	1445 N. Orchard Rd., Boise 83706	208-373-0550	Kati.carberry@deq.idaho.gov
Coeur d'Alene	2110 Ironwood Parkway, Coeur D'Alene 83814	208-769-1422	June.bergquist@deq.idaho.gov
Idaho Falls	900 N. Skyline, Suite B., Idaho Falls 83402	208-528-2650	Troy.saffle@deq.idaho.gov
Lewiston	1118 "F" St., Lewiston 83501	208-799-4370	Mark.sellet@deq.idaho.gov
Pocatello	444 Hospital way, #300 Pocatello 83201	208-236-6160	Lynn.vanevery@deq.idaho.gov
Twin Falls	650 Addison Ave., W., Suite 110, Twin Falls 83301	208-736-2190	Balthasar.buhidar@deq.idaho.gov
State Office	1410 N. Hilton Rd., Boise 83706	208-373-0502	Nicole.deinarowicz@deq.idaho.gov

d. *Turbidity Monitoring.* The permittee must conduct turbidity monitoring during construction activities and thereafter on days where there is a direct discharge of pollutants from an unstabilized portion of the site which is causing a visible plume to a water of the U.S.

A properly and regularly calibrated turbidimeter is required for measurements analyzed in the field (preferred method), but grab samples may be collected and taken to a laboratory for analysis. If the permittee can demonstrate that there will be no direct discharge from the construction site, then turbidity monitoring is not required. When monitoring is required, a sample must be taken at an undisturbed area immediately upstream of the project area to establish background turbidity levels for the monitoring event. Background turbidity, location, date and time must be recorded prior to monitoring downstream of the project area. A sample must also be taken immediately downstream from any point of discharge and *within* any visible plume. The turbidity, location, date and time must be recorded. The downstream sample must be taken immediately following the upstream sample in order to obtain meaningful and representative results.

Results from the compliance point sampling or observation[78] must be compared to the background levels to determine whether project activities are causing an exceedance of state WQS. If the downstream turbidity is 50 NTUs or more than the upstream turbidity, then the project is causing an exceedance of WQS. *Any exceedance of the turbidity standard must be reporting to the appropriate DEQ regional office within 24 hours. The following six (6) steps should be followed to ensure compliance with the turbidity standard:*

1. If a visible plume is observed, quantify the plume by collecting turbidity measurements from within the plume and compare the results to Idaho's instantaneous numeric turbidity criterion (50 NTU over the background).
2. If turbidity is less than 50 NTU instantaneously over the background turbidity; continue monitoring as long as the plume is visible. If turbidity exceeds background turbidity by more than 50 NTU instantaneously then stop all earth disturbing construction activities and proceed to step 3.
3. Take immediate action to address the cause of the exceedance. That may include inspection the condition of project BMPs. If the BMPs are functioning to their fullest capability, then the permittee must modify project activities and/or BMPs to correct the exceedance.
4. Notify the appropriate DEQ regional office within 24 hours.
5. Possibly increase monitoring frequency until state water quality standards are met.
6. Continue earth disturbing construction activities once turbidity readings return to within 50 NTU instantaneously and 25 NTU for more than ten consecutive days over the background turbidity.

Copies of daily logs for turbidity monitoring must be available to DEQ upon request. The report must describe all exceedances and subsequent actions taken, including the effectiveness of the action.

e. *Reporting of Discharges Containing Hazardous Materials or Petroleum Products.* All spills of hazardous material, deleterious material or petroleum products which may impact waters (ground and surface) of the state shall be immediately reported. Call 911 if immediate assistance is required to control, contain or clean up the spill. If no assistance is needed in cleaning up the spill, contact the appropriate DEQ regional office in the table below during normal working hours or Idaho State Communications Center after normal working hours. If the spilled volume is above federal reportable quantities, contact the National Repose Center.

For immediate assistance: Call 911

National Response Center: (800) 424-8802

Idaho State Communications Center: (800) 632-8000

[78] A visual observation is only acceptable to determine whether BMPs are functioning properly. If a plume is observed, the project may be causing an exceedance of WQS and the permittee must collect turbidity data and inspect the condition of the projects BMPs. If the BMPs appear to be functioning to their fullest capability and the turbidity is 50 NTUs or more than the upstream turbidity, then the permittee must modify the activity or implement additional BMPs (this may also include modifying existing BMPs).

Regional office	Toll Free Phone Number	Phone Number
Boise	888-800-3480	208-373-0550
Coeur d'Alene	877-370-0017	208-769-1422
Idaho Falls	800-232-4635	208-528-2650
Lewiston	977-547-3304	208-799-4370
Pocatello	888-655-6160	208-236-6160
Twin Falls	800-270-1663	208-736-2190

9.7.2 IDR10I000 Indian country within the State of Idaho, except Duck Valley Reservation lands (see Region 9)

9.7.2.1 Shoshone-Bannock Tribes. The following conditions apply only to discharges on the Shoshone-Bannock Reservation:

f. Each operator shall submit a signed hard copy of the Notice of Intent (NOI) to the Shoshone-Bannock Tribes Water Resources Department at the same time it is submitted electronically to the Environmental Protection Agency (EPA) and shall provide the Shoshone-Bannock Tribes Water Resources Department the acknowledgement of receipt of the NOI from the EPA within 7 calendar days of receipt from the EPA.

9.7.3 WAR10F000 Areas in the State of Washington, except those located on Indian country, subject to construction activity by a Federal Operator. The following conditions apply only to discharges on federal facilities in the State of Washington:

a. Discharges shall not cause or contribute to a violation of surface water quality standards (Chapter 173-201A WAC), groundwater quality standards (Chapter 173-200 WAC), sediment management standards (Chapter 173-204 WAC), and human health-based criteria in the National Toxics Rule (40 CFR Part 131.36). Discharges that are not in compliance with these standards are not authorized.

b. Prior to the discharge of stormwater and non-storm water to waters of the State, the Permittee must apply all known, available, and reasonable methods of prevention, control, and treatment (AKART). This includes the preparation and implementation of an adequate SWPPP, with all appropriate BMPs installed and maintained in accordance with the SWPPP and the terms and conditions of this permit.

c. Permittees who discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, phosphorus, or pH must comply with the following numeric effluent limits:

Parameter Identified in 303{d) Listing	Parameter Sampled	Unit	Analytical Method	Numeric Effluent Limit
• Turbidity • Fine Sediment • Phosphorus	Turbidity	NTU	SM2130 or EPA 180.1	25 NTUs at the point where the stormwater is discharged from the site.
High pH	pH	Su	pH meter	In the range of 6.5 – 8.5

d. All references and requirements associated with Section 303(d) of the Clean Water Act mean the most current EPA approved listing of impaired waters that exists on February 16, 2017, or the date when the operator's complete permit application is received by EPA, whichever is later.

e. Discharges to waterbodies subject to an applicable Total Maximum Daily Load (TMDL) for turbidity, fine sediment, high pH, or phosphorus, shall be consistent with the assumptions and requirements of the TMDL.

   i. Where an applicable TMDL sets specific waste load allocations or requirements for discharges covered by this permit, discharges shall be consistent with any specific waste load allocations or requirements establish by the applicable TMDL.

   ii. Where an applicable TMDL has established a general waste load allocation for construction stormwater discharges, but no specific requirements have been identified, compliance with this permit will be assumed to be consistent with the approved TMDL.

   iii. Where an applicable TMDL has not specified a waste load allocation for construction stormwater discharges, but has not excluded these discharges, compliance with this permit will be assumed to be consistent with the approved TMDL.

   iv. Where an applicable TMDL specifically precludes or prohibits discharges from construction activity, the operator is not eligible for coverage under this permit.

   v. Applicable TMDL means a TMDL for turbidity, fine sediment, high pH, or phosphorus, which has been completed and approved by EPA prior to February 16, 2017, or prior to the date the operator's complete NOI is received by EPA, whichever is later.

9.7.4 WAR10I000 Indian country within the State of Washington

9.7.4.1 Confederated Tribes of the Colville Reservation. The following conditions apply only to discharges on the Colville Indian Reservation (CIR) and on other Tribal trust lands or allotments of the Confederated Tribes of the Colville Reservation:

a. A copy of the Stormwater Pollution Prevention Plan must be submitted to the following office at least thirty (30) days in advance of sending the Notice of Intent (NOI) to EPA:

   Environmental Trust Department
   Confederated Tribes of the Colville Reservation
   PO Box 150
   Nesepelem, WA 99155

b. Copies of the Notice of Intent (NOI) and Notice of Termination (NOT) must be sent to the ETD at the same time they are submitted to EPA.

c. Discharges to Omak Creek, the Okanogan River, and Columbia River downstream of Chief Joseph Dam may affect threatened or endangered species, and shall only be permitted in adherence with Appendix D of the CGP.

d. All work shall be carried out in such a manner as will prevent violations of water quality criteria as stated in Chapter 4-8 Water Quality Standards of the Colville Law and Order Code, as amended.

e. Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the CIR. All spills must be reported to the appropriate emergency management agency and the ETD, and measures shall be taken immediately to prevent the pollution of waters of the CIR, including groundwater.

f. Stormwater site inspections shall be conducted at least once every 7 calendar days, within 24-hours of the occurrence of a rain event of 0.25 inches or greater in a 24-hour period, and daily during periods of saturated ground surface or snowmelt with accompanying surface runoff.

g. Results of discharge sampling must be reported to the ETD within 7 days of sample collection. All sample reporting must include the date and time, location, and individual performing the sampling.

h. Any corrective action reports that are required under the CGP must be submitted to the ETD at the above address within one (1) working day of the report completion.

i. This certification does not authorize impacts to cultural, historical, or archeological features or sites, or proprieties that may be eligible for such listing.

9.7.4.2 Lummi Nation. The following conditions apply only to discharges on the Lummi Reservation:

a. The Lummi Nation reserves the right to modify this 401 certification if the final version of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (CGP) on tribal lands in the State of Washington (Permit No. WAR10I000) is substantively different than the draft version of the proposed permit that was made available for public comments during April 2016. The Lummi Nation will determine if the final version of the NPDES CGP is substantively different than the draft version following review of the final version once the EPA makes it available.

b. This certification does not exempt and is provisional upon compliance with other applicable statutes and codes administered by federal and Lummi tribal agencies. Pursuant to Lummi Code of Laws (LCL) 17.05.020(a), the operator must also obtain a land use permit from the Lummi Planning Department as provided in Title 15 of the Lummi Code of Laws and regulations adopted thereunder.

c. Pursuant to LCL 17.05.020(a), each operator shall develop and submit a Storm Water Pollution Prevention Plan to the Lummi Water Resources Division for review and approval by the Water Resources Manager prior to beginning any discharge activities.

d. Pursuant to LCL Title 17, each operator shall be responsible for achieving compliance with the Water Quality Standards for Surface Waters of the Lummi Indian Reservation (Lummi Administrative Regulations [LAR] 17 LAR 07.010 through 17 LAR 07.210 together with supplements and amendments thereto).

e. Each operator shall submit a signed hard copy of the Notice of Intent (NOI) to the Lummi Water Resources Division at the same time it is submitted electronically to the Environmental Protection Agency (EPA) and shall provide the Lummi Water Resources Division the acknowledgement of receipt of the NOI from the EPA and the associated NPDES tracking number provided by the EPA within 7 calendar days of receipt from the EPA.

f. Each operator shall submit a signed hard copy of the Notice of Termination (NOT) to the Lummi Water Resources Division at the same time it is submitted electronically to the EPA and shall provide the Lummi Water Resources Division the EPA acknowledgement of receipt of the NOT.

g. Storm Water Pollution Prevention Plans, Notice of Intent, Notice of Termination and associated correspondence with the EPA shall be submitted to:

Lummi Natural Resources Department
ATTN: Water Resources Manager
2665 Kwina Road
Bellingham, WA 98226-9298

9.7.4.3 Makah Tribe. The following conditions apply only to discharges on the Makah Reservation:

a. The operator shall be responsible for achieving compliance with the Makah Tribe's Water Quality Standards.

b. The operator shall submit a Storm Water Pollution Prevention Plan to the Makah Tribe Water Quality Program and Makah Fisheries Habitat Division for review and approval at least thirty (30) days prior to beginning any discharge activities.

c. The operator shall submit a copy of the Notice of Intent to the Makah Tribe Water Quality Program and Makah Fisheries Habitat Division at the same time it is submitted to EPA.

d. Storm Water Pollution Prevention Plans and Notices of Intent shall be submitted to:

Aaron Parker
Makah Fisheries Management Water Quality Specialist
(360) 645-3162
Cell 206-356-0319
Aaron.parker@makah.com
PO Box 115
Neah Bay WA 98357

9.7.4.4 Puyallup Tribe of Indians. The following conditions apply only to discharges on the Puyallup Tribe of Indians Reservation:

a. Each permittee shall be responsible for achieving compliance with the Puyallup Tribe's Water Quality Standards, including antidegradation provisions. The Puyallup Natural Resources Department will conduct an antidegradation review for permitted activities that have the potential to lower water quality. The antidegradation review will be consistent with the Tribe's Antidegradation Implementation Procedures. The Tribe may also impose additional controls on a site-specific basis, or request EPA to require the operator obtain coverage under an individual permit, if information in the NOI or from other sources indicates that the operator's discharges are not controlled as necessary to meet applicable water quality standards.

b. The permittee shall be responsible for meeting any additional permit requirements imposed by EPA necessary to comply with the Puyallup Tribe's antidegradation policies if the discharge point is located within 1 linear mile upstream of waters designated by the Tribe.

c. Each permittee shall submit a copy of the Notice of Intent (NOI) to be covered by the general permit to Char Naylor (char.naylor@puyalluptribe.com) and Russ Ladley (russ.ladley@puyalluptribe.com) by email or at the address listed below at the same time it is submitted to EPA.

    Puyallup Tribe of Indians
    3009 E. Portland Avenue
    Tacoma, WA 98404
    ATTN: Russ Ladley and Char Naylor

d. All supporting documentation and certifications in the NOI related to coverage under the general permit for Endangered Species Act purposes shall be submitted to the Tribe's Resource Protection Manager (russ.ladley@puyalluptribe.com) and Char Naylor (char.naylor@puyalluptribe.com) for review.

e. If EPA requires coverage under an individual or alternative permit, the permittee shall submit a copy of the permit to Russ Ladley and Char Naylor at the address listed above.

f. The permittee shall submit all stormwater pollution prevention plans to Char Naylor for review and approval prior to beginning any activities resulting in a discharge to tribal waters.

g. The permittee shall conduct benchmark monitoring for turbidity (or transparency) and, in the event of significant concrete work or engineered soils, pH monitoring as well. Monitoring, benchmarks, and reporting requirements contained in Condition S.4. (pp.13-20) of the Washington State Construction Stormwater General Permit, effective January 1, 2016, shall apply, as applicable.

h. The permittee shall notify Char Naylor (253-680-5520) and Russ Ladley (253-680-5560) prior to conducting inspections at construction sites generating storm water discharged to tribal waters.

i. Treat dewatering discharges with controls necessary to minimize discharges of pollutants in order to minimize the discharge of pollutants to groundwater or surface waters from stormwater that is removed from excavations, trenches, foundations, vaults, or other storage areas. Examples of appropriate controls include sediment basins or sediment traps, sediment socks, dewatering tanks, tube settlers, weir tanks, and filtration systems (e.g., bag or sand filters) that are designed to remove sediment.

    To the extent feasible, utilize vegetated, upland areas of the site to infiltrate dewatering water before discharge. At all points where dewatering water is discharged, comply with the velocity dissipation requirements of Part 2.2.11 of EPA's 2016 General Construction Stormwater Permit. Examples of velocity dissipation devices include check dams, sediment traps, riprap, and grouted riprap at outlets.

j. The permittee shall provide and maintain natural buffers to the maximum extent possible (and/or equivalent erosion and sediment controls) when tribal waters are located within 100 feet of the site's earth disturbances. If infeasible to provide and maintain an undisturbed 100 foot natural buffer, erosion and sediment controls to achieve the sediment load reduction equivalent to a 100-foot undisturbed natural buffer shall be required.

9.7.4.5 Spokane Tribe of Indians. The following conditions apply only to discharges on the Spokane Tribe Reservation:

a. Pursuant to Tribal Law and Order Code (TLOC) Chapter 30 each operator shall be responsible for achieving compliance with the Surface Water Quality Standards of the Spokane Tribe. The operator shall notify the Spokane Tribe, Water Control Board (WCB) of any spills of hazardous material and;

b. Each operator shall submit a signed hard copy of the Notice of Intent (NOI) to the WCB at the same time it is submitted to EPA.

c. The permittee shall allow the Tribal Water Control Board or its designee to inspect and sample at the construction site as needed.

d. Each operator shall submit a signed copy of the Notice of Termination (NOT) to the WCB at the same time it is submitted to EPA.

The correspondence address for the Spokane Tribe Water Control Board is:

Water Control Board
c/o. Brian Crossley
P0 Box 480
Wellpinit WA 99040
(509)626-4409
crossley@spokanetribe.com

9.7.4.6 Swinomish Indian Tribal Community. The following conditions apply only to discharges on the Swinomish Reservation:

a. Owners and operators seeking coverage under this permit who intend to discharge to Regulated Surface Waters must submit a copy of the Notice of Intent (NOI) to the DEP at the same time the NOI is submitted to EPA.

b. Owners and operators seeking coverage under this permit must also submit a Stormwater Pollution Prevention Plan to the DEP for review and approval by DEP prior to beginning any discharge activities.

c. Owners and operators must also submit to the DEP Changes in NOI and/or Notices of Termination at the same time they are submitted to EPA.

9.7.4.7 Tulalip Tribes. The following conditions apply only to discharges on the Tulalip Reservation:

a. This certification does not exempt and is provisional upon compliance with other applicable statues and codes administered by federal and Tulalip tribal agencies. Pursuant to Tulalip Tribes code of law, the operator must also obtain a land use permit from the Tulalip Tribes Planning Department as provided in Title 7 of the Tulalip Tribal Code (http://www.codepublishing.com/WA/Tulalip/?Tulalip02/Tulalip0205.html).

b. Each CGP operator shall be responsible for achieving compliance with Tulalip Tribes Water Quality Standards.

c. Each CGP operator shall submit their Stormwater Pollution Prevention Plan (SWPPP) to the:

Tulalip Natural & Cultural Resources Department
Tulalip Tribes
6406 Marine Drive
Tulalip, WA 98271

Appendix C – Copy of NOI and EPA Authorization email

INSERT COPY OF NOI AND EPA'S AUTHORIZATION EMAIL PROVIDING COVERAGE UNDER THE CGP

Appendix D – Copy of Inspection Form

2017 Construction General Permit
Inspection Report Template – Field Version

Purpose

This Inspection Report Template (or "template") is to assist you in preparing inspection reports for EPA's 2017 Construction General Permit (CGP). If you are covered under the 2017 CGP, you can use this template to create an inspection report form that is customized to the specific circumstances of your site and that complies with the minimum reporting requirements of Part 4.7 of the permit. Note that the use of this form is optional; you may use your own inspection report form provided it includes the minimum information required in Part 4.7 of the CGP.

If you are covered under a state CGP, this template may be helpful in developing a form that can be used for that permit; however, it will need to be modified to meet the specific requirements of that permit. If your permitting authority requires you to use a specific inspection report form, you should not use this form.

Notes:

While EPA has made every effort to ensure the accuracy of all instructions contained in the Inspection Report Template, it is the permit, not the template, that determines the actual obligations of regulated construction stormwater discharges. In the event of a conflict between the Inspection Report Template and any corresponding provision of the 2017 CGP, you must abide by the requirements in the permit. EPA welcomes comments on the Inspection Report Template at any time and will consider those comments in any future revision of this document. You may contact EPA for CGP-related inquiries at cgp@epa.gov.

Overview of Inspection Requirements (see CGP Part 4)

Construction operators covered under the 2017 CGP are subject to the following inspection requirements:

Person(s) Responsible for Inspecting the Site (see Part 4.1)

The person(s) inspecting your site must be a "qualified person" who may be either on your staff or a third party you hire to conduct such inspections.

- A "qualified person" is a person knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possesses the appropriate skills and training to assess conditions at the construction site that could impact stormwater quality, and the appropriate skills and training to assess the effectiveness of any stormwater controls selected and installed to meet the requirements of this permit.

Inspection Frequency (see Part 4.2)

You are required to conduct inspections either:

- Once every 7 calendar days; or
- Once every 14 calendar days and within 24 hours of a storm event of 0.25 inches or greater or the occurrence of runoff from snowmelt sufficient to cause a discharge.

Your inspection frequency is increased if the site discharges to a sensitive water. See Part 4.3. Your inspection frequency may be decreased to account for stabilized areas, or for arid, semi-arid, or drought-stricken conditions, or for frozen conditions. See Part 4.4.

Areas That Need to Be Inspected (see Part 4.5)

During each inspection, you must inspect the following areas of your site:

- Cleared, graded, or excavated areas of the site;
- Stormwater controls (e.g., perimeter controls, sediment basins, inlets, exit points etc.) and pollution prevention practices (e.g., pollution prevention practices for vehicle fueling/maintenance and washing, construction product storage, handling, and disposal, etc.) at the site;
- Material, waste, or borrow areas covered by the permit, and equipment storage and maintenance areas;
- Areas where stormwater flows within the site;
- Stormwater discharge points; and
- Areas where stabilization has been implemented.

What to Check For During Your Inspection (see Part 4.6)

During your site inspection, you are required to check:

- Whether stormwater controls or pollution prevention practices are properly installed, require maintenance or corrective action, or whether new or modified controls are required;
- For the presence of conditions that could lead to spills, leaks, or other pollutant accumulations and discharges;
- For locations where new or modified stormwater controls are necessary to meet requirements of the permit;

- Whether there are visible signs of erosion and sediment accumulation at points of discharge and to the channels and streambanks that are in the immediate vicinity of the discharge;
- If a stormwater discharge is occurring at the time of the inspection, whether there are obvious, visual signs of pollutant discharges; and
- If any permit violations have occurred on the site.

Inspection Reports (see Part 4.7)
Within 24 hours of completing each inspection, you are required to complete an inspection report that includes:

- Date of inspection;
- Names and titles of person(s) conducting the inspection;
- Summary of inspection findings;
- Rain gauge or weather station readings if your inspection is triggered by the 0.25-inch storm threshold; and
- If you determine that a portion of your site is unsafe to access for the inspection, documentation of what conditions prevented the inspection and where these conditions occurred on the site

Instructions for Using This Template
This Field Version of the Inspection Report Template is intended to be used in the field and filled out by hand. If you will be filling out the Inspection Report Template electronically (i.e., you will be typing in your findings), please use the Electronic Version of the Inspection Report Template available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources. The Electronic Version includes text fields with instructions for what to enter.

Keep in mind that this document is a template and not an "off-the-shelf" inspection report that is ready to use without some modification. You must first customize this form to include the specifics of your project in order for it to be useable for your inspection reports. Once you have entered all of your site-specific information into these fields, you may print out this form for use in the field to complete inspection reports.

The following tips for using this template will help you ensure that the minimum permit requirements are met:

- **Review the inspection requirements.** Before you start developing your inspection report form, read the CGP's Part 4 inspection requirements. This will ensure that you have a working understanding of the permit's underlying inspection requirements.
- **Complete all required text fields.** Fill out all text fields. Only by filling out all fields will the template be compliant with the requirements of the permit. (Note: Where you do not need the number of rows provided in the template form for your inspection, you may leave those rows blank. Or, if you need more space to document your findings, you may add an additional sheet.)
- **Use your site map to document inspection findings.** In several places in the template, you are directed to specify the location of certain features of your site, including where stormwater controls are installed and where you will be stabilizing exposed soil. You are also asked to fill in location information for unsafe conditions and the locations of any discharges occurring during your inspections. Where you are asked for location information, EPA encourages you to reference the point on your SWPPP site map that corresponds to the requested location on the inspection form. Using the site map as a tool in this way will help you conduct efficient inspections, will assist you in evaluating problems found, and will ensure proper documentation.
- **Sign and certify each inspection report.** The operator or a duly authorized representative (see Appendix I, Part I.11.2) must sign and certify each inspection report for it to be considered complete. Where a contractor or subcontractor carries out your inspections, it is recommended that you also have the inspector sign and certify the form, in addition to the signature and certification required of the permitted operator. The template includes a signature block for both parties.
- **Include the inspection form with your SWPPP.** Once your form is complete, make sure to include a copy of the inspection form in your SWPPP in accordance with Part 7.2.7.e of the CGP.
- **Retain copies of all inspection reports with your records.** You must also retain in your records copies of all inspection reports in accordance with the requirements in Part 4.7.3 of the 2017 CGP. These reports must be retained for at least 3 years from the date your permit coverage expires or is terminated.

Section-by-Section Instructions
You will find specific instructions corresponding to each section of the report form on the reverse side of each page. These instructions provide you with more details in terms of what EPA expects to be documented in these reports.

General Information
(see reverse for instructions)

Name of Project		**NPDES ID No.**		**Inspection Date**	
Weather conditions during inspection		**Inspection start time**		**Inspection end time**	

Inspector Name, Title & Contact Information	
Present Phase of Construction	
Inspection Location (if multiple inspections are required, specify location where this inspection is being conducted)	

Inspection Frequency *(Note: you may be subject to different inspection frequencies in different areas of the site. Check all that apply)*

Standard Frequency:

☐ Every 7 days

☐ Every 14 days and within 24 hours of a 0.25" rain or the occurrence of runoff from snowmelt sufficient to cause a discharge

Increased Frequency:

☐ Every 7 days and within 24 hours of a 0.25" rain (for areas of sites discharging to sediment or nutrient-impaired waters or to waters designated as Tier 2, Tier 2.5, or Tier 3)

Reduced Frequency:

☐ Twice during first month, no more than 14 calendar days apart; then once per month after first month; (for stabilized areas)

☐ Twice during first month, no more than 14 calendar days apart; then once more within 24 hours of a 0.25" rain (for stabilized areas on "linear construction sites")

☐ Once per month and within 24 hours of a 0.25" rain (for arid, semi-arid, or drought-stricken areas during seasonally dry periods or during drought)

☐ Once per month (for frozen conditions where earth-disturbing activities are being conducted)

Was this inspection triggered by a 0.25" storm event? ☐ Yes ☐ No

If yes, how did you determined whether a 0.25" storm event has occurred?

☐ Rain gauge on site ☐ Weather station representative of site. Specify weather station source:

Total rainfall amount that triggered the inspection (in inches)**:**

Was this inspection triggered by the occurrence of runoff from snowmelt sufficient to cause a discharge? ☐ Yes ☐ No

Unsafe Conditions for Inspection

Did you determine that any portion of your site was unsafe for inspection per CGP Part 4.5? ☐ Yes ☐ No

If "yes", complete the following:

- Describe the conditions that prevented you from conducting the inspection in this location:

- Location(s) where conditions were found:

Instructions for Filling Out "General Information" Section

Name of Project
Enter the name for the project.

NPDES ID No.
Enter the NPDES ID number that was assigned to your NOI for permit coverage.

Inspection Date
Enter the date you conducted the inspection.

Weather Conditions During Inspection
Enter the weather conditions occurring during the inspection, e.g., sunny, overcast, light rain, heavy rain, snowing, icy, windy.

Inspection start and end times
Enter the time you started and ended the inspection.

Inspector Name, Title & Contact Information
Provide the name of the person(s) (either a member of your company's staff or a contractor or subcontractor) that conducted this inspection. Provide the inspector's name, title, and contact information as directed in the form.

Present Phase of Construction
If this project is being completed in more than one phase, indicate which phase it is currently in.

Inspection Location
If your project has multiple locations where you conduct separate inspections, specify the location where this inspection is being conducted. If only one inspection is conducted for your entire project, enter "Entire Site." If necessary, complete additional inspection report forms for each separate inspection location.

Inspection Frequency
Check the box that describes the inspection frequency that applies to you. Note that you may be subject to different inspection frequencies in different areas of your site. If your project does not discharge to a "sensitive water" (i.e., a water impaired for sediment or nutrients, or listed as Tier 2, 2.5, or 3 by your state or tribe) and you are not affected by any of the circumstances described in CGP Part 4.4, then you can choose your frequency based on CGP Part 4.2 – either every 7 calendar days, or every 14 calendar days and within 24 hours of a 0.25-inch storm event. For any portion of your site that discharges to a sensitive water, your inspection frequency for that area is fixed under CGP Part 4.3 at every 7calendar days and within 24 hours of a 0.25-inch storm event. If portions of your site are stabilized, are located in arid, semi-arid, or drought-stricken areas, or are subject to frozen conditions, consult CGP Part 4.4 for the applicable inspection frequency. Check all the inspection frequencies that apply to your project.

Was This Inspection Triggered by a 0.25 Inch Storm Event or the occurrence of runoff from snowmelt sufficient to cause a discharge?
If you were required to conduct this inspection because of a 0.25-inch (or greater) rain event, indicate whether you relied on an on-site rain gauge or a nearby weather station (and where the weather station is located). Also, specify the total amount of rainfall for this specific storm event. If you were required to conduct this inspection because of the occurrence of runoff from snowmelt, then check the appropriate box.

Unsafe Conditions for Inspection
Inspections are not required where a portion of the site or the entire site is subject to unsafe conditions. See CGP Part 4.5. These conditions should not regularly occur, and should not be consistently present on a site. Generally, unsafe conditions are those that render the site (or a portion of it) inaccessible or that would pose a significant probability of injury to applicable personnel. Examples could include severe storm or flood conditions, high winds, and downed electrical wires.

If your site, or a portion of it, is affected by unsafe conditions during the time of your inspection, provide a description of the conditions that prevented you from conducting the inspection and what parts of the site were affected. If the entire site was considered unsafe, specify the location as "Entire site"

Condition and Effectiveness of Erosion and Sediment (E&S) Controls (CGP Part 2.2) (see reverse for instructions)				
Type/Location of E&S Control [Add an additional sheet if necessary]	**Maintenance Needed?***	**Corrective Action Required?***	**Date on Which Maintenance or Corrective Action First Identified?**	**Notes**
1.	☐Yes ☐No	☐Yes ☐No		
2.	☐Yes ☐No	☐Yes ☐No		
3.	☐Yes ☐No	☐Yes ☐No		
4.	☐Yes ☐No	☐Yes ☐No		
5.	☐Yes ☐No	☐Yes ☐No		
6.	☐Yes ☐No	☐Yes ☐No		
7.	☐Yes ☐No	☐Yes ☐No		
8.	☐Yes ☐No	☐Yes ☐No		
9.	☐Yes ☐No	☐Yes ☐No		
10.	☐Yes ☐No	☐Yes ☐No		

*** Note:** The permit differentiates between conditions requiring routine maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition. Corrective actions are triggered only for specific conditions, which include: 1) A stormwater control needs repair or replacement (beyond routine maintenance) if it is not operating as intended; 2) A stormwater control necessary to comply with the permit was never installed or was installed incorrectly; 3) You become aware that the stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 3.1; 4) One of the prohibited discharges in Part 1.3 is occurring or has occurred; or 5) EPA requires corrective actions as a result of a permit violation found during an inspection carried out under Part 4.8. If a condition on your site requires a corrective action, you must also fill out a corrective action form found at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources. See Part 5 of the permit for more information.

Instructions for Filling Out the "Erosion and Sediment Control" Table

Type and Location of E&S Controls
Provide a list of all erosion and sediment (E&S) controls that your SWPPP indicates will be installed and implemented at your site. This list must include at a minimum all E&S controls required by CGP Part 2.2. Include also any natural buffers established under CGP Part 2.2.1. Buffer requirements apply if your project's earth-disturbing activities will occur within 50 feet of a water of the U.S. You may group your E&S controls on your form if you have several of the same type of controls (e.g., you may group "Inlet Protection Measures", "Perimeter Controls", and "Stockpile Controls" together on one line), but if there are any problems with a specific control, you must separately identify the location of the control, whether maintenance or corrective action is necessary, and in the notes section you must describe the specifics about the problem you observed.

Maintenance Needed?
Answer "yes" if the E&S control requires maintenance due to normal wear and tear in order for the control to continue operating effectively. At a minimum, maintenance is required in the following specific instances: (1) for perimeter controls, whenever sediment has accumulated to half or more the above-ground height of the control (CGP Part 2.2.3.a); (2) where sediment has been tracked-out onto the surface of off-site streets or other paved areas (CGP Part 2.2.4); (3) for inlet protection measures, when sediment accumulates, the filter becomes clogged, and/or performance is compromised (CGP Part 2.2.10); and (4) for sediment basins, as necessary to maintain at least half of the design capacity of the basin (CGP Part 2.2.12.f). Note: In many cases, "yes" answers are expected and indicate a project with an active operation and maintenance program. You should also answer "yes" if work to fix the problem is still ongoing from the previous inspection.

Corrective Action Needed?
Answer "yes" if during your inspection you found any of the following conditions to be present (CGP, Part 5.1): (1) a required E&S control needs repair or replacement (beyond routine maintenance required under Part 2.1.4); (2) a require E&S control was never installed or was installed incorrectly; (3) you become aware that the inadequacy of the E&S control has led to an exceedance of an applicable water quality standard; (4) one of the prohibited discharges in Part 1.3 is occurring or has occurred; or (5) EPA requires corrective action for an E&S control as a result of a permit violation found during an inspection carried out under Part 4.8. If you answer "yes", you must take corrective action and complete a corrective action report, found at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources.. Note: You should answer "yes" if work to fix the problem from a previous inspection is still ongoing.

Date on Which Maintenance or Corrective Action First Identified?
Provide the date on which the condition that triggered the need for maintenance or corrective action was first identified. If the condition was just discovered during this inspection, enter the inspection date. If the condition is a carryover from a previous inspection, enter the original date of the condition's discovery.

Notes
For each E&S control and the area immediately surrounding it, note whether the control is properly installed and whether it appears to be working to minimize sediment discharge. Describe any problem conditions you observed such as the following, and why you think they occurred as well as actions (e.g., maintenance or corrective action) you will take or have taken to fix the problem:

1. Failure to install or to properly install a required E&S control
2. Damage or destruction to an E&S control caused by vehicles, equipment, or personnel, a storm event, or other event
3. Mud or sediment deposits found downslope from E&S controls
4. Sediment tracked out onto paved areas by vehicles leaving construction site
5. Noticeable erosion at discharge outlets or at adjacent streambanks or channels
6. Erosion of the site's sloped areas (e.g., formation of rills or gullies)
7. E&S control is no longer working due to lack of maintenance

For buffer areas, make note of whether they are marked off as required, whether there are signs of construction disturbance within the buffer, which is prohibited under the CGP, and whether there are visible signs of erosion resulting from discharges through the area.

If maintenance or corrective action is required, briefly note the reason. If maintenance or corrective action have been completed, make a note of the date it was completed and what was done. *If corrective action is required, note that you will need to complete a separate corrective action report describing the condition and your work to fix the problem*.

Condition and Effectiveness of Pollution Prevention (P2) Practices (CGP Part 2.3) (see reverse for instructions)				
Type/Location of P2 Practices [Add an additional sheet if necessary]	**Maintenance Needed?***	**Corrective Action Required?***	**Date on Which Maintenance or Corrective Action First Identified?**	**Notes**
1.	☐Yes ☐No	☐Yes ☐No		
2.	☐Yes ☐No	☐Yes ☐No		
3.	☐Yes ☐No	☐Yes ☐No		
4.	☐Yes ☐No	☐Yes ☐No		
5.	☐Yes ☐No	☐Yes ☐No		
6.	☐Yes ☐No	☐Yes ☐No		
7.	☐Yes ☐No	☐Yes ☐No		
8.	☐Yes ☐No	☐Yes ☐No		
9.	☐Yes ☐No	☐Yes ☐No		
10.	☐Yes ☐No	☐Yes ☐No		

*** Note:** The permit differentiates between conditions requiring routine maintenance, and those requiring corrective action. The permit requires maintenance in order to keep controls in effective operating condition. Corrective actions are triggered only for specific conditions, which include: 1) A stormwater control needs repair or replacement (beyond routine maintenance) if it is not operating as intended; 2) A stormwater control necessary to comply with the permit was never installed or was installed incorrectly; 3) You become aware that the stormwater controls you have installed and are maintaining are not effective enough for the discharge to meet applicable water quality standards or applicable requirements in Part 3.1; 4) One of the prohibited discharges in Part 1.3 is occurring or has occurred; or 5) EPA requires corrective actions as a result of a permit violation found during an inspection carried out under Part 4.8. If a condition on your site requires a corrective action, you must also fill out a corrective action form found at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources. See Part 5 of the permit for more information.

Instructions for Filling Out the "Pollution Prevention (P2) Practice" Table

Type and Location of P2 Controls
Provide a list of all pollution prevention (P2) practices that are implemented at your site. This list must include all P2 practices required by Part 2.3, and those that are described in your SWPPP.

Maintenance Needed?
Answer "yes" if the P2 practice requires maintenance due to normal wear and tear in order for the control to continue operating effectively. Note: In many cases, "yes" answers are expected and indicate a project with an active operation and maintenance program.

Corrective Action Needed?
Answer "yes" if during your inspection you found any of the following conditions to be present (CGP, Part 5.1): (1) a required P2 practice needs repair or replacement (beyond routine maintenance required under Part 2.1.4); (2) a require P2 practice was never installed or was installed incorrectly; (3) you become aware that the inadequacy of the P2 practice has led to an exceedance of an applicable water quality standard; (4) one of the "prohibited discharges" listed in CGP Part 1.3 is occurring or has occurred, or (5) EPA requires corrective action for a P2 practice as a result of a permit violation found during an inspection carried out under Part 4.8. If you answer "yes", you must take corrective action and complete a corrective action report (see https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources). Note: You should answer "yes" if work to fix the problem from a previous inspection is still ongoing.

Date on Which Maintenance or Corrective Action First Identified?
Provide the date on which the condition that triggered the need for maintenance or corrective action was first identified. If the condition was just discovered during this inspection, enter the inspection date. If the condition is a carryover from a previous inspection, enter the original date of the condition's discovery.

Notes
For each P2 control and the area immediately surrounding it, note whether the control is properly installed, whether it appears to be working to minimize or eliminate pollutant discharges, and whether maintenance or corrective action is required. Describe problem conditions you observed such as the following, and why you think they occurred, as well as actions you will take or have taken to fix the problem:

1. Failure to install or to properly install a required P2 control
2. Damage or destruction to a P2 control caused by vehicles, equipment, or personnel, or a storm event
3. Evidence of a spill, leak, or other type of pollutant discharge, or failure to have properly cleaned up a previous spill, leak, or other type of pollutant discharge
4. Spill response supplies are absent, insufficient, or not where they are supposed to be located
5. Improper storage, handling, or disposal of chemicals, building materials or products, fuels, or wastes
6. P2 practice is no longer working due to lack of maintenance

If maintenance or corrective action is required, briefly note the reason. If maintenance or corrective action have been completed, make a note of the date it was completed and what was done. *If corrective action is required, note that you will need to complete a separate corrective action report describing the condition and your work to fix the problem*.

Stabilization of Exposed Soil (CGP Part 2.2.14) (see reverse for instructions)			
Stabilization Area **[Add an additional sheet if necessary]**	**Stabilization Method**	**Have You Initiated Stabilization?**	**Notes**
1.		☐ YES ☐ NO If yes, provide date:	
2.		☐ YES ☐ NO If yes, provide date:	
3.		☐ YES ☐ NO If yes, provide date:	
4.		☐ YES ☐ NO If yes, provide date:	
5.		☐ YES ☐ NO If yes, provide date:	

Description of Discharges (CGP Part 4.6.6) (see reverse for instructions)	
Was a stormwater discharge or other discharge occurring from any part of your site at the time of the inspection? ☐ Yes ☐ No **If "yes", provide the following information for each point of discharge:**	
Discharge Location **[Add an additional sheet if necessary]**	**Observations**
1.	Describe the discharge: At points of discharge and the channels and banks of waters of the U.S. in the immediate vicinity, are there any visible signs of erosion and/or sediment accumulation that can be attributed to your discharge? ☐ Yes ☐ No If yes, describe what you see, specify the location(s) where these conditions were found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue:
2.	Describe the discharge: At points of discharge and the channels and banks of waters of the U.S. in the immediate vicinity, are there any visible signs of erosion and/or sediment accumulation that can be attributed to your discharge? ☐ Yes ☐ No If yes, describe what you see, specify the location(s) where these conditions were found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue:

Instructions for Filling Out the "Stabilization of Exposed Soil" Table

Stabilization Area
List all areas where soil stabilization is required to begin because construction work in that area has permanently stopped or temporarily stopped (i.e., work will stop for 14 or more days), and all areas where stabilization has been implemented.

Stabilization Method
For each area, specify the method of stabilization (e.g., hydroseed, sod, planted vegetation, erosion control blanket, mulch, rock).

Have You Initiated Stabilization
For each area, indicate whether stabilization has been initiated.

Notes
For each area where stabilization has been initiated, describe the progress that has been made, and what additional actions are necessary to complete stabilization. Note the effectiveness of stabilization in preventing erosion. If stabilization has been initiated but not completed, make a note of the date it is to be completed. If stabilization has been completed, make a note of the date it was completed. If stabilization has not yet been initiated, make a note of the date it is to be initiated, and the date it is to be completed.

Instructions for Filling Out the "Description of Discharges" Table

You are only required to complete this section if a discharge is occurring at the time of the inspection.

Was a Stormwater Discharge Occurring From Any Part of Your Site At The Time of the Inspection?
During your inspection, examine all points of discharge from your site, and determine whether a discharge is occurring. If there is a discharge, answer "yes" and complete the questions below regarding the specific discharge. If there is not a discharge, answer "no" and skip to the next page.

Discharge Location (repeat as necessary if there are multiple points of discharge)
Location of discharge. Specify the location on your site where the discharge is occurring. The location may be an outlet from a stormwater control or constructed stormwater channel, a discharge into a storm sewer inlet, or a specific point on the site. Be as specific as possible; it is recommended that you refer to a precise point on your site map.

Describe the discharge. Include a specific description of any noteworthy characteristics of the discharge such as color; odor; floating, settled, or suspended solids; foam; oil sheen; and other obvious pollution indicators.

Are there visible signs of erosion or sediment accumulation? At each point of discharge and the channel and streambank in the immediate vicinity, visually assess whether there are any obvious signs of erosion and/or sediment accumulation that can be attributed to your discharge. If you answer "yes", include a description in the space provided of the erosion and sediment deposition that you have found, specify where on the site or in the water of the U.S. it is found, and indicate whether modification, maintenance, or corrective action is needed to resolve the issue.

Contractor or Subcontractor Signature and Certification
(see reverse for instructions)

"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 have no personal knowledge that the information submitted is other than 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 of Contractor or Subcontractor: _____ **Date:**

Printed Name and Affiliation: _____

Operator Signature and Certification
(see reverse for instructions)

"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 have no personal knowledge that the information submitted is other than 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 of Operator or "Duly Authorized Representative": _____ **Date:**

Printed Name and Affiliation: _____

Instructions for Signature/Certification

Each inspection report must be signed and certified to be considered complete.

Contractor or Subcontractor Signature and Certification
Where you rely on a contractor or subcontractor to carry out the inspection and complete the inspection report, you should require the inspector to sign and certify each report. Note that this does not relieve you, the permitted operator, of the requirement to sign and certify the inspection report as well.

Operator Signature and Certification
At a minimum, the inspection report must be signed by either (1) the person who signed the NOI, or (2) a duly authorized representative of that person. The following requirements apply to scenarios (1) and (2):

If the signatory will be the person who signed the NOI for permit coverage, as a reminder, that person must be one of the following types of individuals:

- *For a corporation*: A responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) 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 (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- *For a partnership or sole proprietorship*: A general partner or the proprietor, respectively.
- *For a municipality, state, federal, or other public agency*: Either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

If the signatory will be a duly authorized representative, the following requirements must be met:

- The authorization is made in writing by the person who signed the NOI (see above);
- The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
- The signed and dated written authorization is included in the SWPPP. A copy must be submitted to EPA, if requested.

Appendix E – Copy of Corrective Action Form

2017 Construction General Permit
Corrective Action Report Form – Field Version

Purpose

This Corrective Action Report Form is to assist you in preparing corrective action reports for EPA's 2017 Construction General Permit (CGP). If you are covered under EPA's 2017 CGP, you can use this form to create a corrective action report that complies with the minimum reporting requirements of Part 5.4 of the permit.

You are only required to fill out this form if one of the conditions triggering corrective action in Part 5.1 or 5.3 occurs on your site. Routine maintenance is generally not considered to trigger corrective action. Corrective actions are triggered only for specific conditions that are identified below in the "Overview of Corrective Action Requirements."

If you are covered under a state CGP, this form may be helpful in developing a report that can be used for that permit; however, it will need to be modified to meet the specific requirements of the permit. If your permitting authority requires you to use a specific corrective action report form, you should not use this form.

Notes

While EPA has made every effort to ensure the accuracy of all instructions contained in the Corrective Action Report Form, it is the permit, not the form, that determines the actual obligations of regulated construction stormwater discharges. In the event of a conflict between the Corrective Action Report Form and any corresponding provision of the 2017 CGP, you must abide by the requirements in the permit. EPA welcomes comments on the Corrective Action Report Form at any time and will consider those comments in any future revision of this document. You may contact EPA for CGP-related inquiries at cgp@epa.gov.

Overview of Corrective Action Requirements

Construction operators covered under the 2017 CGP are required to conduct corrective actions and report on progress made in correcting the problem condition(s) in accordance with the following requirements:

Conditions Triggering Corrective Action (Parts 5.1 and 5.3)

Corrective action is required whenever any of the following conditions occur at your site:

- A stormwater control needs repair or replacement (beyond routine maintenance required under Part 2.1.4); or
- A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly; or
- Discharges are causing an exceedance of applicable water quality standards; or
- A Part 1.3 prohibited discharge has occurred; or
- EPA requires corrective action as a result of permit violations found during an inspection carried out under Part 4.8.

Deadlines for Completing Corrective Actions (Part 5.2)

For any condition triggering corrective action:

- You must immediately take all reasonable steps to address the condition (e.g. cleaning up contaminated surfaces so the material(s) is not discharged in subsequent storm events);
- If the problem does not require a new or replacement control or significant repair, you must complete the corrective action by the close of the next business day
- If the problem does require a new or replacement control or significant repair, you must complete corrective action (e.g., installing and making operational any new or modified control, completing repairs) by no later than 7 calendar days from the time of discovery of the condition. If infeasible to complete the installation or repair within 7 calendar days, you must document why it is infeasible and document your schedule for completing the corrective action as soon as practicable. If any of these actions result in changes to the stormwater controls documented in your SWPPP, you must modify your SWPPP within 7 calendar days.

Deadlines for Documenting Corrective Actions in a Report (Part 5.4)
You are required to complete a corrective action report for each corrective action you take in accordance with the following deadlines.

- Within 24 hours of *identifying* the corrective action condition, you must document the following:
  - The condition identified at your site; and
  - The date and time you identified the condition

- Within 24 hours of completing the corrective action, you must document the following:
  - The actions you took to address the condition, and
  - Whether any SWPPP modifications are required.

Instructions for Using This Report Form
This Field Version of the Corrective Action Report Form is intended to be used in the field and filled out by hand. If you will be filling out the Corrective Action Report Form electronically (i.e., you will be typing in your findings), please use the Electronic Version of the Corrective Action Report Form available at https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources. The Electronic Version includes text fields with instructions for what to enter.

The following tips for using this form will help you ensure that the minimum permit requirements are met:

- **Review the corrective action requirements.** Before you fill out this corrective action report form, read the CGP's Part 5 corrective action requirements. This will ensure that you have a working understanding of the permit's underlying corrective action requirements.

- **Complete a separate report for each condition that triggers corrective action.** For each triggering condition on your site, you will need to fill out a separate corrective action report form.

- **Complete all required text fields.** Fill out all text fields. Only by filling out all fields will the form be compliant with the requirements of the permit. (Note: Where you do not need the number of rows provided in the corrective action report form, you may leave those rows blank. Or, if you need more space to document your findings, you may add an additional sheet.)
- **Sign and certify each corrective action report.** The operator or a duly authorized representative (see Appendix I, Part I.11.2) must sign and certify each corrective action report form for it to be considered complete. Where a contractor or subcontractor carries out your corrective actions, it is recommended that you also have that individual sign and certify the form, in addition to the signature and certification required of the permitted operator. The form includes a signature block for both parties.
- **Include the corrective action report form with your SWPPP.** Once your form is complete, make sure to include a copy of the corrective action report form in your SWPPP in accordance with Part 7.2.7.e of the CGP.
- **Retain copies of all corrective action reports with your records.** You must retain copies of your corrective action reports in your records in accordance with the requirements in Part 5.4.4 of the 2017 CGP. These reports must be retained for at least 3 years from the date your permit coverage expires or is terminated.

Section-by-Section Instructions
You will find specific instructions corresponding to each section of the report form on the reverse side of each page. These instructions were written in order to provide you with more details in terms of what EPA expects to be documented in these reports

Section A – Initial Report (CGP Part 5.4.1) (Complete this section within 24 hours of identifying the condition that triggered corrective action)					
Name of Project		**NPDES ID No.**		**Today's Date**	
Date Problem First Discovered		**Time Problem First Discovered**			
Name and Contact Information of Individual Completing this Form					

What site conditions triggered the requirement to conduct corrective action *(check the box that applies)*:

- ☐ A stormwater control needs repair or replacement (beyond routine maintenance required under Part 2.1.4)
- ☐ A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly
- ☐ A discharge is causing an exceedance of applicable water quality standards
- ☐ A Part 1.3 prohibited discharge has occurred
- ☐ EPA requires corrective action as a result of permit violations found during an EPA inspection carried out under Part 4.8

Provide a description of the problem:

Deadline for completing corrective action *(check the box that applies)*:

- ☐ Immediately take all reasonable steps to address the condition, including cleaning up any contaminated surfaces so the material will not discharge in subsequent storm events
- ☐ Complete by close of the next business day when problem does not require a new or replacement control or significant repair
- ☐ No later than 7 calendar days from the time of discovery for problems that require a new or replacement control or significant repair
- ☐ Infeasible to complete the installation or repair within 7 calendar days. Explain why it is infeasible and document schedule for installing control:

Enter date of corrective action completion: _____

Section B – Corrective Action Completion (CGP Part 5.4.2)

(Complete this section no later than 24 hours after completing the corrective action)

Section B.1 – Why the Problem Occurred

Cause(s) of Problem (Add an additional sheet if necessary)	**How You Determined the Cause and the Date You Determined the Cause**
1.	**1.**
2.	**2.**

Section B.2 – Stormwater Control Modifications Implemented to Correct the Problem

List of Stormwater Control Modification(s) Needed to Correct Problem (Add an additional sheet if necessary)	**Date of Completion**	**SWPPP Update Necessary?**	**Notes**
1.		☐Yes ☐No If yes, provide date SWPPP modified:	
2.		☐Yes ☐No If yes, provide date SWPPP modified:	

Instructions for Filling Out the Initial Report (Section A)

You must complete Section A of the report form within 24 hours of discovering the condition that triggered corrective action

Name of Project
Enter the name for the project.

NPDES ID No.
Enter the NPDES ID number that was assigned to your NOI for permit coverage.

Today's Date
Enter the date you completed this form.

Date/Time Problem First Discovered
Specify the date on which the triggering condition was first discovered. Also specify the time of the discovery.

Name/Contact Information
Provide the individual's name, title, and contact information as directed in the form.

Site Condition That Triggered Corrective Action
Under the CGP, corrective action is required when one of 4 triggering conditions occurs at your site or when EPA requires a corrective action as a result of a permit violation found during an EPA inspection. See CGP Parts 5.1 and 5.3. Check the box that corresponds to the condition that triggered this corrective action.

Description of the Site Condition
Provide a summary description of the condition you found that triggered corrective action under CGP Part 5.1 and the specific location where it was found. Be as specific as possible about the location; it is recommended that you refer to a precise point on your site map. If you have already provided this explanation in an inspection report, you can refer to that report.

Deadline for Completing Corrective Action
This deadline is fixed in CGP Part 5.2. For all projects, the deadlines are: (1) immediately take all reasonable steps; (2) by the close of the next business day when the problem does not require significant repair or replacement; (3) no more than 7 calendar days after the date you discovered the problem when the problem does require significant repair or replacement, or (4) if it is infeasible to complete work within the first 7 days, as soon as practicable following the 7th day. If your estimated date of completion falls after the 7-day deadline consistent with (3), above, explain (a) why you believe it is infeasible to complete work within 7 days, and (b) why the date you have established for making the new or modified stormwater control operational is the soonest practicable timeframe.

Instructions for Filling Out the Corrective Action Completion Table (Section B)

You must complete Section B of the report form no later than 24 hours after completing the correction action.

Section B.1 – Why the Problem Occurred
After you have had the opportunity to examine the problem more closely, provide details as to what you believe to be the cause of the problem, and specify the follow-up actions you took (along with the dates of such actions) to diagnose the problem. This is consistent with CGP Part 5.4.2.

Section B.2 – Stormwater Control Modifications Implemented
Provide a list of modifications you made to your stormwater controls to correct the problem and the date you completed such work. Keep in mind that your work must be completed within the timeline specified in Section A for the completion of corrective action work.

Also, if a SWPPP modification is necessary consistent with Part 7.4.1.a in order to reflect changes implemented at your site, indicate the date you modified your SWPPP. Keep in mind that SWPPP changes must be made within 7 days of discovering the problem that triggered this corrective action.

Space is provided for you to include additional notes or observations regarding the change that you implemented at your site to correct the problem.

Section C –Signature and Certification (CGP Part 5.4.3)

Section C.1 – Contractor or Subcontractor Signature and Certification

"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 have no personal knowledge that the information submitted is other than 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 of Contractor or Subcontractor: _____

Date:

Printed Name and Affiliation: _____

Section C.2 – Operator Signature and Certification

"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 have no personal knowledge that the information submitted is other than 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 of Operator or "Duly Authorized Representative": _____

Date:

Printed Name and Affiliation: _____

Instructions for Signature and Certification (Section C)

Each corrective action report must be signed and certified to be considered complete.

Section C.1 – Contractor or Subcontractor Signature and Certification
Where you rely on a contractor or subcontractor to complete this report and the associated corrective action, you should require the individual(s) to sign and certify each report. Note that this does not relieve you, the permitted operator, of the requirement to sign and certify the report as well.

Section C.2 – Operator Signature and Certification
At a minimum, the corrective action report form must be signed by either (1) the person who signed the NOI, or (2) a duly authorized representative of that person. The following requirements apply to scenarios (1) and (2):

If the signatory will be the person who signed the NOI for permit coverage, as a reminder, that person must be one of the following types of individuals:

- *For a corporation*: A responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) 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 (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- *For a partnership or sole proprietorship*: A general partner or the proprietor, respectively.
- *For a municipality, state, federal, or other public agency*: Either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

If the signatory will be a duly authorized representative, the following requirements must be met:

- The authorization is made in writing by the person who signed the NOI (see above);
- The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
- The signed and dated written authorization is included in the SWPPP. A copy must be submitted to EPA, if requested.

Appendix F – *Sample* SWPPP Amendment Log

Instructions (see CGP Part 7.4):

- Create a log here of changes and updates to the SWPPP. You may use the table below to track these modifications.
- SWPPP modifications are required pursuant to CGP Part 7.4.1 in the following circumstances:
  - ✓ Whenever new operators become active in construction activities on your site, or you make changes to your construction plans, stormwater controls, or other activities at your site that are no longer accurately reflected in your SWPPP;
  - ✓ To reflect areas on your site map where operational control has been transferred (and the date of transfer) since initiating permit coverage;
  - ✓ If inspections or investigations determine that SWPPP modifications are necessary for compliance with this permit;
  - ✓ Where EPA determines it is necessary to install and/or implement additional controls at your site in order to meet requirements of the permit; and
- To reflect any revisions to applicable federal, state, tribal, or local requirements that affect the stormwater control measures implemented at the site.
- If applicable, if a change in chemical treatment systems or chemically-enhanced stormwater control is made, including use of a different treatment chemical, different dosage rate, or different area of application.

No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]
		INSERT DATE	
		INSERT DATE	
		INSERT DATE	
		INSERT DATE	
		INSERT DATE	
		INSERT DATE	
		INSERT DATE	
		INSERT DATE	

Appendix G – *Sample* Subcontractor Certifications/Agreements

SUBCONTRACTOR CERTIFICATION
STORMWATER POLLUTION PREVENTION PLAN

Project Number: _____

Project Title: _____

Operator(s): _____

As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:

I certify under the penalty of law that I have read and understand the terms and conditions of the SWPPP for the above designated project and agree to follow the practices described in the SWPPP.

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

Company: _____

Address: _____

Telephone Number: _____

Type of construction service to be provided: _____

_____

_____

Signature: _____

Title: _____

Date: _____

Appendix H – *Sample* Grading and Stabilization Activities Log

Date Grading Activity Initiated	**Description of Grading Activity**	**Description of Stabilization Measure and Location**	**Date Grading Activity Ceased** (Indicate Temporary or Permanent)	**Date When Stabilization Measures Initiated**
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE
INSERT DATE			INSERT DATE ☐ Temporary ☐ Permanent	INSERT DATE

Appendix I – *Sample* SWPPP Training Log

Stormwater Pollution Prevention Training Log

Project Name:

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

- ☐ **Sediment and Erosion Controls**
- ☐ **Stabilization Controls**
- ☐ **Pollution Prevention Measures**
- ☐ **Emergency Procedures**
- ☐ **Inspections/Corrective Actions**

Specific Training Objective:_____

_____

Attendee Roster: *(attach additional pages as necessary)*

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		

Appendix J – *Sample* Delegation of Authority Form

Delegation of Authority

I, _____ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Construction General Permit (CGP), at the _____ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

_____ (name of person or position)
_____ (company)
_____ (address)
_____ (city, state, zip)
_____ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in Appendix I of EPA's CGP, and that the designee above meets the definition of a "duly authorized representative" as set forth in Appendix I.

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 have no personal knowledge that the information submitted is other than 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: _____

Company: _____

Title: _____

Signature: _____

Date: _____

Appendix K – Endangered Species Documentation

- US Department of the Interior Fish & Wildlife Service list of threatened and endanger species.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
http://www.fws.gov/newengland

In Reply Refer To: January 30, 2019
Consultation Code: 05E1NE00-2019-SLI-0683
Event Code: 05E1NE00-2019-E-01575
Project Name: Nashua Road Quarry Reclamation project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2019-SLI-0683

Event Code: 05E1NE00-2019-E-01575

Project Name: Nashua Road Quarry Reclamation project

Project Type: ** OTHER **

Project Description: 161 Nashua Road, 30 acres proposed to be disturbed. Existing quarry to be filled with excavated materials from construction sites in MA, NH & ME.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/42.693665427261394N71.55635084369547W

Counties: Middlesex, MA

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat Myotis septentrionalis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Appendix L – Historic Properties Documentation

- Massachusetts Cultural Resource Information System (MACRIS)

Massachusetts Cultural Resource Information System

MACRIS

MACRIS Search Results

Search Criteria: Town(s): Pepperell; Street No: 161; Street Name: nashua; Resource Type(s): Area, Building, Burial Ground, Object, Structure;

Inv. No.	Property Name	Street	Town	Year

Appendix M – Rainfall Gauge Recording

Use the table below to record the rainfall gauge readings at the beginning and end of each work day. An example table follows.

Month/Year			Month/Year			Month/Year		
Day	Start time	End time	Day	Start time	End time	Day	Start time	End time
1			1			1		
2			2			2		
3			3			3		
4			4			4		
5			5			5		
6			6			6		
7			7			7		
8			8			8		
9			9			9		
10			10			10		
11			11			11		
12			12			12		
13			13			13		
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15			15			15		
16			16			16		
17			17			17		
18			18			18		
19			19			19		
20			20			20		
21			21			21		
22			22			22		
23			23			23		
24			24			24		
25			25			25		
26			26			26		
27			27			27		
28			28			28		
29			29			29		
30			30			30		
31			31			31		

Example Rainfall Gauge Recording

April 2017			May 2017			June 2017		
Day	7:00 am	4:400 pm	Day	7:00 am	4:00 pm	Day	7:00 am	4:00 pm
1	--	--	1	0.2	0	1	0	0.4
2	--	--	2	0	0	2	0	0
3	0	0	3	0.1	0.3	3	--	--
4	0	0.3	4	0	0	4	--	--
5	0	0	5	0	0	5	0	0

In this example (for only partial months), 0.25-inch rainfall inspections would have been conducted on April 4 and June 1.

APPENDIX C ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION

OXBOW ASSOCIATES, INC.

Wetlands Delineation and Permitting Wildlife Studies Herpetology Vernal Pool Ecology

Abbreviated Notice of Resource Area Delineation

Pursuant to the Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 & the Town of Pepperell Wetlands Protection Bylaw

161 Nashua Road
Map 6, Parcel 20-0
Pepperell, Massachusetts

Submitted by:

Mass. Composting Group Inc.
2 Linden Street
Reading, MA 01867

Prepared by:

Oxbow Associates, Inc.
P.O. Box 971
Acton, MA 01720-0971

P 978 929-9058
www.oxbowassociates.com

January 16, 2019

Abbreviated Notice of Resource Area Delineation
161 Nashua Road, Pepperell

Property Owner: **Mass. Composting Group Inc.**
2 Linden Street
Reading, MA 01867

Applicant: **Mass. Composting Group Inc.**
2 Linden Street
Reading, MA 01867

Contents:

WPA Form 4A – Abbreviated Notice of Resource Area Delineation (ANRAD)

ANRAD Wetlands Fee Transmittal Form

Site and Resource Area Description

USGS Locus Map

DEP Delineation Field Data Forms (4)

Copies of Checks

Notification to Abutters

List of Abutters

Affidavit of Service

Plans: Existing Conditions Plan (sheets 1-5) in Pepperell, Massachusetts
Dated December 28, 2018

Plans Prepared by: LandTech Consultants
515 Groton Road
Westford, MA 01885

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4A – Abbreviated Notice of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

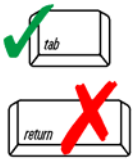
a. Street Address	b. City/Town	c. Zip Code
		01463

Latitude and Longitude:

d. Latitude	e. Longitude
42.695226	-71.556138

f. Assessors Map/Plat Number	g. Parcel /Lot Number
6	20-0

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



2. Applicant:

a. First Name	b. Last Name

c. Organization

d. Mailing Address

e. City/Town	f. State	g. Zip Code

h. Phone Number	i. Fax Number	j. Email Address
		bill@universalfinco.com

3. Property owner (if different from applicant): ☐ Check if more than one owner (attach additional sheet with names and contact information)

a. First Name	b. Last Name

c. Organization

d. Mailing Address

e. City/Town	f. State	g. Zip Code

h. Phone Number	i. Fax Number	j. Email Address

Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

4. Representative (if any):

a. Contact Person First Name	b. Contact Person Last Name
Scott	Smyers

c. Organization: Oxbow Associates, Inc.

d. Mailing Address: P.O. Box 971

e. City/Town	f. State	g. Zip Code
Acton	MA	01719

h. Phone Number	i. Fax Number	j. Email Address
(978) 929-9058		Smyers@oxbowassociates.com

Fees will be calculated for online users.

5. Total WPA Fee Paid (from attached ANRAD Wetland Fee Transmittal Form):

a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid
$2,000.00		$1,012.50

WPA Form 4A – Abbreviated Notice of Resource Area Delineation

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW) — 870 Linear Feet of Boundary Delineated

2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:

   a. ☒ MassDEP BVW Field Data Form (attached)

   b. ☐ Other Methods for Determining the BVW boundary (attach documentation):

      1. ☐ 50% or more wetland indicator plants
      2. ☐ Saturated/inundated conditions exist
      3. ☐ Groundwater indicators
      4. ☐ Direct observation
      5. ☐ Hydric soil indicators
      6. ☐ Credible evidence of conditions prior to disturbance

3. Indicate any other resource area boundaries that are delineated:

a. Resource Area	b. Linear Feet Delineated
Riverfront	250
c. Resource Area	d. Linear Feet Delineated

C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. See instructions for details. **Online Users:** Attach the Document Transaction Number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ ANRAD (Delineation Plans only)
2. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
3. ☐ Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other resource areas, if applicable).
4. ☐ List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.

D. Fees

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to the attached Wetland Fee Transmittal Form) to confirm fee payment:

638	1/15/19
2. Municipal Check Number	3. Check date
	1/15/19
4. State Check Number	5. Check date
David	Burton
6. Payor name on check: First Name	7. Payor name on check: Last Name

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

1. Signature of Applicant — 2. Date: 1-15-19

3. Signature of Property Owner (if different) — 4. Date: 1-15-19

Scott Snyder
5. Signature of Representative (if any) — 6. Date: 1-15-19

For Conservation Commission:
Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

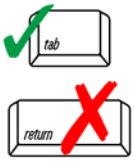
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

ANRAD Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address | b. City/Town

c. Fee amount | d. Check number

2. Applicant:

a. First Name | b. Last Name | c. Company

d. Mailing Address

e. City/Town | f. State | g. Zip Code

h. Phone Number

3. Property Owner (if different):

a. First Name | b. Last Name | c. Company

d. Mailing Address

e. City/Town | f. State | g. Zip Code

h. Phone Number

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is $200 activities associated with a single-family house and $2,000 for any other activity.

☐ **Online users:** check box if fee exempt.

Bordering Vegetated Wetland Delineation Fee:

		a. feet of BVW	x $2.00 =	b. Fee for BVW
1. ☐	single family house project	870	870*2	$1,740.00
2. ☐	all other projects	a. feet of BVW	x $2.00 =	b. Fee for BVW

Other Resource Area (e.g., bank, riverfront area, etc.):

		a. linear feet	x $2.00 =	b. Fee
3. ☐	single family house project	250	250*2	500
4. ☐	all other projects	a. linear feet	x $2.00 =	b. Fee

Total Fee for all Resource Areas:	$2,000.00
State share of filing fee:	Fee $987.50 5. 1/2 of total fee **less** $12.50
City/Town share of filing fee:	$1,012.50 6. 1/2 of total fee **plus** $12.50

ANRAD Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Submittal Requirements

a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.

c.) **To DEP Regional Office**: Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

ANRAD NARRATIVE
161 Nashua Road
Pepperell MA

January 15, 2019

Site Overview

On behalf of the Applicant, Mass Composing Group, Oxbow Associates, Inc. (OA) has prepared this Abbreviated Notice of Resource Area Delineation (ANRAD) for the parcel located at 161 Nashua Road (Map 6, Parcel 20-0). The applicant requests that the Pepperell Conservation Commission (PCC) confirms the limit of the Bordering Vegetated Wetland located on the site (approximately 870± linear feet),Riverfront (approximately 250± linear feet) area associated with the Nashua River, and Bordering Land Subject to flooding, under both the MA Wetlands Protection Act and the Town of Pepperell Wetlands Protection Bylaw (see Existing Conditions Plan dated December 28, 2018).

This site is located east of Nashua road (Route 111), south of Skydive Pepperell, and west of the Nashua River. The property consists of a single parcel, encompassing approximately 44.5 acres predominantly composed of mixed deciduous forest, early successional forest, maintained fields, and partly overgrown gravel pit. The parcel is largely undeveloped, with the exception of an auto body shop and garage adjacent Nashua Road. The site contains a Bordering Vegetated Wetland (BVW, 10.55: Series A), a Riverfront area with associated Bank (Series B) whose wetland buffer and Riverfront area buffer extend onto the site. The positions of the latter two were traced onto the attached map (Figure 1) using the 2009 Department of Environmental Protection Wetlands Polygons. Additionally, portions of the site contain Bordering Land Subject to Flooding (BLSF, 10.57), which is defined by the 100-year flood zone associated with the Nashua River.

Resource Area Investigation

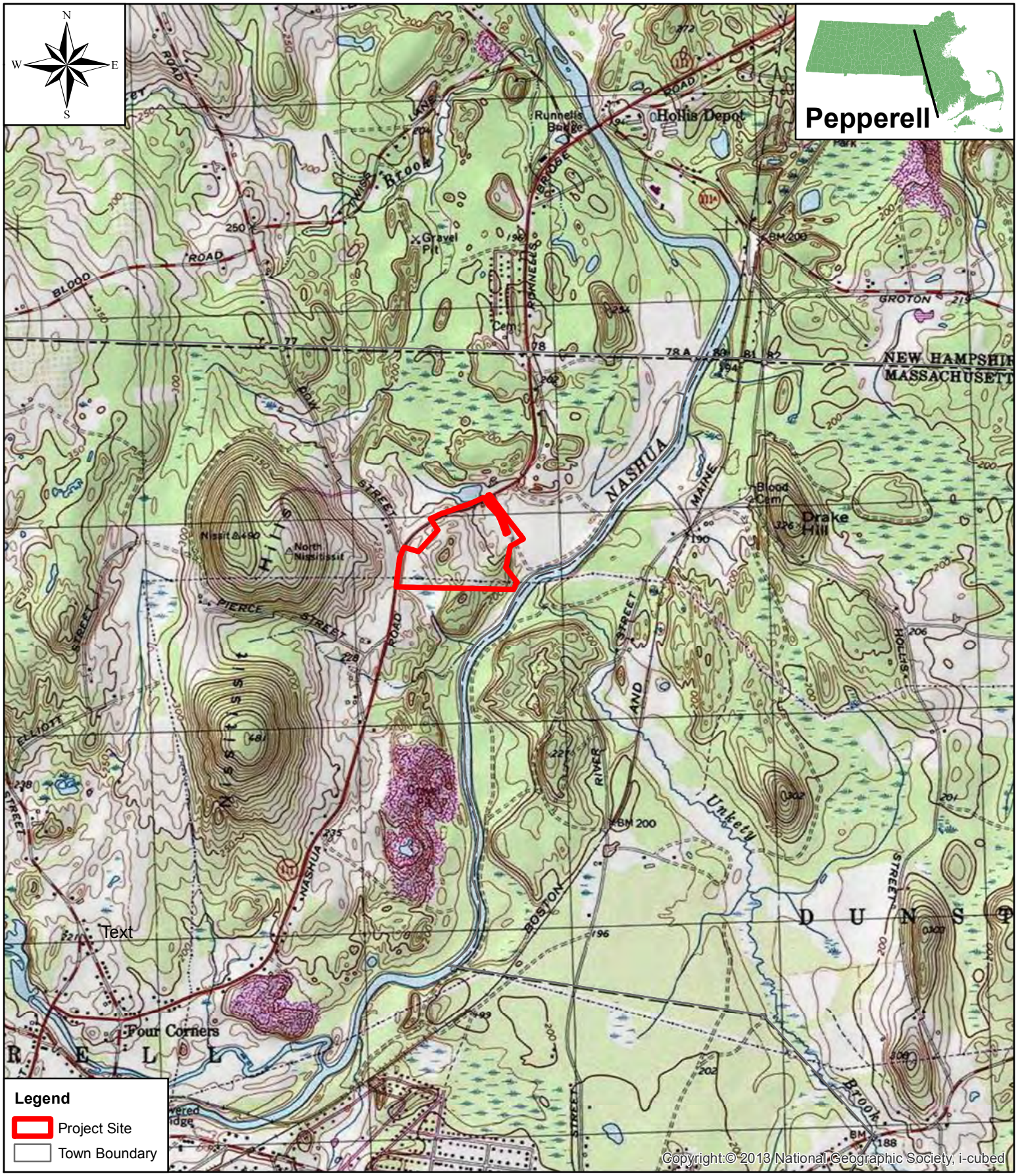
OA (specifically M. Charpentier) investigated resource areas on the site on January 9th, 2018, with approximately 8 inches of snow on the ground, and a subsequent visit on January 24th by which time most snow had melted on the site. This evaluation was conducted in accordance with standard methodology for delineating vegetated wetlands under the Massachusetts Wetlands Protection Act (MGL Ch. 131, §40; the "Act"), and the Town of Pepperell Wetland Protection Bylaw (the "Bylaw"). An additional visit was conducted on October 9th, 2018 during which OA (specifically S. Smyers and M. Charpentier) completed MassDEP BVW Field Data Forms.

OA examined the soil conditions (representative upland soil profile below) and vegetation and delineated one section of a Bordering Vegetated Wetland (BVW: 310 CMR 10.55) with 14 blue plastic flags in a single series (OA A1-A13, with A5B between A5 and A6). The wetland is composed of swamp/shrub swamp, it lacks an inlet and flows off the property from north to south, via an unnamed stream, draining into the Nashua River 0.25 miles away. Soil profiles and vegetative communities are included in the attached DEP wetlands data sheets.

Vegetation within the BVW includes red maple (*Acer rubrum*), winterberry (*Ilex verticillata*), royal fern (*Osmunda regalis*), and various sedges (*Carex* spp.) and grasses (family Poaceae). Upland vegetation includes red oak (*Quercus rubra*), white oak (*Quercus alba*), eastern white pine (*Pinus strobus*), gray bitch (*Betula populifolia*), cherry birch (*Betula lenta*), autumn olive (*Elaeagnus umbellata*), sweet-fern (*Comptonia peregrina*), glossy false buckthorn (*Frangula alnus*), and several species of poplar (*Populus* spp).

Additionally, OA delineated a section of Bank (Bank 310 10.54) along the Nashua River with 4 blue plastic flags (OA-B1 to OA-B4). This is also the estimated annual high flow, which constitutes the beginning of the 200-foot Riverfront Area (10.58). In this case, the delineated River is coincident with Bank and its associated 100-foot buffer zone.

We respectfully request the Pepperell Conservation Commission (PCC) confirm the extent of resource area boundaries as delineated.



Oxbow Associates, Inc.
Wetlands Delineation and Permitting
Wildlife Studies • Herpetology
Vernal Pool Ecology
P.O. BOX 971
ACTON, MASSACHUSETTS 01720
PHONE: (978) 929-9058
FAX: (978) 635-1892
WEB: www.oxbowassociates.com

1:24,000

1 inch = 2,000 feet

0 2,000 4,000

Feet

Site Locus
USGS Topo
161 Nashua Road
Pepperell, MA

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Mass Composting Group, Inc Prepared by: J. Shuster of Oxbow Assoc. Project location: 161 Nashua St (Parcel 6-20-0) DEP File #:

Pepperell, MA

Check all that apply:

☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

☐ Method other than dominance test used (attach additional information)

Section I. Veg. Observation Plot #: UPL 1 (±10 ft Upslope from midpt flags A11.1 and A12) **Transect #: 1 Date of Delin:** 1/9/2018 and 10/9/18

A. Sample Layer and Plant Species Common Name	Scientific Name	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Ground					
lowbush blueberry	*Vaccinium angustifolium*	10.5	63.6%	Y	FACU-
black oak	*Quercus velutina*	3.0	18.2%	N	UPL
witch-hazel	*Hamamelis virginiana*	3.0	18.2%	N	FACU
white pine	*Pinus strobus*	trace	NA	N	FACU
white ash	*Fraxinus americana*	trace	NA	N	FACU
poison sumac	*Toxicodendron vernix*	trace	NA	N	OBL
Shrub					
European buckthorn	*Rhamnus cathartica*	10.5	63.6%	Y	FAC*
witch-hazel	*Hamamelis virginiana*	3.0	18.2%	N	FACU
glossy buckthorn	*Frangula alnus*	3.0	18.2%	N	FAC*
Sapling					
black oak	*Quercus velutina*	3.0	50.0%	Y	UPL
eastern red cedar	*Juniperus virginiana*	3.0	50.0%	Y	FACU
hickory sp.	*Carya* sp. (susp. *ovata)*	trace	NA	N	FACU
Tree (Basal Area)					
red maple	*Acer rubrum*	810 sq. in.	40.0%	Y	FAC*
white pine	*Pinus strobus*	534 sq. in.	26.4%	Y	FACU
black cherry	*Prunus serotina*	437 sq. in.	21.6%	Y	FACU
black oak	*Quercus velutina*	193 sq. in.	9.5%	N	UPL
American elm	*Ulmus americana*	49 sq. in.	2.4%	N	FACW*

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40) ; plants in the genus *Sphagnum* ; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological ada

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland plants: 5

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☐ yes ☒ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II **Indicators of Hydrology**

Hydric Soil Identification

1. Soil Survey

Is there a published soil survey for this site?	Yes ☒ No ☐
title/date:	Middlesex County, Ma
map number:	(MA017)
soil type mapped:	Quonset sandy loam, 8-15% slopes
hydric soil inclusion	no

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

Horizon	Depth	Matrix Color	Mottles Color
A	0 - 16"	10YR 3/2	fsl
Bw1	16 - 18"	10YR 2/2	sl
Bw2	18 - 24"+	10YR 2/2	sl w/ gravel

Remarks:

3. Other:

Conclusion: Is soil hydric? ☐ Yes ☒ No

Other Indicators of Hydrology: (check all that apply and describe)

☐ Site inundated:

☐ Depth to free water in observation hole:

☐ Depth to soil saturation in observation hole:

☐ Water marks:

☐ Drift lines:

☐ Sediment deposits:

☐ Drainage patterns in BVW:

☐ Oxidized rhizospheres:

☐ Water-stained leaves:

☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):

☐ Other:

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	☐	☒
Wetland hydrology present:		
hydric soil present	☐	☒
other indicators of hydrology present	☐	☒
Sample location is in a BVW	☐	☒

Submit this form with the Request for Determination of Applicability or Notice of Intent

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Mass Composting Group, Inc Prepared by: J. Shuster of Oxbow Assoc. Project location: 161 Nashua St (Parcel 6-20-0) DEP File #:

Pepperell, MA

Check all that apply:

☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

☐ Method other than dominance test used (attach additional information)

Sect I. Vegetation Obs. Plot #: WET 1 (10 ft dwnslope of midpt Flags A11.1&A12) **Transect #: 1 Date of Delineation:** 1/9/2018 and 10/9/18

A. Sample Layer and Plant Species Common Name	Scientific Name	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Ground					
royal fern	*Osmunda regalis*	10.5	63.6%	Y	OBL*
poison-sumac	*Toxicodendron vernix*	3.0	18.2%	N	OBL*
sedge sp.	*Carex sp.*	3.0	18.2%	N	UNK
swamp dewberry	*Rubus hispidus*	trace	NA	N	FACW*
sugar maple	*Acer saccharum*	trace	NA	N	FACU
Shrub					
glossy buckthorn	*Frangula alnus*	63.0	72.8%	Y	FAC*
multiflora rose	*Rosa multiflora*	20.5	23.7%	Y	FACU
winged euonymus	*Euonymus alatus*	3.0	3.5%	N	FAC*
Sapling					
American elm	*Ulmus americana*	10.5	38.9%	Y	FACW*
Red maple	*Acer rubrum*	10.5	38.9%	Y	FAC*
white ash	*Fraxinus americana*	3.0	11.1%	N	FACU
sugar maple	*Acer saccharum*	3.0	11.1%	N	FACU
Tree (Basal Area)					
Red maple	*Acer rubrum*	1161 sq. in.	94.5%	Y	FAC*
American elm	*Ulmus americana*	67 sq. in.	5.5%	N	FACW*
Vine (0)					

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40) ; plants in the genus *Sphagnum* ; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological ada

Vegetation conclusion:

Number of dominant wetland indicator plants: 5 Number of dominant non-wetland plants: 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☒ yes ☐ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II **Indicators of Hydrology**

Hydric Soil Identification

1. Soil Survey

Is there a published soil survey for this site?	Yes ☒ No ☐
title/date:	Middlesex County, Ma
map number:	(MA017)
soil type mapped:	Freetown Muck, 0 to 1% slopes
hydric soil inclusion	yes

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

Horizon	Depth	Matrix Color	Mottles Color
A	0 - 4"	10YR 3/3	hemic, 3% high chroma mottle
Bw1	4 - 36+"	10YR 2/1	dark, high organic, sulphur smell

Remarks: fine sandy loam, B1 Horizon clayey loam, 5% organic streaking in B2 layer

3. Other:

Conclusion: Is soil hydric? ☒ Yes ☐ No

Other Indicators of Hydrology: (check all that apply and describe)

- ☐ Site inundated:
- ☐ Depth to free water in observation hole:
- ☒ Depth to soil saturation in observation hole:
- ☐ Water marks:
- ☐ Drift lines:
- ☐ Sediment deposits:
- ☒ Drainage patterns in BVW:
- ☒ Oxidized rhizospheres:
- ☐ Water-stained leaves:
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other):
- ☒ Other: surphurous odor, buttressed roots

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	☒	☐
Wetland hydrology present:		
hydric soil present	☒	☐
other indicators of hydrology present	☒	☐
Sample location is in a BVW	☒	☐

Submit this form with the Request for Determination of Applicability or Notice of Intent

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Mass Composting Group, Inc Prepared by: J. Shuster of Oxbow Assoc. Project location: 161 Nashua St (Parcel 6-20-0) DEP File #:

Check all that apply: Pepperell, MA

☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

☐ Method other than dominance test used (attach additional information)

Section I. Veg. Observation Plot #: UPL 2 (±4ft Upslope from Flag A1) Transect #: 2 Date of Delineation: 11/9/2018 & 10/9/18

A. Sample Layer and Plant Species Common Name	Scientific Name	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Groundcover					
Pennsylvania sedge	*Carex pensylvanica*	85.5%	96.6	Y	NI
One-flowered indian-pipe	*Monotropa uniflora*	3.0%	3.4	N	FACU
Shrub (0)					
Saplings					
Shagbark hickory	*Carya ovata*	38.0%	78.4	Y	FACU
Black Oak	*Quercus velutina*	10.5%	21.7	Y	FACU
Trees (basal area)					
Shagbark hickory	*Carya ovata*	1044.3 sq. in.	40.4	Y	FACU
Black Oak	*Quercus velutina*	2583.6 sq. in	59.6	Y	UPL

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40) ; plants in the genus *Sphagnum* ; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiologi morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 0 Number of dominant non-wetland plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☐ yes ☒ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II **Indicators of Hydrology**

Hydric Soil Identification

1. Soil Survey

Is there a published soil survey for this site?	Yes ☒ No ☐
title/date:	Web Soil Survey - Middlesex County
map number:	MA017
soil type mapped:	Quonset sandy loam 8-15% slopes
hydric soil	no

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

Remarks:	Depth	Matrix Color	Mottles Color
A	0-6"	10YR 2/2	sandy loam
Bw1	6-9"	10YR 3/2	AB horizon mix
Bw2	9-16"	10YR 4/4	sandy loam

Remarks:

3. Other:

Conclusion: Is soil hydric? ☐ Yes ☒ No

Other Indicators of Hydrology: (check all that apply and describe)

☐ Site inundated:

☐ Depth to free water in observation

☐ Depth to soil saturation in observat

☐ Water marks:

☐ Drift lines:

☐ Sediment deposits:

☐ Drainage patterns in BVW:

☐ Oxidized rhizospheres:

☐ Water-stained leaves:

☐ Recorded data (stream, lake, or tida

☐ Other:

Vegetation and Hydrology Conclusion	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	☐	☒
Wetland hydrology present: hydric soil present	☐	☒
other indicators of hydrology present	☐	☒
Sample location is in a BVW	☐	☒

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Mass Composting Group, Inc Prepared by: J. Shuster of Oxbow Assoc. Project location: 161 Nashua St (Parcel 6-20-0) DEP File #:

Check all that apply: Pepperell, MA

☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

☐ Method other than dominance test used (attach additional information)

Section I. Vegetation Obs. Plot #: WET 2 (12ft dwnslope of midpt Flags A1&A0) **Transect #**: 2 **Date of Delineation**: 1/9/18 & 10/9/18

A. Sample Layer and Plant Species Common Name	Scientific Name	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Ground					
Rambler Rose	Rosa multiflora	10.5%	45.7%	Y	FACU
European buckthorn	Rhamnus cathartica	10.5%	45.7%	Y	FACU
Cinnamon fern	Osmundastrum cinnamomeum	1.0%	4.3%	N	UPL
Sensitive fern	Onoclea sensibilis	1.0%	4.3%	N	FACW*
Shrubs					
European buckthorn	Rhamnus cathartica	10.5%	77.8%	Y	FACU
Glossy false buckthorn	Frangula alnus	3.0%	22.2%	Y	FAC*
Saplings					
White Ash	Fraxinus americana	38.0%	100.0%	Y	FACU
Trees (Basal area)					
White Ash	Fraxinus americana	222.3 sq. in,	37.8%	Y	FACU
American Elm	Ulmus americana	211 sq. in.	35.9%	Y	FACW*
Red Maple	Acer rubrum	114.9 sq. in	19.6%	N	FAC*
Sugar Maple	Acer saccharum	39.2 sq. in.	6.7%	N	FACU

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40) ; plants in the genus *Sphagnum* ; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland plants: 5

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☐ yes ☒ no

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Section II **Indicators of Hydrology**

Hydric Soil Identification

1. Soil Survey

Is there a published soil survey for this site?	Yes ☒ No ☐
title/date:	Middlesex County MA
map number:	(MA017)
soil type mapped:	Freetown Muck, 0 to 1% slopes
hydric soil inclusion	yes

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

Horizon	Depth	Matrix Color	Mottles Color
A	0 - 16"	10YR 2/2	w/ 3% 10YR 5/8 mottle, fsl
Bw1	16 - 20"	10YR 4/2	sandy loam

Remarks: free water observed at 12"

3. Other:

Conclusion: Is soil hydric? ☒ Yes ☐ No

Other Indicators of Hydrology: (check all that apply and describe)

☐ Site inundated:

☒ Depth to free water in observation

☐ Depth to soil saturation in observat

☐ Water marks:

☐ Drift lines:

☐ Sediment deposits:

☒ Drainage patterns in BVW:

☐ Oxidized rhizospheres:

☐ Water-stained leaves:

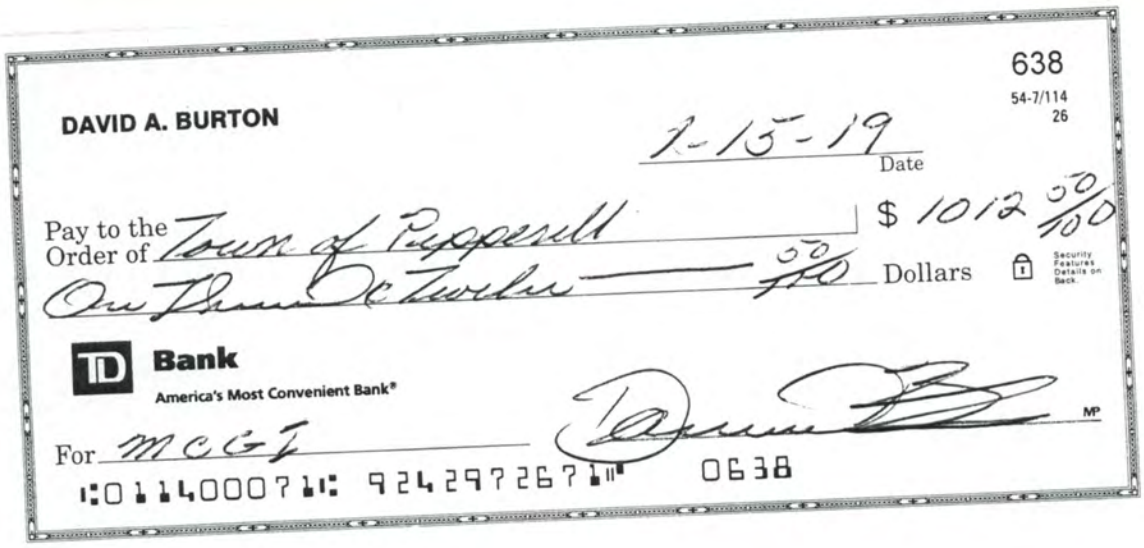
☐ Recorded data (stream, lake, or tida

☐ Other:

Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants ≥ number of non-wetland indicator plants	☒	☐
Wetland hydrology present:		
hydric soil present	☒	☐
other indicators of hydrology present	☒	☐
Sample location is in a BVW	☒	☐

Submit this form with the Request for Determination of Applicability or Notice of Intent



638
54-7/114
26

DAVID A. BURTON

1-15-19
Date

Pay to the Order of Town of Pepperell $ 1012 50/100

One Thousand Twelve 50/100 Dollars

Security Features Details on Back.

TD Bank
America's Most Convenient Bank®

For MCGI

MP

⑆011400071⑆ 924297267⑈ 0638

637
54-7/114
26

DAVID A. BURTON

1-15-19
Date

Pay to the Order of Comm of Mass $ 987 50/100

Nine Hundred Eighty Seven 50/100 Dollars

Security Features Details on Back.

TD Bank
America's Most Convenient Bank®

For MCGI

MP

⑆011400071⑆ 924297267⑈ 0637

Notification to Abutters Under the Massachusetts Wetlands Protection Act
& The Town of Pepperell Wetlands Protection By-Law

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following submission to the Pepperell Conservation Commission, requesting review of a proposed project. The Commission will discuss this project and make any necessary decisions at a Public Hearing held during one of its meetings.

A. The name of the applicant is: Mass. Composting Group

B. The name of the owner(s) of the land is/are: Mass. Composting Group

C. The applicant has filed a:

- [ ] Notice of Intent
- [ ] Abbreviated Notice of Intent
- [x] Abbreviated Notice of Resource Area Delineation
- [ ] Request for an Amendment to an Order of Conditions, DEP File #259-_____

D. The address of the lot where the activity is proposed is: 161 Nashua Rd (Map 6, Parcel 20-0)

E. Description of the project: Seeking confirmation of resource area boundaries (ANRAD).

F. Copies of the submission may be examined at the Conservation Commission Office, Town Hall, 1 Main Street, Pepperell, MA, between the hours of 8:00 a.m. and 4:30 p.m. Monday through Wednesday. To be sure that the Conservation Administrator is in the office, feel free to call before leaving or to schedule an appointment by calling (978) 433-0325.

G. Copies of the submission may be obtained from:

- [ ] the applicant, Phone _____
- [ ] the owner, Phone _____
- [x] the applicant's representative, Name and Phone Oxbow Associates, Inc. 928-929-9058

or by calling the Pepperell Conservation Commission Office at 978-433-0325 between the hours of 8:00 a.m. and 4:30 p.m., Monday through Wednesday.

H. Information regarding the date, time, and place of the hearing may be obtained from the Pepperell Conservation Commission Office by calling 978-433-0325.

Note: Notice of the Public Hearing, including its date, time, and place, will be published at least five (5) days prior to the hearing date in the Nashoba Valley Voice and posted at the Pepperell Town Hall no fewer than forty-eight (48) hours in advance of the meeting.

TOWN OF PEPPERELL

Board of Assessors

To: Conservation Commission
From: Maureen Bolger, Assessor
Date: 12/18/2018
Re: Application submitted for the property located at 141-163 Nashua Road in the ownership of Mass Composting Group, shown on Tax Map 6 as Parcel 20-0, further described by Deed recorded at the Middlesex South District Registry of Deeds in Book 23267 Page 23.

Parties in Interest: Conservation - 100'Abutters

Owner & Mailing Address	Map & Lot
Mass Composting Group c/o David Burton POB 317 Pepperell, MA 01463	6-20-0
Dean E & Holly P Rist 137 Nashua Road Pepperell, MA 01463	11-50-0
Wayne Babineau Trustee Magic Realty Trust POB 681 Pepperell, MA 01463	11-51-0
Athena Fran Strimenos 104 Fresh Pond Lane Brookline, NH 03033	6-79-0
David A & Gail W Shattuck 169 Nashua Road Pepperell, MA 01463	6-17-0
Mark K & Linda J Spengler 9 Robin Lane Pepperell, MA 01463	6-10-0

Parties in Interest: Conservation - 100'Abutters (cont.)

Owner & Mailing Address	Map & Lot
Paul T & Caitlin E Lonergan Jr. 164 Nashua Road Pepperell, MA 01463	6-29-0
Lauretta A Delegge 162 Nashua Road Pepperell, MA 01463	6-28-0
Donald A & Ellen M Brown 160 Nashua Road Pepperell, MA 01463	6-27-0
Robert P & Kathleen M Cordeiro 158 Nashua Road Pepperell, MA 01463	6-26-0
Leon Shattuck Trust c/o Citizens Wealth Management Attn: June Marshall 875 Elm Street, Unit NE4-06 Manchester, NH 03101	6-70-0
William & Patricia Hammond 1 Dow Street Pepperell, MA 01463	6-30-0
David Allen Shattuck Trustee Iron Woods Realty Trust 169 Nashua Road Pepperell, MA 01463	6-18-0
Martin A Gill 11 West Bourne Street Roslindale, MA 02131	11-1-0

*Please Note: This list does not include direct abutters across the river in the Town of Dunstable. Please contact Dunstable Assessors office for list of abutters.

AFFIDAVIT OF SERVICE

(NoI Application)

I, (name): Matthew Charpentier, hereby certify under pains and penalties of perjury that on (date): January 16, 2019 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by (name): Mass. Composting Group with the Pepperell Conservation Commission on (date): 1/16/2019 for property located at (address, map/lot): 161 Nashua Road; Map 6, Lot 20-0

The form of the notification, and a list of abutters to whom it was given and their addresses, are attached to this affidavit of service.

Matthew Charpentier
Signature

1/16/2019
Date

APPENDIX D GROUNDWATER SAMPLING RESULTS (TO BE ADDED)

APPENDIX E SOURCE APPLICATION

TERRA ENVIRONMENTAL, LLC
PLANNING | CONSULTING | MANAGEMENT | REMEDIATION

Internal Use:
PSL: _____
Approval #: _____

161 NASHUA ROAD PEPPERELL MA – SOURCE APPLICATION

A. CUSTOMER SITE INFORMATION

Project Name:	Onsite Customer Email:
Address:	Onsite Customer Name: Onsite Customer Cell:
Start Date: Completion Date:	Anticipated Cubic Yards: Anticipated Tons:

B. CUSTOMER (INVOICING INFORMATION):

Company:	Billing Contact Name: Phone #: Email:
Billing Address:	Project # or PO# Company Tax Id#:

C. GENERATOR INFORMATION:

Company Name:	Project Contact Name:
Company Address:	Project Phone #: Email:

D. CONSULTANT INFORMATION

Company:	LSP/PE/PG Name: License #
Address:	Office Cell Email:
Onsite LSP/PE/PG Rep. Name:	Onsite LSP/PE/PG Rep. Cell #

E. MATERIAL TYPE & QUANTITY

Material Type: _____ Cubic Yards (CY):_____ Tons:_____ Cubic Yards(CY) _____ / Number of Samples: _____ Frequency of 1 per _____ - CY
Material Type: _____ Cubic Yards (CY):_____ Tons:_____ Cubic Yards(CY) _____ / Number of Samples: _____ Frequency of 1 per _____ - CY

F. SOURCE APPLICATION SUBMITTAL CHECKLIST

Facility Name:	**161 Nashua Road** **Pepperell, MA**
Environmental Manager:	**TERRA Environmental, LLC** Contact: Philip Peterson P.O. Box 473 Reading, MA 01867 Phone: 781-944-6851
Email Source Applications to:	pepperellapprovals@terra-env.com

CIRCLE ONE

1. PE/PG/LSP Opinion Letter signed and certifying that soil meets SMRP acceptance criteria	**Yes / No**
2. PE/PG/LSP Opinion Letter signed and certifying that soil meets SMRP acceptance criteria	**Yes / No**
3. Select Soil Type Designation (A thru D), see Table 1.	**Yes / No**
4. Description of current and former site usage/history is provided	**Yes / No**
5. Statement that soil is not part of a regulated hazardous waste site as designated by NHDES, MADEP or equivalent designation in any jurisdiction.	**Yes / No**
6. Description of site and contaminants provided including a hazardous waste determination in accordance with Env-Hw 502 of the Hazardous Waste Rules.	**Yes / No**
7. Quantity of Soil provided	**Yes / No**
8. Site Plan indicating soil origin, soil stockpiles and location of all soil samples provided	**Yes / No**
9. Laboratory Testing and Frequency performed in accordance with SRMP, Soil Origin and Type A, Type B, Type C and/or Type D designation	**Yes / No**
10. Data Summary Table comparing all applicable results to SMRP Acceptance Criteria, SMRP Table 2	**Yes / No**
11. Analytical data reports for samples including QA/QC and Chain of Custody with chemical and physical quality of source material	**Yes / No**
12. Field Screening data and test pit/boring/stockpile logs to support chemical and physical composition	**Yes / No**
13. Material Shipping Record or equivalent signed and sealed, by Professional Engineer, Professional Geologist, Massachusetts Licensed Site Professional or equivalent qualification in the jurisdiction in which the source is located.	**Yes / No**

ATTACHMENT - 1

GENERATOR CERTIFICATION STATEMENT

SOURCE/PROJECT NAME: _____

CERTIFICATION STATEMENT: By signing this Attachment, I hereby certify that I have reviewed the documentation provided by _____under their PE/PG/LSP Opinion Letter dated_____ and have confirmed that it, and accompanying documents, contain true and accurate descriptions of this material and that all relevant information necessary for proper material characterization and to identify known and suspected hazards has been provided.

Signature of Source Generator Date

Printed Name of Source Generator

APPENDIX F ADMINISTRATIVE CONSENT ORDER WITH MASSDEP (TO BE ADDED)