

OFFICE OF STATE AID ROAD CONSTRUCTION STANDARD OPERATING PROCEDURES			S.O.P. NO. SA II-2-24 Page 1 of 2
Subject: S.O.P. CONSTRUCTION STORM WATER POLLUTION PREVENTION			Distribution A, B, C, D, E
EFFECTIVE July 1, 2005	ISSUED July 1, 2005	SUPERSEDES Page of S.O.P. NO. EFFECTIVE:	APPROVED J. Brooks Miller, Sr. STATE AID ENGINEER

PURPOSE: To Establish Procedures and Responsibilities for Implementing the Provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972) and Section 402(b) of the Federal Water Pollution Control (Clean Water) Act as they apply to control of construction site storm water runoff.

1. GENERAL

- 1.1. The Mississippi Department of Environmental Quality (DEQ) is the National Pollutant Discharge Elimination System (NPDES) permit authority for Mississippi. In 1990, EPA promulgated rules establishing Phase I of the NPDES storm water program requiring storm water construction discharge permits for large construction activities disturbing five (5) acres or more of land. Phase II rules were promulgated in 1999 requiring storm water construction discharge permits for small construction activity disturbing from one to five acres. Most counties were exempted from permit requirements by the Intermodal Surface Transportation Efficiency Act of 1991. That exemption ended and Phase II regulations became effective on March 10, 2002.
- 1.2. All projects administered by the Office are required to include erosion and sediment control measures necessary to eliminate or minimize water pollution and comply with State water quality standards as established by DEQ. Appropriately designed storm water pollution prevention best management practices (BMPs) shall be incorporated into the construction plan development and design process. Guidance for BMPs are available from the following sources: MDEQ Planning and Design Manual for the Control of Erosion, Sediment and Storm Water, MDOT Roadway Design Manual and Standards, MDOT Storm Water Pollution Prevention Plan (SWPPP), sound engineering judgement, and common construction practices.

2. RELATIONSHIPS AND RESPONSIBILITIES

- 2.1. The legal discharge of construction storm water requires permit coverage from DEQ, if the area disturbed is one (1) acre or more. Phase II Storm Water Regulations have not changed the relationships or responsibilities of the parties involved in a State Aid construction project. The Engineer will design appropriate controls for each project and secure construction storm water permit coverage for the County. The Engineer will also prepare a customized SWPPP for each project to be included in contract documents. The Contractor will report to the Engineer concerning storm water management controls, implement best management practices (BMP) as designed, and incorporate BMPs into his/her operations. The Contractor may, additionally, be required to obtain separate storm water permit coverage.

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3. COVERAGE UNDER CONSTRUCTION STORM WATER GENERAL NPDES PERMIT

- 3.1. For each construction project that will disturb five (5) acres or more, the County will submit a Construction Notice of Intent (CNOI) to DEQ Office of Pollution Control (OPC) for coverage under the current statewide permit. Projects with several non-contiguous sites require a permit application only if an individual site exceeds the five-acre threshold. Several contiguous phases of construction, part of a common plan or development, which is expected to disturb a total of five (5) acres or more require permit coverage. Submission of the CNOI to DEQ should follow the PS&E field-in-hands review of the plans. The approved SWPPP will be included in the contract documents, indicating permit coverage, prior to advertisement for bids.
- 3.2. Construction projects that disturb one to five acres require small construction permit coverage, but do not require submission of a CNOI to DEQ. Permit coverage is automatic as long as permit conditions and requirements are met. A CNOI for a project may be required, if requested by DEQ. BMPs must be implemented to reduce or eliminate storm water pollution. A SWPPP will be included in the project contract documents.
- 3.3. Construction projects that are expected to disturb less than one (1) acre do not require permit coverage. However, a SWPPP may be prepared and included in the contract documents if deemed necessary.
- 3.4. Phase II also requires that some incorporated places and counties develop a storm water program, in which case construction storm water plans must be coordinated with local plans. The list of incorporated places and counties automatically designated under the Storm Water Phase II Rule are: Bay St. Louis, Biloxi, Brandon, Clinton, D'Iberville, DeSoto County, Flowood, Forrest County, Gautier, Gulfport, Hancock County, Harrison County, Hattiesburg, Hinds County, Horn Lake, Jackson County, Lamar County, Long Beach, Madison, Madison County, Moss Point, Ocean Springs, Pascagoula, Pass Christian, Pearl, Petal, Rankin County, Richland, Ridgeland, Southaven and Waveland. Additional construction storm water controls required by an approved local plan or ordinance should be implemented on the project.

4. STORM WATER POLLUTION PREVENTION PLANS (SWPPP)

- 4.1. A customized SWPPP will be developed for each project and include those minimum elements required by the construction storm water permit. Sample SWPPP are available in the DEQ publications listed above. Temporary and permanent erosion and sediment controls BMPs will be shown on the plans and briefly described in narrative form in the SWPPP. The SWPPP will be included in the CNOI and in the contract documents. The project SWPPP must be coordinated with any local storm water ordinances. Pay items for erosion control work will be set up and shown on the plans.