

KDOT Construction Project Stormwater Compliance Plan

1. Personnel

- a. All persons performing inspections shall have a current KDOT Construction Stormwater Training (CSW) certification. See section 10 for additional information regarding the training program.
- b. Contractor's Water Pollution Control Manager (WPCM) and KDOT's Area / Metro Engineer shall maintain a current KDOT CSW certification.
- c. If the WPCM is replaced during the course of a project the replacement shall maintain a current CSW certification. The Area Engineer will be notified in writing of any such change in WPCM.
- d. If, during the course of the project, the designated Area/Metro Engineer is unavailable due to vacation, illness or other similar reasons, their responsibilities shall be assigned to another Area Engineer, the District Construction Engineer or other person of similar authority. The project Inspectors and the WPCM shall be notified of any such change in Area Engineer.
- e. Area / Metro Engineer Responsibilities:
 - i. Review and approve Contractor Stormwater Pollution Prevention Plan (SWPPP)
 - ii. Supervise all work necessary to meet stormwater requirements on the project.
 - iii. Order employees, contractors and sub-contractors to take appropriate action as necessary to comply with stormwater requirements, including requiring any such person to cease or correct a violation of stormwater requirements and to order or recommend such other actions as necessary to meet stormwater requirements.
 - iv. Be familiar with the project SWPPP and have the authority to modify the project SWPPP or approve modifications recommended by others.
 - v. Review and sign all inspection reports within 3 days after receiving such reports
 - vi. Be the point of contact for the project for regulatory officials, KDOT employees, contractors, sub-contractors and consultants regarding stormwater requirements
- f. WPCM Responsibilities:
 - i. Supervise all work performed by the Contractor and sub-contractors that involves stormwater requirements or affects stormwater compliance.
 - ii. Order Contractor employees and sub-contractors to take appropriate corrective action as necessary to comply with stormwater requirements, including requiring any such person to cease or correct a violation of stormwater requirements and to order or recommend such other actions or sanctions as necessary to meet stormwater requirements.
 - iii. Be familiar with the project SWPPP
 - iv. Recommend SWPPP modifications or amendments to the Area Engineer
 - v. Be the point of contact for KDOT regarding stormwater compliance
 - vi. Review and sign inspection reports within 3 days after receiving such reports, acknowledging awareness of any deficiencies and ensuring the correction of all deficiencies.
 - vii. Maintain SWPPP documentation and site maps to track installation and removal of BMPs throughout the project and ensure modifications are properly documented
- g. Inspector Responsibilities
 - i. Be familiar with the project SWPPP
 - ii. Perform project inspections for compliance with the permit
 - iii. Recommend SWPPP modifications to the Area Engineer and WPCM

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2. Pre-Construction Conference

- a. A stormwater pollution pre-construction conference shall be held prior to beginning work on each project that requires permit coverage.
- b. The Stormwater Compliance Engineer shall be notified of the meeting schedule
- c. Attendees shall at a minimum include:
 - i. KDOT Area / Metro Engineer
 - ii. Contractor's Water Pollution Control Manager (WPCM)
 - iii. Environmental Inspectors (KDOT and Contractor)
 - iv. Erosion Control subcontractor(s)
- d. Discussion Items shall include at a minimum:
 - i. Inspection schedule, procedures and contacts
 - ii. Initial disturbed areas to be called out on the 247E form
 - iii. Responsibility for installation, inspection and maintenance of devices
 - iv. SWPPP site plan, process for modifying / updating
- e. Minutes shall be kept and maintained with the project SWPPP documentation
- f. A copy of the meeting minutes shall be forwarded to the Stormwater Compliance Engineer

3. General Inspection Requirements

- a. Routine and post-rainfall inspections shall be conducted jointly by Contractor and KDOT.
- b. Inspection requirements begin upon issuance of the Notice to Proceed. Exceptions shall be approved by the Stormwater Compliance Engineer.
- c. Most devices and best management practices (BMPs) cannot be effectively inspected except while on foot. A good inspection will require walking and close examination of devices.
- d. The SWPPP site map shall be consulted and updated during each inspection to ensure inspection and documentation of all BMPs implemented on the project.
- e. The SWPPP should be modified based on site conditions. Modifications shall be documented on the site maps. A modification log shall also be kept with the project SWPPP documents. Minor adjustments to locations or quantities of BMPs may be made based on agreement between the WPCM and KDOT inspectors. Significant changes to types of BMPs used or changes in overall erosion and sediment control strategy may require the approval of the Area/Metro Engineer.
- f. All BMPs present on the project are to be inspected. Multiple inspectors may be required in order to complete the inspections within the required time frame.
- g. Taking pictures is recommended. Photos are an excellent means of documenting conditions on the project. They can also be used to document pre-existing conditions and to assist with the determination of vegetation density for permit termination.
- h. Rainfall shall be jointly measured and documented according to the requirements in the permit.
- i. The Contractor's responsibility to conduct inspections and maintain or correct identified deficiencies shall continue until the Engineer issues the Notice of Acceptance or a partial Notice of Acceptance when all physical work on the project is complete. The required 180-day observation period for pavement markings is not considered to be physical work.

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4. Frequency of Inspections
 - a. Projects will be inspected at a frequency compliant with the KDHE General Permit.
 - b. Oversight inspections shall be scheduled according to section 7 of this document.
 - c. Additional project-level or oversight inspections may be scheduled if needed to ensure compliance with the Permit and project specifications. This may be due to changes in construction sequence, completion of major project milestones or at other times as determined by the project staff or the Stormwater Compliance Engineer.
5. Required forms
 - a. Only the approved Form 247 may be used to document each inspection
 - b. Any modification to the form other than adding or deleting blank rows must be approved by the Stormwater Compliance Engineer.
 - c. Electronic Inspection reporting or alternative forms may be used with the approval of the Stormwater Compliance Engineer.
6. Submittal of Reports
 - a. Inspection reports are to be submitted to the Area / Metro Engineer no later than the next business day following the day of the inspection.
 - b. Inspection reports are to be submitted to the Contractor's WPCM no later than the next business day following the day of the inspection.
 - c. Inspection reports signed by the Area / Metro Engineer and WPCM shall be electronically submitted to KDOT.stormwaterinspection@ks.gov within 3 business days of the inspection.
7. Oversight Inspections
 - a. Independent inspectors will be assigned to perform oversight inspections on selected projects.
 - b. Independent inspectors will not be assigned to perform Oversight Inspections within their own District.
 - c. Oversight inspection reports will be completed and submitted according to section 6 of this document.
 - d. Oversight inspection frequency will be determined by the Stormwater Compliance Engineer (SWCE) based on the following risk factors:
 - i. Project scope
 - ii. Project size and/or complexity
 - iii. Proximity to environmentally sensitive areas
 - iv. Special environmental concerns or permit requirements
 - e. Oversight inspectors will be assigned as follows:
 - i. 1-5 Acres: No fulltime oversight inspector needed, but at least 1 oversight done during the life of the project. District Mentors, Construction Engineers/Managers (CE/CM) and SWCE will be assigned to these projects.
 - ii. 5.01 to 24.99 Acres: Oversight inspections every 90 days. Mentors, CE/CM and Field Engineering Administrators will be assigned to these projects.
 - iii. 25 to 99.99 Acres: Oversight inspections every 90 days. Area Engineers, District Construction Engineers, and District Maintenance Engineers would handle these projects.
 - iv. 100 and Above: Oversight inspections every 90 days. Headquarter personnel would handle these projects.

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8. Post-Construction Inspections

- a. Project site inspections are to be continued by the owner at the same frequency following the Notice of Acceptance or Partial Notice of Acceptance to the Contractor until the Notice of Termination is submitted to KDHE.
- b. Include a copy of the Notice of Acceptance or Partial Notice of Acceptance with the SWPPP documentation.
- c. The Area Engineer is responsible to ensure that any discovered deficiencies are completed in compliance with the Permit.

9. Permit Termination

- a. Once the entire project is stabilized with perennial, permanent vegetation the permit may be terminated. Vegetation must have a density of at least 70 percent of the density of undisturbed areas at or near the site. For assistance in making this determination, contact the Stormwater Compliance Engineer or the Environmental Services Section.
- b. All remaining temporary sediment control devices shall be removed from the project prior to termination.
- c. Once the project is fully stabilized and all devices removed, termination may be requested by email to the Stormwater Compliance Engineer.
- d. The Stormwater Compliance Engineer shall complete the Notice of Termination and provide a copy to the Area Engineer for inclusion with the SWPPP documentation.
- e. All SWPPP documentation shall be maintained at the area office or construction office for no less than three years following submittal of the Notice of Termination or no less than three years following termination of the Consent Decree (if applicable). Notify the Stormwater Compliance Engineer if the records will be kept at an alternate location.

10. Construction Stormwater Training

- a. CSW certifications will be valid for a period of four years.
- b. All Area/ Metro Engineers, Inspectors and WPCMs will be required to be current with the CSW certification.
- c. Individuals may be disqualified and/or lose their certification status in accordance with the procedures outlined in the KDOT Policy and Procedure Manual for The Certified Inspection and Testing Training (CIT) Program.

11. Stormwater Newsletter

- a. The Stormwater Compliance Engineer will prepare and electronically distribute a quarterly newsletter to KDOT staff, contractors and other interested parties.
- b. Stormwater newsletters will contain information relevant to stormwater management on KDOT construction projects.
- c. Stormwater newsletters will be posted and maintained on the KDOT website.

12. Annual Report

- a. The Stormwater Compliance Engineer will prepare an annual report on stormwater compliance for each calendar year.
- b. This report will summarize actions taken to improve state-wide practices related to stormwater management on construction projects.
- c. This report will be posted and maintained on the KDOT website.