

DWQ comments

General/Global comments:

- Notes must be developed for each slide so the message is consistent between all instructors
- BMPs NOT BMP's, MS4s. not MS4's
- Check all web links
- Update photos with high resolution images
- Keep text on slides to no more than 3-5 bullets of 10 words or less each (except in the case of verbatim definitions)
- Training does not include Low Erosivity Waivers

Slide

1 -Replace / update month and year on title slide

2 – What's the goal of the program? Protecting water quality should be clearly stated front and center.

4 – Make BMP definition match CGP definition and include the whole definition.

Move each definition to it's own slide and replace "Acronyms" on the slide titles to "Definitions".

Use Wikipedia's definition of Clean Water Act: The **Clean Water Act (CWA)** is the primary [federal law](#) in the [United States](#) governing [water pollution](#). Its objective is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The corresponding Water Quality Act of Utah (Title 19, Chapter 5, Utah Code) requires the prevention, control, and abatement of new or existing pollution of the waters of the state.

5- *update SWPPP definition*: Storm Water Pollution Prevention Plan: A site-specific, written document that: (1) identifies potential sources of storm water pollution at the site (2) describes storm water control measures to reduce or eliminate pollutants (3) identifies procedures the operator will implement to comply with permit requirements

6 – Delete NPDES definition and update UPDES definition as follows: "Utah Pollutant Discharge Elimination System: Utah's delegated water pollution control program that regulates pollutant discharges from point sources to waters of the State. All discharges, including to groundwater, are illegal unless permitted.

9 - This slide/concept needs to be expanded on. Discuss that these are two different permits with different requirements.

I think this slide is confusing and should be removed altogether, whether the inspection is being conducted by a regulatory official or has been hired by the contractor, the goals and performance expectations are the same. Those should be stressed more than whom the information is reported to. Discussing the differences in reporting requirements might be appropriate but not at this early point in the training.

10 - On this and future slides we need to specify what type of inspector we are talking about. Seems like this part is more focused on MS4 inspector

Suggested edits

Functions as a certified professional to ensure compliance
Impartially collects information to assess compliance
Ensures compliance through effective communication
Maintains a professional and technical understanding of storm water issues

11 – An appropriate image would be great on this slide

12 – The role of an inspector is to observe, record, and report (you could do some fun word art with this and really emphasize the three key words)

13 – Traits of an Effective Inspector

- Prepared – know what you should see and what you shouldn't, take notes and pictures of both
- Steadfast – trust your eyes and document in pictures
- Thorough – focus on the critical areas that may be tucked behind hard to reach areas
- Professional – in appearance and conduct, wear proper PPE
- Consistent and Impartial – document the good and the bad

14 – is the site permitted? Has the permit expired?

14 - Does the permittee have the right information? Do they need any outreach material/handouts the inspector can provide?

First bullet add to end "...and are inspections up to date?"

Third bullet edit "Is sediment washing off or being tracked out and impacting down-gradient areas?"

Fourth bullet add to end "like proper trash disposal?"

15- follows up to determine if deficiencies were addressed, enforces when necessary in accordance with ordinance/escalating enforcement option policies

This slide should specifically reference it applies to MS4 inspectors

Several of the bullets are redundant, condense to no more than 5 bullets

16 - specify that this is a MS4 inspector

17 - Add that any follow-up must also be documented

Third bullet "Record date and time of entry and exit from site"

Fourth bullet "Record on-site personnel in charge and other contacts"

Fifth bullet "Take good pictures and notes of what was observed"

Combine sixth and seventh bullets "Reports must be completed for every inspection in a timely manner"

New seventh bullet "Document all follow-up leading to compliance"

18 – It'd be handy to provide an example of a good inspection photo and a bad one.

Delete second through fourth bullets

Seventh bullet "Take 8-12 photos per site of key areas such as perimeters, washout bins, site exit(s), trash receptacles, portable toilets, etc."

19 – know the permit requirements

19 - Again specify: ROLE OF AN MS4 INSPECTOR

20 – cite permit/include permit citations for deficiencies

Delete second bullet "Provide proof"

Sixth bullet "Document everything thoroughly while memories are still fresh"

Seventh bullet "Prepare for the evidence to be contested, the more detail in your documentation and notes the better it will hold up"

23- 43 eliminate most and reduce to a few slides. Focus on the impact of construction sites on water quality

History of federal regulation not relevant to training. Keep focus on what inspectors need to know.

Delete 23-26

27 – Goal of storm water program is to prevent pollutants from contaminating our surface and ground water and hence preserve its chemical, physical, and biological integrity. Delete EPA logo.

28 – Provide an abbreviated list of things they're likely to see, i.e. garbage, solid waste / debris, chemical containers / bottles, sediment/dirt, washout on the ground, oil, fluids, and other spills, etc.

30 – slide is out of date. Remove

Slides 32-37 need to be updated with current literature on storm water impacts to water quality and condensed to a couple of slides and placed under a separate topic- e.g. "Storm Water Impacts To Water Quality" rather than under "What authority..."

33- would have more impact if a more recent study was cited

34 – May be useful to insert that sediment is a vector for other pollutants as well – nutrients, bacteria, solvents, heavy metals, etc.

34 and 35 – what is the source of this data? Add source

37 - This seems like a very complicated way to say that impervious surfaces negatively affect water quality. I think photos would make more of an impact. A possible example: show that fast moving water down a road picks up trash and leaf litter while water on a golf course is slower and doesn't pick up as much debris.

38 – First bullet "The NPDES program was established by the Clean Water Act to control point source pollution **through** discharge permits"

Second bullet "Utah granted primacy by EPA in 1986 to implement Clean Water Act programs including state issued UPDES permits"

Third bullet "EPA retains oversight authority over UPDES program to ensure consistency with national mandates"

40 – Update the "owner/operator" language to mirror the permit: All sites >1 acre, or <1 acre but part of a larger common plan of development.

Clarify in title of slide that this information pertains to construction storm water permits

First bullet "Owner / Operator required to apply for permit coverage if disturbance is one acre or greater or part of a common plan of development"

Second bullet "Municipalities designated as an MS4 responsible for ensuring compliance with oversight from State and EPA"

41 – why bother describing the differences between Ph I and II – the construction requirements are the same

Agreed, the distinction between Phase I and II is immaterial in this training slides 41 and 42 should be deleted. MS4 permit requirements (six minimum control measures) is probably outside the scope of this training.

42 – delete slide 42

43 – eliminate

45 - Replace image with something more relevant to this topic

46 –First bullet, “State authority to administer and enforce storm water requirements”

Second bullet, delete, redundant

Third bullet, “Rules defined in Utah Administrative Code” and include link to -

<https://rules.utah.gov/publicat/code/r317/r317-008.htm#T3>

Update images

47 – stress this is a statewide permit regardless if the municipality is requiring it. Discuss the role of the MS4 in implementing MCM5 Construction Site Runoff Control

47 – note that MS4s may require the State Const. SW permit for smaller sites OR they may have their own “small site SWPPP permit”

47 – Please insert a slide that explicitly notes that construction permit coverage is required statewide, regardless of whether or not cities require it. This would be a good place to describe the relation between the permittee, the MS4, and the state.

First bullet, “State Construction General Permit (CGP) required for projects disturbing 1 or more acres of land”

Second bullet, “Common Plan Permit (CPP) required for a single residential lot disturbing less than 1 acre that is part of a common plan of development or sale that disturbs 2 or more acres.”

Third bullet, delete

Include links to DWQ site – stormwater.utah.gov and our FAQ page - <https://deq.utah.gov/water-quality/general-construction-frequently-asked-questions-storm-permits-updes-permits>

48 – Update image, perhaps show a blank inspection log sheet and discuss the example of missing site inspections as non-compliant.

49 – I’d suggest focusing on the need to provide a level field to all the developers in Utah rather than weighing the risk of getting caught. So it’s more of an equitability issue than risk management. And the message is simple “Unpermitted activities are subject to fines and other enforcement measures”

50 – what document is this cited form? It is dated. Eliminate

50 – 51 – notes that enforcement may be taken at the local, state or federal level

51 - Since this is a Utah specific training I think it makes more sense to focus on what the state does for enforcement. Our enforcement options are in part 9.1. of the CGP. Typically up to \$10,000 per day unless it is done willfully or with gross negligence or is a second time offence.

52 – ESO is adopted into rule and the program is active in as of 2018. 18 ESOs have been issued by Utah DWQ since Sept 2018. Remove/revise last bullet and entire slide

53 – replace with Utah ESO screenshot

54 - Update image with perhaps a screen shot of the DWQ application page?

55 – add “Common Plan Permit” to first Bullet

Reword subtitle “Specific Storm Water Permits and Regulations Required For:”

First bullet, “Construction (CGP)”

Second bullet, “Common Plan (CPP)”

Third bullet “Construction Dewatering”

Fourth bullet “Multi-Sector Industrial Permit (MSGP)”

Fifth bullet “Underground Injection Wells (UIC)”

56 - Update image with screenshots of NOI and NOT forms

57 and 58 – Title is inaccurate. Retitle slides to say “Why permit coverage is required”. Permit coverage is required “when” sites > 1acre or less if CPOD.

57 - This slide confuses me. Is it trying to list what the permit covers or why the discharges must be covered?

Delete slide 57 and create a new slide with the message “The purpose of these permits are to protect water from pollution, both on the surface and underground.” and then discuss the threats posed by development on water quality including loss of permeability.

59 – Update image to refocus on construction aspect of storm water

First bullet “CGP for 1 or more acres of land”

Second bullet, “CPP if part of a common plan of development or sale”

Slides 60-63 need complete revision per comments below

60 – “Small Construction Waiver should be “Low Erosivity Waiver”

60 - remove “exception” bullet and discuss Low Erosivity Waiver on a separate slide

60 – note: Mention that this is for short duration projects typically completed during the dry season where there's reduced storm water risks. Erosivity factor is calculated using construction period and location.

60 – replace Appendix D with ‘CGP 1.1.2.d’

61- NOIs must be completed online and paid for online at <https://secure.utah.gov/account/log-in.html>

Note that DWQ will be using EPA’s NeT for permit application starting in late 2019.

61 - second bullet about double coverage: This may cause confusion. A site can complete a NOI for both a construction dewatering permit and a construction storm water permit. It can't have 2 construction storm water NOIs.

61 – remove reference at the bottom of page –

62 and 63 - NOI layout will change with the new database. Will want to use new screen shots. DWQ can provide these if you want them sooner.

64 – CGP expiration date is June 30, 2024. Remove 3rd bullet

First bullet, “NOI coverage is obtained online at stormwater.utah.gov”, include link and screen shot and add new slide on how to create a new account on EPA NeT.

Second bullet, "Permit coverage expires after one year and must be renewed if site has not been stabilized and a Notice of Termination (NOT) submitted"

Third bullet, "Failure to submit a Notice of Termination may result in penalties"

65 – delete slide

66 – remove slide

67 - This definition has changed both in Utah's and EPA's CGP

Operator: Any party associated with a construction project that meets either of the following two criteria:

1. The party which 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, sometimes it is a lessor); or

2. The party which 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 of the project).

Change slide title to "Who's Responsible for the Permit?"

68 – Note DWQ has moved to a single signature with transition to NeT database

Change slide title to "Who Certifies the NOI?"

First bullet "Operator (usually)"

Second bullet "Owner (possibly)"

Third bullet "Corporate Officer (Corporation)"

Fourth bullet "General Partner (Partnership)"

Fifth bullet "Executive Officer (Government)"

69 – remove Owner at top

Highlight that certification states information submitted is complete, if NOI is incomplete fines or imprisonment can result

70 – remove references to owner. Use link: construction.stormwater.utah.gov

70 - #5 is cut off and should say \$150 for 12 months coverage

71 – update with new DWQ website and EPA NeT / CDX database link location

(<https://deq.utah.gov/water-quality/updes-ereporting#construction>)

72 - Update image showing one compliant with all posting requirements

First bullet "Visible from street or sidewalk near entrance"

Second bullet "Sign big enough to be clearly seen"

Third bullet "UPDES Permit Number – UTR..."

Fourth bullet "Contact name, phone number and/or email"

In discussion mention this is the first thing an inspector looks for at a site, if they want a happy inspector put up a good sign.

73 – Update image with something appropriate like a recently completed and landscaped construction project, one that qualifies as an NOT

Change slide title to “Notice of Termination (NOT)”

74 - remove owner

Change slide title to “NOT Requirements”

Replace all slide text with the following,

“Permittees must submit a notice of termination (NOT) form when their project is complete and the site stabilized or when they are no longer the person responsible for the project”

“It is an enforceable requirement in the permit to submit an NOT when a permitted project is completed”

Update image to something inspectors are more likely to see, like a recently landscaped subdivision with turf, curb and gutter, etc.

75 – add “or DWQ” to 4th bullet

For all projects outside the regulated MS4’s, DWQ is responsible for performing NOT inspections. This would also be a good place to insert a slide about when and who is responsible for terminating coverage in subdivisions.

Change slide title to “NOT Conditions“

Add subtitle “When to Terminate Coverage”

Move fourth bullet to end of list and re-word, “When directed by MS4 or State”

76 – Provide a new screenshot of the DWQ website. We are moving away from accepting paper forms so screenshot should be of database and how to terminate there

Emphasis should be on using the database to administer permits, including submitting NOT

Not sure what the picture with the guy with a headache means, it seems counterproductive to the training’s purpose and should be removed.

78 – First bullet “SWPPP is a legal document, certified and enforceable”

Second bullet “Inspector’s job to make sure SWPPP is being followed and maintained (inspection logs are current, corrective actions completed, etc.)

Third bullet “Inspector must know what’s supposed to be on site via site map and description

Fourth bullet “Inspector must know what’s missing and needs to be added, removed, swept, etc. to comply with permit.

SWPPP is a ‘living document” which needs to be updated throughout the life of the project.

79 – New direct link to the template: <https://documents.deq.utah.gov/water-quality/permits/updes/DWQ-2018-006549.docx>

Remove EPA website link

1st Reference should be 7.3.2, second reference 1.1.1

80 – Highlight the following numbered items as common in all SWPPPs, important, and too often missing or deficient:

1., 4., 5., 9., 11. (especially), and 15.

Replace list with image of SWPPP Template Table of Contents

81 - Update image with screenshot of applicable section in SWPPP Template

82 - Remove 5th bullet

Add

-A description of the projected schedule

-A list and description of all pollutant-generating activities and inventory of pollutants on site

-Business days and hours for the project

83 – reference should be 1.1.5. No longer listed in Part 7 of permit. 1.1.5. simply states that you must have the documentation in your SWPPP to substantiate the occurrence of a public emergency. Suggest moving this slide to the start or end of the SWPPP slides

84 – Reference is 7.3.2.eRe-order sequence of bullets to match permit language

85 - Update permit part in slide title and use image of a good site map showing all required features, use a couple examples. Emphasize this is the most important part of their documentation to keep up to date in tracking conditions and changes at the site.

86-90 – Replace slides with example maps showing all required site features (flow paths, location of inlets, buffers, etc.)

91 - Update slide title and current permit info under 7.3.2

92 - Update slide title and permit info now under 7.3.4

93 - Update slide title with current permit info and reference part 1.2.3.

94-116 - Update Permit Citations and permit requirements (this is true for the whole section 7 for the permit section of the training)

98-99 - Update slide title with current permit under 2.2.14. References in stabilization requirements need updating.

101 - Update slide title and references with current permit info - 7.3.5 (7)

102 - Update slide title and references with current permit info - 7.3.5 (8)

103 - Update slide title and references with current permit info - 7.3.6

104 - Update slide title and references with current permit info - 7.3.7

105 – Update slide title and content with info in Part 6 of permit

106 – Update slide title and content with info in 7.3.8.a and current UIC contact info

107 – Update slide title and content with info in 3.2

108 – Update slide title and content...

159-163 – Update links provided and screen shot images

170 – Spray slopes from above and below to prevent “shadows” or spotty coverage from happening

349 – Add requirements for lids on dumpsters

371 –the only reason to use the form is bullet #2 and for statewide consistency

374 – remove bullet 5

378 – remove bullet 8

396 & 397 – remove. SEV codes are for state use only

368, 375, 376, 387, 388, 393, – Update screen shots of current inspection form

394 – Add slide for specifics of writing corrective actions; clearly identify the deficiency, its location onsite, the corrective action required, and the date the correction is due.