

# PRIMARY PERMITTEE RESPONSIBILITIES

## CONSTRUCTION GENERAL PERMIT

### (1) PROJECT OWNER (PRIMARY PERMITTEE) RESPONSIBILITY

- The owner of a project is responsible for compliance with all the terms and conditions of the Construction General Permit (CGP) and C-SWPPP (Comprehensive stormwater pollution prevention plan)
- Sites creating more the 1 cfs increase in runoff or disturbing more than one acre must have a qualified design professional prepare the C-SWPPP
- The owner must ensure that BMP's (Best Management Practices) and other controls required by the C-SWPPP are implemented and maintained. Further the Owner must ensure that activities on site do not render pollution control measure ineffective
- The Owner may rely on other persons to assist in compliance (Responsible Person and a CEPSCI (Certified Erosion Prevention and Sediment Control Inspector)) but ultimately compliance enforcement falls back to the owner (CEPSCI required on sites disturbing > 2 acres)
- The County requires a Pre-Construction meeting be held for all projects that are issued a land disturbance permit. The CGP requires each contractor, subcontractor, blanket utility provider, etc., who will work at the site to attend this meeting in person.
- The primary purpose of this conference is for the preparer of the C-SWPPP and/or the person with operational control of the plans and specifications to review and explain the On-Site SWPPP so that all are aware of the requirements before they start performing construction-related activities.
- This conference may be held simultaneously with all contractors and builders present or may be conducted separately with one or more contractors, subcontractors, etc. present.
- An OS-SWPPP must be kept on site with updated logs and field reports as outlined in the Construction General Permit
- A list of CEPSCI certified personnel can be found at [www.clemson.edu/t3s/cegsoci](http://www.clemson.edu/t3s/cegsoci)
- The owner may rely on (or require) secondary permittees and/or contractors to assist with project activities to ensure compliance
- Contractors and subcontractors must sign a certification form or have an Annual Blanket NOI with SCHEC and must stay in compliance with the OS-SWPPP

### (2) DURING CONSTRUCTION

- Site inspection must be conducted at a minimum at least once every 7 calendar days and is recommended within 24 hours of the end of a storm event of  $\frac{1}{2}$  inch precipitation or greater
- BMP's are to be maintained and operated effectively.
- When noted in inspection report that BMP maintenance is needed, it must be performed either within 7 calendar days, before the next inspection or storm event, or as reasonably as possible
- If the entire site is temporarily stabilized, inspection frequency may be reduced to at least once every month
- An inspection report is required for each inspection and must be available on site for County Inspector's review
- Stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased
- Stabilization must occur in no case more than 14 days after the land disturbing activity in that portion of the site has temporarily or permanently ceased
- Under no circumstance shall work start without a permit
- Violations will result in correction orders and a notice of violation (NOV). Depending on the severity of the violations and the potential impact stop work orders, permit suspension or evocations, bond recalls and civil penalties of \$7,500/day/violation could be assessed to the owner

- Since this is under coverage of federal and state laws, criminal penalties could also apply

### **(3) POST CONSTRUCTION WATER QUALITY**

- The Federal Water Quality Act requires that newly developed sites also minimize pollutants, such as debris, building material/waste, fertilizers, chemicals, fuels, and oils that may wash off these sites
- The preparer of the C-SWPPP has designed Water Quality (WQ) measures that will manage the "post construction" runoff
- The C-SWPPP will outline a required maintenance plan (MP) for the WQ features/devices
- The Project Owner or a newly designated HOA (in the case of a residential subdivision) is responsible to ensure that those water quality devices remain in good working order for the remainder of that development's life, according to the MP
- On most sites the stormwater detention facility is designed to not only control quantity but also quality
- The design professional who prepared the C-SWPPP must certify that the facility was constructed as shown on the as-built plan and according to the approved site plan and specifications (or achieve the function they were designed to perform) as a part of project close out
- The project close out can not be achieved until the following has occurred:
  - The site is completed according to the plans
  - Site has achieved final stabilization (uniform, evenly distributed, without large bare areas, perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established in all unpaved areas)
  - The design professional has certified that final stabilization has been achieved
  - A stormwater management facility ownership and maintenance form must be provided to the County
  - Pond Certification and As-Built has been submitted to Greenville County. Copy of HOA/POA documents/restrictive covenants received by Greenville County
  - Signed copy of permanent maintenance plan provided to Greenville County
  - Final inspection by County staff to verify
- The project owner remains the responsible party for all aspects of this site until final close out
- A NOT (Notice of Termination) can not be filed until final close out by Greenville County
- No C.O. (Certificate of Occupancy), will be released. Nor Road Acceptance or Bond Released until the final closeout has been approved by the County staff

### **(4) GENERAL FACTS**

- Congress passed the Clean Water Act in 1972
- Various studies conducted in the 1980's concluded that 80% of the pollution in our receiving waters was from stormwater runoff
- Congress passed the Federal Water Quality Act in a two phase permitting program:
  - Phase I was adopted in November 1990
  - Greenville and Richland counties meet the criteria for Phase I permit coverage
  - Greenville was permitted in August of 2000
  - In 2007, the majority of South Carolina's smaller cities were required to meet Phase II permit coverage
  - Phase I incorporates higher levels of WQ protection requirements than Phase II coverage
- This permit requires the County to improve and protect the quality of our waterways
- Sediment from construction sites are a major contributor to water quality degradation
- All sites disturbing more than 1 acre must obtain coverage under SCDHEC's Construction General Permit (CGP)
- Projects disturbing less than 1 acre that are part of a larger common plan of development or sale are required to obtain coverage
- Greenville has delegated authority from SCDHEC to perform plan review and inspection duties to ensure construction activities comply with these laws