Rules Relating to Water Quality for the Construction Community

Department of Planning and Permitting

June 2017
One DPP Rule for Water Quality

Flood control requirements will remain separate.
Definitions Revised (§20-3-3)

Key Definitions:
• “Development”
• “Redevelopment”
• “ESCP Coordinator”
• “Certified Water Pollution Plan Preparer”
• “Disturbed Area”
• “Land Disturbing Activity”
• “Director”
• “Maximum Extent Practicable”
“Development” means the sum of any and all actions that are undertaken to alter the natural or existing condition of real property or improvements on real property if a building, electric, grading, grubbing, plumbing, stockpiling, or trenching permit is required for the Project. Development also includes Redevelopment and changes in land use that may result in different or increased Pollutant discharges to the MS4 or Receiving Waters. Development does not include work that does not involve any Land Disturbing Activity, the installation of signs and traffic control devices, the construction of individual bus shelters, the installation of temporary BMPs, emergency work necessary to repair surfaces that are in immediate need of stabilization, the marking of improved surfaces with striping or signage, residential fence post installation, and minor and ordinary repairs to existing improvements, provided that the work will not increase the impervious surface area of the Project Site or involve replacing 50 percent or more of the on-Site impervious surfaces area.
“Redevelopment” means the **creation, addition, and/or replacement** of impervious surface on improved real property. Redevelopment does not include trenching and resurfacing associated with utility work, resurfacing and reconfiguring existing impervious surfaces, the repair of sidewalks or pedestrian ramps, pothole repair, ordinary road maintenance, or the marking of vehicular or pedestrian lanes on existing roads.
“ESCP Coordinator” means the designee responsible for the implementation of an ESCP who has a current ESCP coordinator certificate from the Department. The designation of an ESCP Coordinator does not relieve the property owner or other responsible parties from compliance with these Rules or liability for violations of the same.

- Requires a training, test, and certification from DPP.
- No professional credentials required.
- Responsible for implementation of BMPs and inspections.
Certified Water Pollution Plan Preparer

- “Certified Water Pollution Plan Preparer” means an Architect, Engineer, Land Surveyor, or Landscape Architect licensed in the State of Hawaii who has a current Water Pollution Plan Preparer Certificate from the Department.

- Requires a training, test, and certification from DPP.
- Required to prepare Storm Water Quality Report/Checklist.
- Required to certify that post-construction BMPs are installed properly.
“Disturbed Area” means any and all portions of Project Site affected by Land Disturbing Activities. Disturbed Areas include, but are not limited to, soils and surface areas affected by excavation, areas that are graded, grubbed, or clearing by uprooting vegetation, areas affected by the demolition of foundations, **areas used for equipment staging, materials, or staging, and areas affected by heavy pedestrian or vehicular traffic that disrupts ground covers or surface soil conditions.**
“Land disturbing activity” or “land disturbance” means any action, activity, or land use that alters the integrity, structure, texture, density, permeability, contents, or stress conditions of soil or ground surfaces if a building, electric, grading, grubbing, plumbing, stockpiling, or trenching permit is required for the Project. Land disturbing activities include, but are not limited to actions that result in the turning, penetration, or moving of soil, the resurfacing of pavement that involves the exposure of the base course or subsurface soils, and the use of portions of a Project Site as staging areas or base yards.
“Director” means the director of the City and County of Honolulu Department of Planning and Permitting or the Director’s authorized agent or representative.
“Maximum Extent Practicable” or "MEP" means economically achievable measures that prevent or reduce the addition of Pollutants to the environment to the greatest degree achievable through the application of the best available pollution control practices, technologies, processes, siting criteria, operating methods, and other alternatives.
Variances (§20-3-64)

• For deviations from the Rules, applicants must submit a petition for variance to the Director and may be authorized if all of the following are true:
  • The variance is necessary to **prevent a hardship** caused by unique Site conditions on the property that are not ordinarily found in other areas within the City;
  • The **unique conditions** on the property are **not the result of petitioner’s own actions** or the actions of his/her agents, contractors, consultants, or tenants;
  • Granting a variance **will not adversely affect the rights of abutting property owners**;
  • The variance requested **will not result in an unreasonable threat of Pollutant discharges** to the MS4 or State Waters; and
  • The variance requested is the **minimum accommodation needed** to overcome the hardship caused by naturally occurring conditions on the property.
EROSION AND SEDIMENT CONTROL PLAN REQUIREMENTS

Plan Review and Implementation of BMPs before and during Construction
Major Revisions from 1999 Rules Relating to Soil Erosion Standards

- Revisions to Definitions and Project Categories
- Removed Soil Loss Calculations requirements
- No minimum BMP checklists
- Updated minimum BMPs
- Updated BMP standards
- ALL categories must submit Erosion and Sediment Control Plan (ESCP)
  - ESCP templates for small projects
- Applicants must designate an ESCP coordinator to implement the ESCP and perform inspections
- New requirements for Self-Inspection
Project Categories (§20-3-14 and 17) Trenching Permits

New Category

| Trenching Permit | Development that requires a trenching permit but **does not** require a grading, grubbing, or stockpiling permit. |

- ESCP shall be incorporated into trenching plan and notes (§20-3-17).

Minimum BMPs required:
- Project Scheduling;
- Storm Drain Inlet Protection for storm drains that may receive runoff from the Disturbed Area;
- Stockpile Management BMPs;
- Perimeter Controls;
- Dewatering Operations BMPs; and
- Good Housekeeping Practices for work area and staging areas.
## Project Categories (§20-3-14) Building Permits

**Category 1:** Development that requires a building permit but does not require a grading, grubbing, or stockpiling permit.

| **Category 1A** | **Must meet ALL of the following criteria:**  
| 1. Residential single-family or two-family detached residential Development;  
2. The total Disturbed Area for the Project is less than 1,000 square feet; and  
3. Land Disturbing activities will not occur on slopes equal to or greater than 15 percent at the Site. |

| **Category 1B** | **Must meet ANY of the following criteria:**  
| 1. Commercial Development with less than one acre of Disturbed Area;  
2. Residential single-family and two-family detached Development between 1,000 square feet and less than one acre of Disturbed Area; or  
3. Residential single-family and two-family detached Development less than 1,000 square feet of Disturbed Area if work will be performed on slopes equal to or greater than 15 percent at the Site. |

| **Category 1C** | Development that involves a Disturbed Area of one acre or more or requires a NPDES General/Individual Permit Authorizing Discharges of Storm Water Associated with Construction Activity, issued by the DOH. |
ESCP Requirements for SMALL PROJECTS Category 1A and 1B (§20-3-18 and 19)

• Submit Small Project ESCP Template (Appendix A or B)
  • Submit additional information if needed

• ESCP must include:
  • BMP Site Plan
    • Outline of buildings and structures
    • Clear delineation of disturbed areas
    • Proximate location of proposed BMPs and drainage structures
    • Receiving waters located within 50 feet of the project site

• Minimum BMPs, checklist format
Example of a small project ESCP plan

Small single family residence adding a new 400 sq-ft addition.

Include:
- Outline of buildings and structures
  - Existing home, fence line
  - New addition
- Flow paths
- Disturbed areas including staging areas
- BMPs
  - Compost filter sock
  - Concrete washout location
  - Material storage areas
  - Drain inlet protection
  - Existing grass to remain
- Drainages structures and receiving waters within 50 feet of project site
Example of a small project ESCP plan

On the form:

Check BMPs that are applicable:

- Scheduling
- Permanent Stabilization
- Perimeter Controls
- Drain Inlet Protection
- BMP and Site Maintenance
- Dust Control
- Material Delivery, Storage, and Control
- Spill Prevention and Control
- Solid Waste Management
- Hazardous Waste Management
- Concrete Waste Management
- Vehicle Tracking Control

Not applicable:

- Stockpile management
- Contaminated Soil Management
- Sanitary/Septic Waste management
- Liquid Waste Management

USE CCH Construction BMP manual factsheets as a reference
## Project Categories (§20-3-14)
Grading, Grubbing, and Stockpiling Permits

<table>
<thead>
<tr>
<th>Category 2</th>
<th>Area of the zoning lot or portion thereof subject to the permit is less than 15,000 square feet for single-family or two-family dwelling uses and less than 7,500 square feet for other uses.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 3</td>
<td>Area of the zoning lot or portion thereof subject to the permit is 15,000 square feet or more for single-family or two-family dwelling uses, or 7,500 square feet or more for other uses, but where the total area graded or stockpiled upon is less than 15,000 square feet for single-family or two-family dwellings uses and less than 7,500 square feet for other uses.</td>
</tr>
<tr>
<td>Category 4</td>
<td>Total area including any areas developed incrementally that is to be graded, grubbed, or stockpiled upon is 15,000 square feet or more for single-family or two-family dwelling uses, or 7,500 square feet or more for other uses, or in the event a proposed cut or fill is greater than 15 feet in height for single-family or two-family dwelling uses, or 7.5 feet in height for other uses.</td>
</tr>
<tr>
<td>Category 5</td>
<td>Development that involves a Disturbed Area of one acre or more or requires a NPDES General/Individual Permit Authorizing Discharges of Storm Water Associated with Construction Activity, issued by the DOH.</td>
</tr>
</tbody>
</table>
ESCP Requirements for Category 2 and 3 (§20-3-21 and 22)

• ESCP must include:
  • A BMP Site Plan, drawn to scale, which depicts:
    • Outline of buildings and structures,
    • Clear delineation of Disturbed Areas, and
    • Proximate location of proposed BMPs.
  • Construction notes with a narrative description of any BMPs that cannot be shown on a Site plan; and
  • A vicinity map showing any drainage structures and Receiving Waters located within 50 feet of the Project Site.
ESCP Requirements For Category 1C, 4, and 5 (§20-3-20, 23, and 24)

• The ESCP must include:
  • A location map showing the name, coordinate, and RW classification.
  • A vicinity map showing the location of, within 100 ft of the project:
    • Streams, channels, and drainage structures.
  • The location of the 100-year flood plain.
  • Topo maps of the existing/finished contours.
  • Existing/final drainage patterns and discharge points.
  • Proposed structures, impervious areas, existing vegetation, final landscaping conditions, and appurtenant improvements.
  • Erosion Control construction notes include BMPs that cannot be shown on a Site Plan.
  • A BMP Site Plan, drawn to scale, showing:
    • Outline of buildings and structures,
    • Delineation of Disturbed Areas, and
    • Proximate location of proposed BMPs.
  • BMP design details and notes identifying:
    • Temporary and Permanent BMPs,
    • Schedule for BMP implementation, and
    • BMP maintenance activities.
  • A list or table of:
    • Preconstruction, during construction, and post-construction BMPs;
  • A statement in construction notes that the contractor/developer/owner shall obtain written approval from DPP at each stage of Development before proceeding to the next step in Development described in the ESCP.
ESCP Submittal Requirements for Plan Approval (Subchapter 4)

<table>
<thead>
<tr>
<th>ESCP must be prepared by:</th>
<th>Project Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1A</td>
</tr>
<tr>
<td>Licensed Civil Engineer</td>
<td></td>
</tr>
<tr>
<td>Owner or Agent</td>
<td>X</td>
</tr>
</tbody>
</table>

- ESCPs must be submitted with the first set of plans.
- All ESCPs must indicate an ESCP Coordinator:
  - Name, phone number, mailing address, and email address of ESCP coordinator must be provided to DPP 2 weeks prior to commencing any work.
## Minimize Erosion Control BMPs (§20-3-18 through 24)

<table>
<thead>
<tr>
<th>Minimum BMP</th>
<th>Project Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1A</td>
</tr>
<tr>
<td>Project Planning and Design</td>
<td>X</td>
</tr>
<tr>
<td>Project Scheduling</td>
<td>X</td>
</tr>
<tr>
<td>Slope Management and Protection</td>
<td>X</td>
</tr>
<tr>
<td>Temporary Stabilization</td>
<td>X</td>
</tr>
<tr>
<td>Permanent Stabilization</td>
<td>X</td>
</tr>
<tr>
<td>Velocity Dissipation Devices</td>
<td>X</td>
</tr>
<tr>
<td>Diversion BMPs</td>
<td>X</td>
</tr>
<tr>
<td>Preserve Existing Vegetation</td>
<td></td>
</tr>
<tr>
<td>Minimize Soil Compaction</td>
<td></td>
</tr>
</tbody>
</table>
## Minimum Sediment Control BMPs (§20-3-18 through 24)

<table>
<thead>
<tr>
<th>Minimum BMP</th>
<th>Project Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1A</td>
</tr>
<tr>
<td>Storm Drain Inlet Protection</td>
<td>X</td>
</tr>
<tr>
<td>Perimeter Controls</td>
<td>X</td>
</tr>
<tr>
<td>Buffer Zones</td>
<td></td>
</tr>
<tr>
<td>Sediment Traps (between 1 to 5 acres)</td>
<td></td>
</tr>
<tr>
<td>Sediment Basins (5 acres and greater)</td>
<td></td>
</tr>
</tbody>
</table>
# Minimum Good Housekeeping BMPs (§20-3-18 through 24)

<table>
<thead>
<tr>
<th>Minimum BMP</th>
<th>Project Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>BMP and Site Maintenance</td>
<td>1A   1B   2   3   4   1C + 5</td>
</tr>
<tr>
<td>Dust Control</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Material Delivery, Storage, and Use BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Stockpile Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Spill Prevention and Control BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Solid Waste Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Hazardous Waste Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Contaminated Soil Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Concrete Waste Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Sanitary/ Septic Waste Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Liquid Waste Management BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Vehicle and Equipment Cleaning BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Vehicle and Equipment Fueling BMPs</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Tracking Control</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Stabilized Construction Entrance and Exit</td>
<td>X     X     X     X     X     X     X</td>
</tr>
<tr>
<td>Dewatering Operations</td>
<td>X     X     X     X     X     X     X</td>
</tr>
</tbody>
</table>
Example of ESCP
Example of ESCP

Include:

- Project Sequence and Rain Response Plan

- Narrative description of BMPs that cannot be shown on Site Plan (Good Housekeeping & maintenance requirements)

- List BMPs that are not applicable
Project Scheduling

• Project schedules must establish:
  • A sequence of all planned actions and activities including, but not limited to:
    • All land disturbing activities,
    • Implementation of the BMPs,
    • Scheduled inspections and maintenance of BMPs, and
    • Removal of temporary BMPs.
  • Deadlines for the implementation/removal of BMPs shall be provided as specific dates or Project milestones.
  • A rain response plan
    • Identifies work that will not be performed during defined rain conditions and/or events.
• Submit scheduled start date to the Director in writing two (2) weeks prior to commencing work
• Project schedules must be revised if delays or disruptions to the Project necessitate changes to the sequence of work or BMPs.
  • Revisions must be submitted to DPP and approved by the Director before work may be performed pursuant to the revised schedule.
• A copy of the original Project schedule and all revised schedules must be kept in the Project Log in chronological order.
Additional Requirements for Development Projects (§20-3-25)

• Projects may also need NPDES permits from the Department of Health
  
  • Form C: Construction > 1 acre
  • Form F: Hydrotesting
  • Form G: Dewatering
BMP STANDARDS
Changes to ESCP during Construction

• Minor Changes
  • Changes must be noted on the Site copy and initialed by City inspector

• Major Changes
  • Changes must be proposed to DPP Director in writing and approved before work resumes
If grade is ≥15% you must:

- Phase the work: no more than 5 acres open at one time
- Stabilize slope immediately unless it is being actively worked
  - Rolled erosion control products
  - Hydraulic mulch or hydroseeding
  - Hydraulic or bonded fiber matrix
  - Planting/vegetation
- Provide 10 foot buffer at toe of slope
- Use upstream diversion around disturbed slopes
Temporary Stabilization (§20-3-30)

Stabilize all disturbed areas when at final grade OR when active work not scheduled within 14 calendar days.

- Rolled erosion control products
- Hydraulic mulch or hydroseeding
- Hydraulic or bonded fiber matrix
- Planting/ vegetation
Permanent Stabilization (§20-3-31)

Sites must be stabilized prior to permit closure.

- Vegetation and pavement, or equivalent.
- All drainage structures installed, functioning, and clean.
Drain Inlet Protection (§20-3-39)

• Required unless inlets drain to a sediment basin or trap.
• Must be maintained/replaced when sediment exceeds 1/3 of the height.
Vegetated Buffers (§20-3-40)

• Category 1C and 5 (NPDES permitted projects)
  • If the project is within 50 feet of state waters, must leave a 50 foot undisturbed buffer zone.
  • If that is not feasible, install double perimeter controls minimum of 5 feet apart.
• Must be protected with temporary fencing during all clearing and grubbing work.
Sediment Basins (§20-3-41) and Sediment Traps (§20-3-42)

• Sediment Basin: mandatory for category 5 with $\geq$ 5 acres or more
• Sediment Traps: mandatory for category 5 with less than 5 acres

• Design for 2-year, 24-hour storm or 3,600 cubic feet per acre.
• Sediment shall be removed to maintain least 50% of the design capacity at all times.
Tracking Control (§20-3-43) and Stabilized Construction Entrances (§20-3-44)

- Remove sediment from tires prior to exiting site
- Restrict vehicle paths to designated areas
  - Use flags or boundary fencing
- Off-site streets must be cleaned immediately using dry methods.
  - Sediment may be washed only if inlets are directed to sediment basin or trap
- Stabilized construction entrances required for Categories 1C, 3, 4, and 5
Good Housekeeping (§20-3-46)

<table>
<thead>
<tr>
<th>BMP</th>
<th>BMP Manual Fact Sheet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Material Delivery, Storage and Control</td>
<td>WM-1</td>
</tr>
<tr>
<td>Stockpile Management</td>
<td>WM-3</td>
</tr>
<tr>
<td>Spill Prevention and Control</td>
<td>WM-4</td>
</tr>
<tr>
<td>Solid Waste Management</td>
<td>WM-5</td>
</tr>
<tr>
<td>Hazardous Waste Management</td>
<td>WM-6</td>
</tr>
<tr>
<td>Contaminated Soil Management</td>
<td>WM-7</td>
</tr>
<tr>
<td>Concrete Waste Management</td>
<td>WM-8</td>
</tr>
<tr>
<td>Sanitary/ Septic Waste Management</td>
<td>WM-9</td>
</tr>
<tr>
<td>Liquid Waste Management BMPs</td>
<td>WM-10</td>
</tr>
<tr>
<td>Vehicle Tracking Control/ sweeping/ vacuuming</td>
<td>TR-1, TR-2</td>
</tr>
</tbody>
</table>

*Recommended to review CCH Construction BMP Manual*
Discharge Notifications (§20-3-46)

• Discharge of Hazardous Materials to the MS4:
  • Property owner or ESCP Coordinator shall immediately notify the DFM, HFD, and HPD of the discharge by telephone.
  • Submit written report to DPP 3 days after notification by phone

• Discharge of Nonhazardous Materials to the MS4:
  • Notify DFM within one day
  • Submit written report to DPP 3 days after notification by phone
INSPECTIONS
BMP Inspections (§20-3-26)

- Inspections must be performed by the ESCP Coordinator
- Pre-construction inspection required for all projects
- Regular Inspections:

<table>
<thead>
<tr>
<th>Project Category</th>
<th>Frequency of Inspection</th>
<th>Checklist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 1A, 1B, &amp; 2</td>
<td>Once every 30 days*</td>
<td>Appendix C</td>
</tr>
<tr>
<td>Category 3, 4, &amp; Trenching</td>
<td>Once every 7 days</td>
<td>Appendix C</td>
</tr>
<tr>
<td>Category 1C &amp; 5</td>
<td>Once Every 7 days</td>
<td>Appendix D</td>
</tr>
</tbody>
</table>

* if the Project will be completed in less than 30 days, inspection shall occur midway through the Project
Appendix C
(Category 1A, 1B, 2,3,4, and Trenching)

Construction Site BMPs Inspection Checklist
For CCH Category 1A, 1B, 2, 3, and 4 and Trenching Projects

<table>
<thead>
<tr>
<th>General Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name:</td>
</tr>
<tr>
<td>Location: (blank)</td>
</tr>
<tr>
<td>Project Manager:</td>
</tr>
<tr>
<td>Contractor:</td>
</tr>
<tr>
<td>Authorized Rep:</td>
</tr>
<tr>
<td>Phone:</td>
</tr>
<tr>
<td>Email:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Inspections:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type:</td>
</tr>
<tr>
<td>Regular Weekly Inspection</td>
</tr>
<tr>
<td>Re-Inspection</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Phase: (check all that apply)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobilization / Demolition</td>
</tr>
<tr>
<td>Grading</td>
</tr>
<tr>
<td>Rought Grading</td>
</tr>
<tr>
<td>Infrastructure / Utilities</td>
</tr>
<tr>
<td>Building Construction</td>
</tr>
<tr>
<td>Final Grading</td>
</tr>
<tr>
<td>Final Stabilization</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Records Review (If &quot;No&quot; is checked for any of the following columns, complete Deficiencies / Corrective Action Report on page 3.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Available at Site</td>
</tr>
<tr>
<td>Complete, Signed, and Current</td>
</tr>
<tr>
<td>Pre-Construction Inspection</td>
</tr>
<tr>
<td>Weekly or Monthly Construction Inspections</td>
</tr>
<tr>
<td>Erosion and Sediment Control Plan (ESCP)</td>
</tr>
</tbody>
</table>

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Page 1 of 4
Appendix D (Category 1C and 5) NPDES Permitted Projects
BMP Inspections (§20-3-26)

• All photographs and inspection reports must be compiled in a 3 ring folder or binder or kept electronically, which shall be the Project Log.
  • Project Log shall be kept on Site or electronically accessible from the Site at all times

• At the conclusion of the Project, the property owner or ESCP Coordinator shall:
  • Inspect the Site and confirm that all Disturbed Areas have been stabilized and all temporary BMPs have been removed.
  • Submit an electronic copy of the final Project Log and a letter confirming compliance with this subsection to the Director within 5 business days of completing work on the Project.

• Permits for work on the Project Site will not be closed until compliance with this subsection is achieved.
Third Party Oversight Inspection

NPDES Permit Part D.1.5.(iii) 3rd Party Oversight Inspections:

“Develop and implement an effective inspection oversight program for both public and private construction projects throughout the entire construction process until final completion of the project. Due to a high degree of variability among site conditions and oversight by the City, the Permittee shall use dedicated erosion and sediment control or storm water inspectors who is independent (i.e., not involved in the day-to-day planning, design, or implementation) of the construction projects to be inspected to conduct, at a minimum, monthly oversight inspections of all applicable construction projects within the City’s jurisdiction.”
Third Party Oversight Inspection

• Purpose: to assess the adequacy and effectiveness of the compliance inspection program implemented by the City inspectors and third party Construction Managers at ensuring compliance with the Permit.

• Projects evaluated using the following risk-ranking criteria:
  • Total disturbed area
  • Distance to watercourse
  • Slope
Certifications

• CWPPP
  • Must be a licensed Professional Engineer, Architect, Landscape Architect, Land Surveyor
  • Required to prepare SWQR/ SWQC
  • Required to certify that post-construction BMPs are installed properly

• ESCP Coordinator
  • Anyone acting as an ESCP coordinator on site (no other credentials required)
ENFORCEMENT RESPONSE PLAN FOR CCH CIP PROJECTS

NPDES Permit (HI S000002, Part D.1.d.(6))
## Deficiency Severity

<table>
<thead>
<tr>
<th>Severity</th>
<th>Description</th>
<th>Time Frame to Correct</th>
<th>Time Frame to Implement New/Additional BMPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor</td>
<td>Deficiencies that do not pose a threat of discharging untreated storm water or pollutants to the MS4, surface waters, or State waters, but are not in strict conformance with an approved ESCP or Minimum Erosion and Sediment Control BMP Checklist.</td>
<td>Immediately</td>
<td>Within 7 business days or before the next forecasted rain event, whichever is sooner.</td>
</tr>
<tr>
<td>Major</td>
<td>Non-critical deficiencies that indicate a lack of good-faith efforts to comply with the requirements of these rules and those deficiencies that may reasonably be expected to result in the discharge of pollutants to the MS4 or State waters under any rain conditions.</td>
<td>Immediately</td>
<td>Within 5 business days or before the next forecasted rain event, whichever is sooner.</td>
</tr>
<tr>
<td>Critical</td>
<td>Any BMP deficiencies that result in or pose an immediate threat of pollutant discharges to the MS4 or state waters.</td>
<td>Immediately</td>
<td>Before the close of business on the day it was identified.</td>
</tr>
</tbody>
</table>
Deficiencies that do not pose a threat of discharging untreated storm water or pollutants to the MS4, surface waters, or State waters, but are not in strict conformance with an approved ESCP or Minimum BMP Checklist. Minor deficiencies include, but are not limited to:

- ESCP does not reflect current operations and an amendment is needed.
- BMPs are not deficient, but are not consistent with the ESCP or Minimum BMP Checklist.
- Site inspections by project staff are not being conducted at the required frequencies.
- Oil, fuel, or brake or transmission fluid spills that have not entered the MS4 but covers less than one (1) square yard.
- Evidence of active wind erosion on un-stabilized slopes/stock piles.
- BMPs that need minor repair or maintenance.
Inlet protection needs maintenance
Needs more gravel
Compost sock needs to be replaced

Compost socks should be overlapped.
Fuel spill less than 1 square yard, stayed on site
Insert protection needs maintenance.
Major Deficiencies

Deficiencies that indicate a lack of good-faith efforts and may reasonably be expected to result in the discharge of pollutants to the MS4 or State waters under any rain conditions. Major deficiencies include, but are not limited to:

• Failure to obtain an approved/accepted ESCP or Minimum BMP Checklist before land disturbing activities.
• Missing, significantly damaged, improperly installed or not functional or effective BMPs.
• Oil, fuel, or brake or transmission fluid spills that has not entered the MS4 but covers more than one (1) square yard.
• Discharge or evidence of discharge, of untreated storm water or non-storm water that has entered the MS4.
• Sediment tracking from the project ingress/egress in any direction.
• Hazardous materials or waste stored within the project area without proper containment or in improper locations.
• Dust from project site visibly blowing off the site.
BMPs needs maintenance/not properly installed

Evidence of tracking
Improperly installed/not effective on impervious areas
Concrete washout more than 75% full

Concrete washout overflowed
Sediment entering storm drain
Spilled polymer washout/ clean out
Critical Deficiencies

Any deficiencies are any BMP deficiencies that result in or pose an immediate threat of pollutant discharges to the MS4 or state waters. Critical deficiencies include, but are not limited to (examples provided in next two slides):

1. **Reportable Critical Discharges** (HAR Chapter 11-55 Appendix C Part 5.3.1) – Notify and provide report to DOH and SWQ. Keep a copy onsite or in an easily accessible location.

2. **Non-Reportable Critical Discharges** – Notify SWQ. Submit report if requested. Keep a report onsite or in easily accessible location.
Any of the following discharges that enters a State water:

- Wastewater from washout of concrete;
- Wastewater from washout/cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- Soaps, solvents, or detergents used in vehicle and equipment washing; and
- Toxic or hazardous substances from a spill or other release.
Non-Reportable Critical Discharges

• Any reportable critical discharge that enters the MS4 but did not reached State waters.

• Work in an active stream channel or other surface water body without proper implementation of required BMPs.

• Main or lateral break of potable waters that reaches State waters.

• Sediment discharges that enters the MS4 or State waters
No erosion or sediment control BMPs

High turbidity/muddy water
Improperly stored chemicals

Possible discharge to MS4 and State waters
Illicit connection

Inlet protection needs maintenance
Active Work in a stream and no BMPs
POST-CONSTRUCTION: INFILTRATION BMP INSTALLATION

Protecting existing vegetation, future infiltration facilities, and minimizing soil compaction
Infiltration BMP Installation Recommendations

• Protect future infiltration areas from compaction prior to installation. Clearly mark the existing vegetated areas to be preserved and future infiltration facilities with flags or temporary fencing.

• Stabilize the entire area draining to the infiltration facility before construction of the infiltration facility begins. Or, construct a diversion berm around the perimeter of the infiltration site to prevent sediment transport during construction.

• Excavate Structural Infiltration facilities to a uniform, level, uncompacted subgrade, free from rocks and debris. Excavation should be performed with the lightest practical equipment and should be placed outside the limits of the infiltration facility. If the use of heavy equipment on the base of the facility cannot be avoided, the infiltrative capacity must be restored by soil amendments or aerating prior to placing the infiltrative bed.
Infiltration BMP Installation Recommendations

• Complete final grading to achieve proposed design elevations, leaving space for upper layer of compost, mulch or topsoil as specified on plans.

• Plant vegetation according to landscaping plan. Erosion and sediment control measures, such as temporary seeding and erosion control mats, should be used on vegetated slopes if appropriate.

• Where pervious pavement is to be installed, installation of the pavement shall be scheduled as the last installation at a development site. Vehicular traffic should be prohibited for at least 2 days following installation. Site materials should not be stored on pervious pavement.

• Continue to use erosion and sediment control BMPs such as inlet protection and perimeter control to protect permanent BMPs until they are ready to be brought online. Once the drainage area is completely and permanently stabilized, the system can be brought online.
CCH RESOURCES

BMP Plan Templates
Construction BMP Manual
Plan Review Checklist
CCH Online Resources
www.cleanwaterhonolulu.com

• Step 1
  Click on Learning Center

• Step 2
  Click on Construction Tab
Storm Water Pollution Prevention Plan (SWPPP) Template for Public Projects

- For NPDES permitted projects to comply with HAR 11-55 Appendix C and applicable CCH requirements
- Attachments and BMPs should be edited as needed.
- Goal is a City-wide template for contractor compliance & Streamlined review for CCH
Site-Specific Construction BMP (SSCBMP) Plan Template for Public Projects

For smaller projects that do not require an NPDES permit from the State

Contents:

1. Project Information
2. Description of Construction Activities
3. Required Permits
4. Identification of Prime Contractor and Other Site Contractors
5. Sequence and Estimated Dates of Construction Activities
6. BMP Site Plan (Drawing and Notes)
7. Storm Water Management Practices
8. Inspections and Corrective Actions
CCH Construction BMP Manual

- Information on selection, proper installation and maintenance of BMPs
- Useful fact sheets that can be included in the SWPPP
- Most recent version will always be available on the DFM-SWQ website:
CIP Plan Review Checklist

• Requirement of MS4 permit.

• To aid review projects for CCH erosion and sediment control requirements including additional permits that are required.

• Documents compliance with permit verification requirements.
Thank you!