State of Oregon Department of Environmental Quality

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM CONSTRUCTION STORMWATER DISCHARGE PERMIT

Oregon Department of Environmental Quality
700 NE Multnomah St. Suite 600, Portland OR 97232

Issued pursuant to ORS 468B.050 and Section 402 of the Federal Clean Water Act

Permit Area:

This 1200-C NPDES Construction Stormwater General Permit authorizes discharges in Oregon with the exclusion of: tribal trust and reservation lands, and Lands of Exclusive Federal Jurisdiction.

Coverage under this Permit:

Coverage under this General Permit is required for all construction activities that have the potential to discharge stormwater and/or specified non-stormwater to surface waters of the state or to conveyance systems draining to such waters, except where the same discharges are already authorized under a separate NPDES permit. Operators must obtain coverage under this permit prior to the commencement of construction activities. Construction activities include but are not limited to:

- Clearing, grading, excavating, grubbing, stumping, demolition, stockpiling, and other land disturbing activities; and
- Construction support activities directly associated with the permitted construction activity, including portable/temporary concrete or asphalt batch plants, portable rock crushers, equipment and material staging and storage, excavated material storage and disposal areas, and borrow areas.

Permit coverage is required for the following:

a. Construction activity that will disturb one acre of land or more, including cumulative off-site disturbance acreage related to construction support activities, regardless of project phasing; or

b. Land use conversion activities meeting the disturbance threshold in subsection (a), including:

   i. Conversion of forestland to non-forestry or non-agricultural use following completion of timber harvest operation, and

   ii. Conversion of agricultural or farm use land to non-agricultural or farm use; or

c. Construction activity disturbing less than one acre of land that is part of a common plan of development or sale that will ultimately disturb one acre or more of land; or

d. Construction activity disturbing less than one acre of land that is a necessary and required component of a final project that will ultimately disturb one acre or more of land (e.g. utilities, infrastructure); or

e. Construction activity disturbing less than one acre of land where DEQ has documented water quality violations attributable to the activity or where DEQ determines there is significant potential to contribute pollutants to waters of the state or may contribute to a violation of a water quality standard.

Jennifer Wigal, Administrator Water Quality	December 15, 2025 Issuance Date	December 15, 2025 Effective Date

LIMITATION OF COVERAGE

This permit does not authorize:

a. In-water work or activities that may result in the discharge of fill or dredged material into waters of the U.S. and/or the state, which are regulated by other programs and agencies.

   Applicants must identify, apply for, and resolve any state (Department of State Lands) or federal (US Army Corps of Engineers) and DEQ 401 water quality certification requirements before applying for 1200-C NPDES permit coverage if seeking an exception from the natural buffer zone requirements in Schedule A.3.

b. Post-construction stormwater discharges that originate from the site after completion of construction activities and the site is stabilized.

c. Stormwater discharges to unpermitted or unregistered underground injection control (UIC) systems.

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CONDITION I: APPLICATION AND PERMIT COVERAGE REQUIREMENTS

1. Permitted Activities

Until this permit expires, is modified, revoked, or terminated the registrant is authorized to install and operate erosion and sediment control measures and stormwater treatment and control facilities, and may discharge stormwater and authorized non-stormwater discharges to surface waters of the state or conveyance systems leading to surface waters of the state only in conformance with all conditions set forth in this permit.

2. Eligibility Conditions

An "operator" associated with a construction activity covered under this permit is eligible to obtain permit coverage if they meet either of the following two criteria, and is referred to as the "registrant" within this permit after permit coverage is issued:

a. The party has operational control over construction plans and specifications, including the ability to make or approve modifications to those plans and specifications (e.g. owner of the site, agent of owner, engineer); or

b. The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g. general contractor).

3. DEQ Agents

DEQ has authorized certain local public entities ("Agents") to implement and enforce this permit within their respective jurisdictions. In these jurisdictions, permit references to "DEQ" should be understood to mean "Agent," unless otherwise specified. Further detail on Agent responsibilities can be found in Schedule D.4.

4. Application

The operator must submit complete application materials at least 30 days before the commencement of any construction activities. The application must include the items below and be submitted to DEQ:

a. Complete and accurate application form;

b. Erosion and Sediment Control Plan (ESCP) for the construction activity that necessitates permit coverage (including an Environmental Management Plan [EMP] if applicable per Schedule A.24);

c. Land Use Compatibility Statement (LUCS) indicating that the proposed activities are compatible with the local government's current comprehensive plan;

d. Current wetland or stream delineation for all waters of the state within the construction activity area or applicable natural buffer zone and any associated in-water work permits/authorizations from appropriate permitting agencies;

e. Application fee and annual fee for the first year of permit coverage per OAR 340-045-0075, Table 70G.

The applicant must receive written notification from DEQ that permit coverage has been approved by DEQ prior to the commencement of covered construction activities.

Small Lot Exception:

The small lot permit is required for construction activities disturbing less than one acre if the activity is part of a "common plan of development or sale" that disturbs one or more acres. Small lot permit applications require payment of a reduced application fee and no annual fee. Construction activities covered by the small lot permit are required to comply with all conditions in this general permit. Operators of small lot project sites located within 1200-CN jurisdictions are not required to obtain small lot permit coverage if they obtain a local erosion and sediment control permit.

Denial of Permit Coverage:

DEQ may refuse to authorize or revoke coverage under this general permit and require the operator to apply for an individual NPDES permit in accordance with the procedures in OAR 340-045-0033(10). DEQ will not authorize coverage under this permit if:

f. The application materials are incomplete or do not meet permit requirements. If the applicant does not respond to requests for application revisions or additional information within 90 days, DEQ will deny the application and refund the annual fee. The application fee will not be refunded.

g. The construction activity is covered under a different NPDES permit for the same discharge (e.g., 1200-CN), or any other NPDES permit for a stormwater discharge associated with construction activity (NPDES wastewater and industrial stormwater permit coverage for separate discharges associated with the site are allowed); or

h. DEQ determines that the conditions of this permit are not adequate to achieve water quality standards or protect beneficial uses.

5. Multi-Phase Developments

All development phases with documented land use approvals (as shown in LUCS forms) must be included in the ESCP on a separate master plan sheet. This sheet must contain a map, a description of each phase, and the estimated construction timeline. Permit coverage may only be granted for the phases that meet the content requirements outlined in Appendix C. Any new phases added after initial permit coverage is assigned will require separate 1200-C permit approval. Construction activities, including stockpiling and staging, may not begin in any phase until that phase has received 1200-C permit coverage.

6. Construction Activities that Disturb Five Acres or More

Applications for construction activities that disturb five acres or more are subject to a fourteen (14) calendar day public review and comment period prior to issuance of permit coverage. This review period begins upon DEQ's determination that the application and ESCP are complete and upon issuance of the public notice.

7. Annual Fee

Registrants are required to pay the annual fee until DEQ approves the termination of permit coverage.

8. Changes to Application Information

Registrants must submit the following application information changes to DEQ within seven (7) calendar days:

a. Updates to the registrant's mailing address, email address, or phone number;

b. Changes to the on-site contact person's information; and

c. Minor modifications to the area or acreage affected by construction activity. If the disturbance area or project scope differs from the originally submitted LUCS, a revised LUCS is required. Increases in disturbance area are not permitted.

9. Transfer of Permit Registration

A permit registrant may transfer permit coverage to a new operator with approval from DEQ.

a. To transfer permit registration to a new operator, the current permit registrant must:

   i. Resolve all outstanding compliance and enforcement issues;

   ii. Pay all outstanding permit fees; and

   iii. Submit transfer form and applicable fee within 14 calendar days of the transfer.

b. If ownership changes (through sale, foreclosure or other means) and the previous registrant cannot be found, the new owner must register for permit coverage if continuing construction activities as approved in the previous application and ESCP.

DEQ may terminate permit registration after 60 calendar days if the previous owner is nonresponsive and the site has not been transferred per the conditions above.

10. Termination of Permit Coverage

Registrant must submit a Notice of Termination within 30 days of meeting termination criteria. DEQ will approve permit termination only if Schedule A.17 conditions are met. Registrants are subject to the conditions of this permit until termination is approved. Discharge authorization under this general permit terminates when DEQ provides confirmation of permit coverage termination. The Notice of Termination must include:

a. Photo-documentation depicting final site stabilization measures as required in Schedule A.17, unless DEQ has inspected the site within 30 calendar days and verified site stabilization;

b. Status of any outstanding compliance and enforcement issues;

c. Payment of all outstanding permit fees;

d. For a common plan of development or sale, the existing 1200-C may terminate when items a, b, and c above are met and the remaining unstabilized areas receive 1200-C/1200-CN coverage.

e. If the project never started and the registrant no longer desires to commence construction activities requiring this permit, there are no additional requirements in the termination steps.

As an alternative to termination, a registrant may:

f. Transfer control of all permitted areas of the site to another registrant(s) per Condition I.9;

g. Obtain an individual NPDES permit for the discharge of construction stormwater.

11. Continuation of Coverage

All registrants that received permit registration on or prior to December 14, 2025, must comply with the conditions of this permit on and after its effective date, except for Schedule A.2, Schedule A.3, and the photo documentation requirements of Schedule A.1.j and Schedule B.7.f for construction stages that were completed prior to the effective date.

The following new permit conditions require compliance by March 15, 2026:

a. Post notice of permit coverage in a visible location per Condition I.16.

b. Revise the ESCP to meet the requirements of Schedule A.21, Schedule A.22, and Appendix C. The ESCP is to be kept on site and provided to DEQ upon request.

c. Select and comply with one of the new inspection frequencies, inspection report content, and recordkeeping logbook requirements per Schedule B.

This general permit expires on December 14, 2030. Upon renewal of this general permit, existing registrants do not need to submit a renewal application unless directed by DEQ. Permit registration will automatically continue under the renewed permit for registrants who continue to pay annual permit fees. DEQ will notify registrants of continued discharge authorization under the renewed permit.

12. Electronic System Use Requirement

Applicants and registrants must submit all required documents and payments using DEQ's electronic reporting system: Your DEQ Online (YDO). Registrants reporting to an Agent must use YDO when directed to do so.

13. Authorized Stormwater Discharges

The following stormwater discharges are authorized if the conditions of this permit are met:

a. Stormwater runoff, snowmelt runoff, and surface water drainage associated with construction activity described on the cover page of this permit.

14. Authorized Non-stormwater Discharges

The following non-stormwater discharges are authorized if the conditions of this permit are met, and the discharge is not prohibited by local ordinance:

a. Discharges from emergency firefighting activities;

b. Fire hydrant flushing;

c. Landscape irrigation;

d. Water used to wash equipment and vehicles (excluding the engine and undercarriage) provided there is no use of soaps, solvents, or detergents;

e. Water used to control dust;

f. Potable water including uncontaminated water line flushing;

g. External building washdown, provided soaps, solvents, and detergents are not used, and external surfaces do not contain hazardous substances;

h. Pavement wash water provided spills or leaks of toxic or hazardous substances have not occurred (unless all spill material has been removed) and where soaps, solvents, and detergents are not used. Directing pavement wash waters into any surface water, storm drain inlet, or stormwater conveyance is prohibited, unless the conveyance is connected to a sediment basin, sediment trap, or similarly effective control for the pollutants present;

i. Uncontaminated air conditioning or compressor condensate;

j. Uncontaminated, non-turbid discharges of groundwater or spring water;

k. Foundation or footing drains where flows are not contaminated with process materials such as solvents or contaminated groundwater; and

l. Uncontaminated construction dewatering water discharged in accordance with Schedule A.19.

15. Prohibited Discharges

All unauthorized discharges to waters of the state or conveyance systems leading to surface waters of the state and to groundwater, are prohibited. Prohibited discharges include, but not limited, to:

a. Visually turbid or sediment-laden water;

b. Concrete and concrete wastewater;

c. Wastewater from washing and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

d. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;

e. Soaps, solvents, or detergents used to wash vehicles, equipment, sanitary facilities, etc.;

f. Wheel/tire wash wastewater;

g. Hydro-demolition water, and saw-cutting slurry; and

h. Toxics or hazardous substances from a spill or other release.

16. Post Notice of Permit Coverage

Registrants must comply with local signage requirements related to construction and erosion control. Where local requirements do not exist or apply, registrants must post a sign or other notice of permit coverage at a safe, publicly accessible location in close proximity to the construction site. The notice must be located so it is visible from the public road that is nearest to the active part of the construction site. The notice must use a font large enough to be readily viewed from a public right-of-way. If the active part of the construction site is not visible from a public road, then place the notice of permit coverage in a position that is visible from the nearest public road and as close as possible to the construction site. At a minimum, the notice must include:

a. Permit or PLC number (see permit coverage issuance letter);

b. A contact name and phone number where the public may obtain additional construction site information including a digital copy of the ESCP; and

c. The following statement "If you observe stormwater pollution or offsite sedimentation from this construction project, contact Oregon DEQ through its pollution complaints website: https://ordeq.org/331PLDI" The QR code provided in Appendix C may be used in addition to or in place of the URL. For projects in Agent jurisdictions, registrants must provide notice of the applicable complaint submittal method.

SCHEDULE A: EFFLUENT LIMITATIONS AND CONTROL MEASURES

Technology-Based Effluent Limitations and Control Measures

Registrants are required to comply with the following technology-based effluent limitations (TBELs) and control measures for all regulated construction activities, as applicable.

1. General Design, Installation, and Maintenance Requirements

The registrant must design, install, and maintain effective stormwater control and treatment methods to prevent the discharge of pollutants in stormwater from construction activities that may cause or contribute to a violation of water quality standards. To meet this requirement, the registrant must:

Account for the following factors when designing stormwater controls:

a. Anticipated amount, frequency, intensity, and duration of precipitation events;

b. Characteristics of stormwater runoff and run-on at the site, including expected flow from existing and constructed impervious surfaces, topography (i.e. slopes), and site drainage features;

c. Soil composition, including the type and range of soil particles present on site;

d. Opportunities for on-site material reuse;

e. Measures to reduce volume, velocity, and peak flow rates to prevent erosion, channelization, and scour on site and at discharge points.

f. Applicability of recognized, generally accepted engineering and professional practices, including applicable design specifications and manufacturer's instructions.

Minimize soil exposure

g. Sequence clearing, grading, and other land disturbing activities to the maximum extent practicable to minimize the area and duration of exposed soils.

Install stormwater controls

h. Install and implement downgradient sediment controls (e.g., buffers, perimeter controls, discharge point controls, storm drain inlet protection) prior to initiating construction activity in a given portion of the site;

i. Install erosion prevention measures (e.g., matting, straw mulch, compost blankets) on cleared areas that are not actively being worked;

j. Take photographic documentation of the initial installation of BMPs and significant changes made to BMPs as the construction project progresses from one stage to the next. Photos must be maintained in the site logbook per Schedule B.7. Projects that received permit coverage on or before December 14, 2025, are only required to take photographic documentation for the remaining construction stages; and

k. Following the installation of stormwater controls for initial construction activities, adaptively manage these controls and associated strategies across the site to reflect the changing needs of each construction stage as the project progresses.

Ensure that all stormwater controls are maintained and remain effective

l. Comply with any specific maintenance requirements for the stormwater controls listed in this permit, as well as those recommended by the manufacturer. Any departures from manufacturer recommendations must reflect good engineering practices and be explained in the revised ESCP and inspection report.

m. Maintain controls at all times, and not only in response to inspections or identified problems.

n. Immediately initiate repairs or replace controls upon discovery of any issues (including but not limited to damage, failure, malfunction, clogging, displacement, or other conditions that reduce control measure effectiveness) and complete the work by the end of the next business day. If completing the repair/replacement by that time is infeasible, document the reason in the inspection report—explaining

both why the delay is unavoidable and why the action should still be considered routine maintenance rather than a corrective action (per Schedule A.25). In such cases, complete the repair or replacement no later than seven (7) calendar days from the time the issue was identified.

2. Pre-Construction Requirements

Before construction activities commence, the registrant must:

a. Conduct an on-site pre-construction meeting with key personnel, including the designated erosion and sediment control inspector(s), general contractor representative (e.g., superintendent or foreman), and pertinent subcontractors or staff involved in clearing, earthwork, seeding, or erosion and sediment control operations. The purpose of the meeting is to review the requirements of this permit and the site-specific ESCP, establish lines of communication, and identify the location of permit-related documents. The date and list of meeting attendees must be included in the site logbook per Schedule B.7. Permit registrants that received permit coverage on or prior to December 14, 2025, are not required to comply with this condition; and

b. Identify and clearly mark off:

   i. All clearing limits, sensitive areas (e.g., wetlands, springs, groundwater seeps) and their buffers, and trees that are to be preserved within the site and natural buffer zone.

   ii. Post-construction stormwater facilities; and

c. Establish material and waste storage areas.

3. Natural Buffer Zone (NBZ) Protection

The registrant must identify and maintain natural buffers and/or enhanced erosion and sediment controls for discharges to any receiving water that is located within 50 feet of construction activity. Registrants must select one of the compliance options listed below and comply with the additional conditions contained in Appendix B. For permit registrants that received permit coverage on or prior to December 14, 2025, the previously approved NBZ erosion and sediment controls are deemed appropriate.

a. Compliance Option 1: Maintain an undisturbed 50-foot natural buffer; or

b. Compliance Option 2: Maintain less than the 50-foot natural buffer (but greater than 5-foot) and provide additional erosion and sediment control measures that achieve the sediment load reduction similar to that of a 50-foot undisturbed natural buffer.

c. Compliance Option 3: If infeasible to maintain an undisturbed natural buffer of any size, stormwater must be collected and treated prior to discharge.

Buffers for Impaired Surface Waters

For construction activities located within one hundred twenty-five (125) feet of receiving waters that are impaired for turbidity or sedimentation, and that have the potential to discharge to such waters, an increased natural buffer zone width is required. In these circumstances, the applicant must calculate and provide an alternative natural buffer width in accordance with the procedures set forth in Appendix B.

This condition applies to waters listed as Category 5 impairments on the EPA-approved 303(d) list in effect at the time permit coverage is assigned, as published on the Department's "Water Quality Assessment" web page. Where a discharge enters an impaired watershed unit, this condition applies only to the first receiving water.

4. Vegetation

The registrant must manage and utilize vegetation as follows:

a. Preserve existing vegetation where possible; and

b. Direct stormwater runoff to appropriate vegetated areas to maximize stormwater infiltration and filtering to reduce pollutant discharges where feasible.

5. Perimeter Controls

The registrant must install perimeter controls as follows:

a. Install sediment controls along any perimeter areas of the site that are downslope from any exposed soil, stockpiles, staging areas, or other disturbed areas;

b. Prevent stormwater from circumventing the edge of the perimeter control. For example, install the perimeter control on the contour of the slope and extend both ends of the control up slope (e.g., at 45 degrees) forming a crescent rather than a straight line; and

c. Remove accumulated sediment from sediment barriers (e.g., sediment fence, straw wattles, compost socks) before it reaches one-third of the above ground barrier height.

d. Exception: For areas at "linear construction sites" where perimeter controls are infeasible (e.g., due to a limited or restricted right-of-way), implement other practices to prevent pollutant discharges to perimeter areas of the site.

6. Track-out

The registrant must prevent sediment track-out onto public or private roads as follows:

a. Establish controlled access points prior to any land disturbance and restrict vehicle ingress and egress to these points;

b. Use appropriate control techniques at all access points (e.g., clean aggregate stone with underlying geotextile fabric; rumble strips, or other track-out control system suitable for site conditions including wheel washing stations with wastewater treatment and disposal protocols);

    i. Exception: The above control techniques are not required for access points at linear utility construction sites that are used only episodically and for very short durations over the life of the project, provided other controls are implemented to prevent sediment track-out;

c. Track-out controls must be integrated into the perimeter controls;

d. Access points and the associated track-out controls must not be located on top of or adjacent (e.g., 10 ft) to stormwater inlets unless the inlets are effectively sealed for the duration of the construction activity;

e. Sediment-containing loads leaving the site must be covered until the point of final placement or disposal;

f. When trucking saturated soils from the site, use water-tight trucks;

g. Adjust track-out controls as roads are built on site. For example, when subdivision roads are built, track-out controls are required for individual lots still undergoing construction.

h. Where sediment or rock has been tracked out from the site onto roads or other paved surfaces:

    i. Remove the sediment prior to precipitation events and no later than the end of the same business day.

    ii. Track-out must be removed by sweeping, or vacuuming these surfaces, or by using other similarly effective means of sediment removal.

    iii. Hosing or sweeping tracked-out sediment into any stormwater conveyance, storm drain inlet, or water of the state is prohibited.

7. Stockpile Management

The registrant must manage stockpiles and land clearing debris piles that contain sediment as follows:

a. Piles must not be located on or adjacent to stormwater conveyances, drain inlets, and concentrated stormwater flow paths, or within NBZs;

b. Install a sediment barrier (e.g. berms, dikes, fiber rolls, silt fences, sandbags, gravel bags, or straw bale) along all downgradient perimeter areas;

c. Prevent stormwater flows from causing erosion of stockpiles, for example, by diverting flows away and around them;

d. Stockpiles must be covered at the end of each workday;

e. Provide stable cover (e.g., anchored tarps or plastic, erosion matting, hydroseed with tackifier) for any stockpiles that will not be used for seven (7) days;

f. "Clean" stockpiled material such as washed aggregate does not require stabilization or cover if downgradient sediment controls are in place; and

g. For soil destined for offsite disposal: if direct load and haul off is not feasible, minimize the volume and duration of on-site storage and meet the above stabilization requirements.

h. Contaminated stockpiles must be segregated and managed per an approved EMP.

8. Dust Control

The registrant must prevent wind-blown soil and dust through the appropriate application of water or other dust suppression techniques. Consistent with 40 CFR Part 279.82, used oil may not be applied as a dust suppressant.

9. Steep slopes

For steep slopes that are 15% or greater in grade, the registrant must:

a. Reduce continuous length of slope with terracing and diversions, reducing slope steepness, and roughening slope surfaces (e.g., track walking); and

b. Divert concentrated flows of stormwater away from and around the disturbed portion of the slope. Applicable practices include, but are not limited to interceptor dikes and swales, grass-lined channels, pipe slope drains, and subsurface drains. Check dams must be used in dikes and swales to slow stormwater velocity, prevent in-channel erosion, and promote the settling of sediment.

10. Preserve Soil Condition for Revegetation

Where final vegetative stabilization will occur, the registrant must:

a. Preserve native topsoil for on-site reuse, unless infeasible;

b. Restrict vehicle and equipment use to avoid soil compaction; and

c. Where soils have been compacted, rehabilitate and condition soils to support vegetative growth prior to seeding and planting.

11. Storm Drain Inlet Protection

The registrant must design, install and maintain storm drain inlet protection measures as follows:

a. Inlet protection measures must effectively remove sediment from discharges;

b. Inlet protection must be adequately sized and installed to prevent bypass;

c. Route vehicle traffic away from inlet protection measures and repair or replace if damaged;

d. Clean, or remove and replace, the protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. At a minimum, clean catch basin inserts before sediment retention capacity is reduced by 50%.

e. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the sediment immediately and no later than the end of the same business day.

f. Do not wash sediment or debris into storm inlets. Use methods such as vacuuming, dry mechanical sweeping, or manual sweeping to clean up track-out and released sediment or debris.

12. Concrete Management

The registrant must control concrete activities as follows:

a. Establish concrete washout areas and install signage before beginning concrete work;

b. Direct all concrete wash water and concrete waste into an impermeable, lined pit or leak-proof container designed so that no overflows can occur due to inadequate sizing or precipitation. Washout facilities must be cleaned, or new facilities must be constructed and ready for use, once the washout is 75% full. Wash water is to be handled as a waste.

c. Locate washout activities a minimum of 50 feet from stormwater conveyance, storm drain inlets, or waters of the state. For sites with limited space where 50 feet cannot be maintained, the registrant must use off-site washout facilities, self-contained washout systems (those that eliminate stormwater inputs), or block storm inlets, conveyances, or other discharge pathways to waters of the state located within 50 feet.

d. Do not dump concrete, concrete mix, or concrete wash water onto the ground.

e. Manage hardened concrete waste consistent with management of other construction wastes (e.g., through proper disposal, reuse, or recycling).

13. Discharge Location Protection

The registrant must control all stormwater discharges, including both peak flowrates and total stormwater volume, to prevent channel and streambank erosion and scour in the immediate vicinity of discharge points as follows:

a. Use erosion controls and velocity dissipation devices within and along the length of any stormwater conveyance channel and at any outlet to slow down runoff to prevent erosion.

14. Sediment Basin

The registrant must meet the following requirements for sediment basins or similar impoundments used for stormwater storage and passive treatment:

a. The design must be prepared and stamped by an Oregon Registered Professional Engineer;

b. The basin must be situated outside of any water of the state including wetlands.

c. If the basin will be converted into a post-construction stormwater facility, the accumulated sediment must be excavated to meet facility design requirements.

d. At a minimum, the basin must be designed to provide storage capacity for one of the following:

    i. The estimated 2-year, 24-hour storm. The 2-year, 24-hour storm can be found using the Precipitation Frequency Data Server (PFDS) developed by the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS) or the Oregon Department of Transportation (ODOT) Precipitation Data Viewer; or

    ii. 3,600 cubic feet per acre of drainage area.

e. The basin must also have sufficient treatment capacity for sediment inputs (e.g., residence time for settling particles, baffles for increased flows paths, etc.).

f. If dewatering water is directed to the basin, the basin must have sufficient treatment and storage capacity for dewatering volume in addition to the required stormwater storage volume.

g. Install outlet structures that withdraw water from the surface of the sediment basin;

h. Use erosion controls and velocity dissipation devices to prevent erosion at inlets and outlets;

i. Use erosion controls or lining to prevent the basin from contributing sediment to discharges; and

j. Design must include maximum trapped sediment depth. Accumulated sediment must be removed to maintain at least one-half of the maximum trapped sediment depth to prevent scour and resuspension of sediment. This maintenance depth must be clearly marked with a stake or other visual indicator.

15. Runoff Treatment for Engineered Soils

The registrant must install an engineered sediment basin or similar impoundment in accordance with Schedule A.14 above to capture and treat high pH runoff if engineered soils (for example, soil amendments including, but not limited to Portland cement-treated base [CTB], cement kiln dust [CKD], or fly ash) are used on-site. The registrant must determine the acceptable pH range of site discharge based on criteria of the receiving waterbody according to OAR 340-041-0021. If necessary, the registrant must adjust or neutralize the high pH water until it is in the acceptable range using treatment, such as carbon dioxide (CO2) sparging or dry ice. Registrant must monitor and record pH in accordance with Schedule B.6.

Any form of chemical treatment other than CO2 sparging or dry ice requires an EMP (Schedule A.24).

16. Stabilize Exposed Soils

The registrant must implement and maintain soil stabilization measures (e.g., seeding protected by erosion controls until vegetation is established, sodding, mulching, erosion control blankets, hydro mulch, gravel) that prevent erosion from exposed portions of the site in accordance with this section.

a. Stabilization deadlines:

Table 1: Stabilize exposed soils

Project acreage/type	Initiation/Completion deadlines
i. For projects with less than five acres of land disturbance occurring at any one-time (note: this includes sites disturbing more than five acres (>5.0) total over the course of a project, but that limit disturbance at any one time (i.e., phase the disturbance) to 4.99 acres or less (<5.0):	A) In areas of exposed soil where construction activities have permanently ceased or will be temporarily inactive for 14 or more calendar days, immediately initiate installation of stabilization measures as described in b. below; and B) Complete the installation of stabilization measures as soon as practicable, but no later than 14 calendar days after stabilization has been initiated as described in d. below.
ii. For projects with five acres or more of land disturbance occurring at any one time iii. Projects or any disturbance area discharging to any waterbody that is listed as Category 5 impaired for turbidity or sedimentation on the most recently approved Oregon 303(d) list. iv. For projects selecting NBZ compliance option 2 or 3, this stabilization deadline applies to portions of the site upgradient of the encroached buffer.	A) In areas of exposed soil where construction activities have permanently ceased or will be temporarily inactive for 14 or more calendar days, immediately initiate installation of stabilization measures per b. below; and B) Complete the installation of stabilization measures as soon as practicable, but no later than seven (7) calendar days after stabilization has been initiated per d. below.
v. For projects selecting NBZ compliance option 2 or 3, this applies to the encroached buffer area.	A). Stabilize exposed soil at the end of each day; and B) in any areas of exposed soil where construction activities have permanently ceased, immediate initiate installation of stabilization measures and complete the installation no later than three (3) calendar days after stabilization has been initiated per d. below.

b. The following are examples of activities that are considered immediate initiation of stabilization:
    i. Prepping soil for vegetative stabilization (e.g., amendments, tracking), provided that seeding or planting occur within three (3) calendar days of completing soil preparation;
    ii. Direct seeding or planting the exposed area;
    iii. Applying mulch or other non-vegetative product to the exposed area;
    iv. Finalizing arrangements to have stabilization product fully installed in compliance with the deadlines for completing stabilization.
c. The requirement to initiate stabilization immediately is triggered as soon as construction work on a portion of the site is temporarily ceased and will not resume for 14 or more calendar days, or as soon as construction work is permanently ceased. In the context of this provision, "immediately" means no later than the end of the next business day, following the day when the construction activities have temporarily or permanently ceased. Document the date activities ceased and associated stabilization activities within the inspection reports.
d. If implementing vegetative stabilization measures, stabilization is considered "complete" when:
    i. All seeding is completed in combination with the application of any non-vegetative protective cover to prevent erosion (e.g., slope matting, tackifier).
    ii. All vegetation is planted at the uniform density in accordance final stabilization criteria.
e. If non-vegetative stabilization measures such as matting are implemented, stabilization is considered "complete" when all such measures are properly installed or applied.

17. Final Stabilization

Prior to permit termination (see Condition I.10), the registrant must:

a. Establish uniform perennial vegetation (excluding noxious or invasive weeds) that provides at least 70% cover on all exposed areas. Limited allowable exceptions include:
    i. Where it is difficult to establish 70% coverage (e.g., arid, semi-arid, or drought-stricken areas), cover exposed soil between planted or seeded areas with bio- or photo-degradable controls designed to prevent erosion without active maintenance or propose a site-specific plan to DEQ for approval. Site-specific plans may propose vegetation coverage equal to 70% of original undisturbed vegetation based on documented site pre-construction site conditions or based on a representative reference site.
    ii. Disturbed areas on farm use land as defined in ORS 308A.056 (e.g., pipelines across crop or range land, or staging areas for highway construction) that are restored to their preconstruction farm use are not subject to final vegetative stabilization criteria.
    iii. Where the intended function of a specific area necessitates that it remains disturbed, provided that only the minimum area necessary remains disturbed (e.g., unpaved access roads, utility pole pads, or designated equipment and material storage areas;)
b. Ensure that final vegetative cover or other permanent stabilization is fully established before removing temporary sediment controls, except where removal conflicts with local requirements;
c. Ensure there is no reasonable potential for construction-related sediment or turbidity discharges to surface waters;
d. Remove all construction materials, and equipment unless intended for long-term use; and
e. Remove all temporary stormwater controls, including sediment retained by such controls.

18. Pollution Prevention

The registrant must implement pollution prevention controls in accordance with the following requirements to prevent the discharge of pollutants to stormwater and to prevent the discharge of pollutants from spilled or leaked materials from construction activities, such as building materials, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, fuels, lubricants, and other materials present.

Equipment and vehicle fueling and maintenance

a. Use drip pans and absorbents under or around leaky vehicles and equipment;

b. Ensure adequate supplies are always available to handle spills, leaks, and disposal of used liquids;

c. Dispose of or recycle oil and oily wastes in accordance with other federal, state, or local requirements; and

d. Bulk storage (individual containers of 55 gallons or greater) for petroleum products and other liquid chemicals must have secondary containment, or equivalent protection, to contain spills.

Pesticides, herbicides, insecticides, and fertilizers

e. In storage areas, provide either (1) cover (e.g., plastic sheeting, temporary roofs) to minimize the exposure of these chemicals to precipitation, or (2) a similarly effective means designed to minimize the discharge of pollutants from these areas; and

f. Comply with all application and disposal requirements included on the product label.

Hazardous or toxic materials and wastes

Hazardous or toxic materials and waste that may be present at construction sites include but are not limited to paints, caulks, sealants, fluorescent light ballasts, solvents, petroleum-based products, wood preservatives, additives, curing compounds, and acids/bases.

g. Separate hazardous or toxic waste from construction and domestic waste;

h. Store waste in sealed containers, which are constructed of suitable materials to prevent leakage and corrosion, and which are clearly labeled with their contents in accordance with all applicable federal, state, or local requirements;

i. Store all outside containers within appropriately sized secondary containment (e.g., spill berms, dikes, spill containment pallets) to prevent spills from being discharged, or provide a similarly effective means designed to prevent the discharge of pollutants from these areas (e.g., storing chemicals in a covered area, having a spill kit available on site); and

j. Dispose of hazardous or toxic waste in accordance with the manufacturer's recommended method of disposal and in compliance with federal, state, and local requirements.

Sanitary wastes

k. Position sanitation facilities (portable toilets and wash stations) so that they are secure and cannot be tipped or knocked over, and located at least 50 feet away from stormwater conveyance, storm drain inlets, or waters of the state. Sites with limited space that cannot meet the above distance requirement must utilize secondary containment.

l. Maintain or replace sanitation facilities and inspect them regularly for leaks and spills.

Washing applicators and containers

For washing applicators and containers used for stucco, paint, form release oils, curing compounds, or other materials:

m. Direct wash water into a leak-proof container or a properly lined pit that is designed, sized, and maintained to prevent overflow, including from precipitation. Designated washout areas must be clearly identified with signage and included in the ESCP.

n. Do not dump liquid wastes or allow them to enter stormwater systems or waters of the state.

o. Do not dispose of liquid wastes through infiltration or otherwise discharge to the ground.

p. Locate washout activities a minimum of 50 feet from stormwater conveyances, storm drain inlets, or waters of the state. If site conditions make this infeasible, the registrant must implement more protective measures to ensure washout discharges do not reach waters of the state.

19. Dewatering

The registrant must comply with the following requirements to prevent the discharge of pollutants from dewatering operations:

a. Direct dewatering water through an appropriate sediment control measure (e.g., sediment basin, pumped water filter bag) that effectively reduces visual turbidity in the discharge.

b. Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

c. Discharge dewatering water onto vegetated, upland areas located a minimum of 50 feet from any surface water, ensuring space for it to infiltrate into the ground. (Note: A separate underground injection control permit is required for subsurface discharges.)

d. Manage dewatering water or in accordance with an approved Environmental Management Plan (EMP) if applicable.

e. Prevent erosion from dewatering discharges by utilizing stable, erosion-resistant surfaces (e.g., well-vegetated grassy areas, clean filter stone, geotextile underlayment) or by using velocity dissipation controls for concentrated flows.

Water Quality-based Effluent Limitations

20. Compliance with Water Quality Standards

Discharges to Surface Waters:

The registrant must comply with all permit conditions, including the proper selection, installation and maintenance of control measures, as well as conducting inspections, monitoring (if necessary), taking corrective actions, reporting and maintaining records to reduce the discharge of pollutants from construction activities. Compliance with the conditions of this permit is expected to result in discharges that will comply with Oregon's water quality standards as established in OAR 340-041. If the registrant or DEQ determines that a site discharge is causing or contributing to an exceedance of an applicable water quality standard, the permit registrant must take corrective actions per Schedule A.25.

Turbidity and sedimentation are the most common pollutants associated with construction stormwater and the applicable standards are provided below.

a. Turbidity

   OAR 340-041-0036: Turbidity (Nephelometric Turbidity Units, NTU); No more than a 10% (ten percent) cumulative increase in natural stream turbidities may be allowed, as measured relative to a control point immediately upstream of the turbidity causing activity.

b. Sedimentation

   OAR 340-041-0007(11): The formation of appreciable bottom or sludge deposits or the formation of any organic or inorganic deposits deleterious to fish or other aquatic life or injurious to public health, recreation, or industry may not be allowed.

Discharges to Groundwater:

Discharges to groundwater through an injection well must comply with state and federal underground injection control (UIC) regulations (OAR 340-044 and 40 CFR § 144-146). Construction stormwater discharges with visible turbidity or other contaminants are prohibited. Discharges to municipal stormwater UICs are subject to approval by the local jurisdiction.

Erosion and Sediment Control Plan (ESCP)

21. ESCP General Requirements

The ESCP must be implemented at all times: from commencement of construction activities to final stabilization.

The ESCP must be site-specific and designed to meeting the following objectives:

a. To account for wet weather conditions.

b. To identify best management practices (BMPs) in accordance with appropriate, recognized, and generally accepted engineering practices to prevent erosion and sedimentation, and to reduce, eliminate, or prevent stormwater and groundwater pollution from construction activities.

c. To prevent violations of water quality standards, erosion and sediment transport from the project site, and meet 1200-C permit technology-based effluent limitations and treatment requirements.

d. To control peak volumetric flow rates and velocities of stormwater discharges.

Qualifications to develop ESCP

e. For construction activities disturbing twenty or more acres or if selecting compliance option 2 or 3 of the NBZ condition, the ESCP must be developed and stamped by a professional with one of the following credentials, and their name and credentials must be included in the ESCP:

    i. Certified Professional in Erosion and Sediment Control (CPESC),

    ii. Certified Professional in Stormwater Quality (CPSWQ),

    iii. Oregon Registered Professional Engineer (PE),

    iv. Oregon Registered Landscape Architect (RLA); or

    v. Oregon Certified Engineering Geologist (CEG).

f. If installing engineered facilities such as sediment basins the ESCP must be prepared and stamped by an Oregon Registered Professional Engineer (per Schedule A.14).

g. Environmental Management Plans (EMPs) must be prepared and stamped by an Oregon Registered Professional Engineer (per Schedule A.24).

On-site Availability of the ESCP

h. The registrant must keep a current ESCP at the site and make it available for inspections or upon request by DEQ. The ESCP must be stored in the site logbook in accordance with Schedule B.7. The ESCP and logbook can be stored electronically if on-site personnel can access it and make it available for DEQ inspector review.

i. The registrant must provide subcontractors and outside service providers easy access to the most updated copy of the ESCP and other relevant documents such as in-water work authorizations.

22. ESCP Contents

Sediment and erosion controls must be clearly depicted on separate pages for each of the following distinct stages of construction activities within the ESCP. For large, irregularly shaped, or linear projects, provide a numbered Key Map. DEQ may request additional sheets as needed to clarify stages of construction activity.

a. Existing conditions;
b. Demolition, clearing, grading, excavating and land development;
c. Street and utilities;
d. Vertical construction; and
e. Final landscaping and site stabilization.

ESCP Plan Elements

The ESCP must contain all of the elements listed in Appendix C, in addition to the selected inspection frequency and the DEQ standard erosion and sediment control notes. The ESCP must be properly scaled, follow industry-standard symbology, and exclude any unnecessary details or map elements that may reduce readability.

23. ESCP Revisions

The ESCP is a living document and must be updated any time site conditions warrant adjustments to the project or BMPs. The ESCP must identify the date and nature of the adjustments. Revisions to the ESCP must be made immediately when any of the following occur:

a. Changes in the project design, construction schedule, site operations, or maintenance activities;
b. Existing control measures are found to be ineffective in controlling pollutants and must be modified, upgraded, or replaced;
c. Control measures are no longer necessary and are removed;
d. When operational control for portions of the site has been transferred (e.g., to builders under small lot permit coverage);
e. DEQ determines that additional controls are necessary to meet permit requirements;
f. Change of contractors performing construction activities on site, including the specific areas each contractor will be working in;
g. Change of designated erosion and sediment control inspector, including updated contact information and any applicable certification and training detail; and
h. Federal, state, or local regulatory changes that impact stormwater controls at the site.

Each change must be clearly documented in the ESCP with the date and initials of the designated erosion and sediment control inspector at the time the update is made. When there are multiple inspectors, the primary inspector must date and initial these changes. Modifications to any engineered facilities require a PE stamp.

Submission of ESCP Revision

The registrant must submit a revised version of the complete ESCP to DEQ within seven (7) calendar days if revisions are made for any of the following reasons:

i. Part of a corrective action requirement in Schedule A.25;
j. A decrease of the size of disturbed areas;
k. Significant change to BMPs that materially alter the effectiveness of erosion and sediment controls due to type, design, or location; or
l. Change of the designated erosion and sediment control inspector.

Approval of the revisions by DEQ prior to implementation is not required, except for Environmental Management Plans which must be reviewed and approved by DEQ (see below).

24. Environmental Management Plan (EMP)

The registrant must complete an Environmental Management Plan (EMP), pay a review fee, and submit the required documents listed in Appendix A to DEQ if the following conditions apply. EMPs must be prepared and stamped by an Oregon Registered Professional Engineer An approved EMP becomes a component of the ESCP.

a. Contaminated Media Management Plan (CMMP):
If contaminated soils, contaminated groundwater, or hazardous materials will or have the potential to be encountered during construction activities. Provide detailed information in a Contaminated Media Management Plan (CMMP) on the nature and extent of the contamination (concentration, location, and depth) as well as pollution prevention and/or treatment BMPs proposed to control the discharge of impacted soil, groundwater, or hazardous building material debris in stormwater.

If undocumented contamination, underground storage tanks, or other potentially hazardous conditions are encountered that are not addressed in the CMMP, discharges exposed to the contaminated media must cease and DEQ must be notified within 48 hours. The discharges exposed to the contaminated media may not occur until DEQ approves a revised CMMP.

Similarly, if these conditions are discovered after registering for permit coverage without an approved CMMP, discharges exposed to the contaminated media must cease and DEQ must be notified within 48 hours. The discharges exposed to the contaminated media may not occur until DEQ approves a CMMP.

b. Chemical Treatment Plan (CTP)
A treatment system (e.g., electro-coagulation, flocculants, filtration, polymers, hydrochloric or sulfuric acid) for sediment, pH neutralization, or other pollutant removal is planned or implemented at the project site.

The use of carbon dioxide (CO_2) sparging or dry ice to neutralize runoff from concrete work areas does not require a CTP; please refer to Schedule A.15 for additional information.

Submission of EMP Revisions

The registrant must submit a revised EMP to DEQ before implementing any changes to the originally approved EMP. Significant changes require additional DEQ review and payment of the EMP review fee. A revised EMP may be required for the following reasons:

c. Change in water volumes that requires system storage/system sizing adjustments.

d. Change in contaminated materials management and/or water treatment requirements related to encountering unexpected contamination.

e. A change in the treatment systems, including use of different treatment chemicals, changing dosage rates, or changing area of application.

f. Change in the effluent discharge location.

g. Change in the monitoring program.

h. If DEQ determines that the approved EMP or site management approach are insufficient to prevent prohibited discharges to waters of the state.

25. Corrective Actions

Conditions

The registrant must take corrective action for the following:

a. A prohibited discharge has occurred (see Condition I.15);

b. A stormwater control needs replacement or significant repair (beyond routine maintenance required under Schedule A.1);

c. Additional control measures are necessary to comply with the requirements of this permit, including to correct for controls that were never implemented, or were implemented incorrectly; and

d. DEQ requires corrective actions to prevent or control the discharge of sediment, turbidity, or other pollutants to waters of the state, or as the result of a documented permit violation.

Timelines

When taking the above corrective actions, the registrant must:

e. Immediately take all reasonable steps to remedy the condition, including cleaning up sediment or contaminated surfaces so the material(s) will not discharge in subsequent storm events.

f. When the problem requires a new or replacement control or significant repair, install the new or modified control and make it operational, or complete the repair, by no later than 24 hours of discovery. If completion within 24 hours is infeasible, document why it is infeasible and the schedule for completing the installation or repair as soon as practicable. Where these actions result in changes to stormwater controls measures documented in the ESCP, the registrant must revise the ESCP accordingly.

Documentation

Within 24 hours of completing corrective actions, the registrant must document the following in the site logbook:

g. Names, titles and contact information of personnel conducting corrective action.

h. Description of the condition in Schedule A.25.a-d including its cause, location, and duration.

i. Actions taken to remedy the condition and prevent its reoccurrence. Where these actions result in changes to stormwater control measures in the ESCP, the registrant must revise the ESCP.

Corrective Action Report Submittal

If a prohibited discharge listed in Condition I.15 has occurred:

j. Submit a corrective action report to DEQ within five (5) calendar days of the discharge. The report must include the elements listed in the preceding section.

The registrant must report any noncompliance that may endanger health or the environment to the DEQ regional office or Oregon Emergency Response System as specified in Schedule F condition D5 within 24 hours.

SCHEDULE B: INSPECTIONS, MONITORING, AND RECORDKEEPING

1. Designated Erosion and Sediment Control Inspector

Inspections must be conducted by an individual with one of the following credentials. Please note DEQ may approve other course certifications at a future date.

a. Certified Erosion, Sediment and Stormwater Inspector (CESSWI),

b. Certified Professional in Erosion and Sediment Control, (CPESC),

c. Certified Professional in Stormwater Quality (CPSWQ),

d. Certified Inspector of Sediment and Erosion Control (CISEC),

e. Washington State Certified Erosion and Sediment Control Lead (CESCL),

f. Rogue Valley Sewer Services Erosion and Sediment Control Inspector (ESCI),

g. Oregon Registered Professional Engineer (PE),

h. Oregon Registered Landscape Architect (RLA); or

i. Oregon Certified Engineering Geologist (CEG).

Inspectors must also:

j. Possess the skills to assess construction site conditions, including the effectiveness of selected erosion and sediment control measures, that could impact stormwater quality;

k. Be knowledgeable in the correct installation and maintenance of erosion and sediment controls;

l. Understand the project scope and timeline;

m. Coordinate with contractors and subcontractors to implement the ESCP; and

n. Have the authority to request necessary resources from the registrant for corrective actions.

Multiple Inspectors:

Registrants with multiple site inspectors must designate one Primary Inspector. The Primary Inspector must review and sign inspection reports generated by other inspectors within three (3) business days to ensure reports meet content requirements in Schedules B.4 and B.5. An inspection team is limited to three inspectors.

2. Inspection Frequency

Site inspections must follow one of the two frequencies specified below. These are minimum requirements; more frequent inspections may be conducted to ensure permit compliance. The selected frequency must be identified in the ESCP and inspection reports and maintained for the duration of permit coverage.

a. Inspection frequency option 1: At least once every seven (7) calendar days; or

b. Inspection frequency option 2: Once every 14 calendar days and within 24 hours of:

    i. A storm event that produces 0.25 inches or more of rain within a 24-hour period.

        A. If a storm event produces 0.25 inches or more of rain within a 24-hour period (including when there are multiple, smaller storms that alone produce less than 0.25 inches but together produce 0.25 inches or more in 24 hours), you are required to conduct one inspection within 24 hours of when 0.25 inches of rain or more has fallen.

        B. If a storm event produces 0.25 inches or more of rain within a 24-hour period on the first day of a storm and continues to produce 0.25 inches or more of rain on subsequent days, you must conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the last day of the storm that produces 0.25 inches or more of rain (i.e., only two inspections would be required for such a storm event).

ii. A discharge caused by snowmelt from a storm event that produces 3.25 inches or more of snow within a 24-hour period. You are required to conduct one inspection once the discharge of snowmelt from a 3.25-inch or more snow accumulation occurs. Additional snowmelt inspections are only required if following the discharge from the first snowmelt, there is a discharge from a separate storm event that produces 3.25 inches or more of snow.

The 24-hour period for storm event tracking begins and ends at midnight of a given calendar day. If the required 24-hour window falls entirely outside normal working hours (i.e. no work is being conducted on site), the inspection must be completed by the end of the next business day.

Accurate Rainfall and Snow Data

c. Storm event data must come from either an on-site rain gauge or a nearby weather station that accurately represents rainfall at the project site location. The chosen data source must be documented in the inspection report. For snow, measurements must either be taken directly at the site or obtained from a nearby representative weather station.

Increased Inspection Frequency

d. DEQ may require inspections on a more frequent basis than prescribed above. Examples include but are not limited to: projects with repeated violations of permit conditions including prohibited discharges, projects in close proximity to sensitive waters or other natural resources, and projects which create nuisance conditions such as fugitive dust or track-out onto public roads.

Inspection Frequency Selection

e. Registrants may not switch inspection frequencies after DEQ issues permit coverage. Requests intended to reduce the overall number of inspections over the course of a project —such as switching from 14-day to weekly during winter—are strictly prohibited. If DEQ approves a frequency change, the registrant must submit a revised ESCP and update the inspection reports with the new frequency. Originally chosen frequency must be followed until DEQ provides approval.

3. Reductions in Inspection Frequency

Inspection frequency may be reduced under the scenarios outline below. The start and end dates of the reduced period must be documented in the inspection records, along with all supporting data.

Stabilized Areas

a. A registrant may reduce inspection frequency to twice per month for the first month, no more than 14 calendar days apart, then once per month in any area of the site where the stabilization steps in Schedule A.17 have been completed. If "wash-out" of stabilization materials and/or sediment is observed, following re-stabilization, inspections must resume at the frequency required in Schedule B.2 above. Likewise, if construction activity resumes in this portion of the site, inspections must resume at the frequency required in Schedule B.2

Frozen Conditions

b. The registrant may suspend inspections when construction activities are suspended due to frozen conditions and discharges are unlikely to occur. If weather conditions (such as above freezing temperatures or rain events) make discharges likely, immediately resume regular inspection frequency in Schedule B.2.

4. Inspection Requirements

Inspections must include an evaluation of construction activities all elements of the ESCP including:

a. Evaluation of all stormwater controls, including whether they are properly installed and are working as intended to prevent pollutant discharges.

b. Identification of conditions that could lead to spills, leaks, or other accumulations of pollutants.

c. Identification of any locations where new or modified stormwater controls are necessary, including any necessary maintenance, corrective actions, or stabilization measures.

d. Checking for the presence of visible erosion and sedimentation and document any indication of sediment that has left or is likely to leave the project site.

e. If a discharge is occurring during the inspection:

    i. Evaluate all stormwater, non-stormwater, and dewatering discharge locations; and

    ii. Document the visual quality of the discharge and take note of the characteristics of the stormwater discharge, including turbidity, color, odor, suspended solids, foam, oil sheen, and any other indicators of stormwater pollutants.

f. Identification of any portion of the project site where land disturbing activities have permanently ceased or will be temporarily inactive for 7 or 14 or more calendar days (per applicable stabilization deadline in section Schedule A.16 and note the initial date of cessation.

5. Inspection Report

Complete inspection reports within 24 hours any site inspection and include the following (as applicable):

a. Inspection date;

b. Site name and the identification number provided by DEQ;

c. Inspector name;

d. Selected inspection frequency from Schedule B.2;

e. If inspecting at the frequency specified in Schedule B.2.b, include:

    i. Applicable weather data that triggered the inspection. If snowmelt is measured on site, include depth measurements; and

    ii. Confirmation whether a discharge from the site occurred within 24 hours of a 0.25 inch storm event (attach date stamped photos to report);

f. A summary of the inspection, including:

    i. Observations made in accordance with this permit;

    ii. Locations and conditions of BMPs requiring maintenance or corrective actions, including BMPs that failed to operate as designed or proved inadequate for a particular application;

    iii. Locations where additional BMPs are needed but are not present at the time of inspection;

    iv. Visual observations of discharges from the site (e.g. clear, turbid, opaque, sheen); and

    v. Confirmation that no unauthorized discharges have occurred or are occurring;

g. Identify portions of the site where land disturbing activities have permanently ceased or will be temporarily inactive per applicable stabilization deadlines and criteria in Schedule A.16;

h. Evaluation of enhanced BMPs or treatment measures associated with applicable NBZ conditions;

i. Reasons for modifications to the ESCP;

j. If conditions are unsafe to inspect portions of the site, or if inclement weather renders the site or portions thereof inaccessible, document the specific reasons and locations where this condition applies. A follow-up inspection of the affected areas must be conducted and documented as soon as conditions allow safe and reasonable access.

k. Each inspection report must be signed by the Inspector with the following statement: “I certify that this report is true, accurate, and complete to the best of my knowledge, abilities, and belief.” The Primary

Inspector must review and sign inspections reports generated by other inspectors within three (3) business days to ensure report contents meet the requirements in Schedules B.4 and B.5.

6. Monitoring pH

If construction activity involves the use of engineered soils, the registrant must install an engineered sediment basin or similar impoundment per Schedule A.15 and conduct and document pH monitoring as described below:

a. Perform pH monitoring within 15 minutes of sample collection with a calibrated pH meter.

b. Begin the pH monitoring period when engineered soils are first exposed to precipitation and continue every seven (7) calendar days when the basin/impoundment contains runoff. Registrant must also document pH within 24 hours of discharge from the basin/impoundment. Monitoring period ends when final stabilization of the area of engineered soils is established.

c. Document the dates when engineered soils are used, date of final stabilization, all monitoring results, and any pH adjustment treatments in the on-site logbook.

7. Recordkeeping Logbook

The registrant must retain an on-site logbook that contains the applicable records listed below. Records must be legible and kept in chronological order at the site. The logbook can be stored electronically if on-site personnel can access it and make it available for DEQ review.

a. Copy of this permit.

b. Current ESCP with dated and signed revisions over time per Schedule A.23.

c. DEQ-approved EMP per Schedule A.24.

d. Supporting narrative, documentation, or treatment plans as required by Appendix B to meet the NBZ requirements, including any in-water work permits or authorizations.

e. Pre-construction meeting sign-in sheet per Schedule A.2.

f. Photo documentation of the initial installation of BMPs and significant changes made to BMPs based on project stages per Schedule A.1.j.

g. Corrective actions taken to repair or replace BMPs per Schedule A.1 and A.25 and corrective actions taken and reported to DEQ per Schedule A.25.

h. Inspection frequency option chosen per Schedule B.2. If selecting inspection frequency 2, include daily precipitation totals from applicable rain gauge or weather station.

i. Documentation supporting a reduction in visual inspection frequency per Schedule B.3.

j. Inspection reports per Schedule B.5.

k. All water quality sampling results from monitoring conducted per Schedule A.25, Schedule B.6, or for any other reason (e.g., establishing background turbidity of receiving water).

l. Additional relevant records, including but not limited to maintenance records, disposal manifests (soil and water), BMP invoices, beneficial use determinations for imported fill material.

Records Retention Schedule

The registrant must retain records for three years after terminating permit coverage and provide them to DEQ upon request.

8. Inspections by DEQ

The registrant must allow and make arrangements for DEQ to have access to the site at all reasonable times.

SCHEDULE D: SPECIAL CONDITIONS

1. Schedule Precedence

Schedule F contains General Conditions that are included in all NPDES general permits issued by DEQ. In the event of inconsistency between Schedule F and any other condition of the permit, Schedules A through D take precedence.

2. Availability of Records

The ESCP and inspection records must be made available to government agencies responsible for stormwater management in the project area. If applicable, EMP (Contaminated Media Management Plan and/or Chemical Treatment Plan) must also be made available.

3. Other Requirements

Registration under this permit does not relieve the registrant from any other permitting and licensing requirements. Prior to beginning construction activities, the registrant must obtain all other necessary approvals.

4. Local Public Agencies Acting as DEQ's Agent

DEQ has authorized certain local public entities ("Agents") to implement and enforce this permit within their respective jurisdictions pursuant to a Memorandum of Agreement (MOA). Pursuant to the terms of their agreement with DEQ, an Agent may be delegated authority to perform the following functions: application and ESCP review (including approvals, withdrawals, and denials), permit revocations, inspections and monitoring data review, permit compliance inspections, and enforcement action referrals to DEQ.

Where DEQ has entered into such an agreement, DEQ or its Agent will provide the permit registrant with required notifications, determinations, or other correspondence related to this permit. Agents may establish application procedures, submittal requirements, or other administrative processes consistent with their local jurisdictional code, which may differ from those administered directly by DEQ.

5. Permit-Specific Definitions

Access Point: any points of egress from the construction site to be used by vehicles and equipment during construction activities. These are commonly referred to as "construction entrances."

Agricultural or Farm Use: Defined in ORS 308A.056; generally described as the current employment of land for the primary purpose of obtaining a profit from activities such as crop cultivation, livestock production, dairying, animal husbandry, and equine stabling and training. These activities are exempt from 1200-C permitting requirements. The exemption does not apply to the construction of buildings or associated roads that disturb over an acre of land, nor does it apply to activities that prepare a site for non-farm use, such as clearing of non-crop vegetation, grading, stockpiling, road building, or other similar activities.

Arid Areas: areas with an average annual rainfall of 0 to 10 inches. For assistance in determining average annual rainfall in specific locations, refer to the NOAA National Mapping webpage, the PRISM Climate Group's Time Series Values for individual locations, or EPA's US EPA EnviroAtlas.

Best Management Practices or BMPs: schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, erosion and sediment control, source control, and operating procedures and practices to control site runoff, spillage or leaks, and waste disposal.

Borrow Area: area from which material is excavated to be used as fill material in another on-site or off-site area.

Cationic Treatment Chemicals: polymers, flocculants, or other chemicals that contain an overall positive charge. They are used to reduce turbidity in stormwater discharges by chemically bonding to the overall negative charge

of suspended silts and other soil materials and causing them to bind together and settle out. Common examples of cationic treatment chemicals are chitosan and cationic PAM.

Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one common plan. The "common plan" of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot.

Conveyance System: Installed structures, such as sewers, ditches, pipes, channels, swales, designed to carry stormwater within and out of the construction site.

Construction Activity: including but not limited to; clearing, grading, excavating, grubbing, stumping, demolition, stockpiling, and other land disturbing activities. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility as defined in 40 CFR 122.26(b)(15).

Construction Support Activity: On- or off-site activities directly associated with the permitted construction activity and involves earth disturbance or pollutant-generating activities of its own. This includes but is not limited to: portable/temporary concrete or asphalt batch plants, portable rock crushers, equipment and material staging and storage, excavated material storage and disposal areas, and borrow areas. This excludes non-commercial operations, activities serving multiple unrelated construction projects, or activities continuing beyond the completion of the permitted construction activity that they support.

CO_2 Sparging: technique in which carbon dioxide gas, sometimes introduced by dry ice, is bubbled through a liquid in order to lower the pH of the liquid.

Daily: the 24-hour period from 12:00 am to 11:59 pm (ex. Monday, Tuesday, Wednesday, etc.)

Detention: temporary storage of stormwater to improve quality or reduce discharge volumetric flow rate or both.

Dewatering: the act of draining accumulated stormwater and/or ground water from building foundations, vaults, and trenches, or other similar points of accumulation.

Discharge Point: the location where stormwater and authorized non-stormwater leaves the site. It includes the location where stormwater is discharged to surface water or a stormwater conveyance system.

Drought-Stricken Area: an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely".

Engineered soils: soils on site amended with cementitious compounds.

Erosion: the movement of soil particles or rock fragments by water or wind.

Hazardous Materials: the materials defined in 40 CFR part 302.

Linear Construction Site: includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

National Pollutant Discharge Elimination System or NPDES: the national program under Section 402 of the Clean Water Act for regulation of point source discharges of pollutants to waters of the United States.

Native Topsoil: the uppermost layer of naturally occurring soil for a particular area, and is often rich in organic matter, biological activity, and nutrients.

Natural Buffer: an area of undisturbed natural cover bordering surface waters within which construction activities are restricted. Natural cover includes vegetation, exposed rock, and barren ground that existed prior to commencement of land disturbing activities.

Natural Vegetation: vegetation that occurs spontaneously without regular management, maintenance, or species introductions or removals. For purposes of this permit, this includes invasive species.

Non-Stormwater Discharges: discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water. See Condition I.14 for list of authorized non-stormwater discharges.

Owner: any person with a legal interest in the permitted activities or the property on which the permitted activities occur.

Operator: A party meeting the eligibility criteria in Condition I.2. The name must be a legal, active name registered in the Oregon Department of Commerce Corporation Division, unless otherwise exempted by their rules.

pH neutralization: to bring the pH between 6.5 and 8.5 standard units.

Pollutant: a partial listing from this 40 CFR §122.2 definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

Pollution or Water Pollution: as defined by ORS 468B.005(5): such alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, silt or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state, which will or tends to, either by itself or in connection with any other substance, create a public nuisance or which will or tends to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational or other legitimate beneficial uses or to livestock, wildlife, fish or other aquatic life or the habitat thereof.

Project: the overall development or undertaking that is the subject of the regulated construction activity. A project may consist of one or more sites and may occur in stages, provided the activities are part of a single coordinated development purpose.

Runoff: that portion of stormwater that does not infiltrate into the ground or evaporate, but instead flows onto adjacent land or watercourses or is routed to stormwater conveyance systems.

Runoff Controls: BMPs that are designed to control the peak volume and flow rate or to prevent scour due to concentrated flows.

Sediment: solid particulate matter, both mineral and organic, that has been or is being transported by water, air, ice, or gravity from its site of origin.

Sediment Basin/Impoundment (also includes traps/ponds): pond built to capture construction stormwater for storage and treatment.

Semi-Arid Areas: areas with an average annual rainfall of 10 to 20 inches. For assistance in determining average annual rainfall in specific locations, refer to the NOAA National Mapping webpage, the PRISM Climate Group's Time Series Values for individual locations, or EPA's US EPA EnviroAtlas.

Sequence: the phased order that land disturbing activities are performed.

Site: the area where the regulated construction activities and associated construction support activities occur. It is the geographic boundary within which the operator must implement permit conditions to prevent off-site sedimentation or prohibited discharges from occurring.

Steep Slopes: slopes that are 15% or greater in grade (15-ft vertical rise for every 100 feet of horizontal distance).

Stockpile: storage or sidecast pile of dirt, soil, aggregate, brush piles mixed with soil, non-washed gravel or cobble, waste or recyclable concrete or pavement, or any other material that contains sediment or other fines that can be entrained in stormwater flow.

Storm Event: a precipitation event that results in a measurable amount of precipitation.

Stormwater: per 40 CFR §122.26(b)(13): stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater run-on: sources of stormwater that drain from adjacent land located upslope or upstream from the regulated construction activity.

Stumping: process of removing tree stumps from the ground, typically involves uprooting the stump and its root system using mechanical equipment like excavators, stump grinders, or bulldozers.

Surface Water: all water naturally open to the atmosphere (e.g., rivers, lakes, wetlands, reservoirs, ponds, streams, impoundments, oceans, estuaries, springs, etc.).

Temporary Stabilization: a condition where exposed soils or disturbed areas are provided temporary vegetation and/or non-vegetative protective cover to prevent erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area.

Thawing Conditions: thawing conditions are expected based on two or more days with daytime temperatures greater than 32˚F. Note: the estimation of thawing conditions is for planning purposes only. During construction, site inspections must be conducted based upon actual conditions.

Total Maximum Daily Load or TMDL: a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet state water quality standards. It is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. Percentages of the TMDL are allocated by DEQ to the various pollutant sources.

Turbidity: Turbidity measures the "cloudiness" of water; more precisely, it measures the extent to which light is scattered and absorbed by suspended sediment, dissolved organic matter, and, to a lesser extent, other microscopic organisms. Turbidity is most commonly expressed as nephelometric turbidity units (NTUs) measured with a calibrated turbidity meter.

Underground Injection Control: any system, structure, or activity that is created to place fluid below the ground or sub-surface (e.g., sumps, infiltration galleries, drywells, trench drains, drill holes, etc.)

Water or Waters of the State: per ORS 468B.005(10): lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

Water-Dependent Structures: structures or facilities that are required to be located directly adjacent to a waterbody or wetland, such as a marina, pier, boat ramp, etc.

Week: a 7-day period beginning at 12:00 am Monday to 11:59 pm the following Sunday.

SCHEDULE F: NPDES GENERAL CONDITIONS

July 31, 2016 Version

SECTION A. STANDARD CONDITIONS

A1. Duty to Comply with Permit

The permittee must comply with all conditions of this permit. Failure to comply with any permit condition is a violation of Oregon Revised Statutes (ORS) 468B.025 and the federal Clean Water Act and is grounds for an enforcement action. Failure to comply is also grounds for DEQ to terminate, modify and reissue, revoke, or deny renewal of a permit.

A2. Penalties for Water Pollution and Permit Condition Violations

The permit is enforceable by DEQ or EPA, and in some circumstances also by third-parties under the citizen suit provisions of 33 USC § 1365. DEQ enforcement is generally based on provisions of state statutes and Environmental Quality Commission (EQC) rules, and EPA enforcement is generally based on provisions of federal statutes and EPA regulations.

ORS 468.140 allows DEQ to impose civil penalties up to $25,000 per day for violation of a term, condition, or requirement of a permit.

Under ORS 468.943, unlawful water pollution in the second degree, is a Class A misdemeanor and is punishable by a fine of up to $25,000, imprisonment for not more than one year, or both. Each day on which a violation occurs or continues is a separately punishable offense.

Under ORS 468.946, unlawful water pollution in the first degree is a Class B felony and is punishable by a fine of up to $250,000, imprisonment for not more than 10 years, or both.

The Clean Water Act provides that any person who violates permit condition, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation.

The Clean Water Act provides that any person who negligently violates any condition, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both.

In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both.

In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.

Any person who knowingly violates section any permit condition, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both.

In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both.

An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

Any person may be assessed an administrative penalty by the Administrator for violating any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act.

Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000.

Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.

A3. Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit. In addition, upon request of DEQ, the permittee must correct any adverse impact on the environment or human health resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

A4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and have the permit renewed. The application must be submitted at least 180 days before the expiration date of this permit.

DEQ may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date.

A5. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

a. Violation of any term, condition, or requirement of this permit, a rule, or a statute.
b. Obtaining this permit by misrepresentation or failure to disclose fully all material facts.
c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
d. The permittee is identified as a Designated Management Agency or allocated a wasteload under a total maximum daily load (TMDL).
e. New information or regulations.
f. Modification of compliance schedules.
g. Requirements of permit reopener conditions.
h. Correction of technical mistakes made in determining permit conditions.
i. Determination that the permitted activity endangers human health or the environment.
j. Other causes as specified in 40 CFR §§ 122.62, 122.64, and 124.5.

The filing of a request by the permittee for a permit modification, revocation or reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

A6. Toxic Pollutants

The permittee must comply with any applicable effluent standards or prohibitions established under Oregon Administrative Rules (OAR) 340-041-0033 and 307(a) of the federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

A7. Property Rights and Other Legal Requirements

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, or authorize any injury to persons or property or invasion of any other private rights, or any infringement of federal, tribal, state, or local laws or regulations.

A8. Permit References
Except for effluent standards or prohibitions established under section 307(a) of the federal Clean Water Act and OAR 340-041-0033 for toxic pollutants, and standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act, all rules and statutes referred to in this permit are those in effect on the date this permit is issued.

A9. Permit Fees
The permittee must pay the fees required by OAR.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

B1. Proper Operation and Maintenance
The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

B2. Need to Halt or Reduce Activity Not a Defense
For industrial or commercial facilities, upon reduction, loss, or failure of the treatment facility, the permittee must, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

B3. Bypass of Treatment Facilities
a. Definitions
(1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs b and c of this section.
(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
b. Prohibition of bypass.
(1) Bypass is prohibited and DEQ may take enforcement action against a permittee for bypass unless:
i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance; and
iii. The permittee submitted notices and requests as required under General Condition B3.c.
(2) DEQ may approve an anticipated bypass, after considering its adverse effects and any alternatives to bypassing, when DEQ determines that it will meet the three conditions listed above in General Condition B3.b(1).
c. Notice and request for bypass.
(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, a written notice must be submitted to DEQ at least ten days before the date of the bypass.
(2) Unanticipated bypass. The permittee must submit notice of an unanticipated bypass as required in General Condition D5.

B4. Upset

a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operation error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of General Condition B4.c are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   (1) An upset occurred and that the permittee can identify the causes(s) of the upset;
   (2) The permitted facility was at the time being properly operated;
   (3) The permittee submitted notice of the upset as required in General Condition D5, hereof (24-hour notice); and
   (4) The permittee complied with any remedial measures required under General Condition A3 hereof.

d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

B5. Treatment of Single Operational Upset

For purposes of this permit, a single operational upset that leads to simultaneous violations of more than one pollutant parameter will be treated as a single violation. A single operational upset is an exceptional incident that causes simultaneous, unintentional, unknowing (not the result of a knowing act or omission), temporary noncompliance with more than one federal Clean Water Act effluent discharge pollutant parameter. A single operational upset does not include federal Clean Water Act violations involving discharge without a NPDES permit or noncompliance to the extent caused by improperly designed or inadequate treatment facilities. Each day of a single operational upset is a violation.

B6. Public Notification of Effluent Violation

If effluent limitations specified in this permit are exceeded or an overflow occurs that threatens public health, the permittee must take such steps as are necessary to alert the public, health agencies and other affected entities (for example, public water systems) about the extent and nature of the discharge in accordance with the notification procedures developed under General Condition B7. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

B7. Emergency Response and Public Notification Plan

The permittee must develop and implement an emergency response and public notification plan that identifies measures to protect public health from bypasses or upsets that may endanger public health. At a minimum the plan must include mechanisms to:

a. Ensure that the permittee is aware (to the greatest extent possible) of such events;
b. Ensure notification of appropriate personnel and ensure that they are immediately dispatched for investigation and response;
c. Ensure immediate notification to the public, health agencies, and other affected entities (including public water systems). The response plan must identify the public health and other officials who will receive immediate notification;
d. Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained;
e. Provide emergency operations; and
f. Ensure that DEQ is notified of the public notification steps taken.

B8. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in such a manner as to prevent any pollutant from such materials from entering waters of the state, causing nuisance conditions, or creating a public health hazard.

SECTION C. MONITORING AND RECORDS

C1. Representative Sampling

Sampling and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit, and must be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points must not be changed without notification to and the approval of DEQ. Samples must be collected in accordance with requirements in 40 CFR part 122.21 and 40 CFR part 403 Appendix E.

C2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices must be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices must be installed, calibrated and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected must be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes.

C3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR part 136 or, in the case of sludge (biosolids) use and disposal, approved under 40 CFR part 503 unless other test procedures have been specified in this permit.

For monitoring of recycled water with no discharge to waters of the state, monitoring must be conducted according to test procedures approved under 40 CFR part 136 or as specified in the most recent edition of Standard Methods for the Examination of Water and Wastewater unless other test procedures have been specified in this permit or approved in writing by DEQ.

C4. Penalties for Tampering

The federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit may, upon conviction, be punished by a fine of not more than $10,000 per violation, imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, punishment is a fine not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both.

C5. Reporting of Monitoring Results

Monitoring results must be summarized each month on a discharge monitoring report form approved by DEQ. The reports must be submitted monthly and are to be mailed, delivered or otherwise transmitted by the 15th day of the following month unless specifically approved otherwise in Schedule B of this permit.

C6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR part 136 or, in the case of sludge (biosolids) use and disposal, approved under 40 CFR part 503 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the discharge monitoring report. Such increased frequency must also be indicated. For a pollutant parameter that may be sampled more than once per day (for example, total residual chlorine), only the average daily value must be recorded unless otherwise specified in this permit.

C7. Averaging of Measurements

Calculations for all limitations that require averaging of measurements must utilize an arithmetic mean, except for bacteria which must be averaged as specified in this permit.

C8. Retention of Records

Records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities must be retained for a period of at least 5 years (or longer as required by 40 CFR part 503). Records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit and records of all data used to complete the application for this permit must be retained for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of DEQ at any time.

C9. Records Contents

Records of monitoring information must include:

a. The date, exact place, time, and methods of sampling or measurements;
b. The individual(s) who performed the sampling or measurements;
c. The date(s) analyses were performed;
d. The individual(s) who performed the analyses;
e. The analytical techniques or methods used; and
f. The results of such analyses.

C10. Inspection and Entry

The permittee must allow DEQ or EPA upon the presentation of credentials to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by state law, any substances or parameters at any location.

C11. Confidentiality of Information

Any information relating to this permit that is submitted to or obtained by DEQ is available to the public unless classified as confidential by the Director of DEQ under ORS 468.095. The permittee may request that information be classified as confidential if it is a trade secret as defined by that statute. The name and address of the permittee, permit applications, permits, effluent data, and information required by NPDES application forms under 40 CFR § 122.21 are not classified as confidential [40 CFR § 122.7(b)].

SECTION D. REPORTING REQUIREMENTS

D1. Planned Changes

The permittee must comply with OAR 340-052, "Review of Plans and Specifications" and 40 CFR § 122.41(l)(1). Except where exempted under OAR 340-052, no construction, installation, or modification involving disposal systems, treatment works, sewerage systems, or common sewers may be commenced until the plans and specifications are submitted to and approved by DEQ. The permittee must give notice to DEQ as soon as possible of any planned physical alternations or additions to the permitted facility.

D2. Anticipated Noncompliance

The permittee must give advance notice to DEQ of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

D3. Transfers

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and EQC rules. No permit may be transferred to a third party without prior written approval from DEQ. DEQ may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under 40 CFR § 122.61. The permittee must notify DEQ when a transfer of property interest takes place.

D4. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date. Any reports of noncompliance must include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.

D5. Twenty-Four Hour Reporting

The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) within 24 hours from the time the permittee becomes aware of the circumstances, unless a shorter time is specified in the permit. During normal business hours, the DEQ regional office must be called. Outside of normal business hours, DEQ must be contacted at 1-800-452-0311 (Oregon Emergency Response System).

a. The following must be included as information that must be reported within 24 hours under this paragraph:
   (1) Any unanticipated bypass that exceeds any effluent limitation in this permit;
   (2) Any upset that exceeds any effluent limitation in this permit;
   (3) Violation of maximum daily discharge limitation for any of the pollutants listed by DEQ in this permit; and
   (4) Any noncompliance that may endanger human health or the environment.

b. A written submission must also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission must contain:
   (1) A description of noncompliance and its cause;
   (2) The period of noncompliance, including exact dates and times;
   (3) The estimated time noncompliance is expected to continue if it has not been corrected;
   (4) Steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and
   (5) Public notification steps taken, pursuant to General Condition B7.

DEQ may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

D6. Other Noncompliance

The permittee must report all instances of noncompliance not reported under General Condition D4 or D5, at the time monitoring reports are submitted. The reports must contain:

a. A description of the noncompliance and its cause;
b. The period of noncompliance, including exact dates and times;
c. The estimated time noncompliance is expected to continue if it has not been corrected; and
d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

D7. Duty to Provide Information

The permittee must furnish to DEQ within a reasonable time any information that DEQ may request to determine compliance with the permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee must also furnish to DEQ, upon request, copies of records required to be kept by this permit.

Other Information: When the permittee becomes aware that it has failed to submit any relevant facts or has submitted incorrect information in a permit application or any report to DEQ, it must promptly submit such facts or information.

D8. Signatory Requirements
All applications, reports or information submitted to DEQ must be signed and certified in accordance with 40 CFR § 122.22.

D9. Falsification of Information
Under ORS 468.953, any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, is subject to a Class C felony punishable by a fine not to exceed $125,000 per violation and up to 5 years in prison per ORS chapter 161. Additionally, according to 40 CFR § 122.41(k)(2), any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or non-compliance will, upon conviction, be punished by a federal civil penalty not to exceed $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

D10. Changes to Discharges of Toxic Pollutant
The permittee must notify DEQ as soon as it knows or has reason to believe the following:
a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:
   (1) One hundred micrograms per liter (100 µg/l);
   (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
   (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR § 122.21(g)(7); or
   (4) The level established by DEQ in accordance with 40 CFR § 122.44(f).
b. That any activity has occurred or will occur that would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
   (1) Five hundred micrograms per liter (500 µg/l);
   (2) One milligram per liter (1 mg/l) for antimony;
   (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR § 122.21(g)(7); or
   (4) The level established by DEQ in accordance with 40 CFR § 122.44(f).

SECTION E. DEFINITIONS

E1. *BOD or BOD_5* means five-day biochemical oxygen demand.
E2. *CBOD or $CBOD_5$* means five-day carbonaceous biochemical oxygen demand.
E3. *TSS* means total suspended solids.
E4. *Bacteria* means but is not limited to fecal coliform bacteria, total coliform bacteria, *Escherichia coli* (*E. coli*) bacteria, and *Enterococcus* bacteria.
E5. *FC* means fecal coliform bacteria.
E6. *Total residual chlorine* means combined chlorine forms plus free residual chlorine
E7. *Technology based permit effluent limitations* means technology-based treatment requirements as defined in 40 CFR § 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-041.
E8. *mg/l* means milligrams per liter.
E9. *µg/l* means microgram per liter.
E10. *kg* means kilograms.
E11. *m^3/d* means cubic meters per day.

E12. *MGD* means million gallons per day.
E13. *Average monthly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
E14. *Average weekly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.
E15. *Daily discharge* as defined at 40 CFR § 122.2 means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge must be calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge must be calculated as the average measurement of the pollutant over the day.
E16. *24-hour composite sample* means a sample formed by collecting and mixing discrete samples taken periodically and based on time or flow.
E17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
E18. *Quarter* means January through March, April through June, July through September, or October through December.
E19. *Month* means calendar month.
E20. *Week* means a calendar week of Sunday through Saturday.

Appendix A

Environmental Management Plan Review Applications for Contaminated Media Management and Chemical Treatment

Appendix Applicability:

The purpose of this appendix is to guide 1200-C permit applicants and registrants in complying with Schedule A.24 Environmental Management Plan (EMP) requirements. These requirements apply to both EMP subtypes: 1) contaminated media management plans (CMMPs), and 2) chemical treatment plans (CTPs). For projects with contaminated media and chemical treatment for managing stormwater and/or groundwater, you must complete both section 1 and 2 of this appendix and refer to the plan as a CMMP. For projects where a chemical treatment system is needed only for treating turbidity, and no contamination is present, complete section 2 and refer to the plan as a CTP.

Administratively, both types of plans are subcategories of an EMP and DEQ's online permitting system refers to both CMMPs and CTPs as an EMP.

The registrant must complete the required EMP submittal steps, pay the review fee (See Table 70F) if applicable*, and submit the required documents found on DEQ's website and electronic reporting system. Revisions must be submitted for conditions listed in Schedule A.24.c.

*Please note that if your CMMP is both 1) project-specific, and 2) was developed with the oversight of the DEQ Cleanup Program, you are not required to pay the EMP review fee.

This appendix is organized as follows:

Table of Contents

1. Contaminated Media Management Plans (CMMPs)

This section of Appendix A provides the EMP review application form for construction projects that will encounter or are reasonably expected to encounter contaminated soils, contaminated groundwater, or hazardous materials during construction activities. Schedule A.24 requires the permit registrant to provide detailed information in the CMMP on the nature and extent of the contamination (concentration, location, and depth) as well as pollution prevention and/or treatment Best Management Practices (BMPs) proposed to control the discharge of impacted soil, groundwater, or hazardous materials to waters of the state. If undocumented or unanticipated contamination, underground storage tanks, or other potentially hazardous conditions are encountered that are not addressed in the CMMP, discharges exposed to the contaminated media must cease and DEQ must be notified within 48 hours. The discharges exposed to the contaminated media may not occur until DEQ approves the revised CMMP.

Applicants must provide findings from any environmental due diligence (e.g. Phase I/II Environmental Site Assessment, geotechnical investigations, etc.) conducted for the project in the CMMP application.

Applicants can search the DEQ public databases for information on known or suspected contamination for project sites. For sites not listed in the databases with potential contamination (such as former agricultural sites, or industrial properties), DEQ encourages the property owner to complete the necessary due diligence and also provides the following guidance.

Unanticipated and unknown contaminated soil is soil that exhibits any of the following: Soil with distinctly different physical characteristics compared to undisturbed native soil or documented fill, such as unusual staining, color variations, unusual odors, building debris (bricks, stained timber, or charcoal), and sheen or oily liquids. Odors, such as a petroleum hydrocarbon odor, may coincide with elevated constituent concentrations indicative of gasoline or diesel fuel, herbicides, or pesticides. Unanticipated and unknown contaminated soil is present if it exhibits a volatile organic compound (VOC) vapor concentration in excess of 50 parts per million (ppm), as measured with a photoionization detector (PID) using a soil sample head space reading. Upon discovery of suspected contaminated soil, immediately suspend all activities in the vicinity, and notify DEQ within 48 hours. Any additional project work should be performed in accordance with an approved CMMP.

For groundwater, additional management protocols for known and/or unknown or unanticipated contamination should be followed throughout site-work where groundwater is encountered. Evidence of groundwater pollution may include visual indicators such as sheen, cloudy or discolored water, floating matter, algae, odors (i.e., smells like rotten eggs, pesticides, fuel, or sewage), or test results for specific contaminants that are odorless, such as metals. In the event of discovery of unknown groundwater contamination, suspend work activities and notify DEQ within 48 hours.

Any additional work at the project should be performed in accordance with an approved CMMP. In the event of sheen or free product, the registrant should remove the sheen and/or free product and containerize the water in a temporary aboveground storage tank for characterization to determine the appropriate management and disposal requirements.

If free-phase petroleum is encountered in groundwater, it should be removed and disposed of in compliance with local, state, and federal regulations. Removal of free product may be accomplished by vacuum truck collection of product from the surface of the groundwater (if sufficient product is present) directly into the vacuum truck or into drums. Adsorbent booms/pads may also be used to remove product/sheen but are discouraged due to increased health and safety risks associated with handing used booms/pads and higher disposal costs. Alternatively, groundwater can be treated through a DEQ-approved treatment system prior to discharge to stormwater or sanitary sewer. The use of chemical treatment requires an approved CTP, which can be a component of a CMMP. Discharge of treated or untreated groundwater to storm or sanitary sewers requires approval from the local jurisdiction.

Contaminated Media Management Plan Review Application

Complete steps I-IV of this section if submitting a CMMP to DEQ for review and approval.

If the CMMP also requires the use of chemical treatment, a CTP is also required, and the applicant must also complete steps I-VI of section 2 in addition to this section. The CTP requirements in section 2 must be stamped by a State of Oregon Registered Professional Engineer

I. Permit registrant information

Permit Registrant Name:	Title:
Mailing Address	
City	
State	
Zip	
County	
Phone	
Email	

II. Project or site information

Permit Registrant Name:	
Project/Site Address	
City	
State	
Zip	
County	

Names of receiving waterbody

Coordinates in decimal degrees

Lat	Long

Site contact (if different from permit registrant

Name	Title
Phone	**Email**

Engineer (if applicable and different from permit registrant.

Name	Title
Phone	**Email**

III. Plan

The purpose of the Contaminated Media Management Plan (CMMP) is to explain the status of the impacted media at the site and provide site-specific information and guidance to the site contractor regarding contaminated media that may be encountered during construction activities and site improvements. A comprehensive review checklist for the plan is at: https://www.oregon.gov/deq/wq/Documents/wqpCMMPChecklist.pdf. The items below are also required to illustrate how the CMMP will be implemented in the context of the ESCP. Provide a descriptive writeup, table, and figures, as needed, to illustrate the entire site and management plan as an attachment to this completed form, that includes, but may not be limited to, all of the items below:

- DEQ Environmental Cleanup Site Information (ECSI), Leaking underground storage tank (LUST), heating oil tank (HOT) site number (s), if applicable
- A description of the site history and known pollutant sources
- A description of the project lines of communication
- A description of soil types within areas to be disturbed
- A list or table of all known contaminants with lab tests results showing sample name, concentration and depth
- A description of relevant permits required for the site work
- Description of impacted soil re-use approvals, if applicable, and any necessary decisions, including, but not limited to Soil Beneficial Use Determination or a Solid Waste Letter of Authorization, available through DEQ Materials Management program.
- A map with sample locations, with areas of known contaminated media highlighted
- A map showing the extents of any earth disturbance
- Temporary Erosion and Sediment Control Plans specific to contaminated media
- Locations of contaminated media stockpiles and details for containment berm
- A list of all disposal locations
- A map showing sufficient indication of topography to indicate where stormwater flows
- Approximate extent of a known or suspected contaminated groundwater plume
- Location of construction stormwater and groundwater basins that will be used for water storage/management (if applicable)
- A detailed schematic of the dewatering system (if applicable), showing equipment, locations of all additives into the system, pipe diameters, recirculation piping (note: the system must have the capacity to hold water for testing

and to re-treat water that does not meet water quality standards), system discharge location and system sampling locations

- Notice of approval from local jurisdiction if discharge is to public storm or sanitary system
- Proposed point(s) of discharge to receiving U.S. and/or state waterbodies or wetlands

IV. Certification information

I hereby certify that the following information is correct and has been documented in the CMMP for this project:

- The CMMP includes a complete site-specific description of the impacted media that may be encountered at the site, including specific information and guidance for the management of contaminated media that may be encountered during construction.
- The controls identified to be used on the site are compatible with the contaminated media expected to be encountered at the site.
- A copy of the DEQ approved CMMP will be always kept on-site and made available to any firm or person with the potential to come into contact with the contaminated media at the site prior to starting work.
- The procedures and best management practices outlined in the CMMP will be adhered to throughout construction activities at the site to ensure protection of human health and the environment.
- If unanticipated or unknown contamination is encountered, the sitework will be stopped and DEQ will be notified within 48 hours.
- I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Print Name (First, Middle Initial, Last)	**Title**
Authorized Signatory	**Date**
Email:	

2. Chemical Treatment Plans (CTPs)

This Section of Appendix A provides the Environmental Management Plan review application for projects where a chemical treatment system (e.g., electro-coagulation, flocculants, filtration, polymers, hydrochloric or sulfuric acid) for sediment, pH neutralization, or other pollutant removal is planned or implemented at the project site.

Direct discharge of chemically treated stormwater and//or groundwater to surface waters of the state is prohibited. Treatment systems must include post-treatment settling or filtration to remove flocculated sediment. Settling basins designed to allow sufficient settling time are commonly used, preferably with surface discharge and porous baffles. Where space is limited, mechanical sand filters can remove the flocs and pump the sediment backwash sludge to contained storage areas for decanting and disposal. When cationic treatment chemicals are proposed, the registrant must ensure that discharges contain no detectable levels of cationic chemicals.

When treatment chemicals are proposed to treat stormwater and/or authorized non-stormwater prior to discharge, Schedule A.24 of the 1200-C permit requires the permit registrant submit the following EMP review application and pay the EMP review fee.

Chemical Treatment Plan Review Application

Complete steps I-V of this section if submitting a CTP to DEQ for review and approval

I. Permit Registrant Information

Permit Registrant Name:	Title:

Mailing address

Address	
City	
State	
Zip	
County	
Phone	
Email	

II. Project/Site Information

Permit Registrant Name:	
Project/Site Address	
City	
State	
Zip	
County	

Names of receiving waterbody

Coordinates in decimal degrees

Lat	Long

Site Contact (if different from permit registrant)

Name	Title
Phone	**Email**

Engineer (if applicable and different from permit registrant)

Name	Title
Phone	**Email**

III. Plan

The purpose of the CTP is to provide detailed information for the system design, and operation and maintenance requirements that will be used to treat impacted stormwater, groundwater, and/or turbidity. The CTP must be prepared and stamped by an Oregon Registered Professional Engineer and should include the following:

- DEQ Environmental Cleanup Site Information (ECSI), Heating Oil Tank (HOT), and/or Leaking Underground Storage Tank (LUST) site number (if applicable)
- A list, table, or description of all known contaminants with available laboratory tests results showing concentrations that may be treated by the system
- Description of the water collection methods (well, sump, pit) and storage requirements (basins, pond, tanks)
- Description of the treatment system
- Description of the system additives, including type, dosage, pH requirements (if applicable), sampling method for residual testing, and SDS for all proposed additives
- A list of all disposal locations by media
- Figure showing water treatment system plan overview, including water collection/storage locations, equipment staging area, piping layout, location of generators (if applicable), treated effluent discharge locations and site-specific BMP's specific to the treatment system.
- Detailed schematic of the treatment system, showing treatment process, equipment, piping layout and sizes, locations of pumps, chemical additives, recirculation system, valves, sampling ports, and discharge locations
- System monitoring plan for chemical and/or physical monitoring including analytical methods, monitoring frequency, and applicable benchmarks/screening levels for each parameter (specific to each discharge location)
- System management plan, including a list of personnel, system operators, and project lines of communication for who individuals responsible for operating the chemical treatment systems and application of the chemicals
- Documentation requirements for record keeping
- Notice of approval from local jurisdiction if discharge is to public storm system
- All proposed point(s) of discharge, soil type at the discharge locations, any energy dissipation requirements that will be employed at the discharge location
- Map showing the location of discharge points to any receiving waterbodies Calculated total storage volume, water volume/flow rates to be treated, based on 2-year, 24-hour storm event and should include dewatering volume, if appliable. Please note, in addition to sufficient holding capacity upstream of treatment, the system must have the capacity to hold water for testing and to re-treat water that does not meet water quality standards.

IV. Proposed treatment

Check proposed treatment system:	
Chitosan enhanced sand filtration with discharge to infiltration (ground water)	
Chitosan enhanced sand filtration with discharge to temporary holding ponds (batch).	
Chitosan enhanced sand filtration with discharge to surface waters (flow-through).	
Other (describe below and submit documentation that the proposed system and chemical(s) demonstrate the ability to remove turbidity and produce non-toxic effluent/ discharge)	

Check proposed cationic chemical(s) to be used:	
FlocClearTM (2% chitosan acetate solution)	
ChitoVanTM (1% chitosan acetate solution)	
LiquiFlocTM (3% Chitosan acetate solution)	
LiquiFlocTM (1% chitosan acetate solution).	
StormKlearTM	
StormKlearTM LiquiFlocTM (1% chitosan acetate solution)	
Other (if an alternate additive is to be used, provide additional information below to ensure compatibility of additive with proposed discharge location, i.e., surface water)	

Estimated Treatment Period Start Date:	**Estimated Treatment Period End Date:**

V. Certification information

I hereby certify that the following information is correct and has been documented in the CTP for this project:

- The CTP includes a complete site-specific description of the chemical treatment system herein proposed for use, including specifications, design, and Material Safety Data Sheets for all chemicals to be used.
- The controls to be used on the site are compatible with the safe and effective use of chemical treatment.
- I verified through bench top and/or jar tests that the site soil is conducive to the proposed treatment methods.

- I verified that the chemical treatment system operators for this project received training.
- I read, understand, and will follow all conditions and design criteria in the applicable use designation(s).
- I will keep the use level designation, operation and maintenance manual, and training certificate on site prior to and during use of chemical treatment.
- A licensed engineer designed the system for this project including system sizing, pond sizing, and flow requirements.
- I verify that the discharge will not adversely affect downstream conveyance systems or stream channels (e.g. cause erosion).
- If unanticipated or unknown contamination is observed within the water treatment system, the water treatment process will be stopped and DEQ will be notified within 48 hours.

Print Name (First, Middle Initial, Last)	**Title**
Authorized Signatory	**Date**
Email:	

APPENDIX B
Natural Buffer Zone Requirements

Appendix Applicability:

Registrants must select one of the compliance options listed in the Natural Buffer Zone condition in Schedule A.3 and comply with the additional conditions contained within this appendix.

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Introduction

A natural buffer zone is an area of undisturbed natural cover bordering surface waters within which construction activities are restricted. Natural cover includes the vegetation, exposed rock, and barren ground that existed prior to initiating land disturbing activities. Buffer zones are sometimes called riparian buffers or riparian zones. Buffers play a critical role in water quality protection, erosion control, and habitat preservation.

1. Determine Natural Buffer Zone Applicability

Schedule A.3 of 1200-C permit requires that registrants provide and maintain natural buffer zones when surface water is located within 50 feet of the project's construction activity and stormwater flows to the surface water. This is the "default" requirement for sites where it is feasible to maintain a 50-foot undisturbed buffer. For sites where maintaining the default buffer is not feasible, registrants must use additional or enhanced erosion and sediment control measures to protect receiving waters.

If a surface water of the state is not located within 50 feet of earth disturbing activities, the natural buffer zone conditions (Schedule A.3 and Appendix B) do not apply. See Figure B-1.

For construction activities that discharge to an impaired surface water of the state: If a surface water of the state is located within 125 feet of construction activities, see condition 2 below to determine whether the natural buffer zone conditions apply to the site.

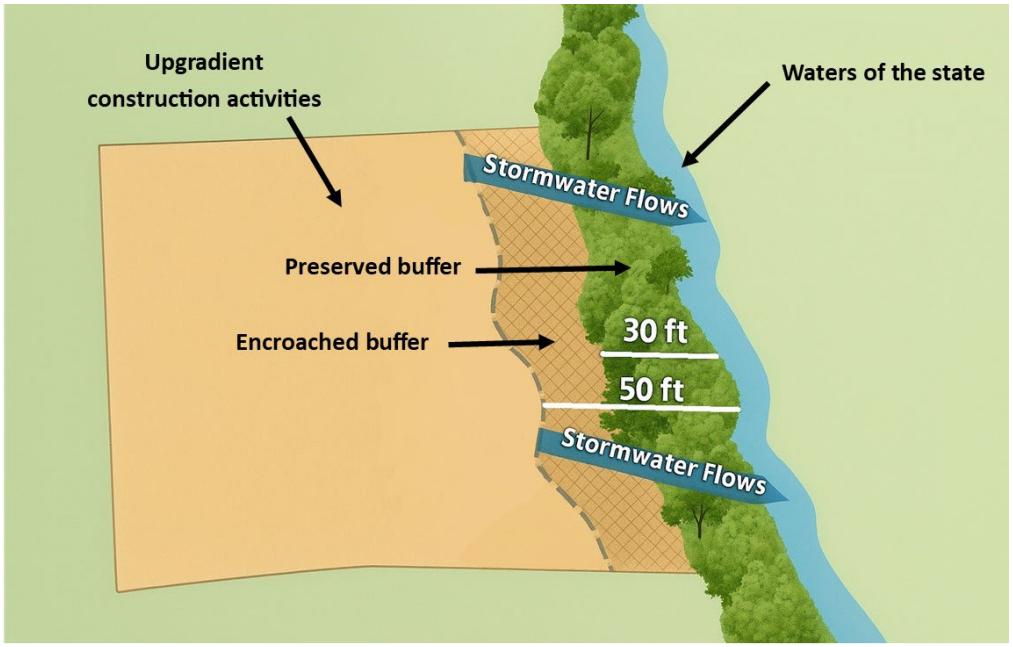

Figure B-1: Example of earth-disturbing activities within 30 feet of a water of the state.

2. Activities Discharging to Impaired Surface Waters

For construction activities located within 125 feet of receiving waters that are impaired for turbidity or sedimentation, and that have the potential to discharge to such waters, an increased natural buffer zone width is required. In these circumstances, the applicant must calculate and provide an alternative natural buffer width in accordance with the procedures set forth below.

This condition applies to waters listed as Category 5 impairments on the EPA-approved 303(d) list in effect at the time permit coverage is assigned, as published on the Department's "Water Quality Assessment" web page. Where a discharge enters an impaired watershed unit, this condition applies only to the first receiving water.

For construction activities that meet the above criteria, the default 50-foot buffer must be increased by 5 horizontal feet for every 1 degree of slope between the construction activity and edge of the receiving water.

For the sake of readability, this appendix designates the 50-foot buffer zone as the default buffer width to be protected; where a greater buffer width is required, substitute "50-foot" with the appropriate adjusted or alternative buffer value.

Example 1:

A site discharges to an impaired waterbody located 75 feet from away, with an average slope of 7% between the project boundary and the receiving water. The alternative buffer is determined using the method below:

Default buffer width + (5 ft/1 degree × x degree of slope) = buffer width to be protected

$$50 \text{ ft} + (5 \text{ ft}/1 \text{ degree} \times 7 \text{ degrees}) = 85 \text{ ft}$$

In this case, the alternative buffer width is 85 feet, but the construction activity will occur within 75 feet of the waterbody. The registrant must comply with the enhanced buffer requirements (option 2) for the 10 feet of encroachment within the 85-foot alternative buffer.

Example 2:

A site discharges to an impaired waterbody located 100 feet away, with an average slope of 8% between the project boundary and the receiving water.

$$50 \text{ ft} + (5 \text{ ft}/1 \text{ degree} \times 8 \text{ degrees}) = 90 \text{ ft}$$

In this case, the alternative buffer width is 90 feet, but the disturbance will occur 100 feet from the edge of the receiving water. Because there is no encroachment into the alternative buffer, the registrant is not required to implement any additional buffer protections outlined in this appendix.

3. Natural Buffer Zone Compliance Options

There are three natural buffer zone compliance options from which to choose, unless you qualify for any of the exemptions listed in section 4 below.

a. Provide and maintain a 50-foot undisturbed natural buffer; or

b. Maintain less than a 50-foot natural buffer (but greater than 5 feet) and provide additional erosion and sediment control measures that achieve the sediment load reduction similar to that of a 50-foot undisturbed natural buffer. These measures consist of the development of a buffer protection plan, accelerated stabilization timeframes, installation of redundant controls, use of enhanced BMPs, etc.; or

c. If infeasible to provide and maintain an undisturbed natural buffer of any size, stormwater must be collected and treated prior to discharge.

The compliance option selected must be maintained throughout the duration of all construction activities until final stabilization has been reached on all areas discharging to the buffer zone or receiving surface water.

4. Exemptions

The following activities are allowable and may qualify for an exemption from the requirement to preserve an existing natural buffer. These items may eliminate the requirement for the entire buffer or for a portion of the buffer and take into consideration the feasibility of preservation, including practical and economic limitations. Any natural buffer outside the following exemptions must be preserved:

a. Projects involving existing infrastructure within 50 feet of surface waters of the state where there is no significant new disturbance to the buffer zone or water resources. This includes but is not limited to activities such as repairing or replacing parts of bridges, roads, utilities, or stormwater management systems that are already located within the buffer zone. Qualifying actions aim to maintain the structural or functional integrity of the infrastructure without involving major excavation, clearing of vegetation, or other activities that would significantly alter the existing buffer zone or impact water quality.

b. For sites with existing development disturbances (e.g., buildings, pavement) that were in place before planning began for the current project:

    i. No natural buffer exists (see Figure B-2): The registrant is not required to establish or maintain a natural buffer and must use compliance option 3.

    ii. Some natural buffer exists, but part of the 50-foot area adjacent to the surface water is occupied by preexisting development disturbances: The registrant must maintain the existing natural buffer. If disturbance to the buffer is necessary:

        1. If more than 5 feet of the buffer can remain undisturbed, the registrant may use compliance option 2 or 3.

        2. If the buffer will be eliminated or reduced to less than 5 feet, registrant must use compliance option 3.

c. Construction activity where there is no discharge of stormwater to surface water of the state. This includes sites with existing physical barriers such as a levee, berms, retaining walls, sheet piling, or other impermeable measures. Natural buffer zone conditions apply to the construction of new physical barriers.

d. Construction for water-dependent structures or water access areas (pier, boat ramp, trail, etc.).

e. Construction activity with a 401 Water Quality Certification (WQC) or equivalent (such as Mutual Agreement & Order in Lieu of a 401 WQC). The reduced/eliminated buffer zone is limited to the scope of impact in the applicable approval.

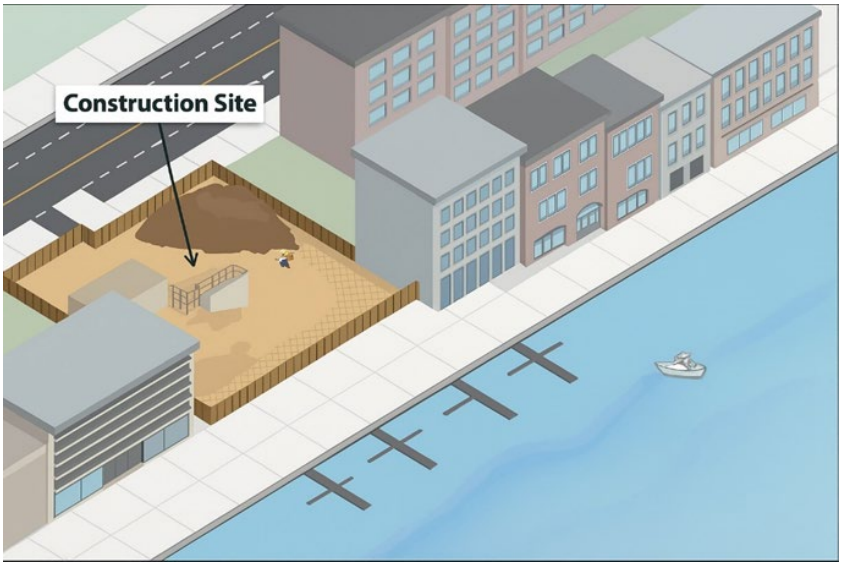

Figure B-2: Example of a disturbance where no vegetated buffer exists due to previous development.

5. Determining Natural Buffer Zone Width

The buffer should be measured perpendicularly from any of the following points, whichever is further landward from the waterbody:

a. The ordinary high-water mark of the waterbody, defined as the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, and/or the presence of litter and debris; Refer to Figure B-2.

b. The edge of the stream or riverbank, bluff, or cliff, whichever is applicable. Refer to Figure B-3.

c. The boundary of wetland as depicted in a current wetland delineation (completed within 5 years).

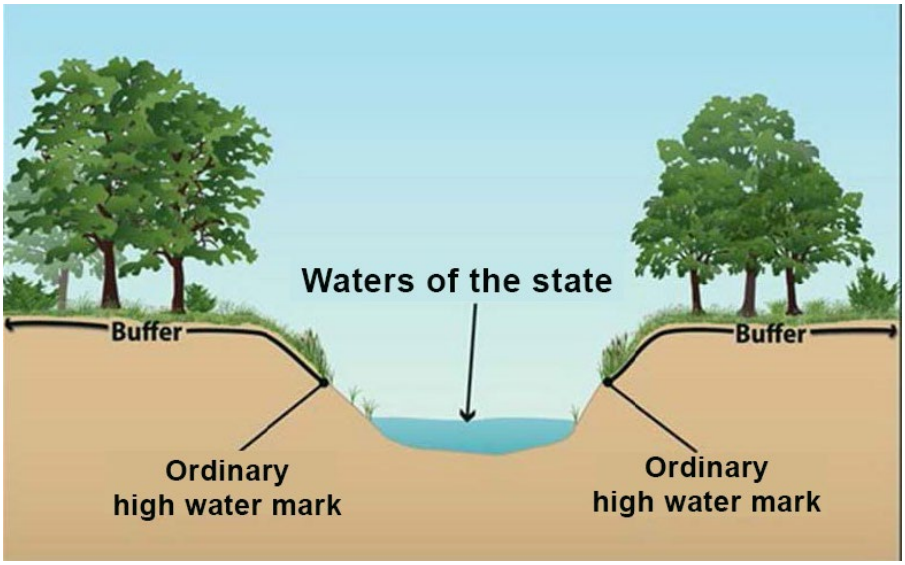

Figure B-3: Buffer measurement from the edge of the ordinary high-water mark.

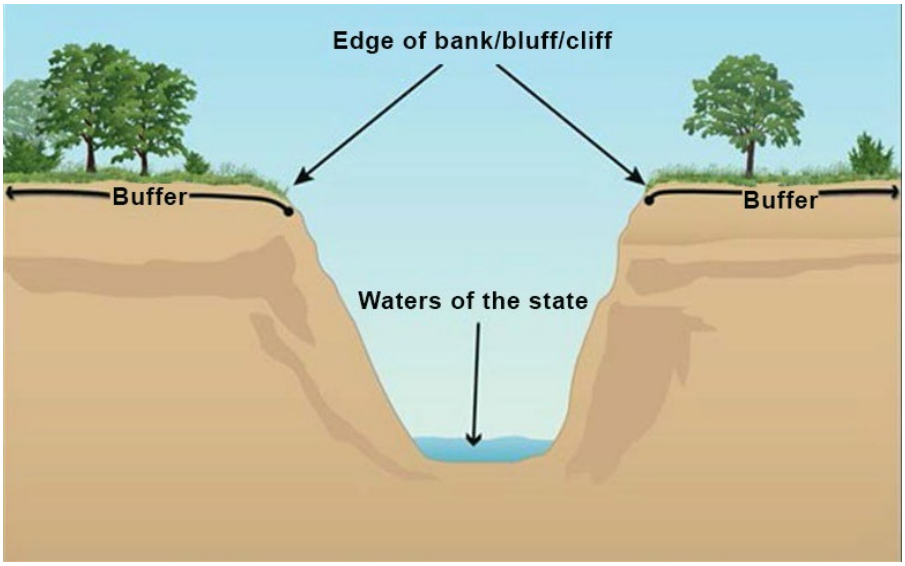

Figure B-4: Buffer measurement from the edge of the bank, bluff, or cliff, whichever is applicable.

If construction activities will take place on both sides of a surface water of the state that flows through the project site, the natural buffer zone conditions apply to both sides. For example, if the registrant chooses compliance option 1, and the project calls for disturbances on both sides of a small stream, the registrant will need to retain the

full 50 feet of buffer on both sides of the water. Similarly, the natural buffer zone conditions apply to the entire perimeter of an isolated wetland.

If a portion of the buffer area adjacent to the surface water of the state is owned by another party and is not under the registrant's control, the registrant is only required to retain and protect from construction activities the portion of the buffer area that is under their control. For example, if the registrant selects compliance option 1 (maintain a 50-foot buffer), but 10 feet of land immediately adjacent to the surface water of the state is owned by a different party, the registrant does not have control over that land and only the 40-foot buffer area that occurs adjacent to the construction activities must be retained and protected.

6. Compliance Option 1 Requirements

This section applies if compliance option 1 is selected (maintain an undisturbed 50-foot buffer).

Earth Disturbance Limitations

To ensure that the water quality protection benefits of the buffer are retained during construction, registrants are prohibited from conducting any earth disturbing activities within the buffer during permit coverage. Registrants must delineate, and clearly mark off, with flags or fencing, the buffer area prior to commencing construction activity on the project site. The demarcation of the buffer is in addition to required perimeter control BMPs. The purpose of this requirement is to make the buffer area clearly off-limits to the people working on site so that unintended disturbances are avoided.

If the buffer area contains no vegetation prior to the commencement of construction (e.g., sand or rocky surface), the registrant is not required to plant vegetation.

While registrants are not required to enhance the quality of the vegetation that already exists within the buffer, registrants are encouraged to do so where such improvements will enhance the water quality protection benefits of the buffer during and after construction. Note that limited disturbances within the buffer related to buffer enhancement are permitted and do not constitute construction disturbances (this excludes enhancement work that requires heavy equipment or vehicles). The use of invasive species to re-establish vegetation is prohibited. Areas of limited disturbance for vegetation enhancement must be shown on the ESCP, along with methods for planting or removal work.

Discharges to the Buffer

The registrant must ensure that all discharges from the area of earth disturbance to the natural buffer zone are first treated by the site's erosion and sediment controls and prevent erosion from stormwater runoff to the buffer. Discharges from dewatering activities must be routed to upland areas to prevent concentrated flows to the buffer.

ESCP Requirements

Identify all surface waters and associated buffers and distinguish those that will be preserved in accordance with this appendix. The preserved buffers must be utilized in project planning including but not limited to the layout of lots, new infrastructure, post-construction measures, etc.

All necessary controls to meet the natural buffer zone requirements and any disturbances related to the exemptions in Section 4 must be included in the ESCP.

7. Compliance Option 2 Requirements

This section applies if compliance option 2 is selected (provide and maintain a buffer that is less than 50 feet but greater than 5 feet that is supplemented by enhanced control measures).

Registrant must meet the requirements of the preceding section (compliance option 1) for any preserved buffer in addition to each of the following conditions.

Accelerated Stabilization

a. Encroached Buffer Stabilization:

   i. Temporarily stabilize bare soils at the end of each day. Erosion control blankets, mulching, and anchored plastic sheeting, are examples of acceptable daily stabilization measures.

   ii. For areas of exposed soil where construction activities have permanently ceased, complete the installation of stabilization measures within three (3) calendar days in accordance with the initiation and completion deadlines in Schedule A.16.

b. Upgradient Construction Activities:

   i. Complete installation of stabilization measures within seven (7) calendar days in accordance with the initiation and completion deadlines in Schedule A.16.

Redundant Controls

c. Runoff must pass through at least two of the following sediment control devices in series, spaced a minimum of 5 feet apart, to treat sediment and turbidity. Any existing vegetation retained between the two controls is not considered part of the preserved buffer. Rationale for choosing the selected BMPs must be provided in the ESCP. At a minimum, rationale must include range of particle sizes to be intercepted and trapped by controls.

   i. Sediment fence

      1. Use of two sediment fences in series is not permitted unless a 5-foot grassy strip is planted or installed between the fences to intercept and infiltrate particles or turbid water that pass through the first sediment fence. If this design is not effective at removing sediment from discharges to the preserved buffer, alternative BMPs must be implemented.; or

   ii. Compost berm or compost sock; or

   iii. Engineered sediment trap, basin, or swale; or

   iv. Other substantially equivalent sediment or turbidity BMP approved by DEQ. Straw wattles are not considered substantially equivalent for redundant perimeter controls.

Disturbance Limitations in the Encroached Buffer

d. Only essential construction is allowed in the encroached buffer area, and disturbance to inactive areas must be minimized. Material staging and vehicle/equipment traffic and parking are prohibited unless directly supporting active construction.

e. Stockpiles must not be placed in the encroached buffer; if fill is required in the encroached buffer, stockpiled material must be placed for final disposition within three (3) calendar days of creation or delivery.

Maintain Sufficient BMP Supplies

f. Ensure that sufficient erosion and sediment control products are available on site to:

   i. Promptly repair or replace damaged controls, no later than the next business day.

   ii. Install additional controls as needed to properly treat stormwater and prevent erosion from discharges to the preserved buffer.

g. Supply quantity must exceed the minimum necessary to meet the initial installation and temporary stabilization criteria of this section as construction activities progress.

h. Properly store BMP supplies to prevent damage and ensure their availability when needed.

Erosion Prevention and Mitigation

i. Prevent concentrated flows by filling depressions and channels to prevent undermining or overtopping perimeter controls. If necessary, divert concentrated flows to armored conveyances to prevent in-channel erosion and discharge of sediment to the preserved buffer.

j. Create effective sheet flow conditions by dispersing and slowing flows along slopes.

k. If control measures fail and sediment is discharged into to the preserved buffer, remove the sediment with minimal impact to the buffer and repair/replace the failed sediment control(s).

High-Risk Considerations

l. For areas where there is high erosion potential due to steep slopes (>15%), soil type, heavy precipitation during significant grading work, or other factors, the registrant must consider implementing enhanced controls, including but not limited to those listed below.

   i. Armored or reinforced silt fence.

   ii. Diversion dikes or channels.

   iii. Compacted and vegetated earthen berms installed at the start of construction.

   iv. Upgrade all sediment traps and basins by increasing the storage volume from 3,600 cubic feet/acre to 5,400 cubic feet/acre drained.

   v. Capture all stormwater and treat with chemical treatment system (see Schedule A.24); or

   vi. Eliminate mass grading. All cut and fill work must be completed in steps (e.g. stabilize one grading unit before initiating the next).

ESCP Requirements

In addition to the minimum ESCP requirements listed in Appendix C, provide the following items:

m. Supporting Narrative

   i. Circumstances that make it infeasible to provide and maintain a 50-foot undisturbed buffer including any supporting documentation.

   ii. Rationale for chosen BMPs to protect preserved buffer.

   iii. Timeline for BMP installation, including all changes based on construction stages.

n. ESCP Plan Elements

   i. Clearly delineated preserved buffer areas, encroached buffers areas, and upgradient construction activities (see figure B-2).

   ii. Location and minimum inventory of additional BMPs supplies.

ESCPs must be prepared and stamped per the qualifications in Schedule A.21.

8. Compliance Option 3 Requirements

This section applies if compliance option 3 is selected (infeasibility of maintaining an undisturbed natural buffer). Construction activity with less than 5 feet of preserved buffer cannot meet the perimeter BMPs spacing requirement (5 feet apart) outlined in compliance option 2 and must therefore choose compliance option 3.

Registrants selecting compliance option 3 must also meet the enhanced BMP requirements outlined in the compliance option 2 section above: accelerated stabilization, disturbance limitations in the encroached buffer, maintain sufficient BMP supplies, erosion prevention and mitigation, and high-risk considerations.

Stormwater Capture and Treatment

Registrant must capture and treat construction stormwater prior to discharge to waters of the state.* This can be achieved by implementing the following:

a. Install an impermeable barrier (berm, sheet piling, etc.) between construction activities and surface waters of the state.

b. Intercept and divert stormwater (using dikes, channels, piping, etc.) to a designated area.

c. Install a passive or active treatment system; Treatment systems must:

    i. Be designed, installed, and maintained to provide adequate capacity to prevent overflows of untreated stormwater.

    ii. Must not cause erosion at the discharge point (install velocity dissipation devices or divert flows to armored slopes).

d. Treated stormwater discharges must be visually clear and free of sediment at the discharge point and must meet the in-stream water quality standard for turbidity if upstream and downstream measurements are feasible.

e. Sediment basins or similar impoundments must meet conditions of Schedule A.14.

f. Chemical Treatment Plans (CTPs) require submittal of an Environmental Management Plan per Schedule A.24. An additional review fee is required.

**Treatment is not required when there are no exposed soils upgradient and within the encroached buffer and construction stormwater is visually clear, free of sediment or other pollutants, and meets the water quality standard for turbidity.*

ESCP Requirements:

In addition to the minimum ESCP requirements listed in Appendix C, provide the following items.

g. Supporting Narrative as outlined in compliance option 2.

h. ESCP Plan Elements

    i. Locations and minimum inventory of additional BMPs supplies.

    ii. Locations and specifications of impermeable barriers

    iii. Method of intercepting, collecting, and directing captured stormwater (i.e. location of collection point, pump system, etc.) to the storage and treatment location, including a schematic.

    iv. Location of discharge point for treated stormwater and associated erosion prevention BMPs at the outfall.

    v. Chemical Treatment Systems (CTS) require submittal of an Environmental Management Plan per Schedule A.24. An additional review fee is required.

i. ESCPs must be prepared and stamped per the qualifications in Schedule A.21.

10. Small Lot Compliance

Small lots that are part of a larger common plan of development or sale must utilize the same natural buffer width and compliance option as identified and implemented by the primary permit registrant for the overall development. The natural buffer area should be included in the individual lot ESCPs.

APPENDIX C
Erosion and Sediment Control Plan Requirements

Appendix Applicability:

The purpose of this appendix is to provide 1200-C permit applicants with the minimum erosion and sediment control plan (ESCP) plan requirements. In addition, section 4 of this appendix provides the signage requirements, including a QR code, for placement at or near the project.

This appendix is organized as follows:

TABLE OF CONTENTS

1. ESCP Contents

The ESCP must account for wet weather conditions and include the following information on the specified sheets:

a. Cover Sheet
   i. Project Name
   ii. ESCP date and version.
   iii. Vicinity Map, including all waters of the state within a 500-ft radius of project boundary.
   iv. Name, address, property description of project area.
   v. Name and contact information of permit registrant.
   vi. Name and contact information of ESCP preparer, including credentials and stamp.
   vii. Additional water quality permit names and numbers.
   viii. Designated Erosion and Sediment Control Inspector(s), including identification of Primary Inspector:
      1) Inspector name.
      2) Direct phone number of inspector.
      3) Certification name, number, and expiration date.
   ix. Narrative description of project:
      1) Exiting conditions.
      2) Developed conditions.
      3) Total disturbed and undisturbed areas (to the nearest tenth acre and linear feet if a linear construction project).
      4) Soil types.
      5) Receiving waterbody, including the 303(d) Category 5 impairment status if applicable.
   x. Estimated Dates of Construction Activity:
      1) Clearing and staging.
      2) Mass grading.
      3) Utility installation.
      4) Paving and vertical construction.
      5) Final Stabilization.
   xi. Name, location, and URL of nearest official rain gauge or location of on-site rain gauge.
   xii. Selected inspection frequency from Schedule B.2.
   xiii. BMP Matrix Table for all construction phases (from section 3 of this appendix).
   xiv. Include the statement “The permit registrant is responsible for meeting all conditions of the 1200-C permit. This ESCP has been developed to facilitate compliance with the 1200-C permit. In cases of discrepancies or omissions, the 1200-C permit requirements supersede the requirements of this plan. The permit registrant is required to alter the ESCP depending on site conditions to be protective of water quality.”
   xv. A statement on the use of engineered soils and compliance with Schedule A.15.
   xvi. A statement on whether work will occur within the applicable natural buffer zone width per Schedule A.3 and Appendix B.

b. Existing Conditions Sheet

   i. Project name, north arrow, legend, scale, and plan sheet number.

   ii. Pre-construction condition of site, including drainage patterns and stormwater discharge points.

   iii. Waters of the state and conveyances to waters of the state within and adjacent to the project site.

   iv. Identify all structures to be demolished and vegetation/trees to be removed.

   v. Clearing limits, sensitive areas (e.g. wetlands, springs, groundwater seeps,) and their buffers, and trees that are to be preserved within the site and natural buffer zone, including methods for marking these features per Schedule A.2.

c. Demolition, Clearing, Grading, Excavating, and Land Development Sheet:

   i. Project name, north arrow, legend, scale, and plan sheet number.

   ii. Narrative overview of the construction activities in this stage.

   iii. Identify limits of disturbance.

   iv. Project access points as controlled access per Schedule A.6.

   v. Identify all cut and fill areas, including volumes and source of imported fill.

   vi. Identify all perimeter, slope, and internal BMPs as necessary for this stage of the project.

   vii. Temporary stabilization measures to be utilized per applicable project acreage/type in Schedule A.16.a.

   viii. Identify location of project permit signage per Condition 1.16.

   ix. Waters of the state and conveyances to waters of the state within and adjacent to the project site.

   x. Location of sanitary stations, waste management, stockpiling areas, on-site and off-site construction support activity areas, material, and equipment staging areas.

   xi. Natural buffer areas and vegetation to be retained.

d. Streets, Utilities, and Vertical Construction Sheets:

   i. Project name, north arrow, legend, scale, and plan sheet number.

   ii. Include a narrative overview of the construction activities in this stage.

   iii. Identify all project access points as controlled access per Schedule A.6, including to all individual lots within a subdivision.

   iv. Post-grading stormwater drainage patterns and discharge points.

   v. Waters of the state and conveyances to waters of the state within and adjacent to the project site.

   vi. Estimate dates new stormwater infrastructure will be active (if applicable). Illustrate all stormwater pipes, connections and conveyances to surface waters or municipal stormwater systems.

   vii. Location of sanitary stations, waste management, concrete waste management, stockpiling areas, on-site and off-site construction support activity areas, and material staging areas.

   viii. Identify all perimeter, slope, and internal BMPs as necessary for this phase of the project.

   ix. Temporary stabilization measures to be utilized per applicable project acreage/type in Schedule A.16.a.

e. Final Stabilization Sheet

   i. Include a narrative overview of the construction activities in this stage.

   ii. Identify all areas and types of permanent stabilization.

iii. All waters of the state and conveyances to waters of the state within and adjacent to the project site, including post-construction stormwater drainage patterns and discharge points.

f. BMP Details Sheet

i. Provide type, description, and schematic of all proposed BMPs represented in the ESCP.

g. Specialized ESCP Items (include on all relevant sheets)

i. All sediment basin details to ensure compliance with Schedule A.14, including plan and profile details, outlet elevations, and internal stabilization methods.

ii. Treatment system Operation and Maintenance plan.

iii. Key Map with sheet match lines for linear projects of large projects. DEQ may request a Key Map to facilitate review as necessary.

iv. The location and protection methods for all UICs.

v. For residential subdivisions: provide representative schematic of BMPs used on individual lots, including construction entrances, perimeters controls, and material and waste storage practices.

vi. Dust suppression method and approximate dates of use.

vii. Dewatering sources, locations, and wheel wash infiltration areas.

viii. Clearly identify the exact areas of approved impacts to waters of the state, along with documentation of the corresponding permits authorizing those impacts. Any impacts to waters of the state that are not covered by appropriate permits must not be included on the ESCP.

ix. Provide topographic lines pre and post grading if available.

x. Environmental Management Plan (details, drawings, schematics, etc.), including delineation of contaminated soil areas.

xi. Natural Buffer Zone requirements per Schedule A.3 and Appendix B.

xii. Beneficial Use Determination reference number for imported fill soils.

xiii. Offsite borrow areas, offsite disposal, and offsite staging areas (including areas used by subcontractors).

xiv. DEQ may request additional details on any sheet to facilitate review.

2. Inspection Frequency

Site inspections must follow one of the two frequencies specified below. These are minimum requirements; more frequent inspections may be conducted to ensure permit compliance. The selected frequency must be identified in the ESCP and inspection reports and maintained for the duration of permit coverage.

Frequency option 1

At least once every seven (7) calendar days.

Frequency option 2

Once every 14 calendar days and within 24 hours of the occurrence of:

i. A storm event that produces 0.25 inches or more of rain within a 24-hour period.

   A. If a storm event produces 0.25 inches or more of rain within a 24-hour period (including when there are multiple, smaller storms that alone produce less than 0.25 inches but together produce 0.25 inches or more in 24 hours), you are required to conduct one inspection within 24 hours of when 0.25 inches of rain or more has fallen.

ii. If a storm event produces 0.25 inches or more of rain within a 24-hour period on the first day of a storm and continues to produce 0.25 inches or more of rain on subsequent days, you must conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the last day of the storm that produces 0.25 inches or more of rain (i.e., only two inspections would be required for such a storm event).

iii. A discharge caused by snowmelt from a storm event that produces 3.25 inches or more of snow within a 24-hour period. You are required to conduct one inspection once the discharge of snowmelt from a 3.25-inch or more snow accumulation occurs. Additional snowmelt inspections are only required if following the discharge from the first snowmelt, there is a discharge from a separate storm event that produces 3.25 inches or more of snow.

3. BMP Matrix

Year:												
Month												
BMPs												
Biobags												
Bioswales/sediment basins												
Check Dams												
Perimeter Control	x											
Concrete Truck Washout												
Construction Entrance	x											
Dewatering												
Conveyance Structures												
Energy Dissipaters												
Erosion Control Blankets & Mats (Specify type)												
Hydroseeding												
Inlet Protection												
Mulches (Specify Type)												
Chemical Treatment System												
Natural Buffer Zone												
Outlet Protection												
Temporary Stabilization												
Permanent Stabilization												
Plastic Sheeting												
Sediment Trap												
Soil Tackifiers												
Temporary Diversion Berms												
Vegetative Buffer Strips												

4. Post Notice of Permit Coverage

Registrants must first comply with local signage requirements related to construction and erosion control. Where local requirements do not exist or apply, registrants must comply with this condition: post a sign or other notice of permit coverage at a safe, publicly accessible location in close proximity to the construction site. At a minimum, the notice must include:

a. Permit or PLC number (see permit coverage issuance letter);

b. A contact name and phone number for obtaining additional construction site information including a copy of the ESCP; and

c. The following statement "If you observe stormwater pollution or offsite sedimentation from this construction project, contact Oregon DEQ through its pollution complaints website. The QR code provided below may be used in addition to or in place of the URL. For projects in Agent jurisdictions, provide the applicable complaint submittal method.