***New Conditions within our Land Disturbance Permit, as of June 2012:***

* ***Section A.2*** on page 1 - Our permit now covers construction support activities, such as portable plants, whereas in our previous permit, these portable plants had to acquire another permit from MDNR (Permit MO-G49) to be able to legally operate. Please be aware, if the portable plant, staging or storage area or borrow or excess disposal area utilizes our permit, then MoDOT is ultimately responsible and therefore, we must have inspection oversight and all the BMPs for these activities must be shown on the site map, which are our erosion and sediment control (E&SC) plans.

In order to use the MoDOT land disturbance permit and SWPPP to cover these support activities, these areas must be located on MoDOT RW or contiguous with the MoDOT job. If they are not on RW or contiguous with the MoDOT job, the contractor must obtain their own land disturbance permit and SWPPP for these activities. The E&SC plan sheets for these areas will (in most cases) be produced by the contractor and provided to MoDOT for use in the SWPPP, since MoDOT is not likely to know the locations of these sites during the design process. In instances such as this, I would encourage MoDOT personnel to provide input to the contractor, if needed, on preferred BMPs.

Also, this discussion only pertains to the MoDOT land disturbance permit and our SWPPP. On all areas utilized by the contractor OFF OF MoDOT RW, whether contiguous or not, the contractor is typically responsible for obtaining other environmental clearances. (e.g., Section 106 clearance - see EPG 135 The Section 106 Process). See EPG 127.22, http://epg.modot.org/index.php?title=127.22\_Off-Site\_Borrow%2C\_Spoil%2C\_and\_Staging\_Areas, for more guidance on environmental clearances.

* ***Section C.1*** on page 3 - There is more emphasis on minimizing disturbance where possible and leaving as much existing vegetation as possible to act as a buffer BMP. We are also supposed to try to minimize compaction where possible in areas to be vegetated, which increases infiltration and root production.
* ***Section C.5*** on page 4 - I have taken care of the listing of primary receiving waters, 404/401 permit and persons responsible for SWPPP compliance on Form 806.8.2 (Project-Specific SWPPP Information Form), which is now a part of our updated statewide narrative SWPPP.
* ***Section C.6.a Nature of Construction Activity*** on page 5 - I have taken care of items 1 through 3 on Form 806.8.2 as well. **Item 4** could most easily be addressed by Design creating a topographic map with the project alignment overlaid on it. This map does not have to be part of the contract plans, but rather placed in the supporting documents or the like. It just needs to get into the hands of the appropriate RE and inspector so it can be included as a part of our SWPPP for the job.
* ***Section C.6.b Site Map*** on page 5 - Items 1 - 8 of the permit section are exactly what needs to be covered on our E&SC plans. See corresponding discussion for items 1 - 8 of the permit section ***C.6.b*** below. Most of these will need to be addressed by DE.
1. We are supposed to try and show how surface water flows on our jobs and directional arrows will accomplish this. The slopes anticipated after grading activities can be a combination of our slope limits used in conjunction with our cross section sheets that are in the contract plans.
2. Typically our slope limits or RW lines are the edge of our soil disturbance. If there are environmentally and/or other sensitive areas, or vegetative buffer areas that are not to be disturbed please call them out as "DO NOT DISTURB".
3. Basically, just like we have always done, show your BMPs on the E&SC plans.
4. This one is not written well, and we'll do the best we can to comply. It's not very enforceable that I can see. Construction inspectors can delineate areas on their E&SC plans that are prepped and ready to seed and mulch or some other form of erosion control (erosion control blankets, sod, etc.).
5. If you know the location of borrow, excess, staging or storage areas and expect them to be covered under our permit (have to be contiguous with the MoDOT job to use our permit and SWPPP) then show these areas and the BMPs to control them on the E&SC plans.
6. Show all streams, identified wetlands, lakes, ponds, scour holes, etc. on the E&SC plans and label them if they are a named water.
7. These are our outfall locations. Identify them with a number on the E&SC plans (e.g., 001, 002, ....., 054). Construction may find more outfalls when they are constructing the job and would have to label them in the field. E.g., an inspector finds a small headwater stream where concentrated flow is leaving our job and it is not identified with an outfall number. In this case he/she would pick up where DE left off and label it 055.
8. Construction inspectors will have to mark-up the plans in the field to show areas of final stabilization.
* ***Section C.6.h Disturbed Areas*** on page 6 - This is worded funny, but there are some fairly big changes here.
1. First, temporary stabilization: We are to provide temporary stabilization on any disturbed portion of the job upon ***"knowing"*** that the duration of ceasing operations in that area will exceed 14 days and it must be initiated immediately upon ***"knowing"***. So if a contractor knows they are finished working in a certain area on your project for at least 14 days, they need to stabilize that area in accordance with our permit. If they are working in steeper grades on the job, as defined in this section of the permit, they need to initiate and complete their stabilization in 7 days.
2. Next is the big one! For final stabilization: Once a disturbed portion of the job reaches final grade and the contractor is permanently finished with any type of grading operation in that area, they have to ***immediately initiate final stabilization and get the area covered up in 7 days***. This is to encourage the installation of erosion control instead of relying on sediment capture devices. Initiating stabilization is now defined in our SWPPP on page 25 and in the permit fact sheet, which is attached to the permit. The long preached "FINISH AS YOU GO"!
* ***Section C.6.J Sedimentation Basins*** on page 7 - Sediment basins can be cleaned out when they are 1/2 full. This used to be 1/3 full. Also, if you can't build a sediment basin for one reason or another, you can install other BMPs (sediment traps, ditch checks, etc.) just as long as they clean up the water before it leaves our RW. These other BMPs ***DO NOT*** have to have the same volumetric capacity that would have been required for the basin.
* ***Section C.6.m Roadways*** on page 8 - You only need to put inlet protection in place if the inlet is going to or has the potential to receive sediment from your land disturbance operation. On some jobs in the past, we had put inlet protection on all inlets in proximity to the job whether they would receive runoff from the job or not.
* ***Section C.13 Site Inspection Reports*** - No more coming in on weekends or state recognized holidays to do post-runoff inspections. In this section, "normal work day" and "business day" refer to Monday through Friday. It does not mean normal work days for your job if you are set up on four 10s.
* ***Section E Sampling Requirements and Effluent Limitations*** - If the MDNR or EPA show up on your job site to take stormwater samples and check your Settleable Solids discharge (Imhoff cone test), they can not penalize you for exceeding the 2.5 ml/L/hr limit if the storm event causing the runoff exceeded your local 2-year, 24-hour storm, which for our state ranges between 3 and 4 inches, depending on where you are located.