

City of Akron

Stormwater Management Application and Procedure Manual for Construction/Post-Construction Activities

INTRODUCTION

In response to the National Pollutant Discharge Elimination System (NPDES) Construction and Post-construction Program requirements, Section 50.80 *~Erosion and Sediment Control – Post-Construction Stormwater Quality~* was added to Chapter 50 of the Code of Ordinances of the City of Akron on September 18, 2006. This section details the City's requirements for the review and approval of proposed soil disturbing activities within the City of Akron.

This document contains the basic steps for the application, review and approval of Storm Water Pollution Prevention Plans (SWP3s) for proposed soil disturbing activities within the City of Akron. It includes the methodology, format, layout and timing of submittals and explains the City's procedure for compliance, termination and processing of documents. Satisfactory completion of these items shall be a condition of the Improvement Plan and Grading Permit approval issuance

This document is intended to:

- Present a standardized approach to administrating NPDES construction activity compliance in the City of Akron,
- Promote consistency in enforcement among various City Departments and
- Provide the development community with clear instructions for NPDES construction activity compliance submittal requirements and implementation of Storm Water Pollution Prevention Plans SWP3s.

APPLICATION PROCEDURE

The following procedures apply to construction sites that disturb one acre or more of land or are part of a larger project that disturbs one acre or more.

- A. The Developer/Contractor/Consultant/Project Engineer/Permittee, referred to as the Applicant from this point forward, shall submit to Ohio EPA a Notice of Intent (NOI) to comply with the NPDES General Storm Water Construction Permit (CGP) before construction commences. Further details on the NOI form and the CGP can be obtained from the Ohio EPA and at the following website: <http://epa.ohio.gov/dsw/storm/index.aspx>
- B. The Applicant shall prepare SWP3 documents to identify and describe the use of stormwater Best Management Practices (BMPs) that are tailored to the circumstances of a particular site or project and conform to the City of Akron BMP Guidance Document (available from the Akron Engineering Bureau, Environmental Division). The SWP3 has two main objectives: identify pollutant sources and describe practices to reduce sediment and pollutants in stormwater discharges. Specific requirements are described in Part III of the CGP, which can be obtained from the Ohio EPA, and at the following website: http://epa.ohio.gov/dsw/storm/const_SWP3_check.aspx.

- C. The Applicant shall submit two copies of the completed SWP3, NOI and NPDES Permit to:

Summit Soil and Water Conservation District
2525 State Rd.
Cuyahoga Falls, Ohio 44223
(330) 929-2871

The Applicant shall also pay all applicable Summit Soil and Water Conservation District (Summit SWCD) review fees at the time of submittal. The SWCD will then review the SWP3 for completeness and general conformance with the CGP

- D. In the event that the Summit SWCD determines that the SWP3 is inadequate a written notice will be communicated to the Applicant. The written notice will include specific reasons for the disapproval, comments and recommendations for revisions. These recommendations will specify the modifications, terms and conditions that are necessary for the approval of the SWP3. If the deficiency letter requires the Applicant to submit a revised SWP3, the Applicant shall submit two (2) copies of the revised SWP3 to the Summit SWCD.
- E. Upon approval of the SWP3 the Summit SWCD shall send an approval letter to the applicant, which is to be inserted into the SWP3 document. The City will receive a copy of all approval and deficiency letters from the Summit SWCD.
- F. The Applicant shall submit an executed Easement/Maintenance Agreement as part of the application process to secure future access to all proposed permanent post construction controls. Recorded easements will be required for the approved post construction control devices upon project completion.
- G. The Applicant shall submit copies of the NOI, SWP3, NPDES Permit, Summit SWCD approval letter and executed easement concurrent with the Plans and Permits submittal to:

City of Akron Plans and Permits
1030 East Tallmadge Avenue
Akron, Ohio 44310
(330)-630-7280

Copies of the documents listed above shall be submitted to the City in a three ring binder. Four (4) sets of all documents are required. Upon satisfactory completion of these items, the Improvement Plan and Grading Permit approval will be issued.

- H. Concurrent with the approval of the project SWP3, the Applicant will receive communication from the Summit SWCD to schedule a pre-construction meeting. Soil disturbing activities shall not begin, final plan approvals shall not be issued and building and zoning permits shall not be issued without an SWP3 approval letter and a pre-construction meeting to be scheduled by the Applicant.

- I. City and/or Summit Soil and Water Conservation District representatives will be present at the preconstruction meeting to discuss contractor expectations for SWP3 compliance. The approved copy of the SWP3 will be discussed with the Applicant during the meeting. The SWP3 must be kept on-site for the duration of the construction phase of the project. The City and/or Summit Soil and Water Conservation District inspector(s) will explain the City's construction stormwater runoff inspection procedures during the above-mentioned meeting. Project compliance requirements will include but will not be limited to the items outlined in the Ohio EPA Construction Site Inspection Checklist, available at: http://epa.ohio.gov/portals/35/storm/CGP_Ins1.pdf.
- J. Should the property be sold to another applicant prior to the completion of the construction phase, a Transfer Application Form shall be submitted to and approved by the Ohio EPA. The Applicant shall submit two (2) copies of the approval to Plans and Permits. The permit transfer application form and instructions can be obtained from the Ohio EPA and at the following website: http://epa.ohio.gov/Portals/35/permits/General_Permit_Transfer.pdf.
- K. An approved SWP3 shall remain valid for two (2) years. If regulations concerning erosion and sediment control or stormwater quality change prior to the beginning of active construction, the City may request the Applicant to submit a revised SWP3 to the City and the Summit SWCD in accordance with the above outlined procedure.
- L. Upon completion of the construction phase, the Applicant shall cancel the specific coverage under the general permit by submitting a Notice of Termination to the appropriate Ohio EPA office in accordance with the CGP. The Applicant shall also submit a copy to Plans and Permits. The NOT form and instructions can be obtained from the Ohio EPA and at the following website: <http://epa.ohio.gov/dsw/storm/index.aspx>.
- M. The Applicant is responsible for maintaining SWP3 records for three years.
- N. The Applicant is responsible for the submission of Record Drawings of Post-Construction BMPs that depict the final installed configuration to the City of Akron Sewer Maintenance Division. They shall indicate any construction deviations (whether physical or functional) and show all features of the project as actually built. These drawings will serve as a permanent record for use during future inspection and maintenance processes.
- O. The Applicant is responsible for the recordation of the executed Easement/Maintenance Agreement for any Post-Construction Stormwater BMPs.

CONSTRUCTION SITE INSPECTIONS

The Summit SWCD and/or the City shall routinely conduct stormwater inspections of the development area identified in the application to determine whether the controls and measures required by the SWP3 are effective in controlling erosion and sedimentation during the active construction phase of the project. Inspectors may review SWP3 binders for completeness, BMP adequacy, as well as dry and wet season visual checks. The

Applicant shall provide reasonable access to the Summit SWCD and/or the City for these inspections.

The Applicant is responsible for performing site inspections as prescribed by the CGP, maintain inspection logs and provide access of these logs to City and SWCD inspectors if requested. In addition, the Summit SWCD and/or the City will conduct, at minimum, bi-monthly inspections of all construction sites in order to assess compliance with the approved SWP3. The Summit SWCD and/or the City may conduct construction site inspections prior to anticipated storms, after actual storms, and every 24 hours during extended storms, as well as other times, to find areas contributing to stormwater discharge and to determine if the requirements of the site SWP3 are effective and properly implemented.

The Applicant is responsible for correcting BMP deficiencies immediately. When appropriate, a written or verbal notice of non-compliance will be given to the Applicant via either the SWCD Inspector or the Inspector's follow-up letter. Continued non-compliance at a site will provide justification for the City to pursue Remedies, Violations and Penalties in accordance with Section 50.80.

Any person adversely affected by the decision may appeal any decision made in enforcement of this section to the Service Director as outlined in Section 50.80.

POST-CONSTRUCTION STORMWATER MANAGEMENT

The Construction NPDES Permits include Post-Construction Stormwater Management requirements to provide perpetual management of runoff quality and quantity. To meet these requirements, the SWP3 must contain a description of the post-construction BMPs that will be installed during construction. The required post-construction controls are to be maintained in perpetuity by the Applicant or the heir(s), assign(s) or successor(s) of the property. As part of this maintenance responsibility, the Applicant shall perform one inspection each year and submit a written report prepared by a professional engineer describing the status and maintenance of the post-construction controls. The annual certification requirement begins the calendar year following the completion of the project. A reminder letter will be sent yearly describing the proper procedures for completing the annual certification. The annual certification form for completing the annual inspection requirement will be made available by the City.

The annual certification shall be completed and submitted by October 1st to the offices listed below:

Summit Soil and Water Conservation District
2525 State Rd.
Cuyahoga Falls, Ohio 44223
(330) 929-2871

City of Akron Sewer Maintenance Division
1055 Home Avenue
Akron, Ohio 44310
(330)-375-2666