

8A.00 OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY 1200-C AND 1200-CN GENERAL PERMITS

Permit Number: 1200-C
Expiration Date: November 30, 2015
Page 1 of 23

**GENERAL PERMIT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
STORMWATER DISCHARGE PERMIT**

Oregon Department of Environmental Quality
811 SW Sixth Avenue, Portland OR 97204
Telephone: (503) 229-5279 or 1-800-452-4011 (toll free in Oregon)

**Issued pursuant to ORS 468B.050 and Section 402 of the Federal Clean Water Act
REGISTERED TO:
SOURCES COVERED BY THIS PERMIT:**

Construction activities including clearing, grading, excavation, materials or equipment staging and stockpiling that will disturb one or more acres and may discharge to surface waters or conveyance systems leading to surface waters of the state.

Construction activities including clearing, grading, excavation, materials or equipment staging and stockpiling that will disturb less than one acre that are part of a common plan of development or sale if the larger common plan of development or sale will ultimately disturb one acre or more and may discharge to surface waters or conveyance systems leading to surface waters of the state.

This permit also authorizes discharges from any other construction activity (including construction activity that disturbs less than one acre and is not part of a common plan of development or sale) designated by DEQ, where DEQ makes that designation based on the potential for contribution to an excursion of a water quality standard or for significant contribution of pollutants to waters of the state.

This permit does not authorize the following:

In-water or riparian work, which is regulated by other programs and agencies including the Federal Clean Water Act Section 404 permit program, the Oregon Department of State Lands, the Oregon Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, the U.S. Army Corp of Engineers, the National Marine Fisheries Service, and the Department of Environmental Quality Section 401 certification program.

Post-construction stormwater discharges that originate from the site after completion of construction activities and final stabilization.

Discharges to underground injection control (UIC) systems.

PERMITTED ACTIVITIES

Until this permit expires, is modified or revoked, the permit registrant is authorized to construct, install, modify, or operate erosion and sediment control measures and stormwater treatment and control facilities, and to discharge stormwater and certain specified non-stormwater discharges to surface waters of the state or conveyance systems leading to surface waters of the state in conformance with all the requirements, limitations, and conditions set forth in the permit including attached schedules as follows:

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 2 of 23

Contents

SCHEDULE A CONTROLS AND LIMITATIONS FOR STORMWATER DISCHARGES, AND EROSION AND SEDIMENT CONTROL PLAN 3

1. Registering New Construction Activities 3

2. Renewal Application for Permit Coverage 3

3. Transfer of Permit Registration 3

4. Authorized Stormwater Discharges 4

5. Authorized Non-Stormwater Discharges 4

6. Limitations on Coverage 5

7. Control Measures 5

8. Implementation of Control Measures 6

9. BMP Maintenance 7

10. In-stream Water Quality Standards 8

11. Water Quality Requirements for TMDL and 303(d) Listed Waterbodies 8

12. Erosion and Sediment Control Plan (ESCP) 8

13. Corrective Actions 10

SCHEDULE B MINIMUM MONITORING AND RECORDKEEPING REQUIREMENTS 11

1. Inspections 11

2. Recordkeeping 12

SCHEDULE D SPECIAL CONDITIONS 13

1. Schedule Precedence 13

2. Other Requirements 13

3. Termination of Permit Registration 13

4. Local Public Agencies Acting as DEQ’s Agent 13

5. Permit-specific Definitions 13

SCHEDULE F NPDES GENERAL CONDITIONS 16

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 3 of 23

**SCHEDULE A CONTROLS AND LIMITATIONS FOR STORMWATER DISCHARGES, AND
EROSION AND SEDIMENT CONTROL PLAN
CONSTRUCTION ACTIVITIES REQUIRED TO REGISTER FOR PERMIT**

An owner or operator of construction activities must register for coverage under this permit with DEQ before any soil disturbance occurs, if they are not automatically covered as described in the 1200-CN permit.

1. Registering New Construction Activities

a. Applicants seeking registration for coverage under this permit for construction activities that will disturb one or more acres must submit a complete application to DEQ or Agent at least 30 calendar days before the planned soil disturbance, unless otherwise approved by DEQ or Agent (see Schedule D for description of Agent). The application must include:

- i. A DEQ-approved application form;
- ii. One paper copy and one electronic copy (PDF) of an Erosion and Sediment Control Plan (ESCP);
- iii. A Land Use Compatibility Statement (LUCS) indicating that the proposed activities are compatible with the local government's acknowledged comprehensive plan; and
- iv. Applicable permit fees.

b. Applicants seeking registration for coverage under this permit for construction activities that will disturb less than one acre that are part of a larger common plan of development or sale must, at least 30 calendar days before the planned soil disturbance, submit:

- i. A DEQ-approved application form;
- ii. One copy of an Erosion and Sediment Control Plan that covers the individual lot(s); and
- iii. Applicable permit fees.

c. Applicants seeking registration for coverage under this permit for construction activities that disturb or are likely to disturb five (5) or more acres over the life of the project, are subject to a 14-calendar day public review period before permit registration is granted. The public review period will not begin if the application form or ESCP are incomplete. These applicants must submit to DEQ or Agent an additional paper copy of an ESCP (total of two paper copies and one PDF copy).

d. DEQ or Agent will notify the applicant in writing if registration is approved or denied. Permit coverage does not begin until the applicant receives written notice that the registration is approved. If registration is denied or the applicant does not wish to be regulated by this permit, the applicant may apply for an individual permit in accordance with OAR 340-045-0030.

2. Renewal Application for Permit Coverage

a. An owner or operator of construction activities registered under the 1200-C permit that expires on November 30, 2010 must submit to DEQ or Agent a complete renewal application, using a DEQ-approved renewal application form by November 30, 2010 to ensure uninterrupted permit coverage for construction stormwater discharges.

b. If registration is denied or the applicant does not wish to be regulated by this permit, the applicant may apply for an individual permit in accordance with OAR 340-045-0030.

3. Transfer of Permit Registration

a. To transfer permit registration, the new owner or permit registrant must submit a DEQ-approved transfer form and applicable fees prior to permit expiration and within 30 calendar days of the planned transfer.

b. If ownership changes (through sale, foreclosure or other means) and the previous owner cannot be found:

i. The new owner must register for coverage under the permit (Schedule A, Paragraph 1) if the

site is not stabilized. Permit Number: 1200-C Expiration Date: November 30, 2015 Page 4 of 23

ii. The new owner must register for coverage under the permit (Schedule A, Paragraph 1) prior

to any additional soil disturbance.

iii. The new owner does not need to register for coverage under the permit if the site meets the conditions for termination (see Schedule B) and there is no ongoing or additional soil disturbance planned.

iv. DEQ will attempt to contact the previous owner at the address on record. If there is no response, after 60 days DEQ may terminate the previous owner's permit coverage.

4. Authorized Stormwater Discharges

Subject to compliance with the terms and conditions of this permit, and provided that all necessary controls are implemented to minimize sediment transport, the following stormwater discharges from construction sites are authorized (unless otherwise prohibited by local ordinances):

a. Stormwater associated with construction activity described in the "Sources Covered" section of the permit.

b. Stormwater from support activities at the construction site (for example, concrete or asphalt operations, equipment staging yards, material storage areas, excavated material disposal areas and borrow areas) provided:

i. The support activity is directly related to the construction site covered by this NPDES permit;

ii. The support activity is not a commercial operation serving multiple unrelated construction projects by different permit registrants;

iii. The support activity does not operate beyond the completion of the construction activity at the last construction project it supports; and

iv. Appropriate control measures are used to ensure compliance with discharge and water quality requirements.

5. Authorized Non-Stormwater Discharges

Subject to compliance with the terms and conditions of this permit, and provided that all necessary controls are implemented to minimize sediment transport, the following non-stormwater discharges from construction sites are authorized (unless otherwise prohibited by local ordinances):

a. Potable water including uncontaminated water line flushing (refer to DEQ guidance);

b. Vehicle washing that does not use detergents or hot water;

c. External building wash down that does not use detergents or hot water;

- d. Pavement wash waters where stockpiled material, spills or leaks of toxic or hazardous materials have not occurred (unless all stockpiled and spilled material has been removed) and where detergents or hot water are not used;
- e. Construction dewatering activities (including groundwater dewatering and well drilling discharge associated with the registered construction activity), provided that:
 - i. the water is land applied in a way that results in complete infiltration with no potential to discharge to a surface water of the state, or
 - ii. Best Management Practices (BMPs) or an approved treatment system is used to ensure compliance with discharge and water quality requirements;
- f. Foundation or footing drains where flows are not contaminated with process materials such as solvents; and
- g. Landscape irrigation.

For other non-stormwater discharges, a separate permit may be needed. The disposal of wastes to surface waters or on-site are not authorized by this permit. The permit registrant must submit a separate permit application for such discharges. Permit Number: 1200-C Expiration Date: November 30, 2015 Page 5 of 23

6. Limitations on Coverage

The following discharges are not authorized by this permit:

- a. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- b. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- c. Soaps or solvents used in vehicle and equipment washing.

7. Control Measures

The following controls and practices are required, if appropriate for the site.

- a. Wet Weather BMPs.
 - i. Avoid or minimize excavation and bare ground activities during wet weather.
 - b. Temporarily stabilize soils at the end of the shift before holidays and weekends, if needed. It is the owner/operator's responsibility to ensure that soils are stable during rain events at all times of the year. Erosion Prevention (Prevent or minimize the initial disturbance of sediment).
 - i. Clearing and Grading.

Phase clearing and grading to the maximum extent practical to prevent exposed inactive areas from becoming sources of erosion. Minimize erosion during and after soil disturbance using BMPs such as temporary seeding and planting, permanent seeding and planting, mulches, compost blankets, erosion control blankets and mats, and soil tackifiers.

ii. Wind Erosion/Dust Control. Water or use a soil-binding agent or other dust control technique as needed to avoid wind-blown soil.

iii. Vegetative Erosion Control.

(1) Preserve existing vegetation and re-vegetate open areas when practical.

(2) Do not remove temporary sediment control practices until permanent vegetation or other cover of exposed areas is established.

(3) Identify the type of seed mix (percentages of the various seeds of annuals, perennials and clover) and other plantings.

c. Runoff Control (Divert, collect, convey or control flow; prevent or minimize scouring).

Use BMPs such as diversion of run-on; trench drains, slope drains, french drains and subsurface drains that discharge to the surface; temporary diversion dikes; earth dikes; grass-lined channels (such as turf reinforcement mats); drainage swales; energy dissipaters; rock outlet protection; drop inlets; and check dams. Note that any underground injection must comply with OAR Chapter 340, Division 44.

d. Sediment Control (Retain and/or remove sediment through filtration and settling).

i. Control sediment along the site perimeter and at all operational internal storm drain inlets at all times during construction. Retain and remove sediment both internally and at the site boundary by using BMPs such as sediment fences, vegetative buffer strips, sediment traps, rock filters, compost berms/compost

socks, fiber rolls/ loose non-compacted straw wattles, storm drain inlet protection, and temporary or permanent sedimentation basins.

ii. Sediment Tracking and Transport Control.

(1) Prevent tracking of sediment onto public or private roads using BMPs such as:

(a) Establish graveled (or paved) exits and parking areas prior to any land disturbing activities.

(b) Gravel all unpaved roads located onsite.

(c) Use an exit tire wash.

(2) Cover all sediment loads leaving the site.

(3) When trucking saturated soils from the site, either use water-tight trucks or drain loads on site.

e. Pollution Prevention and Control.

i. Pollution Prevention.

(1) Use BMPs to prevent pollution of stormwater or to treat flow from dewatering operations, ponded water management, paving operation controls, and temporary equipment bridge use.

(2) Use BMPs to prevent or minimize stormwater from being exposed to pollutants from spills; vehicle and equipment fueling, maintenance, and storage; other cleaning and maintenance activities; and waste handling activities. These pollutants include fuel, hydraulic fluid, and

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 6 of 23

other oils from vehicles and machinery, as well as debris, leftover paints, solvents, and glues from construction operations.

ii. Stockpile Erosion and Sediment Control Practices.

(1) Stockpiles located away from the construction activity but still under the control of the permit registrant must be protected to prevent significant amounts of sediment or turbid water from discharging to surface waters or conveyance systems leading to surface waters.

(2) At the end of each workday soil stockpiles must be stabilized or covered, or other BMPs must be implemented to prevent discharges to surface waters or conveyance systems leading to surface waters.

(3) In developing these practices, at a minimum the following must be considered: diversion of uncontaminated flows around stockpiles, use of cover over stockpiles, and installation of sediment fences (or other barriers that will prevent the discharge of sediment or turbidity) around stockpiles.

iii. Solid Waste and Hazardous Materials Management.

Implement the following BMPs when applicable: written spill prevention and response procedures, employee training on spill prevention and proper disposal procedures, spill kits in all vehicles, regular maintenance schedule for vehicles and machinery, material delivery and storage controls, training and signage, and covered storage areas for waste and supplies.

f. Additional BMP Requirements During Inactive Periods.

- i. If all construction activities cease at the site for thirty (30) days or more, the entire site must be stabilized using temporary seeding, vegetation, a heavy mulch layer, or another method.
- ii. On any significant portion of the site, if construction activities cease for fourteen (14) calendar days or more, install temporary covering with blown straw and a tackifier, loose straw, or an adequate covering of compost mulch.

8. Implementation of Control Measures

a. All permit registrants must implement the ESCP (Paragraph A.12). Failure to implement any of the control measures or practices described in the ESCP is a violation of the permit.

b. All permit registrants must prevent the discharge of significant amounts of sediment to surface waters or conveyance systems leading to surface waters. The following conditions indicate that a significant amount of sediment has left or is likely to leave the site:

- i. Earth slides or mud flows;
- ii. Concentrated flows of stormwater such as rills, rivulets or channels that cause erosion when such flows are not filtered, settled or otherwise treated to remove sediment;
- iii. Sediment laden or turbid flows of stormwater that are not filtered or settled to remove sediments and turbidity;
- iv. Deposits of sediment at the construction site in areas that drain to unprotected stormwater inlets or to catch basins that discharge to surface waters. Inlets and catch basins with failing sediment controls due to lack of maintenance or inadequate design are considered unprotected;
- v. Deposits of sediment from the construction site on any property (including public and private streets) outside of the construction activity covered by this permit.

c. The permit registrant must ensure the control measures or practices described in the ESCP are implemented according to the following sequence:

i. Before Construction.

(1) Identify, mark, and protect (with construction fencing or other means) critical riparian areas and vegetation including important trees and associated rooting zones and vegetation areas to be preserved.

(2) Identify vegetative buffer zones between the site and sensitive areas (for example, wetlands), and other areas to be preserved, especially in perimeter areas.

(3) Hold a pre-construction meeting of project construction personnel that includes the inspector required by condition A.12.b.iii to discuss erosion and sediment control measures and construction limits.

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 7 of 23

(4) Stabilize site entrances and access roads including, but not limited to construction entrances, roadways and equipment parking areas (for example, using geotextile fabric underlay).

(5) Install perimeter sediment control, including storm drain inlet protection as well as all sediment basins, traps, and barriers.

(6) Establish concrete truck and other concrete equipment washout areas before beginning concrete work.

(7) Establish material and waste storage areas, and other non-stormwater controls.

(8) Stabilize stream banks and construct the primary runoff control measures to protect areas from concentrated flows.

ii. During Construction.

(1) Land Clearing, Grading and Roadways.

(a) Begin land clearing, excavation, trenching, cutting or grading only after installing applicable sediment and runoff control measures.

(b) Provide appropriate erosion and sediment control BMPs for all roadways including gravel roadways.

(c) Install additional control measures as work progresses as needed.

(d) Phase clearing and grading to the maximum extent practical to prevent exposed inactive areas from becoming a source of erosion.

(2) Surface Stabilization.

Apply temporary or permanent soil stabilization measures (for example, temporary and permanent seeding, or mulching) immediately on all disturbed areas as work is completed. Stabilization of disturbed areas must be initiated immediately whenever any earth disturbing activities have permanently ceased on any portion of the site.

(3) Construction and Paving.

Keep erosion and sediment control measures in place for the duration of construction, including protection for active storm drain inlets and appropriate non-stormwater pollution controls.

iii. Final Stabilization and Landscaping.

(1) Provide permanent erosion prevention measures on all exposed areas.

(2) Remove and properly dispose of construction materials and waste, including sediment retained by temporary BMPs.

(3) Remove all temporary control measures as areas are stabilized, unless doing so conflicts with local requirements.

9. BMP Maintenance

a. The permit registrant must establish and promptly implement procedures for maintenance and repair of erosion and sediment control measures.

b. General Site Maintenance.

i. Significant amounts of sediment that leave the site must be cleaned up within 24 hours, placed back on the site and stabilized, or disposed of properly. In addition, the source(s) of the sediment must be controlled to prevent continued discharge within 24 hours. Any in-stream cleanup of sediment must be performed according to requirements and timelines set by the Oregon Department of State Lands.

ii. Sediment must not be intentionally washed into storm sewers or drainage ways. Vacuuming or dry sweeping and material pickup must be used to cleanup released sediments.

iii. If fertilizers are used to establish vegetation, the application rates must follow manufacturer's guidelines and the application must be done in such a way to minimize discharge of nutrients to surface waters.

c. Maintenance of Erosion and Sediment Controls.

i. Sediment fence: remove trapped sediment before it reaches one third of the above ground fence height.

ii. Other sediment barriers (such as biobags): remove sediment before it reaches two inches depth above ground height.

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 8 of 23

iii. Catch basins: clean before sediment retention capacity has been reduced by fifty percent.

iv. Sediment basins: remove trapped sediments before design capacity has been reduced by fifty percent.

d. Stormwater Treatment Systems.

If a stormwater treatment system (for example, electro-coagulation, flocculation, filtration, etc.) for sediment or other pollutant removal is employed, submit an operation and maintenance plan (including system schematic, location of system, location of inlet, location of discharge, discharge dispersion device design, and a sampling plan and frequency) before operating the treatment system. The plan must be approved before operating the treatment system. The treatment system must be operated and maintained according to manufacturer's specifications.

10. In-stream Water Quality Standards

a. The permit registrant must not cause or contribute to a violation of in-stream water quality standards.

b. If the permit registrant develops, implements, and revises the control measures and practices described in the ESCP in compliance with Schedule A of this permit, DEQ assumes that the discharges authorized by this permit will not cause or contribute to a violation of water quality standards unless there is evidence to the contrary.

11. Water Quality Requirements for TMDL and 303(d) Listed Waterbodies

In addition to other applicable requirements of this permit, if a permit registrant's construction project has the potential to discharge to a portion of a waterbody that is listed for turbidity or sedimentation on the most recently EPA-approved Oregon 303(d) list or that have an established Total Maximum Daily Load (TMDL) for sedimentation or turbidity (available at www.deq.state.or.us/WQ/assessment/assessment.htm), the permit registrant must implement one or more of the BMPs listed below to control and treat sediment and turbidity. The selected BMP(s) must be

identified in the ESCP as addressing this condition of the permit, and the rationale for choosing the selected BMP(s) must also be provided.

- a. Compost berms, compost blankets, or compost socks;
- b. Erosion control mats;
- c. Tackifiers used in combination with perimeter sediment control BMPs;
- d. Established vegetated buffers sized at 50 feet (horizontally) plus 25 feet (horizontally) per 5 degrees of slope;
- e. Water treatment by electro-coagulation, flocculation, or filtration; and/or
- f. Other substantially equivalent sediment or turbidity BMP approved by DEQ or Agent.

12. Erosion and Sediment Control Plan (ESCP)

a. Preparation.

i. The permit registrant must ensure that an ESCP is prepared and revised as necessary for the construction activity regulated by this permit and submitted to DEQ or Agent as required by this permit.

ii. Qualifications to Prepare ESCP.

(1) For construction activities disturbing 20 or more acres, the ESCP must be prepared and stamped by an Oregon Registered Professional Engineer, Oregon Registered Landscape Architect, Oregon Certified Engineering Geologist, or Certified Professional in Erosion and Sediment Control (Soil and Water Conservation Society).

(2) If engineered facilities such as sedimentation basins or diversion structures for erosion and sediment control are required, the ESCP must be prepared and stamped by an Oregon Registered Professional Engineer.

b. Required ESCP Elements

i. Name of the site.

ii. Local Government Requirements.

Include any procedures necessary to meet applicable local government erosion and sediment control or stormwater management requirements. Permit Number: 1200-C Expiration Date: November 30, 2015
Page 9 of 23

iii. Erosion and Sediment Control Inspector.

(1) Inspections must be conducted by a person knowledgeable in the principles and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact stormwater quality, is knowledgeable in the correct installation of the erosion and sediment controls, and is able to assess the effectiveness of any sediment and erosion control measures selected to control the quality of stormwater discharges from the construction activity.

(2) Inspections must be conducted by a designated Erosion and Sediment Control Inspector.

(3) Provide the following for all personnel that will conduct inspections:

(e) Name and title;

(f) Contact phone number and, if available, e-mail address; and

(g) Description of experience and training.

iv. Narrative Site Description.

(1) Nature of the construction activity;

(2) Proposed timetable indicating when each erosion and sediment control BMP is to be installed and the duration that it is to remain in place;

(3) Estimates of the total area of the permitted site and the area of the site that is expected to undergo clearing, grading or excavation;

(4) Nature of the fill material to be used, and of the insitu soils; and

(5) Names of the receiving water(s) for stormwater runoff.

v. Site Map and Drawings.

(1) The site map and drawings must be kept on site and must represent the actual BMP controls being used onsite, particularly those BMPs identified in the most recent ESCP;

(2) The site map must show sufficient roads and features for DEQ or Agent to locate and access the site;

(3) The site map and drawings must include (but is not limited to) the following features (as applicable):

(a) Total property boundary including surface area of the development;

(b) Areas of soil disturbance (including, but not limited to, showing cut and fill areas and pre- and post-development elevation contours);

(c) Drainage patterns before and after finish grading;

(d) Discharge points;

(e) Areas used for the storage of soils or wastes;

(f) Areas where vegetative practices are to be implemented;

(g) All erosion and sediment control measures or structures;

(h) Impervious structures after construction is completed (including buildings, roads, parking lots and outdoor storage areas);

(i) Springs, wetlands and other surface waters on site or adjacent to the site;

(j) Temporary and permanent stormwater conveyance systems;

(k) Onsite water disposal locations (for example, for dewatering);

(l) Storm drain catch basins depicting inlet protection, and a description of the type of catch basins used (for example, field inlet, curb inlet, grated drain and combination);

(m) Septic drain fields;

(n) Existing or proposed drywells or other UICs;

(o) Drinking water wells on site or adjacent to the site;

(p) Planters;

(q) Sediment and erosion controls including installation techniques; and

(r) Detention ponds, storm drain piping, inflow and outflow details.

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 10 of 23

c. ESCP Revisions

i. ESCP revisions must:

(1) Clearly identify any changes (such as type or design) to the BMPs identified in the ESCP, their location, maintenance required, and any other revisions necessary to prevent and control erosion and sediment runoff.

(2) Include contact information and any applicable certification, training and experience for changes in Erosion and Sediment Control Inspector.

ii. Approval of the revisions by DEQ or Agent prior to implementation is not required.

iii. Submission of all ESCP revisions is not required. ESCP revisions must be submitted only if they are made for any of the following reasons:

(1) Part of a Corrective Action (A.13).

(2) Change (increase or decrease) in the size of the project.

(3) Change (increase or decrease) in the size or location of disturbed areas.

(4) Change to BMPs (for example, type, design or location).

(5) Change in erosion and sediment control inspector.

iv. If submission of ESCP revisions is required, submit two paper copies and one electronic PDF to DEQ or Agent within 10 days of the revision. These revisions should be submitted as revised pages of the ESCP or drawings only; it is not necessary to submit the entire ESCP. If the permit registrant does not receive a response to the revisions from DEQ or Agent within 10 days of receipt, the proposed revisions are deemed accepted.

v. DEQ or Agent may require the permit registrant to revise the ESCP at any time. The permit registrant must submit the revisions according to the timeframe specified by DEQ or Agent.

13. Corrective Actions

a. Corrective actions are required if any of the following occur:

i. Significant amounts of sediment or turbidity (as described in A.8.b) are visibly detected in: 1) the discharge to a conveyance system leading to surface waters; 2) the discharge to surface waters 50 feet downstream; or 3) the discharge in surface waters at any location where more than one-half of the width of the receiving surface waters is affected.

ii. The construction activity causes or contributes to a violation of in-stream water quality standards (A.10.a).

iii. DEQ or the Agent requires the permit registrant to take corrective actions to prevent or control the discharge of significant amounts of sediment or turbidity to surface waters or to conveyance systems that discharge to surface waters.

b. If corrective actions are required, the registrant must:

i. Immediately, but no later than 24 hours after initial detection, take corrective actions or implement additional effective BMPs until the significant amounts of sediment or turbidity are no longer visually detectable and to ensure that the requirements of Conditions A.8.b and A.10.a are met.

ii. Document in the inspection records the corrective actions taken.

iii. Evaluate the control measures and practices to determine the cause of the noncompliance. Submit a written report to DEQ or Agent within 10 days of identifying the need to take corrective action as required in condition 13.a above. This report must include:

(1) The site common name and DEQ file number.

(2) Identification of outfalls that were out of compliance.

(3) Names of personnel conducting inspections.

(4) A description of the noncompliance and its cause.

(5) The period of noncompliance.

(6) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance (such as specific BMPs that will be implemented or increased inspection frequency).

(7) ESCP revisions, if revisions were required to prevent and control erosion and sediment discharges.

Permit Number: 1200-C Expiration Date: November 30, 2015 Page 11 of 23

SCHEDULE B MINIMUM MONITORING AND RECORDKEEPING REQUIREMENTS

1. Inspections

a. The following must be inspected by a designated Erosion and Sediment Control Inspector:

- i. All areas of the site disturbed by construction activity to ensure that BMPs are in proper working order.
- ii. Discharge point(s) identified in the ESCP for evidence of or the potential for the discharge of pollutants (including sediment and turbidity), and to ascertain whether erosion and sediment control measures are effective in preventing significant impacts to surface waters. Where discharge points are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practical.
- iii. BMPs identified in the ESCP and any ESCP revisions to assess whether they are functioning properly.
- iv. Locations where vehicles enter or exit the site for evidence of off-site sediment tracking.
- v. Areas used for storage of materials that are exposed to precipitation for evidence of spillage or other potential to contaminate stormwater runoff.

b. All ESCP controls and practices must be inspected visually according to the following schedule:

Site Condition

Minimum Frequency

1. Active period

Daily when stormwater runoff, including runoff from snow melt, is occurring.

At least once every two (2) weeks, regardless of whether stormwater runoff is occurring.

Once to ensure that erosion and sediment control measure are in working order. Any necessary maintenance and repair must be made prior to leaving the site.

2. Prior to the site becoming inactive or in anticipation of site inaccessibility

Once every two (2) weeks.

3. Inactive periods greater than fourteen (14) consecutive calendar days

If practical, inspections must occur daily at a relevant and accessible discharge point or downstream location.

4. Periods during which the site is inaccessible due to inclement weather

Permit Number: 1200-CN
Expiration Date: November 30, 2015

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AUTOMATICALLY COVERED CONSTRUCTION ACTIVITIES
SOURCES COVERED BY THIS PERMIT:**

Construction activities are automatically covered under this permit if they meet the size criteria and are within the jurisdictions specified in Schedule A. This includes:

- Construction activities including clearing, grading, excavation, materials or equipment staging and stockpiling that will disturb one or more acres but less than 5 acres and may discharge to surface waters or conveyance systems leading to surface waters of the state; and
- Construction activities including clearing, grading, excavation, materials or equipment staging and stockpiling that will disturb less than one acre that are part of a common plan of development or sale if the larger common plan of development or sale will ultimately disturb one acre or more and may discharge to surface waters or conveyance systems leading to surface waters of the state.

This permit does not authorize the following:

In-water or riparian work, that is regulated by other programs and agencies including the Federal Clean Water Act Section 404 permit program, the Oregon Department of State Lands, the Oregon Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, the U.S. Army Corp of Engineers, the National Marine Fisheries Service and the Department of Environmental Quality Section 401 certification program.

Post-construction stormwater discharges that originate from the site after completion of construction activities and the site has undergone final stabilization.

Discharges to underground injection control (UIC) systems.

Neil Mullane, Administrator

PERMITTED ACTIVITIES

Until this permit expires, is modified or revoked, the owner/operator of an automatically covered activity is authorized to construct, install, modify, or operate erosion and sediment control measures and stormwater treatment and control facilities, and to discharge stormwater and certain specified non-stormwater discharges to surface waters of the state or conveyance systems leading to surface waters of the state in conformance with all the requirements, limitations, and conditions set forth in the permit including attached schedules as follows: Permit Number: 1200-CN Expiration Date: November 30, 2015

Page 2 of 8

Contents

SCHEDULE A CONTROLS AND LIMITATIONS FOR STORMWATER DISCHARGES

..... 3

CONSTRUCTION ACTIVITIES WITH AUTOMATIC PERMIT COVERAGE 3

1. Disturbance Less Than 5 Acres 3

2. Disturbance Less Than 1 Acre 4

3. Performance Measures 4

4. Authorized Stormwater Discharges 4

5. Authorized Non-Stormwater Discharges 5

6. Limitations on Coverage 5

SCHEDULE B MINIMUM MONITORING AND RECORDKEEPING REQUIREMENTS

..... 6

1. Inspections 6

2. Recordkeeping 6

SCHEDULE D SPECIAL CONDITIONS

..... 7

1. Standard Conditions 7

2. Other Requirements 7

3. Permit-specific Definitions 7

Permit Number: 1200-CN Expiration Date: November 30, 2015 Page 3 of 8

SCHEDULE A CONTROLS AND LIMITATIONS FOR STORMWATER DISCHARGES CONSTRUCTION ACTIVITIES WITH AUTOMATIC PERMIT COVERAGE

An owner or operator of construction activities described in this section does not need to submit an application for permit coverage to DEQ. The construction activities meeting the conditions in Schedule A, conditions 1 and 2 are automatically covered under this permit, and are authorized to discharge in accordance with Schedule A, conditions 3 through 6, if the construction activity does not have the potential to discharge to a portion of a waterbody that is listed for turbidity or sedimentation on the most recently EPA-approved Oregon 303(d) list or that have an established Total Maximum Daily Load (TMDL) for sedimentation or turbidity (listings are available at www.deq.state.or.us/WQ/assessment/assessment.htm). Registration with the Oregon DEQ is not required in these local jurisdictions because the jurisdictions already have construction stormwater programs that include plan review, ordinances, site inspections and enforcement. Owners/operators must comply with all applicable local code, ordinance and permit requirements. This permit does not impose additional requirements on these jurisdictions. DEQ retains the right to require registration (by the owner or operator) of construction activities in these jurisdictions in accordance with the 1200-C permit, when DEQ determines that registration is desirable to ensure protection of water quality.

1. Disturbance Less Than 5 Acres

An owner or operator of construction activities that meet the conditions listed below automatically receives coverage under this permit.

a. Either,

- i. The construction activities will disturb more than one acre but less than 5 acres over the life of the project; or
- ii. The construction activities will disturb less than 1 acre and are part of a common plan of development or sale that will ultimately disturb one acre or more; and

b. The construction activities are within the following jurisdictions:

- i. Albany
- ii. Corvallis
- iii. Eugene
- iv. Milwaukie
- v. Springfield
- vi. West Linn
- vii. Wilsonville
- viii. Clackamas County Water Environment Services, within its two service districts: Clackamas County Service District #1 and the Surface Water Management Agency of Clackamas County.
- ix. Clean Water Services, including:
 - (1) Banks
 - (2) Beaverton
 - (3) Cornelius

- (4) Durham
- (5) Forest Grove
- (6) Hillsboro
- (7) King City
- (8) North Plains
- (9) Sherwood
- (10) Tigard
- (11) Tualatin
- (12) Washington County within the Urban Growth Boundary
- x. Portions of Lane County that are in Lane County's MS4 Phase II Permit area
- xi. Multnomah County (unincorporated portions of the county)
Permit Number: 1200-CN Expiration Date: November 30, 2015 Page 4 of 8
- xii. Rogue Valley Sewer Services, including:

- (1) Central Point
- (2) Phoenix
- (3) Talent

(4) Portions of Jackson County in Rogue Valley Sewer Services' MS4 Phase II Permit area

2. Disturbance Less Than 1 Acre

An owner or operator of construction activities that meet the conditions listed below automatically receives coverage under this permit.

- a. The construction activities will disturb less than 1 acre and are part of a common plan of development or sale that will ultimately disturb one acre or more; and
- b. The construction activities are within the following jurisdictions:
 - i. Gresham
 - ii. Troutdale
 - iii. Wood Village

3. Performance Measures

- a. An owner or operator of automatically covered construction activities must prevent the discharge of significant amounts of sediment to surface waters or conveyance systems leading to surface waters. The following conditions indicate that significant amounts of sediment has left or is likely to leave the site:

- i. Earth slides or mud flows;
 - ii. Concentrated flows of stormwater such as rills, rivulets or channels that cause erosion when such flows are not filtered, settled or otherwise treated to remove sediment;
 - iii. Sediment laden or turbid flows of stormwater that are not filtered or settled to remove sediments and turbidity;
 - iv. Deposits of sediment at the construction site in areas that drain to unprotected stormwater inlets or to catch basins that discharge to surface waters. Inlets and catch basins with failing sediment controls due to lack of maintenance or inadequate design are considered unprotected;
 - v. Deposits of sediment from the construction site on any property (including public and private streets) outside of the construction activity covered by this permit.
- b. An owner or operator of automatically covered construction activities must not cause or contribute to a violation of in-stream water quality standards.

4. Authorized Stormwater Discharges

Subject to compliance with the terms and conditions of this permit, and provided that all necessary controls are implemented to minimize sediment transport, the following stormwater discharges from construction sites are authorized (unless otherwise prohibited by local ordinances):

- a. Stormwater associated with construction activity described in the “Sources Covered” section of the permit.
- b. Stormwater from support activities at the construction site (for example, concrete or asphalt operations, equipment staging yards, material storage areas, excavated material disposal areas and borrow areas) provided:
 - i. The support activity is directly related to the construction site covered by this NPDES permit;
 - ii. The support activity is not a commercial operation serving multiple unrelated construction projects by different owners or operators;
 - iii. The support activity does not operate beyond the completion of the construction activity at the last construction project it supports; and
 - iv. Appropriate control measures are used to ensure compliance with discharge and water quality requirements.

Permit Number: 1200-CN Expiration Date: November 30, 2015 Page 5 of 8

5. Authorized Non-Stormwater Discharges

Subject to compliance with the terms and conditions of this permit, and provided that all necessary controls are implemented to minimize sediment transport, the following non-stormwater discharges from construction sites are authorized (unless otherwise prohibited by local ordinances):

- a. Potable water including uncontaminated water line flushing (refer to DEQ guidance);
- b. Vehicle washing that does not use detergents or hot water;
- c. External building wash down that does not use detergents or hot water;
- d. Pavement wash waters where stockpiled material, spills or leaks of toxic or hazardous materials have not occurred (unless all stockpiled and spilled material has been removed) and where detergents or hot water are not used;
- e. Construction dewatering activities (including groundwater dewatering and well drilling discharge associated with the automatically covered construction activity), provided that:
 - i. the water is land applied in a way that results in complete infiltration with no potential to discharge to a surface water of the state, or
 - ii. Best Management Practices (BMPs) or an approved treatment system is used to ensure compliance with discharge and water quality requirements;
- f. Foundation or footing drains where flows are not contaminated with process materials such as solvents; and
- g. Landscape irrigation.

For other non-stormwater discharges, a separate permit may be needed. The disposal of wastes to surface waters or on-site are not authorized by this permit. The owner/operator must submit a separate permit application for such discharges.

6. Limitations on Coverage

The following discharges are not authorized by this permit:

- a. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- b. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
- c. Soaps or solvents used in vehicle and equipment washing.

Permit Number: 1200-CN Expiration Date: November 30, 2015 Page 6 of 8

SCHEDULE B MINIMUM MONITORING AND RECORDKEEPING REQUIREMENTS

1. Inspections

Inspections are required when construction will disturb one or more acres.

a. The following must be inspected:

i. Discharge point(s). Where discharge points are inaccessible, nearby downstream locations must be inspected to the extent that such inspections are practicable.

ii. BMPs.

iii. Locations where vehicles enter or exit the site for evidence of off-site sediment tracking.

iv. Areas used for storage of materials that are exposed to precipitation for evidence of spillage or other potential to contaminate stormwater runoff.

b. Inspect according to the following schedule:

Site Condition

Minimum Frequency

1. Active period

Weekly when stormwater runoff, including runoff from snow melt, is occurring.

At least once every month, regardless of whether stormwater runoff is occurring.

Once to ensure that erosion and sediment control measure are in working order. Any necessary maintenance and repair must be made prior to leaving the site.

2. Prior to the site becoming inactive or in anticipation of site inaccessibility

Once every month.

3. Inactive periods greater than fourteen (14) consecutive calendar days

If practical, inspections must occur daily at a relevant and accessible discharge point or downstream location.

4. Periods during which the site is inaccessible due to inclement weather