

Department Note: As MS4 Permittees demonstrate compliance differently and MS4 Permittees may have different MS4 permit conditions, the following written program procedure is intended to provide ideas on various formats. Therefore, please note the provided example may not be appropriate, as is, for your community. Additionally, the following is a written program procedure that has been submitted to the Department by a MS4 Permittee. However, the MS4 Permittee name have been removed to keep them anonymous.

CONSTRUCTION SITE POLLUTANT CONTROL PROGRAM:

CITY OF XYZ

Public Projects (e.g., road projects, municipal buildings, etc.):

Public Project Plan Review

For public construction sites disturbing less than one acre, erosion control permitting and enforcement are handled by the City's contracted Building Inspectors. For public construction projects disturbing one acre or more, the plans, including erosion control plans, are typically prepared by the City's engineering consulting firm. The plans are reviewed and subsequently approved by the City's Director of Public Works (Director). With approval, the consultant prepares the Notice of Intent, forwards it to the Director and the Director submits the form to the DNR. The City does not issue itself a permit; however, the burden for implementing the construction site pollutant control is conveyed to the contractor through the issuance of the signed contract.

Before a construction project disturbing one acre or more starts, a pre-construction meeting is required with the contractor, Consultant and City representatives, including the Director. The Director is responsible for reviewing the erosion control plan and the requirements the contractor must follow, namely weekly inspections and inspections after 0.5 inches of rain recorded at the site.

Public Construction Inspection and Enforcement

As noted above, the contractor on projects disturbing one acre or more is responsible for site inspection as required. The contractor is not required to submit inspection reports to the Director, however, the contractor must keep the reports for their record and have them available upon request from the Director.

The Director is required to provide inspections for the City using the Construction Site Inspection Report (WDNR Form 3400-187) and at time intervals as outlined on the **Stormwater and Erosion Control Submittal Flow Chart (see EXHIBIT A)**. The Director will verbally relay any inspection related issues to the foreman or person who is in charge of the site if they are present at time of inspection. The Director will also provide written notification in the form of an email with accompanying photos within 24 hours of the inspection. The Director will reinspect the site within 7 days of initial inspection or sooner if rain is expected. If erosion control issues are not resolved, the Director will have a verbal follow up conversation and/or written notification will be sent via email with a written warning of a Stop Work Order. Additional non-compliance erosion control issues will result in a Stop Work Order being issued by the Director and remain in place until the non-compliance issue is resolved.

The contractor and the Director will continue required inspections until the site is stabilized and all erosion control BMP's are removed. The Director is responsible for sending in the Notice of Termination to the DNR.

Record Keeping

The Director will scan the Inspection Report and place the digital file in the Project File located on the City's X:DPW network drive. The original paper copy may be kept in the Inspection Report folder in the Director's file cabinet. Digital photos are to be placed in the Project File with the associated Inspection Report. A copy of any correspondence (letters, emails, etc) relating to construction site pollutant control should be placed in the Project File as well. The NOI and NOT will also be placed in the Project File.

Measurable Goals

- Number of site visits by Director as required by the Stormwater and Erosion Control Submittal Requirements Flow Chart (**see Exhibit A**)
 - Goal: 100%
 - Goal measured by number of actual inspections to site versus requirements
- Number of non-compliant sites brought to compliance within 7 days
 - Goals: 100%
 - Goal measured by number of reinspections and Stop Work Orders issued. If less than 100%, Director to work on better upfront discussions before construction starts; better reinforcement made to the contractor on the need for compliance; and better communication with the contractor during the project of what the infractions are and ways to resolve them.

The Director will work toward these Goals by watching weather forecasts, collecting rain data at the site, and providing consistent inspections and reinspections.

Private Projects (e.g., subdivisions, commercial buildings, etc.):

Private Plan Review

For private construction sites disturbing less than one acre, erosion control permitting and enforcement are handled by the City's contracted Building Inspectors. For private construction projects disturbing one acre or more, the developer submits plans and construction site erosion control permit application to the Director. The Director is responsible for the review of erosion control plan and application. However, all plans are forwarded to Strand for their review which is typically done in conjunction with review of the post-construction storm water management. Upon receiving Strand's comments, the Director will correspond with the developer on any revisions that are necessary. Once the plans are approved by the Director, the erosion control permit is signed by the Director. The Director sends a copy to the developer and scans the original for electronic documentation. The original is attached to the building permit and kept in the property file. Building inspectors do not issue the building permit until a copy of the Notice of Intent is submitted.

Before a construction project disturbing one acre or more starts, a pre-construction meeting is required with the contractor, and the Director. The Director is responsible for reviewing the erosion control plan

and the requirements the contractor must follow, namely weekly inspections and inspections after 0.5 inches of rain recorded at the site.

Private Construction Inspection and Enforcement

As noted above, the contractor on projects disturbing one acre or more is responsible for site inspection as required. The contractor is not required to submit inspection reports to the Director, however, the contractor must keep the reports for their record and have them available upon request from the Director.

The Director is required to provide inspections for the City using the Construction Site Inspection Report (WDNR Form 3400-187) and at time intervals as outlined on the **Stormwater and Erosion Control Submittal Flow Chart (see Exhibit A)**. The Director will verbally relay any inspection related issues to the foreman or person who is in charge of the site if they are present at time of inspection. The Director will also provide written notification in the form of an email with accompanying photos within 24 hours of the inspection. The Director will reinspect the site within 7 days of initial inspection or sooner if rain is expected. If erosion control issues are not resolved, the Director will have a verbal follow up conversation and/or written notification will be sent via email with a written warning of a Stop Work Order. Additional non-compliance erosion control issues will result in a Stop Work Order being issued by the Director and remain in place until the non-compliance issue is resolved.

The contractor and the Director will continue required inspections until the site is stabilized and all erosion control BMP's are removed.

Record Keeping

The Director will send a copy of the signed permit to the developer and scans the original for electronic documentation within the Project File located on the City's X:DPW network drive. The original is attached to the building permit and kept in the property file. Building inspectors will not issue the building permit until a copy of the Notice of Intent is submitted.

The Director will scan the Inspection Report and place the digital file in the Project File located on the City's X:DPW network drive. The original paper copy may be kept in the Inspection Report folder in the Director's file cabinet. Digital photos are to be placed in the Project File with the associated Inspection Report. A copy of any correspondence (letters, emails, etc) relating to construction site pollutant control should be placed in the Project File as well.

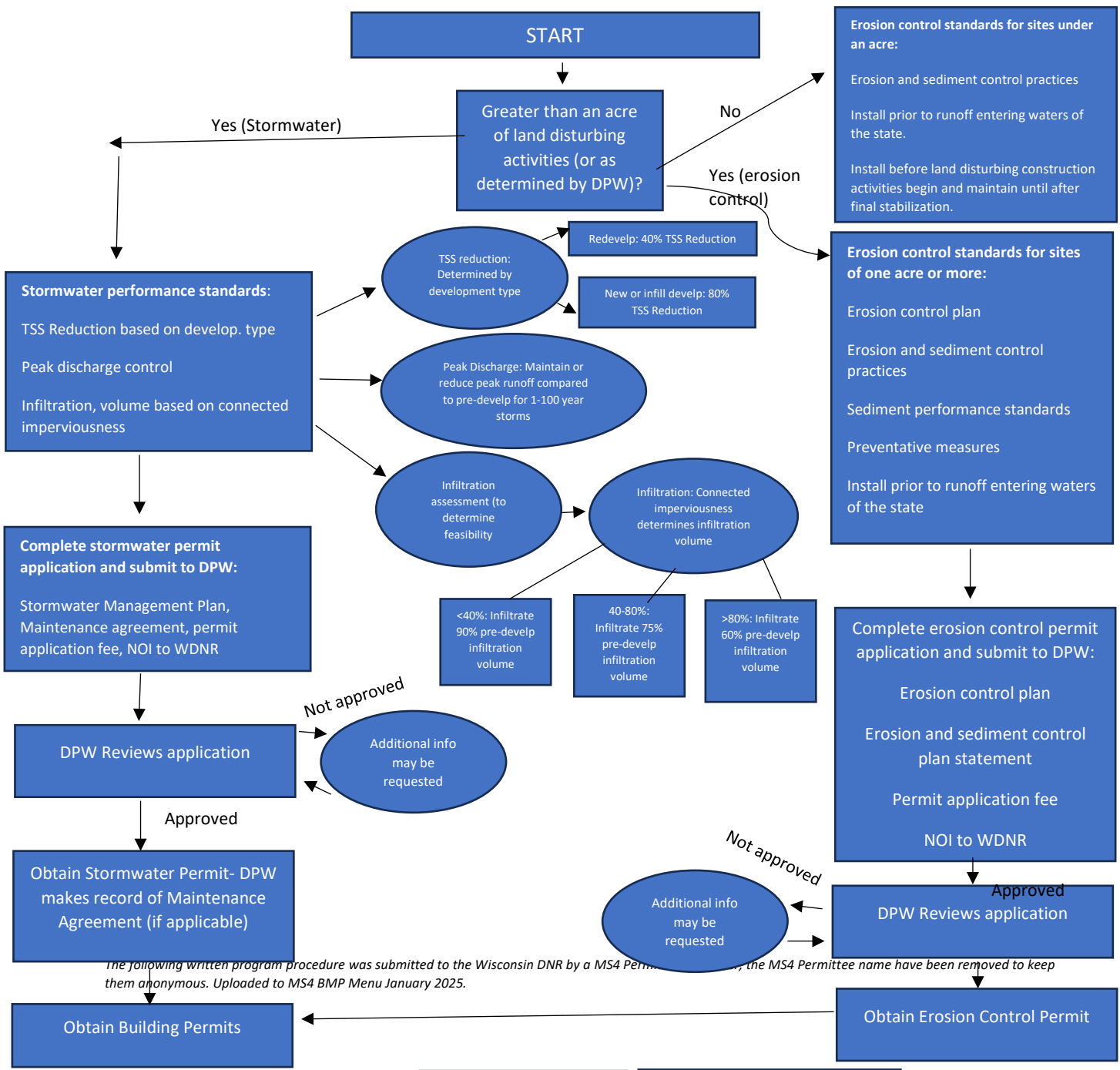
Measurable Goals

- Number of site visits by Director as required by the Stormwater and Erosion Control Submittal Requirements Flow Chart
 - Goal: 100%
 - Goal measured by number of actual inspections to site versus requirements
- Number of non-compliant sites brought to compliance within 7 days
 - Goals: 100%
 - Goal measured by number of reinspections and Stop Work Orders issued. If less than 100%, Director to work on better upfront discussions before construction

starts; better reinforcement made to the contractor on the need for compliance; and better communication with the contractor during the project of what the infractions are and ways to resolve them.

The Director will work toward these Goals by watching weather forecasts, collecting rain data at the site, and providing consistent inspections and reinspections.

EXHIBT A - Stormwater and Erosion Control Submittal Flow Chart



The following written program procedure was submitted to the Wisconsin DNR by a MS4 Permittee. For privacy, the MS4 Permittee name have been removed to keep them anonymous. Uploaded to MS4 BMP Menu January 2025.

New projects will be inspected within the first
 Active sites = inspected once every 45 days. Inactive sites = once every 60 days