



RVSS Erosion and Sediment Control Certification Course

Ben Poaster
Stormwater Program Coordinator



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES

The Reason You're Here

Certification as an Erosion and Sediment Control Inspector

Why? It is a required certification for all construction sites larger than 1 acre

Course Objectives:

- Understand water quality permitting history & science
- Learn key regulatory elements of the 1200-C permit
- Conduct and document ESC inspections
- Identify compliance violations
- Recognize conditions that may lead to violations
- Support compliance with corrective & preventive actions



Schedule

8:00 - 8:30 Student Check-In

8:30 - 11:00 Morning Instruction

History and Regulation, Stormwater Basics, Permit Highlights, Permit Conditions

11:00 – 11:30 Lunch

11:30 – 1:00 Afternoon Instruction & Inspections

Continue Permit Conditions, Schedule B - Inspections. Pre-Construction & Inspection Walkthrough

1:00 – 2:30 Field Practical Application and Skills Demonstration and Review

Non-Compliance & Enforcement, Permit Termination, Final Stabilization, and Review

2:30 – 3:00 Inspector Certification Test

1972 Clean Water Act (CWA)

- Framework for regulating pollutant discharges
- Gave EPA authority to set industry wastewater standards
- Funded sewage treatment plant construction
- Addressed nonpoint source pollution through planning
- **Made point-source discharges illegal without a permit**



**Waters of the United States (WOTUS)
Section 303d List & TMDLs
NPDES Permitting System**



Waters of the United States

- **Territorial Seas**
- **Traditional Navigable Waters**
Including all interstate waters
- **Tributaries to those Waters**
Perennial and intermittent
- **Wetlands**
Adjacent to jurisdictional waters
- **Additional Waters**
Lakes, ponds, impoundments that are relatively permanent



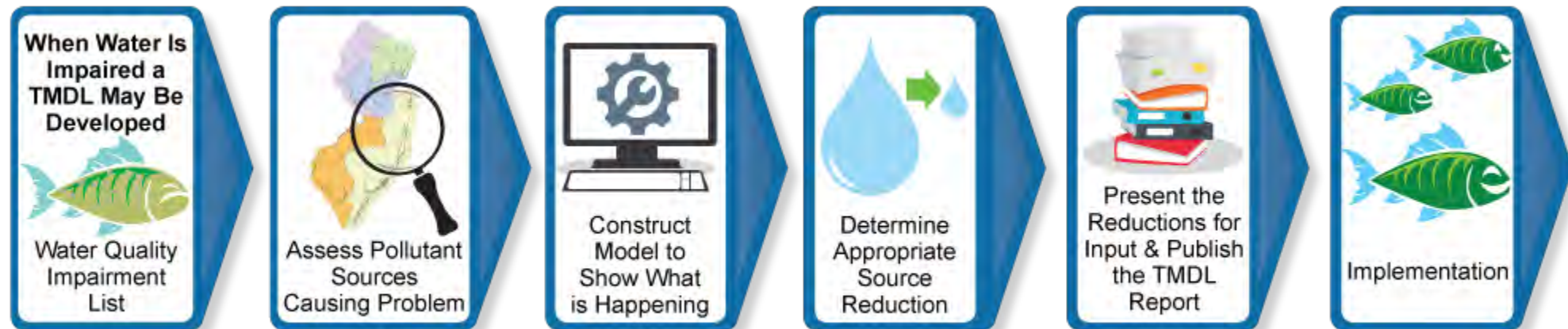
If there's a surface connection, it's considered Waters of the State

Section 303(d) and TMDLs

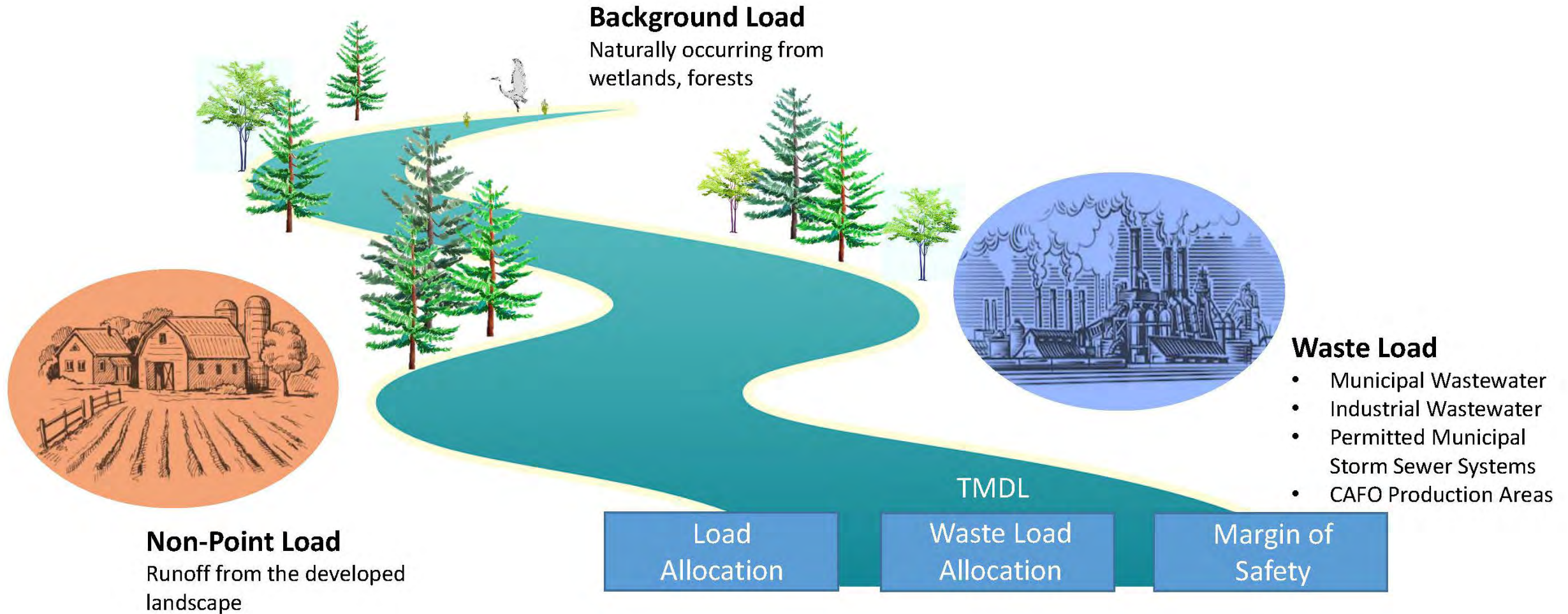
303(d) List = Impaired waters not meeting standards

The Total Maximum Daily Load (TMDL) = State's plan to restore water quality

The TMDL sets a pollutant “budget” (max load allowed)



The TMDL Budget



How 303(d)/TMDLs Affect ESC Permits

If receiving waterbody is on 303(d) list or under a TMDL for **turbidity/sedimentation**, or discharge from the site enters a watershed that water body...

Then the **Natural Buffer Zone** increases by 5 ft per 1° slope



National Pollutant Discharge Elimination System (NPDES)

Clean Water Act: No pollutant discharge from a point source without a permit

- Permits set:
 - Discharge limits
 - Monitoring & reporting requirements

Two permits affect a construction site:

MS4 Permit → Stormwater systems

- **1200-C General Permit → Construction sites**

General Permit
National Pollutant Discharge Elimination System
Municipal Separate Storm Sewer Systems
Phase II General Permit

GENERAL PERMIT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
CONSTRUCTION STORMWATER DISCHARGE PERMIT

Oregon Department of Environmental Quality
700 NE Multnomah St. Suite 600, Portland OR 97232
Telephone: (503) 229-5279 or 1-800-452-4011 (toll free in Oregon)

Issued pursuant to ORS 463B.050 and Section 402 of the Federal Clean Water Act

REGISTERED TO: Date:
Gen 1200-C
File No.
EPA No.
Site:

PERMIT AREA
This 1200-C Construction Stormwater General Permit authorizes discharges in Oregon excluding tribal trust and reservation lands.

SOURCES COVERED BY THIS PERMIT
Permit coverage is required under this General Permit if the following activities have the potential to discharge to surface waters or to a conveyance system that leads to surface waters of the state in Oregon and do not have coverage under another NPDES permit:

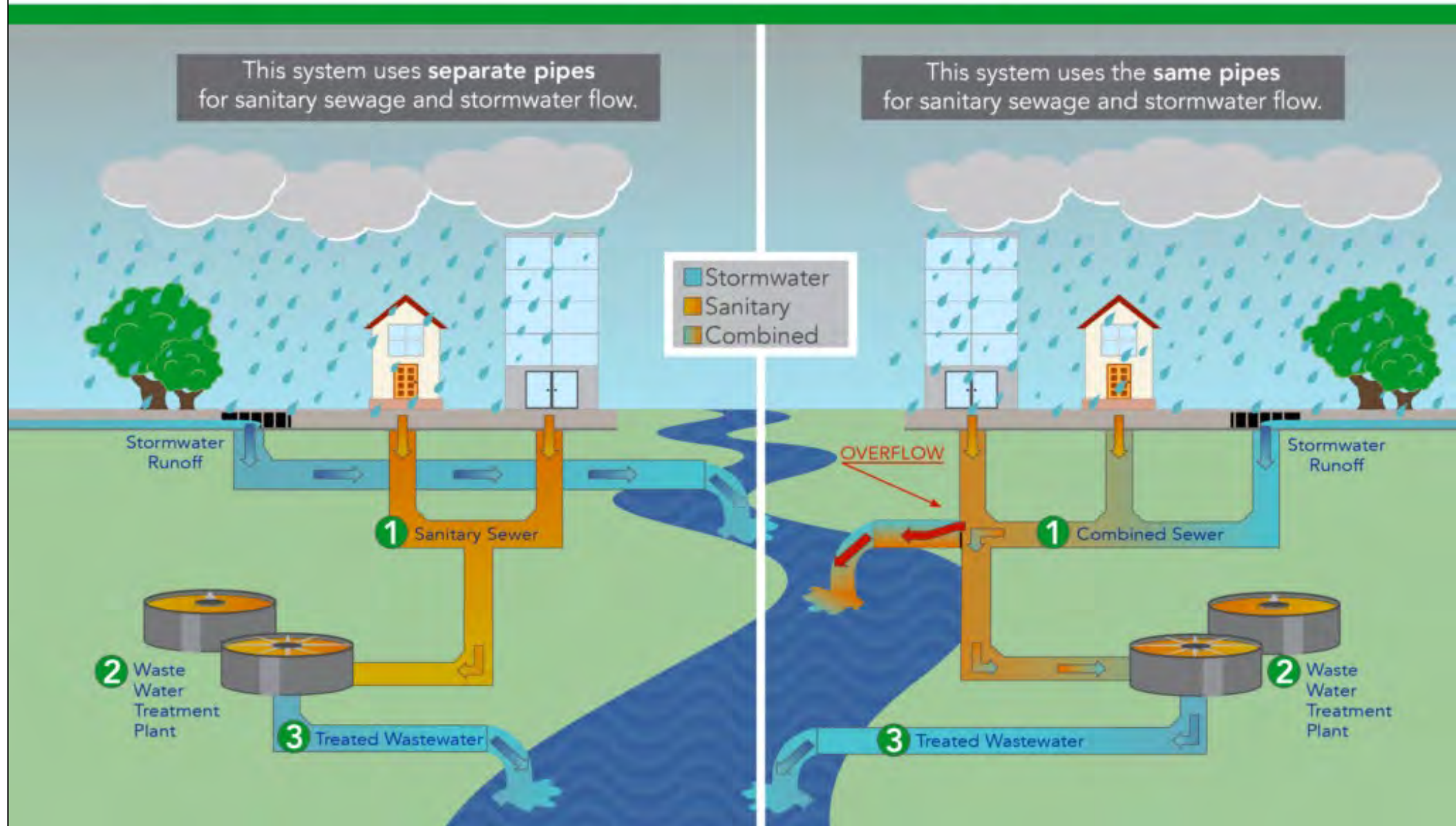
- Any construction activity and materials or equipment staging and stockpiling that will disturb one or more acres of land; or
- Any construction activity and materials or equipment staging and stockpiling that will disturb less than one acre of land but is part of a common plan of development or sale that will ultimately disturb one or more acres of land; or
- Any construction activity that results in the disturbance of less than one acre of land that is a necessary and required component (e.g. utilities, structure, or infrastructure) of a final project that will ultimately disturb one or more acres of land; or
- Any construction activity that may discharge stormwater to surface waters of the state that may be a significant contributor of pollutants to waters of the state or may cause an exceedance of a water quality standard.

Justin Green
Water Quality Division Administrator

Effective: December 15, 2020
Expiration Date: December 14, 2025

MS4 MUNICIPAL SEPARATE STORM SEWER SYSTEM

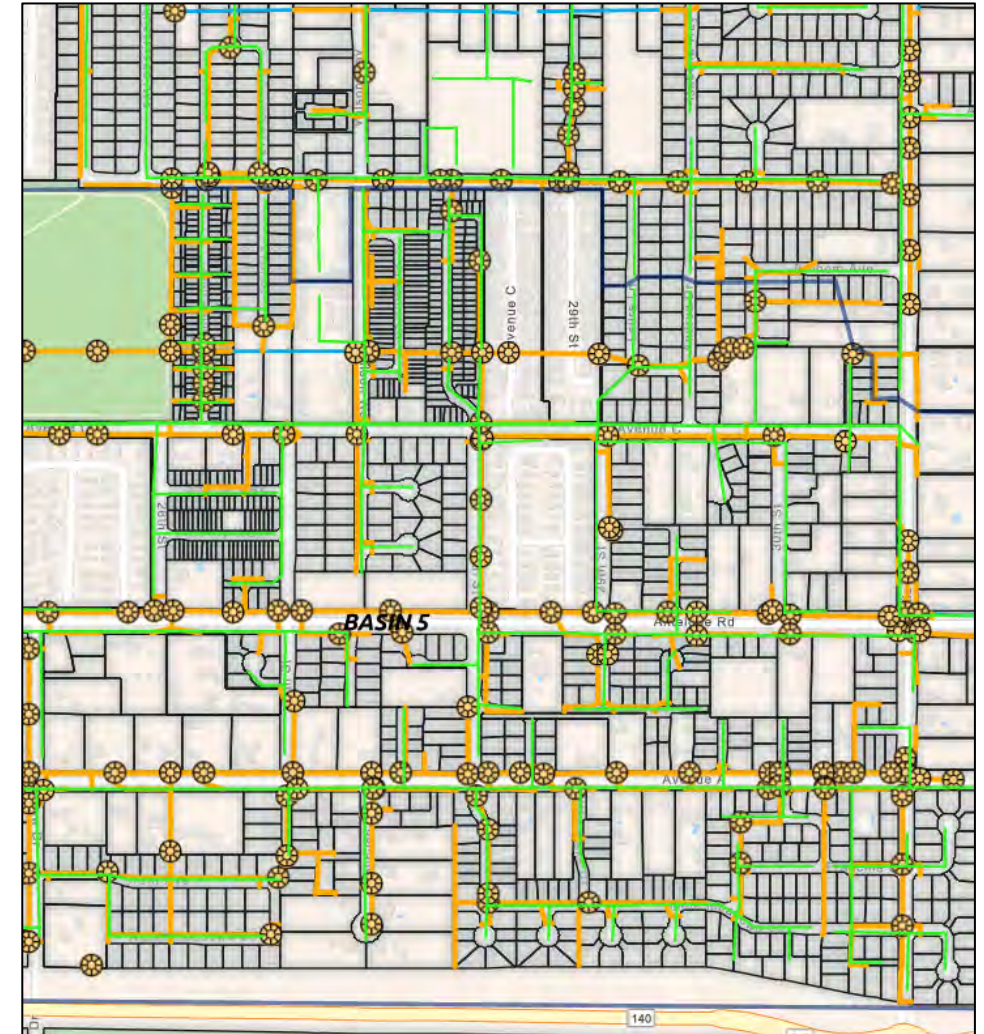
CSS COMBINED SEWER SYSTEM



Municipal Separate Storm Sewer System (MS4)

- Urban area → high pollution potential
- Collects and conveys stormwater
- Discharges to WOTUS
- Owned/operated by a public body
- **Outfalls = point sources → regulated**

Within an MS4, your site is subject to oversight under the MS4 permit



Municipal Separate Storm Sewer System (MS4)

MS4 Permit – DEQ Permit for Urban Areas

- Stormwater discharge permit
- Held by RVSS for: Phoenix, Talent, Eagle Point, & urbanized Jackson County

Oversight requirements that affect you:

- Illicit Discharge Detection & Elimination (IDDE)
- Construction Site Runoff Control
- Post-Construction Runoff
- Pollution Prevention



1200-C Construction Stormwater General Permit

Oregon DEQ Permit for a Construction Site

Required for any construction activity that disturbs ≥ 1 acre

5-Year Permit Term – *New permit in effect this month!*

ALL SITES MUST BE IN COMPLIANCE BY MARCH 2026

The Permit DOES NOT cover in-water work!

(Work below ordinary high-water)



1200-C Construction Stormwater General Permit

Oregon DEQ Permit for a Construction Site

Why is a permit required for erosion and sediment control?

- 1) Sediment is the most common pollutant in US Waters
- 2) Construction is the biggest contributor to turbidity/sediment in those Waters



National Pollutant Discharge Elimination System (NPDES)

**1200-C Construction
Stormwater General Permit**
Issued to the Site

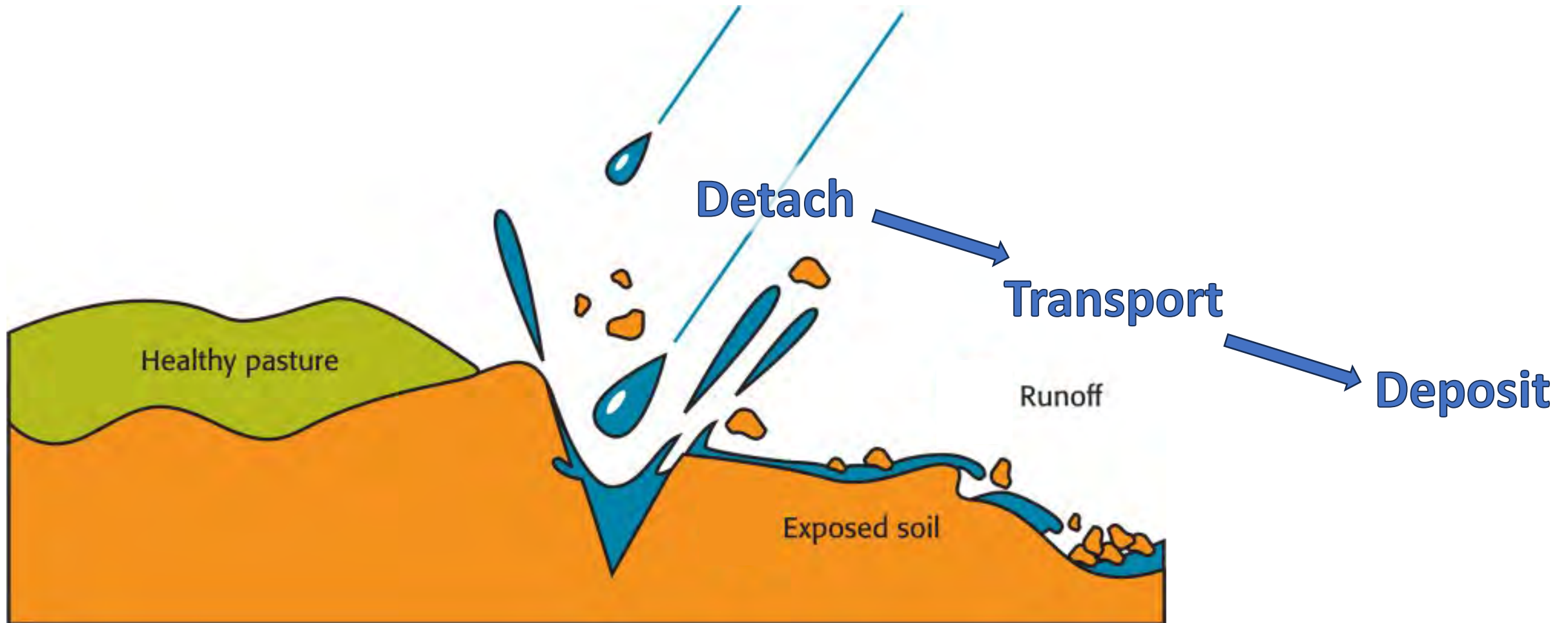
MS4 Permit
Issued to Local Jurisdiction
Mandates Oversight of Construction Sites

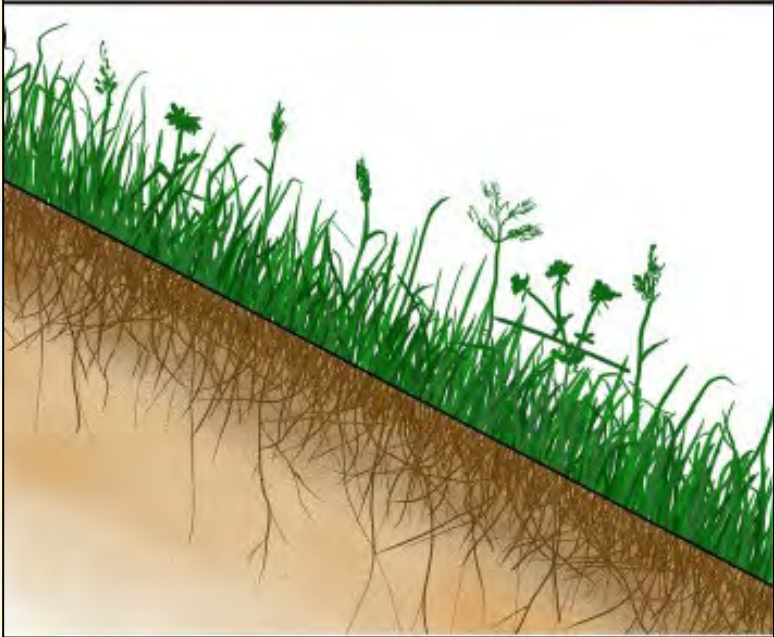
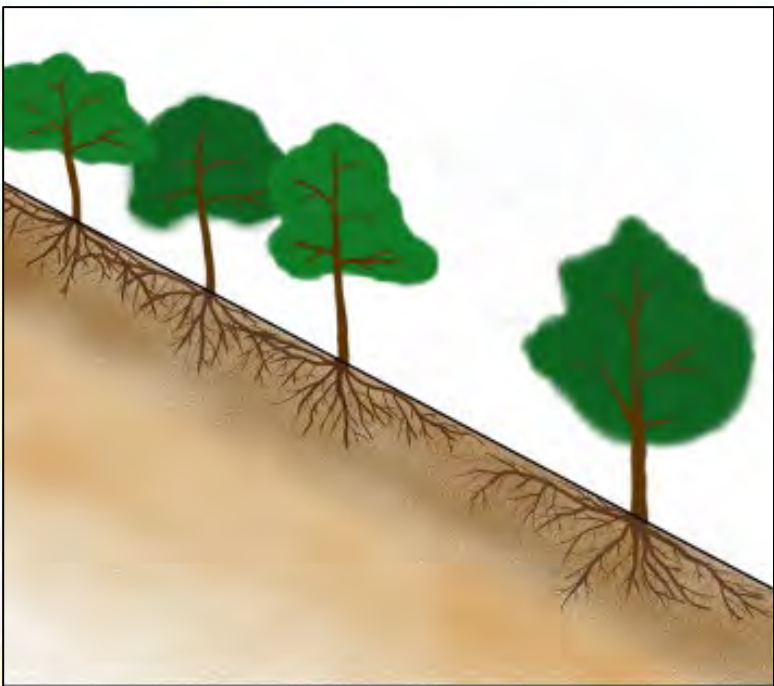


Basics of Erosion and Stormwater



What is Erosion?





What causes erosion?

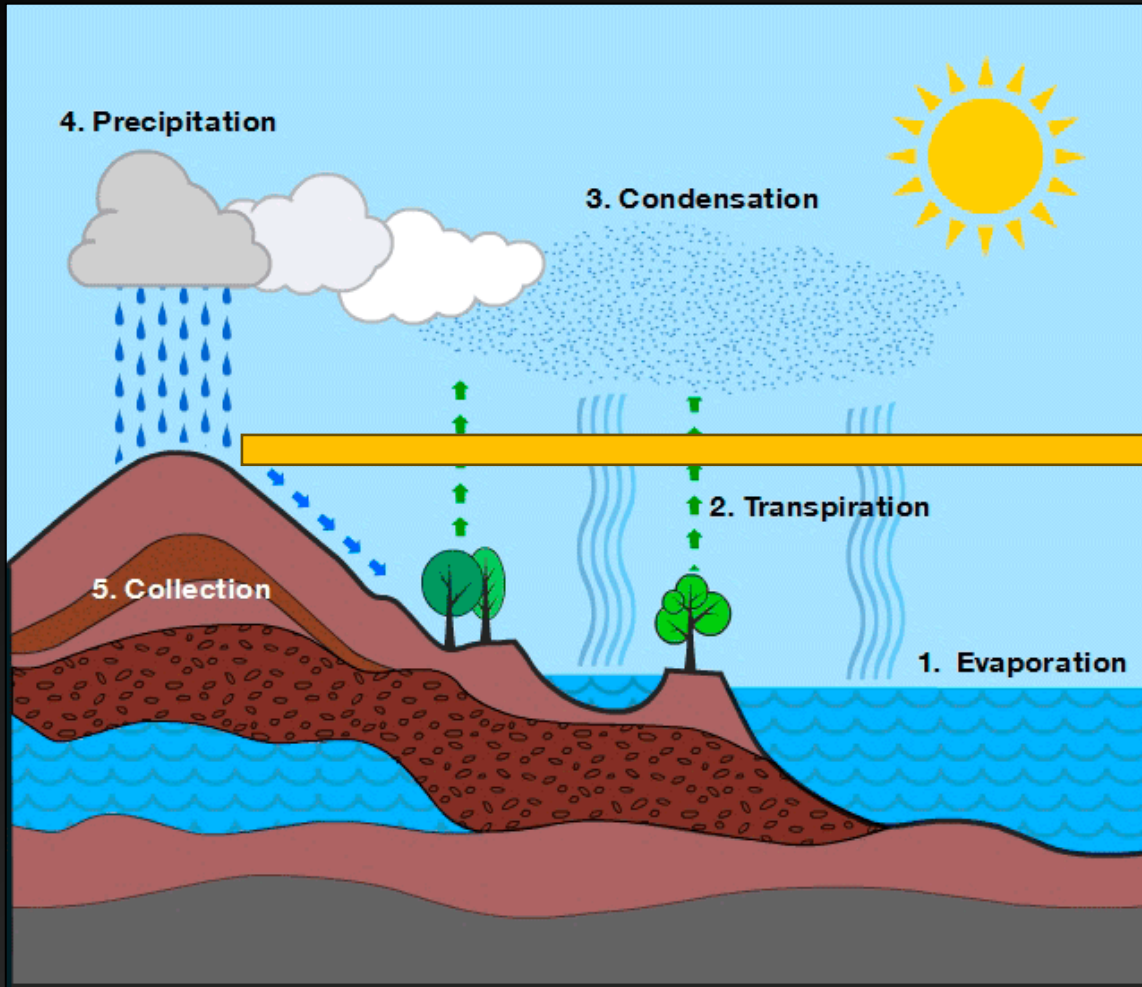
Vegetation Removal + Rain + Grade

What prevents erosion?

The easiest, best, and first option for erosion and sediment control...

Vegetation

What Are We Talking About?

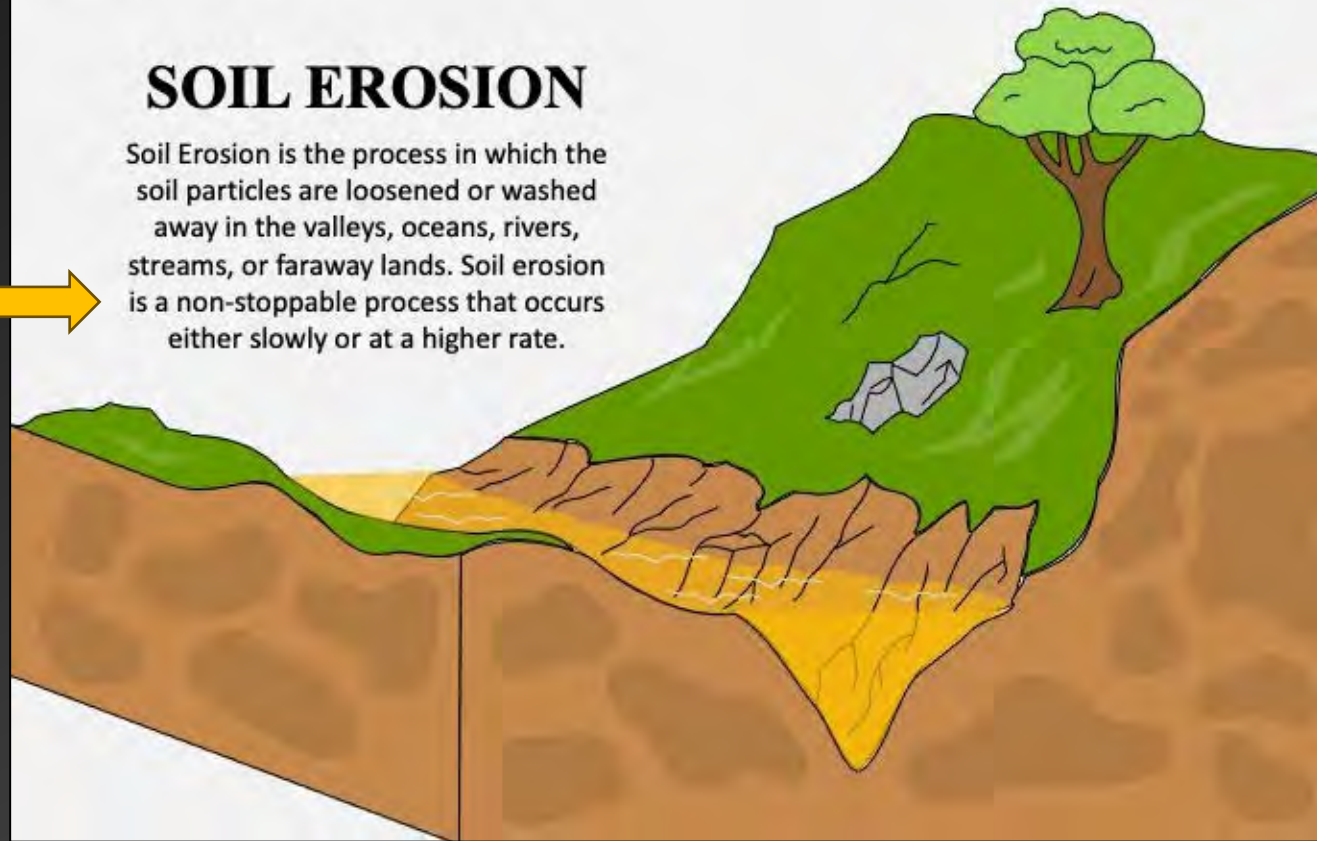


SOIL EROSION

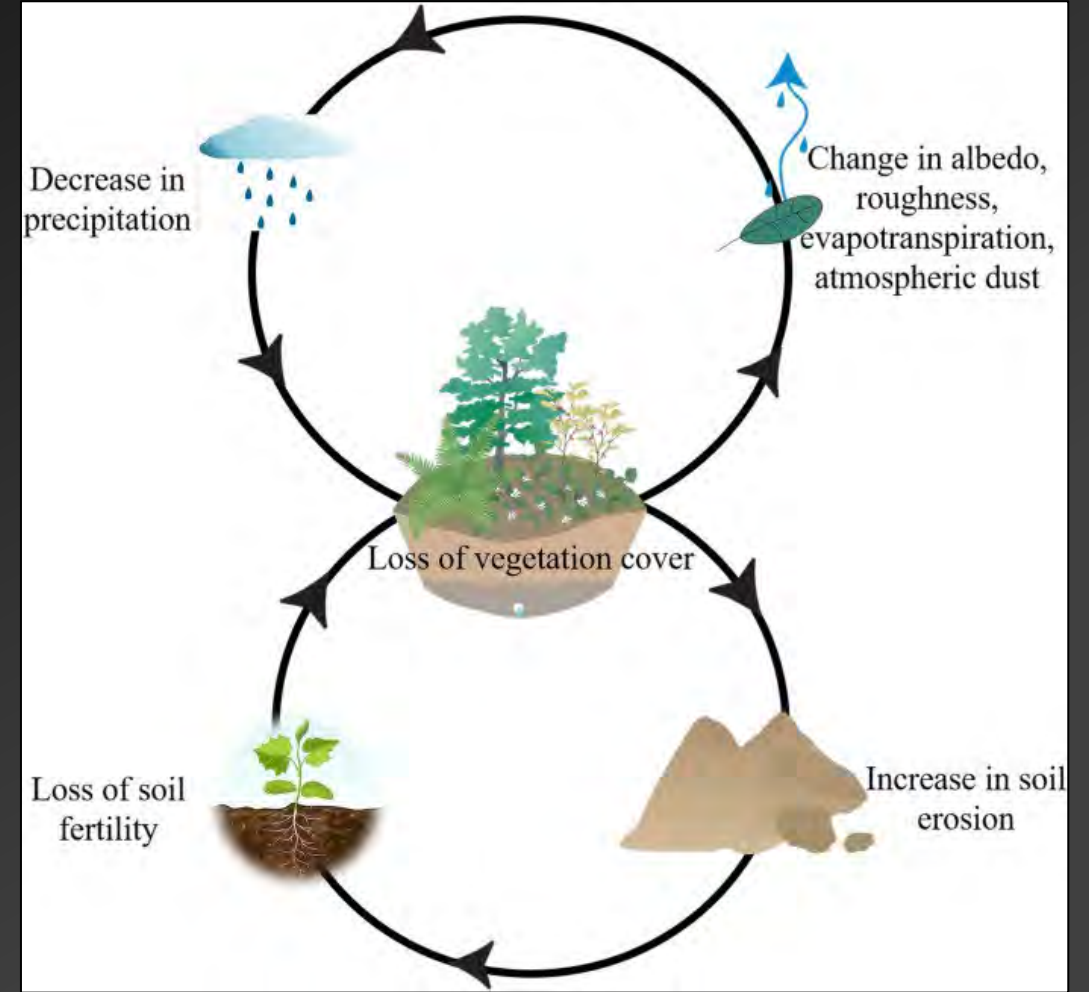
What is Soil Erosion?

SOIL EROSION

Soil Erosion is the process in which the soil particles are loosened or washed away in the valleys, oceans, rivers, streams, or faraway lands. Soil erosion is a non-stoppable process that occurs either slowly or at a higher rate.



What Are We Talking About?



Factors Influencing Erosion Potential



Soil



Climate



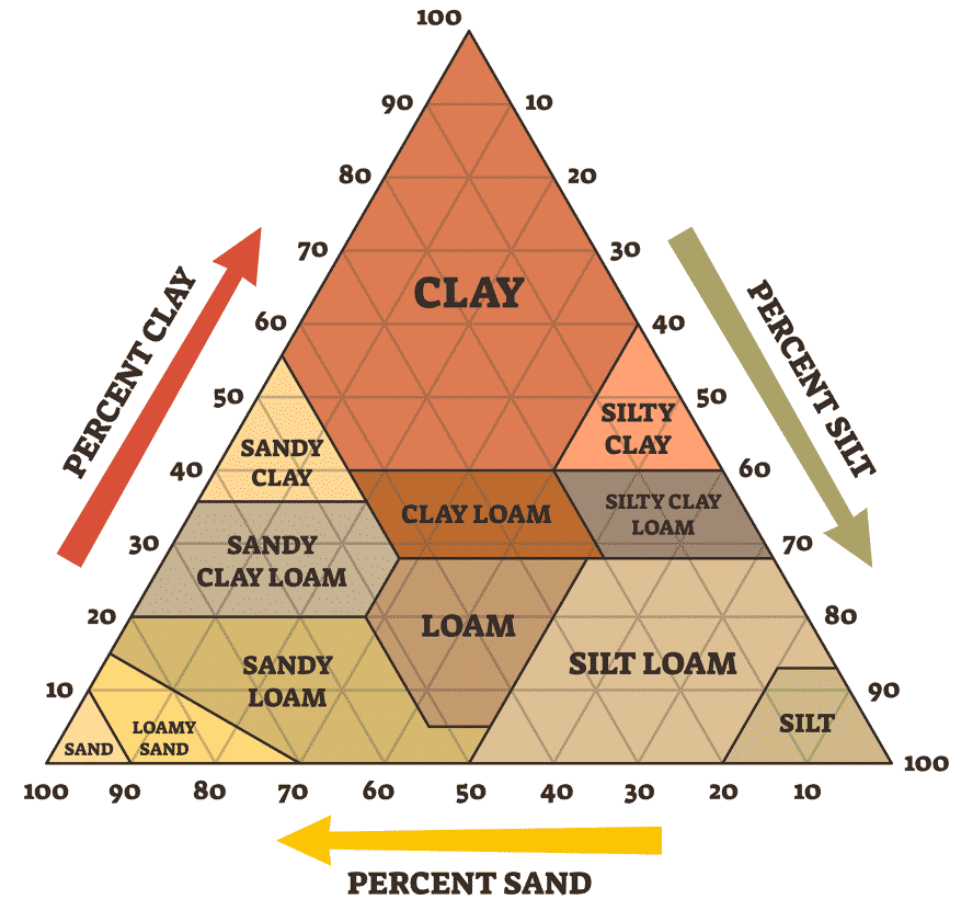
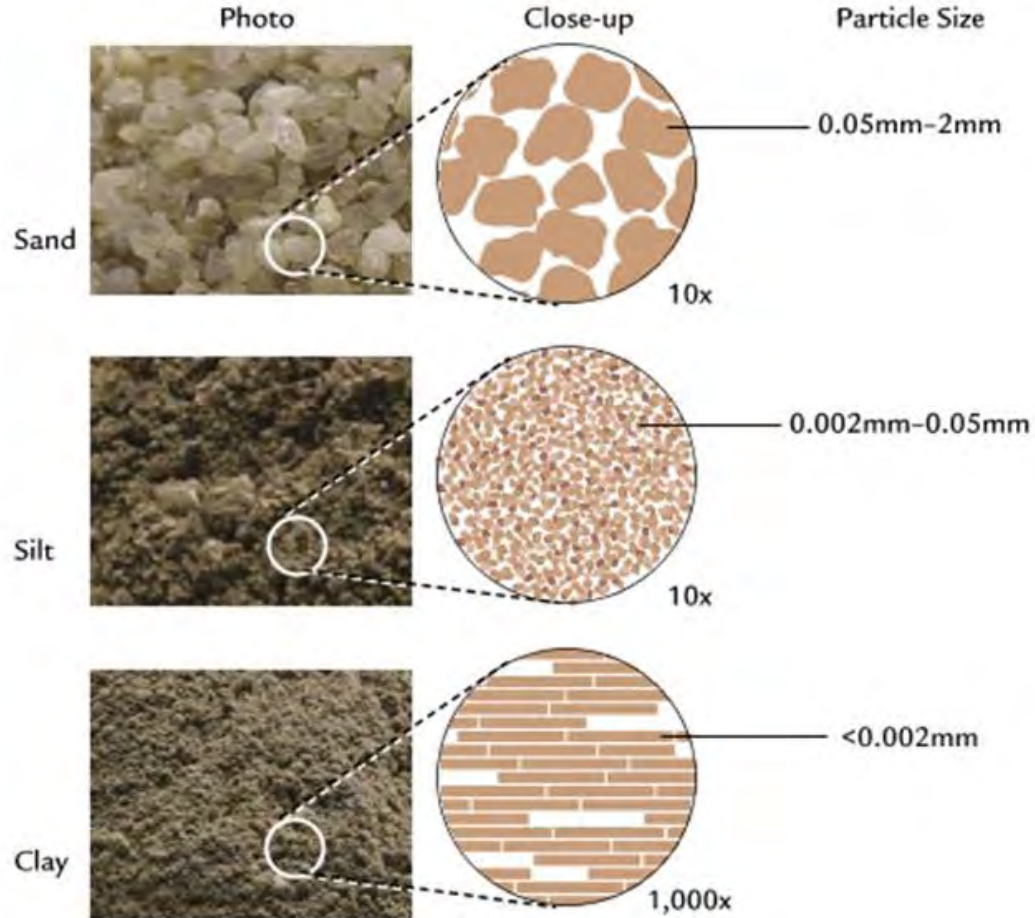
Topography



Vegetation

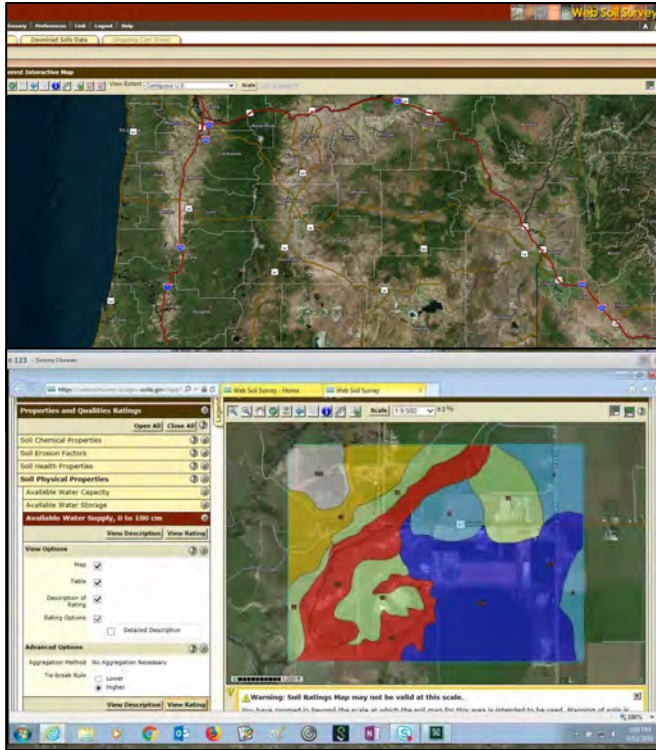


Soil Types

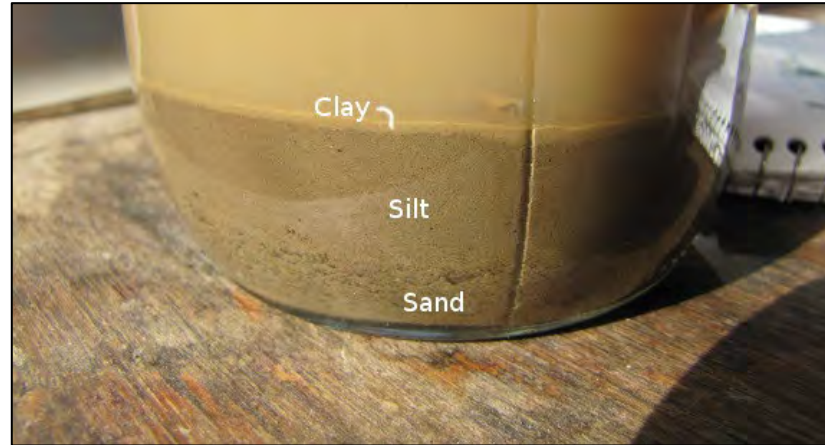


What Type of Soil Is On Your Site?

USDA Web Soil Survey



Jar Testing



Geotechnical Testing



Ribbon Testing



What Type of Soil Is On Your Site?

Ribbon Testing



Step 1: Pulverize soil, remove debris

Step 2: Moisten

- Gritty = Sand
- Smooth = Silt/Loam
- Slick = Clay

Step 3: Form a ball

- If it won't hold, soil is very sandy

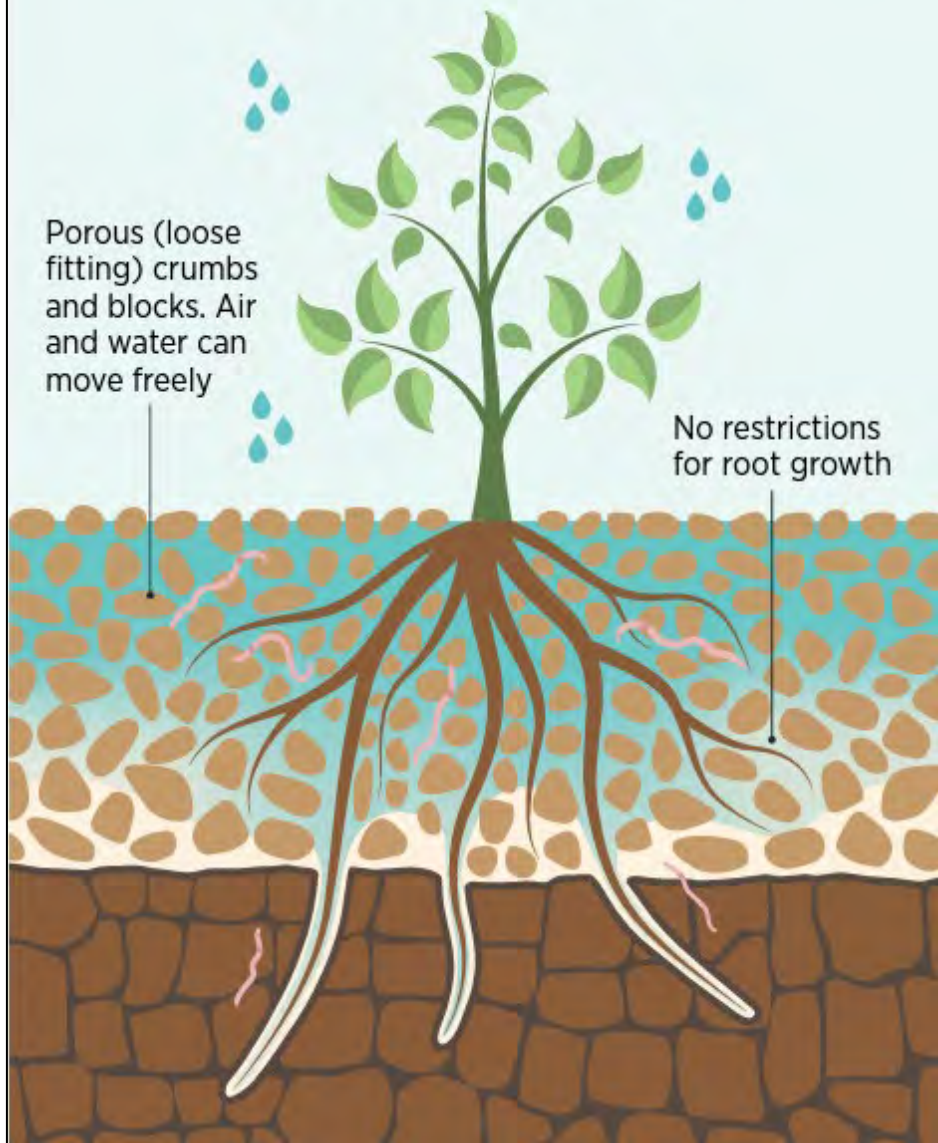
Step 4: Roll into a ribbon:

- <1 inch → Sandy/Silty
- 1–2 inches → Clayey
- 2 inches → Clay

Good soil structure

Porous (loose fitting) crumbs and blocks. Air and water can move freely

No restrictions for root growth



Soil Compaction



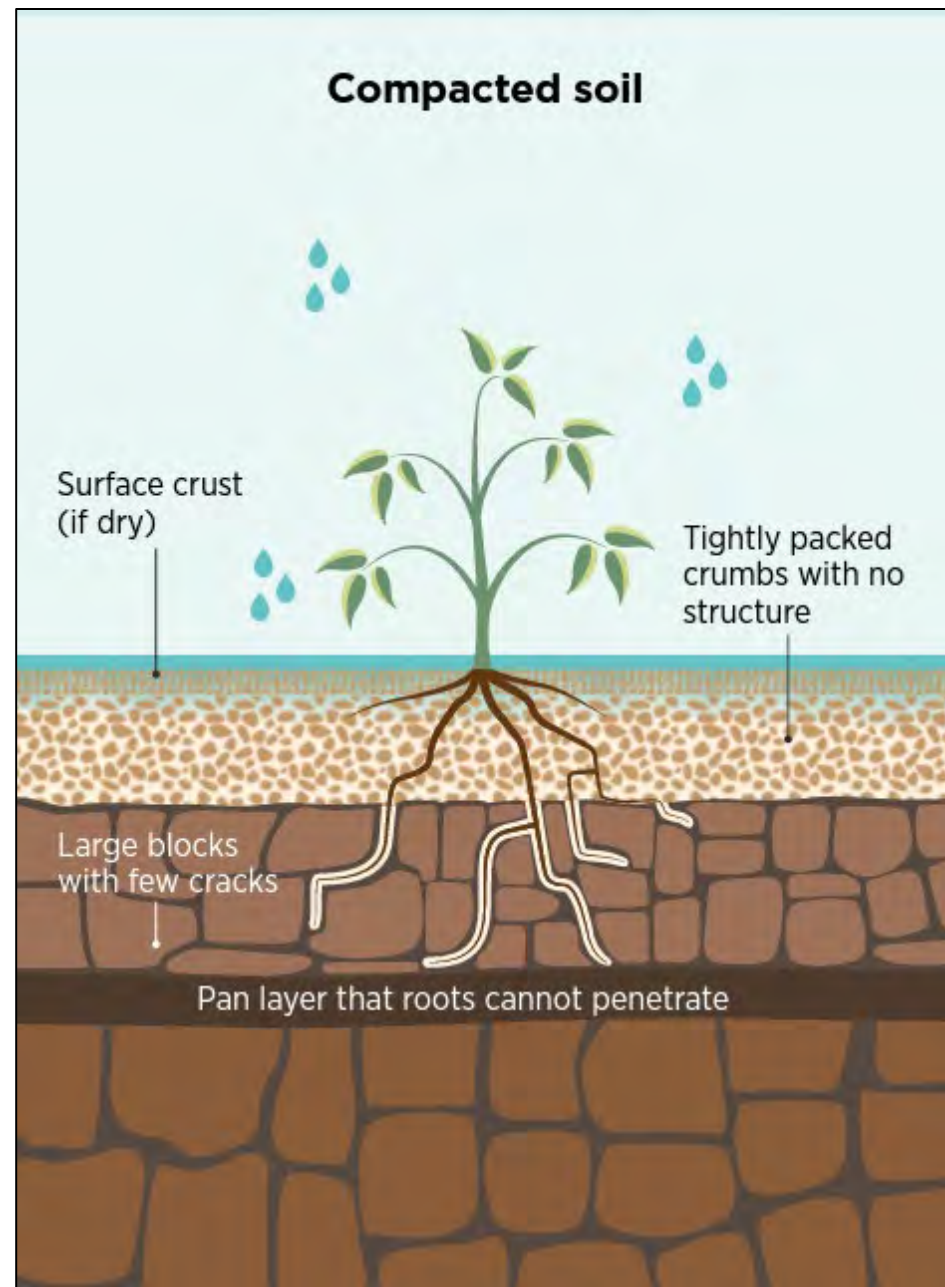
Compacted soil

Surface crust (if dry)

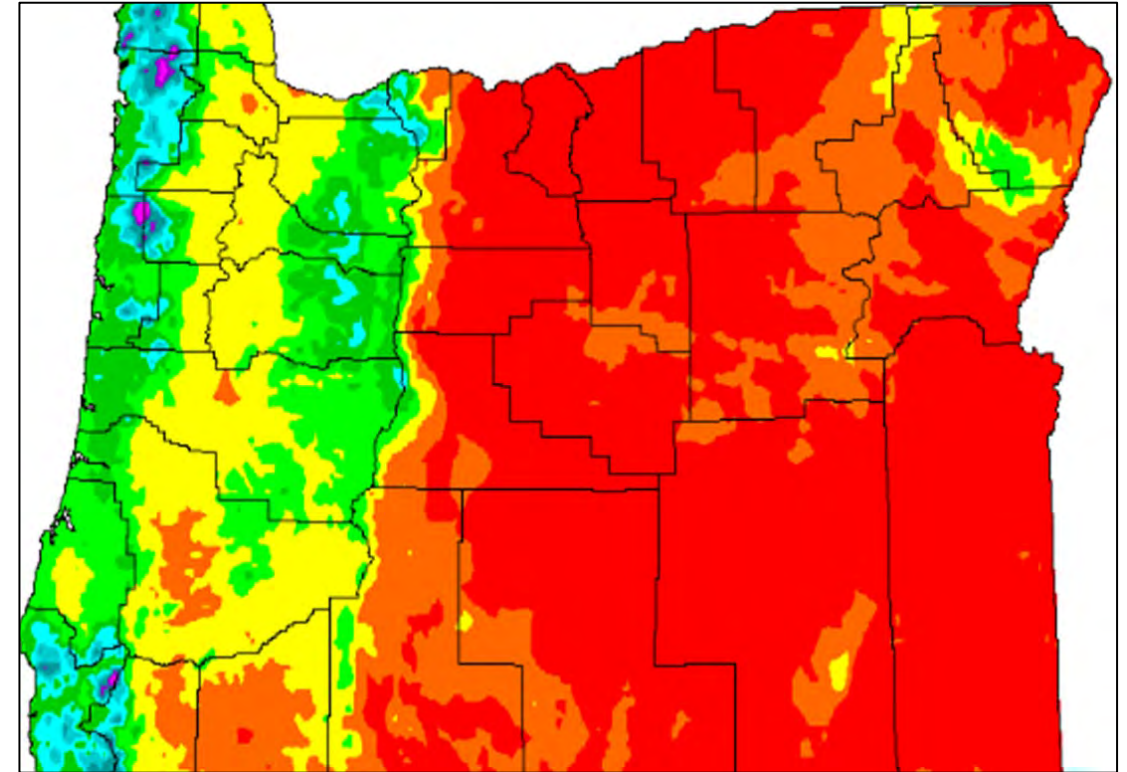
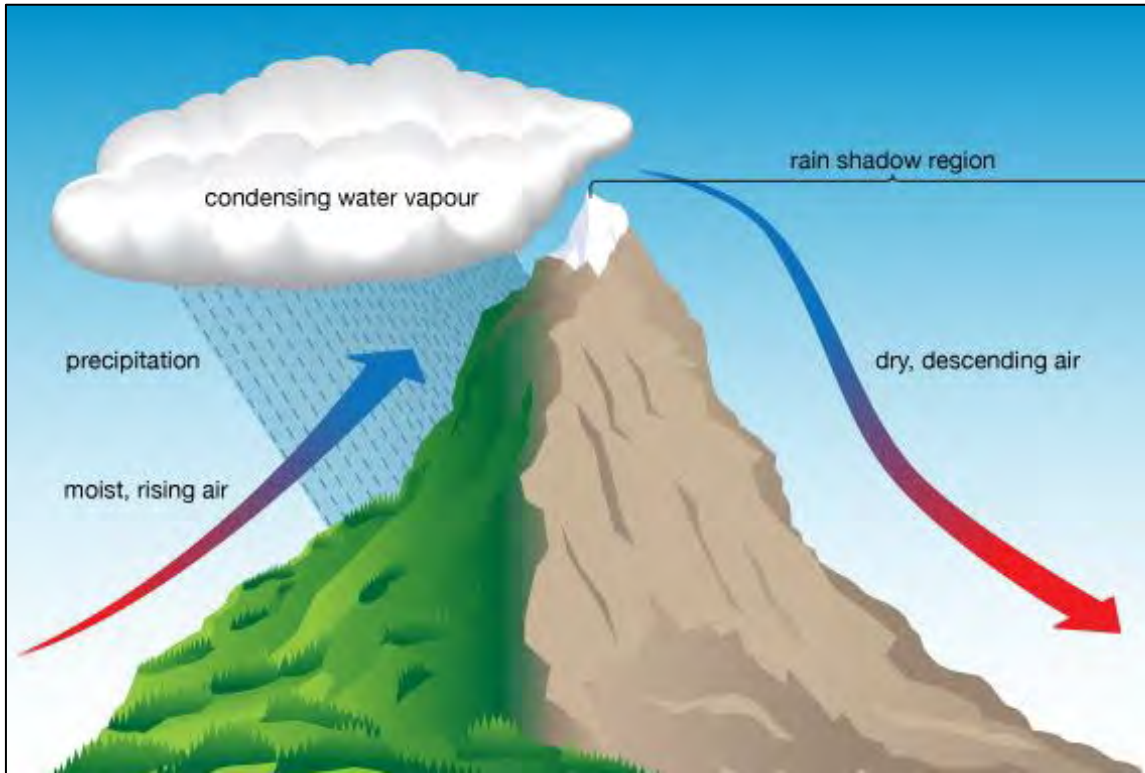
Tightly packed crumbs with no structure

Large blocks with few cracks

Pan layer that roots cannot penetrate



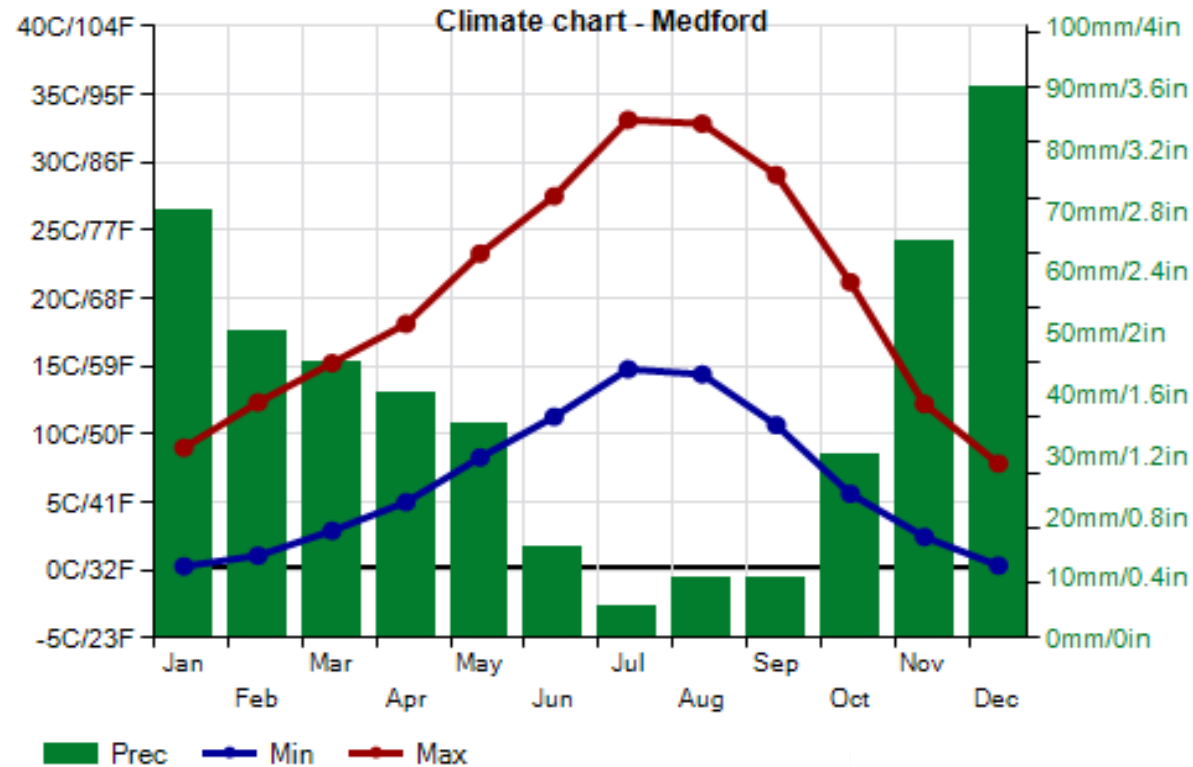
Oregon Climate



Precipitation, temperature, wind, and humidity vary greatly across the state

Know and prepare for the weather in your area!

Project Timing



October – May: Wet Season in the Rogue Valley

Topography (Slope)



Vegetation – #1 Best Management Practice (BMP)

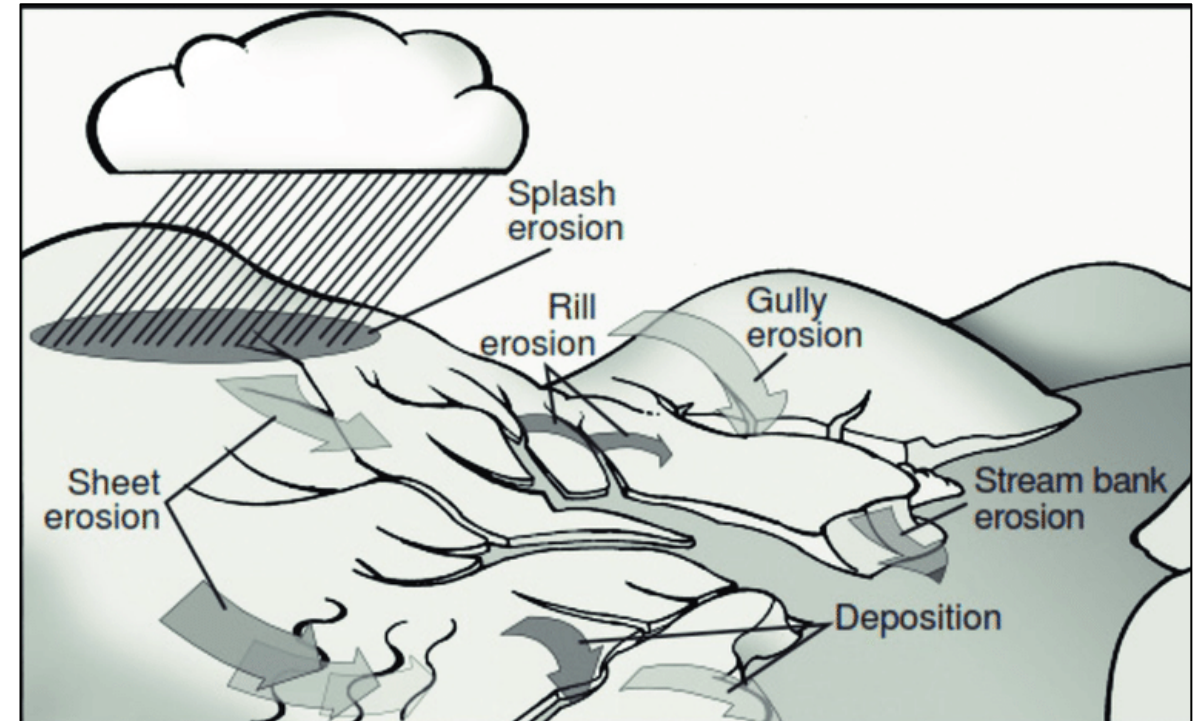
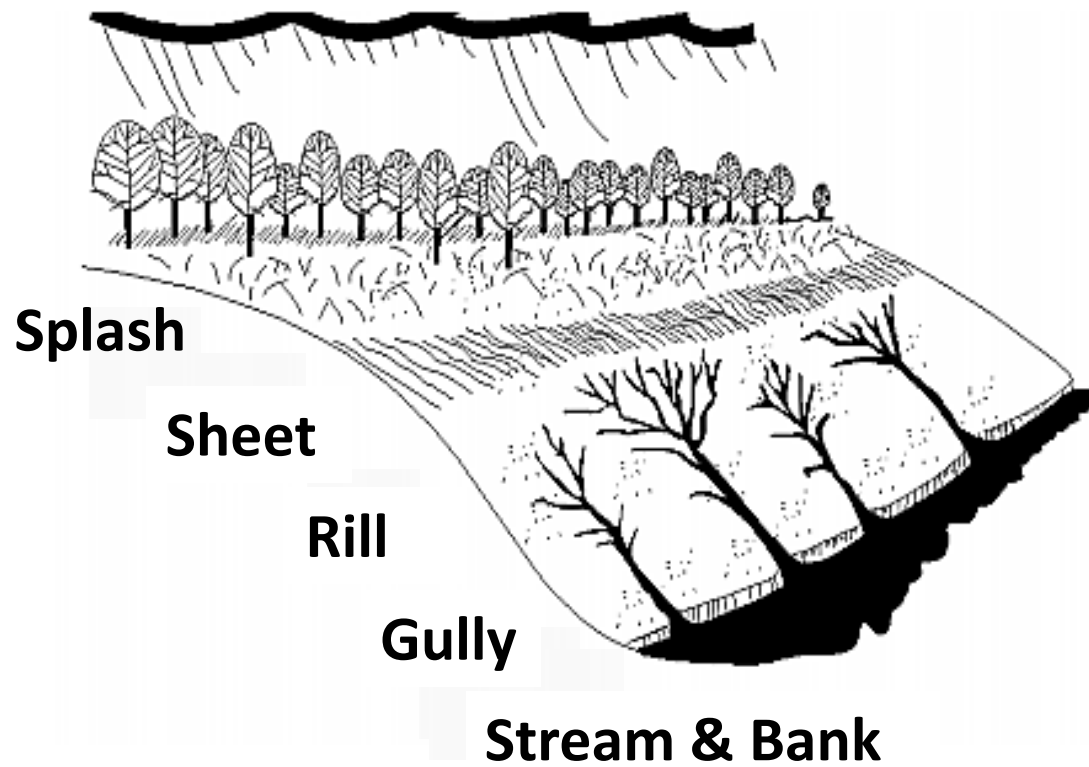


0-4% Runoff

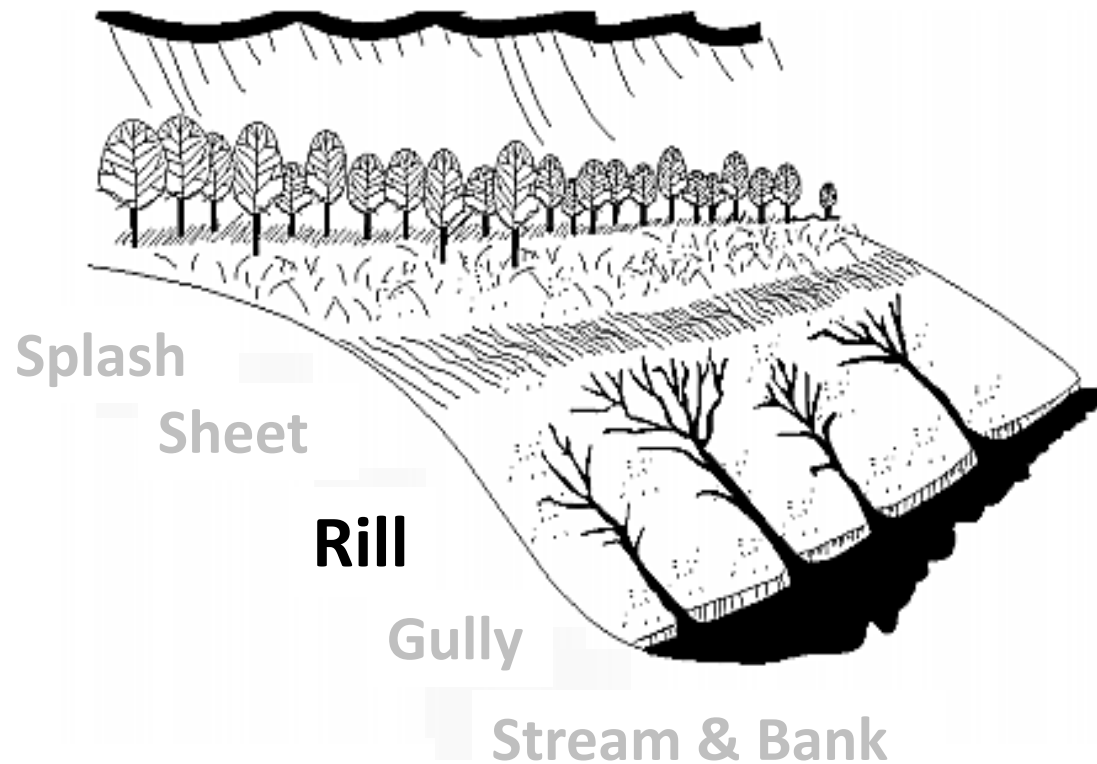


30-50% Runoff
Now you have an Erosion Problem!

Erosion Continuum



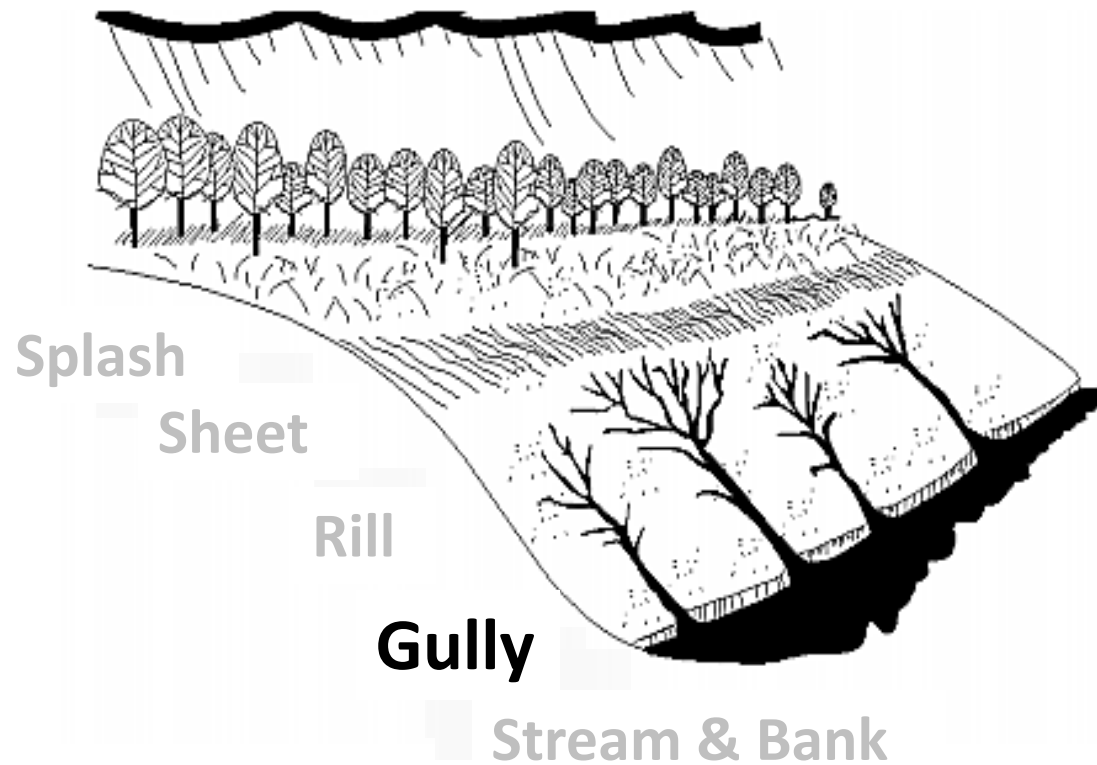
Erosion Continuum



Rills are a call to action!

- Soil removed by concentrated water flow
- Water cuts small channels in soil surface
- Appears after ~100 ft of sheet flow on gentle slopes
- Forms sooner on steeper slopes

Erosion Continuum



Other Types of Erosion

Dry Weather → Dust = Wind Erosion



Mass Destabilization → Mass Wasting (Landslides)



What is eroding away?

Topsoil

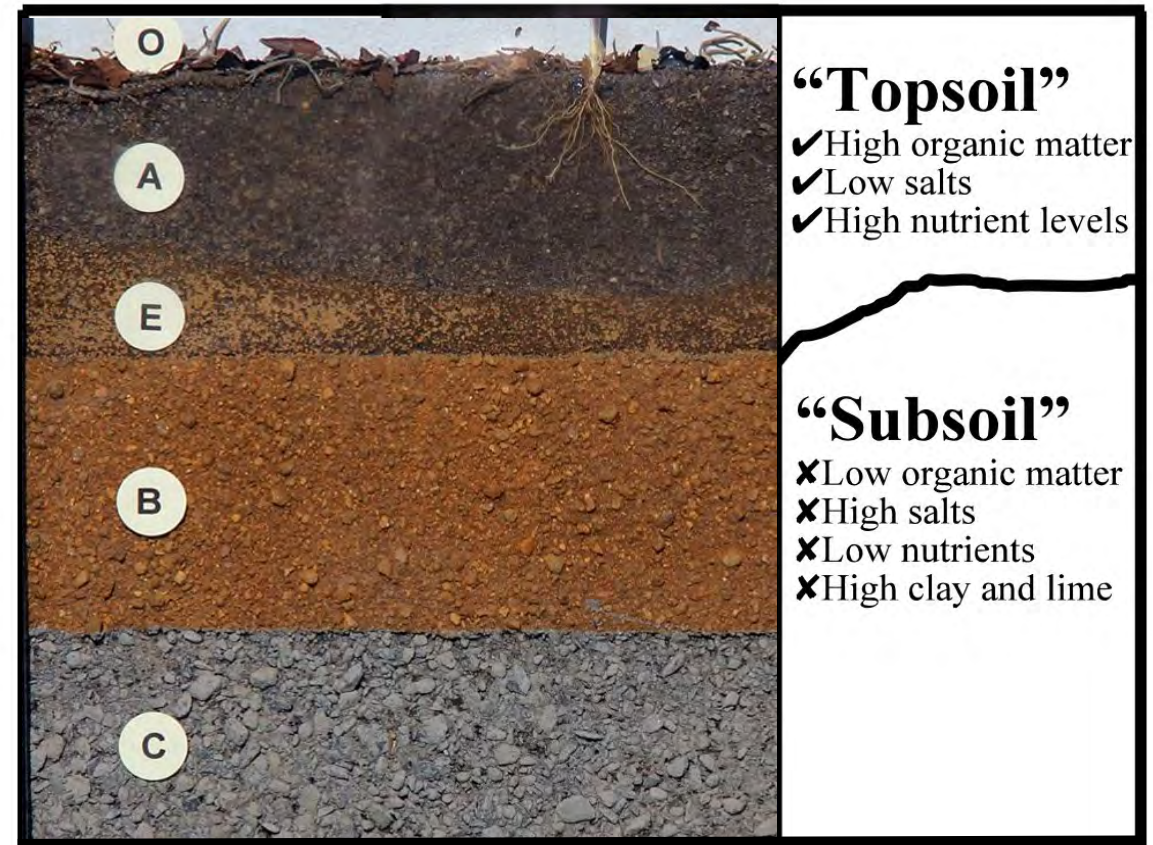
How long does it take to naturally produce 1 inch of topsoil?

500-1000 years!

19th Century Soil Loss

Topsoil loss > natural soil formation

Erosion Costs > \$45 billion annually in U.S.





What is Stormwater?

Undeveloped areas:

- Rain infiltrates into soil

Developed areas:

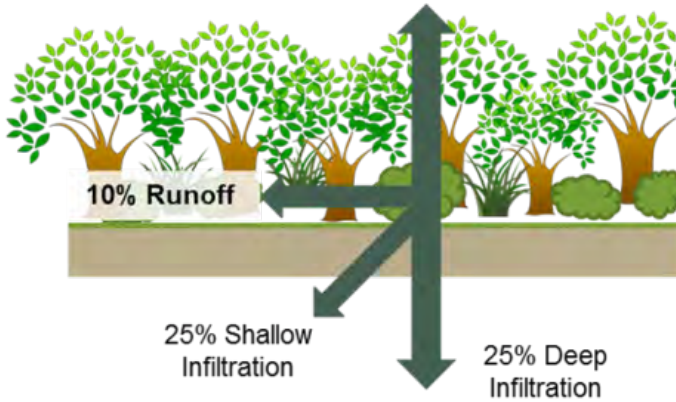
- Vegetation removed
- Soil compacted
- Impervious surfaces added (roads, roofs, parking lots)

Result

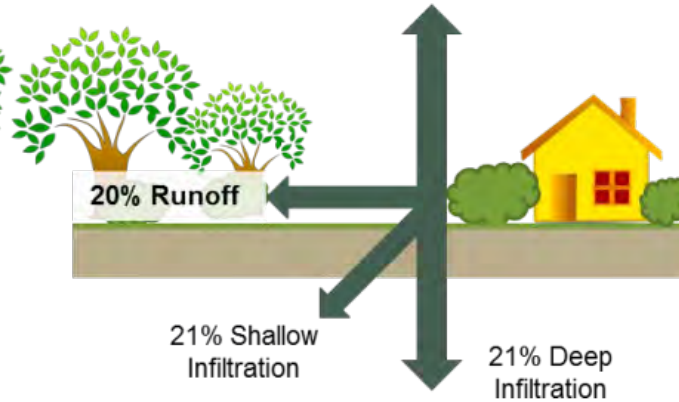
- Water cannot soak in → becomes **stormwater runoff**
- Flows into **streets, drains, and water bodies**

Volume & Rate Problems: So What?

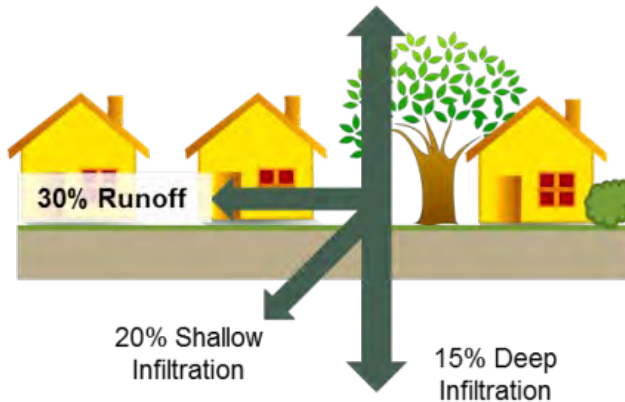
Natural Ground Cover
40% Evapotranspiration



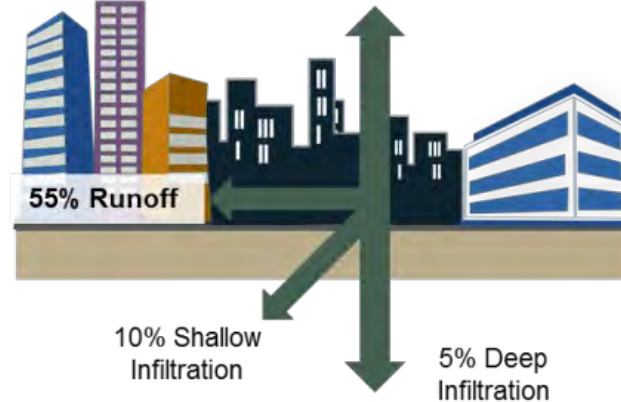
10-20% Impervious
38% Evapotranspiration



30-50% Impervious
35% Evapotranspiration



75-100% Impervious
30% Evapotranspiration



**Increased runoff → higher volume
& velocity in streams**

- More erosion & flooding
- Groundwater depletion
→ low summer flows
- First Storm = surge of pollutants

All of this = Increased Costs



Water Quality Problems: Common Pollutants in Stormwater

Excess Nutrients:

Nitrogen

Phosphorus

Pet Waste

Motor Oil

Fertilizers

Pesticides

Gasoline

Insecticides

Chlorine

Soaps & Detergent

Sewage

SEDIMENT

Arsenic

Caffeine

Polycyclic aromatic hydrocarbons (PAHs):

Napthalene (NPH)

Phenanthrene (PHN)

Pyrene (PYR)

Benzapyrene (BaP)

Fecal Coliform

Fecal Streptococci

6PPD-quinone (6PPD-q)

PFAS & PFOS

E. coli

Paint

Nicotine

Trash & Litter

Heavy Metals:

Lead

Cadmium

Chromium

Copper

Mercury

Nickel

Zinc



Turbidity

pH Changes

**Temp Increase
O2 Decrease**

Bacteria

Toxins



Bear Creek – Local Story

Turbidity

pH Changes

**Temp Increase
O2 Decrease**

Bacteria

Toxins

RVSS Parameter Action Levels:

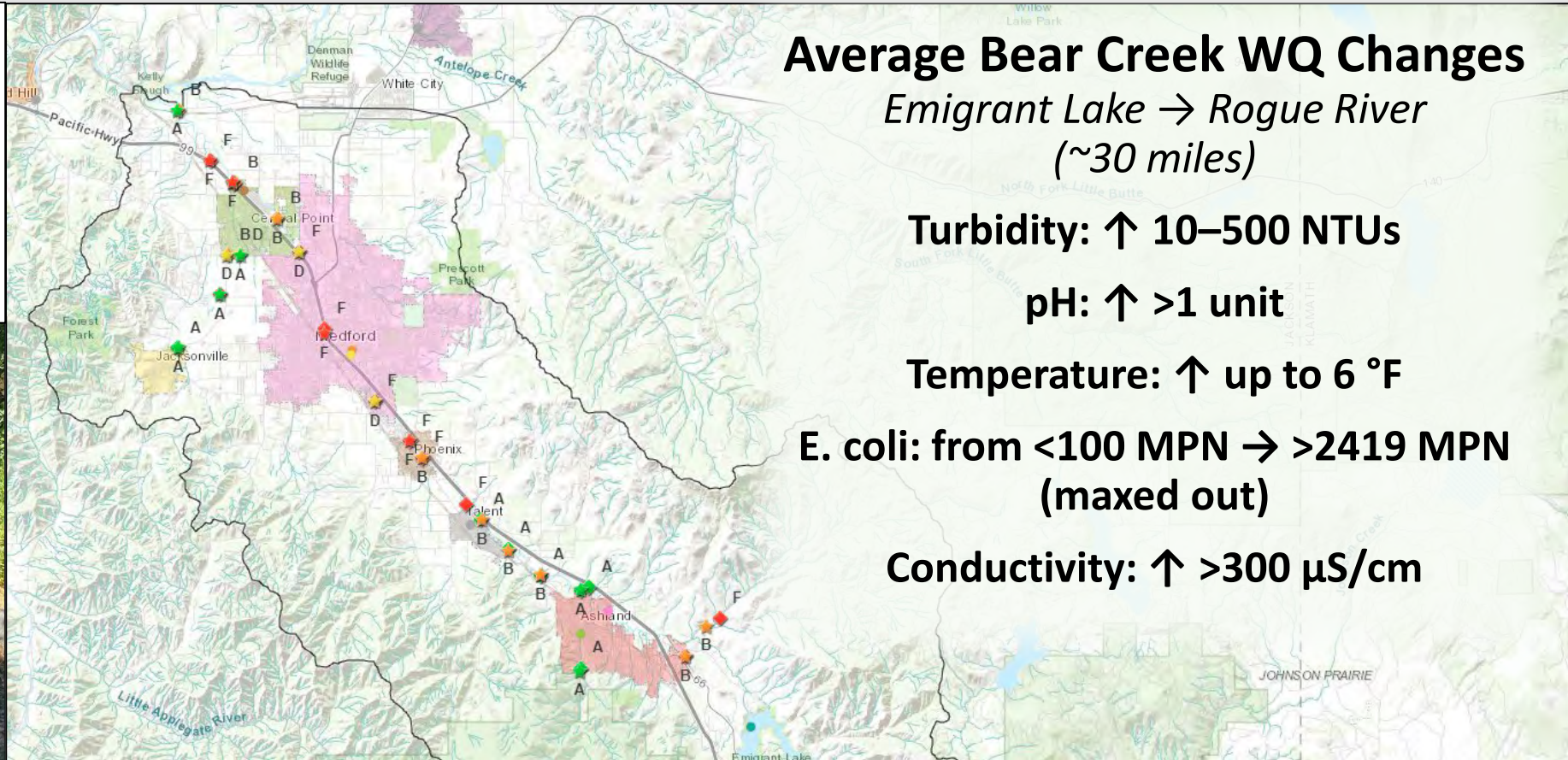
Turbidity: 15 NTU

pH: 6.5-8.5

Temp & DO: N/A

E. coli: 406 MPN

Conductivity: >450 μ S/cm



Average Bear Creek WQ Changes

*Emigrant Lake → Rogue River
(~30 miles)*

Turbidity: ↑ 10–500 NTUs

pH: ↑ >1 unit

Temperature: ↑ up to 6 °F

**E. coli: from <100 MPN → >2419 MPN
(maxed out)**

Conductivity: ↑ >300 μ S/cm

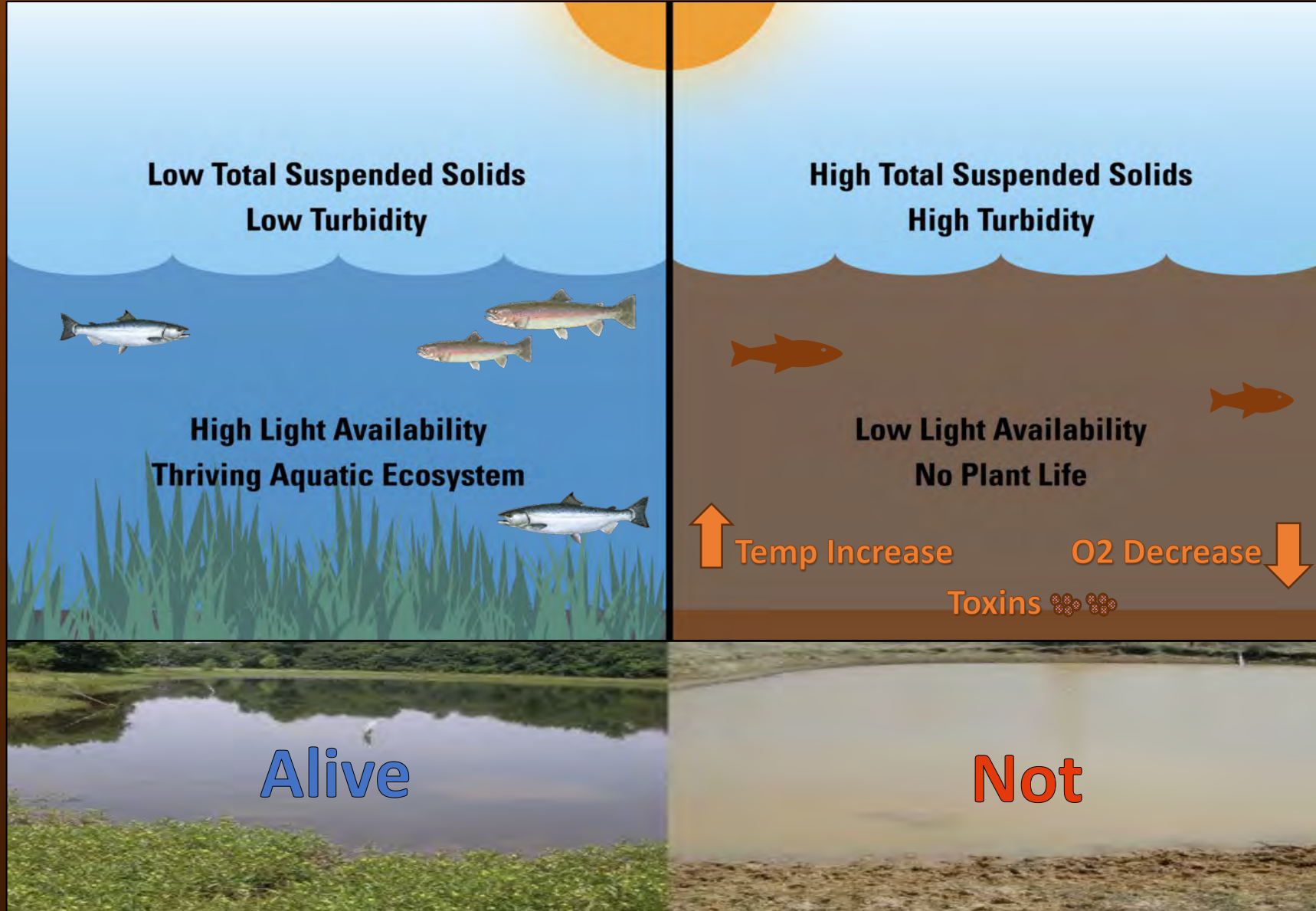
What is the most common pollutant in rivers, streams, lakes and reservoirs?

SEDIMENT



Turbidity & Sedimentation
*Both are caused by **EROSION!***

Cold, clear water = alive Muddy, warm water = not

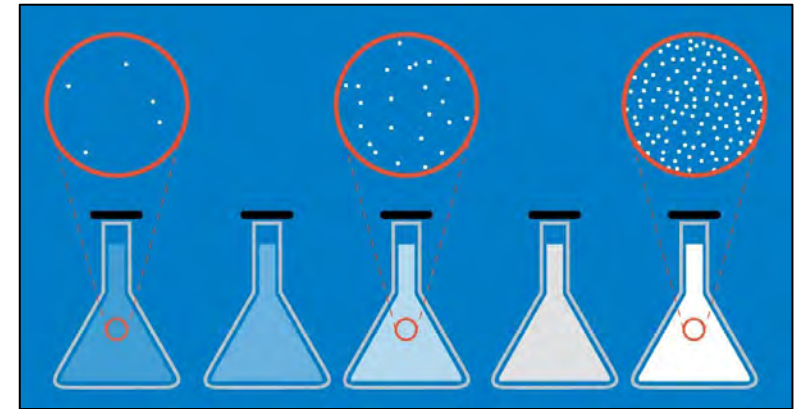


Turbidity

Turbidity is a metric for water quality that indicates how clear the water is.

Increase in Erosion & Sediment = Increase in Turbidity = **Bad**

Nephelometric Turbidity Units (NTU) = FNU = FTU = FAU



Effects of Turbidity

Turbidity = Water's AQI

Like smoke in the air → constant exposure harms life

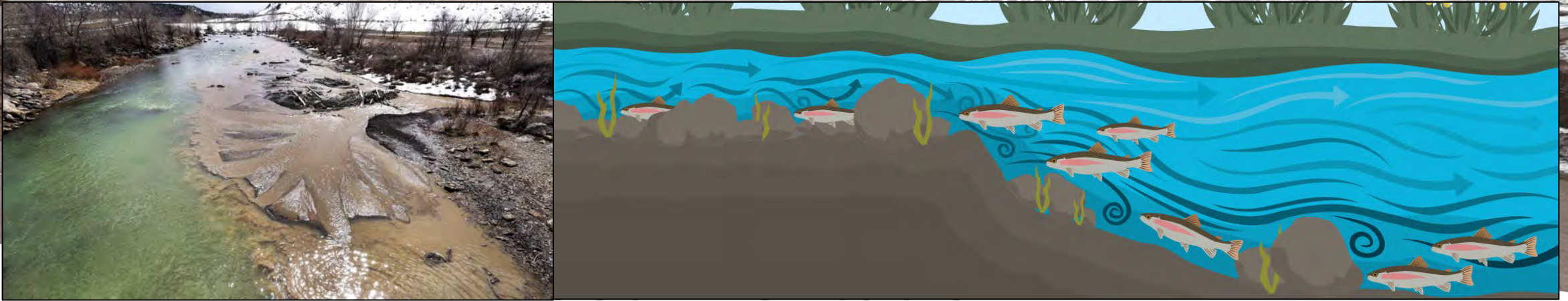
Impacts of high turbidity:

- Clogs fish gills & filter-feeders (like breathing smoke)
- Reduces visibility → predators can't find prey
- ↓ Light penetration → ↓ photosynthesis, ↓ plant growth
- ↑ Water temperature → ↓ dissolved oxygen
- ↓ Oxygen from reduced photosynthesis
- ↑ Turbidity → ↑ costs for treatment



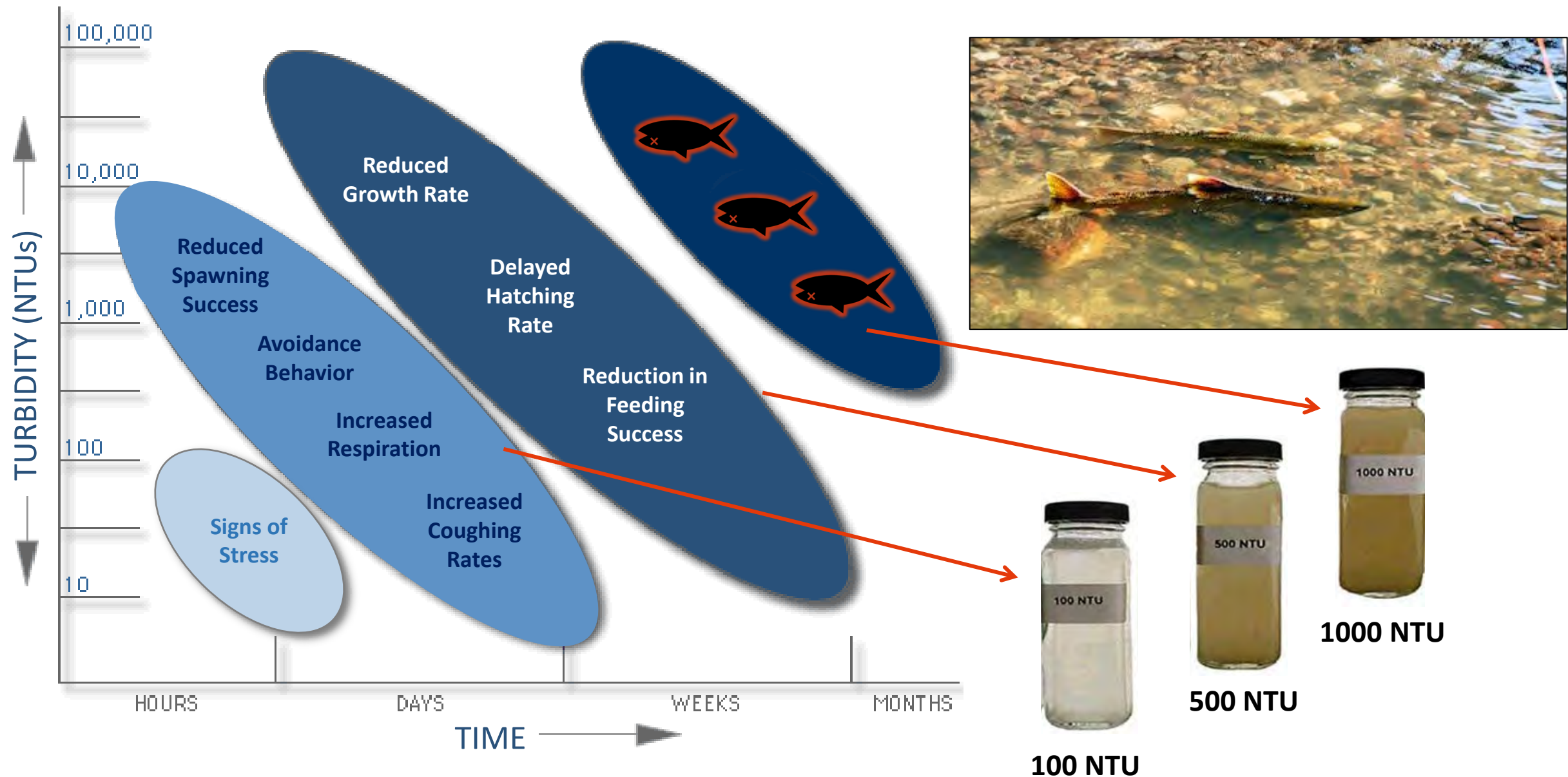
Effects of Sedimentation

- Loss of Topsoil → resource washed to oceans, upland soils depleted
- Risk of Flooding → clogs storm drains and pipes
- Reduced Water Depth → fills pools where fish rest & stay cool
- Decreased Stream Structure → smothers plants, barren channels
- Algal Blooms → fueled by excess nutrients
- Increased Temperature → lower dissolved oxygen (O₂)



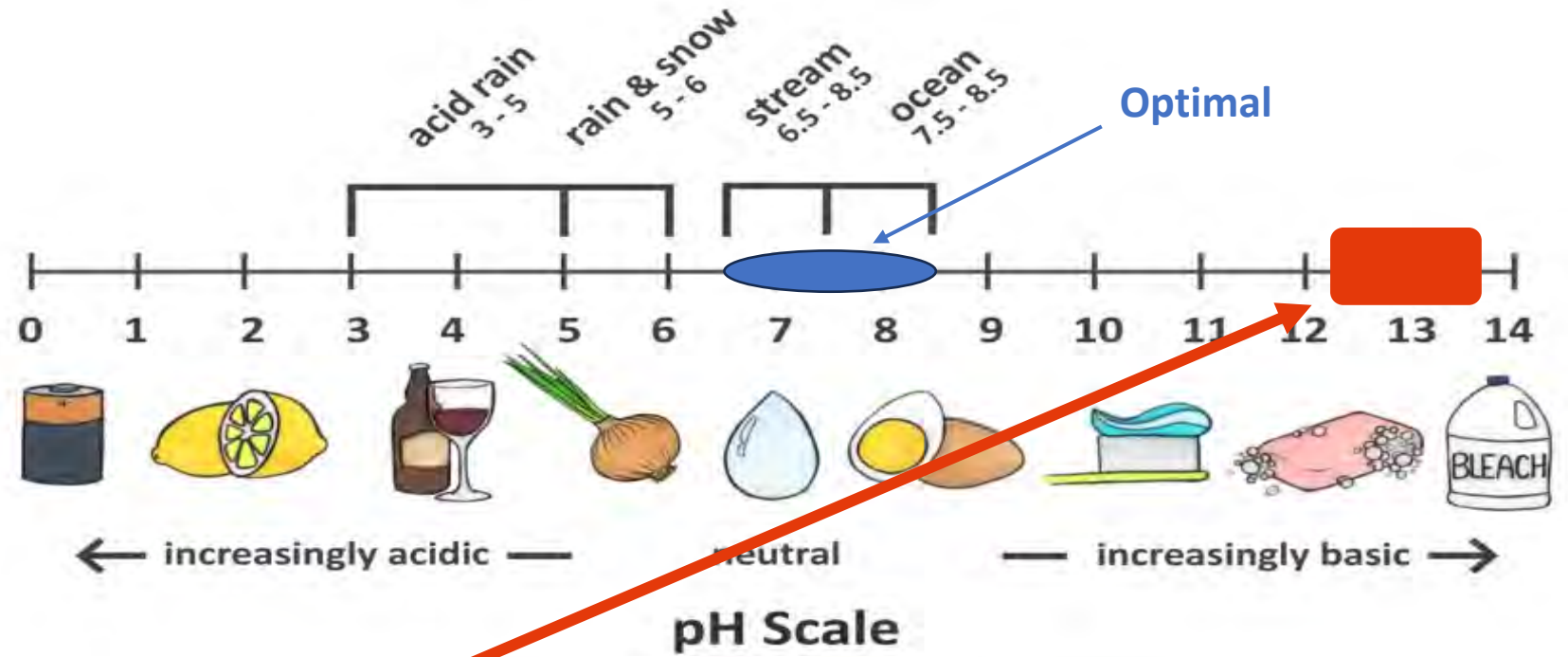
The deposition or settling of eroded material – where it all ends up

Turbidity & Sedimentation Effects on Salmon

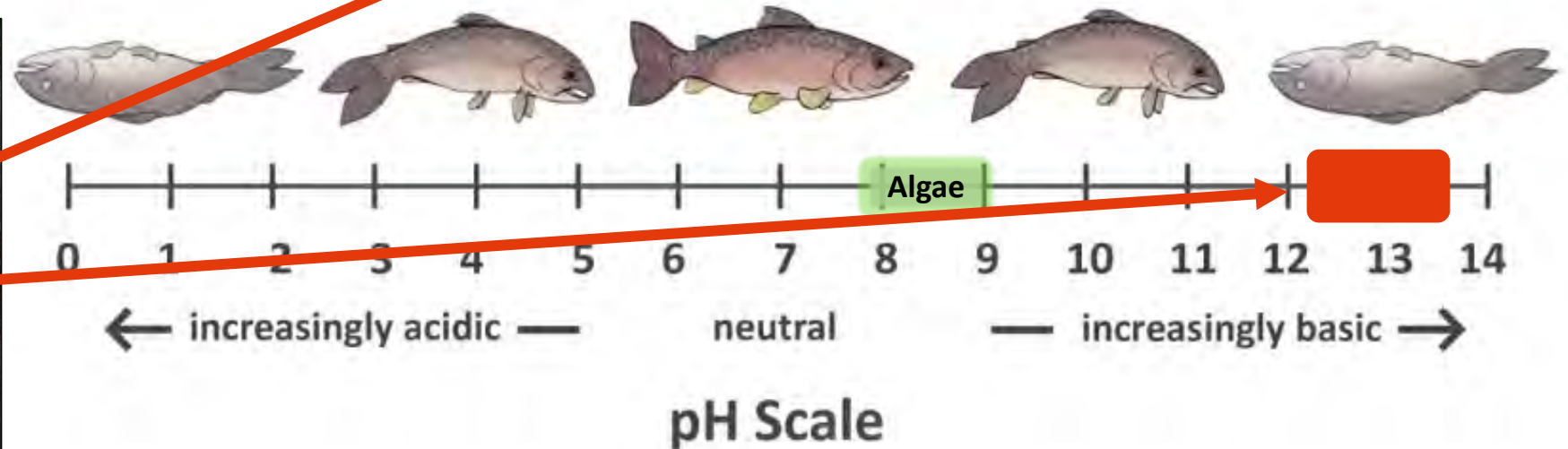


pH

- Measures how acidic or alkaline water is
- pH $\uparrow$ 1 full unit $\rightarrow$ 10 $\times$ change



pH of concrete?



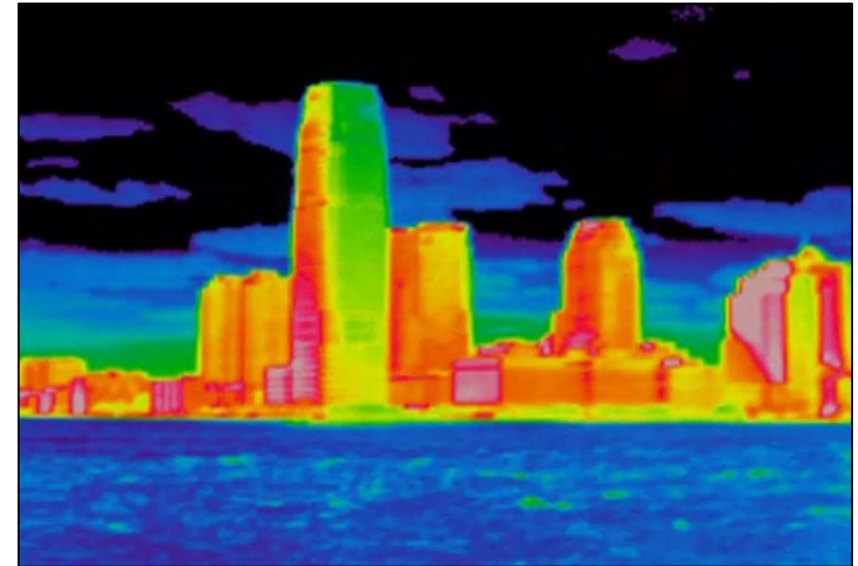
Temperature & Water Quality

Cold Water = Healthier Water

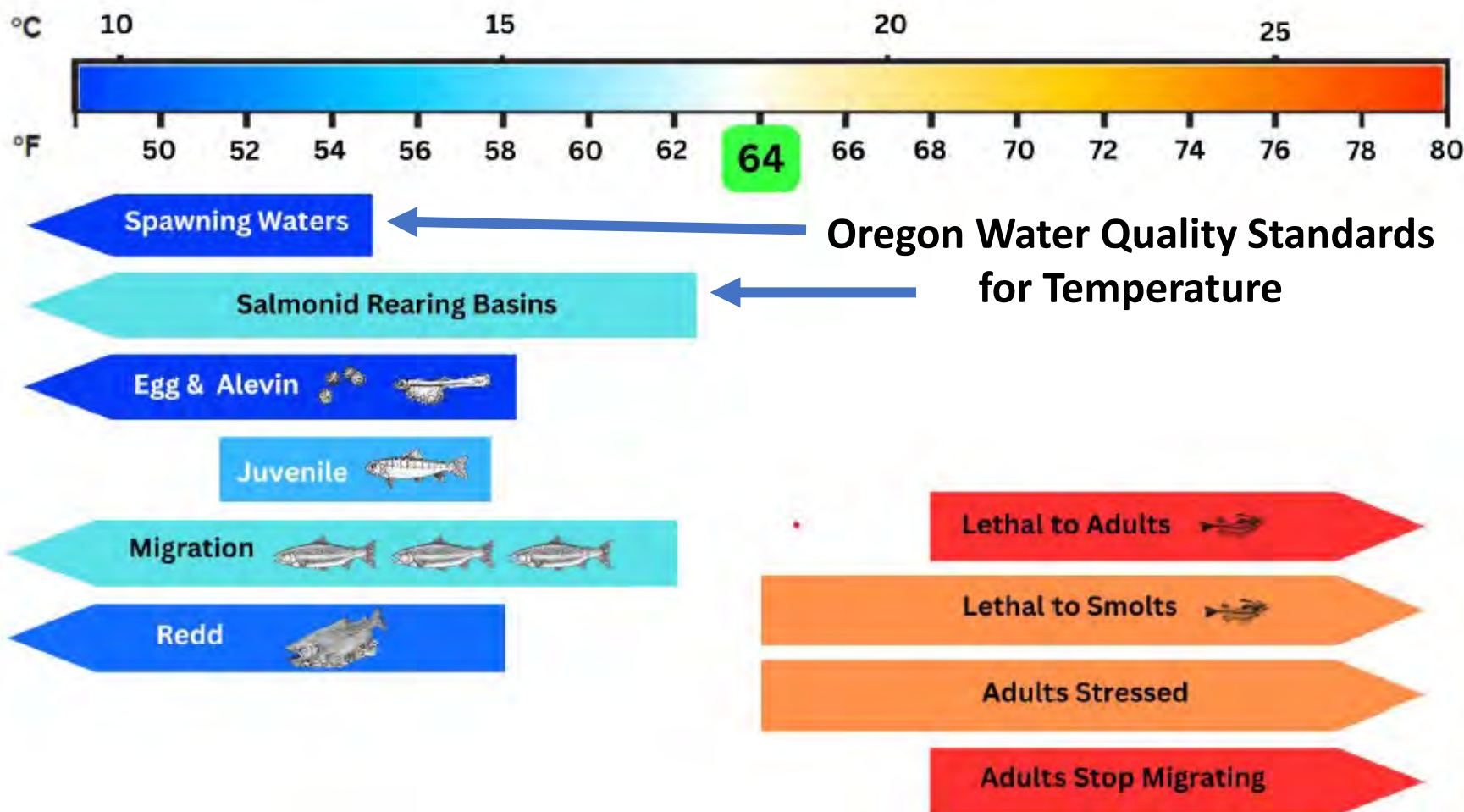
Aquatic species can't escape heat or regulate body temp

Urban drivers:

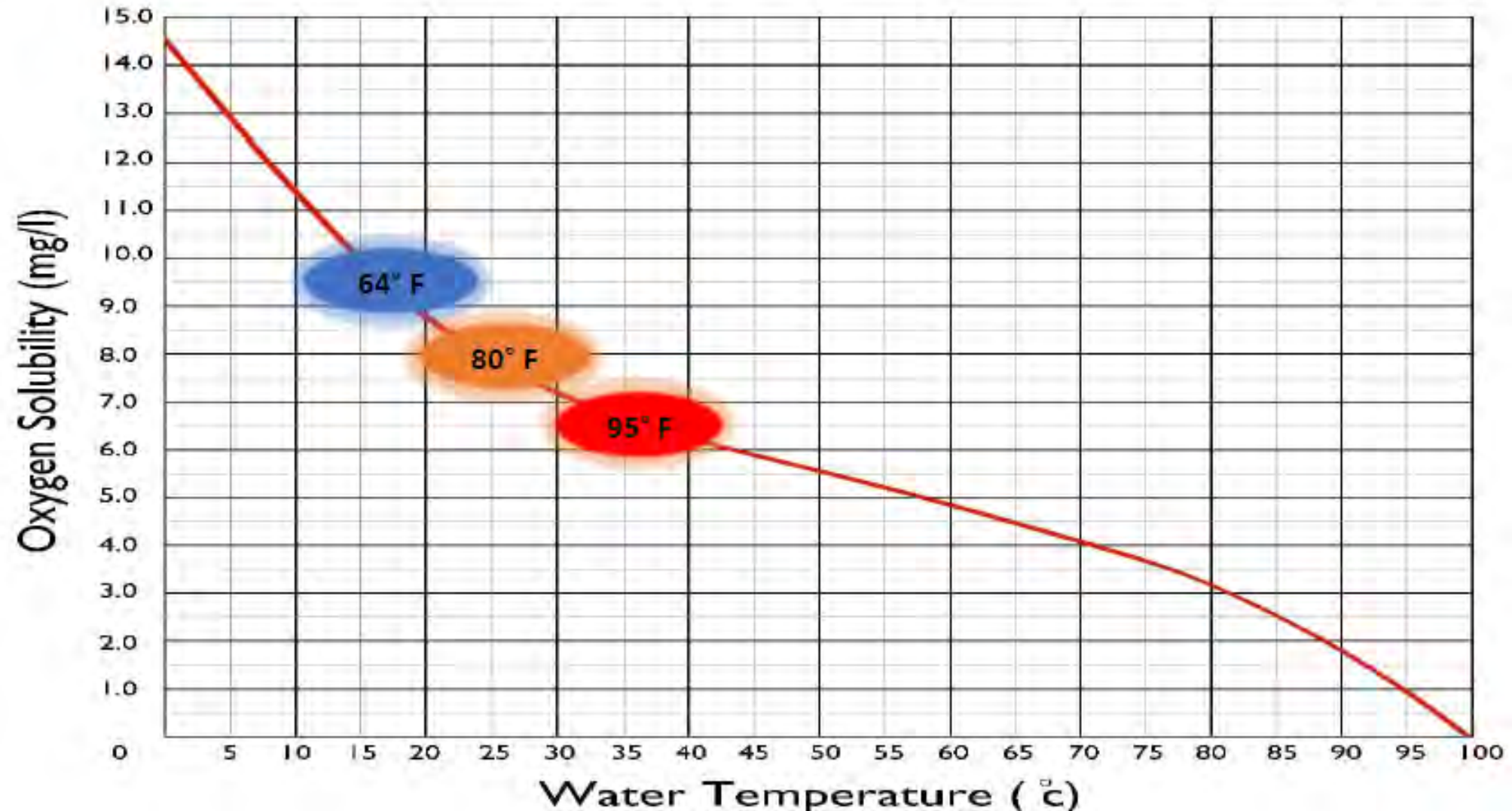
- Lack of shade
- Hot impervious surfaces → heated runoff



Optimum Temperature Limits for Salmon



What is the relationship between dissolved oxygen levels and temperature?

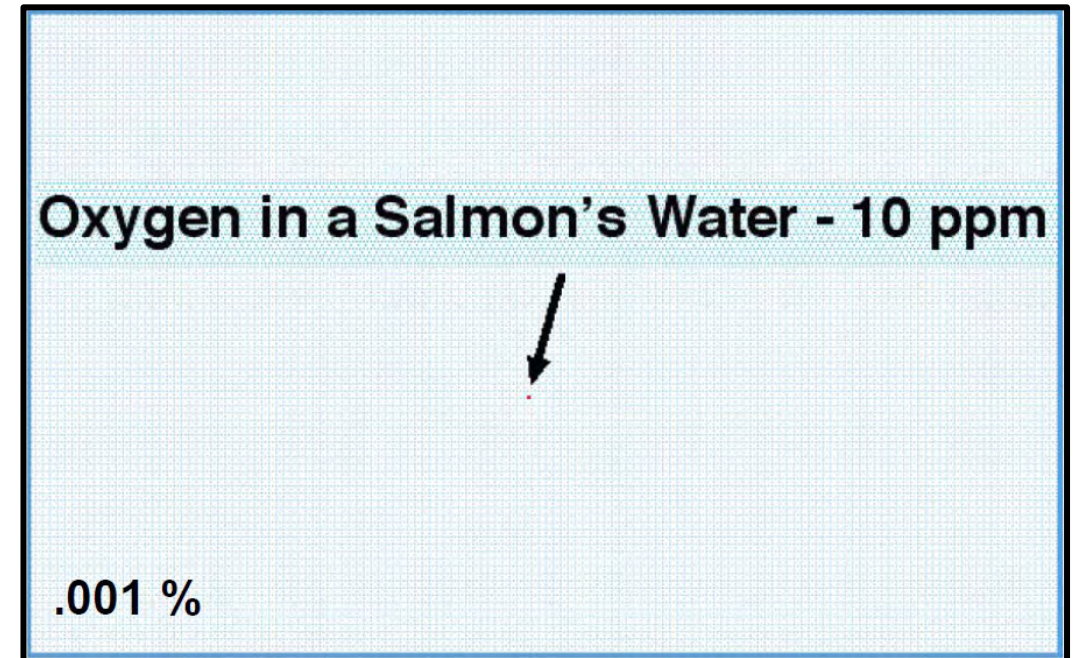
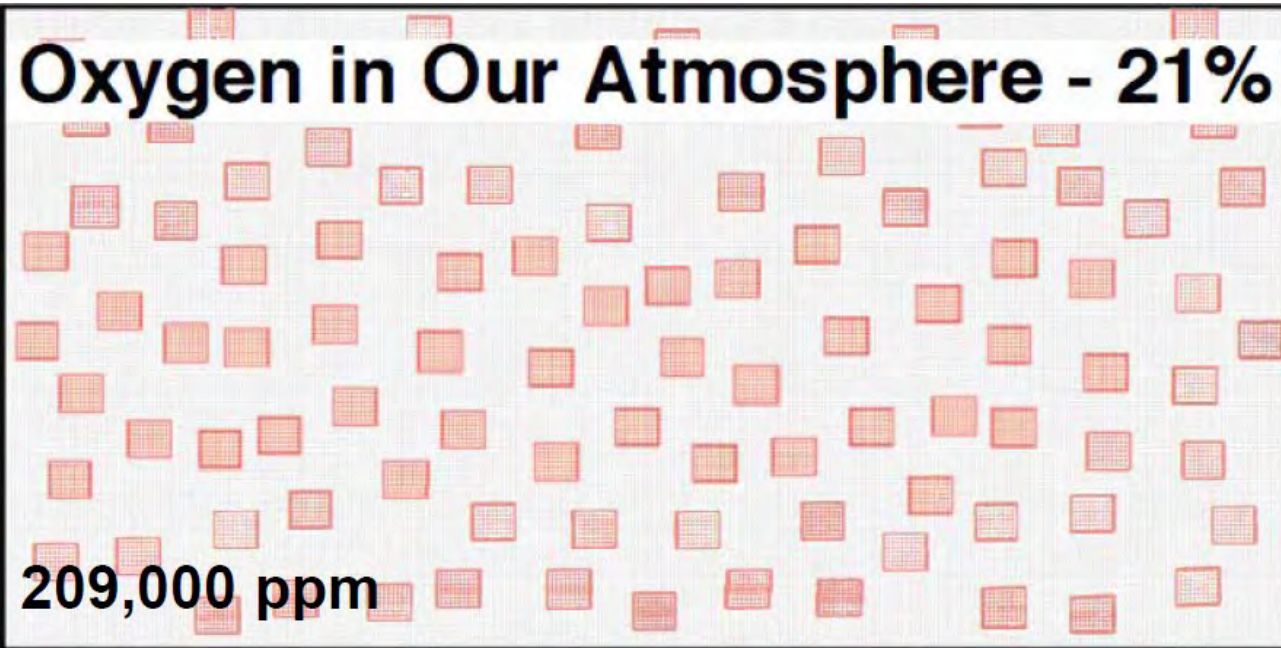


Dissolved Oxygen

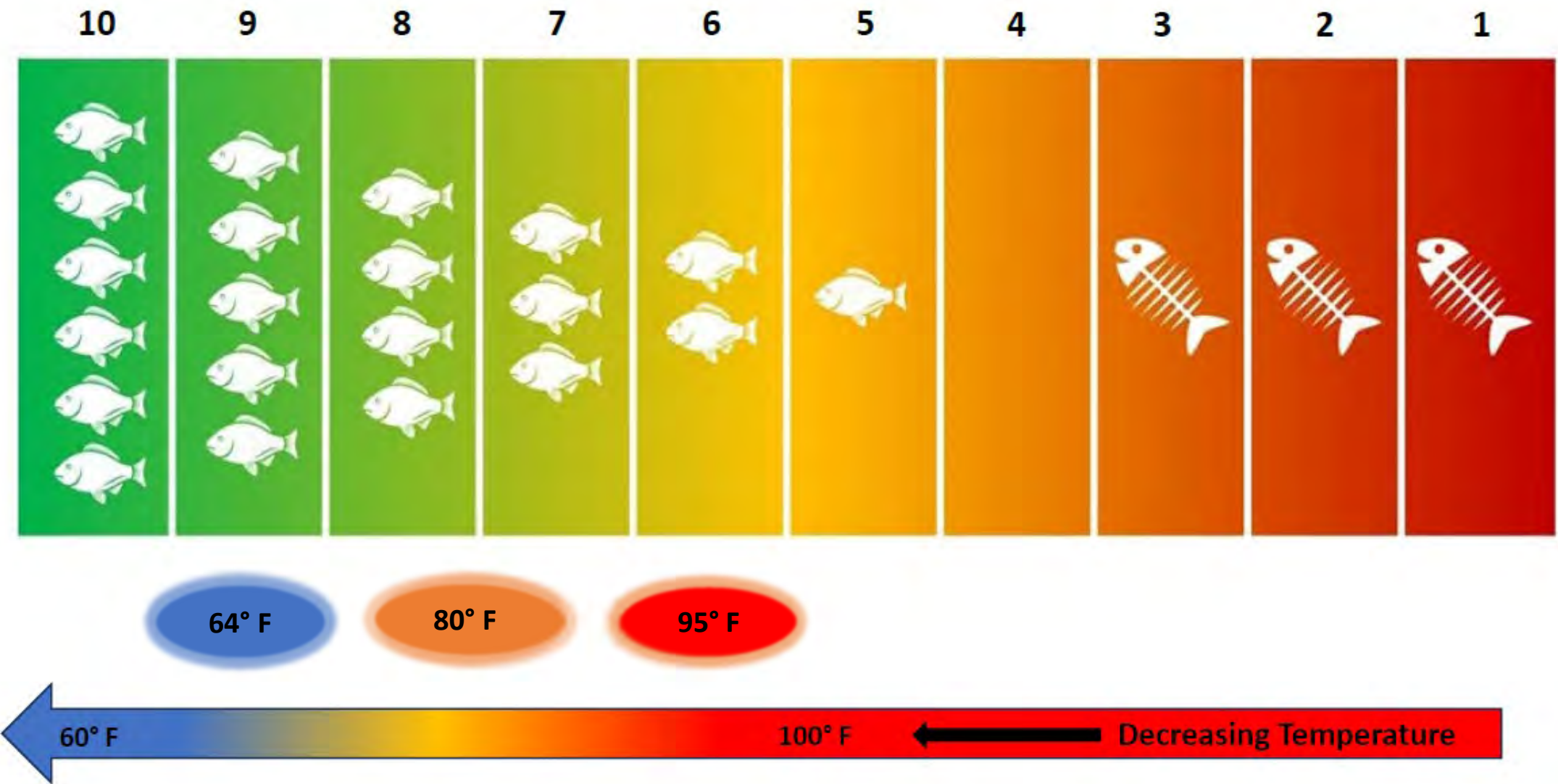
Dissolved oxygen is the amount of oxygen present in the water

DO is often cited as the most important water quality metric

How much oxygen is in the air you breathe?



Dissolved Oxygen (DO) – Think Cold Beer





Bacteria

Is it safe to swim?

US beaches hit with fecal contamination warnings ahead of Labor Day weekend

Michael Sainato

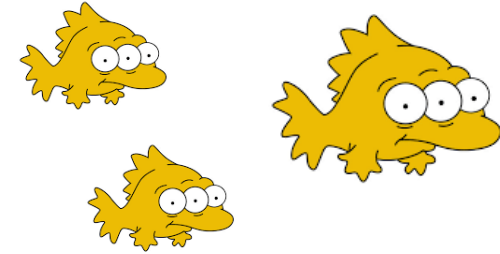
59 minutes ago



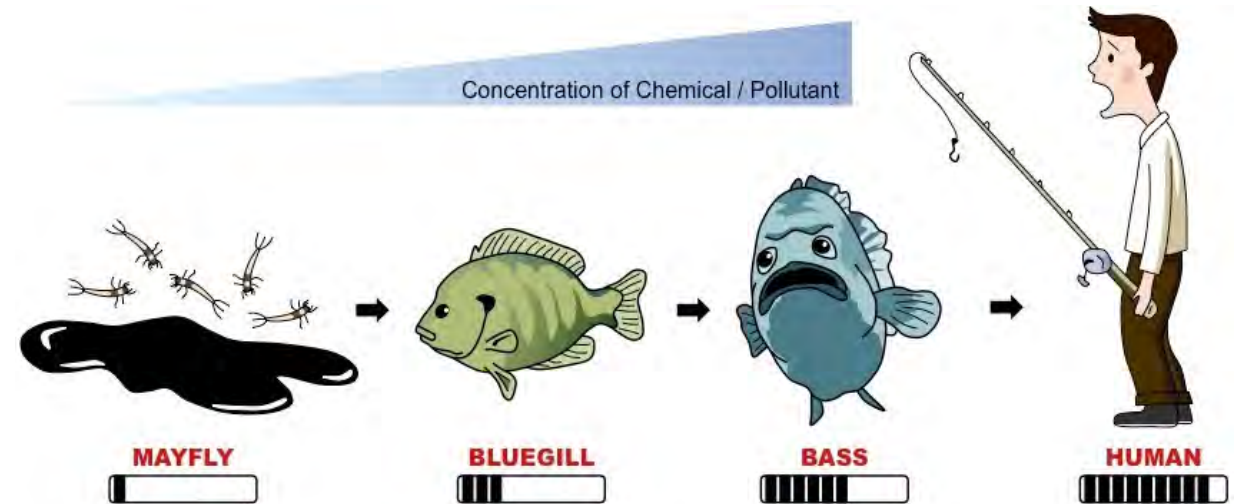
Closures at some of the most popular beach destinations in the US this week include part of the Imperial Beach shoreline near San Diego. Photograph: Eduardo Contreras/AP



Toxicity and Biomagnification



- **Toxins:** substances harmful to health
- **Lethal Dose (LD):** smallest amount that can cause death
- **Acute Exposure:** short-term, high dose (e.g., first flush → fish kills)
- **Bioaccumulation:** toxins build up in an organism over time
- **Biomagnification:** toxins multiply up the food chain → apex predators (including us)
- **Stormwater** = toxic cocktail of chemicals



What may seem insignificant to you, adds up across the whole watershed!



Federal and state permitting regulate for water quality, volume, and rate both during and after construction.

During Construction

Erosion and Sediment Controls

aka

Best Management Practices
(BMPs)



Post Construction

Stormwater Facilities

Swales, SW Planters, Etc.



Regulation and Permitting



**Federal – Environmental
Protection Agency (EPA)**



**State - Department of
Environmental Quality (DEQ)**



**ROGUE VALLEY
SEWER SERVICES**
CLEAN WATER - HEALTHY COMMUNITIES

**Local Regulatory Jurisdiction
RVSS / County / City**

NPDES 1200 Series Construction Permit

General Use Requirement *Big Highlights*

- ☐ **Can NOT discharge visually turbid water or sediment.**
- ☐ **Can NOT cause or contribute to an exceedance of any applicable water quality standard.**
- ☐ **Must install and maintain BMPs to control stormwater volume, velocity, and peak flow rates.**
- ☐ **Protect riparian areas and/or provide equivalent sediment controls.**
- ☐ **Must visual monitor/inspect the site AND record the inspections.**
- ☐ **Meet Final Stabilization Criteria prior to Permit Termination.**



What is a riparian area?

The land that borders rivers, lakes, streams, and floodplains

Why are they important?

Riparian Areas – Vital & Vulnerable

Less than **1% of Oregon's land** → supports **85% of wildlife**

Functions:

- ✓ **Filtration** – trap pollutants, sediment, nutrients
- ✓ **Stabilization** – reduce erosion, improve clarity
- ✓ **Temperature Regulation** – shade from trees/vegetation
- ✓ **Habitat** – land + aquatic species
- ✓ **Value** – recreation, scenic beauty, economic benefit



What does a healthy riparian area look like?

- ✓ Diverse native vegetation
- ✓ Stable streambanks
- ✓ Shaded water
- ✓ Clear channel
- ✓ Habitat complexity
- ✓ Supports fish, birds, and wildlife

Rule: Post-construction
riparian conditions must **meet**
or exceed pre-construction
conditions!



Restoring and protecting riparian areas is the most crucial thing we can do for water quality



Urban development is as inevitable as it is necessary.
While beneficial for the community, it also comes with an
environmental cost

How do we mitigate that loss?



Shifting from Grey to Green Infrastructure

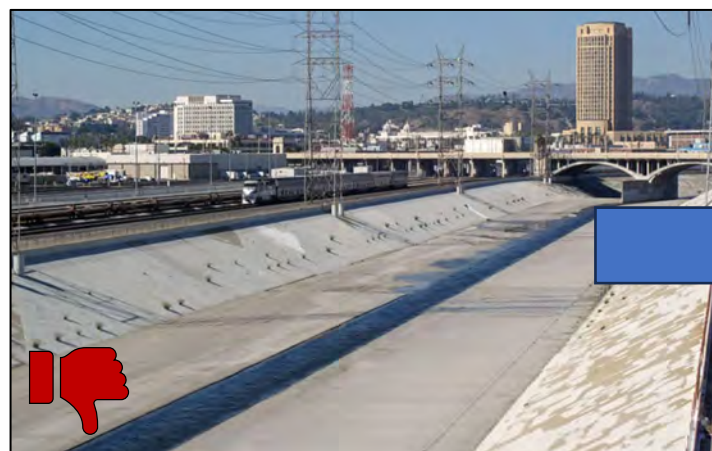
Green Infrastructure

- Uses vegetation, soils, natural processes to manage stormwater
- **City scale:** connected green spaces, natural corridors
- **Site scale:** rain gardens, bioswales, infiltration planters

Grey = move water away quickly

Green = **Bioretention**

Slow It, Spread It, Sink It!



Shifting from Grey to Green Infrastructure

Effectiveness of Bioretention

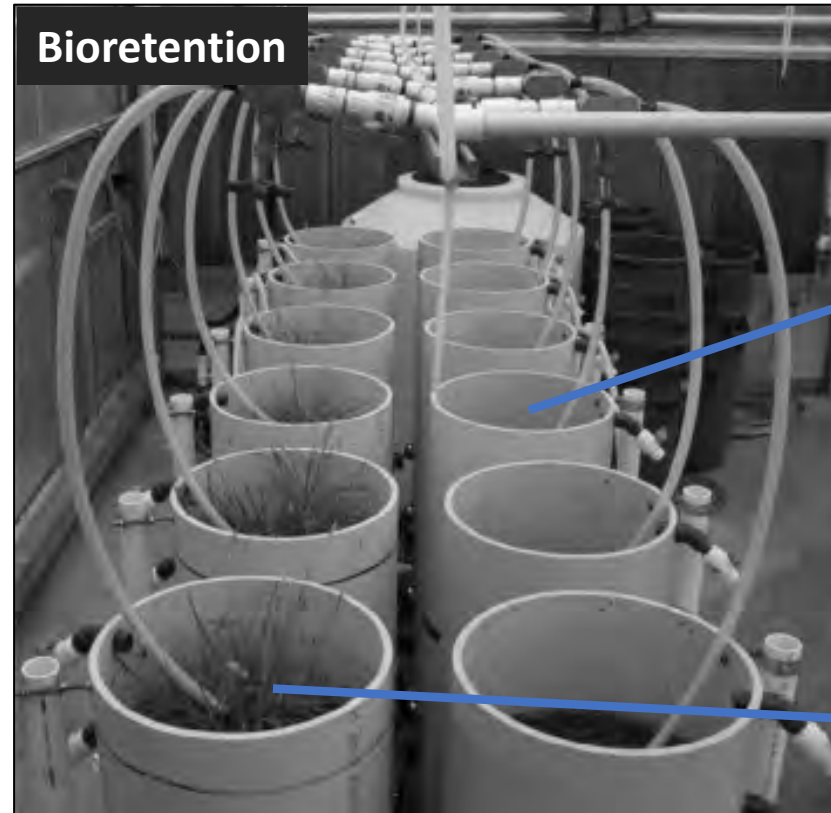


Effectiveness of Bioretention

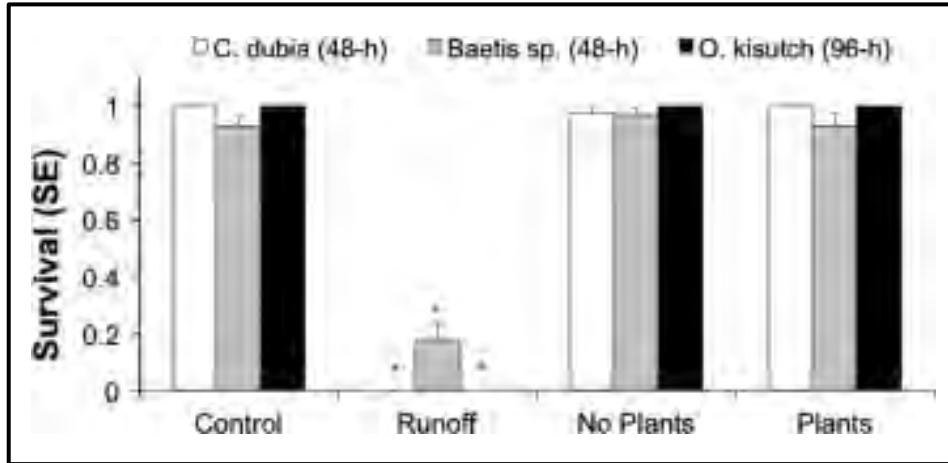


WSU Study – Bioretention & Salmon (2011)

Effectiveness of Bioretention



Bioretention Results – WSU Study (2011)



- Daphniid
- ▒ Mayfly Nymph
- Juvenile Coho Salmon

Survival Rates:

- Control, soil, soil+plants → 100% survival
- Unfiltered runoff → 100% mortality

Filtered water analysis:

- Heavy metals ↓ **30–90%**
- PAHs (oil & gas chemicals) ↓ **below detection**
- Organics ↓ **up to 40%**

Once runoff enters a storm drain, there is no more treatment
A little bit of healthy soil can go a long way

Why Plants Are The Preference



- ✓ **Erosion Control:** Stabilizes soil
- ✓ **Soil:** Maintains soil health, structure, and porosity
- ✓ **Flow Control:** Slow, spreads, evapotranspiration
- ✓ **Water Quality:** Uptake, use, and storage of pollutants
- ✓ **Resilience:** Reduce maintenance needs

Other Benefits

- ✓ **Cooling & Shade**
- ✓ **Biodiversity & Habitat**
- ✓ **Air Quality Improvements**
- ✓ **Mental & Physical Health Improvements**
- ✓ **Social Pride & Interaction**
- ✓ **Financial:** Higher property values

Plant Hierarchy: **Natives** → **Non-natives** → **Invasives**

Bioretention, Stormwater Facilities: So What?



New or Redeveloped Impervious Surface $\geq 5,000$ sf = A Stormwater Facility is REQUIRED!

Facility must be built **per approved plans**. Must **pass acceptance inspection** before ESC permit can close.

If you have to do it, do it well—make it an **asset, not a burden**

ESC Permits



DEQ

What Does The 1200-C Permit Cover?

1200-C NPDES Construction Stormwater General Permit

An Erosion & Sediment Control (ESC) Permit authorizing discharges in Oregon

Covers:

- Clearing, grading, excavating, grubbing, stumping, demolition
- Stockpiling & other land-disturbing activities
- Construction support activities tied to the project

Does NOT Cover:

- Post-construction discharges → MS4 Permit or 1200-Z Permit
- Underground injection control (UIC) systems → *UIC Permit*
- In-water work or activities → Other Federal & State permits



In Water Permits & ESA Critical Habitat

Working in
the water?

USACE

- 404 National Dredge-Fill Permit

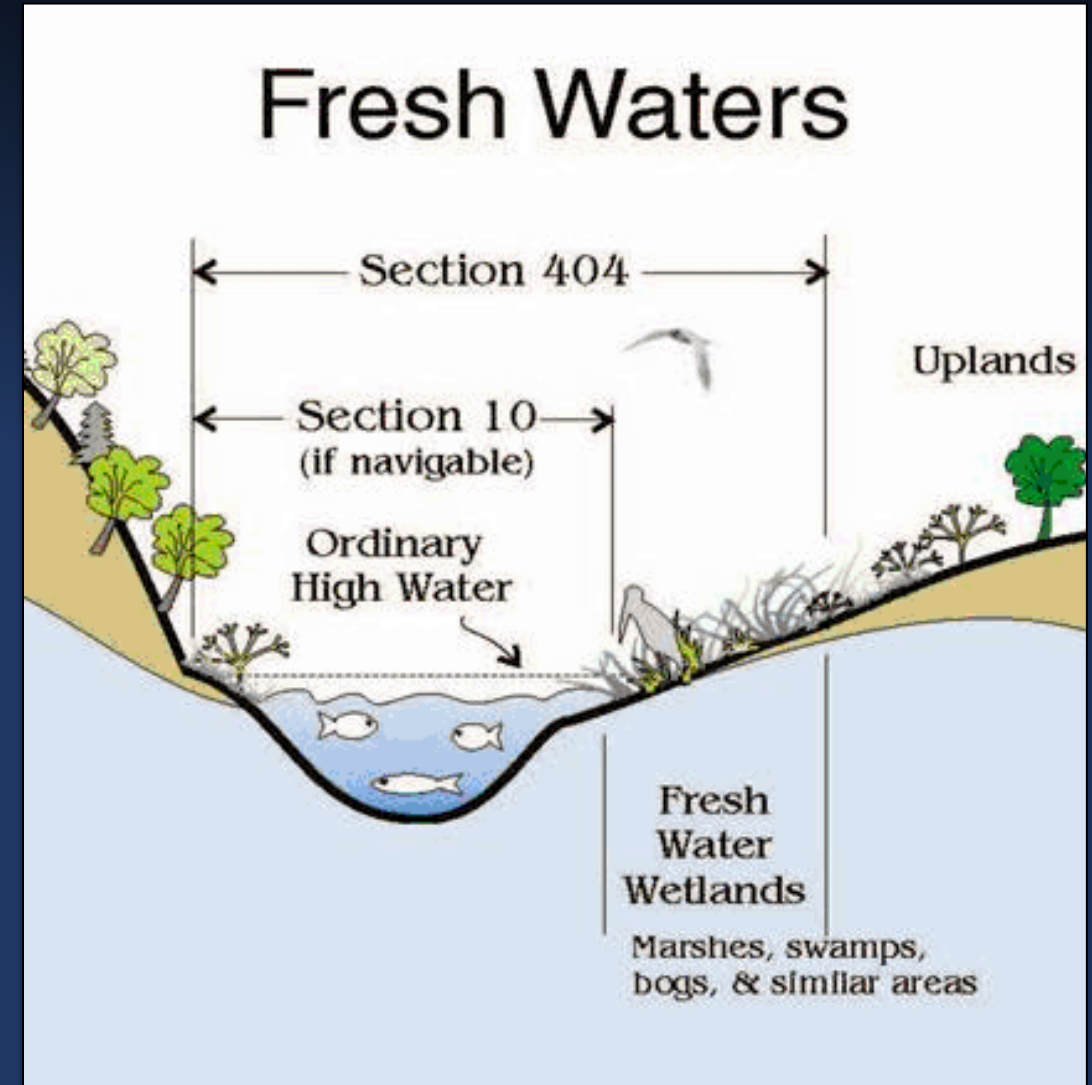
DEQ

- 401 WQ Certification

DSL

- Wetland Delineation
- State Remove-Fill Permit

These must be obtained before ESC Permit issuance



Do You Need an ESC Permit?

Question 1

Does your construction project disturb **one or more acres** of land through *ALL* Phases and *ALL* construction activity?



**You need a DEQ
1200-C Permit**

Question 2

Is any portion of the project located within a MS4 jurisdiction?



Check with MS4 Jurisdiction:
If over **7000sf**, the MS4 must review the ESCP.
→ You will likely need a permit



1200-C Agents Are Awesome

DEQ delegates certain local entities to act on its behalf for stormwater permitting.

There are only 4 Agents in Oregon:

City of Eugene

City of Troutdale

Clean Water Services (CWS)

Rogue Valley Sewer Services (RVSS)

Agents are a one stop shop for:

- ✓ Erosion and Sediment Control Plan (ESCP) Review and Approval
- ✓ Permit Issue
- ✓ Compliance Oversight
- ✓ Enforcement



What Permit Do You Need?

*Total Disturbed Area/Ground	ESC Permit Required	Initial Fee	Annual Fee
7,000sf to 0.99 acres	Medium Storm Drain Protection Permit (SDPP-M)	\$250	\$250
1.0 to 4.99 acres	RVSS ESC Permit for 1-5 Acres (DEQ 1200-CN)	\$1,500	\$750
5.0+ acres	RVSS ESC Permit for 5+ Acres (DEQ 1200-C)	\$2,815	*\$1,388

* DEQ will issue Renewal Notice and collect annual renewal fees for 1200-C permits.



Applying for a Permit

Submit all required documents **at least 30 days** before project start.

No construction activity is authorized until an ESC permit is issued.

All documents submitted via Your DEQ Online (YDO)

Responsible Official (RO) – Permit Registrant

- Must have operational control over construction plans OR day-to-day control to ensure compliance
- Typically the owner of the site, owner's agent, project engineer, or the general contractor.
- **This person has overall legal responsibility for permit compliance.**



Applying for a Permit

Submit all required documents **at least 30 days** before project start.

No construction activity is authorized until an ESC permit is issued.

Local MS4 Small Site

- Application
- ESCP

*Check with local
jurisdiction*

DEQ Small Site

- Application
- ESCP
- LUCS

DEQ or Agent 1200-CN/C

- Application
- ESCP
- LUCS

DEQ or Agent 1200-C for 5+ Acres

- Application
- ESCP
- LUCS
- 14-Day Comment Period



Permitted Activities

1. Install and operate ESC measures and stormwater treatment and control facilities.
2. May discharge **stormwater** and **authorized non-stormwater discharges** so **long as the site follows all conditions set forth in the permit.**

Specifically authorized non-stormwater discharges are listed in the permit and **can NOT be:**

- Visually turbid or sediment-laden
- Cause or contribute to an exceedance of any applicable water quality standard

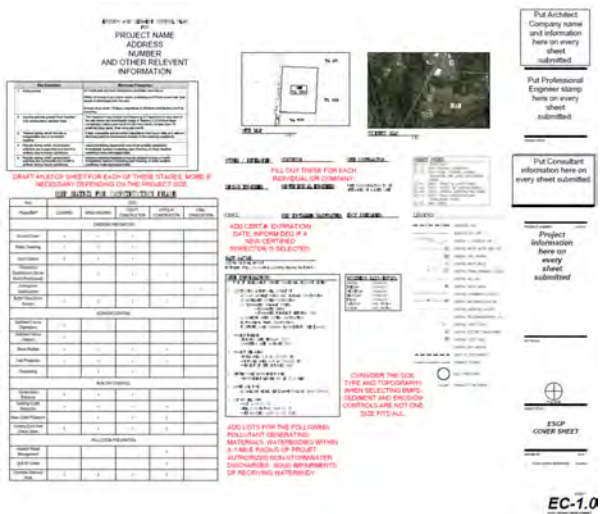
Prohibited Discharges:

- Visually turbid or sediment-laden water
- Wastewater
- Soaps, solvents, and detergents
- Fuels, oils, and other operation and maintenance pollutants
- Hydro-demolition water
- Saw-cutting slurry
- Toxics or other hazardous substances



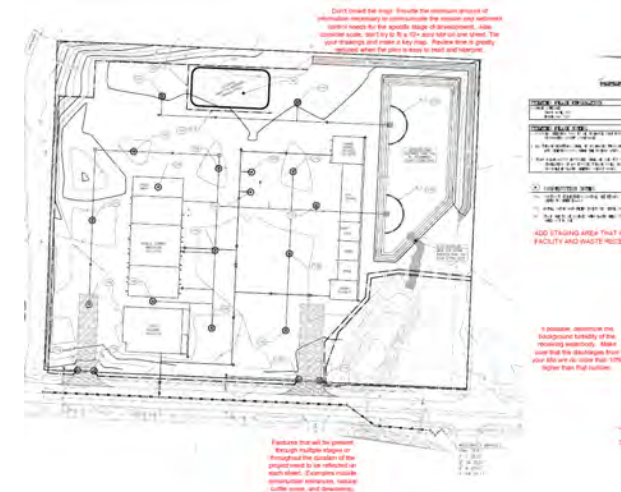
Erosion & Sediment Control Plan (ESCP)

- 1) Discharge will leave your site
- 2) Compliance with 1200-C permit conditions = that discharge is expected to comply with WQ standards established in OAR 340-041
- 3) The ESCP is how you show that you are meeting those conditions



The image shows the cover sheet and checklist for the ESCP-1.0 form. The cover sheet includes fields for Project Name, Address, Number, and Other Relevant Information. It also has a section for the Professional Engineer's stamp and signature. The checklist is a table with various items to be completed, including a table for the project location and a table for the project description. The form is labeled EC-1.0 at the bottom.

The ESCP is required.
The ESCP must be accessible.
The ESCP must be up to date.



ESCP Requirements

1200-C Schedule A.20

Full list of ESCP requirements are in Appendix C

- Site-specific
- Account for wet weather
- Cover page(s) - all administrative information
- **Separate pages** with clearly depicted ESC measures for:
 - Existing conditions
 - Demolition, clearing, grading, excavating and land development
 - Street and utilities
 - Vertical construction
 - Final landscaping and site stabilization.
- Details for of all proposed BMPs represented in the ESCP



ESCP Updates & DEQ Notification

1200-C Schedule A.20

The ESCP is a living document and must be updated any time site conditions warrant adjustments to the project or the BMPs.

You must notify DEQ or Agent for within **7 days** for:

- **Prohibited discharge has occurred**
- Significant BMP failure or repair
- Significant change to BMP
- Additional BMPs required
- Increase or decrease in the size of the disturbed area
- **Change of the ESC Inspector**



ESCP Development Thoughts

No “one-size-fits-all” BMP list.

Permit sets **performance standards**.

Objectives

1. Only **clear, non-polluted discharge** leaves the site
2. Discharge occurs at **near pre-disturbance volumes & rates**

Priorities

1. **Erosion Prevention & Source Control**
2. Sediment Control (Contain On Site)
3. Treat and Control Discharge Points

RVSS Requirements for Nearly EVERY Site:

Downslope Perimeter Protection
Discharge Location Control
Inlet Protection
Trackout Prevention



ESCP Development Thoughts

No “one-size-fits-all” BMP list.

Permit sets **performance standards.**

Erosion Prevention > Sediment Control

Erosion Prevention should be the primary focus of the ESCP.



A plan in action...

1200-C Permit Conditions

Erosion & Sediment
Control Measures

*Best Management
Practices (BMPs)*



Best Management Practices (BMPs)

Activities, prohibitions, maintenance procedures, and physical/structural/managerial practices to prevent or reduce pollution of waters of the state.

Categories:

Erosion Controls – keep dirt in place (first line of defense)

Sediment Controls – keep dirt on site (second line of defense)

Managerial Practices – prevent and contain pollution

Resources:

ACWA Construction Site Stormwater Guide

DEQ BMP Manual

EPAs SWPPP Guide



Permit & Posting Requirements

1200-C Condition 1

■ You Must Have a Permit

- **All construction activity is prohibited until you have been issued a permit.**
- NO clearing, grading, excavating, grubbing, stumping, demolition, stockpiling, or other land disturbing activities.

■ Post Notice of Permit Coverage

- Sign or notice must be posted:
 - At a **safe, publicly accessible location** near the site
 - **Visible from public road** and readable from right-of-way

Must include:

- Permit Number
- Contact Information (Name & phone number)
- Statement: *“If you observe stormwater pollution...”* or QR code



Pre-Construction Requirements

1200-C Schedule A.2

After you have a Permit, but BEFORE construction:

- Onsite pre-construction meeting with key personnel
 - General Contractor
 - Pertinent Sub-Contractors
 - ESC Inspector
 - **MS4 ESC Oversight Inspector**
- Dated sign-in sheet

Prior to the pre-construction meeting:

- **All ESC measures for the first phase must be installed.**
- Material & waste storage areas are established.
- ID and mark off clearing limits, sensitive areas, and natural buffer areas.



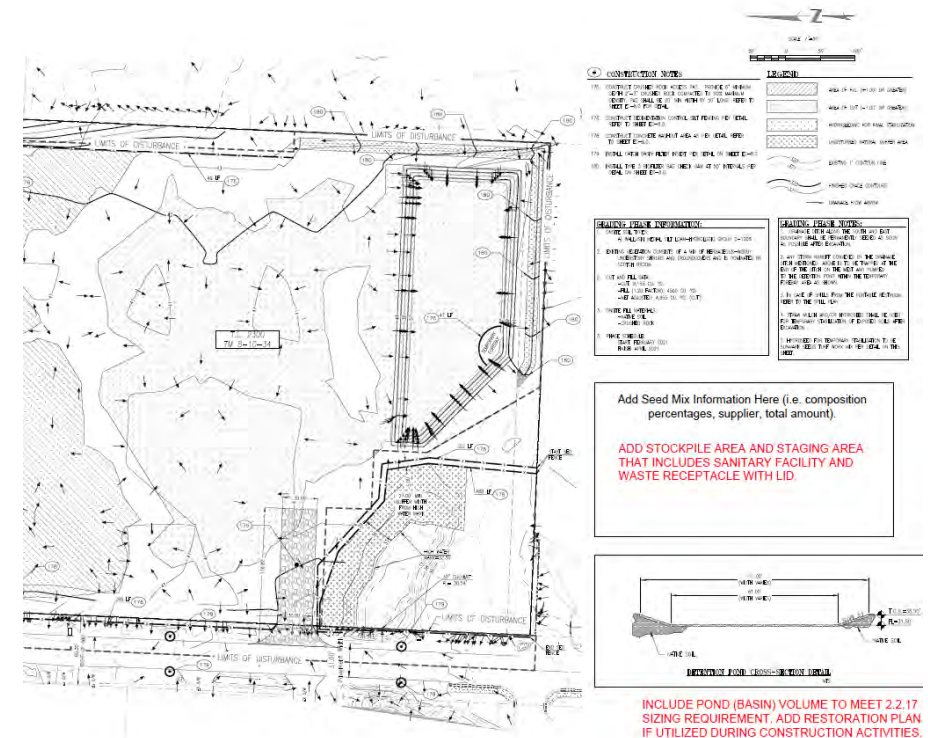
General Design, Installation, and Maintenance

1200-C Schedule A.1/A.4

Have and follow a plan!

Your plan = **Erosion and Sediment Control Plan (ESCP)**

- Minimize soil exposure.
- Install stormwater controls for discharge treatment, volume, and rate.
- Maintain controls at all times and **not only in response to inspections!**
- **Immediately** initiate repairs or replace controls.
 - **Complete the work by the end of the next business day.**



General Design, Installation, and Maintenance

1200-C Schedule A.1/A.4

Minimize soil exposure by:

- **Sequence activities** – clear, grade, and disturb land in phases when practical
- **Preserve existing vegetation** wherever possible
- **Direct runoff** toward vegetated areas
- **Stabilize cleared areas** not actively being worked (erosion prevention).
- **Install downgradient sediment controls** before starting work in that portion



Preserve Soil Condition for Revegetation

1200-C Schedule A.10

Where final vegetative stabilization will occur:

- **Preserve native topsoil** for onsite re-use
- **Restrict vehicle/equipment traffic** to avoid compaction
- **Rehabilitate compacted soils** so vegetation can establish and grow



Stabilize Exposed Soils

1200-C Schedule A.16

Required where construction is complete or inactive ≥ 14 days

Timelines:

- **< 5 acres disturbed:**
 - Start immediately, finish ASAP
 - Complete stabilization ≤ 14 days
- **≥ 5 acres disturbed, sediment-listed TMDL, or upslope of 50-ft NBZ:**
 - Start immediately, finish ASAP
 - Complete stabilization ≤ 7 days
- **Within 50ft NBZ encroachment:**
 - Start immediately, finish ASAP
 - Complete stabilization ≤ 3 days



Stabilize Exposed Soils

1200-C Schedule A.16

Required where construction is complete or inactive ≥ 14 days

“Start Immediately” = Compliance Clock
No later than end of next business day

Actions may include:

- Soil prep for vegetation (only if seeding)
- Seeding or planting
- Applying mulch or non-vegetative product



Stabilize Exposed Soils

1200-C Schedule A.16

Required where construction is complete or inactive ≥ 14 days

Stabilization is complete when:

- **Seeding + protective cover** applied to prevent erosion
- **Vegetation planted** at uniform density per final stabilization criteria
- **Non-vegetative measures** (e.g., matting) are fully and properly installed



Natural Buffer Zone (NBZ) Protection

1200-C Schedule A.3 / Appendix B

Must **identify & maintain** NBZs or enhanced ESCs for discharges within **50 ft of receiving waters**

- Covered in Detail in [Appendix B](#)
- **Post-construction riparian conditions must meet or exceed pre-construction conditions**

In area with a 303d/TMDL for Sediment/Turbidity, the Natural Buffer Zone increases by?

5 ft for every 1° of slope



1200-C Appendix B

Natural Buffer Zone Requirements

Provide & maintain **NBZ or equivalent ESCs** within **50 ft of Waters of the State**

No waiver if local jurisdiction allows development closer than 50ft

Measured from: Ordinary high-water mark OR Edge of bank
(whichever is further from water's edge)

3 Compliance Options:

1) **50-ft undisturbed NBZ** *Simplest & most effective option*

2) **Reduced NBZ (5–50 ft)**

- Must install **additional ESCs** to achieve equivalent sediment reduction

3) **< 5 ft NBZ (infeasible)**

- Must **collect & treat stormwater** prior to discharge



1200-C Appendix B

Natural Buffer Zone Requirements

Compliance Option 2 – Reduced NBZ (5–50ft)

- ESCP must be developed by a licensed professional
- **Runoff must pass through ≥ 2 control devices in series (≥ 5 ft apart):**
 - Sediment fence (*two fences in series only allowed if separated by 5 ft grassy strip*)
 - Compost berm or compost sock
 - Engineered sediment trap, basin, or swale
 - Other DEQ-approved equivalent BMP
 - **✗ Straw wattles are *not* considered equivalent for redundant perimeter controls**

Additional Requirements:

- Temporarily stabilize bare soils **at the end of each day**
- **Accelerated timelines** for final stabilization of upslope areas
- Maintain sufficient ESC products **on site** (must be shown on ESCP)



1200-C Appendix B

Natural Buffer Zone Requirements

Compliance Option 3 – NBZ < 5ft

- ESCP must be developed by a licensed professional
- **Capture & treat all stormwater before discharge:**
 - Impermeable barrier
 - Sediment basins or similar impoundments
 - Intercept & divert stormwater
- **Passive or active treatment system**
 - *May require an Environmental Management Plan*
- **Treated discharges must be visually clear & free of sediment**
- Maintain sufficient ESC products **on site** (location shown on ESCP)



1200-C Appendix A

Environmental Management Plans (EMP)

Separate DEQ Submission & Review!

Chemical Treatment Plan (CTP) is required when:

- A chemical treatment system for sediment, pH neutralization, or other pollutant removal is planned or implemented at the project site.

Contaminated Media Management Plan (CMMP) is required when:

- Contaminated soils, contaminated groundwater, or hazardous materials will or have the potential to be encountered during construction activities.



The Appendix A Narrative must be on the ESCP Cover Sheet!

1200-C Appendix B - Compliance Examples

Natural Buffer Zone Requirements



Compliance Option 2



Compliance Option 3

The Appendix B Narrative must be on the ESCP Cover Sheet!

Perimeter Controls

1200-C Schedule A.5

- **Must install controls downslope from any exposed soil, stockpiles, staging areas, or other disturbed areas**
- **Ensure stormwater cannot bypass or flow around controls**
- **Remove accumulated sediment once it reaches $\frac{1}{3}$ of barrier height**

**Vegetated Buffer
Sediment Fence
Fiber Rolls / Wattles**

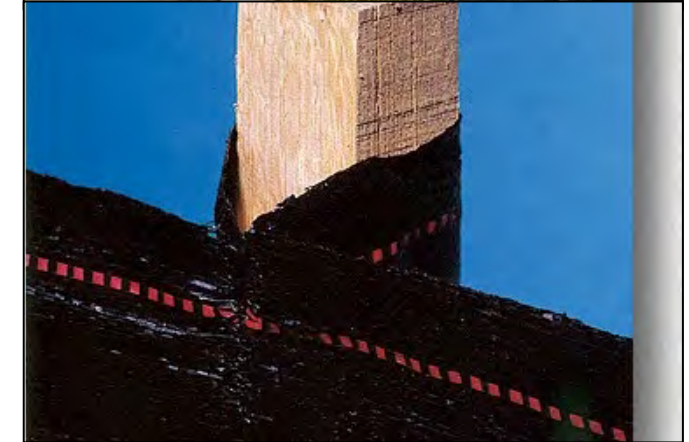
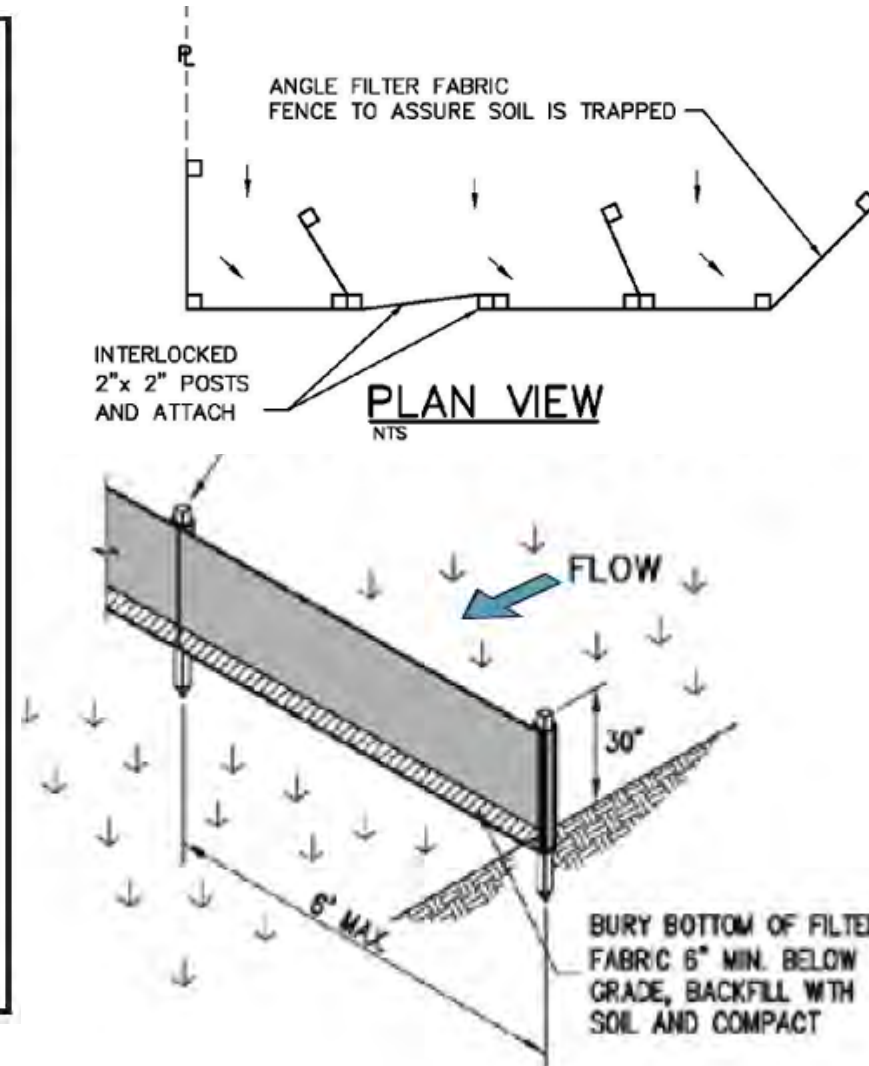
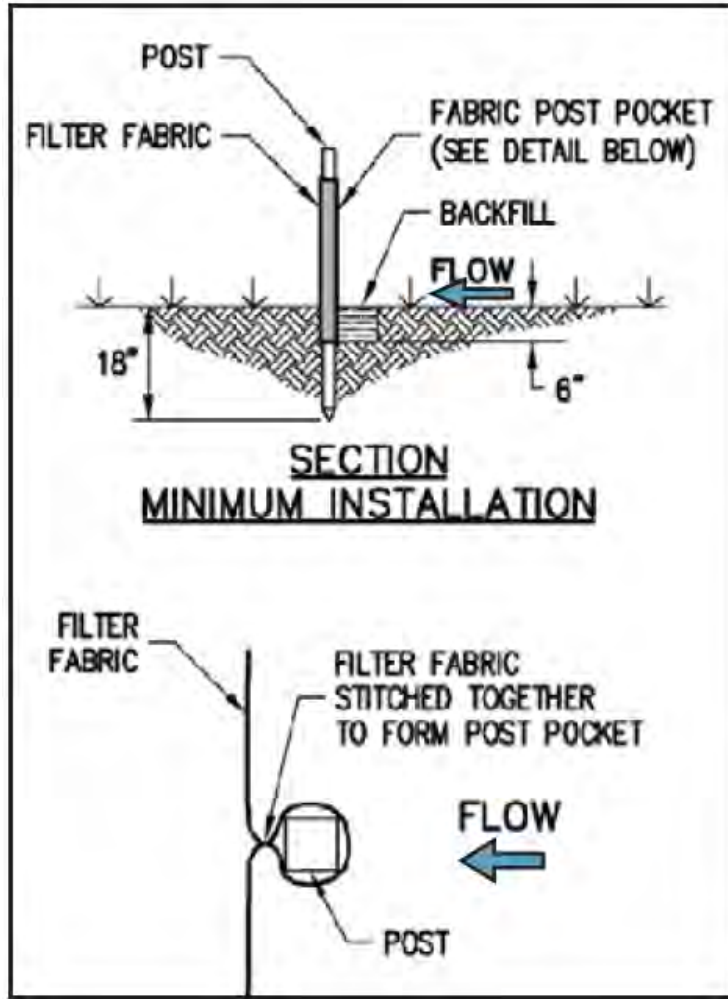


BMP: Sediment Fence

- **Temporary sediment trap** – geotextile fabric + support posts
- **For sheet & rill flow only**
 - ✗ Not for concentrated flow
 - ✗ Never across waterways
- Drive posts securely; bury fabric hem in **6-inch trench**
- At fence end: **turn uphill & extend 1 full panel (6 ft)**
- Remove sediment when it reaches **$\frac{1}{3}$ of fence height**

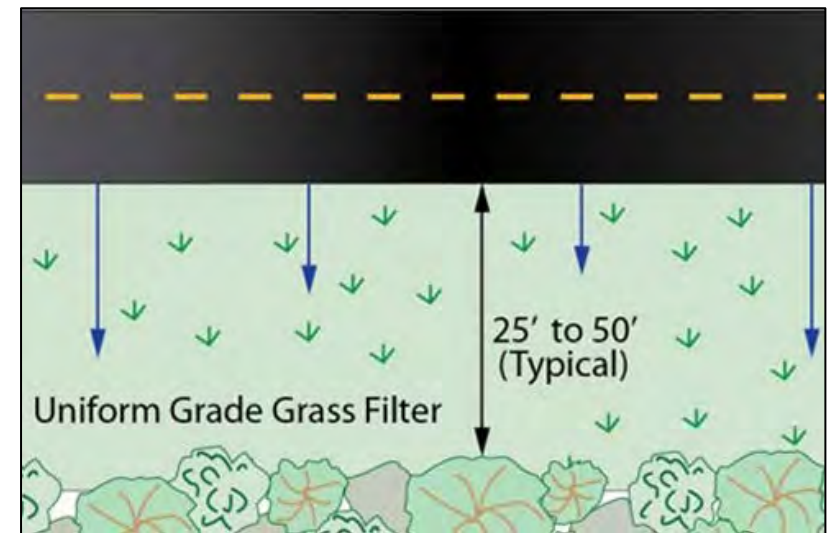


BMP: Sediment Fence



BMP: Vegetated Buffer / Vegetated Area

- **Cheap, easy, effective!**
- Natural or established vegetation filters & infiltrates runoff
- Can be located **within the site** or **on the perimeter** (in place of structural controls)
- Works best for:
 - **Sheet flow** on shallow slopes
 - **Flow infiltration** areas onsite
- **Do not overwhelm** with fast or concentrated flows
- **Sizing for perimeter use:**
 - Width = $\frac{1}{2}$ the sheet flow distance, up to 50ft



BMP: Fiber Rolls or Wattles

- Lightweight, easy-to-install rolls
- Intercept & capture sediment

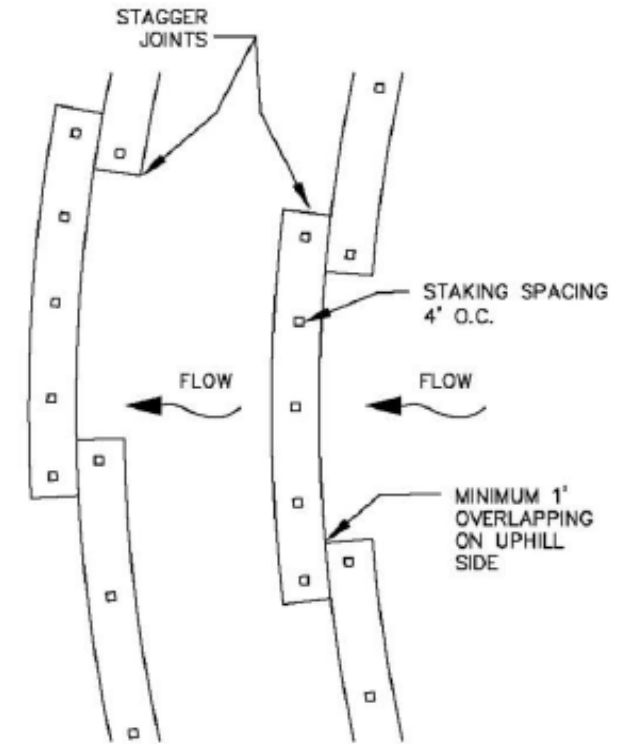
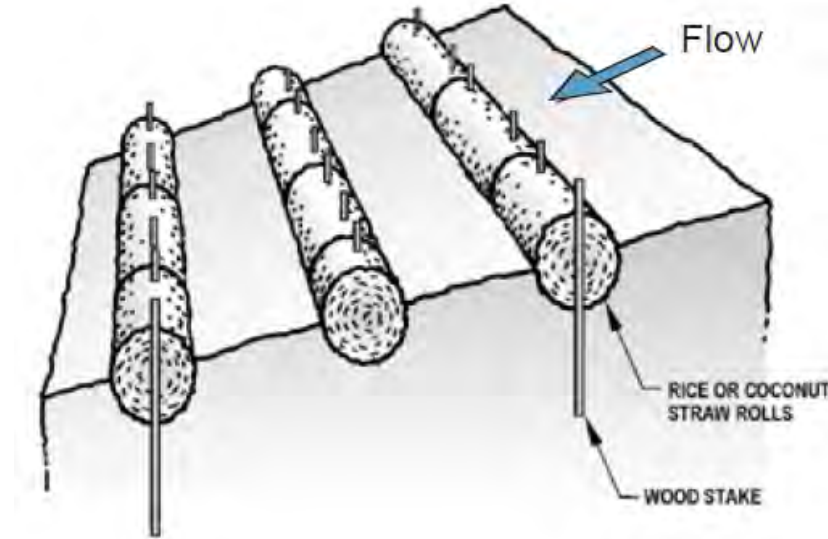
Uses: **Steep slopes, Inlet protection, Perimeter protection, Check dams**

Installation Tips:

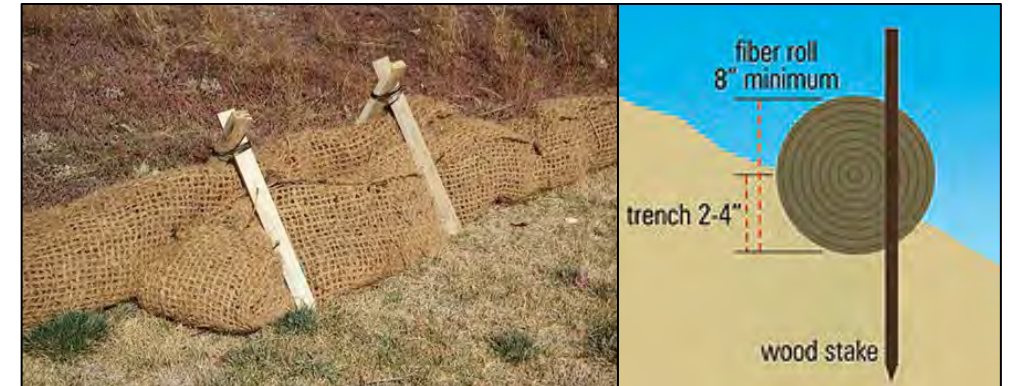
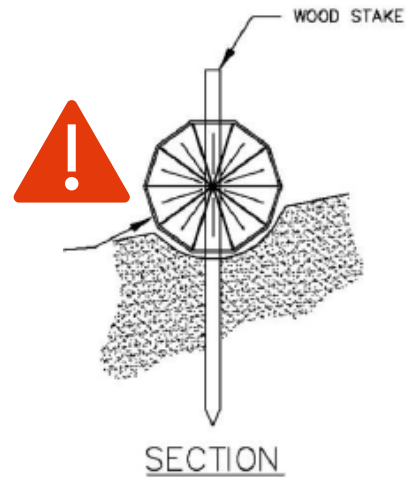
- Place in **shallow trenches** along contour of slope
 - Gentle slopes → ensure good soil contact
 - Steeper/sandy slopes → bury up to $\frac{1}{3}$ **thickness** of wattle
- Add extra downslope stakes on steep/erodible soils
- **✗** No straw wattles on hard surfaces



BMP: Fiber Rolls or Wattles



PLAN VIEW



Track-out

1200-C Schedule A.6

Prevent sediment track-out onto public & private roads

- Establish **controlled access points** *before* land disturbance
- **Do not locate** within 10 ft of storm inlets
- **Cover sediment loads** leaving the site
- **Adjust controls** as site develops
 - **Example: subdivision roads → each active lot must have track-out controls.**

Construction Entrance
Rumble Track
Wheel Wash



BMP: Construction Entrance

- Prevents **soil track-out** onto public & private roads
- Typically **stabilized rock pads** at each entry/exit point
- Alternatives: **steel plates, panels, or structural systems**

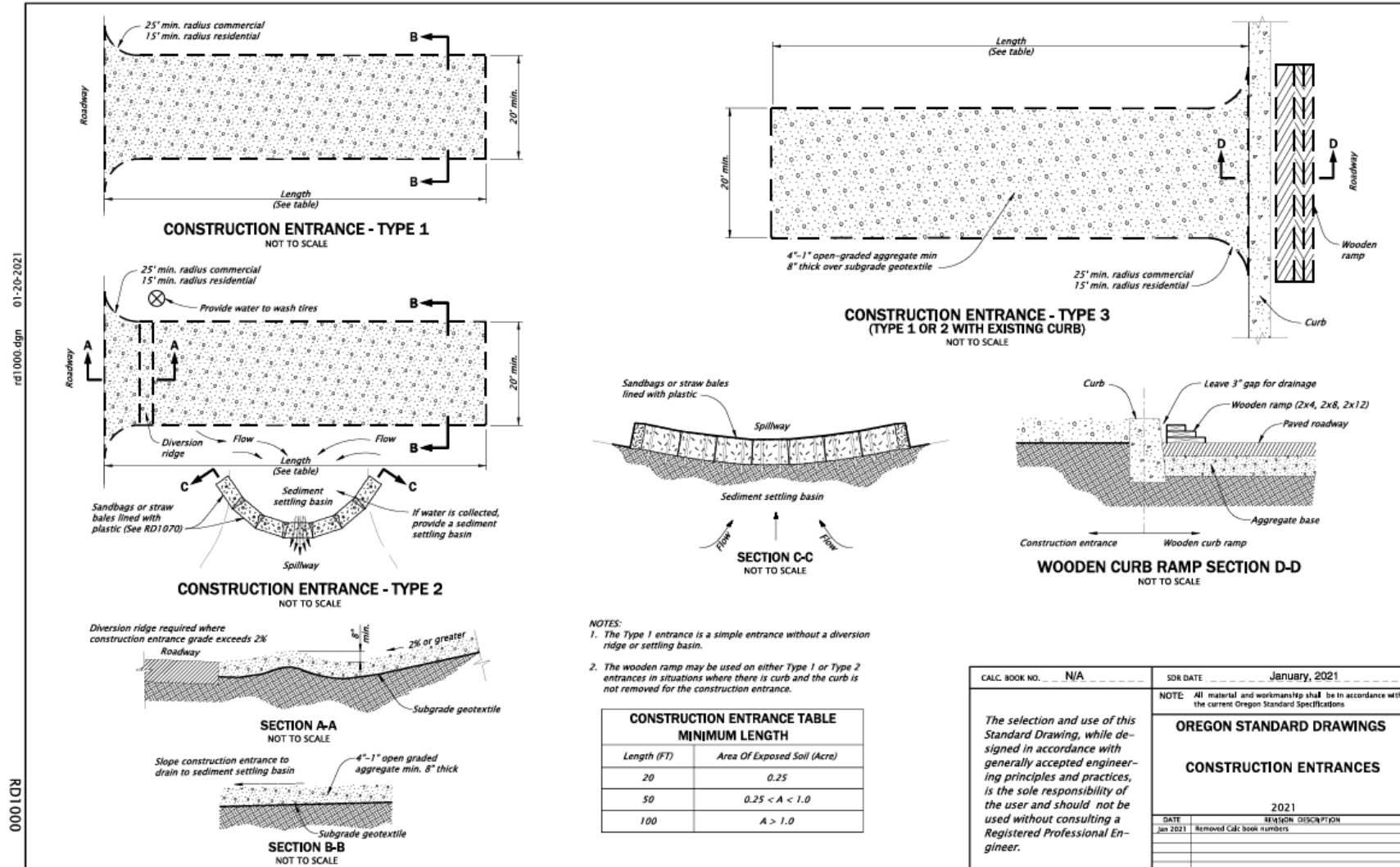
Do NOT use ¾" minus rock (clogs, ineffective)



CONSTRUCTION ENTRANCE TABLE MINIMUM LENGTH	
<i>Length (FT)</i>	<i>Area Of Exposed Soil (Acre)</i>
20	0.25
50	$0.25 < A < 1.0$
100	$A > 1.0$



BMP: Construction Entrance



Effective Date: June 1, 2021 - November 30, 2021

RD1000

BMP: Wheel Wash, Shaker or Rumble Track

Shaker or Rumble Track: Steel structures with rows of angle iron or bars that shake debris from vehicle tires.

- Reuseable
- **Added protection** for a gravel entrance

Wheel Wash: Simple pressure washers placed at ingress/egress points and used to remove sediment clinging to the vehicles.

- Used when gravel entrance is **not sufficient**
- **Wheel wash water = wastewater** (must be managed properly)



Steep Slopes

1200-C Schedule A.7

Slopes are high-risk areas → ESC measures are critical

- **≥ 15% Grade = You must install ESC measures**

Slow the water

- Break up slope length with wattles, fiber rolls, or check dams
- Install along contour lines to interrupt sheet flow

Cover the soil

- Temporary stabilization (mulch, blankets, mats) immediately after grading
- Permanent vegetation as soon as possible

Control concentrated flow

- Never let water “find its own path” downslope
- Use diversion ditches, slope drains, or benches to safely convey runoff

**Composite Sock / Wattles
Vegetative Stabilization
Surface Roughening
Pipe Slope Drain
Diversion Controls
Stabilize the Slope
Erosion Matting
Check Dams**



BMP: Check Dams

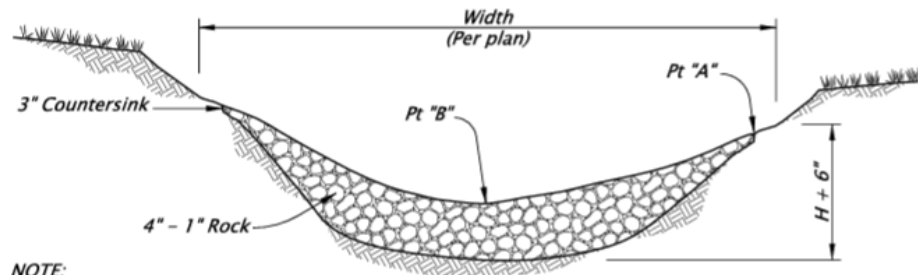
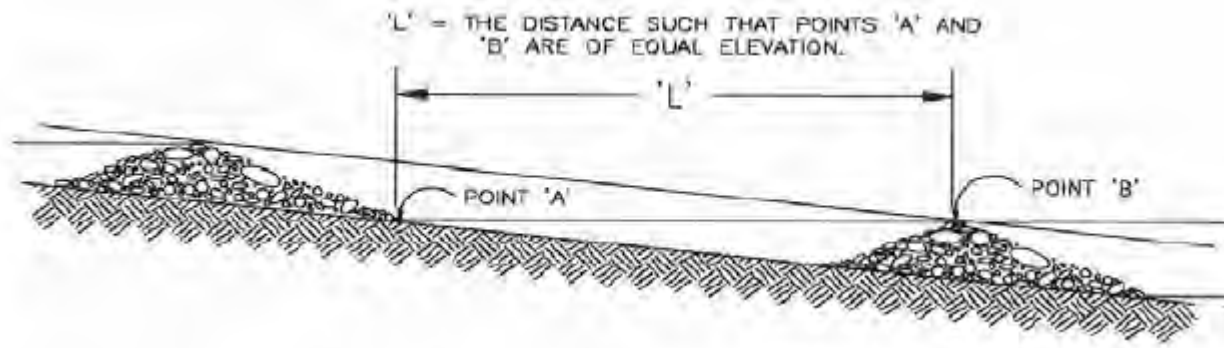
- **Velocity dissipaters** → water flows **through & over**
- Can use various materials
- Also act as **sediment controls** → require regular inspection & maintenance

Installation Tips:

- Extend dam fully across swale/ditch on a **level contour**
- Prevent flow around edges; ensure **good soil contact**
- Extend downstream portion as **splash block**
- **Flow-through rock check dams** (3–6in **clean** rock) often recommended by DEQ

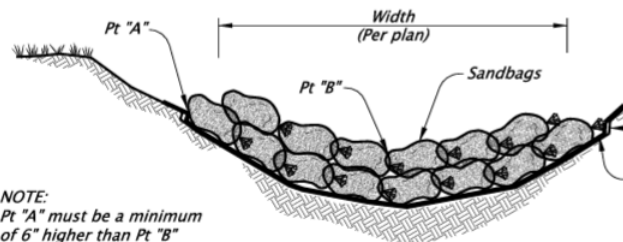


BMP: Check Dams



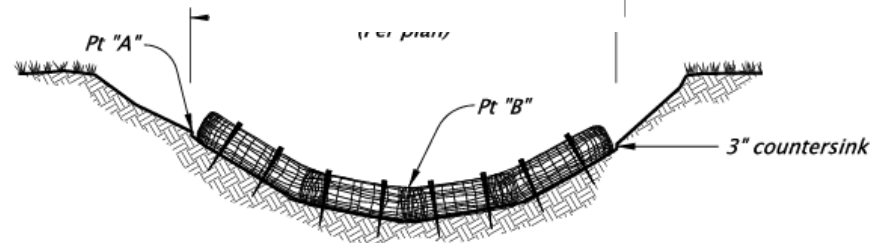
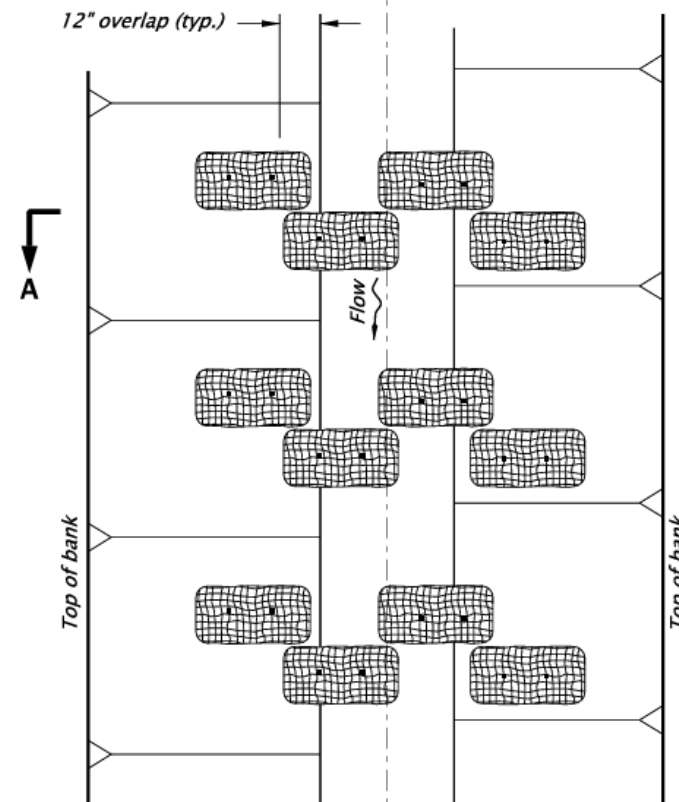
NOTE:
Pt "A" must be a minimum
of 6" higher than Pt "B"

AGGREGATE CHECK DAM - TYPE 1
NOT TO SCALE



NOTE:
Pt "A" must be a minimum
of 6" higher than Pt "B"

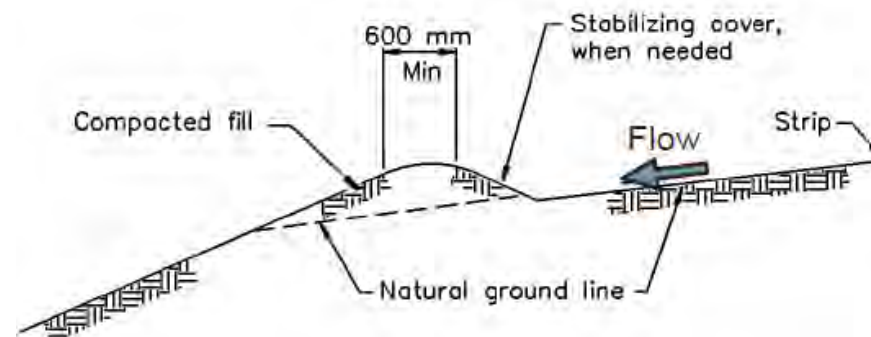
SANDBAG CHECK DAM - TYPE 4
NOT TO SCALE



BMP: Diversion Controls

Berm, swale, ditch, channel, or pipe used to:

- Prevent **off-site or upstream water** from entering site
- **Control the flow of water** on-site
- Prevent **sediment-laden water** from leaving site



BMP: Rolled Erosion Control Products (RECPs)

Types: netting, meshes, blankets, turf reinforcement mats

Materials: jute, coconut fiber, straw, synthetics, plastics, or blends

Purpose:

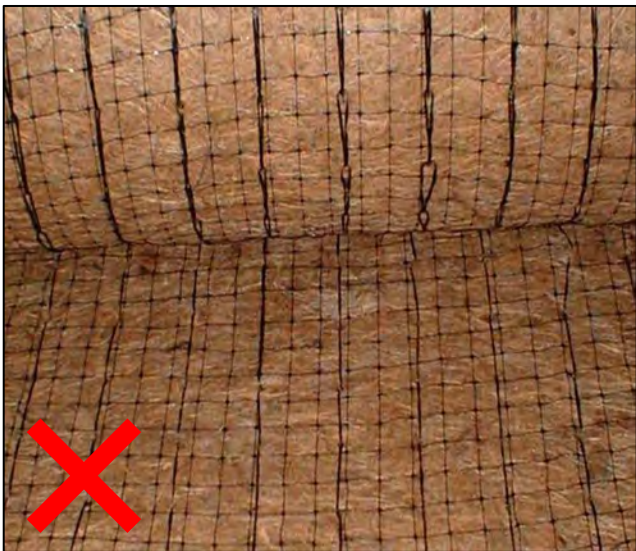
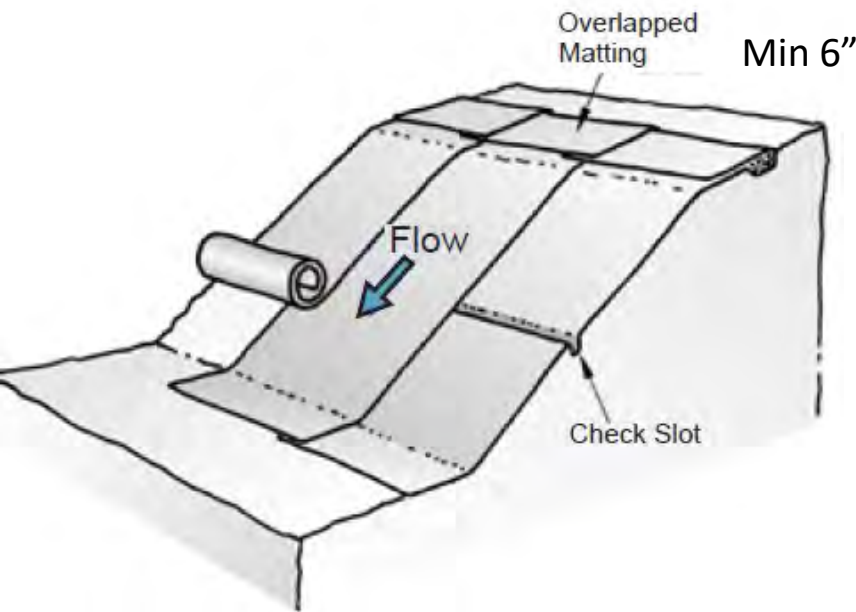
- Provide **immediate slope protection**
- Stabilize soil until permanent cover is established
- Reduce or eliminate erosion & sediment in runoff

Installation Tips:

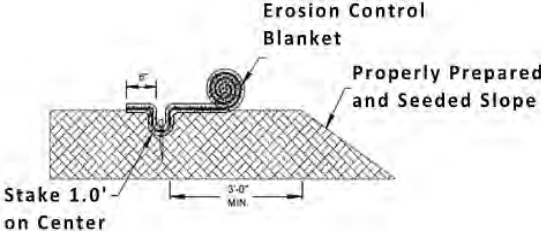
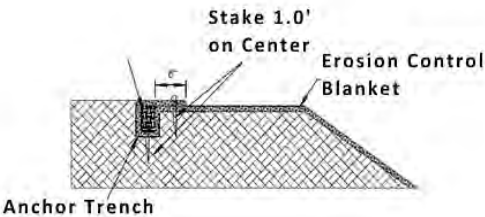
- Apply seed/fertilizer before matting (if used)
- Install mats in full soil contact (drape, don't stretch)
- Trench mat at top of slope to prevent undercutting
- Overlap mats downslope (like shingles)
- **Biodegradable mats are required**



RECPs



Jute



Coir



BMP: Vegetative Stabilization

- **Hydroseeding:** Slurry of mulch + seed + fertilizer.
- **Mulching:** Compost, straw, or plant material. Must be ≥ 2 in depth to be effective
✗ No straw mulch near water or if high wind conditions are expected!
- **Tackifiers:** Biodegradable adhesive. Used in combination with mulch or seeding.
- **Sod:** Instant cover → immediate erosion control
- **Planting** (Shrubs/Trees/Native Vegetation): Provides **long-term stabilization**.
Slower to establish → often paired with temporary cover



BMP: Surface Roughening

- Provides **erosion protection** on bare soil
- Reduces runoff velocity & soil detachment
- Creates micro-pockets for seed, mulch, or water retention
- **Inexpensive & simple** measure while vegetation establishes



BMP: Pipe Slope Drain

- **Temporary structure** to safely convey **clean water** slopes
- Prevents erosion by carrying flow in a **closed pipe** instead of over bare soil
- Used with **berms** at slope edges to capture and direct runoff
- Can also transport run-on **across a site** - *then you don't have to account for it.*



Storm Drain Inlet Protection

1200-C Schedule A.11

Design, install and maintain storm drain inlet protection.

- Temporary barrier
- Must **remove sediment** from discharges
- Must be **sized & installed** to prevent bypass
- **Secondary BMP** → always used with erosion control BMPs

Maintenance:

- Clean/replace when clogged or performance compromised
- Clean catch basin inserts when **≥ 50% capacity lost**
- Remove adjacent sediment **immediately, same day**
- **Do not wash sediment or debris into storm inlets**



Discharge Location Protection

1200-C Schedule A.13

- **Control all stormwater discharges:**
 - Peak flow rates
 - Total stormwater volume
- **Prevent erosion & scour** at discharge points
- Use energy dissipation measures
- Inspect & maintain regularly



**Check Dams
Energy Dissipation**

**Sediment Traps
Sediment Basins**

BMP: Energy Dissipation

- Every outlet requires energy-dissipation
- Reduces velocity of runoff to prevent scour and erosion



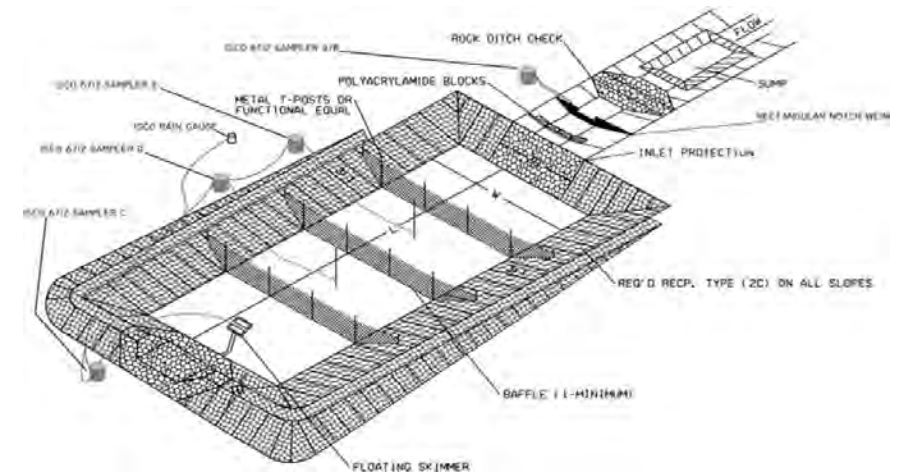
BMP: Sediment Trap

- Small, temporary basins that collect and **holds sediment-laden runoff**
- Prevents sediment from leaving site
- **No planned discharge**
- May include overflow for large storms
- Establish **early in construction** using natural drainage/topography



BMP: Sediment Basin

- Settling pond that **releases runoff at a controlled rate**
- **Purpose:** Detains water long enough for sediment to **settle out**
- Components:
 - Dam or embankment
 - Pool area for water & sediment storage
 - Principal & emergency spillways
 - Controlled dewatering device (e.g., skimmer)
 - Usually has multiple bays for improved settling
- Can be removed after construction & stabilization but is more often converted to a detention basin for post-construction stormwater management.



Sediment Basin

1200-C Schedule A.14

- Must be prepared & stamped by an **Oregon Registered Professional Engineer**
- Capacity: Sized for **2-year storm event**, or **3,600 cubic feet per acre** of drainage.
- Provide **sufficient treatment capacity** for sediment inputs
- Outlet structures must **withdraw water from the surface**
- Design must include **maximum trapped sediment depth**
- Remove accumulated sediment when it reaches **½ of maximum depth**



Concrete Management

1200-C Schedule A.12

- Establish designated washout areas before work begins
- Install **clear signage**
- Direct all wash water & waste into **impermeable, lined pit or leak-proof container**
- Clean or replace washout when **75% full**
- Handle wash water as **waste**
- **Never dump concrete, mix, or wash water on the ground**



Place washouts $\geq$ 50ft from storm drains & waterways to prevent accidental spills and contamination of stormwater!

Runoff Treatment for Engineered Soils

1200-C Schedule A.15

- **Engineered soils** (cement-treated base, kiln dust, fly ash) → **raise pH** of soil & runoff
- Must Install engineered sediment basin to **capture runoff**
- Must **treat high-pH runoff** before discharge
- Approved methods: **CO₂ sparging** or **dry ice**
- *Any other chemical treatment requires an **CTP** (Chemical Treatment Plan)*



Dewatering

1200-C Schedule A.19

- Direct dewatering water through an **appropriate sediment control measure**
- Control measure must **reduce visual turbidity** in discharge
- Discharge only to **vegetated, upland areas**
- **Never discharge muddy water into storm drains, streams, lakes, or wetlands**



CTP Required!

Stockpile Management

1200-C Schedule A.7

- Do **not** place piles on or adjacent to stormwater conveyances
- Keep piles ≥ 10 ft from storm inlets
- Install a **sediment barrier** around stockpiles
- Cover piles at the **end of each workday**



Dust Control

1200-C Schedule A.8

Prevent wind-blown soil & dust emissions

- Light application of **water**
- **Reduce vehicle speeds** on unpaved roads
- Use **street sweepers** to clean paved areas
- **Stabilize soils early**

**DO NOT use used
oil as a dust
suppressant!**



Pollution Prevention

1200-C Schedule A.18

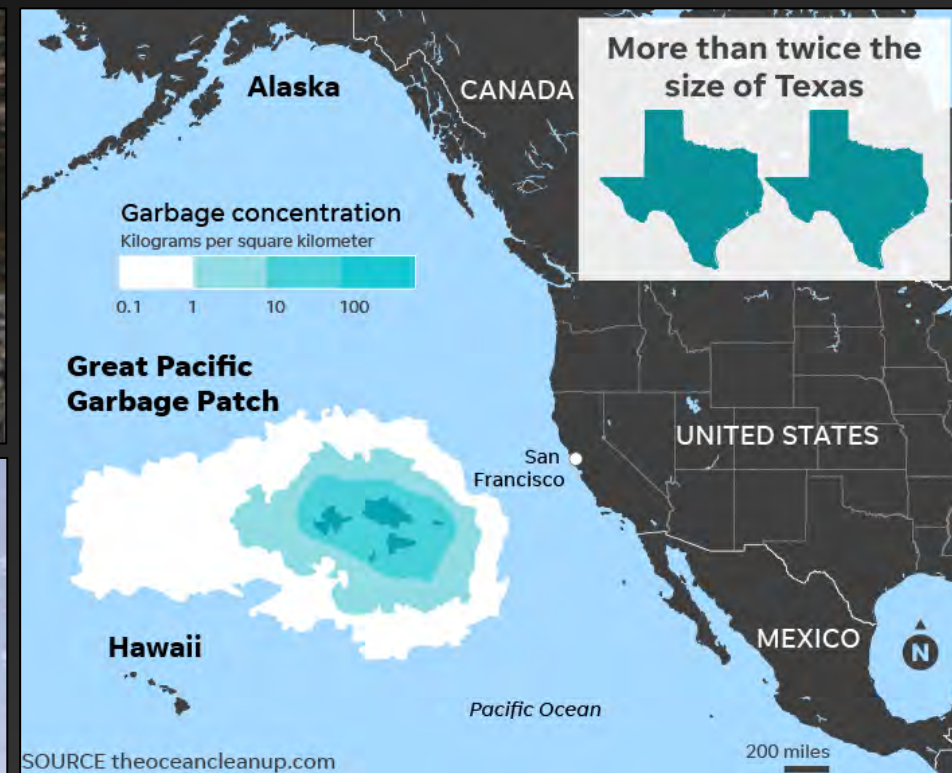
Implement controls to prevent pollutant discharges to stormwater

- **Spill Prevention & Response Plan** is required
- Key sources to manage:
 - Equipment & vehicle fueling/maintenance
 - Hazardous or toxic materials & wastes storage
 - Sanitary wastes
 - Washing applicators & containers
 - Pesticides, herbicides, fertilizers
 - **Trash & debris**



Locate ≥ 50ft from storm drains and waterways!

Trash



Inspections, Monitoring, and Recordkeeping

1200-C Schedule B

Inspections must be conducted by a Certified Inspector

DEQ Approved Certifications (Section 6.1.1-5):

- a. Certified Erosion, Sediment and Stormwater Inspector (CESSWI)
- b. Certified Professional in Erosion and Sediment Control (CPESC)
- c. Certified Professional in Storm Water Quality (CPSWQ)
- d. Certified Inspector of Sediment and Erosion Control (CISEC)
- e. Washington Department of Ecology's Certified Erosion and Sediment Control Lead (CESCL) Certification
- f. Rogue Valley Sewer Services Erosion and Sediment Control Inspector (ESCI)**

Registrants with multiple site inspectors must appoint ONE as the Primary Inspector

A site can have no more than 3 inspectors



Inspections, Monitoring, and Recordkeeping

1200-C Schedule B

Inspectors Must:

- ✓ Skills to **assess site conditions** & BMP effectiveness
- ✓ Knowledge of **correct installation & maintenance** of BMPs
- ✓ Understand **project scope & timeline**
- ✓ Authority to **request resources** for corrective actions
- ✓ **Coordinate with contractors and subcontractors to implement the ESCP**



Inspection Frequency

1200-C Schedule B.2 & B.3

Two Options - You must select one and keep it throughout the project:

- **Option 1:** Inspect once every 7 days.
- **Option 2:** Inspect once every 14 days & within 24hrs of a .25-inch rain event

The selected frequency must be identified in the ESCP

Reduction in Inspection Frequency

- **Stabilized Area:** Every 14 days for the first month, then monthly
- **Frozen Conditions:** May suspend inspections when construction activities are suspended and discharges are unlikely to occur



Inspection Requirements

1200-C Schedule B.4

The ESC Inspection

- ❑ Ensure **signage** is present and **logbook** is present with all contents.
- ❑ **Check all stormwater controls** are properly installed and functioning properly.
- ❑ Check **all points of discharge** from site.
 - ❑ Walk the perimeter of the site.
- ❑ Look for **conditions** that could lead to spills, leaks, or discharge.
 - ❑ Check for presence of visible erosion and sedimentation (e.g. rills).
 - ❑ Check washout, hazardous material storage, and waste collection areas.
- ❑ Identify locations where **new or modified** stormwater controls are necessary.
- ❑ Identify where land disturbing activities have ceased, permanently and temporarily.
- ❑ *If construction activity involves the use of engineered soils, conduct and document pH monitoring of stormwater captured in the sediment impoundment.*



Inspection Reports

1200-C Schedule B.5

The Inspection Report: No Report, No Inspection (Must be completed within **24 hours**)

- ☐ Identification information: Date, inspector name (listed and certified), and contact information.
- ☐ Site information: DEQ (and RVSS) permit ID number.
- ☐ Trigger for the inspection: 7 or 14-day, post-rain event, complaint, etc.
 - ☐ Weather station and rain gauge measurement.
- ☐ Any unauthorized discharges from the site or evidence of (this includes spills and response).
- ☐ *All pH sampling results (for engineered soils).*
- ☐ A **summary of the inspection**, including the observations made, specifically:
 - ☐ The location of BMPs in need of maintenance or corrective actions, and any BMPs that failed to operate as designed or proved inadequate for a particular application.
 - ☐ The location of where additional BMPs are needed.
 - ☐ Observations of the stormwater discharges from the site (Visual, smell, source, etc.)
 - ☐ Reasons for changes or modifications to the ESCP.
- ☐ Photos – *A photo says 1000 words.* **Photos are required** at all discharge points and on installation of BMPs.



Inspection Reports

1200-C Schedule B.5

- ❑ 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 sign all reports.

There is no specified report template.

You may make and use your own form, or use/adjust an existing template.

It is your responsibility to ensure all required elements are on the report.

All required items can be found in the 1200-C Permit.



EPA, DEQ, Agent, or MS4 Oversight Inspections

An RVSS, DEQ, or MS4 Inspector can show up at your site at any time.

Visits are normally unannounced

Reports must be made available at the time of inspection
or upon request by Inspector



Recordkeeping

1200-C Schedule B.7

Site Logbook

☐ Must retain an **on-site logbook**

☐ May be **electronic** if accessible to DEQ, Agents, and on-site personnel

☐ Legible and kept in chronological order.

- Copy of the 1200-C Permit
- Current ESCP
- Appendix B Narrative & Documentation
- EMP (if applicable)
- Pre-Construction Meeting Sign-In Sheet
- Photos of Initial BMP Installation
- Inspection Frequency
- Inspection Reports
- All water quality sampling results (if applicable)
- Additional Relevant Records

Records must be kept for **three years** from permit termination.



Corrective Action

1200-C Schedule A.25

What happens when you find a problem?

- ☐ **Act immediately** to address the condition
- ☐ **Clean up contaminated surfaces** (including sediment)
- ☐ Determine appropriate corrective action
- ☐ **Update ESCP** if needed
- ☐ **Complete within 24 hours**
- ☐ If not possible → document why (**not for convenience**)
- ☐ **Report** to DEQ, Agent, or OERS as required
- ☐ **Submit Corrective Action Report** within **5 days** on YDO



Spill Prevention and Response Plan

General Steps

- 1) **Safety First:** Move away/upwind if unsafe
- 2) **Report immediately:** Contact local emergency services
- 3) **Control & contain:** Prevent spill from reaching water
- 4) Clean up what you can immediately

Legal Requirement

- Failure to report = **up to \$250,000 fine & 5 years in prison**
- Plan must be **known, complete, & accessible**
- Standard sheet for simple sites; **site-specific plan** for hazardous materials



Fact Sheet

What to Do When You've Had a Spill

Contact local emergency services
Call 911 for medical emergency and public safety assistance from the local fire, police and medical services.

Report the spill immediately
Immediately report the spill or threatened spill to the Oregon Emergency Response System, 1-800-452-0311, when the spill or threat of a spill includes:

- Any amount of oil to waters of the state;
- Oil spills on land in excess of 42 gallons;
- Hazardous materials and reportable quantities that are equal to the Code of Federal Regulations, 40 CFR Part 302.

Provide information
When you report the spill to OERS, you will need to provide basic spill information:

- Contact names and phone numbers
- Type of oil or hazardous material
- Estimated quantity

authority over the oil or hazardous material. You may need to hire a qualified contractor or properly trained and equipped personnel to respond immediately to the spill. If you fail to clean up your spill, DEQ may clean it up for you and, as allowed by law, fine you up to three times the cost of the cleanup, in addition to the actual cost of the cleanup ([Oregon Administrative Rules 340-142](#)).

Emergency Response
700 NE Multnomah St.,
Suite 600
Portland, OR 97232
Phone: 503-229-5696
800-452-4011
Fax: 503-229-6124
Contact: Wesley C. Risher
Wes.Risher@deq.state.or.us
www.oregon.gov/DEQ

DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.



Self-Reporting & Trust

- **Things will happen** — issues are inevitable
- **Self-reporting builds trust** with regulators
- **Perfection is suspicious** — honesty shows diligence
- Inspectors are here to **help, not shut you down**



Call us if you have issues!

Non-Compliance and Enforcement

1200-C Schedule F

- **Enforcement agencies:** RVSS, DEQ, City/County, EPA
- **Compliance is REQUIRED by law**
- Violations = breach of:
 - Clean Water Act (CWA)
 - State & Local Ordinances
- Who is Legally Responsible?
 - **Permit Registrant** – ultimate responsibility for compliance
 - **ESC Inspectors** – accountable for oversight & reporting
 - **Contractors/Subcontractors** – their actions in the field

All parties can be held legally responsible for violations



Non-Compliance and Enforcement

RVSS Code

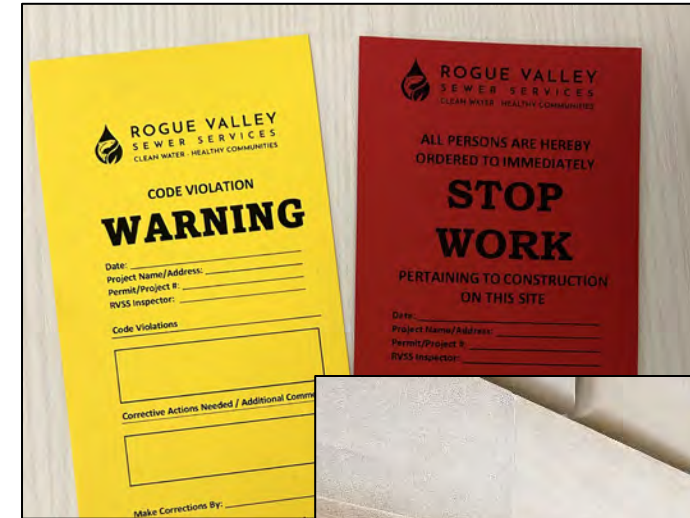
Consequences of Non-Compliance

Informal

- Verbal Correction On-Site

Formal

- Code Violation Warnings
- Stop Work Orders
- Citations
- Escalating Fees
- Civil Action
- Criminal Penalties



Not knowing is NOT an excuse!





How Enforcement is Determined

▪ Nature of the Violation:

- Impact on health and/or the environment.
- Quantity and type of pollution.
- Violation intentional/malicious or accident.
- Precautions taken to prevent the violation.

▪ History of the Violator:

- First violation or repeat offender.
- Demeanor during interactions

▪ Actions Taken to Correct

- Level of cooperation
- Was non-compliance repaired promptly?
- Were multiple notices required?

RVSS Common Compliance Issues

- 1) No ESCP On Site or **No Inspection Records**
- 2) BMPs not installed prior to construction or **No Preconstruction Meeting**
- 3) Improper inlet protection and **maintenance**
- 4) Silt fence installed incorrectly or **not maintained**
- 5) Track-out and construction entrance **maintenance**
- 6) Poorly managed or non-existent concrete washouts
- 7) Improper dewatering procedures



Permit Termination

1200-C Condition 1.10

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

Submit Notice of Termination (NOT) to the Issuing Agency

- ✓ All earth-disturbing activity complete
 - ✓ Site meets final stabilization criteria
 - ✓ All construction materials & waste removed & properly disposed
- ☐ A DEQ or Agent (RVSS) Inspector will conduct final termination inspection and issue a termination letter

Permit Transfer

- ☐ Permits can be transferred when the original applicant is no longer responsible for the project



DEQ Division of Environmental Quality		Notice of Termination For NPDES General Permit to Discharge Stormwater Associated With Construction Activity	
Use this form to end permit coverage once all soil disturbance activities have been completed and final stabilization of exposed soils has occurred. Please print in ink or type. Submit photos that depict site stabilization, unless the site has been inspected by DEQ or Agent.			
PERMIT REGISTRANT			
Name (authorized person meeting the signature requirements on the application):		Telephone:	
Company (Legal Name - Permit Registrant):			
Mailing Address:		City, State, Zip Code:	
E-mail Address:		File Number (located on face page of permit):	
SITE LOCATION/ADDRESS		STATUS OF CONSTRUCTION ACTIVITY	
Site Common Name:		☐ All soil disturbance activities by or for the registrant have been completed.	
Street Address (or Location Description):		☐ The site has undergone stabilization of all exposed soils through vegetation, paving, or building construction (for a common plan of development or sale, all remaining disturbed	

Final Stabilization Criteria

1200-C Schedule A.17

- ✓ Establish uniform perennial vegetation (**excluding noxious or invasive weeds**) that provides at least **70% cover** on all exposed areas
- ✓ Ensure there is no reasonable potential for construction-related sediment or turbidity discharges to surface waters
- ✓ **RVSS: Termination of 1200-CN permits is allowed so long as all exposed soils are stabilized**
- ✓ **RVSS: Prior to termination, all stormwater facilities must be completed and inspected**

