

Storm Water Quality Requirements for Construction Sites

A Summary of Significant Changes to Rule 5

Effective November 26, 2003



Rule changes effect:

- Homebuilders
- Rural Land Owners
- Project Engineers
- Commercial and Residential Land Developers
- Construction Site Contractors



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Significant Changes to the Plan

- **1 acre or more** of disturbed land requires a construction plan including a Storm Water Pollution Prevention Plan
- Areas inactive for 15 days or more must be stabilized
- If the project site owner does not receive notification within 28 days after the plan is received by the reviewing agency stating that the plan is deficient, the project owner may submit the NOI
- NOI information shall be submitted to IDEM at least 48 hours prior to the initiation of land disturbing activities and a copy of the NOI must be filed with the reviewing agency
- Within 48 hours of initiating construction, the project site owner must notify IDEM and the plan reviewer of the actual start date
- A reduced plat (no larger than 11" by 17") showing lot numbers, lot boundaries road layout and names for all phases of the project must be submitted with the plan
- Provide identification of any state and/or federal water quality permits
- Provide location of all existing structures
- Delineation of all proposed land disturbing activities including off-site activities that will provide services to the project site
- Information regarding off-site borrow or stock pile or disposal areas
- An estimate of the peak discharge based on a 10-year storm for both pre and post construction
- A self-monitoring program including plan and procedures
- A description of potential pollutant sources associated with the project during construction and for post construction
- A post-construction storm water pollution prevention plan

Hamilton County Soil and Water Conservation District

The Soil and Water Conservation District (SWCD) is here to serve the needs of those living and/or working in Hamilton County. We are available for plan review and preconstruction meetings in order to solve problems before construction starts.

In the upcoming year 327IAC15-13 Rule 13 will require municipalities (MS4s) to develop and implement their own storm water program. The program is required to include a construction component that must at least meet the requirements of 327IAC15-5. The MS4s for Hamilton County are Arcadia, Carmel, Cicero, Fishers, Hamilton County, Noblesville and Westfield. The SWCD will be assisting these MS4s as they implement their own Rule 13 program. It will be your responsibility to stay informed regarding the specific communities requirements. For more information regarding Rule 13 refer to www.in.gov/idem/water/npdes/permits/wetwthr/storm.

This flyer is intended to help make you aware of the major changes approved for Rule 5. It is your responsibility to obtain a complete copy of the rule, understand and digest the new requirements and demonstrate compliance.

We can be reached at 317-773-2181 or access our website at www.hamiltonswcd.org. The following forms can be accessed through our website.

- NOI (Notice of Intent)
- NOT (Notice of Termination)
- Construction/Stormwater Pollution Prevention Plan Technical Review and Comment Form
- Guidance Document to comply with Plan Review

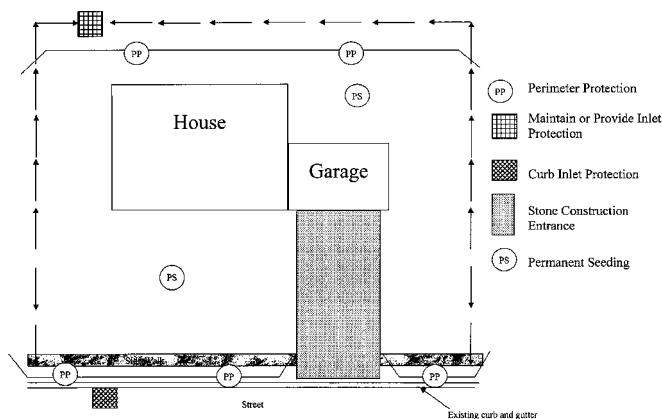
Complete Rule 5 information may be obtained at:
<http://www.gov/legislative/register/>

Home Builder Requirements

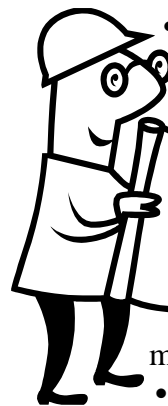
All storm water quality measures necessary to comply with the rule, including erosion and sediment control, must be implemented in accordance with the construction plan and include:

- The individual lot operator is responsible for erosion and sediment control
- Install and maintain a stable construction entrance
- Install and maintain perimeter erosion and sediment control measures
- Sedimentation must be minimized until permanent stabilization has been achieved
- Cleanup of sedimentation on roads
- Adjacent lots disturbed by an individual lot operator must be repaired and stabilized
- For individual residential lots, final stabilization is achieved when the lot operator:
 1. completes stabilization or
 2. has installed appropriate erosion and sediment control measures for a lot prior to occupation of the home and has informed the homeowner of the requirement for, and benefits of final stabilization

For individual homes sites disturbing less than five (5) acres a notice of intent and construction plan is not required when the dwelling is not part of a larger common plan. However, all rules regarding construction activities shall be complied with until the areas are permanently stabilized.



Responsibility of Project Site Owners (Sites Required to File an NOI)



- Submit a construction plan in accordance with section 6 of the rule. The plan must be approved prior to the start of construction
- Complete a sufficient notice of intent letter (NOI)
- Ensure compliance during construction
- Ensure that all persons engaging in construction activities on a permitted project site comply with the applicable requirements of the rule and the approved construction plan
- Notify the department and the reviewing agency with a notice of termination letter

Commercial Projects 1 acre or more and part of a larger plan

- The individual lot owner shall comply with all aspects of Rule 5
- Submit construction plans in accordance with section 6 of the rule
- Complete a notice of intent letter provided the plan meets the requirements of 327IAC15-5 and has been approved

Commercial Projects less than one acre and part of a larger plan

- The individual lot owner shall comply with the provisions and requirements of the overall site plan and section 7.5 of the rule
- Does not need to submit a notice of intent letter and/or construction plans

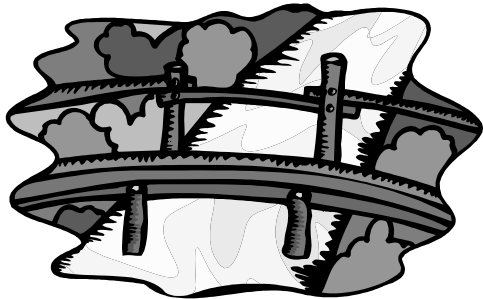
Residential Projects that are part of a larger project

- The individual lot operator shall comply with the provisions and requirements of the overall site plan and section 7.5 of the rule
- Does not need to submit a notice of intent letter and/or construction plans

Post Construction Storm Water Pollution Prevention Plan

Must include:

- A description of potential pollutant sources from the proposed land use, which may reasonably be expected to add a significant amount of pollutants to storm water discharges
- Location, dimensions, detailed specifications and construction details of all post construction storm water quality measures
- A description of measures that will be installed to control pollutants in storm water discharges that will occur after construction activities have been completed. Such practices include infiltration of run-off, flow reduction by use of open vegetated swales and natural depressions, buffer strip and riparian zone preservation, filter strip creation, minimization of land disturbance and surface imperviousness, maximization of open space and storm water retention and detention ponds
- A sequence describing when each post construction storm water quality measure will be installed
- Storm water quality measures that will remove or minimize pollutants from storm water run-off
- Storm water quality measures that will be implemented to prevent or minimize adverse impacts to stream and riparian habitat
- A narrative description of the maintenance guidelines for all post construction storm water quality measures to facilitate their



proper long term function. This narrative description shall be made available to future parties who will assume responsibility for the operation and maintenance of the post construction storm water quality measures

Self-Monitoring Program During Construction

Must include:

- A trained individual shall perform a written evaluation of the project site
 1. by the end of the next business day following each storm event that exceeds 0.5" and
 2. at a minimum of one (1) time per week
- The evaluation must address
 1. the maintenance of existing storm water quality measures to ensure they are functioning properly; and
 2. identify additional measures necessary to remain in compliance with all applicable statutes and rules
- Written evaluation reports must include:
 1. the name of the individual performing the evaluation
 2. the date of the evaluation
 3. problems identified at the project site; and
 4. details of corrective actions recommended and completed
- All evaluation reports for the project site must be made available to the inspecting authority within forty-eight (48) hours of a request



Changes at the Construction Site

- Within 48 hours of initiating construction activities, the project site owner must notify IDEM of the actual project start date.
- A copy of the NOI and NPDES permit number, contact information of the site owner or contact person and location of the construction plans must be posted at the entrance to the site
- Unvegetated areas left inactive more than 15 days must be stabilized with measures to minimize erosion potential. Alternatives are acceptable upon approval of the reviewing authority
- Spill prevention and cleanup measures shall be implemented to minimize contamination of water or soil