

CITY OF OVERLAND PARK

Inter-City Communication

DEPARTMENT OF PUBLIC WORKS

Date: December 1, 2016

To: Public Works Project Managers

RE: TEMPORARY EROSION AND POLLUTION CONTROL
PUBLIC WORKS PROJECTS

PERMIT REQUIREMENTS

Infrastructure and facility projects administered by the Public Works (PW) Department that disturb more than one (1) acre require the following permits associated with construction site runoff:

1. A Kansas Department of Health and Environment Notice of Intent (NOI) for authorization to discharge stormwater runoff from construction activities in accordance with the Kansas Water Pollution Control General Permit (CGP).
2. A City of Overland Park Land Disturbance permit (LDP) in accordance with Overland Park Municipal Code 18.130.010.

In certain instances, other governmental entities construct transportation infrastructure within the City boundaries. The issuance of a LDP in these circumstances will be handled as followed:

1. **KDOT Administered Construction** - KDOT is not subject to regulation by the city; therefore, LDPs will not be issued when construction work is performed under direct contract by KDOT. The City's representative for the respective KDOT project will act as the liaison for concerns related to construction site runoff. This exemption does not apply when a KDOT funded project is being administered by the City.
2. **Adjacent Municipalities** - When work is performed on streets common to Overland Park and an adjacent municipality, the rules and permits of the administering agency will govern. For projects administered by the City, an Overland Park LDP will be issued; and the project will also comply with the adjacent municipality's requirements for erosion and sediment control. For projects administered by another municipality, the need for an Overland Park LDP is waived. However, the City's project representative will ensure that erosion and control plans for the project include controls within the City's boundaries.
3. For all projects administered by the Public Works Department, KDOT, or adjacent municipalities, any waste or borrow areas that are part of the project as defined by the contract documents shall be reviewed, permitted, and administered by the same party that is responsible for the overall project. For waste or borrow areas that are not part of the contract documents, and the proposed waste or borrow area is within the City of Overland Park corporate limits, a separate erosion and sediment control plan will be reviewed and permitted by the Engineering Services Division.

PROJECT TEAM PROCEDURES

Coordination of the construction site runoff requirements for Public Works projects have been assigned to the Stormwater Section, Engineering Division. The Stormwater Section will provide technical support for the department's overall erosion and sediment control program; forms and procedures; coordinating training; providing information and the latest research on new controls; and developing tools needed by the city staff. The Erosion Control Coordinator in the Stormwater Section will be available to review strategies, plans and options throughout the design and construction phases of all PW projects.

Below is a summary of the project team's responsibilities for temporary erosion and pollution control on city-administered PW projects.

1. The Project Manager's responsibilities include the following:
 - a) Coordinate the development of erosion and sediment control plans, specifications, and the development of the Stormwater Pollution Prevention Plan (SWPPP) for their respective projects. The SWPPP will be developed in accordance with the City's SWPPP document template.
 - b) Obtain the NOI permit and LDP for projects that disturb more than one (1) acre. The NOI will be obtained from KDHE once final plans are completed and must be submitted at least 60 days before construction is scheduled to start. Once a Contractor is selected for the project, an LDP must be obtained from Permit Services, Planning & Development Services.
2. The Contractor's responsibilities include the following
 - a) Install, maintain and remove temporary erosion and sediment control Best Management Practices (BMPs) as required during the construction of the project.
 - b) Provide a Water Pollution Control Manager for duration of the project. Their responsibilities include, but are not limited to, the following:
 - Ensure Contractor's compliance with the specifications and the Construction General permit
 - Update the SWPPP to accurately reflect the BMPs in use on the project
 - Attend the preconstruction conference and scheduled weekly project progress meetings
 - Review and sign all inspection reports and ensure corrections of deficiencies.
 - c) Provide an Environmental Inspector for duration of the project. Responsibilities include, but are not limited, the following:
 - Conduct required inspections of BMPs in use every 14 days and within 24 hours of a rainfall event of 1/2-inch or more. Inspections shall start once construction activities commence and will continue until all NOI permit requirements are met.
 - Conduct final inspection for the completion of land disturbance activities.
3. The Project Manager, Contractor and Contractor's WPCM should work together to assess erosion and sediment control effectiveness and address performance issues, if they arise on the project. The Stormwater Compliance Disincentive Assessment may be used to address failures on the part of the Contractor to follow requirements of the City's Temporary Erosion and Pollution Control specification.

Additional resources related to these procedures can be found in the Project Procedures Manual.

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