

Ordinance 2004-7
Town of Edinburgh Storm Water Runoff
Associated with Construction Activities

Be IT ORDAINED by the Town of Edinburgh, Indiana, that all land disturbing activity requires a complete erosion and sediment control plan and storm water pollution prevention plan for compliance with 327 IAC 15-5 (Rule 5).

Section I. Introduction/ Purpose

During the construction process, soil is highly vulnerable to erosion by wind and water. Eroded soil endangers water resources by reducing water quality and causing the siltation of aquatic habitat for fish and other desirable species. Eroded soil also necessitates repair of sewers and ditches and the dredging of lakes. In addition, clearing and grading during construction cause the loss of native vegetation necessary for terrestrial and aquatic habitat.

As a result, the purpose of this ordinance is to safeguard persons, protect property, and prevent damage to the environment in the Town of Edinburgh. This ordinance will also promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land in the Town of Edinburgh.

Section II. Definitions

Agricultural land disturbing activity: means tillage, planting, cultivation, or harvesting operations for the production of agricultural or nursery vegetative crops. The term also includes pasture renovation and establishment, the construction of agricultural conservation practices, and the installation and maintenance of agricultural drainage tile. For purposes of this ordinance, the term does not include land disturbing activities for the construction of agricultural related facilities, such as barns; buildings to house livestock; roads associated with infrastructure; agricultural waste lagoons and facilities; lakes and ponds; wetlands; and other infrastructure.

Best Management Practices: mean an activity or structure that helps improve the quality of storm water runoff.

Certified Contractor: means a person who has received training and is licensed by the state or other local agency to inspect and maintain erosion and sediment control practices and best management practices.

Clearing: means any activity that removes the vegetative surface cover.

Construction activity: means land disturbing activities and land disturbing activities associated with the construction of infrastructure and structures. This term does not include routine ditch or road maintenance or minor landscaping projects.

Construction plan: means a representation of a project site and all activities associated with the project. The plan includes the location of the project site, buildings and other infrastructure, grading activities, schedules for implementation, and other pertinent information related to the project site. A storm water pollution prevention plan is a part of the construction plan.

Developer: means any person financially responsible for construction activity; or an owner of property who sells or leases, or offers for sale or lease, any lots in a subdivision.

Erosion: means the detachment and movement of soil, sediment, or rock fragments by water, wind, ice, or gravity.

Erosion and sediment control measure: means a practice, or a combination of practices, to control erosion and resulting sedimentation.

Erosion Control: means a measure that prevents erosion.

Grading: means the cutting and filling of the land surface to a desired slope or elevation.

Land Disturbance or Land Disturbing Activity: means any manmade change of the land surface, including removing vegetative cover that exposes the underlying soil, excavating, filling, transporting, and grading.

Measurable storm event: means a precipitation event that results in a total measured precipitation accumulation equal to, or greater than, one-half (0.5) inch of rainfall.

Project site: means the entire area on which construction activity is to be performed.

Project site owner: means the person required to submit the NOI letter per Rule 5 and required to comply with the terms of these standards, Ordinance XX, and Rule 5, including either a developer; or a person who has financial and operational control of construction activities and project plans and specifications, including the ability to make modifications to those plans and specifications.

Sediment: means solid material (both mineral and organic) that is in suspension, is being transported, or has been moved from its place of origin by air, water, gravity, or ice and has come to rest on the earth's surface.

Sediment Control: Measures that prevent eroded sediment from leaving the project site.

Soil: means the unconsolidated mineral and organic material on the surface of the earth that serves as the natural medium for the growth of plants.

Soil and Water Conservation District or SWCD: means a political subdivision established under IC 14-32.

Storm Water Pollution Prevention Plan: A plan developed to minimize the impact or storm water pollution resulting from construction and post-construction activities. The plan indicates the specific measures and sequencing to be used to control sediment, soil erosion and other construction site wastes during and after construction.

Storm water quality measure: means a practice, or a combination of practices, to control or minimize pollutants associated with storm water run-off.

Subdivision: means any land that is divided or proposed to be divided into lots, whether contiguous or subject to zoning requirements, for the purpose of sale or lease as part of a larger common plan of development or sale.

Technical Review and Comment Form: A form issued by the building department stating that the Erosion and Sediment Control Plan is adequate or stating revisions needed in the Erosion and Sediment Control Plan and Storm Water Pollution Prevention Plan.

Trained individual: means an individual who is trained and experienced in the principles of storm water quality, including erosion and sediment control as may be demonstrated by state registration, professional certification, experience, or completion of coursework that enable the individual to make judgments regarding storm water control or treatment and monitoring.

Section III. Applicability

A. The requirements under this ordinance are in compliance with 327 IAC 15-5 (Rule 5) and apply to all persons meeting the requirements of 327 IAC 15-5-2. In general, this ordinance requires the control of polluted run-off from construction sites with a land disturbance greater than or equal to one (1) acre, or disturbances of less than one (1) acre of land that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) or more acres of land.

B. The requirements under this rule do not apply to persons who are involved in agricultural land disturbing activities; or forest harvesting activities.

C. The requirements under this rule do not apply to the following activities, provided other applicable permits contain provisions requiring immediate implementation of soil erosion control measures:

- (1) Landfills that have been issued a certification of closure under 329 IAC 10.
- (2) Coal mining activities permitted under IC 14-34.
- (3) Municipal solid waste landfills that are accepting waste pursuant to a permit issued by the department under 329 IAC 10 that contains equivalent storm water requirements, including the expansion of landfill boundaries and construction of new cells either within or outside the original solid waste permit boundary.

D. In addition to the requirements of this ordinance, Storm Water Pollution Prevention Plans shall be developed in accordance with the Edinburgh current Storm Water Standards.

Section IV. Submittals, Review and Approval

- A) A Technical Review and Comment Form stating that the "Plan is Adequate" and a Building Permit shall be obtained prior to the initiation of any land disturbing activities.
- B) A complete Erosion and Sediment Control Plan and Storm Water Pollution Prevention Plan (as described in the Edinburgh Storm Water Standards and in accordance with Rule 5) shall be submitted in duplicate to the Edinburgh Building Department. One copy will be forwarded to the Edinburgh Public Works Department.
- C) At the time of submittal, the date and time will be recorded.
- D) Each application shall bear the name(s) and address(es) of the owner or developer of the project site, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a filing fee, defined in the Edinburgh Storm Water Standards.
- E) Each application shall include a statement that any land clearing, construction, or development involving the movement of earth shall be in accordance with the Storm Water Pollution Prevention Plan and that a certified contractor shall be on the project site on all days when construction or grading activity takes place.
- F) The Edinburgh Building Department and the Edinburgh Public Works Department will review each Erosion and Sediment Control Plan and SWPP to determine its conformance with the provisions of this regulation. Within twenty-eight (28) days after receiving the Erosion and Sediment Control Plan and SWPP, the Edinburgh Building Department, with approval from the Edinburgh Public Works Department, shall, in writing:
 - 1) Approve the Erosion and Sediment Control Plan and SWPP and provide a Technical Review and Comment Form stating that the "Plan is Adequate";
 - 2) Approve the Erosion and Sediment Control Plan and SWPP subject to such reasonable conditions as may be necessary to secure substantially the objectives of this regulation, and issue the Technical Review and Comment Form stating that the "Plan is Adequate";
 - or
 - 3) Provide a Technical Review and Comment Form stating that the "Plan is Deficient" and indicating the reason(s) and procedure for submitting a revised application and/or submission.
- G) Failure of the Edinburgh Building Department to act on an original or revised application within 28 days of receipt shall authorize the applicant to proceed in accordance with the plans as filed unless such time is extended by agreement between the applicant and the Edinburgh Building Department. Pending preparation and approval of a revised plan, development activities shall be allowed to proceed in accordance with conditions established by the Edinburgh Building Department.
- H) The sufficiency of the construction plans shall be based upon Rule 5 regulations and the criteria described in the current Edinburgh Storm Water Standards.
- I) After receiving a Technical Review and Comment Form stating that the "Plan is Adequate", if revisions to the construction plans require a change in measures appropriate to control the quality or quantity of storm water runoff, then revised plans must be submitted to Edinburgh Building Department.

J) The applicant will be required to file with the Town of Edinburgh faithful performance bond, letter of credit, or other improvement security in an amount deemed sufficient by the Edinburgh Building Department to cover all costs of improvements, landscaping, maintenance of improvements for such period as specified by the Town of Edinburgh, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the project site.

K) After receiving a Technical Review and Comment Form stating that the "Plan is Adequate" from the Edinburgh Building Department, and within forty-eight (48) hours of the start of construction, the following shall be submitted to the Indiana Department of Environmental Management and County SWCD:

- 1) Notice of Intent Form (required by 327 IAC 15-5);
- 2) A copy of the Technical Review and Comment Form stating that the "Plan is Adequate"; and
- 3) Proof of Publication required by 327 IAC 15-5-5(9).

A copy of the NOI must also be submitted to the Edinburgh Building Department.

L) The project site owner must submit a notice of termination (NOT) letter to IDEM and transmit a copy of the NOT letter to the Edinburgh Building Department and the County SWCD when all land disturbing activities have been completed, the entire project site has been stabilized and all temporary erosion and sediment control measures have been removed.

Section V. Storm Water Pollution Prevention Plan

The Storm Water Pollution Prevention Plan including erosion and sediment control measures shall meet the requirements contained in Rule 5, the Edinburgh Storm Water Standards, and the Indiana Storm Water Quality Manual.

Section VI. Design Requirements

Erosion and sediment control measures shall be designed and installed in accordance with Rule 5, the Edinburgh Storm Water Standards, and the Indiana Storm Water Quality Manual.

Section VII. Inspection

A) A self-monitoring program must be implemented. A trained individual shall perform a written evaluation of the project site by the end of the next business day following each measurable storm event and at a minimum of one (1) time per week.

B) The evaluation must address the maintenance of existing storm water quality measures to ensure they are functioning properly; and identify additional measures necessary to remain in compliance with all applicable statutes and rules.

C) Written evaluation reports must include the following:

- 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.

(D) All evaluation reports for the project site must be made available to the inspecting authority within forty-eight (48) hours of a request.

E) All persons engaging in construction activities on a project site must comply with the Storm Water Pollution Prevention Plan, this ordinance, Rule 5 and the Edinburgh Storm Water Standards.

F) Construction site owners shall allow right-of-entry for the Edinburgh Building Department, Edinburgh Public Works Department, or local, county, or state regulatory agency or a representative thereof to inspect any project site involved in construction activities.

F) The Town of Edinburgh will perform inspections and provide recommendations to evaluate the installation, implementation and maintenance of control measures and management practices at any project site involved in construction activities. Construction project sites will be

prioritized based on the nature and extent of the construction activity, topography and the characteristics of soils and receiving water quality.

~~C) If after a recommendation is provided to the project site owner, corrective action is not taken, the Town of Edinburgh will pursue enforcement according to Section VIII of this ordinance.~~

Section VIII. Enforcement

A) Written Notification:

In the event the Edinburgh Building Department, Edinburgh Public Works Department, or other regulatory agency determines the project is not in compliance with this ordinance, Rule 5 or the Edinburgh Storm Water Standards, the project site owner will be issued a written notification from the Town of Edinburgh. The written notification may be in the form of a warning letter of noncompliance or violation notice.

B) Penalties:

Following a written notification, the project site owner has five (5) business days to correct the deficiency. In the event the deficiency is not corrected within this period, a fine not less than ten (10) and not more than one hundred (100) dollars per day per deficiency shall be assessed to the project site owner.

C) Stop-Work Order (revocation of Building Permit):


In the event that any person with approval pursuant to this ordinance violates the terms of the building permit or implements construction practices in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or project site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Town of Edinburgh may suspend or revoke the Building Permit.

Section IX. Adoption of Ordinance

This ordinance shall be in full force and effective upon its final passage and adoption. All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED AND ADOPTED by the Town Council of the Town of Edinburgh, Indiana this 25th day of September, 2004.

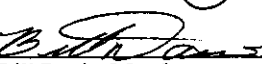
EDINBURGH TOWN COUNCIL



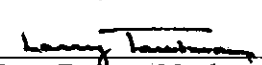
Jeffrey A. Simpson, President



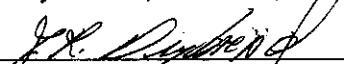
Rick Piercefield, Vice President



Bill Davis, Member



Larry Faulman, Member



John R. Drybread, Member

ATTEST:



Jackie Smith, Clerk-Treasurer

TOWN OF EDINBURGH

STORM WATER STANDARDS

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Chapter 1
Storm Water Pollution Prevention (SWPP) and Erosion and Sediment Control Standards

1.1 – Purpose

This chapter is intended to establish the minimum standards for design and construction of erosion and sedimentation controls and storm water pollution prevention measures for construction sites where land disturbing activities shall take place. These standards were developed in accordance with the requirements of 327 IAC 15-13, Storm Water Run-Off Associated with Municipal Separate Storm Sewer System Conveyances (Rule 13) and Indiana Administrative Code 327 IAC 15-5 for Storm Water Runoff Associated with Construction Activities (Rule 5).

Projects meeting the requirements of Chapter 2 – Post-Construction Runoff Controls shall also be required to install water quality treatment best management practices prior to project completion.

1.2 – Authority and Compliance

Per Ordinance 2004-7, the Town of Edinburgh has the authority to permit, provide construction plan review for, inspect, and take appropriate enforcement actions against construction sites that meet the requirements of Ordinance 2004-7.

Construction sites where land disturbing activities meet the requirements of Ordinance 2004-7, at a minimum, shall be in compliance with all terms and conditions of Ordinance 2004-7, the Edinburgh Storm Water Standards (Standards), and Rule 5. In those circumstances where the requirements of Ordinance 2004-7 and these Standards are more stringent than those contained in Rule 5, the requirements of Ordinance 2004-7 and these Standards shall be followed.

The Town of Edinburgh has the right to impose additional requirements and restrictions beyond those outlined in these Standards, Ordinance 2004-7, and Rule 5 for projects where unique or special conditions exist.

1.3 – Definitions

- (1) “Construction Activity” means land disturbing activities and land disturbing activities associated with the construction of infrastructure and structures. This term does not include routine ditch or road maintenance or minor landscaping projects.
- (2) “Construction plan” means a representation of a project site and all activities associated with the project. The plan includes the location of the project site, buildings and other infrastructure, grading activities, schedules for implementation, and other pertinent information related to the project site. A storm water pollution prevention plan is a part of the construction plan.
- (3) “Construction site access” means a stabilized stone surface at all points of ingress or egress to a project site for the purpose of capturing and detaining sediment carried by tires of vehicles or other equipment entering or existing the project site.
- (4) “Contractor” means an individual or company hired by the project site or individual lot owner, their agent, or the individual lot operator to perform services on the project site.
- (5) “Developer” means:
 - (A) any person financially responsible for construction activity; or
 - (B) an owner of property who sells or leases, or offers for sale or lease, any lots in a subdivision.
- (6) “Erosion” means the detachment and movement of soil, sediment, or rock fragments by water, wind, ice, or gravity.
- (7) “Erosion and sediment control measure” means a practice, or a combination of practices, to control erosion and resulting sedimentation.
- (8) “Erosion and sediment control system” means the use of appropriate erosion and sediment control measures to minimize sedimentation by first reducing or eliminating

erosion at the source and then, as necessary, trapping sediment to prevent it from being discharged from or within a project site.

- (9) "Final stabilization" means the establishment of permanent vegetative cover or the application of a permanent nonerosive material to areas where all land disturbing activities have been completed and no additional land disturbing activities are planned under the current permit.
- (10) "Grading" means the cutting and filling of the land surface to a desired slope or elevation.
- (11) "Impervious surface" means surfaces, such as pavement and rooftops, which prevent the infiltration of storm water into the soil.
- (12) "Individual building lot" means a single parcel of land within a multiparcel development.
- (13) "Individual lot operator" means a person who has financial control of construction activities for an individual lot.
- (14) "Land disturbing activity" means any manmade change of the land surface, including removing vegetative cover that exposes the underlying soil, excavating, filling, transporting, and grading.
- (15) "Larger common plan of development or sale" means a plan, undertaken by a single project site owner or a group of project site owners acting in concert, to offer lots for sale or lease; where such land is contiguous, or is known, designated, purchased or advertised as a common unit or by a common name, such land shall be presumed as being offered for sale or lease as part of a larger common plan. The term also includes phased or other construction activity by a single entity for its own use.
- (16) "Permanent stabilization" means the establishment, at a uniform design of seventy percent (70%) across the disturbed area, of vegetative cover or permanent nonerosive material that will ensure the resistance of the soil to erosion, sliding, or other movement.
- (17) "Phasing of construction" means sequential development of smaller portions of a large project site, stabilizing each portion before beginning land disturbance on subsequent portions, to minimize exposure of disturbed land to erosion.
- (18) "Project site" means the entire area on which construction activity is to be performed.
- (19) "Project site owner" means the person required to submit the NOI letter per Rule 5 and required to comply with the terms of these standards, Ordinance 2004-7, and Rule 5, including either of the following:
 - (A) A developer.
 - (B) A person who has financial and operational control of construction activities and project plans and specifications, including the ability to make modifications to those plans and specifications.
- (20) "Sediment" means solid material (both mineral and organic) that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface.
- (21) "Soil" means the unconsolidated mineral and organic material on the surface of the earth that serves as then natural medium for the growth of plants.
- (22) Stormwater Standards of the Town of Edinburgh – the stormwater standards that contain policies and procedures, drainage, erosion and sediment control, and postconstruction standards that new development and redevelopment must meet. The plan indicates the specific measures and sequencing to be used to control sediment, soil erosion and other construction site wastes during and after construction.
- (23) "Storm water pollution prevention plan" means a plan developed to minimize the impact of storm water pollutants resulting from construction activities. The plan indicates the specific measures and sequencing to be used to control sediment, soil erosion and other construction site wastes during and after construction.
- (24) "Storm water quality measure" means a practice, or a combination of practices, to control or minimize pollutants associated with storm water run-off.
- (25) "Strip development" means a multilot project where building lots front on an existing road.
- (26) "Subdivision" means any land that is divided or proposed to be divided into lots, whether contiguous or subject to zoning requirements, for the purpose of sale or lease as part of a larger common plan of development or sale.
- (27) "Technical Review and Comment Form": A form issued by the building department stating that the Erosion and Sediment Control Plan is adequate or stating revisions

needed in the Erosion and Sediment Control Plan and Storm Water Pollution Prevention Plan.

- (28) "Temporary stabilization" means the covering of soil to ensure its resistance to erosion, sliding, or other movement. The term includes vegetative cover, anchored mulch, or other nonerosive material applied at a uniform density of seventy percent (70%) across the disturbed area.
- (29) "Tracking" means the deposition of soil that is transported from one (1) location to another by tires, tracks of vehicles, or other equipment.
- (30) "Trained individual" means an individual who is trained and experienced in the principles of storm water quality, including erosion and sediment control as may be demonstrated by state registration, professional certification, experience, or completion of coursework that enable the individual to make judgments regarding storm water control or treatment and monitoring.

Rule 5 also contains additional definitions for language used in that rule.

1.4 – Polices and Procedures

1.4.1 – Coverage

All residential and non-residential construction projects which result in land disturbing activities equal to or greater than one (1) acre shall be in compliance with Ordinance 2004-7, these Standards, and Rule 5. The area of land disturbance resulting from the construction activity shall be calculated per 327 IAC 15-5-2(h)(1).

1.4.2 – Exceptions

Individual, single-family construction projects not part of a larger, common development are exempt from the submittals outlined in Section 1.4.3., but must comply with the provisions of 327 IAC 15-5 section 7(b)(1) through 7(b)(5), 7(b)(10) through 7(b)(17), 7(b)(19), and 7(b)(20) throughout construction activities and until the areas are permanently stabilized.

1.4.3 – Submittals

A Technical Review and Comment Form stating that the "Plan is Adequate" shall be obtained prior to the initiation of any land disturbing activities. Construction site owner shall submit a review fee of \$100 (made payable to the Town of Edinburgh) and 2 copies of the following information to the Edinburgh Building Department:

- (1) Construction Plans (on 11 by 17 inch paper)
- (2) Construction Storm Water Pollution Prevention Plan (SWPPP)

The detailed submittal requirements are contained in 327 IAC 15-5 Section 6 through Section 6.5 and summarized in Appendix 1-A of this manual. The construction project Post-Construction SWPPP must also be in compliance with Chapter 2 Storm Water Quality Standards

After receiving the Technical Review and Comment Form (Appendix 1-B) stating that the "Plan is Adequate" from the Town of Edinburgh, the following shall be submitted to IDEM and the County Soil and Water Conservation District at least 48 hours prior to the initiation of land disturbing activities.

- (1) Notice of Intent Form (Appendix 1-C)
- (2) A copy of the Technical Review and Comment Form verifying approval by the Town of Edinburgh
- (3) Proof of Publication required by 327 IAC 15-5-5 (9)

Single-family residential development consisting of four (4) or fewer lots or a single-family residential strip development where the developer offers for sale or lease without land improvements, and the project is not part of a larger common plan of development or sale, shall meet the detailed submittal requirements contained in 327 IAC 15-5-6.5(b).

For those construction activities operated by the MS4 operator or MS4 municipalities within the MS4 area, construction plans must be submitted to the local SWCD, the department of natural resources, division of soil conservation, or other entity designated by IDEM for review and approval. If the MS4 operator does not receive either a notice of deficiency or an approval within thirty-five (35) days of the submittal, the plan will be considered adequate. After a one (1) year period of permit compliance, the MS4 operator or the designated MS4 entity need not submit the plans and may review MS4-operated project construction plans internally with the written authorization of the department of natural resources, division of soil conservation.

In addition to the requirements of 327 IAC 15-5-6.5, for those construction activities operated by the MS4 operator or MS4 municipalities within the MS4 area, project construction plans must include a traffic phasing plan for those projects that have the potential to alter vehicular traffic routes. Also, the project storm water pollution prevention plan must address all requirements of 327 IAC 15-5-6.5(a)(7) and the following areas located outside of right-of-ways:

- (1) Utility relocation areas.
- (2) Material hauling and transportation routes/roads.
- (3) Borrow pits.
- (4) Temporary staging and material stockpile areas.
- (5) Temporary disposal areas for waste materials.

1.4.4 – Inspection

A self-monitoring program meeting the requirements of 327 IAC 15-5-7 shall be implemented. A trained individual shall perform an inspection of the project site to verify the erosion and sediment controls are being maintained and functioning properly and to determine whether additional controls are necessary. Inspections shall be performed after every storm event with a total measured rainfall accumulation equal to or greater than 0.5 inches and at a minimum, inspections shall be performed weekly.

Written evaluation reports must be prepared by the end of the business day following the day of the inspection. The written evaluation reports must also be available to the Town of Edinburgh within 48 hours of a request.

Written evaluation reports must contain the following information:

- 1) Name of individual performing the inspection
- 2) Date of the inspection
- 3) Problems identified at the project
- 4) Corrective actions recommended and completed

Construction site owners shall allow right-of-entry for the Town of Edinburgh, or local, county, or state regulatory agency or a representative thereof to inspect any project site involved in construction activities, at reasonable times.

When construction plans are submitted for review, the reviewer will identify priority sites for inspection and enforcement. The criteria for priority sites will be based on the nature and extent of construction, proximity to sensitive areas, steep topography on or adjacent to proposed construction site, proximity to wetlands, and potential for direct run-off to receiving waters. Construction sites inspections will be based on priority determinations.

The Edinburgh Building Department, Edinburgh Public Works Department, or local, county, or state regulatory agency or a representative thereof may make recommendations to the project site owner or their representative to install appropriate measures beyond those specified in the storm water pollution prevention plan to achieve compliance.

1.4.5 – Enforcement

All persons engaging in construction activities on a project site shall be responsible for complying with these Standards, Ordinance 2004-7, and Rule 5.

Any person causing or contributing to a violation of any provisions of these Standards, Ordinance 2004-7 and Rule 5 shall be subject to enforcement and penalty.

In the event the Town of Edinburgh or other regulatory agency determines the project is not in compliance with these Standards, Ordinance 2004-7, or Rule 5, the project site owner has five (5) business days following the written notification (warning letter of noncompliance or violation notice) from the Town of Edinburgh to correct the deficiency. In the event the deficiency is not corrected within this period, a fine of no less than \$10 and no more than \$100 per incidence of noncompliance shall be assessed to the project site owner.

A stop-work order (revocation of Building Permit) may be issued in the event that any person violates the terms of these Standards, Ordinance 2004-7, Rule 5 or implements a construction activity in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in or adjacent to the project site.

If remaining storm water quality measures are not properly maintained by the person occupying or owning the property, the Town of Edinburgh may also issue fines to that individual.

1.5 – General Requirements

1.5.1 - General Requirements for Storm Water Pollution Prevention Plans

All land disturbing projects shall implement controls to minimize the transport of sediment from the project sites. Per 327 IAC 15-5-7, the project site owner shall, at least, meet the following requirements:

- (1) Sediment-laden water which otherwise would flow from the project site shall be treated by erosion and sediment control measures to minimize sedimentation.
- (2) Appropriate measures shall be implemented to minimize or eliminate wastes or unused building materials, including garbage, debris, cleaning wastes, wastewater, concrete truck washout, and other substances from being carried from a project site by run-off or wind. Identification of areas where concrete truck washout is permissible must be clearly posted at appropriate areas of the site. Wastes and unused building materials shall be managed and disposed of in accordance with all applicable statutes and regulations.
- (3) A stable construction site access shall be provided at all points of construction traffic ingress and egress to the project site.
- (4) Public or private roadways shall be kept cleared of accumulated sediment that is a result of run-off or tracking. Bulk clearing of sediment shall not include flushing the area with water. Cleared sediment shall be redistributed or disposed of in a manner that is in accordance with all applicable statutes and regulations.
- (5) Storm water run-off leaving a project site must be discharged in a manner that is consistent with applicable state or federal law.
- (6) The project site owner shall post a notice near the main entrance of the project site. For linear project sites, such as a pipeline or highway, the notice must be placed in a publicly accessible location near the project field office. The notice must be maintained in a legible condition and contain the following information:
 - (A) Copy of the completed NOI letter and the NPDES permit number, where applicable.
 - (B) Name, company name, telephone number, e-mail address (if available), and address of the project site owner or a local contact person.
 - (C) Location of the construction plan if the project site does not have an on-site location to store the plan.
- (7) This permit and posting of the notice of under subdivision (6) does not provide the public with any right to trespass on a project site for any reason, nor does it require that the project site owner allow members of the public access to the project site.

- (8) The storm water pollution prevention plan shall serve as a guideline for storm water quality, but should not be interpreted to be the only basis for implementation of storm water quality measures for a project site. The project site owner is responsible for implementing, in accordance with Rule 5, all measures necessary to adequately prevent polluted storm water run-off.
- (9) The project site owner shall inform all general contractors, construction management firms, grading or excavating contractors, utility contractors, and the contractors that have primary oversight on individual building lots of the terms and conditions of this rule and the conditions and standards of the storm water pollution prevention plan and the schedule for proposed implementation.
- (10) Phasing of construction activities shall be used, where possible, to minimize disturbance of large areas.
- (11) Appropriate measures shall be planned and installed as part of an erosion and sediment control system.
- (12) All storm water quality measures must be designed and installed under the guidance of a trained individual.
- (13) Collected run-off leaving a project site must be either discharged directly into a well-defined, stable receiving channel or diffused and released to adjacent property without causing an erosion or pollutant problem to the adjacent property owner.
- (14) Drainage channels and swales must be designed and adequately protected so that their final gradients and resultant velocities will not cause erosion in the receiving channel or at the outlet.
- (15) Natural features, including wetlands and sinkholes, shall be protected from pollutants associated with storm water run-off.
- (16) Unvegetated areas that are scheduled or likely to be left inactive for fifteen (15) days or more must be temporarily or permanently stabilized with measures appropriate for the season to minimize erosion potential. Alternative measures to site stabilization are acceptable if the project site owner or their representative can demonstrate they have implemented erosion and sediment control measures adequate to prevent sediment discharge. Vegetated areas with a density of less than seventy percent (70%) shall be restabilized using appropriate methods to minimize the erosion potential.
- (17) During the period of construction activities, all storm water quality measures necessary to meet the requirements of this rule shall be maintained in working order.
- (18) A self-monitoring program shall be implemented (see Section 1.4.4).
- (19) Proper storage and handling of materials, such as fuels or hazardous wastes, and spill prevention and clean-up measures shall be implemented to minimize the potential for pollutants to contaminate surface or ground water or degrade soil quality.
- (20) Final stabilization of a project site shall be achieved when:
 - (A) All land disturbing activities have been completed and a uniform (for example, evenly distributed, without large bare areas) perennial vegetative cover with a density of seventy percent (70%) has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures have been employed; and
 - (B) Construction projects on land used for agricultural purposes are returned to its preconstruction agricultural use or disturbed areas, not previously used for agricultural production, such as filter strips and areas that are not being returned to their preconstruction agricultural use, meet the final stabilization requirements in clause (A).

1.5.2 - General Requirements for Individual Building Lots within a Permitted Project

Per 327 IAC 15-5-7.5, all storm water quality measures, including erosion and sediment control, necessary to comply with Rule 5 and these Standards shall be implemented in accordance with the plan. Provisions for erosion and sediment control on individual building lots regulated under the original permit of a project site owner must include the following requirements:

- (1) The individual lot operator, whether owning the property or acting as the agent of the property owner, shall be responsible for erosion and sediment control requirements associated with activities on individual lots.
- (2) Installation and maintenance of a stable construction site access.
- (3) Installation and maintenance of appropriate perimeter erosion and sediment control measures prior to land disturbance.
- (4) Sediment discharge and tracking from each lot must be minimized throughout the land disturbing activities on the lot until permanent stabilization has been achieved.
- (5) Clean-up of sediment that is either tracked or washed onto roads. Bulk clearing of sediment shall not include flushing the area with water. Cleared sediment must be redistributed or disposed of in a manner that is in compliance with all applicable statutes and rules.
- (6) Adjacent lots disturbed by an individual lot operator must be repaired and stabilized with temporary or permanent surface stabilization.
- (7) For individual residential lots, final stabilization meeting the criteria in Section 1.5.1 (20) will be achieved when the individual lot operator:
 - (A) Completes final stabilization; or
 - (B) Has installed appropriate erosion and sediment control measures for an individual lot prior to occupation of the home by the homeowner and has informed the homeowner of the requirement for, and benefits of, final stabilization.

1.6 - Technical Design Criteria

Erosion and sediment controls shall be designed and installed in accordance with Rule 5, these Standards, and the Indiana Storm Water Quality Manual. Technical review of the erosion and sediment control program, storm water pollution prevention plan, and other required submittals shall be completed by the Edinburgh Public Works Department and the Edinburgh Building Department. The technical review shall assess the adequacy of proposed erosion and sediment control against the technical design criteria contained in the Indiana Storm Water Quality Manual.

The following guidelines shall be used during development of the Storm Water Pollution Prevention Plan:

- 1) Construction sequencing shall minimize the amount of exposed land and the duration of exposure without temporary or permanent protection.
- 2) Grading activities shall minimize the amount of cut and fill.
- 3) Perimeter controls shall be installed prior to land disturbing activities.
- 4) Storm sewer inlets and conveyance outfalls shall be equipped with appropriate erosion and sediment controls and shall remain in place until the entire contributing drainage area is permanently stabilized.
- 5) Project access points shall have 2-inch to 3-inch or larger aggregate for a depth of at least 6 inches placed at all ingress and egress points to minimize tracking of sediment beyond the project site by vehicles and construction equipment. The aggregate must cover a minimum area of 20' x 50', and be periodically maintained (cleaned, top dressed). Sediment tracked to road surfaces shall be removed using acceptable practices, such as shoveling or street sweeping, daily. Washing of road surfaces is not acceptable, unless the runoff flows to a sediment control measure.
- 6) Storm water runoff velocities from the project site shall be kept as low as possible.
- 7) Erosion from soil stockpiles shall be minimized via stabilization or erosion control measures.
- 8) Permanent seeding shall take place as soon as practicable. Temporary seeding shall be utilized in areas left undisturbed for more than thirty (30) days.
- 9) Dust control measures shall be implemented as necessary.
- 10) Erosion control blankets shall be required on all fill slopes exceeding 4 (horizontal) to 1 (vertical).
- 11) Mulching material is required for all temporary and permanent seeding.
- 12) The minimum thickness of rock riprap shall be 6 inches.

1.7 - Project Termination

1.7.1 – Project Termination Requirements

The project site owner shall plan an orderly and timely termination of the construction activities, including the implementation of storm water quality measures that are to remain on the project site.

The project site owner, or a representative thereof, shall submit a written notice of termination (NOT) form (See Appendix 1-D) to the Edinburgh Building Department, the County SWCD, and IDEM upon project termination once the following requirements are met:

- 1) All land disturbing activities, including construction on all building lots, have been completed.
- 2) Final stabilization of the entire site has been completed.
- 3) All permanent storm water quality measures (if required per Chapter 2)) have been implemented and are operational.
- 4) Temporary erosion and sediment control measures have been removed.

The NOT must be submitted to the Edinburgh Building Department, the County SWCD, and IDEM within two (2) weeks of project termination, and contain a statement(s) verifying that each of these conditions have been met.

The Town of Edinburgh or a representative thereof may inspect the project site to confirm the information provided in the NOT. Upon verification of the NOT letter, the Edinburgh Building Department shall issue written approval to the project site owner that the project site owner shall no longer be responsible for compliance with the requirements of this Chapter.

1.7.2 – Early Project Termination Requirements

The project site owner may submit an NOT letter to obtain early release from compliance with these Standards, Ordinance 2004-7, and Rule 5

The project site owner must meet the requirements per 327 IAC 15-5-8(b)(2) as outlined below:

- 1) The remaining, undeveloped acreage does not exceed five (5) acres, with contiguous areas not to exceed one (1) acre.
- 2) A map of the project site, clearly identifying all remaining undeveloped lots, is attached to the NOT letter. The map must be accompanied by a list of names and addresses of individual lot owners or individual lot operators of all undeveloped lots.
- 3) All public and common improvements, including infrastructure, have been completed and permanently stabilized and have been transferred to the appropriate local entity.
- 4) The remaining acreage does not pose a significant threat to the integrity of the infrastructure, adjacent properties, or water quality.
- 5) All permanent storm water quality measures have been implemented and are operational.


Upon verification of the NOT letter, the Edinburgh Building Department shall issue written approval to the project site owner. Upon receipt of this approval, the project site owner shall notify all current individual lot owners and all subsequent individual lot owners of the remaining undeveloped acreage and acreage with construction activity that they re responsible for complying with Section 1.5.2 - General Requirements for Individual Building Lots within a Permitted Project. The remaining individual lot owners do not need to submit an NOI letter or NOT letter. The notice must contain a verified statement that each of the conditions in Items 1 – 5 of this section have been met. The notice must also inform the individual lot owners of the requirements to:

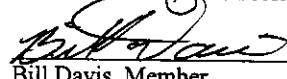
- 1) Install and maintain appropriate measures to prevent sediment from leaving the individual building lot; and
- 2) Maintain all erosion and sediment control measures that are to remain on-site as part of the construction plan.

The storm water standards are to be included in Ordinance 2004-7 as an attachment approved and adopted this 8th day of November, 2004.

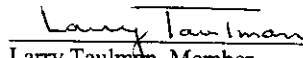
Edinburgh Town Council


 Jeffrey A. Simpson, President



 Rick Piercefield, Vice President


 Bill Davis, Member


 John Drybread, Member


 Larry Taulman, Member

ATTEST:


 Jackie Smith, Clerk-Treasurer

Submittal Requirements Appendix 1-A

Section Description Location in Plans

PROJECT NARRATIVE AND SUPPORTING DOCUMENTS		
1 A	An index indicating the location, in the construction plans, of all information required by this subsection.	
1 B	Description of the nature and purpose of the project.	
1 C	Legal description of the project site. The description should be to the nearest quarter section, township, and range, and include the civil township.	
1 D	Soil properties, characteristics, limitations, and hazards associated with the project site and the measures that will be integrated into the project to overcome or minimize adverse soil conditions.	
1 E	General construction sequence of how the project site will be built, including phases of construction.	
1 F	Hydrologic Unit Code (14 Digit) available from the United States Geological Survey (USGS).	
1 G	A reduced plat or project site map showing the lot numbers, lot boundaries, and road layout and names. The reduced map must be legible and submitted on a sheet or sheets no larger than eleven (11) inches by seventeen (17) inches for all phases or sections of the project site.	
1 H	Identification of any other state or federal water quality permits that are required for construction activities associated with the owner's project site.	
2	Vicinity map depicting the project site location in relationship to recognizable local landmarks, towns, and major roads, such as a USGS topographic quadrangle map, or county or municipal road map.	
EXISTING PROJECT SITE LAYOUT		
3 A	Location and name of all wetlands, lakes, and water courses on, or adjacent to, the project site.	
3 B	Location of all existing structures on the project site.	
3 C	One hundred (100) year floodplains, floodway fringes, and floodways. Please note if none exists.	
3 D	Soil map of the predominant soil types, as determined by the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Soil Survey, or an equivalent publication, or as determined by a soil scientist. A soil legend must be included with the soil map.	
3 E	Identification and delineation of vegetative cover such as grass, weeds, brush, and trees on the project site.	
3 F	Land use of all adjacent properties.	
3 G	Existing topography at a contour interval appropriate to indicate drainage patterns.	

Submittal Requirements Appendix 1-A

Section	Description	Location in Plans
FINAL PROJECT SITE LAYOUT		
4 A	Location of all proposed site improvements, including roads, utilities, lot delineation and identification, proposed structures, and common areas.	
4 B	One hundred (100) year floodplains, floodway fringes, and floodways. Please note if none exists.	
4 C	Proposed final topography, at a contour interval appropriate to indicate drainage patterns.	
GRADING PLAN		
5 A	Delineation of all proposed land disturbing activities, including off-site activities that will provide services to the project site.	
5 B	Location of all soil stockpiles and borrow areas.	
5 C	Information regarding any off-site borrow, stockpile, or disposal areas that are associated with a project site, and under the control of the project site owner.	
5 D	Existing and proposed topographic information.	
DRAINAGE PLAN		
6 A	An estimate of the peak discharge, based on the ten (10) year storm event, of the project site for both preconstruction and post-construction conditions.	
6 B	Location, size, and dimensions of all storm water drainage systems such as culverts, storm sewers, and conveyance channels.	
6 C	Locations where storm water may be directly discharged into ground water, such as abandoned wells or sinkholes. Please note if none exists.	
6 D	Locations of specific points where storm water discharge will leave the project site.	
6 E	Name of all receiving waters. If the discharge is to a separate municipal storm sewer, identify the name of the municipal operator and the ultimate receiving water.	
6 F	Location, size, and dimensions of features such as permanent retention or detention facilities, including existing or manmade wetlands, used for the purpose of storm water management.	
STORM WATER POLLUTION PREVENTION PLAN ASSOCIATED WITH CONSTRUCTION ACTIVITIES		
7 A	Location, dimensions, detailed specifications, and construction details of all temporary and permanent storm water quality measures.	
7 B	Temporary stabilization plans and sequence of implementation.	
7 C	Permanent stabilization plans and sequence of implementation.	
7 Di	Temporary and permanent stabilization plans shall include the following: (i) Specifications and application rates for soil amendments and seed mixtures.	

Submittal Requirements Appendix 1-A

Section	Description	Location in Plans
7 Dii	The type and application rate for anchored mulch.	
7 E	Construction sequence describing the relationship between implementation of storm water quality measures and stages of construction activities.	
7 F	Self-monitoring program including plan and procedures.	
7 G	A description of potential pollutant sources associated with the construction activities, which may reasonably be expected to add a significant amount of pollutants to storm water discharges.	
7 H	Material handling and storage associated with construction activity shall meet the spill prevention and spill response requirements in 327 IAC 2-6.1.	
POST-CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN		
8 A	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.	
8 B	Location, dimensions, detailed specifications, and construction details of all post-construction storm water quality measures.	
8 C	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.	
8 D	A sequence describing when each post-construction storm water quality measure will be installed.	
8 E	Storm water quality measures that will remove or minimize pollutants from storm water run-off.	
8 F	Storm water quality measures that will be implemented to prevent or minimize adverse impacts to stream and riparian habitat.	
8 G	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.	

Appendix 1-B

Construction/Stormwater Pollution Prevention Plan
Technical Review and Comment (Form 1)

Project Information	Project Name:	County:			
	Plan Submittal Date:	Hydrologic Unit Code:			
	Project Location Description:				
	Latitude and Longitude:				
	Civil Township:	Quarter:	Section:	Township:	Range:
	Project Owner Name:				
	Contact:				
	Address:				
	City:	State:			Zip:
	Phone:	FAX:	E-Mail:		
	Plan Preparer Name:				
	Affiliation:				
Address:					
City:	State:			Zip:	
Phone:	FAX:	E-Mail:			

Plan Review	Review Date:				
	Principal Plan Reviewer:				
	Agency:				
	Address:				
	City:	State:			Zip:
	Phone:	FAX:	E-Mail:		
Assisted By:					

PLAN IS ADEQUATE: A comprehensive plan review has been completed and it has been determined that the plan satisfies the minimum requirements and intent of 327 IAC 15-5.

Please refer to additional information included on the following page(s).

Submit Notice of Intent (NOI): Attach a copy of this cover page when submitting the NOI to the Indiana Department of Environmental Management. Construction activities may begin 48 hours following the submittal of the NOI. A copy of the NOI must also be sent to the Reviewing Authority (e.g. SWCD, DNR).

A preliminary plan review has been completed; a comprehensive review will not be completed within the 28-day review period. The reviewing authority reserves the right to perform a comprehensive review at a later date and revisions to the plan may be required at that time to address deficiencies.

Please refer to additional information included on the following page(s).

Submit Notice of Intent (NOI): Attach a copy of this cover page when submitting the NOI to the Indiana Department of Environmental Management. Construction activities may begin 48 hours following the submittal of the NOI. A copy of the NOI must also be sent to the Reviewing Authority (e.g. SWCD, DNR).

PLAN IS DEFICIENT: Significant deficiencies were identified during the plan review.

Please refer to additional information included on the following page(s).

DO NOT file a Notice of Intent for this project.

DO NOT commence land disturbing activities until all deficiencies are adequately addressed, the plan re-submitted, and notification has been received that the minimum requirements have been satisfied.

Plan Revisions Deficient Items should be mailed or delivered to the Principal Plan Reviewer identified in the Plan Review Section above.

208 1

Construction/Stormwater Pollution Prevention Plan - Technical Review and Comment (Form 1)

Project Name: 0
 Date Reviewed: 01/00/00

Assessment of Stormwater Pollution Prevention Plan (Sections B & C)

Stormwater Pollution Prevention Plan - Construction Component (Section B)

Adequate	Deficient	Not Applicable	
			B <i>The construction component of the Stormwater Pollution Prevention Plan includes stormwater quality measures to address erosion, sedimentation, and other pollutants associated with land disturbance and construction activities. Proper implementation of the plan and inspections of the construction site are necessary to minimize the discharge of pollutants. The Project Site Owner should be aware that unforeseen construction activities and weather conditions may affect the performance of a practice or the effectiveness of the plan. The plan must be a flexible document, with provisions to modify or substitute practices as necessary.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 Description of potential pollutant sources associated with construction activities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 Sequence describing stormwater quality measure implementation relative to land disturbing activities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 Stable construction entrance locations and specifications (at all points of ingress and egress)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4 Sediment control measures for sheet flow areas
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5 Sediment control measures for concentrated flow areas
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6 Storm sewer inlet protection measure locations and specifications
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7 Runoff control measures (e.g. diversions, rock check dams, slope drains, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8 Storm water outlet protection specifications
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9 Grade stabilization structure locations and specifications
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10 Location, dimensions, specifications, and construction details of each stormwater quality measure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11 Temporary surface stabilization methods appropriate for each season (include sequencing)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12 Permanent surface stabilization specifications (include sequencing)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13 Material handling and spill prevention plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14 Monitoring and maintenance guidelines for each proposed stormwater quality measure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15 Erosion & sediment control specifications for individual building lots

Stormwater Pollution Prevention Plan - Post Construction Component (Section C)

Adequate	Deficient	Not Applicable	
			C <i>The post construction component of the Stormwater Pollution Prevention Plan includes the implementation of stormwater quality measures to address pollutants that will be associated with the final land use. Post construction stormwater quality measures should be functional upon completion of the project. Long term functionality of the measures are critical to their performance and should be monitored and maintained.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 Description of pollutants and their sources associated with the proposed land use
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 Sequence describing stormwater quality measure implementation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 Description of proposed post construction stormwater quality measures <i>(Include a written description of how these measures will reduce discharge of expected pollutants)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4 Location, dimensions, specifications, and construction details of each stormwater quality measure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5 Description of maintenance guidelines for post construction stormwater quality measures

Construction/Stormwater Pollution Prevention Plan - Technical Review and Comment (Form 1)

Project Name: 0
Date Reviewed: 01/00/00

The technical review and comments are intended to evaluate the completeness of the Construction/Stormwater Pollution Prevention Plan for the project. The Plan submitted was not reviewed for the adequacy of the engineering design. All measures included in the plan, as well as those recommended in the comments should be evaluated as to their feasibility by a qualified individual with structural measures designed by a qualified engineer. The Plan has not been reviewed for other local, state, or federal permits that may be required to proceed with this project. Additional information, including design calculations may be requested to further evaluate the Plan.

All proposed stormwater pollution prevention measures and those referenced in this review must meet the design criteria and standards set forth in the "Indiana Stormwater Quality Manual" from the Indiana Department of Natural Resources, Division of Soil Conservation or similar Guidance Documents.

Please direct questions and/or comments regarding this plan review to:
0
Please refer to the address and contact information identified in the Plan Review Section on page 1.

Assessment of Construction Plan Elements (Section A)

The Construction Plan Elements are adequately represented to complete a plan review:
[checked] Yes [] No

The items checked below are deficient and require submittal to meet the requirements of the rule.

Table with 2 columns labeled 'A' and 23 rows of items. Each row contains a checkbox, a number, and a description of a plan element. All checkboxes are currently unchecked.

Appendix 1-C



Indiana Department of Environmental Management
Notice of Intent (NOI)
 Storm Water Runoff Associated with Construction Activity
 NPDES General Permit Rule 327 IAC 15-5 (Rule 5)

Submission of this Notice of Intent letter constitutes notice that the project site owner is applying for coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit Rule for Storm Water Discharges Associated with Construction Activity. Permitted project site owners are required to comply with all terms and conditions of the General Permit Rule 327 IAC 15-5 (Rule 5).

Check the type of Submittal: Initial Amendment, Renewal Extension

Project Name and Location:

- Project Name: _____ County: _____
- Brief Description of Project Location: _____
- Latitude _____ **and** Quarter _____ Section _____
- Longitude _____ Township _____ Range _____
- Does all or part of this project lie within the jurisdictional boundaries of a Municipal Separate Storm Sewer System (MS4) as defined in 327 IAC 15-13? Yes No If yes, please name the MS4(s): _____

Project Site Owner and Project Contact Information:

- Company Name (If Applicable): _____
- Project Site Owner's Name (An Individual): _____ Title/Position: _____
- Address: _____
- City: _____ State: _____ Zip: _____
- Phone: _____ FAX: _____ E-Mail Address (If Available): _____
- Ownership Status (check one): Governmental Agency: Federal State Local
 Non-Governmental: Public Private Other (Explain): _____
- Contact Person: _____ Affiliation with Project Site Owner: _____
- Address (if different from above): _____
- City: _____ State: _____ Zip: _____
- Phone: _____ FAX: _____ E-Mail Address (If Available): _____

Project Description:

Residential-Single Family Residential-Multi-Family Commercial Industrial Other _____

Discharge Information:

- Name of Receiving Water: _____
 (If applicable, name of municipal operator of storm sewer. Please note that even if a retention pond is present on the property, the name of the nearest possible receiving water is required).

Project Acreage:

- Total Acreage: _____ Acres Proposed Acreage to be Disturbed: _____ Acres
- Total Impervious Surface Area (Estimated for Completed Project): _____ Square Feet

Timetable (Maximum of 5 Years):

- Start Date: _____ and Estimated End Date for all Land Disturbing Activity: _____

(Continued on Reverse Side)

Construction Plan Certification:

By signing this Notice of Intent letter, I certify the following:

- A. The storm water quality measures included in the Construction Plan comply with the requirements of 327 IAC 15-5-6.5, 327 IAC 15-5-7, and 327 IAC 15-5-7.5;
- B. the storm water pollution prevention plan complies with all applicable federal, state, and local storm water requirements;
- C. the measures required by section 7 and 7.5 of this rule will be implemented in accordance with the storm water pollution prevention plan;
- D. if the projected land disturbance is One (1) acre or more, the applicable Soil and Water Conservation District or other entity designated by the Department, has been sent a copy of the Construction Plan for review;
- E. storm water quality measures beyond those specified in the storm water pollution prevention plan will be implemented during the life of the permit if necessary to comply with 327 IAC 15-5-7; and
- F. implementation of storm water quality measures will be inspected by trained individuals.

In addition to this form, I have enclosed the Following:

- Verification by the reviewing agency of acceptance of the Construction Plan.
- Proof of publication in a newspaper of general circulation in the affected area that notified the public that a construction activity is to commence, including all required elements contained in 327 IAC 15-5-5 (9).
- \$100 check or money order payable to the Indiana Department of Environmental Management. If the project lies solely within the permitted jurisdiction of an MS4 and is regulated by the MS4 under 327 IAC 15-13 -- a fee is not required with submittal of this Notice of Intent.

A permit issued under 327 IAC 15-5 is granted by the commissioner for a period of five (5) years from the date coverage commences. Once the five (5) year permit term duration is reached, a general permit issued under this rule will be considered expired, and, as necessary for construction activity continuation, a new Notice of Intent letter would need to be submitted ninety (90) days prior to the termination of coverage.

Project Site Owner Responsibility Statement:

By signing this Notice of Intent letter, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information or violating the provisions of 327 IAC 15-5, including the possibility of fine and imprisonment for knowing violations.

Printed Name of Project Owner _____

Signature of Project Owner _____ Date: _____

This Notice of Intent must be signed by an individual meeting the signatory requirements in 327 IAC 15-4-3(g)

**Mail this form to: Indiana Department of Environmental Management
Office of Water Quality, Storm Water (Rule 5) Desk
100 North Senate Avenue, P.O. Box 6015
Indianapolis, IN 46206-6015**

327 IAC 15-5-6 (a) also requires a copy of the completed Notice of Intent letter be submitted to the local Soil and Water Conservation District or other entity designated by the Department, where the land disturbing activity is to occur.

Questions regarding the development of the Construction Plan and/or field implementation of 327 IAC 15-5 may be directed to your local Soil and Water Conservation District office or the Department of Natural Resources at 317-233-3870. Questions regarding the Notice of Intent may be directed to the Rule 5 contact person at 317/233-1864 or 800/451-6027 ext 31864.

Appendix 1-D



Indiana Department of Environmental Management
Notice of Termination (NOT)
Storm Water Runoff Associated with Construction Activity
NPDES General Permit Rule 327 IAC 15-5 (Rule 5)

Submission of this Notice of Termination letter constitutes notice to the Commissioner that the project site owner is applying for Termination of Coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit Rule for Storm Water Discharges Associated with Construction Activity.

Project Name and Location:

- Permit Number: _____
- Project Name: _____ County: _____
- Company Name (If Applicable): _____
- Project Site Owner's Name (An Individual): _____
- Address: _____
- City: _____ State: _____ Zip: _____
- Phone: _____ FAX: _____ E-Mail Address (If Available): _____

This Notice of Termination is Being Submitted for the Following:

Select one of the three Options that apply to Permit Termination by checking the appropriate box, complete all information associated with that option, and complete the "Project Site Owner Responsibility Statement".

Option # 1

Certification for Change of Ownership:

(Does not Apply to the Sale of Individual lots within the Permitted Acreage; only the Sale of the Entire Project Site as Originally Permitted)

By Signing this Notice of Termination, I Certify the Following:

- A. The project was sold; I am no longer the project site owner as was designated in my Notice of Intent. The new owner of the project site is:
 - Company Name (If Applicable): _____
 - Project Site Owner's Name (An Individual): _____
 - Address: _____
 - City: _____ State: _____ Zip: _____
 - Phone: _____ FAX: _____ E-Mail Address (If Available): _____
- B. I have notified the new Project Site Owner of his/her responsibilities to comply with 327 IAC 15-5 and the requirements associated with the rule including filing a new Notice of Intent.

Option # 2

Certification for Termination of Construction Activities:

By Signing this Notice of Termination, I Certify the Following:

- A. All land disturbing activities, including construction on all building lots have been completed and the entire site has been stabilized;
- B. No future land disturbing activities will occur on this project site;
- C. all temporary erosion and sediment control measures have been removed; and
- D. a copy of this notice has been sent to the appropriate SWCD or other designated entity.

Option # 3

Notice of Termination to Obtain Early Release from Compliance with 327 IAC 15-5

By Signing this Notice of Termination, I Certify the Following:

- A. The remaining, undeveloped acreage does not exceed five (5) acres, with contiguous areas not to exceed one (1) acre.
- B. A map of the project site, clearly identifying all remaining undeveloped lots, is attached to this letter. The map must be accompanied by a list of names and addresses of individual lot owners or individual lot operators of all undeveloped lots.
- C. All public and common improvements, including infrastructure, have been completed and permanently stabilized and have been transferred to the appropriate local entity.
- D. The remaining acreage does not pose a significant threat to the integrity of the infrastructure, adjacent properties, or water quality.
- E. All permanent storm water quality measures have been implemented and are operational.

Upon Written Notification of the Department the Project Site Owner Certifies that he/she will Notify:

- A. All current individual lot owners and all subsequent individual lot owners of the remaining undeveloped acreage and acreage with construction activity that they are responsible for complying with section 7.5 of 327 IAC 15-5 (the remaining individual lot owners do not need to submit a Notice of Intent letter or Notice of Termination letter); and
- B. the individual lot owners of the requirements to install and maintain appropriate measures to prevent sediment from leaving the individual building lot and maintain all erosion and sediment control measures that are to remain on-site as part of the construction plan.

Project Site Owner Responsibility Statement:

By signing this Notice of Termination letter, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed Name of Project Site Owner: _____

Signature of Project Site Owner: _____ Date: _____

This Notice of Termination must be signed by an individual meeting the signatory requirements in 327 IAC 15-4-3(g)

Upon written notification by the Department of Environmental Management, the Project Site Owner's termination for coverage under 327 IAC 15-5 shall be considered approved.

**Mail this form to: Indiana Department of Environmental Management
Office of Water Quality, Storm Water (Rule 5) Desk
100 North Senate Avenue, P.O. Box 6015
Indianapolis, IN 46206-6015**

327 IAC 15-5-8 (b) also requires a copy of the completed Notice of Termination letter be submitted to the local Soil and Water Conservation District or other entity designated by the Department, where the Project Site is located.

**For Agency Use Only
(SWCD, DNR-DSC, or Other Entity Designated by the Department)**

The above referenced site has been inspected to determine that the request to terminate this project is compliant with the requirements of 327 IAC 15-5-8.

Signature	Printed Name	Agency	Date
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