

Dear Mobile Business Owner:

Chula Vista Municipal Code (CVMC) Chapter 14.20 requires all businesses to prevent pollution of storm drainage systems by implementing Best Management Practices (BMPs). The enclosed packet of information will help you become familiar with the City's requirements and some standard BMPs for your type of business. You will find enclosed the following items:

- 1) Storm Water Information Packet based on your type of mobile business.
- 2) CVMC Chapter 14.20.
- 3) Examples of BMPs generally applicable to your type of business. Please note that additional BMPs may be required for your specific business.
- 4) Storm Water Questionnaire and Certification Statement to be completed and returned to the address below.

Please carefully read the attached information before completing and submitting the Storm Water Questionnaire and Certification Statement that is included in this packet. **Your business license application will be processed as soon as we receive the completed Questionnaire and Certification.**

You may submit the completed Questionnaire and Certification by mail, email, fax, or hand delivery to the City of Chula Vista Storm Water Management Section at:

City of Chula Vista
Storm Water Management Section
Attn: Marisa Soriano
1800 Maxwell Road
Chula Vista, CA 91911
Phone: (619) 397-6134
Fax: (619) 397-6259
Email: msoriano@chulavistaca.gov

If you have any questions or concerns, please call (619) 397-6134. Appointments can be set up on a case-by-case basis.

The City of Chula Vista is committed to sustaining a clean and healthy environment for all who live and work in Chula Vista. We appreciate your cooperation in helping the City foster its role as an environmental steward. For more information on the City's environmental programs, please visit the website www.chulavistaca.gov/clean.

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STORM WATER INFORMATION PACKET FOR MOBILE CONSTRUCTION BUSINESSES

This informational packet applies to Mobile Construction Contractors, Trades, and Building Related Businesses, including:

Description	Business License Type
• Building Maintenance	568
• Building Supplies/ Hardware	569
• Cabinet Shop/ Installation	581
• Construction Related	625
• Contractor – General	627
• Contractor – Specialty	628
• Flooring	723
• Handyman	753
• Maintenance	794
• Painting Service/ Supply	836
• Woodworking	981

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DEFINITIONS

Best Management Practices (BMPs) – Practices and procedures that prevent or reduce the pollution of storm drain systems

Mobile Construction Business – Any construction business that performs jobsite-to-jobsite construction activity or travels within the City of Chula Vista’s jurisdiction to perform construction activity. Examples include mobile cement mixing or cutting and mobile masonry.

Non-Storm Water – Water that is not purely rainwater, for example irrigation water or concrete slurry.

Pollutant – Any agent that may cause or contribute to the degradation of water quality such that a condition of pollution or contamination is created or aggravated. Some examples of pollutants include sediment, petroleum products, pesticides, fertilizers, detergents, heavy metals, animal waste, and trash.

Storm Drain System – The system of gutters, streets, catch basins, curbs, ditches, man-made channels, or storm drains designed to collect and convey storm water to a receiving water body.

Storm Water – Uncontaminated rainwater runoff, snowmelt runoff, surface runoff and drainage.

Urban Runoff – All flows in a storm drain system that may consist of storm water or non-storm water.

FACT SHEET

Mobile construction businesses have the potential to contribute a number of pollutants to the storm drain system through their normal, everyday business operations. Examples of generated pollutants include sediment, saw dust, wash water, oil and grease, cement, paint, and trash. If these pollutants are not managed properly, they can enter the storm drain system and be discharged to rivers, bays, and the ocean. By implementing Best Management Practices (BMPs), businesses can reduce and/or prevent pollutants from entering the storm drain system.

The City of Chula Vista prohibits all discharges of water not entirely composed of storm water through the City of Chula Vista Municipal Code Chapter 14.20 (Storm Water Management and Discharge Control) with a few exceptions.

For additional information about the City of Chula Vista's Storm Water Management Program please call (619) 397-6134 or visit the website at www.chulavistaca.gov/clean.

BEST MANAGEMENT PRACTICES (BMPs)

You and your employees should be familiar with the BMPs applicable to your mobile business and to implement BMPs whenever conducting mobile business activities. The following is a list of recommended BMPs for typical construction activities.

Dirt/Grading

Exposed dirt piles should not be stored or stockpiled in street, parkway, gutter or sidewalk. If you must temporarily remove soil, make sure to leave it in a contained, covered area where it cannot be tracked onto the street. If permanently removing dirt, a disposal location must be found prior to excavation. Numerous dirt haulers are available to handle disposal needs or to purchase your clean soil. Vacant lots and lots under construction must be protected to ensure that all dirt remains on the lot under any weather or working condition. Tracking dirt off the site or dirt carried off the site by runoff will, in most cases, be considered a violation and subject to an enforcement action.

Trash/Debris Storage

All trash and construction debris shall be kept in a proper trash bin or a designated waste collection area, contained and protected to ensure that trash and construction debris is not blown or washed away.

Paint/Stucco

Painting, concreting, or stucco tools shall never be rinsed out into storm drains or where rinse water may flow to the street. For small home improvement and remodeling jobs involving water-based paint, wipe used paintbrushes, pans, sprayers, and other equipment with a piece of cloth; dispose of the used cloth in the trash; then wash all used equipment in a sink connected to the sanitary sewer. For larger jobs, if you use a water-based paint, wash all paintbrushes, pans, sprayers, and other equipment into a properly constructed concrete washout pit or temporary sediment trap, allow to dry, and dispose of properly in the trash.

Dispose of any paint thinners, residue, and sludge(s) that cannot be recycled, as a hazardous waste.

Oil-based paints and solvents can only be disposed of at a hazardous waste collection site. Contact the County of San Diego Hazardous Materials Management Division, at (619) 338-2231 or (800) 253-9933, for information about hazardous waste disposal.

Staging Area

Staging in the “right-of-way” (street, parkway, gutter and sidewalk) requires a “work in the right-of-way” permit from the City of Chula Vista. This permit process strictly regulates how the “right-of-way” can be used and what measures may be required to ensure that the activity does not lead to an illegal discharge or contribute pollutants to the storm drain system. The City highly recommends that all staging areas be located on the work site or other private property. In all cases, staging areas need to be protected to ensure that materials or any pollutants are contained within the area.

Building Materials

Materials that require application and washing with water, such as grout, mortar, gypsum compound or dry wall mud, plaster or stucco, and concrete should not be rinsed into the street, gutter, or storm drain systems. These materials and the equipment and tools used to apply the materials should be handled in a way that keeps the runoff and residue

contained. Additionally, materials as pipes, flooring, dry wall, wood, bricks, metal bracings, tarpaper, and asphalt should be covered when rain is expected.

Equipment Washout Areas

Equipment washout areas should be located away from any storm drain inlets or open drainage facilities. The washout area can be a container, a berm, or liner to collect and contain liquids and prevent runoff. Remove all washout waste from the job site and dispose of it properly.

Spills

All chemicals that are not being used should be stored in designated locations with secondary containment and overhead cover. Keep spill response materials on-hand at all times. In case of a spill of liquid materials, building materials, or hazardous wastes, absorbents must be applied immediately to prevent the spill from entering the storm drain system. When the spill is controlled and contained, the absorbent must be collected and disposed of properly. Major spills should be immediately reported to the City of Chula Vista at (619) 397-6000.

INSPECTION AND ENFORCEMENT PROGRAM

The City maintains an inspection and enforcement program to ensure that all businesses operating within the City are in compliance with CVMC Chapter 14.20 requirements and discharge prohibitions. CVMC Chapter 14.20 is intended to reduce the amount of pollutants entering storm drains and polluting our beaches, bays, and the ocean. Violating any of the City's storm water regulations constitutes a public nuisance and can lead to civil or criminal enforcement action. Please provide training to all employees so that they are aware of CVMC 14.20 and the BMPs related to your business activities.

ADDITIONAL INFORMATION

For additional information on the regional mobile business program, please consult the following websites:

- <http://bmp.projectcleanwater.org/>
- <http://www.cabmphandbooks.com/>

FREQUENTLY ASKED QUESTIONS

What is the difference between the storm drain and the sanitary sewer?

The storm drain system collects and conveys rainwater and urban runoff from our neighborhoods to creeks, rivers, and San Diego Bay **without** any treatment. The sanitary sewer system collects and conveys wastewater from bathrooms, kitchen sinks, etc., to a sewer treatment plant where wastewater gets treated before being discharged to the Pacific Ocean.

What types of mobile construction businesses does the City of Chula Vista Storm Water Ordinance regulate?

The Storm Water Ordinance regulates all businesses that may create pollutants or polluted runoff. Examples of mobile construction businesses may include but are not limited to: building maintenance, concrete cutting and sawing, concrete delivery and pavement work, asphalt work, painting, masonry, stucco, cabinet and woodworking, tiling, roofing, etc.

The City of Chula Vista Storm Water Ordinance also applies to all industrial, commercial, and construction businesses. These businesses are subject to the same requirements as mobile businesses and are subject to inspections and enforcement.

When did the “prohibition of non-storm water discharges to the storm drain system” regulation go into effect?

It has been illegal to discharge any type of wastewater or wash water into the storm drain system in Chula Vista since 1990.

I use biodegradable products. Why can't I discharge these to the storm drain?

The term “biodegradable” simply means that the product will break down faster than conventional products and does not harm the sewer treatment process. Mismanaged biodegradable products can be storm water pollutants and can cause environmental problems such as a fish kill in a creek just as fast as non-biodegradable products. It is important to remember that not only the chemicals you use, but also the pollutants you wash off are prohibited from entering the storm drain system.

How do I access the sanitary sewer line to properly dispose of my wash water?

You can access the sewer line through a cleanout stub (where the plumber sends the drain snake), a sink, a toilet, or some indoor floor drains connected to the sanitary sewer. Be aware

that most outside area drains are connected to the storm drain rather than the sanitary sewer, so be sure you know how things are plumbed before discharging to floor drains. Never open a public sewer or storm drain manhole in the street. Opening a manhole is not only extremely dangerous, but it is also against the law for unauthorized persons.

Is washing a vehicle or any other equipment on a private driveway prohibited?

If you have a mobile business and wash business vehicles on private property, you are required to capture all runoff and properly manage all cleaning supplies so that they will not enter the City's sidewalks, streets, gutters, and storm drain system. Washing of equipment on private driveways is prohibited.

I have a business license for my mobile business in another city. To work in Chula Vista, am I required to obtain a Chula Vista business license?

Yes. The City of Chula Vista requires that all mobile businesses that perform business operations within its jurisdiction obtain a Chula Vista business license. In order to obtain a business license, applicants are required to complete a Storm Water Questionnaire and Certification. Mobile businesses also receive educational materials about storm water pollution prevention, the City's Storm Water Ordinance, and example BMPs related to their mobile business as a part of the business license application process.



BL# _____

STORM WATER QUESTIONNAIRE AND CERTIFICATION STATEMENT

Please answer all questions and sign and date at the bottom. If you have any questions, please call (619) 397-6134 for assistance. *Business license approval pending return of this document.*

Applicant Name: _____ Phone: (_____) _____
Last First M.I. Area Code Phone Number

Mailing Address: _____
Number Street Apt.# City State Zip Code

Name of Business: _____

Type of Business: _____

1. Explain what potential pollutants or non-storm water is generated by your business operations.

2. Explain how you will prevent pollutants or non-storm water from your business operations and activities from entering the storm drain.

3. Have you received and read the City of Chula Vista Municipal Code Chapter 14.20 "Storm Water Management and Discharge Control" (copy attached)?

- Yes
 No You are required to read this document.

4. Are you familiar with the Best Management Practice (BMP) requirements related to your business?

- Yes Please explain: _____

 No Please read the attached copies of the storm water BMPs and familiarize yourself with the requirements.

I declare under the penalty of perjury that the foregoing information is true and correct. I certify that I will not discharge runoff to City of Chula Vista storm drains. Also, I understand that I need to comply with City of Chula Vista Municipal Code Chapter 14.20 (Storm Water Management and Discharge Control) and the recommended BMP implementation requirements (copies of each received).

Applicant Signature: _____ Date: _____

City Approval Signature: _____ Date: _____

Chapter 14.20 STORM WATER MANAGEMENT AND DISCHARGE CONTROL

Sections:

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14.20.010 Purpose and intent.

The purpose of this chapter is to promote the health, safety, and general welfare of the citizens of the City of Chula Vista by:

- A. Prohibiting non-storm water discharges to the storm water conveyance system.
- B. Preventing discharges to the storm water conveyance system from spills, dumping or disposal of materials other than storm water.
- C. Reducing pollutants in storm water discharges, including those pollutants taken up by storm water as it flows over urban areas (“urban runoff”), to the maximum extent practicable.
- D. Reducing pollutants in storm water discharges in order to achieve applicable water quality objectives for surface waters in San Diego County.

The intent of this chapter is to protect and enhance the water quality of our watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Clean Water Act (33 USCA Section 1251, et seq.) and its implementing regulations, the Porter-Cologne Water Quality Control Act (California Water Code Section 13020, et seq.) and its implementing regulations, and the San Diego Regional Water Quality Control Board (NPDES Permit No. CAS

0109266) and any subsequent amendments thereto. (Ord. 2854 § 1, 2002; Ord. 2597 § 11, 1994).

14.20.020 Scope.

This chapter shall be interpreted in accordance with the definitions set forth herein and the provisions of this chapter shall apply to the direct or indirect discharge of pollutants into the city's storm water conveyance system.

Further, this chapter shall be interpreted in accordance with the requirements of the federal Clean Water Act and acts amendatory thereof or supplementary thereto; applicable implementing regulations; NPDES Permit No. CAS 0109266) and any amendment, revision, or reissuance thereof; and the purposes and intent of this chapter.

This chapter, among other things, provides for the prohibition of non-storm water discharges to the storm water conveyance system, the prohibition of illegal connections to the storm water conveyance system, the requirement that all persons reduce the volume and character of pollutants related to urban activity entering the storm water conveyance system to the maximum extent practicable, and the establishment of enforcement mechanisms for violation of this chapter, including civil and criminal fines and penalties. (Ord. 2854 § 2, 2002; Ord. 2597 § 11, 1994).

14.20.030 Definitions.

When used in this chapter, the following terms shall have the meanings ascribed to them in this section:

A. "Basin plan" shall mean the "Water Quality Control Plan for the San Diego Basin" adopted by the Regional Water Quality Control Board, San Diego Region (September 1994), and approved by the State Water Resources Control Board, together with subsequent amendments.

B. "Best management practices (BMPs)" shall mean schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce, to the maximum extent practicable, the discharge of pollutants directly or indirectly to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

C. "Building permit" shall mean a permit issued by the Building Official pursuant to Chapter [15.06](#) CVMC.

D. "California ocean plan" shall mean the "California Ocean Plan: Water Quality Control Plan for Ocean Waters of California" adopted by the State Water Resources Control Board in October 2012, and any subsequent amendments.

E. "Clean Water Act" shall mean the federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 95-117 (33 USCA Section 1251, et seq.), and any subsequent amendments.

F. "County Health Officer" shall mean the Health Officer of the County of San Diego Department of Public Health or designee.

G. "Development" shall mean:

1. The placement or erection of any solid material or structure on land, in water, or under water;
2. The discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste;
3. The grading, removing, dredging, mining, or extraction of any materials;
4. A change in the density or intensity of the use of land, including, but not limited to, a subdivision pursuant to the Subdivision Map Act (Government Code Section 66410, et seq.) and any other division of land, except where the division of land is brought about in connection with the purchase of such land by a public agency for public recreational use;
5. A change in the intensity of the use of water, or of access thereto;
6. The construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal entity; and
7. The removal or harvesting of major vegetation other than for agricultural purposes.

As used in this definition, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (Source: Government Code Section 65927.)

H. "Employee training program" shall mean a documented employee training program for all persons responsible for implementing a storm water pollution prevention plan. The employee training program shall include, but is not limited to, the following topics:

1. Laws, regulations, and local ordinances associated with storm water pollution prevention, and an overview of the potential impacts of polluted storm water on the receiving waters of the San Diego region;
2. Proper handling of all materials and wastes to prevent spillage;
3. Mitigation of spills including spill response, containment and cleanup procedures;
4. Visual monitoring of all effluent streams to ensure that no illegal discharges enter the storm water conveyance system;
5. Discussion of the differences between the storm water conveyance system and the sanitary sewer system;
6. Identification of all on-site connections to the storm water conveyance system;
7. Preventive maintenance and good housekeeping procedures;
8. Material management practices employed by the facility to reduce or eliminate pollutant contact with storm water discharge.

I. "Enclosed bays and estuaries plan" shall mean the "California Enclosed Bays and Estuaries Plan: Water Quality Control Plan for Enclosed Bays and Estuaries of California," adopted by the State Water Resources Control Board September 2008, and all subsequent amendments.

J. "Enforcement agency" shall mean the City of Chula Vista or its authorized agents charged with ensuring compliance with this chapter.

K. "Enforcement official" shall mean the Director of Public Works or his or her designee.

L. "Hazardous materials" shall mean any substance or mixture of substances which is toxic, corrosive, flammable, an irritant, a strong sensitizer, or generates pressure through decomposition, heat or other means, if such a substance or mixture of substances may cause substantial injury, serious illness or harm to humans, domestic livestock, or wildlife.

M. "Illegal connection" shall mean any physical connection to the storm water conveyance system which has not been permitted by the City of Chula Vista or the San Diego Regional

Water Quality Control Board, or which drains illegal discharges either directly or indirectly into the storm water conveyance system.

N. "Illegal discharge" shall mean any discharge to the storm water conveyance system that is not composed entirely of storm water, or is expressly prohibited by federal, state, or local regulations, laws, codes, or ordinances, NPDES Permit No. CAS 0109266, or degrades the quality of receiving waters in violation of any plan water quality objective. Discharges of irrigation runoff to the storm water conveyance system are considered illegal discharges.

O. "Land development permit" shall mean a permit issued by the Director of Public Works pursuant to Chapter [15.04](#) CVMC.

P. "Maximum extent practicable (MEP)" shall mean the technology-based standard established by Congress in Clean Water Act Section 402(p)(3)(B)(iii) that municipal dischargers of storm water discharges must meet. MEP generally emphasizes pollution prevention and source control BMPs primarily in combination with treatment methods serving as a backup.

Q. "National Pollutant Discharge Elimination System Permit (NPDES permit)" shall mean a permit issued by the Regional Water Quality Control Board or the State Water Resources Control Board, pursuant to Chapter 5.5, Division 7 of the California Water Code, to control discharges from point sources to waters of the United States, including, but not limited to:

1. California Regional Water Quality Control Board, San Diego Region, (NPDES No. CAS 0109266), NPDES municipal permit – Waste discharge requirements for discharges from the municipal separate storm sewer systems (MS4s) draining the watersheds within the San Diego Region;
2. NPDES general permit for storm water discharges associated with industrial activities;
3. NPDES general permit for storm water discharges associated with construction activity;
4. California Regional Water Quality Control Board, San Diego Region, general permit for discharges of groundwater extraction waste to San Diego Bay tributaries thereto under tidal influence, and storm drains or other conveyance systems tributary thereto;
5. California Regional Water Quality Control Board, San Diego Region, general permit for discharges of groundwater extraction waste to water bodies except for San Diego Bay; and
6. NPDES general permit for discharges from utility vaults and underground structures to surface waters.

R. "Non-storm water discharge" shall mean any discharges to or from the Storm Water Conveyance System that is not entirely composed of storm water, including illegal discharges and discharges allowed under an NPDES permit, (also see definition of "storm water").

S. "Parking lot" shall mean an open area, other than a street or other public way, used for the parking of motorized vehicles, whether for a fee or free, to accommodate clients or customers, or to accommodate residents of multifamily dwellings (i.e., apartments, condominiums, townhomes, mobilehomes, dormitories, group quarters, etc.).

T. "Person" shall mean any individual, organization, business trust, company, partnership, entity, firm, association, corporation, or public agency, including the state of California and the United States of America.

U. "Plan water quality objective" shall mean any or all applicable requirements of the basin plan, the enclosed bays and estuaries plan and the California ocean plan.

V. "Pollutant" shall mean any agent introduced to the Storm Water Conveyance System that may cause or contribute to the degradation of water quality such that a condition of pollution or contamination is created or aggravated

As used in this definition, "pollution" means, as defined in the Porter-Cologne Water Quality Control Act, "the alteration of the quality of the waters of the State by waste, to a degree which unreasonably affects either of the following: 1) The waters for beneficial uses; or 2) Facilities that serve these beneficial uses." Pollution may include contamination.

As used in this definition, "contamination" means, as defined in the Porter-Cologne Water Quality Control Act, "an impairment of the quality of waters of the State by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. 'Contamination' includes any equivalent effect resulting from the disposal of waste whether or not waters of the State are affected."

W. "Premises" shall mean any building, lot, parcel, real estate, land, or portion of land, whether improved or unimproved.

X. "Receiving waters" shall mean waters of the United States, as defined under the Clean Water Act. Receiving waters include surface bodies of water that serve as discharge points for the Storm Water Conveyance System, such as creeks, rivers, reservoirs, lakes, lagoons, estuaries, harbors, bays, and the Pacific Ocean.

Y. "Significant quantities" shall mean the volume, concentrations, or mass of a pollutant in a discharge that can cause or threaten to cause pollution, contamination, or nuisance; or adversely impact human health or the environment; or cause or contribute to a violation of any water quality standards applicable to the receiving water.

Z. "Storm water" shall mean storm water runoff, snow melt runoff, and surface runoff and drainage resulting from precipitation events.

For the purposes of this chapter, storm water runoff and drainage from areas that are in a natural state, have not been significantly disturbed or altered, either directly or indirectly, as a result of human activity, and the character and type of pollutants naturally appearing in the runoff that have not been significantly altered, either directly or indirectly, as a result of human activity, shall be considered "unpolluted" and shall satisfy the definition of "storm water" in this chapter.

AA. "Storm water conveyance system" shall mean "a Municipal Separate Storm Sewer System" or "MS4," which is a conveyance or system of conveyances (including roads or drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) owned or operated by the City; and (ii) designated or used for collecting or conveying storm water;

BB. "Storm water pollution prevention plan" shall mean a document which describes the on-site program activities to utilize BMPs to eliminate or reduce pollutant discharges to the storm water conveyance system to the maximum extent practicable.

A storm water pollution prevention plan prepared and implemented pursuant to any NPDES permit shall meet the definition of a "storm water pollution prevention plan" for the purposes of this chapter.

CC. "Watercourse" shall mean any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, arroyo or wash in which waters flow in a definite direction or course, either continuously or intermittently, and which has a definite channel and a bed or banks. A "channel" is not limited to land covered by minimal or ordinary flow but also includes land covered during times of high water. "Watercourse" does not include

any surface drainage prior to its collection in a stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, arroyo or wash.

DD. "Watercourse permit" shall mean a permit issued by the Director of Public Works pursuant to Chapter [14.08 CVMC](#).

EE. "Wetlands" shall mean areas that are inundated or saturated by surface or ground waters at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. "Wetlands" generally includes swamps, marshes, bogs, and similar areas. (Ord. 3245, 2012; Ord. 2854 § 3, 2002; Ord. 2790, 1999; Ord. 2597 § 11, 1994).

14.20.040 Administration.

The enforcement official shall administer, implement, and enforce the provisions of this chapter. Any powers granted to, or duties imposed upon, the enforcement official may be delegated by the enforcement official to persons in the employ of the city, or pursuant to contract.

When deemed necessary by the enforcement official, the enforcement official shall prepare and present to the City Council for approval regulations and programs consistent with the general policies established herein by the City Council. The enforcement official shall enforce Council-approved regulations necessary to the administration of this chapter, and may recommend that the Council amend such regulations and programs from time to time, as conditions require. (Ord. 2854 § 4, 2002; Ord. 2597 § 11, 1994).

14.20.100 Discharge of non-storm water prohibited.

A. It is unlawful for any person to discharge non-storm water into the storm water conveyance system, except as provided in Chula Vista Municipal Code Section [14.20.110](#).

B. It is unlawful for any person to cause either individually or jointly any discharge into or from the storm water conveyance system that results in or contributes to a violation of any NPDES permit.

Liability for any damage, abatement costs, or fines against the permit holder caused by such discharge shall be the responsibility of the person(s) causing or responsible for the discharge. (Ord. 2854 § 5, 2002; Ord. 2597 § 11, 1994).

14.20.110 Exemptions to discharge prohibition.

The following discharges are exempt from the prohibition set forth in CVMC [14.20.100](#); provided, that they do not: (1) cause or significantly contribute to violations of the water quality standards set forth in any plan water quality objective, (2) convey significant quantities of pollutants to receiving waters, or (3) cause a danger to public health and safety:

A. Any discharge or connection to the Storm Water Conveyance System that is regulated under an NPDES permit issued to the discharger and administered by the State of California pursuant to Chapter 5.5, Division 7 of the California Water Code is allowed; provided that the discharger is in compliance with all requirements of the NPDES permit and other applicable laws and regulations.

B. Non-storm water discharges to the Storm Water Conveyance System from the following categories are allowed if the discharger obtains coverage under NPDES Permit No. CAG919001, NPDES Permit No. CAG919002 or any successor permits for discharges of groundwater. Otherwise, it will be considered illegal discharges:

1. discharges from uncontaminated pumped groundwater;
2. discharges from foundation drains when the system is designed to be located at or below the groundwater table to actively or passively extract groundwater during any part of the year;
3. discharges from crawl space pumps; and
4. discharges from footing drains when the system is designed to be located at or below the groundwater table to actively or passively extract groundwater during any part of the year.

C. Non-storm water discharges to the Storm Water Conveyance System from water line flushing and water main breaks are allowed if the dischargers have coverage under NPDES Permit No. CAG679001 or any successor permits, and the discharger is in compliance with all requirements of that NPDES permit and other applicable laws and regulations. Discharges to the Storm Water Conveyance System from recycled or reclaimed water lines are allowed if the discharger have coverage under an NPDES permit, and the discharger is in compliance with all requirements of that NPDES permit and other applicable laws and regulations. Otherwise, discharges from water lines are illegal discharges,

D. Non-storm water discharges to the Storm Water Conveyance System from the following categories are allowed, unless the City identifies the discharge as a source of pollutants to receiving waters, in which case the discharge is considered an illegal discharge:

1. discharges from diverted stream flows;
2. discharges from rising groundwater;
3. discharges from uncontaminated groundwater infiltration to the Storm Water Conveyance System;
4. discharges from springs;
5. discharges from riparian habitats and wetlands;
6. discharges from potable water sources, except that irrigation runoff discharges are considered illegal discharges and are prohibited;
7. discharges from foundation drains when the system is designed to be located above the groundwater table at all times of the year, and the system is only expected to discharge non-storm water under unusual circumstances; and
8. discharges from footing drains when the system is designed to be located above the groundwater table at all times of the year, and the system is only expected to discharge non-storm water under unusual circumstances.

E. Non-storm water discharges to the Storm Water Conveyance System from the following categories are allowed if they are addressed with BMPs as set forth in the Jurisdictional Runoff Management Program. Otherwise, said discharges are illicit discharges:

1. Air conditioning condensation
2. Individual residential vehicle washing, except that non-commercial car washes, such as fundraisers and other similar activities, are prohibited; and
3. Water from swimming pools

F. Non-storm water discharges from firefighting activities are allowed if they are addressed as follows:

1. Non-emergency firefighting discharges, including building fire suppression system maintenance discharges such as sprinkler line flushing, controlled or practice blazes, training, and other maintenance activities shall be addressed by BMPs as set forth in the Jurisdictional Runoff Management Program to prevent the discharge of pollutants to the Storm Water Conveyance System.

2. BMPs are encouraged to prevent pollutants from entering the Storm Water Conveyance System during emergency firefighting discharges. During emergencies, priority of efforts should be directed toward life, property, and the environment (in descending order). BMPs shall not interfere with emergency response operations or impact public health and safety.

G. Any discharge which the enforcement agency, the County Health Officer, the Regional Water Quality Control Board and/or the U.S. Environmental Protection Agency determines in writing is necessary for the protection of the public health and safety. (Ord. 3245, 2012; Ord. 3103 § 1, 2008; Ord. 2854 § 6, 2002; Ord. 2597 § 11, 1994).

14.20.120 Reduction of pollutants contacting or entering storm water required.

Any person engaged in activities which may result in pollutants entering the storm water conveyance system shall, to the maximum extent practical, undertake all measures to reduce the risk of illegal discharges. The following requirements shall apply:

A. Best Management Practices Implementation. It is unlawful for any person not to comply with BMPs and pollution control requirements established by the city or other responsible agency to eliminate or reduce pollutants entering the city's storm water conveyance system. BMPs shall be complied with throughout the life of the activity.

B. Storm Water Pollution Prevention Plan. When the enforcement official determines that a business or business-related activity causes or may cause an illegal discharge to the storm water conveyance system, then the enforcement official may require the business to develop and implement a storm water pollution prevention plan (SWPPP). Businesses which may be required to prepare and implement a SWPPP include, but are not limited to, those which perform maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading, and/or cleanup activities partially or wholly out of doors.

C. Coordination with Hazardous Materials Response Plans and Inventory. Any activity subject to the hazardous materials inventory and response program, pursuant to Chapter 6.95 of the California Health and Safety Code, shall include provisions for compliance with this chapter in its hazardous materials response plan, including prohibitions of unlawful non-storm water discharges and illegal discharges, and provisions requiring the use of BMPs to reduce the discharge of pollutants in storm water.

D. Impervious Surfaces. Persons owning or operating a parking lot or an impervious surface (including, but not limited to, service station pavements or paved private streets and roads) used for automobile-related or similar purposes shall clean those surfaces as frequently and as thoroughly as is necessary, in accordance with BMPs, to prevent the discharge of pollutants to the city's storm water conveyance system. Sweepings or cleaning residue from parking lots or impervious surfaces shall not be swept or otherwise made or allowed to go into any storm water conveyance, gutter, or roadway, but must be disposed of in accordance with regional solid waste procedures and practices.

E. Compliance with NPDES Permit for Storm Water Discharges. Each discharger subject to any NPDES permit for storm water discharges shall comply with all requirements of such permit. (Ord. 2854 § 7, 2002; Ord. 2597 § 11, 1994).

14.20.125 Additional planning, design, construction, and post-construction requirements for all land development and redevelopment projects.

The City of Chula Vista Best Management Practices Design Manual (BMP Design Manual) is a part of this chapter and is incorporated by reference as though set forth in full in this

chapter. No land owner or development project proponent in the City of Chula Vista shall receive any city permit or approval for land development activity or significant redevelopment activity unless the project meets or will meet the requirements of this chapter and the BMP Design Manual.

14.20.130 Containment, cleanup, and notification of spills.

It is unlawful for any person owning or occupying any premises who has knowledge of any release of significant quantities of materials, pollutants, or waste which may result in pollutants or non-storm water discharges entering the City's storm water conveyance system to not immediately take all reasonable action to contain, minimize, and clean up such release. Such person shall notify the City of Chula Vista of the occurrence and/or the County of San Diego Department of Health Services/Environmental Health Services Hazardous Materials Management Division, and any other appropriate agency of the occurrence as soon as possible, but no later than 24 hours from the time of the incident's occurrence. (Ord. 2597 § 11, 1994).

14.20.140 Watercourse protection.

In addition to the prohibitions relating to watercourses and the requirements for watercourse permits set forth in Chapter [14.08](#) CVMC, it is unlawful for any person owning and/or occupying property through which a watercourse passes to fail or refuse to:

A. Keep and maintain that part of the watercourse within the property free of trash, debris, and other obstacles which would pollute, contaminate, or significantly retard the flow of water through the watercourse.

B. Maintain existing privately owned structures within or adjacent to a watercourse so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

C. Keep and maintain healthy bank vegetation in such a manner as to minimize the vulnerability of the watercourse to erosion. (Ord. 2597 § 11, 1994).

14.20.150 Development in or adjacent to watercourse restricted – Land development, building, or watercourse permit required.

No person shall carry out development within 30 feet of the centerline of any watercourse or within 20 feet of the edge of any watercourse, whichever is the greater distance from the top of the creek bank, unless a land development, building, or watercourse permit has first been obtained. The City officer issuing said permit is hereby granted the authority to establish controls on the volume and rate of storm water runoff from such new development as may be reasonable and appropriate to minimize the discharge and transport of pollutants to the maximum extent practicable in the granting or conditioning the granting of such permit. (Ord. 2597 § 11, 1994).

14.20.160 Illegal connection prohibited.

It is unlawful for any person to establish, use, or maintain any illegal connection to the storm water conveyance system, regardless of whether such connection was made under a permit or other authorization or whether permissible under the law or practices applicable or prevailing at the time of the connection, except as authorized in CVMC [14.20.110](#)(A). (Ord. 2854 § 8, 2002).

14.20.170 Proof of compliance required.

Proof of compliance with this chapter may be required in a form acceptable to the city prior to or as a condition of a subdivision map, site plan, development improvement plan, building permit, grading permit or any other permit or activity which may affect the storm water conveyance system and/or the waters entering it. Proof of compliance shall be furnished upon request of the enforcement official. (Ord. 2854 § 9, 2002).

14.20.200 Inspection and sampling – General.

A. After obtaining legal entry to any premises in accordance with CVMC [1.16.010](#) or by consent, the representative of the enforcement agency shall have the right to:

1. Carry out any inspection and sampling activities on the premises as may be necessary to enforce the provisions and requirements of this chapter. Upon request, split samples shall be given to the owner and/or occupant of the premises.
2. Inspect any vehicle on the premises reasonably suspected of causing, contributing to, or being used to transport an illegal discharge to the storm water conveyance system.
3. Conduct tests, analyses and evaluations to determine if a discharge of storm water is an illegal discharge or to determine if the requirements of this chapter have been met.
4. Photograph any effluent stream, material or waste, material or waste container, container label, vehicle, waste treatment process, waste disposal site, or condition contributing to storm water pollution and constituting a violation of this chapter found during an inspection.
5. Inspect and copy pertinent records relating to the facility's operations, including inventories, chemical usage, materials, sources, hazardous materials manifests and disposal records, treatment and operations log books, and materials invoices.
6. Review and obtain a copy of the storm water pollution prevention plan prepared by the owner and/or occupant or facility operator, if such a plan is required.
7. Require the owner and/or occupant or facility operator to retain evidence, as instructed by the inspector, for a period not to exceed 30 days.
8. Review and obtain copies of all storm water monitoring data compiled by the owner and/or occupant or facility operator, if such monitoring is required.
9. Review and obtain copies of all records related to handling of pollutants and hazardous materials.

B. The enforcement official may conduct routine or area inspections, which shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling or sampling in areas with evidence of storm water contamination, illegal discharges, discharge of non-storm water to the storm water conveyance system, or similar factors.

C. All enforcement officials shall have adequate identification. Enforcement officials and other authorized personnel shall identify themselves when entering any property for inspection purposes or when inspecting the work of any contractor. (Ord. 2854 § 10, 2002; Ord. 2597 § 11, 1994).

14.20.210 Inspection procedures – Additional requirements.

During the inspection, the enforcement official shall comply with all reasonable security, safety, and sanitation measures. In addition, the enforcement official shall comply with reasonable precautionary measures specified by the owner and/or occupant or facility operator.

At the conclusion of the inspection, and prior to leaving the site, the enforcement official shall make every reasonable effort to review with the owner and/or occupant or the facility operator each of the violations noted by the enforcement official and any corrective actions that may be necessary. A report listing any violation found by the enforcement official during the inspection shall be kept on file by the enforcement agency. A copy of the report shall be provided to the owner and/or occupant or facility operator, or left at the premises if no person is available. If corrective action is required, then the occupant, facility owner, and/or facility operator shall implement a plan of corrective action based upon a written plan of correction, submitted to the enforcement agency, which states the corrective actions to be taken and the expected dates of completion. Failure to implement a plan of correction constitutes a violation of this chapter. (Ord. 2597 § 11, 1994).

14.20.220 Authority to sample and establish sampling devices.

With the consent of the property owner or occupant or pursuant to an inspection warrant, the enforcement official is authorized to establish on any property that discharges directly or indirectly to the municipal storm water conveyance system such devices as are necessary to conduct sampling or metering operations. During all inspections as provided herein, the official may take samples of materials, wastes, and/or effluent as deemed necessary to aid in the pursuit of the inquiry or in the recordation of the activities on-site. (Ord. 2854 § 11, 2002; Ord. 2597 § 11, 1994).

14.20.230 Testing, monitoring or mitigation required – When.

A. The enforcement official may require that any person engaged in any activity and/or owning or operating any facility which causes or may contribute to storm water pollution or contamination, illegal discharges, and/or discharge of non-storm water to the storm water conveyance system perform monitoring, including physical and chemical monitoring and/or analyses, and furnish reports as the enforcement official may specify, if:

1. The person, or facility owner or operator, fails to eliminate illegal discharges within a specified time after receiving a written notice to do so by the enforcement official; or
2. The enforcement official has documented repeated violations of this chapter by the person or facility owner, or operator, which have caused or contributed to storm water pollution.

It is unlawful for such person or facility owner or operator to fail or refuse to undertake and provide the monitoring, analyses, and/or reports specified. Specific monitoring criteria shall bear a relationship to the types of pollutants which may be generated by the person's activities or the facility's operations. If the enforcement agency has evidence that a pollutant is originating from a specific premises, then the enforcement agency may require monitoring for that pollutant regardless of whether said pollutant may be generated by routine activities or operations. The person or facility owner or operator shall be responsible for all costs of these activities, analyses and reports.

B. Any persons required to monitor, pursuant to subsection (A) of this section, shall implement a storm water monitoring program including, but not limited to, the following:

1. Routine visual monitoring for dry weather flows;
2. Routine visual monitoring for spills which may pollute storm water runoff;
3. A monitoring log including monitoring date, potential pollution sources, as noted in subsections (B)(1) and (2) of this section, and a description of the mitigation measures taken to eliminate any potential pollution sources.

C. If testing, monitoring or mitigation required pursuant to this chapter is deemed no longer necessary by the enforcement official, then any or all of the requirements contained in subsections (A) and (B) of this section may be discontinued.

D. A storm water monitoring program prepared and implemented pursuant to any NPDES permit shall be deemed to meet the requirements of a monitoring program for the purposes of this chapter. All monitoring data and analytical evaluation/assessment reports required by such a permit shall be submitted to the city at the same time the data and reports are submitted to the Regional Water Quality Control Board. (Ord. 2854 § 12, 2002; Ord. 2597 § 11, 1994).

14.20.300 Concealment.

Causing, permitting, aiding, abetting or concealing a violation of any provision of this chapter is unlawful and shall constitute a separate violation of this chapter. (Ord. 2597 § 11, 1994).

14.20.310 Administrative enforcement powers.

The enforcement agency and enforcement official can exercise any enforcement powers as provided in CVMC Title [1](#). In addition to the general enforcement powers provided in CVMC Title [1](#), the enforcement agency and enforcement official have the authority to utilize the following administrative remedies as may be necessary to enforce this chapter:

A. Cease and Desist Orders. When the enforcement official finds that an illegal discharge has or is likely to occur or an illegal connection is in place, the enforcement official may issue an order to cease and desist such discharge, practice, or operation likely to cause such discharge and direct that those persons not complying shall:

1. Comply with the applicable provisions and policies of this chapter;
2. Comply with a time schedule for compliance, which may consist of a duty to cease and desist immediately; and
3. Take appropriate remedial or preventive action to prevent the violation from recurring.

B. Notice to Clean and Abate. Whenever the enforcement official finds any oil, earth, dirt, grass, weeds, dead trees, tin cans, rubbish, refuse, waste or any other material of any kind in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds, which may result in an increase in pollutants entering the city's storm water conveyance system or a non-storm water discharge to the city's storm water conveyance system, the enforcement official may issue orders and give written notice to remove same in any reasonable manner. The recipient of such notice shall undertake the activities as described in the notice.

C. Storm Water Pollution Prevention Plan. The enforcement official shall have the authority to establish elements of a storm water pollution prevention plan, and to require any owner or occupier of any premises to adopt and implement such a plan, pursuant to CVMC [14.20.120\(B\)](#), as may be reasonably necessary to fulfill the purposes of this chapter.

D. Employee Training Program. The enforcement official shall have the authority to establish elements of an employee training program, as may be necessary to fulfill the purposes of this chapter, where such a program has been required as an element of a storm water pollution prevention plan.

E. Best Management Practices. The enforcement official may establish the requirements of BMPs for any premises pursuant to CVMC [14.20.120\(A\)](#).

F. Civil Penalties. Notwithstanding any other provisions of the municipal code, a person who violates any of the provisions of this chapter or who fails to implement a storm water monitoring plan, violates any cease and desist order or notice to clean and abate, or fails to adopt or implement a storm water pollution prevention plan as directed by the enforcement official shall be liable for a civil penalty not to exceed \$10,000 for each day such a violation exists. The violator shall also be charged for the full costs of any investigation, inspection, or monitoring survey which led to the detection of any such violation; for abatement costs; and for the reasonable costs of preparing and bringing legal action under this subsection. In addition to any other applicable procedures, the enforcement agency may utilize the lien procedures of Chapter [1.30](#) CVMC to enforce the violator's liability. The violator may also be liable for compensatory damages for impairment, loss or destruction to water quality, wildlife, fish and aquatic life.

G. Administrative Citations. Notwithstanding any other provision of the municipal code, a person who violates any provision of this chapter or disobeys an enforcement order may be issued an administrative citation by the enforcement official requiring immediate corrective action and imposing an administrative fine in an amount as set forth in CVMC [1.41.100\(D\)\(1\)](#). (Ord. 2854 § 13, 2002; Ord. 2597 § 11, 1994).

14.20.320 Administrative notice, hearing, and appeal procedures.

A. Service. Unless otherwise provided herein, any order, notice of violation, or other notice required to be given by the enforcement official under this chapter shall be in writing and served in accordance with CVMC [1.40.030](#).

B. Notice Contents. Notwithstanding any other provision of the municipal code, when the enforcement official determines that a violation of one or more provisions of this chapter exists or has occurred, any violator(s) may be served with a written notice of violation and order. The notice and order shall state the municipal code section violated, describe how violated, the location, date(s) and time(s) of the violation(s), and describe the corrective action required. The notice and order may require immediate corrective action by the violator(s) and explain which method(s) of enforcement the city is utilizing. The notice and order shall explain the consequences of failing to comply. Finally, the notice and order shall identify all hearing/appeal rights and specify the issuing officer.

C. Hearings and Appeals. Notwithstanding any other provision of the municipal code, a violator may request a hearing to contest the enforcement official's determination that a violation has occurred. Such request must be in writing and received by the city within 10 calendar days of service of the notice of violation (or 30 calendar days for out-of-state residents) in a form approved by the enforcement official. If the city does not receive such a written request within 10 calendar days (or 30 calendar days for out-of-state residents), it shall constitute a waiver of the right to a hearing and adjudication of all or any portion of the notice and order. Once a request for hearing is received, the hearing shall be conducted pursuant to CVMC [1.40.020\(B\)](#) through (I) and [1.40.070](#). If the violator(s) fails to attend the hearing, it shall constitute a waiver of the right to a hearing and adjudication of all or any portion of the notice and order. (Ord. 2854 § 14, 2002; Ord. 2597 § 11, 1994).

14.20.330 Judicial enforcement.

A. Criminal Penalties. Notwithstanding CVMC [1.20.010](#), any person who violates any provision of this chapter or who fails to implement a storm water monitoring plan, violates any cease and desist order or notice to clean and abate, or fails to adopt or implement a storm water pollution prevention plan as directed by the enforcement official shall be punished, upon

conviction, by a fine not to exceed \$10,000 for each day in which such violation occurs, or imprisonment in the San Diego County jail for a period not to exceed one year, or both.

B. Injunction/Abatement of Public Nuisance. Whenever a discharge into the storm water conveyance system is in violation of the provisions of this chapter or otherwise threatens to cause a condition of contamination, pollution, or nuisance, the enforcement official may also cause the city to seek a petition to the superior court for the issuance of a preliminary or permanent injunction, or both, or an action to abate a public nuisance, as may be appropriate in restraining the continuance of such discharge.

C. Other Civil Action. Whenever a notice and order or hearing officer's decision is not complied with, the city attorney may, at the request of the enforcement official, initiate any appropriate civil action in a court of competent jurisdiction to enforce such notice and order and decision, including the recovery of any unpaid storm drain fees and/or civil penalties provided herein. (Ord. 2597 § 11, 1994).

14.20.340 Violations deemed a public nuisance.

In addition to the other civil and criminal penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to the public health, safety, and welfare and is declared and deemed a public nuisance, which may be summarily abated and/or restored as directed by the enforcement official in accordance with the procedures identified in this chapter or Chapter [1.30](#) CVMC. A civil action to abate, enjoin or otherwise compel the cessation of such nuisance may also be taken by the city, if necessary.

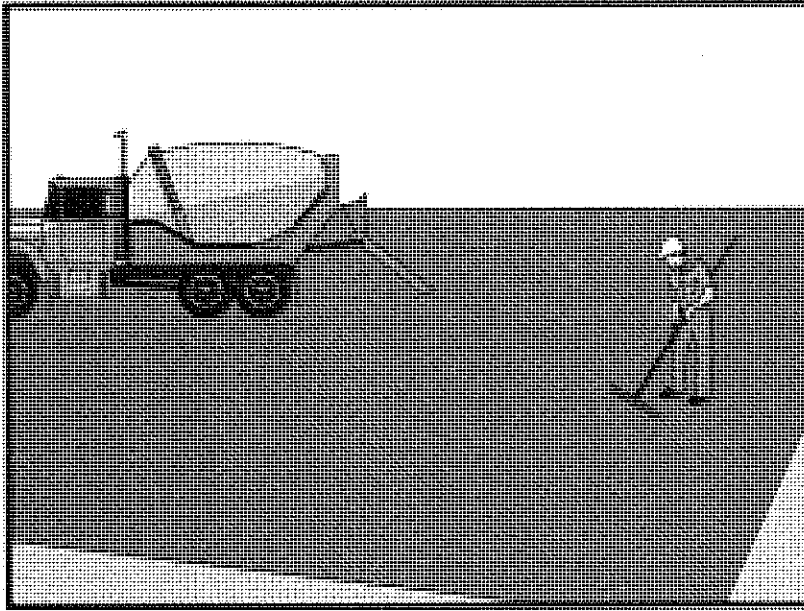
The full cost of such abatement and restoration shall be borne by the owner of the property, and the cost thereof shall be a lien upon and against the property in accordance with the procedures set forth in Chapter [1.30](#) CVMC. (Ord. 2854 § 15, 2002; Ord. 2597 § 11, 1994).

14.20.350 Remedies not exclusive.

Remedies set forth in this chapter are not exclusive but are cumulative to all other civil and criminal penalties provided by law, including, but not limited to, penalty provisions of the federal Clean Water Act and/or the State Porter-Cologne Water Quality Control Act. The seeking of such federal and/or state remedies shall not preclude the simultaneous commencement of proceedings pursuant to this chapter. (Ord. 2597 § 11, 1994).

14.20.360 Civil penalties to be deposited in the storm drain revenue fund.

Any civil penalties collected by the city as a result of violations of this chapter shall be deposited in the storm drain revenue fund. (Ord. 2597 § 11, 1994).



Objectives

EC	Erosion Control	
SE	Sediment Control	
TR	Tracking Control	
WE	Wind Erosion Control	
NS	Non-Stormwater Management Control	<input checked="" type="checkbox"/>
WM	Waste Management and Materials Pollution Control	<input checked="" type="checkbox"/>

Legend:

- Primary Objective
- Secondary Objective

Targeted Constituents

Sediment	<input checked="" type="checkbox"/>
Nutrients	
Trash	
Metals	
Bacteria	
Oil and Grease	<input checked="" type="checkbox"/>
Organics	

Potential Alternatives

None

Description and Purpose

Prevent or reduce the discharge of pollutants from paving operations, using measures to prevent runoff and runoff pollution, properly disposing of wastes, and training employees and subcontractors.

Suitable Applications

These procedures are implemented where paving, surfacing, resurfacing, or sawcutting, may pollute stormwater runoff or discharge to the storm drain system or watercourses.

Limitations

- Finer solids are not effectively removed by filtration systems.
- Paving opportunities may be limited during wet weather.

Implementation

General

- Avoid paving during the wet season when feasible.
- Reschedule paving and grinding activities if rain is in the forecast.
- Train employees and sub-contractors in pollution prevention and reduction.
- Store materials away from drainage courses to prevent stormwater runoff (see WM-1, Material Delivery and Storage).



NS-3 Paving and Grinding Operations

- Protect drainage courses, particularly in areas with a grade, by employing BMPs to divert runoff or to trap and filter sediment.
- If paving involves an onsite mixing plant, follow the stormwater permitting requirements for industrial activities.
- Stockpile material removed from roadways away from drain inlets, drainage ditches, and watercourses. These materials should be stored consistent with WM-3, Stockpile Management.
- Disposal of PCC and AC waste should be in conformance with WM-8, Concrete Waste Management.

Saw Cutting, Grinding, and Pavement Removal

- Shovel or vacuum saw-cut slurry and remove from site. Cover or barricade storm drains during saw cutting to contain slurry.
- When paving involves AC, the following steps should be implemented to prevent the discharge of grinding residue, uncompacted or loose AC, tack coats, equipment cleaners, or unrelated paving materials:
 - AC grindings, pieces, or chunks used in embankments or shoulder backing must not be allowed to enter any storm drains or watercourses. Install silt fence until structure is stabilized or permanent controls are in place. Examples of temporary perimeter controls can be found in EC-9, Earth Dikes and Drainage Swales; SE-1, Silt Fence; or SE-5, Fiber Rolls.
 - Collect and remove all broken asphalt and recycle when practical. Old or spilled asphalt must be recycled or disposed.
 - Any AC chunks and pieces used in embankments must be placed above the water table and covered by at least 1 ft of material.
- Do not allow saw-cut slurry to enter storm drains or watercourses. Residue from grinding operations should be picked up by means of a vacuum attachment to the grinding machine, should not be allowed to flow across the pavement, and should not be left on the surface of the pavement. See also WM-8, Concrete Waste Management, and WM-10, Liquid Waste Management.
- Dig out activities should not be conducted in the rain.
- Collect dig out material by mechanical or manual methods. This material may be recycled for use as shoulder backing or base material.
- If dig out material cannot be recycled, transport the material back to an approved storage site.

Asphaltic Concrete Paving

- If paving involves asphaltic cement concrete, follow these steps:

- Do not allow sand or gravel placed over new asphalt to wash into storm drains, streets, or creeks. Vacuum or sweep loose sand and gravel and properly dispose of this waste by referring to WM-5, Solid Waste Management.
- Old asphalt must be disposed of properly. Collect and remove all broken asphalt from the site and recycle whenever possible.

Portland Cement Concrete Paving

- Do not wash sweepings from exposed aggregate concrete into a storm drain system. Collect and return to aggregate base stockpile or dispose of properly.
- Allow aggregate rinse to settle. Then, either allow rinse water to dry in a temporary pit as described in WM-8, Concrete Waste Management, or pump the water to the sanitary sewer if allowed by the local wastewater authority.

Sealing Operations

- During chip seal application and sweeping operations, petroleum or petroleum covered aggregate must not be allowed to enter any storm drain or water courses. Apply temporary perimeter controls until structure is stabilized.
- Drainage inlet structures and manholes should be covered with filter fabric during application of seal coat, tack coat, slurry seal, and fog seal.
- Seal coat, tack coat, slurry seal, or fog seal should not be applied if rainfall is predicted to occur during the application or curing period.

Paving Equipment

- Leaks and spills from paving equipment can contain toxic levels of heavy metals and oil and grease. Place drip pans or absorbent materials under paving equipment when not in use. Clean up spills with absorbent materials rather than burying. See NS-10, Vehicle and Equipment Maintenance, WM-4, Spill Prevention and Control, and WM-10, Liquid Waste Management.
- Substances used to coat asphalt transport trucks, and asphalt spreading equipment should not contain soap and should be non-foaming and non-toxic.
- Use only non-toxic substances to coat asphalt transport trucks and asphalt spreading equipment.
- Paving equipment parked onsite should be parked over plastic to prevent soil contamination.
- Clean asphalt coated equipment offsite whenever possible. When cleaning dry, hardened asphalt from equipment, manage hardened asphalt debris as described in WM-5, Solid Waste Management. Any cleaning onsite should follow NS-8, Vehicle and Equipment Cleaning.

NS-3 Paving and Grinding Operations

Thermoplastic Striping

- Thermoplastic striper and pre-heater equipment shutoff valves should be inspected to ensure that they are working properly to prevent leaking thermoplastic from entering drain inlets, the stormwater drainage system, or watercourses.
- Pre-heaters should be filled carefully to prevent splashing or spilling of hot thermoplastic. Leave six inches of space at the top of the pre-heater container when filling thermoplastic to allow room for material to move when the vehicle is deadheaded.
- Do not pre-heat, transfer, or load thermoplastic near drain inlets or watercourses.
- Clean truck beds daily of loose debris and melted thermoplastic. When possible, recycle thermoplastic material.

Raised/Recessed Pavement Marker Application and Removal

- Do not transfer or load bituminous material near drain inlets, the stormwater drainage system, or watercourses.
- Melting tanks should be loaded with care and not filled to beyond six inches from the top to leave room for splashing when vehicle is deadheaded.
- When servicing or filling melting tanks, ensure all pressure is released before removing lids to avoid spills.
- On large-scale projects, use mechanical or manual methods to collect excess bituminous material from the roadway after removal of markers.

Costs

- All of the above are low cost measures.

Inspection and Maintenance

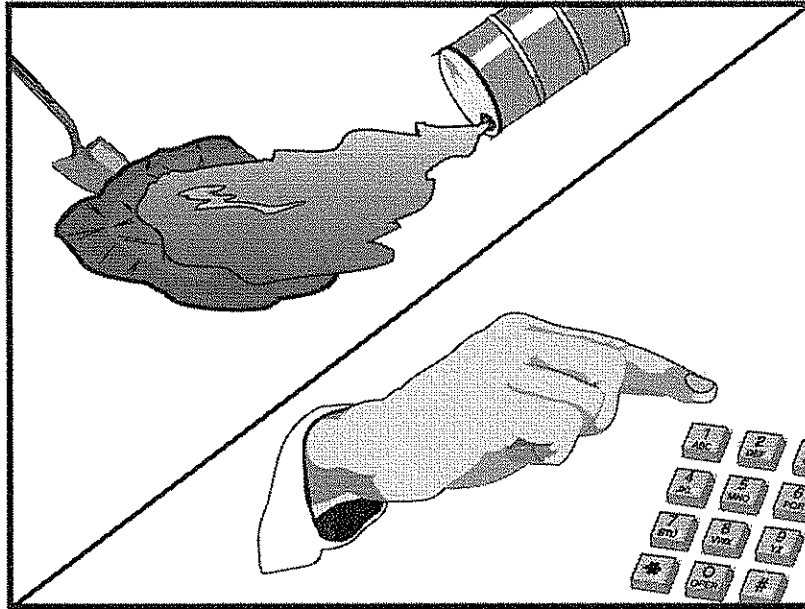
- Inspect and verify that activity-based BMPs are in place prior to the commencement of associated activities. While activities associated with the BMP are under way, inspect weekly during the rainy season and at two-week intervals in the non-rainy season to verify continued BMP implementation.
- Keep ample supplies of drip pans or absorbent materials onsite.
- Inspect and maintain machinery regularly to minimize leaks and drips.

References

Blueprint for a Clean Bay: Best Management Practices to Prevent Stormwater Pollution from Construction Related Activities; Santa Clara Valley Nonpoint Source Pollution Control Program, 1995.

Hot Mix Asphalt-Paving Handbook AC 150/5370-14, Appendix I, U.S. Army Corps of Engineers, July 1991.

Stormwater Quality Handbooks - Construction Site Best Management Practices (BMPs) Manual, State of California Department of Transportation (Caltrans), November 2000.



Objectives

EC	Erosion Control	
SE	Sediment Control	
TC	Tracking Control	
WE	Wind Erosion Control	
NS	Non-Stormwater Management Control	
WM	Waste Management and Materials Pollution Control	<input checked="" type="checkbox"/>

Legend:

- Primary Objective
- Secondary Objective

Description and Purpose

Prevent or reduce the discharge of pollutants to drainage systems or watercourses from leaks and spills by reducing the chance for spills, stopping the source of spills, containing and cleaning up spills, properly disposing of spill materials, and training employees.

This best management practice covers only spill prevention and control. However, WM-1, Materials Delivery and Storage, and WM-2, Material Use, also contain useful information, particularly on spill prevention. For information on wastes, see the waste management BMPs in this section.

Suitable Applications

This BMP is suitable for all construction projects. Spill control procedures are implemented anytime chemicals or hazardous substances are stored on the construction site, including the following materials:

- Soil stabilizers/binders
- Dust palliatives
- Herbicides
- Growth inhibitors
- Fertilizers
- Deicing/anti-icing chemicals

Targeted Constituents

Sediment	<input checked="" type="checkbox"/>
Nutrients	<input checked="" type="checkbox"/>
Trash	<input checked="" type="checkbox"/>
Metals	<input checked="" type="checkbox"/>
Bacteria	
Oil and Grease	<input checked="" type="checkbox"/>
Organics	<input checked="" type="checkbox"/>

Potential Alternatives

None



- Fuels
- Lubricants
- Other petroleum distillates

Limitations

- In some cases it may be necessary to use a private spill cleanup company.
- This BMP applies to spills caused by the contractor and subcontractors.
- Procedures and practices presented in this BMP are general. Contractor should identify appropriate practices for the specific materials used or stored onsite

Implementation

The following steps will help reduce the stormwater impacts of leaks and spills:

Education

- Be aware that different materials pollute in different amounts. Make sure that each employee knows what a “significant spill” is for each material they use, and what is the appropriate response for “significant” and “insignificant” spills.
- Educate employees and subcontractors on potential dangers to humans and the environment from spills and leaks.
- Hold regular meetings to discuss and reinforce appropriate disposal procedures (incorporate into regular safety meetings).
- Establish a continuing education program to indoctrinate new employees.
- Have contractor’s superintendent or representative oversee and enforce proper spill prevention and control measures.

General Measures

- To the extent that the work can be accomplished safely, spills of oil, petroleum products, substances listed under 40 CFR parts 110,117, and 302, and sanitary and septic wastes should be contained and cleaned up immediately.
- Store hazardous materials and wastes in covered containers and protect from vandalism.
- Place a stockpile of spill cleanup materials where it will be readily accessible.
- Train employees in spill prevention and cleanup.
- Designate responsible individuals to oversee and enforce control measures.
- Spills should be covered and protected from stormwater runoff during rainfall to the extent that it doesn’t compromise clean up activities.
- Do not bury or wash spills with water.

- Store and dispose of used clean up materials, contaminated materials, and recovered spill material that is no longer suitable for the intended purpose in conformance with the provisions in applicable BMPs.
- Do not allow water used for cleaning and decontamination to enter storm drains or watercourses. Collect and dispose of contaminated water in accordance with WM-10, Liquid Waste Management.
- Contain water overflow or minor water spillage and do not allow it to discharge into drainage facilities or watercourses.
- Place proper storage, cleanup, and spill reporting instructions for hazardous materials stored or used on the project site in an open, conspicuous, and accessible location.
- Keep waste storage areas clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers, and liners should be repaired or replaced as needed to maintain proper function.

Cleanup

- Clean up leaks and spills immediately.
- Use a rag for small spills on paved surfaces, a damp mop for general cleanup, and absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be sent to either a certified laundry (rags) or disposed of as hazardous waste.
- Never hose down or bury dry material spills. Clean up as much of the material as possible and dispose of properly. See the waste management BMPs in this section for specific information.

Minor Spills

- Minor spills typically involve small quantities of oil, gasoline, paint, etc. which can be controlled by the first responder at the discovery of the spill.
- Use absorbent materials on small spills rather than hosing down or burying the spill.
- Absorbent materials should be promptly removed and disposed of properly.
- Follow the practice below for a minor spill:
 - Contain the spread of the spill.
 - Recover spilled materials.
 - Clean the contaminated area and properly dispose of contaminated materials.

Semi-Significant Spills

- Semi-significant spills still can be controlled by the first responder along with the aid of other personnel such as laborers and the foreman, etc. This response may require the cessation of all other activities.

- Spills should be cleaned up immediately:
 - Contain spread of the spill.
 - Notify the project foreman immediately.
 - If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (absorbent materials, cat litter and/or rags). Contain the spill by encircling with absorbent materials and do not let the spill spread widely.
 - If the spill occurs in dirt areas, immediately contain the spill by constructing an earthen dike. Dig up and properly dispose of contaminated soil.
 - If the spill occurs during rain, cover spill with tarps or other material to prevent contaminating runoff.

Significant/Hazardous Spills

- For significant or hazardous spills that cannot be controlled by personnel in the immediate vicinity, the following steps should be taken:
 - Notify the local emergency response by dialing 911. In addition to 911, the contractor will notify the proper county officials. It is the contractor's responsibility to have all emergency phone numbers at the construction site.
 - Notify the Governor's Office of Emergency Services Warning Center, (916) 845-8911.
 - For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110,119, and 302, the contractor should notify the National Response Center at (800) 424-8802.
 - Notification should first be made by telephone and followed up with a written report.
 - The services of a spills contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
 - Other agencies which may need to be consulted include, but are not limited to, the Fire Department, the Public Works Department, the Coast Guard, the Highway Patrol, the City/County Police Department, Department of Toxic Substances, California Division of Oil and Gas, Cal/OSHA, etc.

Reporting

- Report significant spills to local agencies, such as the Fire Department; they can assist in cleanup.
- Federal regulations require that any significant oil spill into a water body or onto an adjoining shoreline be reported to the National Response Center (NRC) at 800-424-8802 (24 hours).

Use the following measures related to specific activities:

Vehicle and Equipment Maintenance

- If maintenance must occur onsite, use a designated area and a secondary containment, located away from drainage courses, to prevent the runoff of stormwater and the runoff of spills.
- Regularly inspect onsite vehicles and equipment for leaks and repair immediately
- Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
- Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
- Place drip pans or absorbent materials under paving equipment when not in use.
- Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.
- Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around
- Oil filters disposed of in trashcans or dumpsters can leak oil and pollute stormwater. Place the oil filter in a funnel over a waste oil-recycling drum to drain excess oil before disposal. Oil filters can also be recycled. Ask the oil supplier or recycler about recycling oil filters.
- Store cracked batteries in a non-leaking secondary container. Do this with all cracked batteries even if you think all the acid has drained out. If you drop a battery, treat it as if it is cracked. Put it into the containment area until you are sure it is not leaking.

Vehicle and Equipment Fueling

- If fueling must occur onsite, use designate areas, located away from drainage courses, to prevent the runoff of stormwater and the runoff of spills.
- Discourage "topping off" of fuel tanks.
- Always use secondary containment, such as a drain pan, when fueling to catch spills/ leaks.

Costs

Prevention of leaks and spills is inexpensive. Treatment and/ or disposal of contaminated soil or water can be quite expensive.

Inspection and Maintenance

- Inspect and verify that activity-based BMPs are in place prior to the commencement of associated activities. While activities associated with the BMP are under way, inspect weekly during the rainy season and of two-week intervals in the non-rainy season to verify continued BMP implementation.
- Inspect BMPs subject to non-stormwater discharge daily while non-stormwater discharges occur.

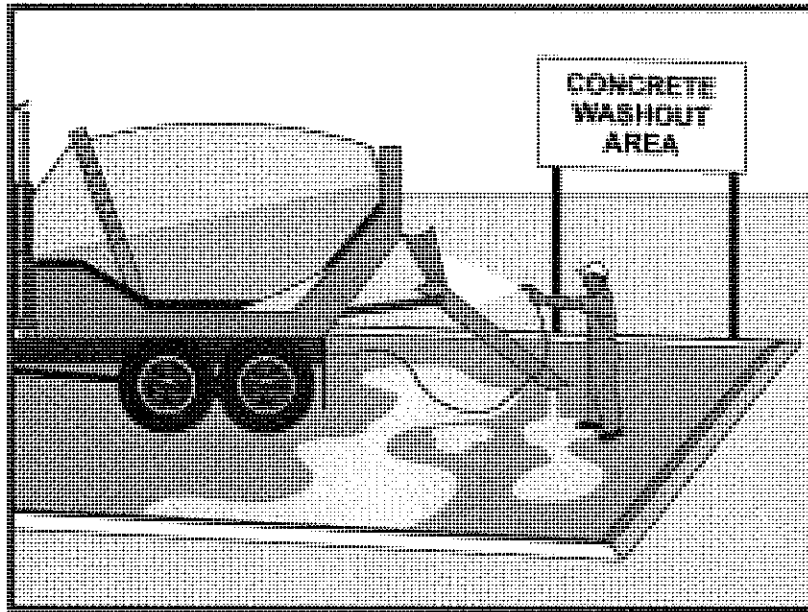
- Keep ample supplies of spill control and cleanup materials onsite, near storage, unloading, and maintenance areas.
- Update your spill prevention and control plan and stock cleanup materials as changes occur in the types of chemicals onsite.

References

Blueprint for a Clean Bay: Best Management Practices to Prevent Stormwater Pollution from Construction Related Activities; Santa Clara Valley Nonpoint Source Pollution Control Program, 1995.

Stormwater Quality Handbooks - Construction Site Best Management Practices (BMPs) Manual, State of California Department of Transportation (Caltrans), November 2000.

Stormwater Management for Construction Activities; Developing Pollution Prevention Plans and Best Management Practice, EPA 832-R-92005; USEPA, April 1992.



Description and Purpose

Prevent or reduce the discharge of pollutants to stormwater from concrete waste by conducting washout offsite, performing onsite washout in a designated area, and training employee and subcontractors.

Suitable Applications

Concrete waste management procedures and practices are implemented on construction projects where:

- Concrete is used as a construction material or where concrete dust and debris result from demolition activities
- Slurries containing portland cement concrete (PCC) or asphalt concrete (AC) are generated, such as from saw cutting, coring, grinding, grooving, and hydro-concrete demolition
- Concrete trucks and other concrete-coated equipment are washed onsite
- Mortar-mixing stations exist
- See also NS-8, Vehicle and Equipment Cleaning

Limitations

- Offsite washout of concrete wastes may not always be possible.

Objectives

EC	Erosion Control	
SE	Sediment Control	
TC	Tracking Control	
WE	Wind Erosion Control	
NS	Non-Stormwater Management Control	
WM	Waste Management and Materials Pollution Control	<input checked="" type="checkbox"/>

Legend:

- Primary Objective
- Secondary Objective

Targeted Constituents

Sediment	<input checked="" type="checkbox"/>
Nutrients	
Trash	
Metals	<input checked="" type="checkbox"/>
Bacteria	
Oil and Grease	
Organics	

Potential Alternatives

None



Implementation

The following steps will help reduce stormwater pollution from concrete wastes:

- Discuss the concrete management techniques described in this BMP (such as handling of concrete waste and washout) with the ready-mix concrete supplier before any deliveries are made.
- Incorporate requirements for concrete waste management into material supplier and subcontractor agreements.
- Store dry and wet materials under cover, away from drainage areas.
- Avoid mixing excess amounts of fresh concrete.
- Perform washout of concrete trucks offsite or in designated areas only.
- Do not wash out concrete trucks into storm drains, open ditches, streets, or streams.
- Do not allow excess concrete to be dumped onsite, except in designated areas.
- For onsite washout:
 - Locate washout area at least 50 feet from storm drains, open ditches, or water bodies. Do not allow runoff from this area by constructing a temporary pit or bermed area large enough for liquid and solid waste.
 - Wash out wastes into the temporary pit where the concrete can set, be broken up, and then disposed properly.
- Avoid creating runoff by draining water to a bermed or level area when washing concrete to remove fine particles and expose the aggregate.
- Do not wash sweepings from exposed aggregate concrete into the street or storm drain. Collect and return sweepings to aggregate base stockpile or dispose in the trash.

Education

- Educate employees, subcontractors, and suppliers on the concrete waste management techniques described herein.
- Arrange for contractor's superintendent or representative to oversee and enforce concrete waste management procedures.

Concrete Slurry Wastes

- PCC and AC waste should not be allowed to enter storm drains or watercourses.
- PCC and AC waste should be collected and disposed of or placed in a temporary concrete washout facility.
- A sign should be installed adjacent to each temporary concrete washout facility to inform concrete equipment operators to utilize the proper facilities.

- Below grade concrete washout facilities are typical. Above grade facilities are used if excavation is not practical.
- A foreman or construction supervisor should monitor onsite concrete working tasks, such as saw cutting, coring, grinding and grooving to ensure proper methods are implemented.
- Saw-cut PCC slurry should not be allowed to enter storm drains or watercourses. Residue from grinding operations should be picked up by means of a vacuum attachment to the grinding machine. Saw cutting residue should not be allowed to flow across the pavement and should not be left on the surface of the pavement. See also NS-3, Paving and Grinding Operations; and WM-10, Liquid Waste Management.
- Slurry residue should be vacuumed and disposed in a temporary pit (as described in OnSite Temporary Concrete Washout Facility, Concrete Transit Truck Washout Procedures, below) and allowed to dry. Dispose of dry slurry residue in accordance with WM-5, Solid Waste Management.

Onsite Temporary Concrete Washout Facility, Transit Truck Washout Procedures

- Temporary concrete washout facilities should be located a minimum of 50 ft from storm drain inlets, open drainage facilities, and watercourses. Each facility should be located away from construction traffic or access areas to prevent disturbance or tracking.
- A sign should be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- Temporary concrete washout facilities should be constructed above grade or below grade at the option of the contractor. Temporary concrete washout facilities should be constructed and maintained in sufficient quantity and size to contain all liquid and concrete waste generated by washout operations.
- Temporary washout facilities should have a temporary pit or bermed areas of sufficient volume to completely contain all liquid and waste concrete materials generated during washout procedures.
- Washout of concrete trucks should be performed in designated areas only.
- Only concrete from mixer truck chutes should be washed into concrete wash out.
- Concrete washout from concrete pumper bins can be washed into concrete pumper trucks and discharged into designated washout area or properly disposed of offsite.
- Once concrete wastes are washed into the designated area and allowed to harden, the concrete should be broken up, removed, and disposed of per WM-5, Solid Waste Management. Dispose of hardened concrete on a regular basis.
- Temporary Concrete Washout Facility (Type Above Grade)
 - Temporary concrete washout facility (type above grade) should be constructed as shown on the details at the end of this BMP, with a recommended minimum length and

minimum width of 10 ft, but with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations.

- Straw bales, wood stakes, and sandbag materials should conform to the provisions in SE-9, Straw Bale Barrier.
- Plastic lining material should be a minimum of 10 mil in polyethylene sheeting and should be free of holes, tears, or other defects that compromise the impermeability of the material.
- **Temporary Concrete Washout Facility (Type Below Grade)**
 - Temporary concrete washout facilities (type below grade) should be constructed as shown on the details at the end of this BMP, with a recommended minimum length and minimum width of 10 ft. The quantity and volume should be sufficient to contain all liquid and concrete waste generated by washout operations.
 - Lath and flagging should be commercial type.
 - Plastic lining material should be a minimum of 10 mil polyethylene sheeting and should be free of holes, tears, or other defects that compromise the impermeability of the material.

Removal of Temporary Concrete Washout Facilities

- When temporary concrete washout facilities are no longer required for the work, the hardened concrete should be removed and disposed of. Materials used to construct temporary concrete washout facilities should be removed from the site of the work and disposed of.
- Holes, depressions or other ground disturbance caused by the removal of the temporary concrete washout facilities should be backfilled and repaired.

Costs

All of the above are low cost measures.

Inspection and Maintenance

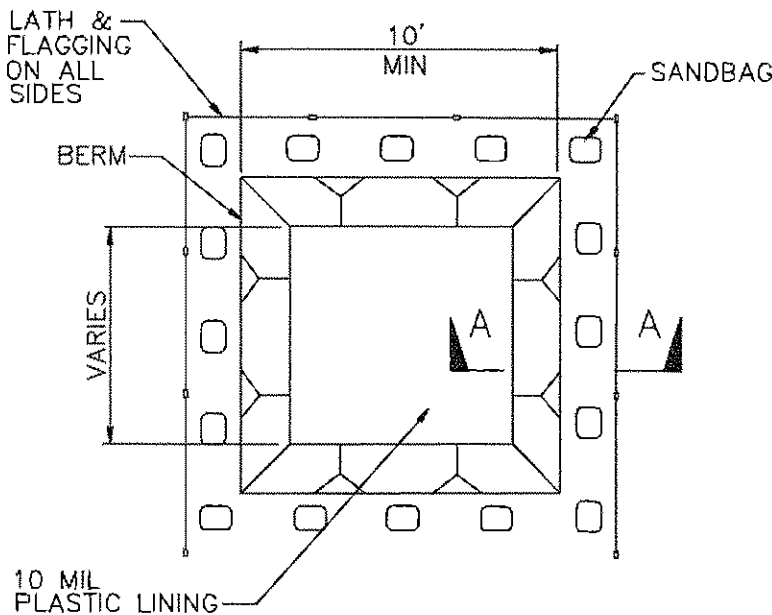
- Inspect and verify that activity-based BMPs are in place prior to the commencement of associated activities. While activities associated with the BMP are under way, inspect weekly during the rainy season and of two-week intervals in the non-rainy season to verify continued BMP implementation.
- Temporary concrete washout facilities should be maintained to provide adequate holding capacity with a minimum freeboard of 4 in. for above grade facilities and 12 in. for below grade facilities. Maintaining temporary concrete washout facilities should include removing and disposing of hardened concrete and returning the facilities to a functional condition. Hardened concrete materials should be removed and disposed of.
- Washout facilities must be cleaned, or new facilities must be constructed and ready for use once the washout is 75% full.

References

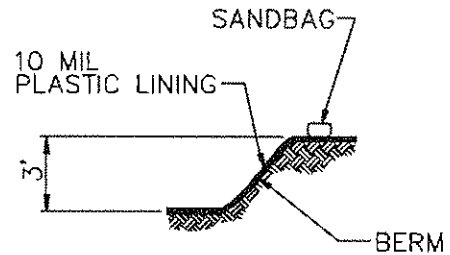
Blueprint for a Clean Bay: Best Management Practices to Prevent Stormwater Pollution from Construction Related Activities; Santa Clara Valley Nonpoint Source Pollution Control Program, 1995.

Stormwater Quality Handbooks - Construction Site Best Management Practices (BMPs) Manual, State of California Department of Transportation (Caltrans), November 2000.

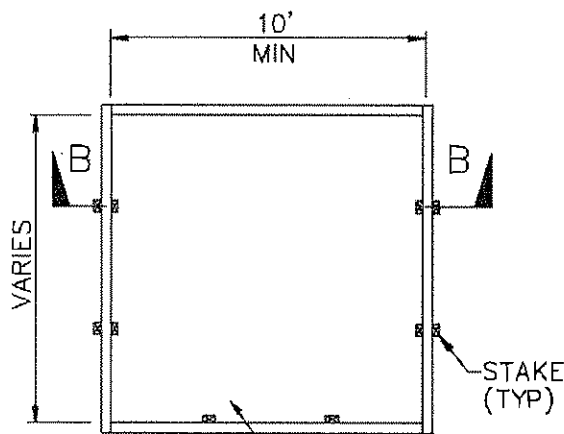
Stormwater Management for Construction Activities; Developing Pollution Prevention Plans and Best Management Practice, EPA 832-R-92005; USEPA, April 1992.



PLAN
NOT TO SCALE
TYPE "BELOW GRADE"

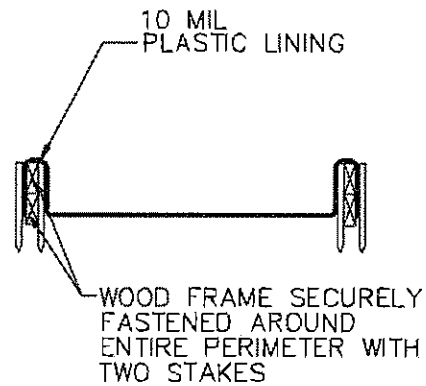


SECTION A-A
NOT TO SCALE



TWO-STACKED 2 X 12 ROUGH WOOD FRAME

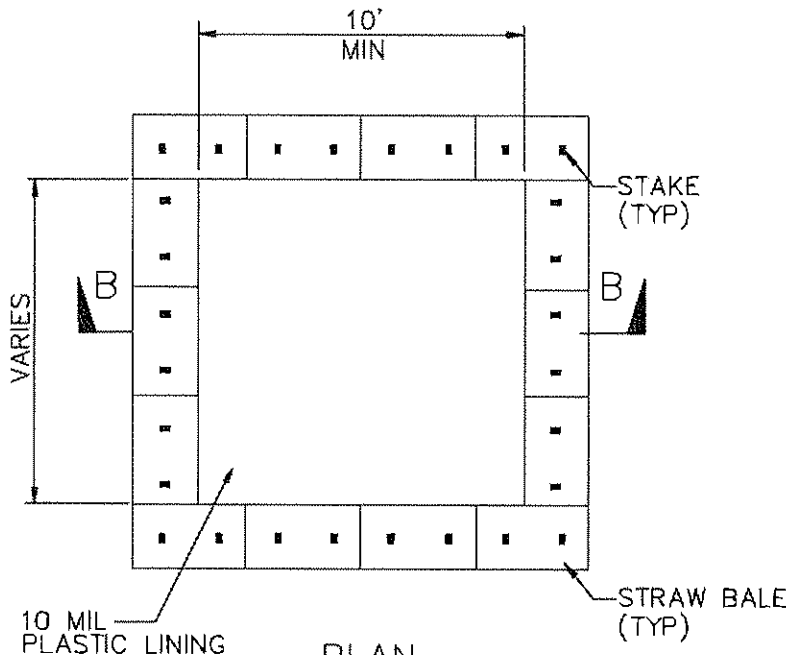
PLAN
NOT TO SCALE
TYPE "ABOVE GRADE"



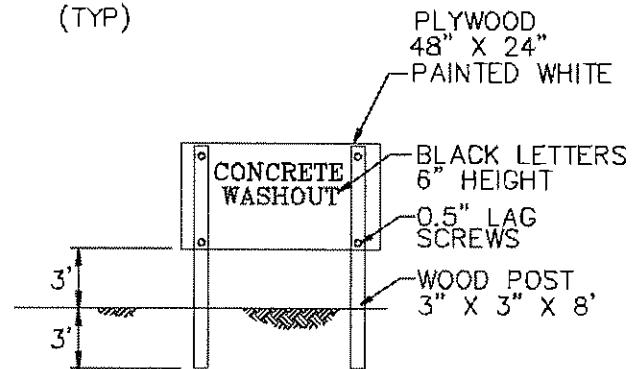
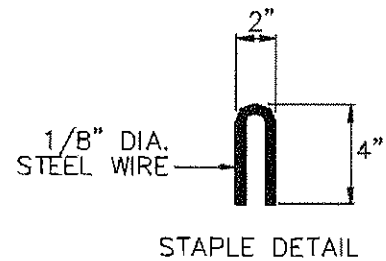
SECTION B-B
NOT TO SCALE

NOTES

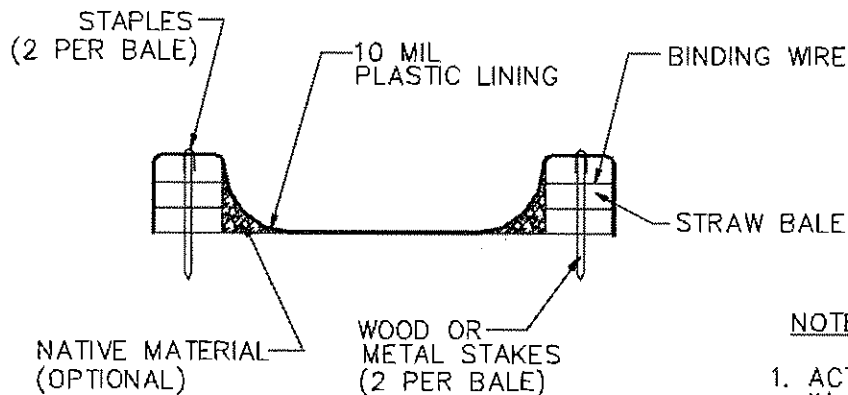
1. ACTUAL LAYOUT DETERMINED IN FIELD.
2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30 FT. OF THE TEMPORARY CONCRETE WASHOUT FACILITY.



PLAN
NOT TO SCALE
TYPE "ABOVE GRADE"
WITH STRAW BALES



**CONCRETE WASHOUT
SIGN DETAIL**
(OR EQUIVALENT)



SECTION B-B
NOT TO SCALE

NOTES

1. ACTUAL LAYOUT DETERMINED IN FIELD.
2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30 FT. OF THE TEMPORARY CONCRETE WASHOUT FACILITY.