

# 4 | Construction Site Runoff Control Program



State of Hawaii, Department of Transportation  
Highways Division, Oahu District  
SWMPP, February 2022



*Construction BMPs are implemented on the Kapolei Interchange Complex construction project.*

The Construction Site Runoff Control Program (Construction Program) is designed to reduce to the MEP the discharge of pollutants from both private (encroachment) and public (contract and maintenance) construction projects.

The Construction Program includes the following control measures:

1. Require proposed construction projects to implement BMPs and standards in accordance with established policies.
2. Implement a system to track both private and public construction projects.
3. Review the appropriate Storm Water Pollution Prevention Plan (SWPPP) and other pollution prevention measures to verify that the appropriate BMPs included meet the standards and require approval of permits.
4. Conduct inspections using standard inspection forms and track inspections in databases.
5. Implement policies for enforcement and penalties for non-compliance with standards and project-specific requirements and permits.
6. Provide annual training on the Construction BMPs Program Plan to DOT-HWYS staff with construction storm water responsibilities.

The Construction Program is administered in accordance with the MS4 NPDES Permit referenced in Table 4-1.

**Table 4-1. MS4 NPDES Permit Requirements for the Construction Program.**

MS4 NPDES Permit Reference	SWMPP Section
<p><b>Part D.1.d</b> – The Permittee shall implement a construction site management program to reduce to the MEP the discharge of pollutants from both private and public construction projects (i.e., contract, maintenance, and encroachment). The construction site management program shall include the following minimum elements:</p>	
<p><b>Part D.1.d.(1)</b> Requirement to implement BMPs – The Permittee shall require proposed construction projects to implement BMPs and standards in accordance with established policies and described in the following:</p> <ul style="list-style-type: none"> <li>● Hawaii Standard Specifications for Road and Bridge Construction and/or Special Provisions</li> <li>● Construction Best Management Practices Field Manual</li> <li>● Maintenance Activities Best Management Practices Field Manual</li> <li>● Storm Water Permanent Best Management Practices Manual</li> </ul> <p>These standards shall be annually reviewed and, as necessary, revised to include descriptions of new, modified, or revised BMPs, including permanent BMPs and LID practices. Any revisions shall be discussed within its Annual Report and the documents included within its SWMP Plan. All documents shall be made available to DOT-HWYS staff, contractors, and consultants, as appropriate.</p>	Section 4.1
<p><b>Part D.1.d.(2)</b> Inventory of construction sites – The Permittee shall continue to implement a system to track both private and public construction projects (i.e., contract, maintenance, and encroachment). This system shall track information on the project (including permit or file number, if available), status of plan review and approval, inspection dates, and if applicable, enforcement actions and whether the project has applied for coverage under HAR Chapter 11-55, Appendix C, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Construction Activity (a.k.a. General Construction Activity Storm Water permit) (unless the project will disturb less than one acre of land) and satisfied any other applicable requirements of the NPDES permit program (i.e., an individual NPDES permit).</p>	Section 4.2
<p><b>Part D.1.d.(3)(i)</b> – Prior to the commencement of construction activity on construction projects (i.e., contract, maintenance, and encroachment), DOT-HWYS shall review the appropriate Storm Water Pollution Prevention Plan (SWPPP) and other pollution prevention measures (e.g. Erosion and Sediment Control Plan, Grading Plan, Post-construction BMPs and Landscaping Plans, Dewatering Plan, Hydrotesting Plan, and Water Pollution and Erosion Control Notes) or similar plan(s)/document(s) to verify that the appropriate BMPs included meets the following requirements:</p> <ul style="list-style-type: none"> <li>● DOT-HWYS' Standard Specifications and Special Provisions;</li> </ul>	Section 4.3

MS4 NPDES Permit Reference	SWMPP Section
<ul style="list-style-type: none"> <li>• DOT-HWYS' Construction BMP Field Manual;</li> <li>• DOT-HWYS' Storm Water Permanent Best Management Practices Field Manual;</li> <li>• DOT-HWYS' Maintenance Activities Best Management Practices Field Manual;</li> <li>• HAR Chapter 11-55, Appendix C, and any other requirements under the NPDES permit program, as applicable; and</li> <li>• Implementation of measures to ensure that the discharge of pollutants from the site will be reduced to the MEP and will not cause or contribute to an exceedance of water quality standards.</li> </ul>	
<p><b>Part D.1.d.(3)(ii)</b> – Require a permit or written equivalent approval for drainage connections to the MS4, discharge of surface storm water runoff associated with construction (i.e., from both private and public projects), or other discharges (i.e., hydrotesting and dewatering effluent or other non-storm water, except those allowed under this permit) into the MS4 and maintain a database of the permits/approvals. Prior to issuing a drainage connection, discharge of surface runoff permit/approval, discharge permit, or Permit to Perform Work Upon State Highways, the Permittee shall ensure that the following are met:</p> <ul style="list-style-type: none"> <li>• The project owner has provided proof of filing an NOI Form C or NPDES application for the discharge of storm water associated with construction activities that disturb one (1) acre or more, if applicable;</li> <li>• The project owner has provided proof of filing a NOI Form F and/or G or NPDES application for the discharge, if applicable; and</li> <li>• A Site-Specific BMP Plan or other documents (e.g., Erosion and Sediment Control Plan, Grading Plan, Post-construction BMPs and Landscaping Plans, Dewatering Plan, and Hydrotesting Plan) relating to pollution prevention or similar document(s) have been reviewed and accepted by DOT-HWYS.</li> </ul>	Section 4.3
<p><b>Part D.1.d.(3)(iii)</b> – Not allow construction to commence on any private or public construction project (i.e., contract, maintenance, and encroachment) unless and until it has verified that the project has received from DOH a Notice of General Permit Coverage (NGPC) under HAR Chapter 11-55, Appendix C, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Construction Activity (General Construction Activity Storm Water permit) (unless the project will disturb less than one (1) acre of land) and satisfied any other applicable requirements of the NPDES permit program (i.e., an individual NPDES permit);</p>	Section 4.3
<p><b>Part D.1.d.(3)(iv)</b> – The Permittee shall continue to implement, and update as needed, a checklist that its reviewers shall use in evaluating the plans and BMPs or other similar document(s) which have been implemented pursuant to this Part (i.e., Part D.1.d.). Copies of this plan review checklist shall be provided to applicants for connection and discharge permits and permits to perform work upon State Highways; and to consultants and contractors for their use in developing the Plans or other similar document(s) for DOT-HWYS-contracted construction projects. The</p>	Section 4.3

MS4 NPDES Permit Reference	SWMPP Section
<p>plan review checklist shall include, at a minimum, but not be limited to comments on any deficiencies and the date when comments were addressed to the satisfaction of DOT-HWYS. A system shall be implemented to ensure all comments, identified during the review process has been properly addressed.</p>	
<p><b>Part D.1.d.(4)(i)</b> – Prior to the initiation of ground-disturbing activities at any site, except for activities associated with the installation of BMPs at a site, an engineer or qualified inspector employed or retained by the Permittee who reviews and becomes familiar with the project’s site-specific BMP Plan and/or other equivalent document(s), shall inspect the site to verify BMPs as required by the BMP Plan and/or other documents have been installed correctly and in the correct locations prior to the commencement of ground-disturbing activity. Inspections shall include a review of site Erosion and Sediment Controls, good housekeeping practices, and compliance with DOT-HWYS-accepted erosion and sediment control plans, construction BMPs Plans, or other similar documents and DOT-HWYS approved permits. The Permittee shall also identify and remedy any site conditions having the potential for erosion and sediment runoff, including other pollutant discharges which may occur as a result of the project’s construction activities.</p>	Section 4.4
<p><b>Part D.1.d.(4)(ii)</b> – In addition to inspections required by the NPDES permit program, all contract and maintenance construction projects shall be inspected at least monthly by a qualified construction inspector who is independent (i.e., not involved in the day-to-day planning, design, or implementation) of the construction projects to be inspected. The Permittee may use more than one (1) qualified construction inspector for these inspections. Upon three (3) successive monthly inspections that indicate, in total, no critical or major deficiencies, as defined in the SWMP, or less than six (6) minor deficiencies, as defined in the SWMP, with no more than three (3) minor deficiencies in one (1) month in a project’s BMPs or other storm water management activities, the Permittee may decrease the inspection frequency for such project to quarterly. However, if while under a quarterly inspection frequency, an inspection of a project conducted pursuant to this paragraph indicates at least one critical or major deficiency or a total of three (3) or more minor deficiencies in the project’s BMPs or other storm water management activities, the inspections frequency shall immediately return to no less than monthly. This reduced inspection frequencies option is contingent upon the Permittee having defined each type (i.e., critical, major, or minor) of deficiency. The Permittee shall continue to implement written procedures for appropriate corrective actions and follow-up inspections when deficiencies had been identified at an inspected project. The corrective action procedures shall be described in the SWMP.</p>	Section 4.4
<p><b>Part D.1.d.(4)(iii)</b> – All construction projects with a Permit to Perform Work Upon State Highways, connection permit, or discharge of surface runoff permit/approval shall be inspected at least once annually or once during the life of the project, whichever comes first, by a qualified construction inspector who is independent (i.e., not involved in the day-to-day planning, design, or implementation) of the construction projects to be inspected. The Permittee may use more than one (1) qualified construction inspector for these inspections. If the project has a site-specific BMP Plan or other equivalent document(s), the inspection shall also verify that the BMPs were properly installed and at the locations specified in the Plan.</p>	Section 4.4

MS4 NPDES Permit Reference	SWMPP Section
<p><b>Part D.1.d.(4)(iv)</b> – The Permittee shall continue to implement a standard inspection form(s) and reporting and corrective procedures for inspections, including use of an inspection checklist, or equivalent, and the Permittee shall track inspection results in a database or equivalent system. The inspection checklist shall, include at a minimum, but not be limited to identifying any deficiencies and the date of the corrective actions. Photos shall accompany the inspection checklist to document the deficiencies. The reporting procedures shall include, at a minimum, notification of any critical deficiencies to the DOH. Any revisions to the inspection form(s), inspection checklist, reporting and corrective procedures shall be noted in the Annual Report.</p>	Section 4.4
<p><b>Part D.1.d.(5)(i)</b> – Implement policies for enforcement and penalties for those in non-compliance with Part D.1.d.(1) requiring the implementation of standards, and</p>	Section 4.5
<p><b>Part D.1.d.(5)(ii)</b> – Implement an Enforcement Response Plan to include written procedures for appropriate corrective and enforcement actions, and follow-up inspections when an inspected project is not in full compliance with its requirements, other DOT-HWYS permits, and any other applicable requirements under the NPDES permit program.</p>	Section 4.5
<p><b>Part D.1.d.(6)</b> Process to refer non-compliance and non-filers to DOH – In the event the Permittee has exhausted its use of sanctions and cannot bring a construction site or construction operator into compliance with its policies, standards, or this permit, or otherwise deems the site to pose an immediate and significant threat to water quality, the Permittee shall provide e-mail notification to <a href="mailto:cleanwaterbranch@doh.hawaii.gov">cleanwaterbranch@doh.hawaii.gov</a>, Attn: Enforcement Section Supervisor within one (1) week of such determination. E-mail notification shall be followed by written notification in accordance with Part A.7. and include a copy of all inspection checklists, notes, and related correspondence in pdf format (300 minimum dpi) within two (2) weeks of the determination. In instances where an inspector identifies a site that has not applied for permit coverage under the NPDES permit program, the Permittee shall provide written notification in accordance with Part A.7. to DOH within two (2) weeks of the discovery.</p>	Section 4.5
<p><b>Part D.1.h.(2)</b> Construction Site Runoff Control – The Permittee shall provide annual training on the Construction BMPs Program Plan to all DOT-HWYS staff with construction storm water responsibilities, including construction engineers, construction and maintenance inspectors, and plan reviewers. This training shall be specific to DOT-HWYS activities (including the proper installation and maintenance of accepted BMPs), policies, rules and procedures.</p>	Section 4.6

## 4.0 Program Organization

To fulfill the MS4 NPDES Permit requirements of the Construction Program, the following organizational structure has been established, as shown in Figure 4-1.

### CONSTRUCTION PROGRAM

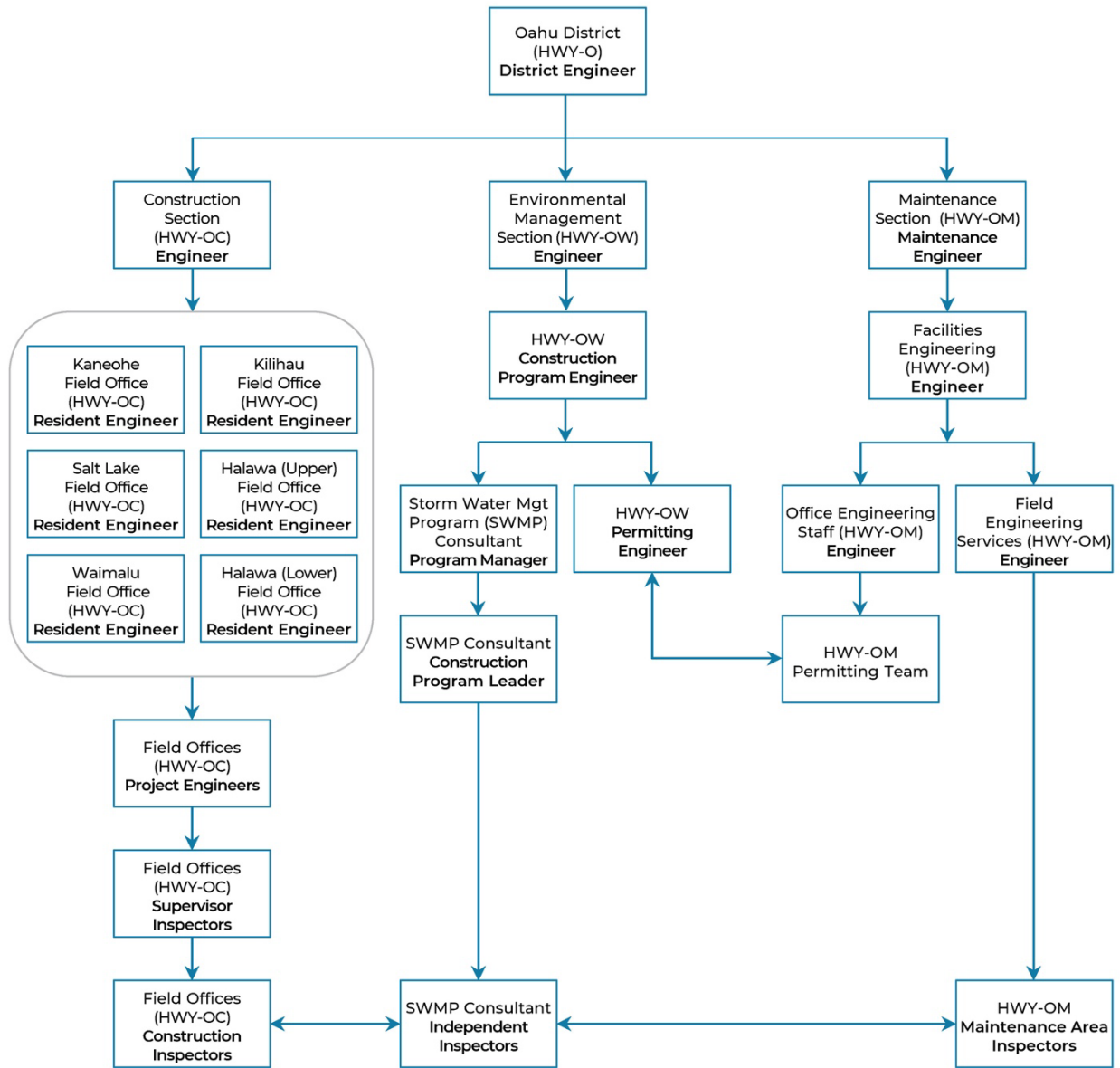


Figure 4-1. Construction Program Organizational Chart.

## 4.1 Construction BMP Implementation | MS4 NPDES Permit Part D.1.d.(1)

DOT-HWYS requires proposed construction projects to implement BMPs and standards in accordance with established policies and described in the following:

- *Hawaii Standard Specifications for Road and Bridge Construction and/or Special Provisions*
- *Construction Best Management Practices Field Manual* (Appendix D.1)
- *Maintenance Activities Best Management Practices Field Manual* (Appendix I.1)
- *Storm Water Post-Construction Best Management Practices Manual* (Appendix E.1)

These standard documents are available on the websites listed below.

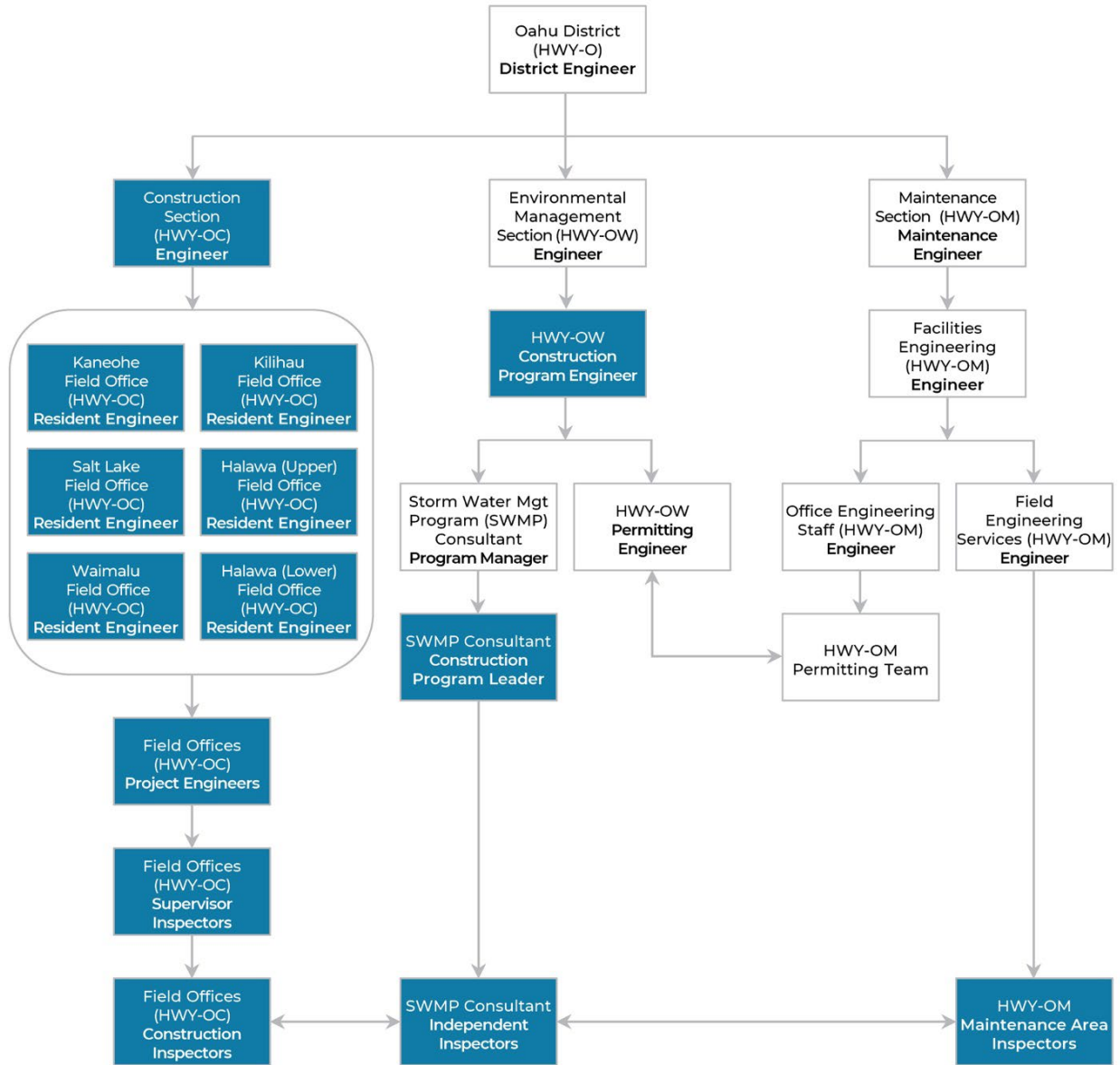
The *Hawaii Standard Specifications for Road and Bridge Construction and/or Special Provisions* is available on the DOT-HWYS website, [www.hidot.hawaii.gov/highways/s2005-standard-specifications/2005-standard-specifications/](http://www.hidot.hawaii.gov/highways/s2005-standard-specifications/2005-standard-specifications/).

The *Construction Best Management Practices Field Manual*, *Maintenance Activities Best Management Practices Field Manual*, and *Storm Water Post-Construction Best Management Practices Manual* are available on the DOT-HWYS website, [www.stormwaterhawaii.com](http://www.stormwaterhawaii.com), and as Appendices D.1, I.1, and E.1 respectively, to this *SWMPP*.

The standards are annually reviewed and revisions to these documents are provided in the Annual Report.

The individuals highlighted in Figure 4-2 are responsible for implementing the control measures described in this section.

## CONSTRUCTION PROGRAM



**Figure 4-2. Construction Program Organizational Chart for Roles and Responsibilities Related to Construction BMP Implementation.**

## 4.2 Inventory of Construction Sites | MS4 NPDES Permit Part D.1.d.(2)

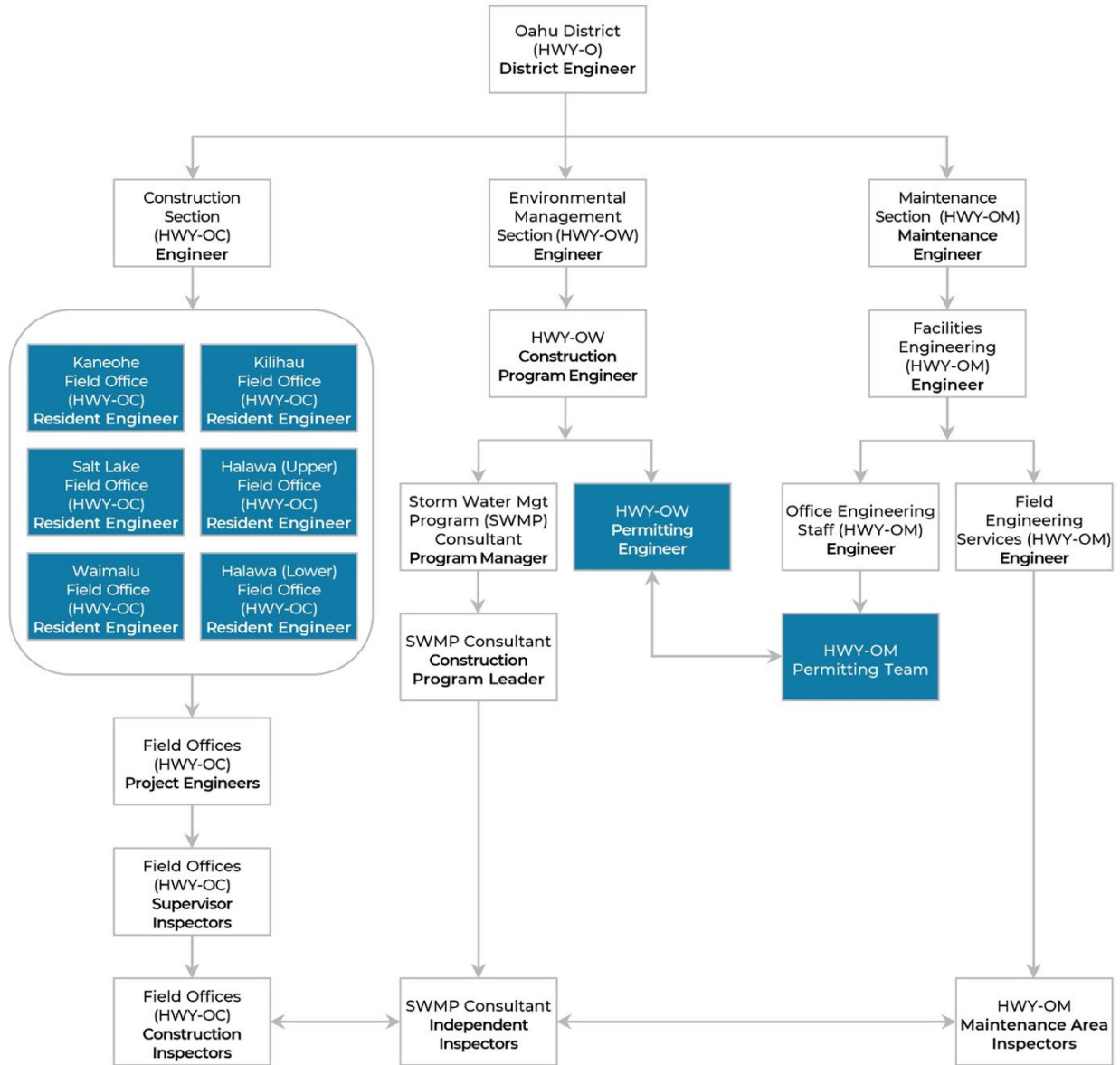
DOT-HWYS utilizes AMS Maximo, Field Automated Communication Systems (FACS) construction management software, and other databases to track private and public construction projects. The project information tracked includes the project title, project number, status of plan review and approval, inspection dates and reports, and as applicable, permit number(s) and enforcement actions.

*AMS Maximo and FACS track information on public and private construction projects to ensure construction activities comply with the required standards and permits.*



The individuals and team highlighted in Figure 4-3 are responsible for implementing the control measures described in this section.

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**Figure 4-3. Construction Program Organizational Chart for Roles and Responsibilities Related to Inventory of Construction Sites.**

## 4.3 Plan Review and Permitting

DOT-HWYS implements a plan review and approval process to ensure that prior to the commencement of construction activities, appropriate SWPPPs or BMP Plans are reviewed to verify that the appropriate BMPs included meet the standards, and permits are obtained. As indicated in Table 4-2, all private and public construction projects are required to develop a SWPPP, Written Best Management Practices (BMP) Plan and/or other equivalent document, and have that BMP Plan undergo a review and approval process.

**Table 4-2. Appropriate BMP Plan and Review Process for Public and Private Construction Projects.**

Type of Project	BMP Plan	Submit To Reviewers	Checklist Used	Appendix
Public Construction Projects	Storm Water Pollution Prevention Plan (SWPPP)	HWY-OC Project Engineer	SWPPP Review Checklist	Appendix D.2
Private Construction Project	Written Best Management Practices (BMP) Plan	HWY-OW Permitting Engineer	SSBMP Plan/SWPPP Review Checklist	Appendix D.3

### 4.3.1 Project Plan Review and Approval | MS4 NPDES Permit Parts D.1.d.(3)(i) and D.1.d.(3)(iii)

DOT-HWYS reviews a construction project's appropriate BMP Plan, and/or other pollution prevention measures (e.g., Erosion and Sediment Control Plan, Grading Plan, Post-construction BMPs and Landscaping Plans, Dewatering Plan, Hydrotesting Plan, and Water Pollution and Erosion Control Notes) to verify the plans meet the standards described in Section 4.1.

Additionally, DOT-HWYS does not allow construction to commence on any private or public construction project until it has verified that the project has received from DOH a Notice of General Permit Coverage (NGPC) under HAR Chapter 11-55, Appendix C, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Construction Activity and satisfied any other applicable requirements of the NPDES permit program.

#### 4.3.2 Permitting | MS4 NPDES Permit Part D.1.d.(3)(ii)

Private construction projects that propose to construct a connection to the DOT-HWYS MS4 are required to obtain a connection permit. Private construction projects that request to discharge surface storm water runoff associated with construction, hydrotesting, dewatering effluent, or other non-storm water discharges to the DOT-HWYS MS4, must obtain a discharge permit. To complete the application process for a connection and/or discharge permit, applicants must submit to DOT-HWYS the *Application for a Private Storm Drain Connection and/or Discharge Permit to the State of Hawaii Highways Division Storm Drain System* (Appendix C.1). Furthermore, private construction projects must obtain a *Permit to Perform Work Upon State Highways* (Appendix D.4) before commencement of any construction activities within the DOT-HWYS ROW.

Prior to issuance of a connection permit, discharge permit, or *Permit to Perform Work Upon State Highways*, DOT-HWYS ensures that the following are met:

- The project owner has provided proof of filing a NOI Form C or NPDES application for the discharge of storm water associated with construction activities that disturb one acre or more, as applicable;
- The project owner has provided proof of filing a NOI Form F and/or G or NPDES application for the discharge, as applicable; and
- A Written Best Management Practices Plan or other documents (e.g., Erosion and Sediment Control, Grading, Post-construction BMP and Landscaping Plans, Dewatering Plan, and Hydrotesting Plan) related to pollution prevention have been reviewed and accepted by DOT-HWYS.

#### 4.3.3 Plan Review Checklists | MS4 NPDES Permit Part D.1.d.(3)(iv)

DOT-HWYS has developed plan review checklists to help reviewers evaluate the appropriate BMP Plan and/or other similar documents. The plan review checklists are updated as needed and updates are provided in the Annual Report.

### *Public Construction Projects*

Prior to commencement of construction activity on public construction projects, DOT-HWYS utilizes the SWPPP Review Checklist to evaluate plans and BMPs, comment on any deficiencies, track the dates the comments were addressed, and verify the appropriate BMP Plan or similar plans and documents meet the standards described in Section 4.1.

DOT-HWYS provides contractors and consultants with the SWPPP Review Checklist to assist in the development of BMP Plans. Contractors are required to provide the project's Resident Engineer with the applicable BMP Plan, and the completed plan review checklist. The BMP Plan must be approved by DOT-HWYS prior to commencement of ground-disturbing activities.

### *Private Construction Projects*

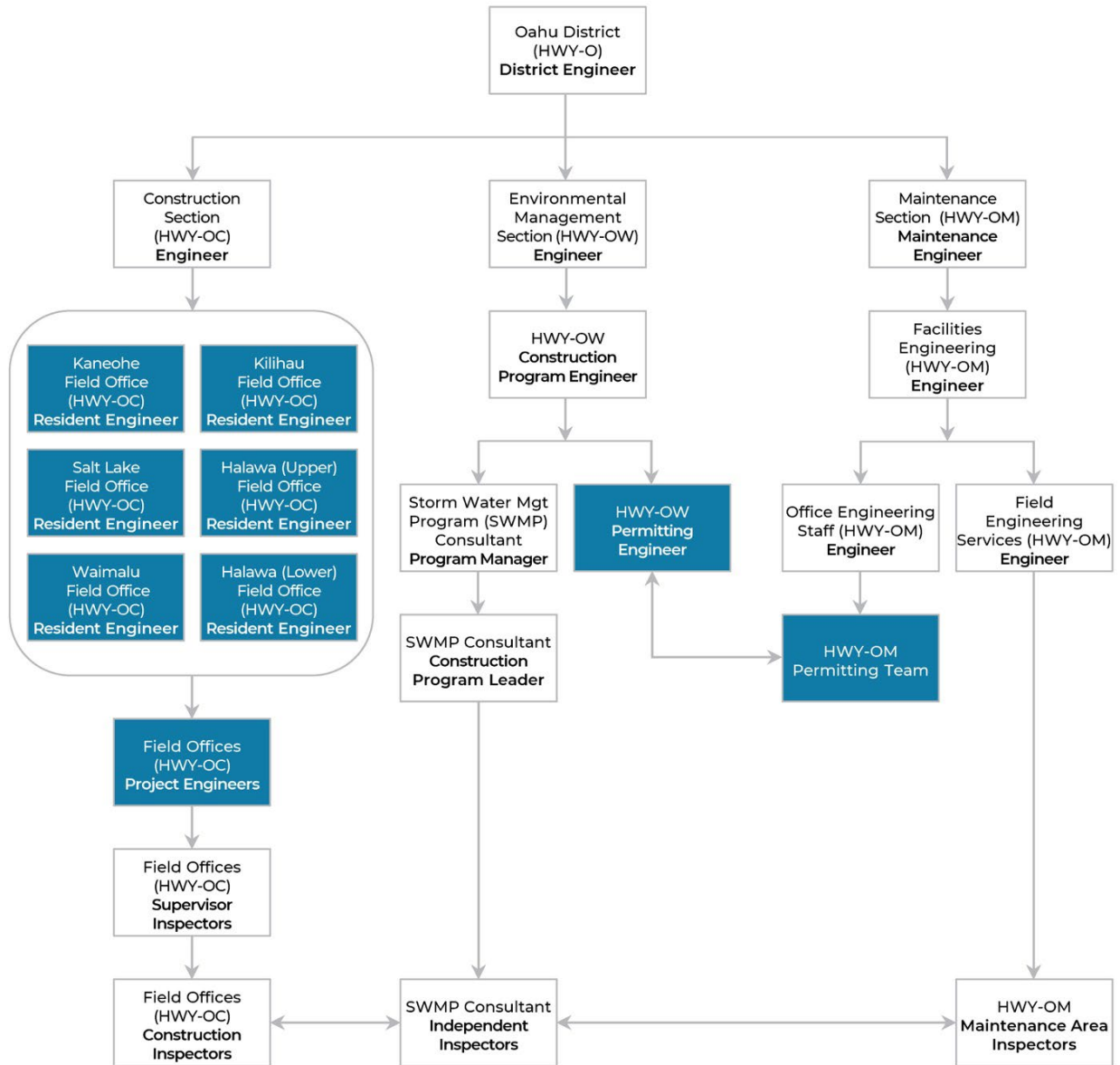
DOT-HWYS provides a copy of the Contractor BMP Plan Application, which includes the Contractor's Certification of NPDES Compliance (Appendix D.5), Written Best Management Practice (BMP) Plan (Appendix D.6), and Site-Specific Best Management Practices (SSBMP) Plan/Storm Water Pollution Prevention Plan (SWPPP) Review Checklist to applicants for *Permit for Connection to the State Highways Drainage System* (Appendix C.2), *Permit to Discharge into the State Highways Drainage System* (discharge permit) (Appendix D.7), and *Permit to Perform Work Upon State Highways*.

When a project owner applies for a *Permit to Perform Work on State Highways*, DOT-HWYS provides the owner with the Contractor BMP Plan Application that must be completed by the owner and the Written Best Management Practices (BMP) Plan must be approved by HWY-OW before the *Permit to Perform Work on State Highways* is issued.

Prior to commencement of construction activities for a private construction project, DOT-HWYS reviews the Contractor BMP Plan Application and uses the Site-Specific Best Management Practices (SSBMP) Plan/Storm Water Pollution Prevention Plan (SWPPP) Review Checklist to verify that the project plans meet the standards described in Section 4.1.

The individuals and team highlighted in Figure 4-4 are responsible for implementing the control measures described in this section.

## CONSTRUCTION PROGRAM



**Figure 4-4. Construction Program Organizational Chart for Roles and Responsibilities Related to Plan Review and Permitting.**

## 4.4 Inspections

DOT-HWYS conducts initial and independent inspections of construction projects and has developed corrective actions and reporting procedures.

### 4.4.1 Initial Inspections | MS4 NPDES Permit Part D.1.d.(4)(i)

#### *Public Construction Project*

Prior to the initiation of ground-disturbing activities at any site, except for activities associated with the installation of BMPs at a site, DOT-HWYS inspects the public construction project site to verify BMPs are correctly installed and at the correct locations required by the project's BMP Plan and/or other documents.

Inspections include a review of site erosion and sediment controls, good housekeeping practices, and compliance with the accepted erosion and sediment control plans, BMP Plan, or other similar documents and permits. If DOT-HWYS identifies any site conditions that have the potential for erosion and sediment runoff, including other pollutant discharges which may occur as a result of the project's construction activities, construction will not be allowed to commence until the deficiency is remedied.

#### *Private Construction Project*

Prior to the initiation of ground-disturbing activities at any site, except for activities associated with the installation of BMPs at a site, the contractor must obtain a *Permit to Perform Work Upon State Highways*. Upon issuance of the *Permit to Perform Work Upon State Highways*, DOT-HWYS coordinates with the permit applicant to schedule an initial inspection to verify BMPs are correctly installed and at the correct locations required by the project's BMP Plan and/or other documents.

During the inspection, DOT-HWYS verifies that erosion and sediment controls are installed according to manufacturer's specifications and the approved Written Best Management Practices (BMP) Plan. If DOT-HWYS identifies any site conditions not complying with the Written Best Management Practices (BMP) Plan or that have the potential to discharge pollutants into the DOT-HWYS MS4, construction will not be allowed to commence until the deficiency is remedied.

#### 4.4.2 Independent Inspections | MS4 NPDES Permit Parts D.1.d.(4)(ii) and D.1.d.(4)(iii)

##### *Public Construction Project*

In addition to inspections required by HAR Chapter 11-55, Appendix C, NPDES General Permit Authorizing the Discharge of Storm Water Associated with Construction Activity, public construction projects are inspected by a qualified construction inspector who is independent (i.e., not involved in the day-to-day planning, design, or implementation) of the construction project to be inspected. DOT-HWYS conducts independent inspections on all public construction projects at least monthly and implements the standard inspection form, Independent (Third Party) Inspection Checklist (Appendix D.8).

The inspection frequency for a specific project may be decreased to quarterly if, upon three successive monthly inspections, the following criteria are met:

- No critical or major deficiencies
- Less than six minor deficiencies
- No more than three minor deficiencies in one month in a project's BMPs or other storm water management activities

However, if while under a quarterly inspection frequency, DOT-HWYS identifies at least one critical or major deficiency, or a total of three or more minor deficiencies in the project's BMPs or other storm water management activities, the inspection frequency of the public construction project will immediately return to no less than monthly.

##### *Private Construction Project*

All private construction projects with a connection permit, discharge permit, and/or *Permit to Perform Work Upon State Highways* are inspected at least once annually or once during the life of the project, whichever comes first, by a qualified construction inspector who is independent of the construction project to be inspected. During the independent inspection, DOT-HWYS verifies that BMPs are properly installed and at the locations specified in the applicable BMP Plan or other equivalent document(s) and/or plan(s). Inspections for private construction projects are limited to the construction area impacting the DOT-HWYS ROW and are documented on a standard inspection form, Independent (Third Party) Inspection Checklist - Short Form (Appendix D.9).

#### 4.4.3 Corrective Actions and Reporting Procedures | MS4 NPDES Permit Parts D.1.d.(4)(ii) and D.1.d.(4)(iv)

DOT-HWYS implements procedures for appropriate corrective actions, follow-up inspections, and reporting when deficiencies are identified during inspections, as follows:

1. Conduct independent inspections of BMPs on public and private construction projects.
  - a. If the inspector identifies a critical deficiency during the site visit, the deficiency will be corrected or addressed before the close of business on the day of the inspection when the deficiency is identified. DOT-HWYS notifies DOH of the critical deficiency, which includes a copy of the inspection report and photo documentation.
  - b. For a public construction project, if a major or minor deficiency is identified during the site visit, the deficiency will be corrected or addressed as soon as possible, but in no event later than five calendar days after the inspection at which the deficiency is identified or before the next forecasted precipitation, whichever is sooner.
  - c. For a private construction project, if a major or minor deficiency is identified during the site visit, the deficiency will be corrected or addressed as soon as possible, but in no event later than 24 hours after the inspection at which the deficiency is identified.
2. The inspector provides a post-inspection briefing to construction project personnel (e.g., DOT-HWYS Project Engineer, DOT-HWYS Construction Inspector, Construction Manager, or Contractor's Representative) to summarize the BMP deficiencies identified.
3. The inspector completes the Independent (Third Party) Inspection Checklist or Independent (Third Party) Inspection Checklist - Short Form and submits the checklist with accompanying photographs to DOT-HWYS staff.
4. DOT-HWYS staff notifies the contractor of any deficiencies identified by the inspector and the corrective action timeframes for each deficiency.
5. DOT-HWYS staff verifies that the deficiencies have been addressed and documents the date of corrective actions for the deficiencies.
6. DOT-HWYS staff follows the procedures for enforcement and follow-up actions outlined in the *Enforcement Response Plan* (Section 4.5) if the contractor does not correct all deficiencies within the specified timeframe.

#### 4.4.4 Tracking Inspection Results | MS4 NPDES Permit Part D.1.d.(4)(iv)

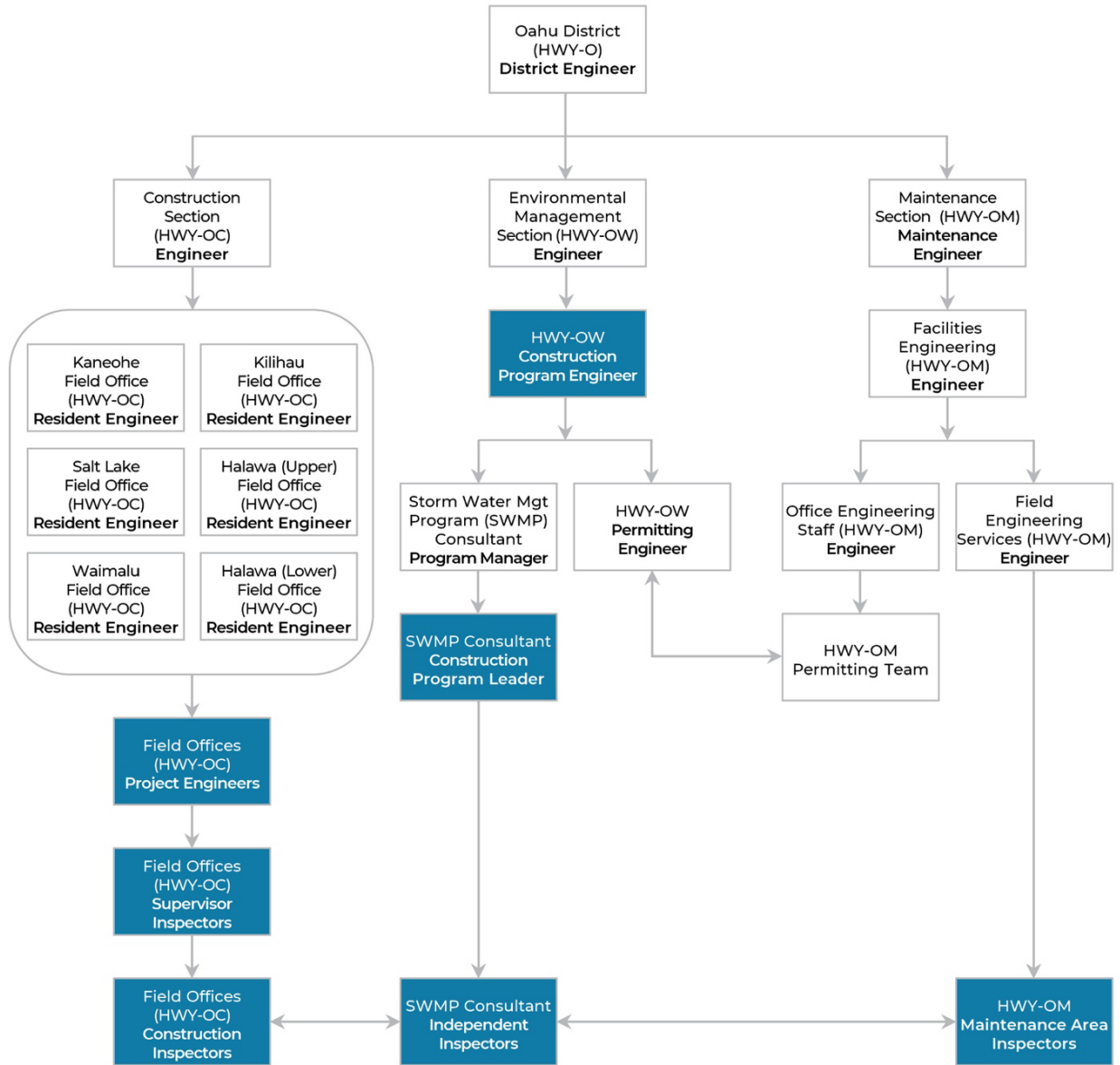
Initial inspections of public construction projects are documented on the Site-Specific Best Management Practice/Storm Water Pollution Prevention Inspection and Maintenance Report (Appendix D.10) and tracked in FACS. Independent inspections of public construction projects are documented on the Independent (Third Party) Inspection Checklist and tracked in the AMS Maximo Construction Projects Module. Initial and independent inspections of private construction projects utilize the Independent (Third Party) Inspection Checklist - Short Form and are tracked in the AMS Maximo Construction Projects Module.

*The AMS Maximo Construction Projects Module tracks independent inspections of private and public construction projects..*

Filter >    1 - 10 of 11							
Title	Work Type	Req. Frequency	Inspection Date	Form Type	Has Deficiencies?	Status	!=CAN
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	9/13/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	8/9/21	CP-STD2	<input type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	7/6/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	6/7/21	CP-STD2	<input type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	5/10/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	4/12/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	3/15/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	2/8/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	1/11/21	CP-STD2	<input checked="" type="checkbox"/>	COMP	
> Fort Barrette Rd Operational Improvem	CINSP	MONTHLY	12/14/20	CP-STD2	<input checked="" type="checkbox"/>	COMP	

The individuals highlighted in Figure 4-5 are responsible for implementing the control measures described in this section.

## CONSTRUCTION PROGRAM



**Figure 4-5. Construction Program Organizational Chart for Roles and Responsibilities Related to Inspections.**

## 4.5 Enforcement | MS4 NPDES Permit Parts D.1.d.(5) and D.1.d.(6)

DOT-HWYS implements the *Enforcement Response Plan* (Appendix D.11), which provides the procedures for appropriate corrective and enforcement actions, and follow-up inspections when an inspected project is not in full compliance with the MS4 NPDES Permit, policies, standards, requirements, and/or applicable permits. Implementation of the *Enforcement Response Plan* ensures a consistent response by DOT-HWYS for compliance with the MS4 NPDES Permit and provides the framework for DOT-HWYS to enforce on construction projects if necessary. Specifically, the *Enforcement Response Plan* outlines the ability for DOT-HWYS to assess liquidated damages or revoke permits as necessary.

In the event that DOT-HWYS has exhausted its use of sanctions and cannot bring a construction site or construction operator into compliance with its policies, standards, or the MS4 NPDES Permit, or otherwise deems the site to pose an immediate and significant threat to water quality, DOT-HWYS will provide email notification to [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov) within one week of such determination. Email notification is followed by written notification within two weeks of the determination and includes a copy of all inspection checklists, notes, and related correspondence. In instances where an inspector identifies a site that has not applied for permit coverage under the NPDES permit program, DOT-HWYS provides written notification to DOH within two weeks of the discovery.

*The Enforcement Response Plan ensures a consistent response when a construction project is non-compliant.*



The individuals highlighted in Figure 4-6 are responsible for implementing the control measures described in this section.

## CONSTRUCTION PROGRAM

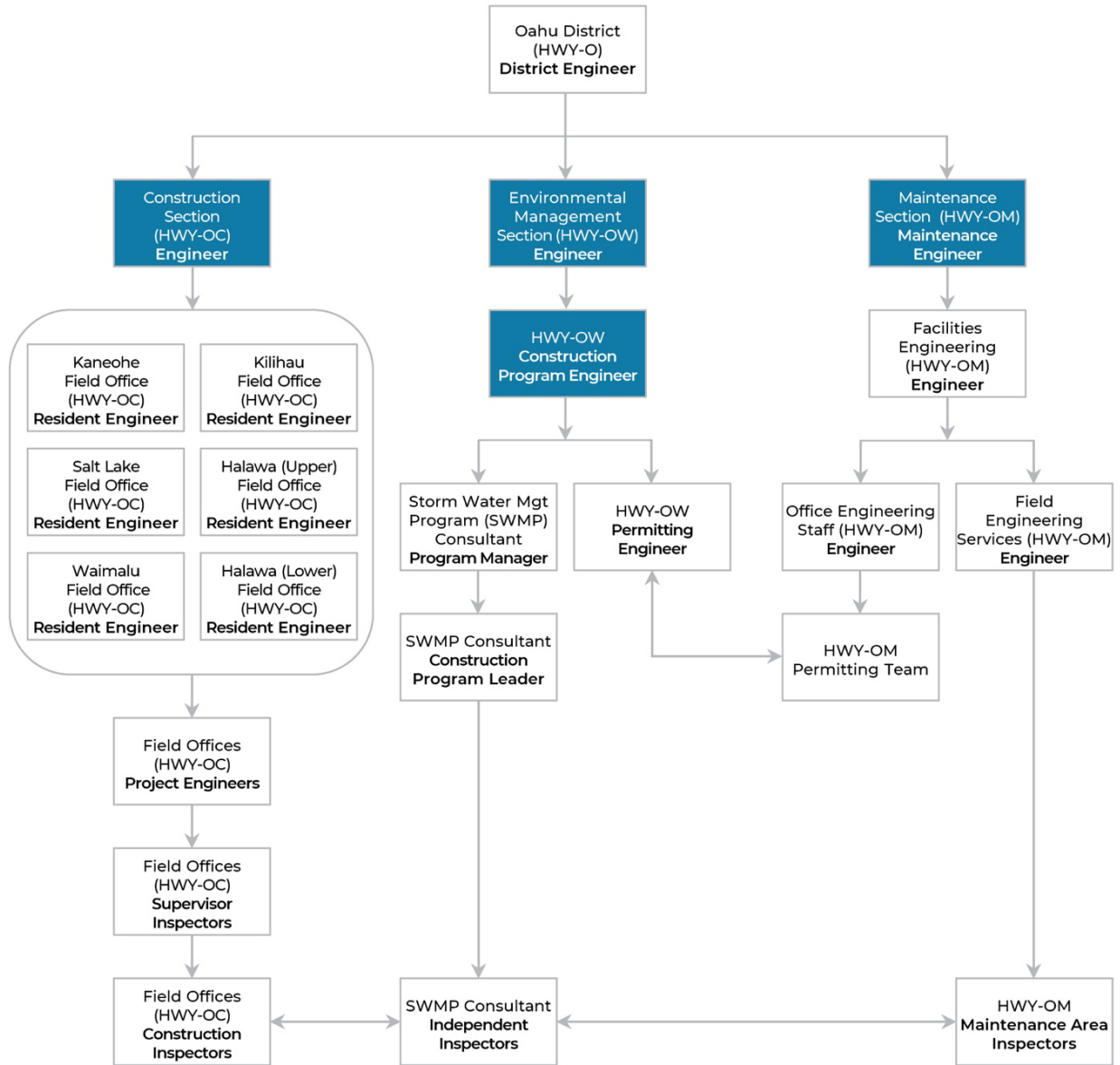


Figure 4-6. Construction Program Organizational Chart for Roles and Responsibilities Related to Enforcement.

## 4.6 Training | MS4 NPDES Permit Part D.1.h.(2)

DOT-HWYS provides annual Construction BMP Training to all DOT-HWYS staff with construction storm water responsibilities, including construction engineers, construction and maintenance inspectors, and plan reviewers. Past topics of the Construction BMP Training include a review of SWPPP development; proper installation, maintenance, and inspection of construction BMPs; as well as a review of policies, rules, and procedures.

In addition to the Construction BMP Training, DOT-HWYS provides educational material on construction BMP implementation to project applicants, contractors, developers, property owners, and other responsible parties to ensure compliance with applicable storm water requirements.

*Annual Construction BMP Training is provided to all DOT-HWYS staff with construction storm water responsibilities.*



The individuals highlighted in Figure 4-7 are responsible for implementing the control measures described in this section.

## CONSTRUCTION PROGRAM

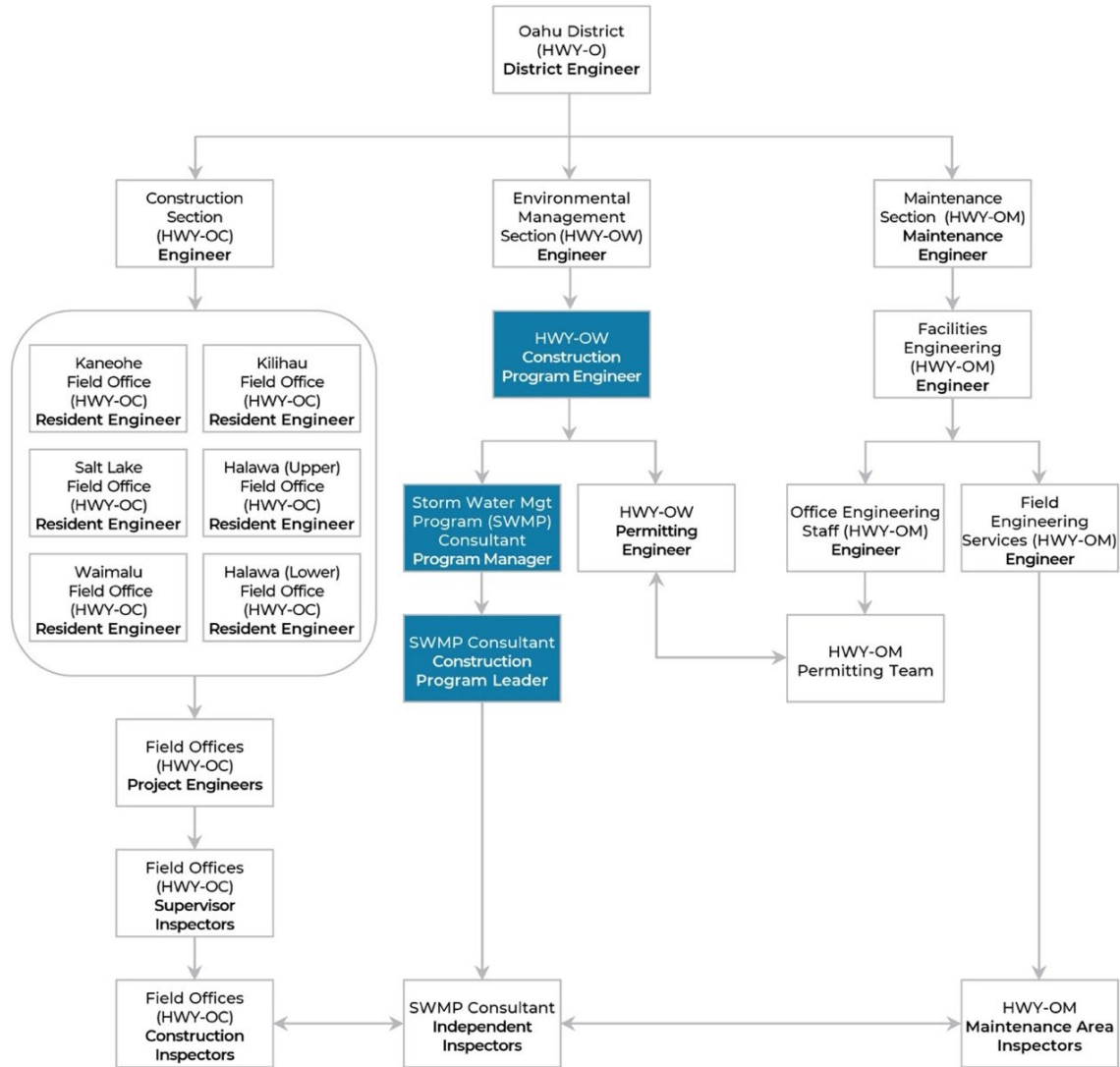


Figure 4-7. Construction Program Organizational Chart for Roles and Responsibilities Related to Training.

### 4.7 Monitoring Program Effectiveness

The *Program Effectiveness Strategy* (Appendix A.3, Table 7) provides the measurable standards and/or milestones for each Program BMP, including the outcome level, data collection method, and assessment parameter.