

MAJOR/MINOR SWMP DESIGN MODIFICATIONS DURING CONSTRUCTION (STANDARD OPERATING PROCEDURE C1)

Revision Number: 1.1
Date Issued/Revised: 3/31/2017
PDD Version Number: 1.1

1.0 Overview and MS4 Approach

The MS4 Permit (Part I.E.1.a.iv(A)) requires CDOT to “develop and implement procedures to address modifications to SWMPs including how minor and major modifications are defined and reviewed.”

This standard operating procedure (SOP) addresses modifications to the SWMP Design after a project’s Award Date. The SWMP Design consists of project narratives (SWMP Design Tab 1), SWMP maps (SWMP Design Tab 2), specifications (SWMP Design Tab 3, Standard Specifications and Project Special Provisions), M-standards (SWMP Design Tab 4) and photographs documenting existing vegetation (SWMP Design Tab 17). Major modifications to the SWMP Design trigger re-review and re-approval by a CDOT-certified SWMP Reviewer. Minor modifications to the SWMP Design can be updated when approved by the Project Engineer.

All modifications must be noted in the SWMP at the time the change occurs in site conditions. Before the Award Date, SWMP Design modifications are addressed through SOP D5 – SWMP Design.

2.0 Regulatory Criteria

- CDPS-SCP (COR-400000), Part I.D.5.c. and d., page 11 and 12
- MS4 Permit (COS000005), Part I.E.1.a.iv(A), page 12
- MS4 Permit (COS000005), Part I.E.1.c.iv(A), page 18
- EPA Audit, 2PM
- EPA Audit, 3PM

3.0 MS4 Roles and Responsibilities

Section 3.0 is an overview of MS4 roles and responsibilities to address major and minor SWMP Design modifications during construction. The process and methods are listed in Section 4.0.

- **Project Engineers** determine whether SWMP Design modifications are major or minor. Project Engineers approve minor modifications to the SWMP Design and submit major SWMP Design modifications to the SWMP Reviewer-of-Record. The Project Engineer issues a CDOT Form 105 to the Contractor when minor or major modifications to the SWMP Design are approved.
- **Region Water Pollution Control Managers (RWPCMs)** may serve as consultants to Project Engineers reviewing minor modifications to project SWMP

Designs. RWPCMs may assist with deciding whether SWMP Design modifications are major or minor changes.

- **SWMP Reviewer-of-Record** is a full-time CDOT employee, preferably a Region Environmental staff, who holds a valid CDOT SWMP Reviewer certification. The SWMP Reviewer-of-Record reviews and approves major modifications to the SWMP Design after a project's Award Date and accepts full responsibility for the SWMP Design, including the original SWMP Design and modification. The SWMP Reviewer-of-Record may be the full-time CDOT employee that approved the pre-Award Date SWMP Design or may be a different full-time CDOT employee, if the initial SWMP Reviewer is not available.

4.0 Methods/Procedures

Use the following methods/procedures when the SWMP Design is modified after the Award Date. SWMP Design modifications are either major or minor. The **Project Engineer** is responsible for determining if the modification to the project's SWMP Design is major or minor. The **RWPCM** and the Region's CDOT-certified **SWMP Reviewer-of-Record** may consult on the modification review, if needed.

A major modification is a change to the intent of the project's SWMP Design, an amendment to the Colorado Discharge Permit System – Stormwater Construction Permit (CDPS-SCP), or a significant change to existing control measures. Examples include but are not limited to the following:

- Major substitutions or eliminations of control measures in the project's CDOT-approved SWMP Design,
- Additional environmental impacts not defined in the project's SWMP Design,
- Significant increases to the limits of disturbance, or
- Expansion of the construction site boundary (this will trigger a CDPS-SCP amendment and may trigger the National Environmental Policy Act [NEPA]).

A minor modification is any change to the project's SWMP Design or existing control measures that does not qualify as a major modification.

Major SWMP Modification

1. The **Project Engineer** forwards the major modification to the project SWMP Design to the **SWMP Reviewer-of-Record**.
2. The **SWMP Reviewer-of-Record** reviews SWMP Design in accordance with CDOT's SWMP Citations (available in the *MS4 Construction Program Development Document*).
3. The CDOT-certified **SWMP Reviewer-of-Record** may approve the major modification, return a change request to the Project Engineer, not respond, or reject the modification.
 - a. If approved, the **Project Engineer** issues a CDOT Form 105 approving the modification (*CDOT Construction Manual*, Subsection 208.2.2).

- b. If a change request is issued or the modification is not approved, the **Project Engineer** will work with the **SWMP Reviewer-of-Record** until the modification is approved and the **Project Engineer** issues a CDOT Form 105 approving the modification (*CDOT Construction Manual*, Subsection 208.2.2).
- c. The **Project Engineer** issues a CDOT Form 105 approving the modification if the **SWMP Reviewer-of-Record** does not respond within seven calendar days from when the **Project Engineer** submitted the SWMP modification to the **SWMP Reviewer-of-Record**.

Minor SWMP Modification

1. The **Project Engineer** reviews the requested minor modification to the project SWMP Design and may consult with the **RWPCM** (*CDOT Construction Manual*, Section 208.2.2).
2. The **Project Engineer** issues a Form 105 when the minor modification(s) to the project SWMP Design is approved (*CDOT Construction Manual*, Section 208.2.2).

The SWMP must record all modifications at the time the change occurs in site conditions.

5.0 Documentation and Reporting Requirements

- Documentation of project SWMP Design modifications must be in accordance with Subsection 208.2.2 of the CDOT Construction Manual.
- ESCAN (*when developed*) will capture communication between Project Engineers and SWMP Reviewers.

6.0 MS4 Training Requirements

- CDOT's SWMP Reviewer Training Certification course (*under development*).

7.0 References to Existing Source Documents

- *CDOT Construction Manual*, Subsection 107.25 Water Quality Control and Sections 208 Erosion Control, 213 Mulching and 216 Soil Retention Covering
https://www.codot.gov/business/designsupport/bulletins_manuals/cdot-construction-manual
- *CDOT MS4 Construction Program Manual*, SOP D5 – SWMP Design and Review
- *CDOT MS4 Construction Program Description Document*
<https://www.codot.gov/programs/environmental/water-quality/documents/cdot-ms4-construction-program-program-description-document.pdf>
- *CDOT Standard Specifications for Road and Bridge Construction* (current version), Subsection 107.25 Water Quality Control and Sections 208 Erosion Control, 213

Mulching and 216 Soil Retention Covering

<https://www.codot.gov/business/designsupport/2011-construction-specifications/2011-Specs/2011-specs-book>

- Standard Plan M-208-1, Temporary Erosion Control
<https://www.codot.gov/business/designsupport/standard-plans/2012-m-standards-plans>
- Standard Plan M-216-1, Soil Retention Covering
<https://www.codot.gov/business/designsupport/standard-plans/2012-m-standards-plans>

8.0 Attachments

- SOP C1, Attachment 1 is the process flowchart for major and minor SWMP Design modifications during construction.

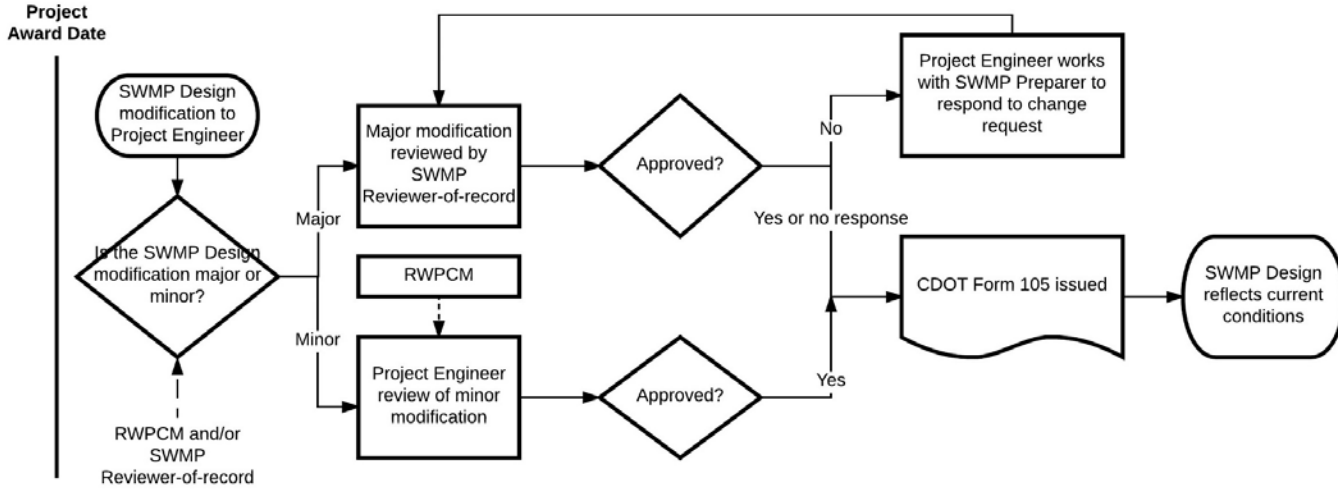
9.0 SOP C1 Revision History

March 31, 2017 – Minor editorial changes by the MCPM, moved the list of SWMP citations to the *MS4 Construction Program Description Document*.

October 4, 2017 – Minor editorial and CDOT organizational changes by the MCPM

April 1, 2019 – Minor editorial and CDOT organizational changes by the MCPM

SOP C1, Attachment 1 – Major/Minor SWMP Design Modifications During Construction Process Flowchart



COLORADO
Department of Transportation