

Section 8.2

ENVIRONMENTAL PERMIT COMPLIANCE

8.2.1 Purpose

To assure effective compliance within all areas of environmental concern during construction projects.

8.2.2 Authority

Sections 20.23(3)(a) and 334.048(3), Florida Statutes (F.S.)

8.2.3 Reference

Form No. 650-040-01, Permit Transmittal Memorandum

8.2.4 Review

The Project Administrator shall review and be familiar with all contract documents for the project and the project site including all natural features protected by federal and state regulations.

8.2.5 Preconstruction Conference

Project Administrator Responsibilities

The Project Administrator shall notify each outside agency and all Department offices having jurisdiction or input into areas of construction covered by project permits that a Preconstruction Conference with the contractor has been scheduled.

- (1) The Project Administrator may schedule an internal meeting with Department personnel, including the District Environmental Administrator, Permit Compliance Coordinator, and District Permits Coordinator to discuss questions or concerns regarding permit requirements or project commitments prior to the Preconstruction Conference.

- (2) The Preconstruction Conference shall include a comprehensive review of all permits to familiarize the Contractor with all permit requirements and conditions.
- (3) The Preconstruction Conference minutes shall reflect the details of all tasks, responsibilities and discussions relating to environmental issues and copies should be furnished to all parties per ***Construction Project Administration Manual (CPAM) Chapter 3.1.7.***

8.2.6 Monitoring Regulated Activities

Project Administrator Responsibilities

The Project Administrator shall monitor all regulated activities to assure that they are conducted in accordance with the permit(s) and all permit conditions are met.

- (1) When required, the Project Administrator will notify the regulatory agencies of the permitted activity start date immediately after the permitted activity begins or as directed by the permit. A copy of the notification letter will be sent to the District Permits Coordinator and the Permit Compliance Monitor.
- (2) The Project Administrator will monitor all permit expiration dates for projects under construction and will advise the District Permits Coordinator at least six months prior to an applicable permit's expiration date if the permit will expire before the permitted activity is complete.
- (3) Prior to final acceptance, the Project Administrator will assure that the Contractor has provided signed and sealed as-built drawings and certified surveys for surface water management systems, bridge clearances, and authorized work as directed by the permit conditions and the contract documents.
- (4) The Project Administrator will notify the applicable regulatory agencies, with reference to the applicable permit(s), of the completion of permitted activities immediately after the permitted activity is completed or as directed by the permit. The Resident Engineer/Consultant Resident Engineer will sign and seal all completion/certification statements when required by the permit. The office sending the notification will send a copy of the notification letter(s) to the District Permits Coordinator.

8.2.7 Special Requirements of National Pollutant Discharge Elimination System (NPDES)

(A) Project Administrator Responsibilities

The State of Florida Department of Environmental Protection Generic Permit for Storm Water Discharge from Large and Small Construction Activities contains specific management and reporting activities. The Project Administrator must make sure that the Contractor signs the certification statement, **Contractor Certification Preparation of Documents - NPDES General Permit for Storm Water Discharges from Construction Sites, [Form No. 650-040-05](#)**. The Contractor and each subcontractor that is directly involved in or responsible for maintaining and placing erosion control items, including environmental sampling and testing activities, must sign the certification statement, **Contractor Certification - NPDES General Permit for Storm Water Discharges From Construction Sites, [Form No. 650-040-07](#)**. If the Contractor or any subcontractor refuses to comply with the requirements of the erosion control plan specification or to sign the required certifications, the Project Administrator must, notify the District Construction Engineer or designee and document all deficiencies associated with environmental compliance as described in the Contractor's Past Performance Rating System defined in **Chapter 13.1 of CPAM**. Under no circumstances must any earth be disturbed until these requirements are met.

The Project Administrator will verify that the Contractor posts a copy of the Notification of Permit Coverage and copies of other applicable permits in a prominent location on the construction site for public viewing in accordance with permit requirements and conditions.

The Project Administrator is responsible for verifying that all deficiencies identified and documented on the **Daily Work Reports** are corrected by the Contractor in a timely manner and in accordance with the permit requirements and the applicable specifications.

The Project Administrator will send a copy of the **Notice of Acceptance of Construction**, if applicable, and the **Notice of Completion of Construction** to the District Environmental Permit Coordinator.

(B) Construction Engineer Responsibilities

The District Construction Engineer will furnish a copy of the signed and completed **Storm Water Pollution Prevention Plan (SWPPP)** and certification statements to the District Permits Coordinator.

The District Construction Engineer should notify the District Permits Coordinator of any changes in the project that may have a significant effect on the potential for discharges of pollutants to waters of the State. The following situations may require amendments to the SWPPP and notification to the District Permits Coordinator for possible permit modifications:

- 1) Significant changes in design, construction, operation, or maintenance activities;
- 2) Addition of new, or changes in location of, existing discharge points (outfalls) to waters of the state when controls identified in the plan prove to be ineffective in preventing or controlling discharges of pollutants; or
- 3) Identification of a new Contractor or subcontractor(s) who will implement a part of the **SWPPP**.

8.2.8 REPORTING AND ENFORCEMENT

- (1) Environmental issues that arise or are discovered during construction, whether or not covered by the contract documents, shall require immediate attention and action.
 - a) If environmental noncompliance conditions are discovered (such as runoff causing silting, etc., of environmentally sensitive or protected areas, or violations of permit general or specific conditions) and the Contractor does not immediately take action to correct the problem, a stop work order should be issued to the Contractor for those activities causing the problem. The Project Administrator should notify the Resident Engineer, District Environmental Administrator, District Permits Coordinator and the appropriate Regulatory Agency immediately upon discovery of the violation. After consulting with the Resident Engineer and the District Environmental Administrator if available, a stop work order should be issued no later than 48 hours after discovery of the violation if the Contractor fails to implement corrective actions or if otherwise deemed appropriate.
 - b) The Project Administrator should seek an effective solution by requesting assistance from the District Permits Coordinator, District

Environmental Administrator and any other district unit or local or state agency responsible for that function.

- (2) If the Contractor fails to comply with any federal and state environmental regulations, including permits conditions, and does not promptly (within 24 hours) identify and correct all deficiencies on the project site, the Project Administrator will document all environmental noncompliance in the Contractor Past Performance Rating system defined in **Chapter 13.1** of the **CPAM**.