These are instructions for preparation of the KPDES BMP plans for highway construction projects.

1. A KPDES BMP plan and companion notice of intent form are the documents that are used to implement the requirements of the KPDES storm water general permit referenced as KYR10. The plans are required for any project that will disturb one acre or more of ground surface.
2. The Project Manager is to have a partial KPDES BMP plan prepared prior to project letting. This process brings information about the project together and places it in a template. This partial plan will be placed in the project documents that are available to the bidders. The items marked as (1) are to be completed by the project manager/design engineer. KPDES plans incorporate the Erosion Control sheets and bid items from the project documents. These documents are to be prepared using “good engineering practices”.
3. After project letting, the successful contractor and the District resident engineer are to collaborate on the completion of the initial plan. The TEBM for Construction is to ensure that the KPDES permit notice of intent (NOI) is completed and signed by the Chief District Engineer and a letter of transmittal includes delegation of which person will be that is responsible to sign reports (including the BMP plan) for the project. Items in the plan marked as (2) are to be completed by the district and items marked as (3) are for the contractor. In some instances, items are marked as (2) and (3) for both the resident and contractor.
4. The plan template has been developed to address the requirements of 401 KAR 5:037. This part of the plan is for the contractor to complete. The contractor and resident must be aware of the location where these activities covered by the groundwater protection plan will be conducted at the project site.. Also, there are requirements for training and inspection that must be included in the project management.
5. The KPDES BMP plan template also includes a reference to the Oil Pollution control Act requirement to have a Spill Prevention Control and Countermeasure plan. These plans are required when there will be storage of more than 1,320 gallons of fuel (and other petroleum products) as an aggregate in containers (mobile and static) that have a capacity of 55 gallons or more. This plan must be certified by a professional engineer. This plan is a separate document that is not included in the KyTC outline of the KPDES BMP plan. A copy of the SPCC plan is to be provided to the resident engineer.

**Specific guidance for completion of items marked with (1)** to be provided prior to letting:

Cover Page The “[Project Description]” is intended to be a succinct, short reference that is a snapshot of the project type and location.

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Item 5. – Route (address) is to be the information used to complete the address field of the Notice of Intent form. We have been instructed to use the route number in this field.

Item 6. The mid point latitude/Longitude is to be reported to the nearest second.

Item 7. The County is to be the county where the mid-point of the project is located.

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Item A. 3. The projected volume of material to be moved is to be filled in on cut and fill projects. Projects that do not involve significant cut and fill may leave this item blank.

Item A. 4. The total project area is the area of land that is within the right of way limits.

Item A. 5. The area to be disturbed is to be the most likely area to be disturbed as tallied from the information in the DDAs.

Item A. 6. Since the coefficient of runoff is a factor that is specific to each DDA and drainage device, we are going to refer persons who seek this information to the resident engineer and the drainage folder. No additional information is to be included in this plan.

Item A. 7. During project development, information about soil cover (existing conditions) and soil erodibility is to be included.

Item A. 8. If there is information available that describes the quality of run off from the site, it should be referenced here.

Item A. 9. The name(s) of the receiving water(s) is to be the name of the water body through which all of the storm water runoff will flow. This is the name of the most down stream water body into which all drainage flows. If the project traverses separate drainage basins, then multiple named streams are to be identified.

Item A. 10. The KPDES program may include requirements that emerge from the Division of Water designation of the receiving water as impaired water. This leads to imposing Total Maximum Daily Loads (TMDLs). When a project is in a drainage basin of impaired water, the Division of Environmental Analysis should obtain information about pollutants of concern and include the information here. If there are no impaired waters, then state “No TMDLs were involved on this project.”

Page 6 of 14 B. 3. (Immediately before topic C. Other Control Measures) The information to be provided has to do with the design and construction of permanent features of the project that are intended to provide storm flow velocity dissipation and to provide some degree of treatment of storm water to remove pollutants. All controls that are included in the project are to be listed. If there are no controls, state that the project does not include storm water BMPs or flow controls.

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D. Other State and Local Plans As the project id developed, if there are other local (MS4) requirements that are being added to this project, they should be referenced here.

E. Maintenance – any features of the project that require post construction maintenance over and above normal maintenance procedures are to be enumerated in this part of the plan.

**Specific guidance for completing items marked as (2)** are to be completed by the District following letting:

On the title page, replace “\_\_\_\_\_\_\_\_\_\_\_\_(2), Construction” with the name of the contractor that has the contract to do the work on the project.

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Item 2 is to be the resident engineer assigned to manage the project. Note, in addition to being designated by the district, a letter must be written to the Director of the Division of Water delegating the responsibility to sign documents and reports for the KPDES permit. This letter is to be signed by the Chief District Engineer at the time the NOI is signed.

Item 3 is to be the person designated by the contractor assigned to manage the project for purposes of compliance with the requirements of the KPDES permit. Note, in addition to being designated by the contractor, a letter must be written to the Director of the Division of Water delegating the responsibility to sign documents and reports for the KPDES permit. This letter is to be signed by an authorized representative of the contractor (see Section 9 of 401 KAR 5:060).

Item 8 is to be the date that the project officially starts or the date by which time earth disturbing activities will begin.

Item 9 is to be the project completion date based on the contract start days allowed to complete the project.

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Item 2 Order of major soil moving activities should be developed by the contractor and approved by the resident engineer.

Item 7 and 8 the contractor and resident engineer should perform a project inspection to identify conditions that are causing the discharge of pollutants. These conditions should be added to the BMP plan.

**Specific guidance for completing items marked as (3)** to be completed by the Contractor and Resident Engineer following letting:

Contractors are to review the entire BMP plan document and either accept the plan or request the Resident Engineer to change it. Any changes to the BMP plan must be approved by the Resident Engineer as the KPDES permit requires the plans be prepared using “good engineering practice”.

The BMP plan includes provisions for Good Housekeeping, Groundwater protection and Oil Pollution Prevention and Countermeasure (SPCC) plans. If the contractor elects to manage over 1,320 gallons of petroleum product, it is the responsibility of the contractor to engage the service of a professional engineer to prepare the SPCC plan. A copy of the SPCC plan is to be provided to the Resident Engineer.

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Item 2 Order of Major soil disturbing activities. In addition to this information, the Erosion and Sediment Control (ESC) plan sheets are to be reviewed. Annotation of BMPs to be applied to the DDAs is to be added to the ESC plans and the Resident Engineer is to approve the BMP array before construction begins in each area. Areas not to be opened for construction are to be designated “Do Not Disturb” until the BMPs are designated on the ESC plan sheets.

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H. Groundwater Protection plan – the contractor must review the activities outlined in this section. Check any that apply to this project. If the contractor has a groundwater plan that has been prepared to address the activities, he may submit it to the resident engineer for consideration to be used on this project. If none of the activities enumerated in the regulation will be conducted, then this may be noted and a plan is not required. The contractor is to review the plan for adequacy and accept the provisions of the plan as part of the certification. The Contractor should develop an emergency data sheet that identifies the actions and places to be called, and resources that will be available to respond in the event of an accidental release.