

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

Section 161—Control of Soil Erosion and Sedimentation

Permit No. _____

Add the following:

Section 161— Notice of Intent and Utility Compliance

Add the following:

161.7 General Description

The Department's plans include information about the storm water discharge associated with the project, any receiving waters and an Erosion, Sedimentation and Pollution Control Plan (ESPCP) for the work being bid to construct. When utility related removal, relocation, adjustment or construction is not included as items to be constructed by the successful bidder it is the responsibility of the Utility to provide for the design and necessary permit coverage associated with storm water pollution prevention.

Accordingly, all affected Utilities shall demonstrate that their work is non-exempt from the National Pollutant Discharge Elimination System (NPDES) permitting requirements through submission of a "NPDES Utility Compliance Statement" (form available from the Department). A Compliance Statement is required from the Utility when the land disturbance related to any removal, relocation, adjustment or construction of utility facilities specified in the work plan is greater than the requirements set forth in O.C.G.A 12-7-17 et.al. Furthermore, the Utility shall submit a copy of the Notice of Intent (NOI) provided to the Georgia Environmental Protection Division (EPD) for GAR100002 permit coverage for all non-exempt land disturbance activities associated with any removal, relocation, adjustment or construction specified in their work plan when the land disturbance area exceeds the limits referenced above; or

The Utility shall demonstrate that their work is exempt from the National Pollutant Discharge Elimination System (NPDES) permitting requirements through the submission of a "NPDES Utility Compliance Statement" (form available from the Department). A Compliance Statement is required from the Utility when the land disturbance related to any removal, relocation, adjustment or construction of utility facilities specified in the work plan is less than the limits set forth in O.C.G.A. 12-7-17 et.al. and otherwise considered an exempt activity, i.e., facility maintenance.

In either case mentioned above, the Compliance Statement must be completed by the Utility Owner's representative, preferably possessing current design professional credentials as defined in the GAR100002 permit.

State Water Buffers variances may also be required for utility work. It is the responsibility of the Utility to include in its Compliance Statement the applicability of State Water Buffers variances. Copies of executed buffer variances shall provided to the Department.

Section 161— Notice of Intent and Utility Compliance

Questions concerning GAR100002 eligibility and State Water Buffers should be directed to:

Georgia Environmental Protection Division
Georgia Department of Natural Resources
2 Martin Luther King Jr. Drive, Suite 1152 East Tower
Atlanta, GA 30334
Telephone: 404.657.5947 or 888.373.5947 (toll-free throughout Georgia)

Whether or not the Utility's activities are subject to coverage under Permit No. GAR100002 on this project, the Utility shall be responsible for providing to the Department's Engineer (Area Engineer, Construction Project Engineer or Utility Inspector) and the Prime Contractor's designated Worksite Erosion Control Supervisor (WECS) the following:

Contact information for a designated individual who has successfully completed applicable Georgia Soil and Water Conservation Commission Certification Course(s) as applicable by the Official Code of Georgia Annotated (OCGA) 12-7-19, positive identification, certification numbers, and telephone numbers where they can be contacted 24 hours a day in case of utility work related erosion, sediment or flooding emergencies. An alternate individual possessing the same certifications may also be identified.

This individual or persons shall be available 24 hours a day and have access to the equipment, personnel, and materials needed to maintain erosion, sediment control as well as flooding control for the Utility's work. This individual or persons shall ensure that erosion control deficiencies are corrected within 72 hours or immediately during emergencies when it is feasible and safe to restore or until the Notice of Termination for the said work is submitted to the EPD.

Questions concerning the available certification programs should be directed to:

The Georgia Soil and Water Conservation Commission (GASWCC)
4310 Lexington Road
P. O. Box 8024
Athens, GA 30603

Education & Certification Program
Phone: (706) 542-1840
certification@gaswcc.org

161.8 Utility Permit Stabilization Inspection

Prior to the submission of a Notice of Termination (NOT) to the EPD for activities covered by General Permit No. GAR100002, the Utility should coordinate a joint inspection of the Utility's work area within the project limits. The inspection team should consist of at least the Utility's designated contact person, the Department's Engineer and the Contractor's WECS. The purpose of the inspection should be to verify the area is stabilized before the Utility submits the NOT to the EPD for termination of GAR100002 permit coverage. The Utility should ensure that it receives a copy of the Department's Utility Permit Stabilization Inspection form to serve as record of having achieved stabilization. Submission of a NOT prior to receipt of the Department's Utility Permit Stabilization Inspection form should not be construed to relieve the Utility of any obligation set forth in this provision or its associated permit.



Utility Permit Stabilization Inspection

Permit # _____

Date of Inspection: _____

In accordance with the Special Provision made part of the above referenced Permit, we the undersigned have performed a joint inspection of the Utility work associated with the Permit.

All areas that were disturbed to allow for the related installation, relocation and/or removal of Utility work shown in the Permit have been inspected and recognized as having acceptable stabilization in accordance with NPDES General Permit No. GAR 100002 effective the date of this inspection.

_____, Department Engineer

_____, Utility

_____, Contractor's WECS

If necessary, the Utility may now submit a Notice of Termination to the Georgia Environmental Protection Division to release them from GAR100002 permit obligations. Any future disturbance to the areas within the above referenced Permit shall immediately become the responsibility of either the Department or its Contractor as defined elsewhere in Department's contract documents.