

SCAP General Terms & Conditions

1. **Applicability:** It shall be unlawful for any person to conduct any construction activity resulting in the following total disturbed area without first obtaining a stormwater construction activity permit for such construction activity:
 - a. One acre or more;
 - b. Less than one acre if such activities are part of a larger common plan of development, or sale that would disturb one or more acres, whereas common plan of development is defined below;
 - c. An area of any size if the city determines that the construction activity could result in a discharge of pollutants that could have a detrimental effect on an adjacent watercourse or wetlands, or could result in pollutants being discharged to the MS4 that would adversely affect public health or the environment.
2. **Compliance:** Stormwater discharges from construction activities shall not cause or have the reasonable potential to cause a violation of the requirements of the City of Longmont Municipal Code. The permittee is responsible for implementing functional control measures. All inspections conducted by City staff for this permit shall be read and any deficiencies addressed promptly.
3. **Responsible Party and 24-Hour Contact:** The applicant is considered the permittee and shall act as the responsible party for complying with the terms and conditions of this permit. The responsible party must be the signatory for this permit. The permittee shall identify a person as the 24-hour contact involving this permit. The responsible party may also be the 24-hour contact for the City for matters involving this permit. The 24-hour contact must be available at all times to respond to questions, or address site deficiencies that arise during the term of this permit. The 24-hour contact shall be fully knowledgeable of all terms and conditions involving this permit.
4. **Change of Contact:** The permittee shall submit a permit amendment request to the City of Longmont, in accordance with the requirements of this permit, for any change in responsible party or 24-hour contact.
5. **Stormwater Construction Activity Permit (SCAP) Drawings:** The permittee shall keep updated SCAP Drawings on site or readily available at all times during active construction. The SCAP Drawings shall clearly show grading and contours of the site, locations of all private and public stormwater inlets and outfalls, locations and identification of all potential pollutant sources on the site, and descriptions and locations of the control measures that will be used to keep pollutants from entering the MS4. A copy of the most recent SCAP Drawings, either hard copy or electronic, shall be made available to the City upon request.
6. **Control Measures:** The permittee must use control measures to prevent pollutants from entering the MS4. All control measures must be appropriate for the pollution source, and designed, installed and maintained in a manner to insure that they function properly for the duration of their use. The permittee must install, modify, maintain, relocate and eventually remove all control measures in order to prevent pollutants from discharging to the MS4. The permittee must proactively maintain control measures and correct any self-identified control measure deficiencies immediately. Control measures that are no longer needed to prevent pollutants from entering the MS4 must be removed. All control measures shall meet the requirements of the City of Longmont Municipal Code, City of Longmont Design Standards and Construction Specifications, Mile High Flood District's Urban Storm Drainage Criteria Manual Volume 3 –

Best Management Practices, or Colorado Department of Transportation Standard Specifications for Road and Bridge Construction, unless otherwise approved by the City.

7. **Permanent Stormwater Control (PSC) Facilities:** The permittee is responsible for maintaining and verifying the function of PSC facilities and implementing ongoing maintenance activities for the duration of this permit. The contractor is no longer responsible for PSC facility maintenance upon SCAP Termination. Please note that a functioning PSC must be installed and certified by a Colorado-licensed Professional Engineer prior to the issuance a Certificates of Occupancy for all new tributary structures by Building Services (see more below). Public Improvement-based securities may also be withheld due to failure to meet PSC Permit obligations during construction, at the discretion of Engineering Services (see more below).
8. **Notification:** The permittee shall notify the City as soon as practicable, but no later than 24 hours after becoming aware of any spill, discharge or non-compliance with this permit.
9. **Severability:** The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.
10. **Right of Entry:** The City, its authorized agents and employees may enter the permitted site in order to determine compliance with Chapter 14.26 of the Longmont Municipal Code or the terms and conditions of this permit.
11. **Enforcement:** Any violation in any terms or conditions of the permit or the requirements of Chapter 14.26 of the Longmont Municipal Code will subject the permittee to enforcement actions according to the Stormwater Quality Enforcement Response Plan and all applicable provisions of the Longmont Municipal Code.

Renewal, Amendment, and Termination of Permit

1. **Permit Renewal:** It is the responsibility of the permittee to apply for renewal of the permit ten days prior to the expiration date. Any permit that is allowed to expire will be subject to enforcement according to the Stormwater Quality Enforcement Response Plan including but not limited to, civil penalties and/or stop work orders at the discretion of the City. An active permit is required until the site has achieved final stabilization and met all of the City's conditions for the termination of the permit.
2. **Permit Amendment:** Prior to any changes to the SCAP type, limits of disturbance, or responsible party, the permittee shall submit a permit amendment and any other requested information to the City. Within seven days of becoming aware of any changes to the 24-hour contact, contractor, or owner, the permittee shall submit a permit amendment to the City. In accordance with Chapter 14.26 of the Longmont Municipal Code, the City may modify the terms and conditions of this permit to comply with changes in state, federal, or local requirements or regulations, or to further the purpose of Chapter 14.26.
3. **Permit Termination:** Before this permit can be terminated, the site must have achieved final stabilization as determined by the City, all control measures must be removed, and all pending fees or fines must be paid. The permittee shall submit a notice of termination request and any other requested information to

the City. At the City's discretion and as appropriate, SCAP termination will not be approved until any associated PSC permits have been issued to the long-term owner.

Site Specific Terms & Conditions

1. If the City deems it necessary to protect the environment or public health or to ensure compliance with federal, state, or local laws, the permittee may be required to meet site specific terms and conditions. If applicable, these site-specific terms and conditions are typically noted on Attachment A to this permit. The permittee is required to comply with all site-specific terms and conditions.

Monitoring & Reporting

1. **Monitoring:** The City reserves the right to require the permittee to monitor discharges from the site, in the event that there is reason to suspect that compliance is a problem or to measure the effectiveness of the control measures in removing pollutants.
2. **Reporting:** The City reserves the right to require the permittee to report additional information as necessary to ensure compliance **with** the permit.