



Illinois Department of Transportation

Division of Highways / Bureau of Construction
2300 South Dirksen Parkway, Springfield, Illinois 62764

Subject: CONSTRUCTION MEMORANDUM NO. 06-60
Erosion and Sediment Control
Effective: May 1, 2006
Expires: Indefinite

This memorandum supersedes Construction Memorandum 04-60 dated December 15, 2004.

1. Background

The Division of Highways is committed to protecting the roadway and associated rights-of-way, adjacent properties, and sensitive environmental and other resources (e.g., endangered and threatened species, wetlands, water bodies) from the effects of erosion. This commitment is reflected in the Division's long-standing policies which require the diligent use of both temporary and permanent erosion and sediment control measure. These policies are for compliance with [Federal Highway Administration](#) regulations on erosion and sediment control which are detailed in 23 CFR 650.207. The Division's policies also fulfill commitments for erosion and sediment control associated with Section 404 permits issued by the [U.S. Army Corps of Engineers](#), and similar commitments to protect resources made to the [Illinois Environmental Protection Agency](#) (IEPA), and other regulatory and natural resource agencies during project development.

The [National Pollutant Discharge Elimination System](#) (NPDES) program of the [Federal Clean Water Act](#) also imposes erosion and sediment control requirements on construction projects that involve disturbance of 0.4 hectares (1 acre) or more of total land area. The IEPA has issued a statewide general permit that details the NPDES requirements for construction projects that meet or exceed the threshold for permit applicability. This memorandum recognizes the NPDES permit requirements as one of the components which influence the Division's erosion and sediment control policies and procedures on applicable projects.

2. Policy

The provisions of this memorandum are applicable to all State highway projects. Erosion and sediment control measures are required on all projects which will expose areas of soil to potential displacement. The nature and extent of the control measures should be appropriate to address the specific conditions involved and the measures shall be properly maintained to ensure their continued effective operation.

Only those projects which involve no clearing or grubbing, excavation, stockpiling of topsoil, borrow, or construction of embankment will normally be exempt from erosion and sediment control measures. Projects which involve only isolated excavation for the installation of lighting, signing, traffic signals, guardrail, or woody plant materials may also be exempt from erosion and sediment control measures.

3. Procedures

The basic requirements are similar for all projects involving the implementation of erosion and sediment control measures. The Resident must familiarize themselves with any special needs or commitments contained in the Section 404, NPDES, or other permits. The resident should also be aware of sensitive environmental resources located on or near the project, to ensure protective measures are fully implemented and in a timely manner. If adequate pay items are not included in the plans, check with your supervisor.

The following principles guide the overall approach to erosion and sediment control:

- Remain within construction limits to keep soil disturbance to the minimum necessary for construction of the project.
- When appropriate to protect sensitive resources, stage construction operations to minimize the amount of area exposed at any given time.
- Divert “clear” water flowing through the construction site away from disturbed areas.
- Intercept and contain sediment close to its source.
- Contain all project-related sediment on the project site.
- Construct permanent erosion and sediment controls as quickly as practical.
- Pay for all properly installed work and maintenance required for proper erosion and sediment control.

The erosion and sediment control measures selected should reflect the best temporary and permanent devices and practices appropriate for the site conditions. The District Erosion Control Coordinator should be contacted to assist with selecting the correct devices. The Urban Manual also provides information regarding various, available erosion and sediment control measures and the applications to which each is best suited.

Temporary measures will be used until permanent measures can be constructed. Permanent measures are part of the completed project and will be used to prevent erosion and contain sediment after completion of the construction project. The placement of the measures should be timed to optimize their effectiveness. For projects subject to the statewide, general NPDES Storm Water Permit for Construction Site Activities, the District is responsible for preparing and updating as necessary throughout construction, a Storm Water Pollution Prevention Plan (SWPPP), Form [BDE 2342](#). The SWPPP includes the necessary erosion and sediment control measures and their associated maintenance requirements, and will be provided to the contractor at the pre-construction conference. The Resident, after discussions with the contractor, may need to adapt the SWPPP to accommodate the contractor’s intended sequence of construction operations and any anticipated non-storm water discharges. Such modifications should be reviewed by District Erosion Control Coordinator to ensure compliance with permit conditions.

The District shall ensure that the pre-construction conference for projects requiring erosion and sediment control measures includes discussions of:

- the seven “principles” of erosion and sediment control described above;
- the plan provisions for temporary and permanent erosion and sediment control;
- the relationship of the temporary and permanent erosion and sediment control measures to the sequence of construction operations;
- the need for the contractor to provide information for the SWPPP on the specific sequence of construction operations proposed for the project;
- any project-specific concerns or problem areas; and
- arrangements for a field review of erosion and sediment control aspects.

As applicable, the district shall provide the contractor a copy of the NPDES statewide general storm water permit, SWPPP, the Section 404 permit for the project, and any other permits the district has obtained that effect the erosion and sediment control components of the project.

The district shall reflect this discussion in the pre-construction conference minutes.

For all projects involving erosion and sediment control measures, the Resident shall conduct a field review for erosions and sediment control with the prime contractor and any subcontractors that will be involved in implementation of the practices. The review shall be conducted before any earthwork or clearing operations begin. The purpose of the field review is to determine the timing and placement of erosion and sediment control measures before earthwork begins and as earthwork progresses. Additional field reviews will be required as work progresses. The Resident will record the date of each field review in the project diary. The subjects discussed during the field review and the names and position titles of the individuals in attendance will be documented in a memorandum to the Erosion Control file.

If the Resident determines that erosion and sediment control measures different for those in the plans are necessary, and such measures are not covered by contract pay items, the district shall prepare an authorization, with estimated costs, prior to initiating the work. The District’s Erosion Control Coordinator should be consulted to ensure any alterations will comply with permit requirements.

The Resident will maintain a project erosion and sediment control file at the construction site. The erosion and sediment control file will contain:

- SWPPP ([BDE 2342](#)) including signed Contractor’s Certification Statement ([BDE 2342A](#)) or Erosion Control Plan if SWPPP is not required;
- Plan sheets showing currently in place and planned erosion and sediment control measures;
- Copy of [WPC 623](#), Notice of Intent (NOI) when applicable;

- Copy of each [WPC 624](#), Incident of Non-compliance (ION) when applicable;
- Copy of each [BC 2259](#), Erosion Control Inspection Report; and
- Copy of [WPC 621](#), Notice of Termination (NOT) when applicable.

The Resident shall make the erosion and sediment control plan information available for inspection by regulatory agencies or the public upon request.

The contractor shall complete permanent erosion control measures as soon as practical after the completion of grading. Temporary measures shall be installed and maintained until permanent measures are established. Temporary seeding may be applied by a variety of methods as provided in the Standard Specifications or contract Special Provisions. The level of required site grading and seed coverage is dependent on the specific pay item(s) involved. The intent is to provide quick coverage to exposed areas to prevent erosion problems before they occur.

All disturbed areas, existing erosion control measures, vehicles access sites and all other areas subject to erosion shall be inspected at least once every seven days and within 24 hours of the end of each 13 mm (0.5 in) or greater rainfall or equivalent snowfall. The findings of these inspections shall be documented using Form [BC 2259](#) and, by copy of the form, the contractor shall be directed to perform any repairs, maintenance, or implementation of additional measures determined necessary. The date(s) of corrective action taken by the contractor in response to the inspection report will be noted on the form.

National Pollutant Discharge Elimination System

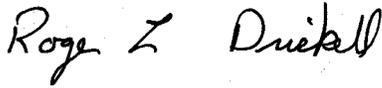
The following additional provisions are associated with the NPDES state wide general storm water permit:

- The Storm Water Pollution Prevention Plan (SWPPP), Form [BDE 2342](#), and any amendments (see Part IV C of the statewide general NPDES Storm Water Permit for Construction Site Activities) will be available at the project site and will be made available for inspection upon request.
- The contractor and all subcontractors shall complete and sign the Contractor Certification Statement, Form [BDE 2342a](#), indicating that s/he understands the terms of the permit. The signed form will be included in the project erosion control file at the construction site and made available for inspection upon request.
- The Notice of Intent (NOI), Form [WPC 623](#) shall be kept in a file at the District Office by the District Erosion Control Coordinator for a yearly submittal to the Central Office for inclusion in the Department's Annual Report to IEPA. The NOI shall be posted at the jobsite.
- If the Resident or inspector at any time observes a failure of any of the Erosion and Sediment control measures, he/she will complete and submit to the IEPA an Incidence of Noncompliance (ION), Form [WPC 624](#), within 5 days of the time the violation was identified. The information in the form must describe the cause of non-compliance, actions taken to prevent any further non-compliance, environmental impact resulting from the non-compliance, and actions taken to

reduce the environmental impact resulting from the non-compliance. This is evidence of our good faith attempts at compliance with the NPDES permit. Copies of all ION's shall be in the Erosion and Sediment Control file.

- When all permanent erosion control measures are in place and functioning properly and 70% vegetative cover is accomplished over the entire project site, the Resident will complete and submit to the IEPA a Notice of Termination (NOT), Form WPC 621. Generally, this form will be processed as a part of the final documentation for closing out the project.

Failure to comply with all conditions of the NPDES permit constitutes a violation of the [Illinois Environmental Protection Act](#). Such violation is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewable application. In addition, any person who is responsible for a violation of permit conditions may be subject to criminal or civil penalties.



Roger L. Driskell, P.E.
Engineer of Construction

Attachment

IN ORDER TO SATISFY THE EROSION CONTROL REQUIREMENTS AS OUTLINED IN THE NPDES PERMIT AND CONSTRUCTION MEMORANDUM 02-60, THE FOLLOWING FORMS ARE REQUIRED:

FORM	RESPONSIBILITY	WHEN	WHERE TO SEND
Storm Water Pollution Prevention Plan (BDE 2342) or Erosion Control Plan (on ALL projects)	*Designer/**Resident	During Design/Construction	Project Erosion Control File
Contractor Certification Statement (BDE 2342A)	Contractor and all Subcontractors involved in Erosion Control	At Preconstruction Meeting	Project Erosion Control File
Notice of Intent (WPC 623)	Resident	BEFORE construction begins	Post at Jobsite District Erosion Control Coordinator Project Erosion Control File
NPDES/Erosion Control Inspection Report (BC 2259) (REQUIRED on ALL projects)	Resident/Inspector	Weekly and after more than 0.5 in. rainfall or 6 in. snowfall throughout the full duration of the project (including Winter shutdown)	Project Erosion Control File Copy to Contractor
Incidence of Non-Compliance (WPC 624)	Resident	Within 5 days	Original by Certified Mail to IEPA Copy to Contractor Copy to Project Erosion Control File
Notice of Termination (WPC 621)	Resident	Final Stabilization ****	Original by Certified Mail to IEPA Copy to Project Erosion Control File

NOTES:

- * This form must be signed by the Regional Engineer or the Implementation Engineer
- ** Resident portion of the Report should be completed before the actual construction starts.
- *** Contractor should be given a copy of the NPDES Permit. (ILR10 & ILR40)
- **** Final stabilization is defined at uniform 70% viable vegetative growth.