



Appendix F
EPSC Certified Contractor Forms



City of Bowling Green EPSC Contractor Certification

Policies and Procedures

Description

The Storm Water Ordinance (Ordinance 21-2) adopted by the City of Bowling Green states the following:

“Each permit application shall include a statement that any land clearing, construction or development involving the movement of earth shall be in accordance with the EPSC Plan and that a certified contractor shall be responsible for implementing and maintaining all aspects of the plan.”

In addition, the Storm Water Ordinance defines a “certified contractor” as a person who has received Erosion Prevention and Sediment Control (EPSC) training and is licensed by the City of Bowling Green to inspect and maintain erosion prevention and sediment control practices.

Policies and procedures to implement a Contractor Certification Program in support of the Storm Water Ordinance are provided in this document.

Certification

Obtaining Initial Certification

To become initially certified, a contractor must attend a training program conducted by the City of Bowling Green and pass the training program test, offered at the close of training. A grade of 70 or higher will be considered a passing grade, therefore recognizing the contractor as a Certified Contractor. Participants receiving a grade lower than 70 will be required to take the training course and exam again and will be

required to pay any registration fees associated with the training program in order to become a Certified Contractor.

Other training options, such as self study materials, online tutorials, and individual tests administered by City staff, may be developed in the future as a method to meet training demands.

The City will maintain a list of Certified Contractors and will publish the list on the City's website.

Certified Contractor Substitution Procedures

The City recognizes that contractors for a site change over time for various reasons. When the Certified Contractor for a site changes, it is the responsibility of the existing Certified Contractor for a permitted site to notify the City Engineer of the change in writing.

Recertification

Certified Contractors will be required to be re-certified every three years. The City will send reminder notices to Certified Contractors at least three months before the certification expiration date, reminding them of the requirement to obtain re-certification. In the event that a certification lapses without being renewed, the contractor will be required to reapply.

Re-certification will consist of completing the City-sponsored training and attending at least one field day event sponsored or provided by the City within the 3 years prior to submitting an application for recertification. Training opportunities will be identified on the City's website.

Reciprocity

The City Engineer will consider other similar EPSC certification programs as equivalent to the Bowling Green Contractor Certification training requirements on a case-by-case basis.

Revoking Certifications

The City Engineer has the authority to rescind or revoke a contractor's certification. A certification can be revoked when a contractor fails to respond appropriately to written warnings and/or violations from City staff. The City will consider the severity of the problem or violation when considering revoking a certification.

Responsibilities of Certified Contractors

Certified Contractors are responsible for the following on new development within the City of Bowling Green's jurisdiction:

1. Understand when an Erosion Prevention and Sediment Control Plan is required by the City and inform developers prior to beginning land-disturbing activities of the requirement for a plan.

2. Install or oversee the installation of erosion prevention practices (EPP), sediment management practices (SMP) and good housekeeping practices (GHP) before land disturbing activities begin.
3. Inspect EPP, SMP and GHP controls every 7 calendar days and before and after storm events producing ½ inch or more of precipitation. Document the findings of the site inspections, inform the developer of the findings, and maintain inspection documentation for the permitted site.
4. Maintain EPP, SMP and GHP controls during the life of the construction site. Maintenance of controls must be conducted in accordance with the requirements identified in the City's *Best Management Practices Manual*.
5. Act as the site contact for the City regarding the EPSC plan, relaying information to the permit holder from the City.
6. Inform the City in writing of Certified Contractor substitutions, deletions and/or additions.

Developments Requiring a Certified Contractor

Whenever the City Engineer or the Planning Commission's Engineer requires an Erosion Control Plan, a certified contractor, if known, must be identified in the permit application package. However, the Certified Contractor should be identified prior to any permit approval and beginning any site work. The following information must be submitted with the application:

- Certified Contractor's name, company name, address, phone number, and certification number. **The contractor's certification number must be included in the application package.**

On residential subdivisions where numerous grading or site contractors are likely to be working, a representative of the contractor responsible for performing the initial grading and installation of initial EPSC practices must be identified as the Certified Contractor when the Storm Water Management Plan is submitted for review during the pre-construction conference. However, prior to obtaining a building permit, the applicant must identify the new Certified Contractor for the individual lot **or** certify that the overall Storm Water Pollution Prevention Plan (which includes the EPSC Plan) for the development will be followed and that the Certified Contractor for the overall development will also serve as the Certified Contractor for the individual lot.

Certified Contractors and Permit Responsibilities in Residential Subdivisions

Note: The KPDES Permit Requirements as they relate to KPDES permittees and co-permittees state the following: The KPDES general permit for construction activities requires contractors and subcontractors responsible for implementing each control measure to 1) be identified in the BMP plan and 2) sign a statement acknowledging that they understand the terms and conditions of the general permit.

It is the desire of the City of Bowling Green to apply EPSC regulations and requirements uniformly and fairly across the City's jurisdiction. Often, responsibilities for EPSC maintenance become difficult to define in residential subdivisions. In an effort to define

responsibilities for EPSC installation, inspection and maintenance in residential subdivisions where numerous homebuilders and contractors may be present, the City will require homebuilders to submit an individual EPSC plan for a residential lot at the time that he/she applies for a building permit. **The individual lot EPSC plan will be simplistic and will not require detailed plans as long as the following conditions are met:**

- ✓ The lot does not require a Grading and Drainage Plan or a SWMP.
- ✓ The lot does not include flood hazard areas.
- ✓ The lot does not include critical slopes.
- ✓ The lot does not include a sinkhole.
- ✓ Development on the lot will not create more than 3400 ft² of impervious surfaces.

The individual lot EPSC plan will be reviewed and after approval, a building permit can be issued. For lots approved under this policy, the developer will no longer be responsible for EPSC for that lot within the development. Inspections and maintenance for that lot will be the responsibility of the homebuilder, and the homebuilder will be subject to enforcement for violations on that lot. The homebuilder will be required to identify the Certified Contractor when submitting the EPSC plan and applying for the building permit.

Contractor/Subcontractor Agreement Form

Contractor Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Subcontractor Information

Name: _____ Contractor Certification No: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Site Information

Site Description: _____

I certify, under penalty of law, that I understand the terms and conditions of the Kentucky Pollution Discharge Elimination System (KPDES) and City of Bowling Green permits that authorizes storm water discharges from active constructions site. I am aware that significant penalties exist related to permit conditions and regulations for the discharge of pollutants off-site and accept the responsibility for compliance with these conditions and regulations.

Subcontractor Signature: _____

Date: _____

Owner/Contractor Agreement Form

Owner Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Cell Number: _____

Contractor Information

Name: _____ Contractor Certification No: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Cell Number: _____

Site Information

Site Description: _____

I certify, under penalty of law, that I understand the terms and conditions of the Kentucky Pollution Discharge Elimination System (KPDES) and City of Bowling Green permits that authorizes storm water discharges from active constructions site. I am aware that significant penalties exist related to permit conditions and regulations for the discharge of pollutants off-site and accept the responsibility for compliance with these conditions and regulations.

Contractor Signature: _____

Date: _____

Change of Certified Contractor Form

Date: _____

Permit Number (if subdivision give name): _____

Location Description: _____

Contractor Name: _____

Contractor Certification Number: _____

New Contractor Name: _____

Notes: _____

Signature: _____