



Administrative Policy #:

Title: Erosion and Sediment Control

Effective Date:

SECTION 1. PURPOSE & SCOPE

1.1. PURPOSE

The purpose of this Policy is to protect public health, safety, property, and water quality by minimizing erosion, controlling sediment transport, and reducing pollutants in stormwater runoff resulting from construction activities occurring on property owned or controlled by Fairmont State University.

This Policy is intended to:

1. Reduce sediment and pollutant discharges to the Municipal Separate Storm Sewer System (MS4) and receiving waters.
2. Comply with applicable West Virginia Department of Environmental Protection (WVDEP) requirements.
3. Protect water resources, aquatic habitat, and stormwater infrastructure.
4. Establish procedures for construction site plan review, inspection, maintenance, and enforcement.
5. Support implementation of the University's Stormwater Management Program (SWMP).

1.2. SCOPE

This Policy applies to all construction and land-disturbing activities occurring on University-owned or controlled property, including activities conducted by University departments, contractors, subcontractors, consultants, utilities, and other entities performing work on University property.

Projects disturbing one (1) acre or more, or projects that are part of a larger common plan of development or sale, shall comply with all applicable WVDEP Construction Stormwater Permit requirements.

Where conflicts exist between this Policy and applicable state or federal regulations, the more stringent requirement shall apply.

SECTION 2. APPROVAL, DELEGATION & APPLICABILITY



2.1. AUTHORITY

Fairmont State University, through the appropriate University official or designated representative, has authority to administer this Policy, review applicable Erosion and Sediment Control (ESC) Plans, conduct or authorize construction site inspections, require corrective actions, and enforce the requirements of this Policy.

2.2. DELEGATION

The University may designate appropriate personnel or qualified representatives to conduct plan reviews, inspections, documentation, compliance monitoring, and other administrative functions under this Policy. Any delegation shall remain subject to applicable University policies, contracts, and state and federal requirements.

2.3. APPLICABILITY

This Policy applies to:

1. All construction activities occurring on University-owned or controlled property.
2. University departments conducting land-disturbing activities.
3. Contractors, subcontractors, consultants, utilities, and other entities performing work on University property.

Projects disturbing one (1) acre or more, or projects that are part of a larger common plan of development or sale, shall comply with all applicable WVDEP Construction Stormwater Permit requirements.

SECTION 3. DEFINITIONS

3.1. BEST MANAGEMENT PRACTICES (BMPS): Measures, practices, and controls used to prevent or minimize erosion, sediment transport, and pollutant discharges associated with construction activities.

3.2. EROSION AND SEDIMENT CONTROL (ESC) PLAN: A plan identifying construction activities, sequencing, erosion and sediment controls, stabilization methods, maintenance procedures, and other measures necessary to prevent or minimize erosion, sediment discharge, and stormwater pollution.

3.3 LAND DISTURBANCE: Any activity that alters the existing surface of the land, including clearing, grading, excavation, filling, utility installation, and construction activities.



3.4 MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): A conveyance or system of conveyances for stormwater runoff regulated under applicable state or federal requirements.

3.5 NPDES: National Pollutant Discharge Elimination System.

3.6 STORMWATER MANAGEMENT PROGRAM (SWMP): The University's program for managing stormwater and meeting applicable MS4 and water quality requirements.

3.7 TOTAL MAXIMUM DAILY LOAD (TMDL): A regulatory determination establishing the maximum amount of a pollutant that a waterbody can receive while still meeting applicable water quality standards.

3.8 WVDEP: West Virginia Department of Environmental Protection.

SECTION 4. POLICY

4.1. POLICY

It is the policy of Fairmont State University that construction and land-disturbing activities on University-owned or controlled property shall be conducted in a manner that minimizes erosion, controls sediment transport, prevents or reduces pollutant discharges, protects water quality, and complies with applicable University, WVDEP, state, and federal requirements.

4.2. PLAN REVIEW AND APPROVAL

4.2.1. EROSION AND SEDIMENT CONTROL PLAN REQUIREMENT

Any construction activity resulting in land disturbance of five thousand (5,000) square feet or greater shall require submission of an ESC Plan for review by the University.

4.2.1.1. PROJECTS DISTURBING ONE ACRE OR MORE

Projects disturbing one (1) acre or more shall:

1. Submit an ESC Plan.
2. Submit construction drawings for review.
3. Demonstrate registration under applicable WVDEP NPDES Construction Stormwater requirements.
4. Identify receiving waters and applicable watershed conditions, including TMDLs when applicable.

4.2.2. UNIVERSITY REVIEW

Within thirty (30) calendar days of receipt of an ESC Plan, the University shall:

1. Approve the plan;
2. Approve the plan with conditions; or
3. Disapprove the plan and identify deficiencies requiring correction.

4.2.3. PUBLIC INPUT

The University reserves the right to review projects through a public meeting or public hearing process when deemed appropriate.

4.3. REQUIRED PLAN CONTENT

4.3.1. CONSTRUCTION SEQUENCING

The ESC Plan shall include a schedule identifying:

1. Clearing limits;
2. Grading activities;
3. Utility installation;
4. Building construction;
5. Temporary stabilization measures;
6. Permanent stabilization measures; and
7. Final landscaping activities.

4.3.2. EROSION AND SEDIMENT CONTROLS

The ESC Plan shall describe and identify the location of all BMPs necessary to minimize erosion and prevent sediment transport.

4.3.3. STABILIZATION METHODS

The ESC Plan shall identify:

1. Seed mixtures;
2. Seeding rates;
3. Mulch specifications;
4. Soil amendments;
5. Fertilizer applications;
6. Temporary stabilization measures; and
7. Permanent stabilization measures.

4.3.4. MAINTENANCE PROCEDURES



The ESC Plan shall identify the parties responsible for inspection, maintenance, and repair of all erosion and sediment controls.

4.3.5. CONSTRUCTION WASTE MANAGEMENT

The ESC Plan shall include procedures to prevent the discharge of building materials, concrete washout, paints, fuels, oils, chemicals, litter, sanitary waste, and other pollutants that may enter stormwater runoff.

4.4. DESIGN STANDARDS

4.4.1.

All erosion and sediment controls shall be designed in accordance with the most current version of:

1. WVDEP Erosion and Sediment Control Best Management Practice Manual;
2. WVDEP Construction Stormwater Permit requirements; and
3. Other approved design manuals recognized by WVDEP.

4.4.2. SITE STABILIZATION

The following requirements apply:

1. Temporary stabilization shall be completed as soon as practicable following land disturbance.
2. Disturbed areas inactive for extended periods shall be stabilized.
3. Soil stockpiles shall be protected from erosion.
4. Dust control measures shall be implemented as necessary.
5. Permanent stabilization shall be established prior to project closeout.

4.4.3. SEDIMENT CONTROLS

Sediment controls may include:

1. Silt fence;
2. Inlet protection;
3. Sediment traps;
4. Sediment basins;
5. Check dams;
6. Vegetated buffers;

7. Compost filter systems; and
8. Equivalent approved BMPs.

4.4.4. WATERCOURSE PROTECTION

Activities impacting streams, channels, or drainageways shall incorporate BMPs necessary to prevent erosion and sediment discharge.

4.5. TMDL-SENSITIVE PROJECTS

4.5.1.

Where construction activities occur within drainage areas subject to approved TMDLs or other watershed restoration requirements, the University may require:

1. Enhanced BMPs;
2. Additional inspections;
3. Supplemental stabilization measures;
4. Additional water quality protections; or
5. More stringent maintenance requirements.

4.6. CONSTRUCTION SITE INSPECTIONS

4.6.1. CONTRACTOR RESPONSIBILITIES

The contractor shall:

1. Conduct inspections in accordance with the approved ESC Plan and NPDES permit requirements.
2. Correct deficiencies promptly.
3. Maintain inspection documentation onsite.

4.6.2. UNIVERSITY INSPECTIONS

The University or its designated representative may inspect any construction site subject to this Policy.

Inspection activities may include:

1. Visual inspections;
2. Photographic documentation;
3. Review of ESC Plans;
4. Review of inspection reports;

5. BMP evaluation; and
6. Verification of permit compliance.

4.6.3. NOTIFICATION REQUIREMENTS

Contractors shall notify the University before:

1. Initial installation of erosion and sediment controls;
2. Significant modifications to the ESC Plan;
3. Removal of controls; and
4. Final stabilization activities.

4.7. RECORDKEEPING

4.7.1.

The contractor shall maintain:

1. Approved ESC Plans;
2. Inspection reports;
3. Maintenance records;
4. Corrective action logs;
5. NPDES permit documentation; and
6. Training documentation, if applicable.

Records shall be retained for a minimum of three (3) years after project completion or longer if required by applicable permit conditions.

4.8. CONTRACTOR RESPONSIBILITIES

4.8.1.

Contractors and subcontractors shall be responsible for:

1. Understanding University stormwater requirements;
2. Maintaining erosion and sediment controls;
3. Preventing sediment discharge;
4. Preventing pollutant discharge;
5. Protecting storm drains and receiving waters; and
6. Complying with all applicable permits and regulations.

4.8.2.



The University may require pre-construction meetings to address stormwater, erosion control, and environmental compliance obligations.

4.9. ENFORCEMENT

4.9.1. NOTICE OF DEFICIENCY

Where deficiencies are identified, the University may issue written notice requiring corrective action.

4.9.2. STOP WORK AUTHORITY

The University may issue a Stop Work Order when:

1. Significant erosion or sediment discharges are occurring;
2. BMPs are not installed or maintained;
3. Permit conditions are violated; or
4. Water quality is being adversely affected.

4.9.3. CORRECTIVE ACTION BY UNIVERSITY

If deficiencies are not corrected within the timeframe established by the University, the University may:

1. Perform corrective work;
2. Retain another contractor;
3. Recover all associated costs, including administrative expenses;
4. Withhold payments as permitted by contract; and
5. Pursue other legal or contractual remedies.

4.10. APPEALS

4.10.1.

Any party receiving a Notice of Deficiency or Stop Work Order may submit a written appeal within thirty (30) calendar days. The University's determination following review of the appeal shall be final.

4.11. SEVERABILITY

If any provision of this Policy is determined invalid, the remaining provisions shall remain in full force and effect.

SECTION 5. COMPLIANCE



5.1. COMPLIANCE

All activities subject to this Policy shall comply with applicable University policies and procedures, WVDEP requirements, NPDES Construction Stormwater requirements, applicable state and federal environmental laws and regulations, approved ESC Plans, and applicable permit conditions.

The University shall design and administer its erosion and sediment control requirements consistent with the most current applicable WVDEP standards and approved BMP guidance. Where conflicts exist between this Policy and applicable state or federal regulations, the more stringent requirement shall apply.

5.2. NONCOMPLIANCE

Failure to comply with this Policy, an approved ESC Plan, applicable permit conditions, or applicable regulatory requirements may result in a Notice of Deficiency, Stop Work Order, corrective action requirements, withholding of payment as permitted by contract, recovery of corrective action costs, or other legal or contractual remedies available to the University.

SECTION 6. REVISION HISTORY

6.1. FREQUENCY OF REVIEW

This Policy shall be reviewed periodically and updated as necessary to maintain consistency with applicable University requirements, WVDEP requirements, NPDES permit conditions, and changes in applicable state or federal law.

6.2. APPROVED