

SECTION 01 35 43 - ENVIRONMENTAL REQUIREMENTS SITE ENFORCEMENT

PART I - GENERAL

1.1 APPLICABILITY

- A. Pursuant to the Owner's National Pollutant Discharge Elimination System (NPDES) Permit ILR400523 that authorizes discharges from its small Municipal Separate Storm Sewer System (MS4), the Owner must comply with the storm water requirements of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations, and the Clean Water Act. In accordance with the following Construction Site Enforcement Policy, Contractors and Professional Services Consultants are subject to enforcement by the Owner for failure to comply with these requirements.

1.2 RELATED SECTIONS

- A. *Section 01 74 13 – Progress Cleaning [Note to AE: Include this section in the Project Documents, even though it is not included in the U of I Facilities Standards.]*
- B. *Section 31 25 00 - Erosion and Sedimentation Control*

1.3 SUMMARY OF ENFORCEMENT POLICY

- A. In most cases, good communication can foster compliance and maintain goodwill thereby eliminating the need for an enforcement remedy.
- B. If the Owner determines that noncompliance warrants enforcement action, the Owner will select an enforcement remedy based on the nature and severity of the violation(s), the urgency with which remedial activity must be taken, whether the subject party has taken good-faith measures to come into compliance, and whether the violation is a repeat offense.
- C. A repeat offense is a violation by the same Contractor of the same requirement within the same calendar year as the original violation.
- D. When necessary and as appropriate, the Owner will impose a Stormwater Violation Enforcement Remedy by increasing order of severity as follows:
 1. Warning
 2. Notice of Non-Compliance.
 3. Stop Work Order, Stop Payment, Back Charge.
 4. Referral to Illinois Environmental Protection Agency.
- E. Some of the more common violations that will trigger an enforcement remedy by increasing order of severity include:
 1. Emergency Situations.
 2. Failure to prepare a Storm Water Pollution Prevention Plan (SWPPP).
 3. Failure to comply with SWPPP measures.
 4. Failure to conduct site inspections.
 5. Failure to correct a violation.

PART 2 - PRODUCTS

2.1

PART 3 - EXECUTION

END OF SECTION **01** 35 43

This section of the *U of I Facilities Standards* establishes minimum requirements only.
It should not be used as a complete specification.