EROSION AND SEDIMENT CONTROL PROGRAM
ENFORCEMENT PROTOCOL

(Revised June 11, 2019)

Purpose and Intent:

The following protocols have been established to ensure consistent and timely enforcement action when land disturbance activities do not meet the requirements set forth in the Virginia Erosion and Sediment Control Handbook, the Loudoun County Codified Ordinances and the Facilities Standards Manual. The procedures contained within this document are to be administered without exception by County staff and reflect the critical nature, severity of the offense and potential impacts caused by the cited non-compliance. A copy of this document shall be provided to the responsible party (i.e. landowner or assignee) at all Pre-Construction Meetings. Where such meetings have already been conducted prior to the development and implementation of these Enforcement Protocols, a copy shall be attached to the first Inspection Report prepared for the subject land disturbing activity. The responsible party shall be required to sign a certification of receipt and acknowledgement of the procedures and penalties set forth in the Enforcement Protocols. Note: All Erosion and Sediment Control Inspections shall be documented by an inspection report. There will be NO verbal warnings preceding Step # 1, Inspection Report.

Critical Non-Compliance Enforcement Protocol:

This protocol shall be used to cite and enforce erosion and sediment control requirements for land disturbance activities where the non-compliance is critical in nature. Examples of such critical non-compliant circumstances are, but not limited to, a public safety hazard; failing sediment basins and traps due to lack of maintenance or improper installation; improperly installed or maintained stream crossings; exceeding approved limits of clearing and grading in sensitive and preservation areas; potential impacts to off-site property; and, failure to meet stabilization timelines. The following enforcement protocol and accompanying timelines shall be used in such critical situations:
(1) An **Inspection Report** shall be prepared providing a detailed description of the non-compliance issue and required remediation action. The Inspection Report shall specify that corrective action must be complete within a **maximum of five (5) working days** or the amount of time determined upon the Inspector’s discretion and agreed to by the responsible party or a Notice to Comply shall be issued. This report shall be delivered by email to the responsible party to document receipt of the report.

(2) A **Notice to Comply** shall be issued immediately if the required corrective action as documented in the Inspection Report has not been addressed within the specified timeline. A Notice to Comply shall also be used without first issuing an Inspection Report where the non-compliance is severely impacting water quality or adjoining property. The Notice to Comply shall specify that the corrective action must be complete within **a maximum of two (2) working days** or the amount of time as determined upon the Inspector’s discretion and agreed to by the responsible party, or a Stop Work Order will be invoked. This document shall be delivered by email or certified mail to the responsible party to document receipt. County staff may also telephone the responsible party to verify receipt of document.

(3) In the event that the responsible party has not met the corrective action requirements set forth in the Notice to Comply, a **Stop Work Order** will immediately be issued that specifies that corrective action shall commence within twenty four (24) hours or legal action may be taken by the County. In doing so, the grading permit shall be revoked and, where applicable, all other associated County permits (i.e. building permit inspections) shall be suspended. All Stop Work Orders shall remain in effect for seven (7) calendar days from the date of issuance. When the violation has been corrected, the Stop Work Order shall be lifted. However, the responsible party shall be required to re-apply for a grading permit and pay the associated **grading permit application fees**. Upon approval of a new grading permit, the other permits that had been suspended will become effective and the land development activities on the affected site may resume.

**Moderately Critical Non-Compliance Enforcement Protocol:**

This protocol shall be used to cite and enforce erosion and sediment control requirements for land disturbance activities where the non-compliance is moderately critical in nature. Examples of such moderately critical non-compliant circumstances are, but not limited to, inadequate or **improperly** maintained silt fence, diversion dikes, construction entrances, inlet/outlet protection, dust control and required maintenance of established erosion and sediment controls. The
following enforcement protocol and accompanying timelines shall be used in such moderately critical situations:

(1) An **Inspection Report** shall be prepared providing a detailed description of the non-compliance issue and required remediation action. The Inspection Report shall specify that corrective action must be complete within a *maximum of five (5)* working days *or the amount of time determined upon the Inspector’s discretion and agreed to by the responsible party*. This document shall be delivered by email or certified mail to the responsible party to document receipt. County staff may also telephone the responsible party to verify receipt of document. If the corrective action has not been completed within the specified timeframe, a second Inspection Report shall be issued stating that the required action must be complete within three (3) working days or a Notice to Comply shall be issued.

(2) A **Notice to Comply** shall be issued immediately if the required corrective action as documented in the Inspection Report has not been addressed within the three-day timeline. The Notice to Comply shall specify that the corrective action must be complete within a *maximum of five (5)* working days *or the amount of time as determined by the Inspector’s discretion and agreed to by the responsible party* or a Stop Work Order will be invoked. This document shall be delivered by email or certified mail to the responsible party to document receipt. County staff may also telephone the responsible party to verify receipt of document.

(3) In the event that the responsible party has not met the corrective action requirements set forth in the Notice to Comply, a **Stop Work Order** will immediately be issued that specifies that corrective action shall commence within twenty four (24) hours or legal action may be taken by the County. In doing so, the grading permit shall be revoked and, where applicable, all other associated County permits (i.e. building permit inspections) shall be suspended. All Stop Work Orders shall remain in effect for seven (7) calendar days from the date of issuance. When the violation has been corrected, the Stop Work Order shall be lifted. However, the responsible party shall be required to re-apply for a grading permit and pay the associated grading permit application fees. Upon approval of a new grading permit, the other permits that had been suspended will become effective and the land development activities on the affected site may resume.
The purpose of this memorandum is to inform the Land Development, Engineering, and Building Community of Loudoun County’s recommendations in regard to severe weather conditions, which may cause extensive flooding and erosion from active construction projects.

Please take time to review this information and kindly distribute to applicable personnel within your organization.

As most of you are aware, the hurricane season extends from June 1 through November 30. Floods cause more damage and loss of life than any other natural disaster.

In the event of Special Weather Statements issued from the National Weather Service predicting severe weather with possible flooding, the County is issuing the following recommendations for active construction sites. These recommendations should not be misconstrued to apply to storm events under routine 10-year engineering designs. The recommendations should be forwarded to the project Superintendents to prepare for storm events.

RECOMMENDATIONS

1) Identify potential areas where concentrated flow does not currently exist, and apply the appropriate E/S control measure. Most likely, this will be a check dam, diversion ditch, pipe slope drain, or gravel filter weir trap.

Hurricane Season Precautions
2) Apply additional straw, mulch, or wood chips, to denuded areas, which are not at final grade or ready for permanent stabilization. This will reduce the effect of accelerated erosion.

3) Additional check dams should be placed in drainage areas or ditches with steep slopes to protect drainage channels or swales from scouring.

4) Additional rip rap should be placed in outfall areas as needed. Inspect the sediment basin or sediment trap outfall protection. Inspect permanent structure wingwalls and apply rip rap as needed.

5) Install additional Silt Fence or Super Silt Fence as necessary, although this may only be effective in sheet flow areas with non-critical slopes. Apply more effective controls in areas where concentrated flows currently exist.

6) Inspect Stormwater Management Pond structures and orifices to remove any debris which may prevent designed dewatering of the pond.

7) Remove any storm sewer inlet protection, which may cause flooding to a street or personal property.

8) Reduce the volume of water in sediment basins or traps, if necessary. Sediment basins are designed to handle a 25-year storm event, which equates to approximately 6.0 inches of water in a 24-hour period for Loudoun County (See Loudoun County Facilities Standards Manual, Section 5.210 - Hydrologic Design Tables I and II for Intensity Values and Rainfall Depth). If a pond is retaining water in the dry-storage capacity in a pre-storm event, then the capacity may be reduced to the designed wet storage capacity. Consult with site Inspector for dewatering instructions before lowering basin volumes.

9) Please consult with your assigned Loudoun County E&S Inspector, Land Development Engineer, or contact the Engineering Division for specific site advice, should a pre-emergency inspection be required.
MEMORANDUM

DATE: January 16, 2019 (Revision from 6/28/17 & 2/12/07 Memos)

TO: Joe Ohler, Program Manager, Erosion Sediment Control

FROM: Alan Brewer, Director of Building and Development

SUBJECT: STREET SIGNS / EMERGENCY ACCESS

Fire-Rescue has asked us to comply with their request concerning the requirement to post street signs in subdivision/commercial areas during construction. Since your group is the first set of inspectors on site prior to any building, I would like to see you incorporate that request in your pre-construction meetings. The requirement is to have the applicant put up legible street signs (at least temporary ones) on any "road" that is being used (completed, rough grade, etc.).

Fire-Rescue has also asked us to comply with their request concerning the requirement to have emergency access to a building site within 150’ of all portions the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility before we can release a building permit for that building or facility. (SFPC 503.1.1)

Failure to follow through on these requirements could lead to serious and perhaps fatal injury for members of the work crews because Fire-Rescue staff would not be familiar with new areas or have proper access and might not be able to make a timely response.

These requirements is of such an emergency nature that I authorize each inspector to immediately suspend the permit for further construction if a site is found in non-compliance. Your supervisor or my office should be notified upon your return to the County building of your action. If there are any questions, do not hesitate to contact me.

Revised August 21, 2020
LOUDOUN COUNTY CONTRACTORS / RLD
SEDIMENT CONTROL CHECKLIST

**PINK GRADING PERMIT PLACARD**

- Issuance of the pink phase 1 grading permit placard by the Loudoun County Inspector. Please display the pink grading permit placard near the construction entrance or approved location.
- Install the stone construction entrance and wash rack (per std 3.02).
- Access path and perimeter clearing and grubbing for the installation of the erosion and sediment controls only.
- Install perimeter controls (silt fence, per std. 3.05), temporary diversion dike (per std. 3.09) etc.
- Install applicable sediment basin and sediment traps (per std 3.13 & 3.14).
- Stabilize the diversion dike and the interior and exterior sediment trap and sediment basin slopes (seed, mulch, tack). Also stabilize any stockpiles created by the excavation of sediment basin and traps (per std 3.31)
- Call the Loudoun County Inspector for an inspection and the approval of the erosion and sediment controls before site clearing/grading can begin.

**GREEN GRADING PERMIT PLACARD**

- The issuance of the phase 2 green grading permit placard to replace the phase 1 pink grading permit placard. This permit also needs to be displayed near the construction entrance or approved location.
- The mass excavation of the site and the installation of the utilities may now commence.
- The installation of the inlet protection and outlet protection must now be performed as inlets and outlets are installed and active.
- The site inspection of the erosion sediment control devises, must be done on a regular basis or 24 hours after a rain event and repaired by the end of each day.
- The maintenance of all the erosion and sediment devises must be performed on a regular basis as warranted.

Revised 08/20/2020
Recommended Curb Inlet Protection

**Design Details**

- Use two 2" x 6" or one 4" x 4" on each side as spacers cut to the height of the curb (These will be used on both sides of the inlet to act as spacers for the 2" x 4" cross board to create a 3" spillway along the top of the inlet.
- Inlet lengths will vary in size. Ensure the 2" x 4" cross board will extend 12" past the inlet on both sides.
- Inlets with longer lengths may require additional “spacers” along the cross board for support.
- Nail two 2" x 6" spacers together (or optional 4" x 4")
- Nail 2" x 4" cross board flush along the top of the spacers to allow a 2" opening along the bottom to allow storm water to access the inlet after being filtered.
- Attach wire mesh along the top of the 2" x 4" cross board to conform with the curb and gutter.
- Apply filter stone the entire length of the cross board.
- Attach the mesh to the top of the cross board to secure the filter stone.
- Attach 2" x 4" anchors on top of each end of the cross board to anchor the inlet protection.
- Use sand bags on top of the 2" x 4" anchors to secure the inlet protection to the structure or drive stakes into the ground at the rear of the structure to attach the 2" x 4" anchors to.

**FIGURE 5**
Section 7.600
Pipe Outlet Sediment Trap
(D/A: 1 to 2.99 acres)

(Loudoun County Cod. Ord. 1220.01(c))

**FIGURE 4**
Section 7.600

Section 7.600 – Erosion and Sediment Control
Effective Date: 11/01/2016
Super Silt Fence

ELEVATION VIEW

SECTION VIEW

SUPER SILT FENCE
NO SCALE

FENCING

Chain link fence shall be 34" above grade with 8" embedded for a total fabric width of 42". The post shall be 42" above grade with 30" placed below grade (without concrete) for a total length of 72".

NOTES

1. Chain link fence shall be fastened securely to fence posts with wire ties.
2. Filter fabric shall be fastened securely to chain link fence with ties spaced horizontally 24" at the top and midsection.
3. Physical properties of the filter fabric shall conform to the latest edition of THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK.
4. When two sections of filter fabric adjoin each other, they shall be overlapped by 6" and folded.
5. Maintenance shall be performed as needed and material shall be removed when sediment build-up reaches 50% of the height of the super silt fence.

FIGURE 3
Section 7.600
Purpose: To ensure that Stormwater Management (SWM) BMP Inspections are conducted properly by the Operator (as designated in the VSMP Permit) or his representative during construction of the BMP. In addition, contact information for the Loudoun County Dept. of Building & Development (B&D) liaison for this program is provided as well as information on where to store the checklist(s) during construction and where to submit the document(s) after construction of the BMP is complete.

Actions Required & Contact Information:

1. Secure BMP Inspection Checklists (for bioretention, wet pond, extended detention pond, wet swale, and/or dry swale) which are attached to this document and also can be downloaded from the Loudoun County VSMP website at www.loudoun.gov/loudounvsmp.

2. Beginning August 1, 2017, checklists must be completed as per the guidance provided in the “BMP Checklist Instructions” located at the end of each checklist. For further information about the inspection program, please reference the June 16, 2017 B&D Technical & Procedural Newsletter which can also be accessed at www.loudoun.gov/loudounvsmp.

3. Mr. John Euson, Stormwater Management Technician with the Dept. of Building & Development, will provide Loudoun County field presence during this process. Mr. Euson will attend pre-construction meetings when available to go over requirements and will carry out inspections/spot checks during the construction period. Mr. Euson’s contact information is as follows:

- Phone – Office: (703) 771-5209
- Phone – Cell Phone (571) 919-1743
- E-mail – john.euson@loudoun.gov
4. **Notification from Operator:** Please notify Mr. Euson by phone or e-mail as soon as construction begins on one of the aforementioned BMPs.

5. As certain phases of the BMP construction are completed and checklists are updated, the latest version of the BMP Inspection Checklists must be attached to the on-site SWPPP document.

6. **Once construction of a BMP is complete,** submit all completed checklists, along with the digital photos taken to Mr. Euson.

7. **Questions?** Contact Mr. Euson or the BMP Inspection Program Coordinator, Ryan Sauder (phone - (703) 737-8209 & e-mail ryan.sauder@loudoun.gov), concerning site-specific technical issues related to BMP construction or checklist questions and clarifications.

Please contact Jimmy Edmonds, VSMP Administrator (phone - (703) 737-8052 & e-mail james.edmonds@loudoun.gov) with any other program issues or any recommendations for improving this process.

Attachments: Checklists for 5 BMPs
4. **Notification from Operator:** Please notify Mr. Euson by phone or e-mail as soon as construction begins on one of the aforementioned BMPs.

5. **As certain phases of the BMP construction are completed and checklists are updated, the latest version of the BMP Inspection Checklists must be attached to the on-site SWPPP document.**

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    Please contact Jimmy Edmonds, VSMP Administrator (phone - (703) 737-8052 & e-mail james.edmonds@loudoun.gov) with any other program issues or any recommendations for improving this process.

Attachments: Checklists for 5 BMPs
BMP INSPECTION CHECKLIST INSTRUCTIONS (cont’d)

b. Design & construction of filter & drainage diaphragms (if included); &

c. Impervious clay liner (if required).

iii. Wet & Dry Swales – Impervious clay liner (when required) must meet specifications found in the Va. BMP Clearinghouse.

G. When filling out the checklist, check “Yes” when construction of the item is completed per the explanation/description. Concurrently, enter the “Date Completed.”

H. Check “N/A” (not applicable) if the construction item is not part of the approved design (e.g., an impervious liner is not required) or there is an approved field modification which changes or eliminates the item. When N/A is checked, always explain the reason in the “Additional Inspection Notes” section at the end of the checklist.

I. Also use “Additional Inspection Notes” for any notes/clarification that will help verify that the BMP was properly constructed.

2. Photos

A. Digital photos are required for most phases of BMP construction.

B. The photos will help to verify that each stage of construction met the standards required in the checklist.

3. Location of BMP Checklists on Site & Checklist Updates

A. The checklist for a particular BMP will be updated as the different phases of the installation occur. Once the construction of a BMP has begun, attach the up-to-date checklist to the on-site Stormwater Pollution & Prevention Plan (SWPPP).

B. BMP Checklists may be reviewed on site by a member of B&D’s VSMP Team (as well as the Erosion & Sediment Control Field Manager) during spot checks of the BMP installation.

4. Construction Complete - Final Step

A. Once construction of the BMP is complete, submit the completed Loudoun County BMP Checklist along with all digital photos to B&D coincident with Erosion & Sediment Control Bond release.

• Reminder – “As-Built” plans & P.E. Certification related to BMP construction must still be provided to B&D for review prior to VSMP Permit Termination.
Technical and Procedural Newsletter

June 16, 2017

To: Members of the Land Development and Home Building Community

From: Michael Seigfried, Director

The purpose of this correspondence is to inform the Land Development and Home Building Community of technical and procedural updates that have recently transpired. Please distribute this information to applicable personnel within your organization.

IN THIS EDITION:

The 4th in a series of newsletters providing updated information on the County procedures and technical criteria for Land Development Application (LDA) Projects and certain grading projects in meeting the Virginia Stormwater Management Program (VSMP) requirements. This newsletter concentrates on the procedures for the inspection of Stormwater Best Management Practices (BMPs) during construction. Also included are several administrative items associated with Stormwater Management (SWM) Plans and the VSMP permit process.

APPLICABLE STANDARDS:

Loudoun County SWM Ordinance (Chapter 1096) and Loudoun County Facilities Standards Manual (FSM) Chapters 1 and 5.

DISCUSSION:

LOUDOUN COUNTY BMP CONSTRUCTION INSPECTION PROGRAM

Per the State SWM Law, Loudoun County is required to provide for the inspection of SWM BMPs to insure they are constructed per the standards and design details found in either the Virginia BMP Clearinghouse or 1999 Virginia SWM Handbook (as per the approved SWM plan). The law also enables the County to carry out this requirement by collecting inspection reports from the operator, which is the entity responsible for providing the BMPs required under VSMP Permit conditions and in the approved SWM Plan.
Technical & Procedural Newsletter
June 16, 2017

Beginning in late 2015, B&D staff worked closely with members of the FSM Committee to derive standard monitoring reports that are to be completed by the operator or his representative(s) for various BMPs. In creating the “Loudoun County BMP Construction Checklist,” staff and committee members incorporated some of the information from State-recommended reporting forms, but also came up with many of their own construction items that are critical to insure proper functioning of the BMP. Ease of use (check boxes are used throughout) and some flexibility related to who is authorized to fill out the checklists were outcomes of this effort.

The “Loudoun County BMP Construction Checklist” for Bioretention Facilities, Wet Ponds, Extended Detention Ponds, Wet Swales, and Dry Swales are included as attachments to this newsletter and can be found at www.loudoun.gov/loudounv BMP. “BMP Inspection Checklist Instructions” are included as the last 2 pages of each BMP Checklist.

- THE START DATE FOR UTILIZING CHECKLISTS FOR BMP CONSTRUCTION IS:

  August 1, 2017

- ATTACH THE UP-TO-DATE CHECKLISTS TO THE ON-SITE STORMWATER POLLUTION & PREVENTION PLAN (SWPPP).

Relationship of Program to Notices of Termination of VSMP Permit (NOTs), As-Built Drawings, and Bond Release Requirements – The observations and documentation from the BMP Construction Inspection Program will be used to assist County staff in verifying the information provided in NOTs and as-built drawings, as well as in the County’s acceptance of BMPs for long term maintenance.

SWM PLAN SUBMISSIONS

1. SWM Narrative - Entering Project Data on BMPs – FSM 5.225.B.2.c requires a description of the stormwater BMPs proposed with a project to be included as part of the required stormwater narrative, including the geographic coordinates of and the acres treated by each. Loudoun County must provide this information to the VA Department of Environmental Quality (DEQ) in order to satisfy VSMP Permit requirements for each development project. Please be sure that those items follow the following format:

   A. Geographic Coordinates of BMP – Coordinates must be in decimal degrees & referenced to NAD 83 Virginia State Plane North.

   B. “Acres treated” means both impervious acres and total acres treated.
C. For ease of reference & consistency in data collection, applicants are encouraged to provide the BMP information in tabular form as per the following example:

Example Stormwater BMP Chart – SWM Narrative

<table>
<thead>
<tr>
<th>SWM/BMP Facility name</th>
<th>Type of Facility</th>
<th>Impervious Acres Treated/Total Acres Treated</th>
<th>Latitude</th>
<th>Longitude</th>
<th>Description of Discharge Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ex. Pond 1</td>
<td>Level 2 Wet Pond</td>
<td>14.25/32.50</td>
<td>39.1139</td>
<td>-77.5620</td>
<td>Proposed riprap outlet protection apron discharges directly to well-defined, stable natural channel approximately 150’ upstream of the property line.</td>
</tr>
</tbody>
</table>

2. **Determining Grandfathering of Technical Criteria** – B&D staff continues to receive inquiries about the status of projects in relation to grandfathering. Please note the following information related to these determinations:

A. A previous Technical & Procedural Newsletter, dated December 15, 2015, contained a detailed explanation of what is required for a project to fall under the State’s Part IIC technical criteria. That information is still relevant.

B. **Since July 1, 2014** – When grandfathering is utilized in the SWM design, the project must fully meet both the quality and quantity criteria in Part II.C of the VA SWM Regulations (9VAC25-870-92).

C. The applicant must demonstrate (through stormwater calculations, as-built information, related approved plans, etc.) that IIC criteria are satisfied. The calculation methods on many previously approved, older plans will not typically demonstrate compliance by themselves. Examples of these older methods include:


   ii. The Occoquan Method (used in the late 1980’s & early 90’s).

In plans using these and similar outdated methodologies, **new calculations** (downstream channel analyses, performance-based criteria, pond volume calculations, etc.) may need to be performed in order for the project to be considered grandfathered under II.C.
3. **Use the Updated VRRM Spreadsheet** – As of July 1, 2016, Version 3.0 of the spreadsheet must be utilized for all runoff reduction calculations used to verify water quality and quantity compliance. The improvements in the new spreadsheet include more helpful instructions, additional area checks, and the ability to analyze the pollutant removal capability of 2 manufactured (proprietary) water quality inlets in series.

4. **VRRM Land Cover Easement** - The Virginia Runoff Reduction Method (VRRM) Spreadsheet includes areas designated as forest/open space. This designation allows the designer to reduce the post-development phosphorus load reduction for a developed site. In order to guarantee that these areas remain in the natural, vegetated state which is credited as forest/open space, a prescriptive easement and deed language were developed. Chapter 12 in the 2013 Virginia SWM Handbook, as well as the Virginia SWM Regulations, were utilized in developing the deed language.

The following items highlight the designation of a VRRM Land Cover Easement:

A. The primary purpose for providing the easement is to keep the designated areas undisturbed during and after construction.

B. Certain forest management techniques are allowed, primarily to enhance the viability of the plant species within the easement.

C. Open space areas can be mowed/bush hogged up to a maximum of 4 times per year.

D. Utilities can be placed and maintained within the easement as long as the areas disturbed are restored as close as possible to their pre-development condition.

E. Wetland & stream restoration are allowable uses within the easement (without reduction of easement area).

F. Should the easement be vacated or modified for any reason, the owner will have to compensate for the area of forest/open space removed via a plan revision and additional treatment of stormwater runoff.

B&D staff will maintain the most up-to-date version of the deed language on the County VSMP website, [www.loudoun.gov/loudounvsmp](http://www.loudoun.gov/loudounvsmp).

5. **Pre-Treatment for Underground Detention Facilities** – A pre-treatment measure/device must be provided to treat concentrated discharge conveyed from site improvements to underground detention facilities such as chambers, pipes, vaults, etc. The measure must be designed to adequately remove and store sediment and debris before it enters the detention facility and must be easily accessible for maintenance operations. For all pre-treatment structures which require regular vacuuming, access
must be provided so as to accommodate a vacuum truck and hose. The primary choices for pre-treatment include:

A. **Hydrodynamic Separators** – may be utilized as pre-treatment and may also be credited for phosphorus removal as allotted by the Virginia BMP Clearinghouse.

B. **Modifications to manholes and inlets** – These modifications may include inlet sumps and oil capturing outlet hoods such as the “example” schematic below:

![Diagram of Deep Sump Catch Basin]

C. Notably, some of the chamber-type detention structures may contain “built-in” pre-treatment measures.

**VSMP PERMIT ADMINISTRATION**

6. **Preparing Notices of Terminations (NOTs) of VSMP Permit** – Staff notes that these items frequently delay or prohibit processing of NOTs:

A. Signature Required – a “wet ink” (original, physical) signature must be provided by a person who is authorized to sign on behalf of the operator (this is also true for Registration Statements and Transfers). For an explanation of who is able to sign, see item #8, “Certification,” in the instructions on the NOT form found at our County VSMP website, [www.loudoun.gov/loudounvsmp](http://www.loudoun.gov/loudounvsmp).

B. If control of a site is transferred to a new operator, a VSMP Permit Transfer must be executed between the new and the initial operator (operator denoted on the original Registration Statement) and the update reflected in the NOT.

C. The site must be stabilized and **grading bond released** in order to qualify for permit termination.
D. All SWM BMPs constructed with the site must be functioning as designed for the permanent condition (vs. use as a sediment control). As-built plans must be submitted and reviewed for conformance to the approved plans as part of this requirement.

E. All required maintenance agreements for BMPs must be executed prior to approval of an NOT (i.e., wet pond agreements for wet ponds and constructed wetlands, and Facilities Maintenance and Performance Agreement (FMPA) for cartridge-type Manufactured Treatment Devices (MTDs)).

Note:

- If any of these items are not properly addressed, staff will inform the operator (within 60 days) that the NOT cannot be processed.

- State Law requires that the operator submit an NOT within 30 days of the termination criteria being satisfied. To avoid paying unnecessary VSMP Permit Maintenance fees (due April 1 of each year for projects which remain under permit), NOTs should be submitted promptly.

Reminder –

If you have questions or comments regarding this newsletter or any other program elements, please call Jimmy Edmonds, B&D VSMP Administrator, at (703) 737-8052.

Attachments: Checklists for 5 BMPs