

Introduction

2.1 Introduction

This Construction Drainage, Erosion, and Sedimentation Control Plan/Stormwater Pollution Prevention Plan (DESCP/SWPPP) developed for the Palen Solar Electric Generating System (PSEGS or Project) site has been prepared to comply with the National Pollutant Discharge Elimination System (NPDES) No. CAS000002 General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ (General Permit).

A copy of the General Permit is provided in Attachment A. Copies of the DESC/P/SWPPP and the General Permit will be kept on-site for the duration of the Project.

The DESC/P/SWPPP was developed by, and will be amended or revised by, a Qualified SWPPP Developer (QSD), as defined under Section VII of the General Permit.

The DESC/P/SWPPP was designed to address the following objectives:

1. All pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity are controlled.
2. Where not otherwise required to be under a Regional Water Quality Control Board (RWQCB) permit, all non-stormwater discharges are identified and either are eliminated, controlled, or treated.
3. Site best management practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity to the best available technology/best control technology (BAT/BCT) standard.
4. Calculations and design details, as well as BMP controls for site run-on, are complete and correct.
5. Stabilization BMPs installed to reduce or eliminate pollutants after construction are complete.
6. Post-construction BMPs as defined by General Permit Section XII are identified.
7. Methods to implement BMP inspection, visual monitoring, and Construction Site Monitoring Program (CSMP) requirements are identified.

As required by the California Energy Commission (CEC), the following elements are included to demonstrate that construction activities associated with the Project will not result in an increase in off site flooding potential or sedimentation and that the Project will meet all local, state, and federal regulatory requirements associated with the protection of water quality and soil resources:

- A vicinity map showing the location of all Project elements with depictions of all significant geographic features including swales, storm drains, and sensitive areas
- A detailed site delineation that includes the boundary lines of all areas subject to disturbance and the location of existing and Project structures, pipelines, roads, and drainage facilities (limited to available preliminary information)
- A description of watercourses and critical areas
- Site maps showing existing site drainage, interim and Project drainage systems to protect the site and downstream facilities, and drainage area boundaries
- A narrative of the Project site drainage including appropriate measures to be taken to protect the site and downstream facilities
- Hydrology calculations
- Clearing and grading plans including delineation of all areas to be cleared of vegetation and areas to be preserved, including contours and cross sections, elevations, slopes, locations, and the extent of all Project grading (limited to available preliminary information)
- The location of BMPs to be implemented during construction (limited to available preliminary information)
- BMP implementation schedule (limited to available preliminary information)

The DESCP/SWPPP applies to all areas directly related to the construction activity, including, but not limited to, staging areas, storage yards, and access roads. The DESCP/SWPPP will be implemented year-round throughout the duration of the construction activities.

2.2 Permit Registration Documents

Permit Registration Documents (PRDs) will be submitted electronically to SWRCB's Stormwater Multi Application and Report Tracking System (SMARTS) by the Legally Responsible Person (LRP) on (to be determined).

Copies of the following PRDs will be included as Attachment B:

1. Waste Discharge Identification (WDID) confirmation
2. Notice of Intent (NOI)
3. Risk Level Determination (Construction Site Sediment and Receiving Water Risk Determination)
4. Site Map
5. Annual Fee
6. Signed Certification Statement

2.3 DESC/SWPPP Availability and Implementation

As required by Section XIV.C of the General Permit, the DESC/SWPPP will be available at the construction site during working hours while construction is occurring and will be made available upon request by a state or municipal inspector. When the original DESC/SWPPP is retained by a crewmember in a construction vehicle and is not currently at the construction site, current copies of the BMPs and map/drawing will be left with the field crew and the original DESC/SWPPP will be made available via a request by radio/telephone. The DESC/SWPPP will be implemented before the start of ground-disturbing activities.

2.4 DESC/SWPPP Amendments

This DESC/SWPPP will be amended:

- Whenever there is a change in construction or operations that may affect the discharge of pollutants to surface waters, groundwater(s), or a municipal separate storm sewer system
- If any condition of the General Permit is violated or the general objective of reducing or eliminating pollutants in stormwater discharges has not been achieved
- Annually, prior to the defined rainy season, as needed
- When deemed necessary by the LRP or construction contractor

As required by Section XIV.A of the General Permit, the DESC/SWPPP will be amended or revised by a QSD; the DESC/SWPPP will include a listing of the date of initial preparation and the date of each amendment. Amendments will be signed by a QSD (General Permit Section VII.B.6). An amendment log will be kept throughout the duration of the Project in Attachment C.

2.5 Retention of Records

As required by Sections IJ.69 and IV.G of the General Permit, a paper or electronic copy of all required records will be maintained for 3 years from the date generated or date submitted, whichever is last. These records will be available at the construction site until construction is completed. Palen Solar Holdings, LLC (PSH) will furnish the RWQCB, SWRCB, or U.S. Environmental Protection Agency (EPA), within a reasonable time, any requested information to determine compliance with this General Permit.

Required records will be maintained at (to be determined).

2.6 Required Non-compliance Reporting

PSH will properly document reportable discharges or other violations of the General Permit. Exceedances and violations will be reported using SMARTS and will include the following:

- Self-reporting of any discharge violations or to comply with RWQCB enforcement actions; and

- Discharges that contain a hazardous substance in excess of reportable quantities established in 40 Code of Federal Regulations (CFR) 117.3 and 40 CFR 302.4, unless a separate NPDES Permit has been issued to regulate those discharges

Documentation of all reportable exceedances and other non-compliance events will be kept in Attachment D.

2.7 Annual Report

An Annual Report will be prepared, certified, and electronically submitted to SMARTS by PSH no later than September 1 of each year. Reporting requirements, identified in Section XVI of the General Permit, include (but are not limited to) a summary of the following (as applicable):

1. Sampling and analysis results including laboratory reports, analytical methods, reporting limits, and chain-of-custody (COC) forms
2. Corrective actions and compliance activities, including those not implemented
3. Violations of the General Permit
4. Date, time, place, and name(s) of the inspector(s) for all sampling, inspections, and field measurement activities
5. Visual observation and sample collection exception records
6. Training documentation of all personnel responsible for General Permit compliance activities

2.8 Changes to Permit Coverage

The General Permit (Section II.C) allows a permittee to reduce or increase the total acreage covered under the General Permit when a portion of the Project is complete and/or conditions for termination of coverage have been met; when ownership of a portion of the Project is sold to a different entity; or when new acreage is added to the Project.

To change the acreage covered, PSH will file modifications to PRDs electronically (revised NOI, site map, DESCP/SWPPP revisions as appropriate, and certification that new landowners have been notified of applicable requirements to obtain permit coverage [including name, address, phone number, and e-mail address of new landowner]) in accordance with requirements of the General Permit within 30 days of a reduction or increase in total disturbed area.

Any updates to PRDs submitted via SMARTS will be included in Attachment E of the DESCP/SWPPP. In addition, any related DESCP/SWPPP revisions /amendments (General Permit Section II.C.2) will be documented in Attachment C.

2.9 Notice of Termination

To terminate coverage under the General Permit, a Notice of Termination (NOT), a “final site map,” and photographs will be submitted electronically via SMARTS. Filing the NOT will certify that all General Permit requirements have been met.

The NOT will be submitted when the construction Project is complete and within 90 days of meeting all General Permit requirements for termination and final stabilization (General Permit Section II.D), including:

- The site does not pose any additional sediment discharge risk than it did prior to construction activity.
- All construction-related equipment, materials, and any temporary BMPs no longer needed are removed from the site.
- Post-construction stormwater management measures are installed and a long-term maintenance plan that is designed to address a time span that is a minimum of 5 years has been developed.

The NOT will demonstrate through photographs, Revised Universal Soil Loss Equation (RUSLE) results, or results of testing and analysis that the Project meets all of the requirements of Section II.D.1 of the General Permit by one of the following methods:

- 70 percent final cover method (no computational proof required)
- RUSLE/RUSLE2 method (computational proof required)
- Custom method (discharger demonstrates that site complies with final stabilization)