

City of Mesa Co-Permittee Operator Responsibility Statement

Project Information

Project Name: _____

Project Number: _____

Location/ Address: _____

This project requires coverage under the *Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for Discharge from Construction Activities* (Permit Number AZG2020-001, dated March 27, 2020 and effective July 1, 2020; referred herein as the CGP. The CGP requires all operators of permitted construction projects to obtain permit coverage under that permit.

The definition of an operator is:

1. *The person has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or*
2. *The person has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the permit).*

This statement has been prepared to identify the responsibilities of the City and the Contractor as it pertains to the compliance with the terms of the CGP and to act as the signature page for the City as an operator of construction activities as required in the CGP. The Contractor is any individual, firm, company, or corporation that was awarded a construction project either through the City's bid process or job order contracting process. This page must be included in the section of the Storm Water Pollution Prevention Plan (SWPPP) approved by the City that identifies all operators of the associated City project and requires all operators to have signed and certified the SWPPP.

City of Mesa Responsibilities

- The City is responsible for filing for coverage under the CGP as an operator having control over construction plans and specifications. Coverage will be obtained after the SWPPP has been reviewed and approved by the City. The City will operate as a "co-permittee" under a shared SWPPP with the Contractor.
- The City is responsible for filing for permit coverage termination once final stabilization has been achieved and for paying all fees associated with obtaining such coverage.
- The City is responsible for submitting copies of their notification form and ADEQ authorization certificates to other permitted MS4 operators that may receive discharges from the construction activities.
- Where changes to the plans or specifications are necessary, the City is responsible for ensuring that the Contractor is notified of such modifications in a timely manner. Changes to plans or specifications will be documented through the use of the City's Change Order process. The execution of a change order ensures that the Contractor is aware of the plan changes.
- The City shall use qualified personnel to conduct any compliance audits of its construction projects. Qualifications are available upon request.

Contractor Responsibilities

- The Contractor is responsible for developing the SWPPP.
- The Contractor is responsible for ensuring the SWPPP meets City and CGP requirements.
- The Contractor is responsible for filing for coverage under the CGP as an operator having control over the day-to-day operations of the project.
- The Contractor is responsible for ensuring all other persons or companies working for that Contractor on this project that meet the definition of an “operator” have applied for and obtained coverage under the CGP.
- The Contractor is responsible for submitting copies of their (and all other persons or companies working for that Contractor) notification form(s) and ADEQ authorization certificate(s) to other permitted MS4 operators that may receive discharges from the construction activities.
- The Contractor is responsible for notifying the City when it believes it has achieved final stabilization as defined in the CGP. After approval from the City, the Contractor is responsible for filing for permit coverage termination.
- Where changes to the plans or specifications are necessary, the Contractor is responsible for ensuring that any additional co-permitted operators whose operations may be impacted are notified of such modifications in a timely manner and modifying storm water controls as appropriate.
- The Contractor is responsible for implementing all non-numeric effluent limitations and associated control measures and complying with the general maintenance requirements as provided in the CGP.
- The Contractor is responsible for ensuring all discharges to a water of the United States do not cause or contribute to an exceedance of an applicable water quality standard.
- The Contractor is responsible for ensuring all inspections required under the CGP are conducted by qualified personnel and meets the schedules as required in the CGP.
- The Contractor is responsible for documenting corrective actions needed and taken and meeting the timeframes provided in the CGP.
- The Contractor is responsible for maintaining all records regarding required inspections and corrective actions.
- The Contractor is responsible for maintaining the SWPPP on-site and updating the SWPPP as conditions require.
- The Contractor is responsible for proper posting requirements as provided in the CGP.
- The Contractor is responsible for meeting the monitoring requirements provided in the CGP where such requirements apply.
- The Contractor is responsible for paying all fees associated with permitting its operations under the CGP, for any reporting requirements to the ADEQ, and for retaining all records as provided in the CGP.
- The Contractor is responsible for paying any fines or penalties issued to the City as a result of the Contractor’s non-compliance with the CGP.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Deputy Director Environmental & Sustainability Division: _____

Laura Hyneman

Date: _____