

1. Is Caltrans required to comply with the State Water Board statewide Construction General Permit post-construction treatment control requirements for construction projects one acre or greater?

Caltrans is not required to comply with the post construction treatment control requirements under the Construction General Permit. Section XIII (p. 35) of the Construction General Permit exempts from its post-construction treatment control requirements projects that are located within an area subject to post-construction standards of an active municipal separate storm sewer system (MS4) permit. The 2012 Caltrans Statewide Storm Water Permit (2012 Caltrans Permit) is an active MS4 permit that incorporates post-construction treatment control requirements specific to Caltrans projects statewide. Caltrans projects are therefore exempt from the post-construction requirements of the Construction General Permit and the exemption applies regardless of whether a specific project must comply with the post-construction treatment control requirements of the 2012 Caltrans Permit.

In Section E.2.d.(p.37), the 2012 Caltrans Permit states that the post-construction requirements shall apply to all new and redevelopment projects that have not completed the project initiation document [PID] phase by July 1, 2013. Therefore all Caltrans projects that have completed or will complete the project initiation phase on or after July 1, 2013 must comply with the post-construction treatment control requirements in the 2012 Caltrans Permit.

2. Are Caltrans' contractors required to obtain coverage under the Industrial general permit when operating a concrete batch plant?

For Caltrans projects that require enrollment in the Construction General Permit - if a contractor plans to operate: (1) a batch plant to manufacture Portland Cement Concrete, Hot Mixed Asphalt, or other material, or (2) a crushing plant to produce rock or aggregate, as part of a Caltrans project, either outside the job site or within the job site, that serves 1 or more contracts, the contractor must obtain coverage under the Industrial General Permit.

The above requirement for enrollment in the Industrial General Permit is a contract requirement between Caltrans and its contractor(s), as specified in the Caltrans Standard Specifications Section 13-1.01 D(2), which the contractor should be aware of. Any variance from this specified in the specification will require a contract change order which is to be processed by Caltrans. Written documentation from Caltrans to the contractor is required to waive the above referenced Caltrans Standard Specification requirement.