ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER QUALITY PROGRAM - FIELD OPERATIONS DIVISION
ADMINISTRATIVE CODE

CHAPTER 335-6-12
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION, NONCOAL/NONMETALLIC MINING AND DRY PROCESSING LESS THAN FIVE ACRES, OTHER LAND DISTURBANCE ACTIVITIES, AND AREAS ASSOCIATED WITH THESE ACTIVITIES

335-6-12-.25 Site Completion, Reclamation, Effective Stormwater Quality Remediation, And Termination Of Registration.

(1) Upon completion of construction, and reclamation or effective stormwater quality remediation at an NPDES construction site or noncoal mining site registered, or required to be registered, under this Chapter, the operator shall submit to the Department a complete and correct request for registration termination, including applicable QCP certifications and if required by the Department, photographs and monitoring data for the site. A request shall be prepared and certified by a QCP consistent with the requirements of this Chapter, the requirements of the regulations promulgated pursuant to the AWPCA, and any additional conditions required by the Department to ensure to the maximum extent practicable the continued protection of water quality. The request shall be submitted in a format acceptable to the Department.

(2) Unless the operator is notified by the Department within 30 days of receipt that the request has not been granted, in total or in part, the request for termination is considered granted provided the operator complies with, and the construction site remains in full compliance with, all provisions of this Chapter. It is the responsibility of the operator to ensure that information submitted in the request for termination, including any attachments, is true, complete, and accurate, and to verify receipt of a complete and correct request for termination by the Department. It remains the responsibility of the operator to submit and verify receipt by the Department any corrected or additional information to complete the request for termination, if required by the Department. Failure to submit a complete and correct request for termination and ensure that the construction site remains in full compliance with all provisions of this Chapter may result in denial of the request for termination.

(3) The request for termination shall be in a format acceptable to the Department, and shall include:

(a) Certification from the operator, and a QCP or a qualified person under the direct supervision of a QCP, including if

needed, photographs, documenting that the site has in fact been properly completed in accordance with the requirements of this Chapter;

(b) Confirmation that the stormwater discharges associated with construction activity have been eliminated, effective reclamation or stormwater quality remediation has been achieved, permanent vegetation has been established, or the operator no longer has operational control of the site;

(c) If applicable, confirmation by the operator stating in detail the reason(s) that the operator may not have operational control, to include any information required by the Department, including but not limited to, property deeds, bill-of-sale, contracts, legal affidavits, correspondence and detailed information regarding the identified succeeding operator. It remains the responsibility of the operator to submit and verify receipt by the Department of required information. Loss of operational control does not relieve the operator from liability and responsibility for compliance with the provisions of this Chapter until the complete and correct request for termination is received by the Department. Failure to submit a complete and correct request for termination and ensure that the construction site remains in full compliance with all provisions of this Chapter may result in denial of the request for termination. Sale or transfer of operational responsibility for the site by the operator prior to the succeeding operator obtaining registration required by this Chapter, does not relieve the registrant from the responsibility to comply with the requirements of this Chapter;

(d) Certification, and documentation if required by the Department, that inspections required by this Chapter were performed by a QCI, QCP, or a qualified person under the direct supervision of a QCP.

(e) Certification, and documentation if required by the Department, that QCIP continuing education training was completed if required by this Chapter.

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Statutory Authority: Code of Ala. 1975, §§22-22-1 to 22-22-14; 22-22A-1 to 22-22A-16 et seq., as amended.
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