

Subject: Notice of Termination

COMPLIANCE CONNECTION

Volume 5

Subdivisions

The standard rule for release of a subdivision is 80 % build-out. Until the Notice of Termination is filed, the person named on the Notice of Intent is responsible for all aspects of the SWPPP, including individual building lots.

In today's housing market, this could extend responsibility for years to come. Some steps can be taken to allow for an early release for N.O.T. filing.

1. Vegetate all building and out lots.
2. Establish future maintenance responsibilities in the covenants.
3. Include the erosion control plan for individual building lots in all sales agreements. Specify buyer chosen builders as the responsible party.
4. Limit land disturbing activities to current sections, preserving as much existing vegetation as possible.

This is yet another reason to begin establishing vegetation

For More Information, Contact::

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WHEN IS YOUR JOB REALLY FINISHED?

There can be a lot of confusion and misunderstandings about when a job is actually completed. It is our goal with this newsletter, to clarify that issue.

Obtaining a Certificate of Occupancy does not mean the job is completed.

If your job site required a Notice of Intent (N.O.I.) be filed with IDEM in order to begin, you must also file a Notice of Termination (N.O.T.) with IDEM to close your site from the inspection lists.

IDEM's NOI is a five year permit. If your project lasts longer than five years, you may renew it. IDEM, as well as your local office, does not consider a job complete until:

- All ground disturbing activity is completed
- All vegetation is at least 70 % established



- All temporary measures have been removed from the site
- All post construction measures have been installed.
- Site has passed final local MS4 inspection.

A release statement from the local MS4 inspector must accompany the Notice of Termination form when it is sent to IDEM. There is no charge for filing an N.O.T. However, doing so will take you off the inspection lists, both local and state.

CLOSING OUT A JOB...

New guidelines and regulations require some minor adjustments to the traditional schedule, in order to complete all phases when the buildings are done.

Traditionally, the final step has been landscaping. However, waiting until the last minute to begin landscaping will cause a delay in finalizing your contract. Planning ahead can save you time and money. Consider these ideas:

- Complete grading of swales and other green areas at the beginning of your project. Install seed, mulch, or matting according to your SWPPP. This allows vegetation time to establish.
- Regulations require temporary seeding of all areas which will be undisturbed for 15 days or more. Skipping directly to permanent seeding makes sense.
- Consider the season. Temporary seeding is required 12 months a year. The only exception in this area of the country is snow and sub zero temperatures. Rye grasses, for example, can be seeded in any climate, and will establish quickly.
- Be specific in your contracts about extending responsibility until vegetation is 70 % complete.