**Land Disturbance Permitting & Inspection Responsibility Guidance Associated with MoDOT Construction Projects**

Land Disturbance (LD) on MoDOT Right-of-Way (ROW) or Easements, Including on ROW Borrow & Excess (Waste) Disposal Areas

• All LD on MoDOT ROW equaling 1 acre or more is permitted by, and must comply with the MoDOT state operating permit for LD and the MoDOT SWPPP

* LD projects on MoDOT ROW less than an acre with borrow and/or excess waste disposal areas not located on MoDOT ROW where combined acreages of the borrow and/or staging area and the MoDOT site equal 1 acre or more must be permitted. These areas are considered a common plan. The area located on MoDOT ROW is permitted by and must comply with the MoDOT state operating permit for LD and the MoDOT SWPPP.

• Weekly and post-runoff inspections are performed by MoDOT inspectors

• BMP maintenance is done by the contractor as directed by the MoDOT engineer and/or inspector

Borrow & Excess (Waste) Disposal Areas \*Not\* Located On MoDOT ROW or Easements

• Contractor must obtain their own operating permit for LD, their own SWPPP and develop their own erosion control plan (site maps)

* Permits are required when areas meet or exceed 1 acre, or the combined areas of the MoDOT ROW site and the borrow and excess (waste) disposal sites equal 1 acre or more.

• Weekly and post-runoff inspections and maintenance of BMPs are performed by the contractor

• MoDOT personnel are encouraged to offer advice on BMP recommendations and placement if the contractor needs support.

• Contractor is responsible for all costs associated with erosion and sediment control.

Contractors should be aware material sources that are from commercial operations or other sources, such as large development sites, may already be covered by a land disturbance permit for that location.

**Reference Notes for this sheet:**

1. MoDOT’s state operating permit number for LD is MO--0137910

2. Only projects equaling or exceeding 1 acre of LD over the life of the project must comply with permit requirements and the SWPPP. However, regardless of disturbed acreage totals, no project can cause pollution to waters of the state or violate Missouri Water Quality Standards and BMPs will be necessary on all LD projects.

3. The MoDOT SWPPP is comprised of a statewide general narrative document, supplemental site-specific information sheet, project-specific plans (site maps) and all project documentation and correspondence regarding compliance with the MoDOT state operating permit and SWPPP.

4. If the project is operating under the MoDOT permit and SWPPP, MoDOT must provide the contractor with a copy of the permit and MoDOT SWPPP, which will include updated site maps as BMPs are added, removed, or modified.

5. A copy of the MDNR permit public notification sign must be posted at the job’s main entrance if possible and must be viewable from the public roadway. An alternate location is acceptable provided the public can see it and it is noted in the SWPPP.

**Permit Requirements for Concrete and Asphalt Plants**

Portable Concrete and/or Asphalt Plants \*Not\* Located On MoDOT ROW/Easements

• Contractor must obtain MO-G490000 state operating permit to cover this industrial activity and generate their own SWPPP for LD, industrial runoff and wastewater treatment as outlined in the permit

• Contractor is responsible for all costs associated with pollution control, including erosion and sediment control.

*Note: The MO-G490000 permits both the industrial activity (concrete/asphalt production) and any LD associated with that activity*

Portable Concrete and/or Asphalt Plants Located On MoDOT ROW/Easements

• Since MO-0137910 permits both LD and associated industrial support activities, the contractor can utilize the MoDOT SWPPP to account for the facility; however, amendments will need to be made to the MoDOT SWPPP to cover the industrial activities as outlined in and required by the permit. These amendments may need to include identifying the features of the plant and process specific BMPs on site maps.

• Contractor will be responsible for all required inspections and maintenance of the facility as required in the permit, with quality assurance oversight from the MoDOT engineer and/or inspector

• Contractor is responsible for all costs associated with pollution control, including erosion and sediment control.

**Note: If applicable, the contractor will need to provide MoDOT with a copy of all appropriate permits and/or environmental clearances that have been obtained by the contractor for borrow areas, excess disposal areas and portable plants located on MoDOT right-of-way.**

**Questions regarding this guidance document can be directed to:**

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