



STORMWATER ENFORCEMENT RESPONSE PLAN

Arizona State University
Facilities Development Management
Construction Support Services

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ACRONYMS

A.A.C.	Arizona Administrative Code
ADEQ	Arizona Department of Environmental Quality
A.R.S.	Arizona Revised Statutes
AZPDES	Arizona Pollutant Discharge Elimination System
BMP	Best Management Practice
CGP	Construction General Permit
ERP	Enforcement Response Plan
FDM	ASU's Facilities Development and Management
IDDE	Illicit Discharge Detection and Elimination
MCM	Minimum Control Measures
MS4	Municipal Separate Storm Sewer System
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
USEPA	United States Environmental Protection Agency

1 INTRODUCTION AND BACKGROUND

Arizona State University is a Small Non-Traditional Municipal Separate Storm Sewer System (MS4). As such, this Stormwater Enforcement Response Plan (ERP) codifies enforcement procedures used by three **Arizona State University (ASU)** campuses:

- Main Campus in Tempe, Arizona;
- Polytechnic Campus in Mesa, Arizona, and
- West Campus in Phoenix, Arizona.

ASU's Facilities Development and Management (FDM) is responsible for the oversight and management of ASU's Stormwater Program as well as the ERP. The ERP presents ASU enforcement provisions as specified in its Stormwater Management Program (SWMP). ASU's SWMP was developed in 2004 and underwent significant revision, in 2017, in response to ASU growth and geographic expansion. ASU's SWMP is intended to be in general conformance with the Arizona Department of Environmental Quality (ADEQ) Arizona Pollutant Discharge Elimination System (AZPDES) General Permit for De Minimis Discharges to Waters of the U.S. Permit No. AZG2021-001 (hereafter referred to as the Permit).

Under the SWMP Section 3.3 Illicit Discharge Detection and Elimination (IDDE), ASU has ownership and authority over its overall activities, including construction on campus properties. In general, the building structures on campus were built under ASU control or supervision and are owned and operated by ASU or by companies under contract to ASU. Illicit connections are not a significant risk and access authority is assumed.

ASU's regulatory authority and enforcement capability are different from traditional MS4s; however, the SWMP presents the Minimum Control Measures (MCM) and ERP elements.

"adopted and implemented local ordinance (s) or other regulatory mechanism(s) that provide adequate enforcement procedures that satisfy the requirements of the permit to control pollutant discharges into its MS4 that is owned or operated by ASU through rules and regulations regulating water pollution [e.g., Arizona Administrative Code (A.A.C.) R2-10-07(10), et seq.], permits, contracts or similar means." This legal authority authorizes or enables ASU to:

- Control the contribution of pollutants to the MS4 by stormwater and non-stormwater discharges associated with industrial activity and the quality of stormwater discharged from sites of industrial activity.
- Prohibit illicit discharges to the MS4.
- Control the discharge to the MS4 of spills, dumping, or disposal of materials other than stormwater.
- Require compliance with conditions in State statutes, rules, permits, contracts, and orders.

- Carry out all inspection and monitoring procedures necessary to determine compliance with permit conditions including the prohibition on illicit discharges to the ASU MS4.

ASU's MS4 consists of three non-contiguous campuses: Tempe Main campus, Mesa Polytechnic campus and Phoenix West campus. The stormwater conveyance or system of conveyances associated with these campuses are owned by ASU and are designed or used for collecting or conveying stormwater only. These conveyances are not a combined with sanitation sewer, and are not part of a publicly owned treatment works.

1.1 Purpose

This ERP describes the measures available to ASU to exercise its authority. The ERP identifies enforcement procedures designed to encourage a timely response by the discharger. Implementation of the ERP will ensure a consistent response throughout the ASU campuses and avoid confusion, delays, and disputes over enforcement for stormwater pollution prevention.

An effective enforcement program depends on detailed and comprehensive documentation of contacts with the alleged violator and of evidence establishing the violation. Investigations and enforcement actions must be handled quickly. ASU's SWMP establishes requirements to detect, eliminate, prevent and report illicit discharges to the MS4 in section 3.3. The Minimum Control Measures of enforcement and corrective action to eliminate the source are detailed in section 3.3.4.

ASU maintains a Stormwater website at <https://cfo.asu.edu/stormwater-program> that describes the Stormwater program and provides: 1. Background Information; 2. Construction Sites; 3. Contact Information; 4. Reducing Runoff Pollution; 5. Description of Small ASU Separate Storm Sewer Systems; 6. Spill Reporting; 7. Stormwater Resources; and 8. University Resources.

1.2 ASU's Permit History

ASU's current AZPDES permit (AZG2021-001) was issued by ADEQ and became effective on June 1, 2021. This permit replaces the previous AZPDES MS4 permit issued by the ADEQ in 2016 (Permit No. AZG2016-002). The scope of the current permit includes all stormwater discharges associated with campus wide construction sites, industrial facilities, maintenance facilities, and MS4 under ASU's control.

1.3 Types of Enforcement Actions

ASU is not a traditional MS4 but does have an accredited police force on campus. A significant element of the ERP is that the ASU Parking and Transit Services requires permit holders to adhere to SWMP IDDE requirements. Failure to do so may result in revoking campus parking permit. To be granted a parking permit, permittees must keep parking areas clean, free of debris, and refrain from conducting vehicle maintenance on campus. ASU anticipates two general types of stormwater violations: 1. ASU construction sites and 2. Accidental illicit discharges to ASU's MS4. Potential violators include construction contractors, students, faculty staff and private citizens. These are discussed in more detail below.

1.3.1 Illicit Discharge

ASU takes measures to detect and eliminate illicit discharges. An illicit discharge is defined as any discharge to a MS4 that is not composed entirely of stormwater with the exception of allowable non-stormwater discharges and separately permitted discharges. ASU implements the SWMP to minimize, detect, investigate, and eliminate illicit discharges, including unauthorized non-stormwater discharges and spills, into the MS4 owned and/or operated by ASU.

ASU has authority to take enforcement action on illicit discharges and connections through its Illicit Discharge Detection and Elimination (IDDE) provisions. Refer to ASU SWMP section 3.3. ASU's enforcement authority is generally limited to contacting the violator and requesting discontinuance of the discharge/connection and if that is not successful, reporting illicit discharges to the peace officers of the surrounding MS4 jurisdictions (City of Tempe, City of Mesa, City of Phoenix and/ or Town of Gilbert) for timely correction.

1.3.2 Construction Sites

ASU's Permit provides AZPDES coverage for ASU as owner of ASU construction projects on campus grounds. ASU is not required to file a Notice of Intent (NOI) or Notice of Termination (NOT) for these construction projects, but does require that the general contractor do so.

ASU construction contractors are required to obtain coverage as operators for ASU construction projects by filing NOIs with ADEQ for coverage under the AZPDES Construction General Permit (CGP) on campus. Contractors are subject to all CGP provisions. ASU continues to be responsible for complying with construction stormwater discharge requirements on campus. Whether activities are performed directly by ASU employees or by contractors on behalf of ASU, ASU is responsible for ensuring that contractors adhere to the applicable general permit(s).

To that end, ASU has inspection oversight responsibility and must ensure that a trained and certified individual inspects construction activity at every construction site until final stabilization is achieved. The Permit also requires ASU to implement a system to monitor contracted construction activities and to enforce Permit provisions. ASU is required to list and describe all violations and enforcement responses taken for construction activities in the Annual Report submitted to ADEQ

ASU's authority to take enforcement action at construction sites is derived from its contractual relationship with construction contractors. ASU's Technical Specifications contains mechanisms ASU can use to ensure Permit compliance.

All stormwater design and specifications are required to meet, at a minimum, the published Drainage Design Criteria of the surrounding MS4 jurisdiction. ASU campuses that operate under the AZPDES General Permit are surrounded by the following MS4 jurisdictions depending upon location: ASU West is surrounded by the City of Phoenix

MS4; ASU Main is surrounded by the City of Tempe MS4; and ASU Polytechnic is adjacent to the City of Mesa MS4 on its northern most boundaries and the Town of Gilbert on its southern most boundaries.

These are discussed in more detail in Section 3 of the ERP and can be reviewed online <https://cfo.asu.edu/stormwater-program>.

1.3.3 Accidental Illicit Discharges

ASU takes measures to detect and eliminate illicit discharges. Accidental illicit discharges are not an uncommon form of discharge. Accidental discharges are those resulting from unforeseen, unplanned activities resulting in a release to the exterior of buildings such as grounds, parking areas, outdoor storage yards or ASU maintained roads. Accidental releases can be described as equipment or infrastructure system malfunctions, or vehicle accidents that result in releases.

Accidental illicit discharges are frequently reported by the public to EH&S, campus police, surrounding MS4 fire authority, Emergency 911 or other jurisdictions depending upon the nature and severity of the accident. In these cases, ASU responds immediately and may oversee the corrective action or work in collaboration with multiple jurisdictions to contain and remove the released material(s).

2 METHODS OF DISCOVERY OF NON-COMPLIANCE

Reports of a stormwater violation or non-compliance may come from one of several sources. Reports from ASU employees - Illicit discharges and discharges of sediment or other pollutants from the construction sites, ASU facilities, or other sources within ASU's MS4 may be observed by ASU employees as they conduct normal activities such as driving to or from job sites or when inspecting other activities. Such non-compliances could include water and wind erosion, sediment tracking onto campus streets, poor housekeeping, location of concrete washouts, and failed or ineffective best management practices (BMPs).

- Permit Compliance Activities - Non-compliances may be discovered through Permit-required inspections or monitoring, including construction site inspections, dry weather screening, and stormwater sampling.
- Contractor Compliance Activities - A construction contractor's failure to comply with administrative requirements such as conducting and submitting inspection reports, obtaining ADEQ certifications, preparing and implementing Stormwater Pollution Prevention Plans (SWPPPs).
- Reports from the Students, Faculty, Staff and Public - Complaints may come directly to ASU FDM, EH&S, Campus Police, or through other local, state or federal government agencies.

3 CONSTRUCTION CONTRACTOR ENFORCEMENT

An ASU construction project is a partnership. Partnering is a process for developing a spirit of teamwork and cooperation through shared goals, open communication, problem identification and resolution, conflict escalation procedures, and the monitoring of team performance. This section imposes the obligation on ASU and the Contractor to perform their contractual duties in an honest, diligent, and cooperative manner. The following section describes ASU's authority and the mechanisms for enforcing Permit provisions on ASU construction sites.

3.1 Construction Contractor Enforcement Authority

ASU's construction contractor enforcement authority can come from two different sources: provisions in the ASU Technical Standards/Design Guidelines or special provisions added to the standards

3.1.1 Technical Standards/Project Guidelines

ASU's Project Guidelines for construction contracts includes a number of mechanisms to ensure contractors comply with stormwater pollution prevention requirements.

Failure of the contractor to properly maintain the erosion control measures required in the approved construction SWPPP will be cause for the ASU Stormwater Inspector and/or the Project Manager to issue a Notice to Correct. If the contractor does not satisfactorily resolve the matter within a timely manner, a stop work order may be issued. A stop work order will be issued for failure to complete any of the following:

- Should the inspector (ASU Inspector/Project Manager or EH&S) determine that the SWPPP is not being properly implemented; the contractor will be notified in writing of such concerns. The contractor's SWPPP manager/inspector/coordinator shall fully implement, to the satisfaction of the inspector, the requirements of the approved SWPPP within five working days.
- Should any corrective measures not be completed within such time period, the inspector will notify the contractor in writing. The contractor's SWPPP contact shall complete all required corrective measures within five working days of such notification.
- Should the inspector determine that routine maintenance of the project's erosion control measures is not being adequately performed; the contractor will be notified in writing. Within five working days, the contractor's SWPPP contact shall demonstrate, to the satisfaction of the inspector that such steps have been taken to correct the problem.

These standard contractual provisions clarify and more fully demonstrate ASU's legal authority to review and enforce the ASU stormwater management standards on construction projects.

When the standard specifications are not sufficient to address unique or sensitive project sites, special provisions may be implemented.

3.1.2 Special Provisions

Special provisions can be added to construction contracts that contain specific language or direction regarding the implementation of stormwater pollution control measures. Special provisions are legally binding to the contract and ASU is legally bound and entitled to enforce them. Specific requirements can include:

- Provisions of retention of funds
- A listing of temporary water pollution control practice items of work
- Minimum BMP requirements of BMP specifications
- Year-round, rainy season and non-rainy season implementation requirements
- Regular inspection and maintenance of implemented BMPs
- Discharge reporting requirements
- Project scheduling
- Other agency requirements (e.g. mitigation specified by other governmental agencies / local municipalities).

3.2 Contractor Compliance Requirements

Compliance with stormwater permits and laws on ASU's construction projects must be enforced according to contract provisions. ASU's construction contract requires that ASU's contractors shall be responsible to implement the requirements of the AZPDES for erosion and sediment control as specified in the "ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT FOR DE MINIMIS DISCHARGES TO WATERS OF THE U. S." as issued by ADEQ. Submittal of the contractor's NOI shall certify that the contractor and its subcontractors have read, and will comply with, all provisions of the AZPDES General Permit. ASU's Permit requires that:

- ASU requires its contractors to comply with the AZPDES General Permit for regulated construction projects, including the contractor's obligation to file a NOI and obtain authorization under the AZPDES General Permit for each construction project or site. The contractor shall also file a NOT for each construction project or site, either terminating their responsibility if final stabilization has been achieved, or transferring it to ASU for completion. ASU shall impose contract provisions incorporating into the contract all requirements of ASU's Permit that are not included in the AZPDES General Permit. ASU may also impose project-specific requirements in addition to those specified in the General Permit.

- ASU shall ensure that the contractor's NOI references the site as an ASU project and shall keep a copy of the ADEQ confirmation.
- ASU shall ensure that all applicable provisions of the AZPDES General Permit and the ASU SWMP are implemented for ASU projects, as appropriate, and shall implement a system to enforce these provisions.

3.3 Construction Contract Enforcement

When stormwater non-compliance is identified by the ASU Inspector, Project Manager, or EH&S, enforcement actions will be taken promptly but in no event later than 30 calendar days following identification of the non-compliance. ASU will take appropriate contractual sanctions against the contractor based on the nature and severity of the situation. Non-compliances will be classified as minor or major violation. Major violations are generally those acts or omissions that lead to a discharge of pollutants to stormwater. Minor violations are generally instances of non-compliance that do not directly result in such a discharge. Serious discharges or an imminent threat of discharge on a project may require an immediate escalation to a higher level of enforcement. The level of enforcement response will depend upon several factors:

- Severity of the violation: the duration, quality, and quantity of pollutants, and effect on public safety and the environment
- The violator's knowledge (either negligent or intentional) of the regulations being violated
- A history of violations and /or enforcement actions individual or contractor the potential deterrent value of the enforcement action

ASU will use the following progressive contract enforcement policy, escalating the response when a contractor fails to respond in a timely manner. If the contractor or ASU identifies a deficiency in the implementation of the approved SWPPP or amendments, and the deficiency is not corrected immediately or by a date requested by the contractor and approved by ASU in writing, the project is in non-compliance. The recommended sequence of enforcement actions are detailed below.

3.3.1 Verbal Warning

This action is a verbal exchange between an inspector (ASU Inspector, Project Manager, EH&S) and the alleged violator. The information exchanged will be documented by the inspector. Typically, no letter is written if the problem is corrected immediately and the inspector observes the corrective action and deems it appropriate.

3.3.2 Written Warning

A warning letter following an inspection report submittal may be issued if the noncompliance continues for 5 working days after the verbal warning is issued, if the non-compliance cannot be corrected while the inspector is on site, or if the non-

compliance is a significant violation. The warning letter will document the reasons why the discharge is illegal and provide deadline for compliance. Typically, compliance is required within 5 working days to avoid additional enforcement actions; however, if the situation warrants, shorter or longer deadlines may be permissible. ASU Inspectors will provide documentation regarding any issues requiring corrective action in the form of a field report. ASU Stormwater Inspection and EH&S Incident Reporting forms are presented as Appendix A of this document.

3.3.3 Stop Work Order

If the verbal and written warnings do not result in corrective action by the documented deadline, ASU may stop work (full or partial shutdown) at the construction site. Upon successful corrective action in response to a stop work order, a resume work order may be issued.

3.3.3.1 Temporary Suspension of Work

If immediate action is required due to an imminent threat of discharge or if the contractor does not respond to the warning letter within the required time frame, ASU may suspend work on the project.

3.3.3.2 Termination of Contract

If, after the verbal and written warnings and suspension of work, a contractor does not comply with stormwater discharge control requirements, ASU may terminate the contract and mobilize another contractor or ASU's maintenance personnel to complete the work.

3.3.4 Rejection of SWPPP

ASU may reject the Contractor's SWPPP if, in the opinion of ASU the conditions of the AZPDES General Permit or the approved SWPPP are not being fulfilled. The Contractor's SWPPP shall be rejected for any of the following:

- Failure to properly implement the SWPPP within three working days after written notification.
- Failure to complete corrective measures within three working days after written notification.
- Failure to perform routine maintenance within three working days after written notification.

In the event the contractor's SWPPP fails to comply with any of the above requirements, ASU will direct the Contractor to stop all affected work and propose, and incorporate, new BMPs to the SWPPP as soon as possible. However, all erosion and pollution control items specified in the SWPPP shall be maintained. No additional work on construction items affected by the SWPPP will be allowed until ASU has approved and determined all corrective measures have been completed.

4 ILLICIT DISCHARGE ENFORCEMENT

ASU is responsible for monitoring discharges to its MS4 because the ASU SWMP requires that discharges from its MS4 do not cause or contribute to an exceedance of water quality standards. In addition, neighboring property owners are not allowed to occupy, use or interfere with ASU property without permission. Any discharge without permission is an illegal encroachment on ASU property. A discharge can be discovered in two ways, either through routine inspection or due to a complaint.

All ASU Service Providers are required to adhere to ASU's culture of Pollution Prevention. This begins in the service provider/contractor vetting stage and is re-enforced through periodic training and inspections. The Service Provider Acknowledgement is provided as Appendix B of this document.

All students are required to adhere to ASU Student Code of Conduct, which includes promoting ASU's culture on Pollution Prevention. Students that fail to respond positively to verbal warnings or repeat polluting behaviors will be subject to disciplinary actions in accordance with the Student Code of Conduct can be viewed online <https://eoss.asu.edu>

All on campus vehicle parking is done in accordance with ASU Parking and Transit Rules and Requirements, which are posted online <https://cfo.asu.edu/pts-rules>.

"In compliance with ADEQ's General Permit AZG2021-001: ASU provides trash and recycling receptacles for proper disposal purposes. Vehicle maintenance on premises is prohibited."

Similar to previous sections, notification of observed illicit discharges will be carried forward to the alleged discharger by the inspector or proper authority. ASU will use the following progressive contract enforcement policy, escalating the response when a discharger fails to respond in a timely manner.

4.1 Verbal Warning

When a routine inspection of the drainage system identifies an illegal discharge to the ASU system, the inspector documents the discharge within 48 hours. If during routine business a discharge to the ASU system is discovered, then ASU FDM will be notified as soon as practicable. If the source of the connection is evident, the ASU inspector will contact the discharger directly by phone or in person to discuss elimination/abatement. The communication will include requesting any permits or other authorizations and providing a follow up date (within 15 calendar days). If the discharge is permitted or authorized (documentation is required), no further action is required; if the discharge is not authorized, it will need to be addressed or ceased within 15 calendar days.

4.2 Written Warning

If after 15 days the illicit connection/discharge has not been corrected, ASU will issue a "Notice of Illegal Discharge and Demand for Corrective Action" letter to the property owner. The letter will request that the discharge be ceased or removed within 30 calendar days. A follow up inspection will be performed by ASU to ensure compliance. If the discharge has not been corrected, the incident will be referred externally to ADEQ for action.

4.3 Removal of Discharge

ASU or designee may remove the illegal discharge if it has not been corrected within the initial 60 days of observation timeframe. If ASU removes the illegal discharge, the responsible party is subject to civil action for damages.

4.4 Civil Action

If the illegal discharge is not corrected within 60 calendar days of observation, ASU may forward the matter to the Arizona Office of the Attorney General so that a lawsuit may be filed.

4.5 Other Enforcement Actions

ASU is not a traditional MS4, such as a city or county, but does have its own campus police department. ASU can also rely on other jurisdictions for enforcement assistance if required. However, non-compliance will be referred internally to ASU's FDM Construction Support Services before seeking civil or external enforcement, as necessary. The following subsections describe the authority of other government entities that ASU may appeal to for enforcement assistance.

4.4.1 United States Environmental Protection Agency

Although the USEPA delegated authority for the NPDES Program to the state of Arizona, the USEPA reserves the authority to apply fines in addition to fines issued by ADEQ. Federal environmental regulations based on the Clean Water Act allow the USEPA to levy fines on dischargers of up to \$27,500 per day per violation.

4.4.2 Arizona Department of Environmental Quality

Authority to administer AZPDES in Arizona rests with ADEQ. ADEQ has several enforcement mechanisms for violations of AZPDES rules including compliance orders (A.R.S. §49-261), injunctive relief and civil penalties (A.R.S. §49-262), and criminal penalties (A.R.S. §49-263).

4.4.3 Municipal Separate Storm Sewer Systems

When sediment or pollutants from ASU property discharge to a regulated MS4, those discharges are subject to enforcement by the local municipality. Likewise, when ASU property accepts discharges from adjacent MS4s, ASU is responsible to remediate or rectify the situation, thereby complying with its Permit. In the event that a discharger is not identified, ASU FDM will prepare a letter to the local MS4 describing all known information regarding the connection/discharge, and request the action be addressed within 30 calendar days. If no response is received by ASU from the MS4 in 30 calendar days, ASU will exercise the authority to initiate enforcement action pursuant to A.R.S. 49-261.

MS4 enforcement procedures vary, but may include citations for code enforcement violation that range from as little as \$50 to the maximum amount allowed under the A.R.S. (\$25,000). Some municipalities will issue citations directly to the contractor or the individual person responsible for the discharge.


5 EMERGENCY RESPONSE CONDITIONS

ASU's SWMP identifies "discharges or flows from firefighting activities where federal rules specify washing as the preferred method to assure public safety" as an authorized non-stormwater discharge. Such discharges will not be subject to enforcement action.

6 REPORTING REQUIREMENTS

ASU shall provide a list and description of all violations and their resolutions, including any enforcement actions taken against its contractors, in the Annual Report to ADEQ. At a minimum, the inspector shall document the source of the complaint, the date, the time, the contact person (if any), a description of the nature of the non-compliance or illicit discharge, actions taken, and final resolution.

APPENDIX A
Inspection Records

 Arizona State University Stormwater Incident Report	
Location of Incident	
Reported by: Name/Title/email	
Report Recipient: Name/Title/email	
Response Date/Time:	
Incident Description:	
<input type="checkbox"/> Vehicle leaking fuel or oil products	
<input type="checkbox"/> Litter pile, dump or stockpile	
<input type="checkbox"/> Earthen materials accumulated in or near ditches, drains and swales	
<input type="checkbox"/> Soil erosion visible from construction and maintenance activities	
<input type="checkbox"/> Materials being dumped down storm drain or onto parking lots, roads and walks	
<input type="checkbox"/> Illegal storm drain connection – a connection to the storm drain system that is not rainwater	
<input type="checkbox"/> Other:	
Procedures used to correct non-compliance incident:	
Date of incident clean up:	
All Stormwater Incident Reports shall be submitted to the ASU Stormwater Program Manager at SWMP@asu.edu.	

ASU EH&S Initial Response Form

Arizona State University Environmental Health & Safety Incident Report		Date of Incident:
Page 1 of 1	Police IR #	EH&S IR #
Location:		Incident:

<u>Description of incident and associated corrective actions:</u>		
Follow-up: <input type="checkbox"/> yes <input type="checkbox"/> no		Date of Follow-up:
Date incident resolved or stabilized ¹ :		Approximate time incident was resolved or stabilized:
Report Completed By:	Date:	Additional Memo <input type="checkbox"/> yes <input type="checkbox"/> no
Report Reviewed By:	Date:	Comments <input type="checkbox"/> yes <input type="checkbox"/> no
Provide an estimate of the date and time that the incident was resolved or the situation was stabilized and handed over to the operational team for follow-up. Comments:		

APPENDIX B

Service Provider Acknowledgement



SERVICE PROVIDER ACKNOWLEDGEMENT

Arizona State University (ASU) is committed to protecting the health and welfare of students, faculty, staff, visitors, and the environment. Accordingly, it is important that all members of the ASU community recognize and share this commitment and comply with the environmental, health and safety policies, rules, procedures and regulations governing ASU campus activities.

ASU is also looking to the community, including service providers, for cooperative and responsible leadership that will help the University implement a safer environment through safer practices and more environmentally sustainable solutions.

ASU expects all service providers to maintain responsibility for environmental, health, and safety issues created or otherwise arising from or related to their work under the contract. ASU expects each service provider to provide their employees and subcontractors with proper instructions, training, safety controls, personal protective equipment and safe work practices to decrease potential for a near miss, accident or injury to service provider employees, subcontractors' employees, and to others, as well and prevent damage to property and material on ASU sites.

The service provider shall obtain proper ASU identification (e.g. officially issued picture ID and/or badge) required for their work. Service providers must instruct their employees about the boundaries of their work areas. Service providers are responsible for complying with local, state, and federal rules and regulations that apply to their operation. This includes requirements related to the Occupational Safety and Health Act (OSHA) of 1970.

Service providers are expected to review and follow the [ASU Service Provider Safety Information and Guidelines Orientation](https://www.asu.edu/ehs/documents/) document (<https://www.asu.edu/ehs/documents/>). In addition, Service Providers must provide this document to all employees, subcontractors and subcontractor employees of the guidelines.

SERVICE PROVIDER DEFINITION

Refers to any individual, company, or corporation who is hired by ASU to provide construction, repair, and operation or maintenance services at ASU sites. Service provider refers to all of their employees, subcontractors and subcontractor employees.

GENERAL INFORMATION

All service providers are required to read and sign this document to indicate receipt of the ASU Service Provider Acknowledgement prior to performing work on ASU property.

General requirements for work at ASU include the following:

1. Permission must be obtained from the project manager or ASU responsible contact whenever it is necessary for service provider personnel to go to the roof of any building, inside laboratories or inside a tunnel.

2. Pedestrians should use walkways where provided. Shortcuts shall not be taken through operating areas.
3. Explosives of any type are prohibited on the site with the exception of powder-actuated tools.
4. Barricading of ASU streets requires coordination with the ASU Police Department (480-985-3458, Parking and Transit (480-985-8124) and the ASU Fire Marshal's Office (480-985-1823).
5. Compliance with any applicable dust control requirements are the responsibility of the service provider. If a dust control permit is required for a construction project, the service provider must obtain the permit and comply with all requirements, including signage/
6. It is the service provider's responsibility to remove excess materials and waste from ASU property by the end of the project. Consult with the project manager and ASU Environmental Health and Safety (EHS) if the project will involve regulated ASU waste, such as chemicals, biological material, asbestos, lead, potentially contaminated soil, light bulbs, oil or any other regulated waste material.
7. Chemicals, paints, oils, fuels, and similar materials must be located so as to avoid fire hazard and potential contamination of storm drains and dry wells. The project manager or ASU responsible contact will assist with determining the appropriate location.
8. Prior to working in areas where site-related hazards might be present, all service providers shall consult with the project manager information regarding potential hazardous.
9. Failure on the part of the service provider to comply with environmental, health or safety requirements may result in termination of the contract with ASU.

PARKING

The proper parking permit must be secured from ASU Parking and Transit Systems (PTS) and displayed appropriately in vehicles. Contact the ASU project manager, responsible contact and/or PTS at 480-985-8124. Park in designated spaces only. Do not block entrance ramps, trash docks, truck doors or other building access areas.

LOCKOUT/TAGOUT (LOTO)

ASU has established LOTO procedures to control potentially hazardous energy for maintenance, servicing and construction-related activities at ASU. Each service provider conducting activities that require control of hazardous energy must develop and maintain a written program to comply with all requirements of OSHA Standard 29 CFR 1910.147, Control of Hazardous Energy, and also called lockout/tag out. Service providers must also meet all ASU LOTO requirements except that the service provider must use their own designated lock. ASU's LOTO program mimics the OSHA standard and is posted on the EHS web site under [Control of Hazardous Energy](#).

ELECTRICAL SERVICES

Work on live electrical services at 50 volts or higher is prohibited unless permitted through your project manager under the ASU Electrical Safety Program. All work on electrical services must be locked out as required under 29 CFR 1910.147.

DISCLOSURE OF ASBESTOS, LEAD AND OTHER HAZARDOUS MATERIALS

This document informs ASU service providers of the potential presence of asbestos (e.g. which may be found in caulk, sheetrock joints, vinyl tiles, etc.), lead and other hazardous materials at ASU sites. Hazardous materials may include hazardous chemicals, gases, biological or radioactive substances. In addition, insects and animals may be present. The service provider is responsible for discussing the full scope of work with the project manager or designee so that personnel have the appropriate information related to asbestos, lead and other potentially hazardous materials. If the scope of work changes, the service provider must contact the project manager or designee before proceeding to determine if the change in scope may involve the potential disturbance of asbestos, lead or other hazardous materials.

If there are changes to the scope of work affecting areas outside of the original contract area, or, if unforeseen or unidentified structures or materials are uncovered or discovered during the work, the service provider must stop all work which could impact those materials until they can be evaluated by ASU. Immediately upon discovery of any unidentified or unforeseen materials or structures, the service provider must notify the project manager to arrange for ASU to evaluate the items.

Prior to starting work, inspections for asbestos, lead and other potentially hazardous materials and structures must be completed by ASU. Identified materials (containing asbestos, lead or other hazardous materials) that would be disturbed by the current scope of work must be managed, removed or isolated in such a manner as to prevent potential exposure. Please contact ASU Asbestos Program Manager at 480-229-0181 or Environmental Health and Safety at 480-965-1823 to determine if there are any hazardous materials at the project location or in adjacent location that may not be disturbed.

SERVICE PROVIDER JOB-SITE SAFETY INFORMATION

The [Service Provider Job-Site Safety Information](#) document is meant to serve as a guide for the service provider during their performance within the **scope of work** under their contract with ASU. Although the document sets forth certain guidelines and rules of operations on ASU sites, it is not intended to address every potential environmental, safety and health issue that may arise during the scope of the contracted work.

While ASU retains the right to periodically review the work of any service provider, ASU does not assume responsibility for any environmental, health or safety issues identified outside of contract compliance.

TEMPE CAMPUS UTILITY TUNNEL SYSTEM

Asbestos exists in the underground utility tunnel system located on the ASU Tempe Campus. Asbestos has been found on the flooring material and in thermal insulation. Disturbing asbestos materials is strictly prohibited unless specified in the project scope. It is the service provider's responsibility to discuss the scope of work with the ASU project manager or designee in order to

provide staff with any further information related to asbestos issues which may be encountered during work in the tunnels.

ASU has determined that persons working in the underground utility tunnel system may be potentially exposed to airborne asbestos fibers at or above the OSHA permissible exposure limit of 0.1 fibers per cubic centimeter (f/cc). Each service provider is responsible for ensuring proper use of personal protective equipment, including respiratory protection, at all times while staff are working in the tunnel system. All service providers must follow their respiratory protection program, including medical evaluation and fit testing.

It is the service provider's responsibility to discuss the scope of work conducted within the tunnel system with employees and sub-contracted employees, and to provide the appropriate training, engineering safety controls, personal protective equipment and air monitoring as required by OSHA.

POLYTECHNIC CAMPUS

The Polytechnic Campus is located at a former United States Air Force base and portions are subject to specific excavation requirements. Contact EHS at 480-965-1823 if the project involves any excavation at the Polytechnic Campus.

ACKNOWLEDGEMENT

Your signature on this document acknowledges that your firm received this disclosure and the [Service Provider Job-Site Safety Information & Guidelines Orientation](#) document and that you reviewed the scope of work with the project manager or designee. You are responsible for providing this information to all staff working on ASU property.

[Service Provider Name] _____

[Street Address] _____

[City, State Zip] _____

The above service provider certifies that they have received the Service Provider Job-Site Safety Information & Guidelines Orientation document located at [EHS Safety Manual](#). In addition, the above service provider certifies that they will disseminate the Service Provider Job-Site Safety Information and Guidelines Orientation document to employees, subcontractors and subcontractor employees.

[Name] _____

[Title] _____

Employer Representative Signature

Date

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APPENDIX C

ASU Stormwater Program Contact List



STORMWATER MANAGEMENT PROGRAM CONTACTS

Name	Title/Role	Department	Telephone	Email
Kenneth Lufkin	Assistant Director Supervises Stormwater Management Program.	Asset Management	(480) 727-4501	kenneth.lufkin@asu.edu
Lynn Favour	Program Manager Oversees Stormwater Management Program, stormwater construction documentation, drywell installation permitting, drywell registrations and annual inspections.	Asset Management-Construction Support Services	(480) 727-0918	lynn.favour@asu.edu
Tom Lyons	Director Receives illicit discharge reports and refers to proper authority.	Facilities Management Polytechnic campus	(480) 727-1115	tom.lyons@asu.edu
John Herrera	Director Receives illicit discharge reports and refers to proper authority.	Facilities Management West campus	(602) 543-3208	john.herrera@asu.edu
Suzanne Kennedy	Associate Director Oversees EH&S illicit discharge reporting and investigations.	Environmental Health and Safety	(480) 965-1893	suzanne.kennedy@asu.edu
Henry Walsh	Manager Receives illicit discharge reports and investigates, manages emergency cleanup and documents investigations.	Environmental Health and Safety	(480) 965-8554	henry.walsh@asu.edu
E.L. Cortez	Director Receives illicit discharge reports and refers to proper authority.	Facilities Management Residential Facilities	(480) 965-2720	e.l.cortez@asu.edu
Ray Humbert	Associate Director, Operations Oversees consultant responsible for visually inspecting and cleaning parking lots.	Parking & Transit Services	(480) 965-9297	raymond.humbert@asu.edu
Alana Levine	Director Oversees Grounds Services responsibilities for waste and litter clean up, evaluation of street conditions and street sweeping and annual drywell repairs and maintenance. Also oversees the Grounds Volunteer Program Coordinator.	Facilities Management Grounds Services	(480) 254-1922	alana.levine@asu.edu
Brian Kerkman	Director, Asset Management Oversees Stormwater Management Program including GIS to identify and map stormwater drainage systems.	Asset Management	(480) 965-1470	brian.kerkman@asu.edu