



Certified Construction Reviewer Policy for State and Federal Projects

1.0 Statement of Policy

As of July 1, 2004, unless waived, State and Federal construction projects under the review of the Department of Natural Resources and Environmental Control Sediment and Stormwater Program (DNREC) will require a Certified Construction Reviewer (CCR) to provide inspection duties. The CCR shall review and report on all erosion and sediment controls as well as stormwater management facility construction throughout the duration of the project.

2.0 Requirements

Reports shall be prepared by the CCR on a weekly basis. Given special circumstances, written requests for reduction in inspection frequency will be considered by DNREC. The request shall include the most recent CCR report, the requested inspection frequency (i.e. every two weeks, monthly), and justification for the reduced frequency request. If the request is approved, the CCR shall continue to submit a report following all significant rain events. Furthermore, if the site becomes non-compliant or the construction activity increases, the frequency of required CCR reviews shall return to the standard weekly review or as otherwise directed by DNREC.

In addition to the weekly reports, DNREC shall be notified at the following stages of construction:

1. Five days prior to the start of construction to schedule a pre-construction meeting.
2. Following installation of perimeter controls.
3. Prior to construction of all permanent stormwater management facilities on site.
4. Upon project completion, to schedule a final inspection.

3.0 Guidelines

The following guidelines have been prepared to assist CCRs, owner/developers, construction managers, contractors and engineers in understanding their responsibilities regarding implementation of the CCR requirement on DNREC projects. This document should be used in conjunction with Section 12 of the Delaware Sediment and Stormwater Regulations, as well as the Delaware Erosion and Sediment Control Handbook, the appropriate Stormwater Management Facility Construction Checklist(s), and Pond Code 378.

3.1 CCR Responsibilities

- 3.1.1 The CCR shall be certified by DNREC and possess a current, valid certification. Contact DNREC, Division of Soil and Water Conservation at (302) 739-4411 for information about certification or re-certification. The CCR must complete his/her portion of the CCR application and sign the Certified Construction Reviewer's Certification on the application.
- 3.1.2 The CCR shall review and become familiar with all elements of the approved sediment and stormwater management plan. Any questions or issues raised during this review should be discussed with the owner/developer, construction manager, contractor, design consultant and DNREC at the pre-construction meeting prior to the start of construction.
- 3.1.3 The CCR, at a minimum, shall perform **weekly** sediment and stormwater reviews of the site. The CCR shall prepare a report which accurately reflects the condition of the site and its level of conformity with the approved plans and specifications. The CCR shall coordinate with the construction manager to establish dates by which any deficiencies will be resolved. Those dates shall also be reflected on the report. The weekly report shall then be forwarded to the supervising Professional Engineer (P.E.) for review. The CCR shall forward the report within three (3) business days of the review to DNREC (Fax 302-739-6724), the owner/developer, construction manager, and the contractor.
- 3.1.4 The CCR shall review all perimeter controls in accordance with the approved plan and the Delaware Erosion and Sediment Control Handbook. The CCR shall submit a report to DNREC stating that all perimeter controls are functioning prior to beginning any other work on the site.
- 3.1.5 The CCR shall provide documentation on all stages of the stormwater management facility construction and accurately complete the applicable Stormwater Management Facility Construction Checklist(s). The CCR shall be present on site to observe all checklist items.
- 3.1.6 If an erosion or sediment control practice has failed, the CCR shall note the conditions in his/her report and immediately contact DNREC to facilitate either field modifications or a design revision to the erosion and sediment control practice.
- 3.1.7 The CCR may approve minor changes or deviations (i.e. soil stockpile location, silt fence location, additional sediment controls, modification to the construction entrance) to the approved sediment and stormwater management plan. Those changes must be documented in the next weekly report and the CCR must notify DNREC within three (3) business days of their approval.

3.2 Owner/Developer Responsibilities

- 3.2.1 The owner/developer is responsible for ensuring that all work is completed in accordance with the approved sediment and stormwater management plan, Pond Code 378, the Delaware Sediment and Stormwater Regulations and the Delaware Erosion and Sediment Control Handbook. The owner/developer shall clearly direct all employees and contractors to comply with all appropriate plans and regulations.
- 3.2.2 The owner/developer is responsible for providing a CCR on those sites that are required to have one, in accordance with Section 12 of the Delaware Sediment and Stormwater Regulations and this policy.
- 3.2.3 The owner/developer is responsible for completing his/her portion of the CCR application and signing the Owner/Developer Certification on the application.
- 3.2.4 The owner/developer shall be present or represented at both the pre-construction meeting and the final inspection of the site.

3.3 Contractor Responsibilities

- 3.3.1 The contractor shall construct all sediment and stormwater controls in accordance with the approved sediment and stormwater management plan, Pond Code 378, the Delaware Sediment and Stormwater Regulations, and the Delaware Erosion and Sediment Control Handbook.
- 3.3.2 The contractor shall maintain close communication with both the CCR and DNREC to provide at least 48 hours notice prior to all required construction inspection steps.
- 3.3.3 The contractor shall cooperate with the CCR and/or DNREC when corrective action is required.

3.4 Professional Engineer (P.E.) Responsibilities

- 3.4.1 The P.E. must be registered and licensed in the State of Delaware. After verification of qualifications, the P.E. must complete his/her portion of the CCR application and sign the Professional Engineer's Certification on the application.
- 3.4.2 The P.E. shall be available to assist the CCR with any questions that may arise during the course of CCR inspections.
- 3.4.3 The P.E. shall oversee and verify the accuracy of the CCR review. The P.E. shall sign the CCR reports and the applicable Stormwater Management Facility Construction Checklist(s) prior to submittal to DNREC. The P.E. shall only sign those documents or reports that have been prepared under his/her supervisory control and review.

3.5 DNREC Responsibilities

- 3.5.1 DNREC shall review and approve the CCR Application prior to the start of construction.
- 3.5.2 DNREC shall be represented at the pre-construction meeting. Any concerns about plan implementation or general procedures shall be discussed and resolved at this meeting.
- 3.5.3 DNREC shall issue stop work orders and/or pursue other enforcement actions when a site is referred by the CCR. A CCR may refer a site for failure to implement the approved sediment and stormwater plan.
- 3.5.4 DNREC shall perform periodic performance evaluations of the CCR. If it is determined that the CCR is not providing adequate site control or is not referring problem situations, DNREC shall suspend or revoke his/her certification.
- 3.5.5 DNREC shall perform a final inspection of the site to determine whether the construction activities conform to the approved Sediment and Stormwater Management Plan. If DNREC identifies deficiencies during the final inspection, a letter will be issued to both the CCR and owner/developer listing those deficiencies. These deficiencies must be satisfactorily corrected prior to project closeout.
- 3.5.6 DNREC shall provide general education for those persons involved in land disturbing activities, including owner/developers and contractors, through the Contractor Certification Program. DNREC is responsible for the education and certification of the CCRs through the CCR course. Once certified, DNREC shall provide technical assistance to the contractors and CCRs.