**2017 Construction General Permit**

**Corrective Action Report Form – Electronic Version**

**Purpose**

This Corrective Action Report Form is to assist you in preparing corrective action reports for EPA’s 2017 Construction General Permit (CGP). If you are covered under EPA’s 2017 CGP, you can use this form to create a corrective action report that complies with the minimum reporting requirements of Part 5.4 of the permit.

You are only required to fill out this form if one of the conditions triggering corrective action in Part 5.1 or 5.3 occurs on your site. Routine maintenance is generally not considered to trigger corrective action. Corrective actions are triggered only for specific conditions that are identified below in the “Overview of Corrective Action Requirements.”

If you are covered under a state CGP, this form may be helpful in developing a report that can be used for that permit; however, it will need to be modified to meet the specific requirements of the permit. If your permitting authority requires you to use a specific corrective action report form, you should not use this form.

**Notes**

While EPA has made every effort to ensure the accuracy of all instructions contained in the Corrective Action Report Form, it is the permit, not the form, that determines the actual obligations of regulated construction stormwater discharges. In the event of a conflict between the Corrective Action Report Form and any corresponding provision of the 2017 CGP, you must abide by the requirements in the permit. EPA welcomes comments on the Corrective Action Report Form at any time and will consider those comments in any future revision of this document. You may contact EPA for CGP-related inquiries at [cgp@epa.gov](mailto:cgp@epa.gov).

**Overview of Corrective Action Requirements**

Construction operators covered under the 2017 CGP are required to conduct corrective actions and report on progress made in correcting the problem condition(s) in accordance with the following requirements:

*Conditions Triggering Corrective Action (Parts 5. 1 and 5.3)*

Corrective action is required whenever any of the following conditions occur at your site:

* A stormwater control needs repair or replacement (beyond routine maintenance required under Part 2.1.4); or
* A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly; or
* Discharges are causing an exceedance of applicable water quality standards; or
* A Part 1.3 prohibited discharge has occurred; or
* EPA requires corrective action as a result of permit violations found during an inspection carried out under Part 4.8.

*Deadlines for Completing Corrective Actions (Part 5.2)*

For any condition triggering corrective action:

* You must immediately take all reasonable steps to address the condition (e.g. cleaning up contaminated surfaces so the material(s) is not discharged in subsequent storm events);
* If the problem does not require a new or replacement control or significant repair, you must complete the corrective action by the close of the next business day
* If the problem does require a new or replacement control or significant repair, you must complete corrective action (e.g., installing and making operational any new or modified control, completing repairs) by no later than 7 calendar days from the time of discovery of the condition. If infeasible to complete the installation or repair within 7 calendar days, you must document why it is infeasible and document your schedule for completing the corrective action as soon as practicable. If any of these actions result in changes to the stormwater controls documented in your SWPPP, you must modify your SWPPP within 7 calendar days.

*Deadlines for Documenting Corrective Actions in a Report (Part 5.4)*

You are required to complete a corrective action report for each corrective action you take in accordance with the following deadlines.

* Within 24 hours of *identifying* the corrective action condition, you must document the following:
* The condition identified at your site; and
* The date and time you identified the condition
* Within 24 hours of completing the corrective action, you must document the following:
* The actions you took to address the condition, and
* Whether any SWPPP modifications are required.

**Instructions for Using This Report Form**

This Electronic Version of the Corrective Action Report Form is intended to be filled out electronically. If you will be filling out the Corrective Action Report Form by hand (i.e., you will be filling this form out in the field), please use the Field Version of the Corrective Action Report Form available at <https://www.epa.gov/npdes/stormwater-discharges-construction-activities#resources>.

The following tips for using this form will help you ensure that the minimum permit requirements are met:

* **Review the corrective action requirements.** Before you fill out this corrective action report form, read the CGP’s Part 5 corrective action requirements. This will ensure that you have a working understanding of the permit’s underlying corrective action requirements.
* **Complete a separate report for each condition that triggers corrective action.** For each triggering condition on your site, you will need to fill out a separate corrective action report form.
* **Complete all required text fields.** Fill out all text fields (marked with blue font). Only by filling out all fields will the form be compliant with the requirements of the permit. (Note: Where you do not need the number of rows provided in the corrective action report form, you may delete these as you see fit. Or, if you need more space to document your findings, you may insert additional rows.) Specific instructions on what information to include is indicated in each text field. The fields were developed so that the instructions disappear once you start typing.
* **Sign and certify each corrective action report.** The operator or a duly authorized representative (see Appendix I, Part I.11.2) must sign and certify each corrective action report form for it to be considered complete. Where a contractor or subcontractor carries out your corrective actions, it is recommended that you also have that individual sign and certify the form, in addition to the signature and certification required of the permitted operator. The form includes a signature block for both parties.
* **Include the corrective action report form with your SWPPP.** Once your form is complete, make sure to include a copy of the corrective action report form in your SWPPP in accordance with Part 7.2.7.eof the CGP.
* **Retain copies of all corrective action reports with your records.** You must retain copies of your corrective action reports in your records in accordance with the requirements in Part 5.4.4 of the 2017 CGP. These reports must be retained for at least 3 years from the date your permit coverage expires or is terminated.

**Section-by-Section Instructions**

You will find specific instructions corresponding to each section of the report form at the end of this form. These instructions were written in order to provide you with more details in terms of what EPA expects to be documented in these reports.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Section A – Initial Report (CGP Part 5.4.1)**  (Complete this section within 24 hours of discovering the condition that triggered corrective action) | | | | |
| **Date problem first discovered:** [Enter date]  **Time discovered:** [Enter time]  **Name and contact information of individual completing this form:** [Enter the individual's name, title, and contact information (company name, address, email, and phone).]  **What site conditions triggered the requirement to conduct corrective action** *(check the box that applies)***:**  A stormwater control needs repair or replacement (beyond routine maintenance required under Part 2.1.4)  A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly  A discharge is causing an exceedance of applicable water quality standards  A Part 1.3 prohibited discharge has occurred  EPA requires corrective action as a result of permit violations found during an EPA inspection carried out under Part 4.8  **Provide a description of the problem:** [Provide description of the specific problem that triggered the need for corrective action, and the specific location where it was found. If you have already provided this explanation in an inspection report, you can refer to that report.] | | | | |
| **Deadline for completing corrective action** *(check the box that applies)***:**  Immediately take all reasonable steps to address the condition, including cleaning up any contaminated surfaces so the material will not discharge in subsequent storm events  Complete by close of the next business day when problem does not require a new or replacement control or significant repair  No later than 7 calendar days from the time of discovery for problems that require a new or replacement control or significant repair  Infeasible to complete the installation or repair within 7 calendar days. Explain why it is infeasible and document schedule for installing control:  Enter date of corrective action completion: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | |
| **Section B – Corrective Action Completion (CGP Part 5.4.2)**  (Complete this section no later than 24 hours after completing the corrective action) | | | | |
| **Section B.1 – Why the Problem Occurred** | | | | |
| **Cause(s) of Problem** (Insert additional rows if applicable) | | | **How You Determined the Cause and the Date You Determined the Cause** | |
| **1.** [State what you determined to be the cause of the problem] | | | [Specify what you did to come to your conclusion] [Enter date] | |
| **2.** [State what you determined to be the cause of the problem] | | | [Specify what you did to come to your conclusion] [Enter date] | |
| **Section B.2 – Stormwater Control Modifications Implemented to Correct the Problem** | | | | |
| **List of Stormwater Control Modification(s) Needed to Correct Problem** (insert additional rows if applicable) | **Date of Completion** | **SWPPP Update Necessary?** | | **Notes** |
| **1.** [Specific modification to be implemented] | [Enter date] | Yes  No [If yes, specify date SWPPP modified] | | [Enter text here] |
| **2.** [Specific modification to be implemented] | [Enter date] | Yes  No [If yes, specify date SWPPP modified] | | [Enter text here] |

|  |
| --- |
| **Section C –Signature and Certification (CGP Part 5.4.3)** |
| **Section C.1 – Contractor or Subcontractor Signature and Certification** |
| “I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”  **Signature of Contractor or Subcontractor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Date:**  **Printed Name and Affiliation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

|  |
| --- |
| **Section C.2 – Operator Signature and Certification** |
| “I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”  **Signature of Operator or “Duly Authorized Representative”: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Date:**  **Printed Name and Affiliation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**Instructions for Filling Out the Initial Report (Section A) on Page 1**

You must complete Section A of the report form within 24 hours of discovering the condition that triggered corrective action

**Date/Time Problem First Discovered**

Specify the date on which the triggering condition was first discovered. Also specify the time of the discovery.

**Name/Contact Information**

Provide the individual’s name, title, and contact information as directed in the form.

**Site Condition That Triggered Corrective Action**

Under the CGP, corrective action is required when one of 4 triggering conditions occurs at your site or when EPA requires a corrective action as a result of a permit violation found during an EPA inspection. See CGP Parts 5.1 and 5.3. Check the box that corresponds to the condition that triggered this corrective action.

**Description of the Site Condition**

Provide a summary description of the condition you found that triggered corrective action under CGP Part 5.2.1. and the specific location where it was found. Be as specific as possible about the location; it is recommended that you refer to a precise point on your site map. If you have already provided this explanation in an inspection report, you can refer to that report.

**Deadline for Completing Corrective Action**

This deadline is fixed in CGP Part 5.2. For all projects, the deadlines are: (1) immediately take all reasonable steps; (2) by the close of the next business day when the problem does not require significant repair or replacement; (3) no more than 7 calendar days after the date you discovered the problem when the problem does require significant repair or replacement, or (4) if it is infeasible to complete work within the first 7 days, as soon as practicable following the 7th day. If your estimated date of completion falls after the 7-day deadline consistent with (3), above, explain (a) why you believe it is infeasible to complete work within 7 days, and (b) why the date you have established for making the new or modified stormwater control operational is the soonest practicable timeframe.

**Instructions for Filling Out the Corrective Action Completion Table (Section B) on Page 1**

You must complete Section B of the report form no later than 24 hours after completing the correction action.

**Section B.1 – Why the Problem Occurred**

After you have had the opportunity to examine the problem more closely, provide details as to what you believe to be the cause of the problem, and specify the follow-up actions you took (along with the dates of such actions) to diagnose the problem. This is consistent with CGP Part 5.4.2.1.

**Section B.2 – Stormwater Control Modifications Implemented**

Provide a list of modifications you made to your stormwater controls to correct the problem and the date you completed such work. Keep in mind that your work must be completed within the timeline specified in Section A for the completion of corrective action work.

Also, if a SWPPP modification is necessary consistent with Part 7.4.1.a in order to reflect changes implemented at your site, indicate the date you modified your SWPPP. Keep in mind that SWPPP changes must be made within 7 days of discovering the problem that triggered this corrective action.

Space is provided for you to include additional notes or observations regarding the change that you implemented at your site to correct the problem.

**Instructions for Signature and Certification (Section C) on Page 2**

Each corrective action report must be signed and certified to be considered complete.

**Section C.1 – Contractor or Subcontractor Signature and Certification**

Where you rely on a contractor or subcontractor to complete this report and the associated corrective action, you should require the individual(s) to sign and certify each report. Note that this does not relieve you, the permitted operator, of the requirement to sign and certify the report as well.

**Section C.2 – Operator Signature and Certification**

At a minimum, the corrective action report form must be signed by either (1) the person who signed the NOI, or (2) a duly authorized representative of that person. The following requirements apply to scenarios (1) and (2):

If the signatory will be the person who signed the NOI for permit coverage, as a reminder, that person must be one of the following types of individuals:

* *For a corporation*: A responsible corporate officer. For the purpose of this subsection, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
* *For a partnership or sole proprietorship*: A general partner or the proprietor, respectively.
* *For a municipality, state, federal, or other public agency*: Either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrator of EPA).

If the signatory will be a duly authorized representative, the following requirements must be met:

The authorization is made in writing by the person who signed the NOI (see above);

The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

The signed and dated written authorization is included in the SWPPP. A copy must be submitted to EPA, if requested.