

# STORMWATER BMPs: CONTRACTS, CONTRACTORS & MUNICIPAL PROPERTY LEASING

## AFFECTED FACILITIES

This BMP applies to all contractors who work for municipalities and to contracts and property leases maintained by municipalities and/or counties.

## BACKGROUND

Contractors perform much of the work for municipalities and counties. Municipalities also lease out properties and buildings to private parties. These outside parties must comply with the same BMPs and stormwater pollution prevention practices as employees.

## BEST MANAGEMENT PRACTICES

- Contracts with service providers such as haulers, equipment operators, builders, construction and maintenance service providers must contain language that requires the contractor, his or her employees, and any sub-contractors to comply with and follow all applicable stormwater BMPs (*see below*).
- Leases for real property owned by a city or the county must also contain language that requires the lessees to comply with and follow all applicable BMPs (*see below*).
- Contract and lease language should specifically address waste management and require all contractors and lessees to properly dispose of all wastes generated in their operations.
- Contract and lease language should also address spill clean-up, good housekeeping and employee training.
- Ensure that contractors implement proper Best Management Practices (BMPs) to prevent stormwater pollution and know whom to contact in case of spill.
- Contract and lease language should allow storm water inspectors to, at reasonable times and with appropriate advance notice, inspect operations and/or enter onto leased property to ascertain compliance.
- Contract and lease language should require reporting of suspected violations, spills and discharges to the contract administrator. The contract administrator must forward such reports to the city's storm water specialist. Suggested language might appear as follows:

*“Stormwater runoff flows directly to creeks and waters of the state without treatment. Allowing pollutants to directly or indirectly enter the storm sewer system is prohibited by federal, state and local regulations. The operation and maintenance of public streets, roads and highways can cause stormwater pollution in numerous ways. For example, wastes from street or equipment cleaning, by improper storage of products or wastes, or inadequate clean up of leftover or spilled products of wastes can enter storm drains directly or be transported by stormwater runoff.*

*The Contractor shall take all measures necessary to prevent pollutants from entering storm drains of watercourses. For the purpose of eliminating*

*stormwater pollution, the contractor shall implement effective Best Management Practices (BMPs). BMPs include general good housekeeping practices, appropriate scheduling of activities, operational practices, maintenance procedures and other measures to prevent the discharge of pollutants directly or indirectly to the storm drain system. These BMPs shall be maintained for the duration of the Contractor's work. The Contractor shall also be responsible for proper disposal of all waste materials, including wastes generated by the implementation of BMPs. Contractors must go to: <http://www.bouldercolorado.gov/www/pace/government/index.html> for the applicable BMPs. “*

## **REQUIRED STRUCTURES AND EQUIPMENT**

- See applicable BMPs.

## **INSTALLATIONS REQUIRED FOR NEW CONSTRUCTION OR RENOVATIONS**

- See applicable BMPs.

## **REQUIRED EMPLOYEE AND CONTRACTOR TRAINING**

- Contracts should stipulate that all contracted employees have been trained in proper stormwater management BMPs.

## **REQUIRED MAINTENANCE**

- See applicable BMPs.

## **RECORDS**

- Keep records of all contracts and leases including the language requiring compliance with stormwater BMPs.

## **REFERENCES**

1. Colorado's Phase II Municipal Guidance, October 2001
2. *California Stormwater BMP Handbook*, January 2003
3. *Knoxville (TN) BMP Manual, Activities & Methods*, January 2001
4. *City of Tacoma: Surface Water Management Manual (Vol. IV Source Control BMPs)*, January 2003
5. *Municipal Facility Runoff Control Plan* (City of Lakewood, CO)
6. *Best Management Practices for Industrial Storm Water Pollution Control* (Santa Clara Valley, CA)
7. Best Management Practices for Pressure Washers, Sacramento, CA  
<http://stoppp.tripod.com/downloads/pressurewashbmps.doc>