



Save Thousands of Dollars in Fines: Regulations and Solutions for Curb Inlet Protection at Construction Sites

by Dan Cleveland

Curb inlet protection is one of the first measures developers must take before beginning any new project where inlets are located. Local, state and federal laws include mandates for inlet protection filters on construction sites to prevent sediment and debris from washing into storm water systems. Such pollutants, if allowed to enter storm water drains, can end up in streams, rivers, lakes and oceans, where they destroy habitats, can hinder reproduction of aquatic animals, and kill wildlife.

The Clean Water Act now states that operators of any construction site occupying one or more acres of land (and smaller ones related in any way to larger developments or sales) must apply for and receive a [National Pollutant Discharge Elimination System \(NPDES\)](#) construction storm water permit prior to beginning any project.

NPDES permits are granted in the state where the construction will take place, except in Massachusetts, Idaho, Alaska, New Hampshire and New Mexico – and in most Indian territories – where the Environmental Protection Agency (EPA) is the issuing authority. Permit applications and information are available [here](#).

Every NPDES applicant must submit a storm water pollution prevention plan (SWPPP). Within this plan, any and all sources of pollution that could be washed from the applicable construction site into storm water inlets and waterways must be identified. In addition, a detailed description of curb inlet protection methods that will be used to prevent storm water pollution must be included. The [Construction Industry Compliance Assistance Center's website](#) features a [Stormwater Resource Locator](#), which details SWPPP requirements for every state.

The EPA offers a free downloadable handbook explaining how an SWPPP should be developed and applied. The book, entitled [Developing Your Stormwater Pollution Prevention Plan: A Guide for Construction Sites](#), includes a customizable SWPPP template, two sample SWPPPs and a sample inspection form.

Once NPDES permits are granted, construction sites must, of course, remain compliant with the laws at all times. Violations can result in significant fines.



In late August of 2009, a former eco award-winning builder of planned communities and timeshare resorts was fined more than a half million dollars due to charges that it had violated the terms of NPDES permits and failed to provide proper inlet protection in three states. The builder was ordered to pay its \$513,740 penalty in four annual installments, plus interest.

Not long after that case was settled, a real estate developer in North Dakota was fined \$37,500 after inspections found that concrete sediment and chemicals were being allowed to enter nearby storm drains. This fine, and many others, could be avoided simply by employing proper inlet protection on construction sites.

Inlet protection solutions are not hard to come by. [Companies specializing in inlet protection](#) offer advice and products for every situation.

[Rolls](#) made of a special, durable fabric can be placed in front of curb inlets without storm grates. Storm water slowly flows through the roll into the inlet, while sediment and debris are trapped within the roll.

Quality rolls are specially designed to conform to the shape of any curb for easy installation, and feature a protective overflow design to handle heavy rains. Other features to look for in a curb inlet roll include ease of inspection and maintenance, and the ability to use an oil absorbent filter with it, should the need arise.

Curb inlets with storm grates offer more options for inlet protection, including [bags](#) and [sacks](#) that are anchored below grates to catch sediment and debris flowing through them. These types of filters allow storm water to slowly seep through, while keeping trapped materials safely stowed for proper disposal.

When shopping for inlet protection to be used with storm grates, look for quality designs that conform to curb shapes and consider how easy each product is to install, inspect, maintain and reuse. As with curb rolls, some sacks can be used in conjunction with oil absorbent filters for a necessary layer of protection against oily pollutants.

All professional curb inlet protection products should eliminate or reduce the need to flush or clean inlets, saving the companies that own them valuable time and money. Construction companies also save time and money regarding legal matters by utilizing an inlet protection professional. A [reputable inlet protection company](#) knows the law and only sells products that work reliably and meet regulation requirements.

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