

## **APPENDIX E**

### **VDOT Training and Certification Guidance**

**Excerpt from IIM-LD-11.24**

**Mal Kerley 6-9-04 letter**

**Mal Kerley 11-8-05 letter**

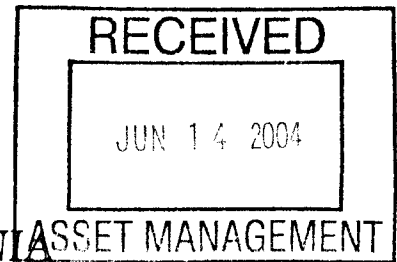
**Mal Kerley 8-3-06 letter**

### 3.0 VDOT TRAINING/CERTIFICATIONS

- 3.1. Where land disturbing activities occurring within VDOT right of way are regulated under the Virginia ESC Law and Regulations, Section 107.14(a) of the VDOT R&B Specifications requires that all contractors performing such land disturbing activities have a person certified by the Department in erosion and sediment control within the project limits. This certification requirement is mandatory for both those contractors performing land disturbing activities under contracts managed by VDOT (including PPTA and Design Build agreements) and for those performing land disturbing activities on VDOT right of way under a Land Use Permit.

EXCEPTION – Those contractors performing maintenance related land disturbing activities under a hired equipment contract whose work is directly supervised by VDOT personnel.

- 3.1.1. Successful completion of the Department's "Erosion and Sediment Control Contractor Certification" course satisfies the certification requirements of Section 107.14 (a) of the VDOT R&B Specifications.
  - 3.1.2. The ESCCC is a joint training effort between VDOT and VTCA. The VDOT Stormwater Technical Committee develops the course material and VTCA administers the training, testing and issuance of certifications.
- 3.2. The VDOT "In Stream Maintenance Training" course is required training for all VDOT personnel performing or supervising maintenance activities, where such activities are regulated under the Virginia ESC Law and Regulations.
  - 3.2.1. The "In Stream Maintenance Training" course is developed and administered by VDOT's Central Office Environmental Division.
  - 3.2.2. The "In Stream Maintenance Training" course consists of several modules that are targeted toward best management practices for working in and around streams and other environmentally sensitive areas and controlling erosion and sedimentation associated with land disturbance on maintenance activities.
  - 3.2.3. The "In Stream Maintenance Training" course is designed to be conducted at the local level (i.e., Residency, Area Maintenance Headquarters, etc.) by the Residency Environmental Specialist and the modules can be taught individually in short group meetings or they can be combined into one or more groups and taught at a more formal session. Future initiatives will make a web based training option available for use, as appropriate.



COMMONWEALTH of VIRGINIA ASSET MANAGEMENT

DEPARTMENT OF TRANSPORTATION  
1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219-2000

PHILIP A. SHUCET  
COMMISSIONER

MALCOLM T. KERLEY, P.E.  
CHIEF ENGINEER FOR PROGRAM  
DEVELOPMENT

June 9, 2004

MEMORANDUM

**To:** District Administrators  
Barbara Reese

**From:** Malcolm T. Kerley, P.E. (original signature on file)  
Chief Engineer for Program Development

**Subject:** Road and Bridge Specification 107.14 (a): Special Provision 107D,  
Department Erosion and Sediment Control Contractor Certification (ESCCC)  
Requirements

**Application:** New and existing VDOT contracts, land-use permits and maintenance  
operations which include land-disturbing activity

Effective immediately, the requirement of personnel to obtain erosion and sediment control certification in accordance with the VDOT Road and Bridge Specification §107.14 (a) is satisfied by meeting any one of the following:

Prior to January 1, 2005:

- Hold a current Responsible Land Disturber Certificate issued by the Department of Conservation and Recreation (DCR);
- Hold a current\* DCR Contractor Certificate. *\*DCR Contractor Certificates are considered current for a period of two years beyond the original expiration date;*
- Hold a current VDOT Erosion and Sediment Control Contractor Certification (ESCCC);

As of January 1, 2005:

- Hold a current VDOT Erosion and Sediment Control Contractor Certification (ESCCC)

- Hold a current\* DCR Contractor Certificate. *\*DCR Contractor Certificates are considered current for a period of two years beyond the original expiration date;*

This policy is in effect immediately. Please provide this information to all appropriate personnel. Individuals required to obtain such certification include appropriate VDOT maintenance operations personnel, land-use permittees, pre-qualified contractors and subcontractors, and other entities covered by the VDOT Road and Bridge Specification §107.14 (a).

The VDOT ESCCC course is currently offered through a joint effort of VDOT and the Virginia Road and Transportation Builders Association (VRTBA). Course offerings and registration information is available through VDOT construction, maintenance and administrative services advertisements, VDOT's website [www.virginiadot.org](http://www.virginiadot.org) and VRTBA's website [www.vrtba.org](http://www.vrtba.org).

Please do not hesitate to call Jake Porter at 804-786-7218 if you have any additional questions.

cc: Byron Coburn, P.E.  
Quintin Elliot  
Andy Mergenmeier, P.E.  
Mohammad Mirshahi, P.E.  
Leonard G. Lao  
Julie Brown  
Barbara Patteson  
Mr. Richard D. Daugherty III, Executive Vice President, VRTBA



# COMMONWEALTH of VIRGINIA

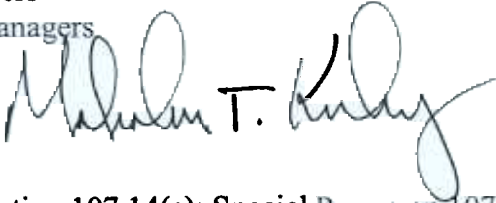
DEPARTMENT OF TRANSPORTATION  
1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23218-2000  
VirginiaDOT.org

GREGORY A. WHIRLEY  
ACTING COMMISSIONER

November 8, 2005

## MEMORANDUM

**To:** District Administrators  
District Construction Engineers  
District Maintenance Engineers  
Residency Administrators  
Area Construction Engineers  
District Environmental Managers

**From:** Malcolm T. Kerley, P.E.   
Chief Engineer

**Subject:** Road and Bridge Specification 107.14(a): Special Provision 107D,  
Department Erosion and Sediment Control Contractor Certification  
Requirements

**Application:** New and Existing VDOT Contracts, Land Use Permits and  
Maintenance Operations Which Include Regulated Land  
Disturbing Activities

VDOT Road and Bridge Specification 107.14(a) requires contractors to have an employee certified by the Department in erosion and sediment control within the project limits. The Department has made this requirement applicable to all land disturbing activities (construction and maintenance) within VDOT right of way regardless of who performs the work, i.e., contractors working for the Department, contractors operating under a Land Use Permit or State forces. It should be noted that this requirement is only applicable to those projects (construction or maintenance) where the total land disturbance exceeds the regulated land disturbance threshold which is equal to or greater than 10,000 square feet or, in Chesapeake Bay Act Localities, 2,500 square feet. The Specification is currently being revised to reflect this clarification.

November 8, 2005

Page 2

The erosion and sediment control certification is satisfied by the successful completion of the Erosion and Sediment Control Contractor Certification (ESCCC) training course. In the past, this course has been presented through a joint effort between VDOT and VTCA. However, due to a delay in executing a new agreement between the Department and VTCA, no new ESCCC classes have been scheduled. Presently, the Department and VTCA are aggressively working toward the execution of a new agreement and the continuation of the ESCCC training classes.

Until such time future ESCCC classes can be scheduled and until notified otherwise, the requirement for VDOT personnel and contractors to meet the requirements of Section 107.14(a), through successful completion of the ESCCC training, is temporarily suspended.

The waiver of the ESCCC certification does not relinquish the Department's or the contractor's responsibility for environmental compliance. If there are any questions concerning this issue, please contact Roy Mills (Location and Design Division) at 804-786-9013 or [roy.mills@vdot.virginia.gov](mailto:roy.mills@vdot.virginia.gov) or Ricky Woody (Environmental Division) at 804-786-4304 or [ricky.woody@vdot.virginia.gov](mailto:ricky.woody@vdot.virginia.gov).

**Cc:** Ms. Costance S. Sorrell  
Mr. T. A. Hawthorne, P.E.  
Mr. Mohammad Mirshahi, P.E.  
Mr. Earl T. Robb  
Mr. Quinton D. Elliott  
Mr. W. B. Coburn, P.E.  
Mr. Lee Hill (DCR)



## COMMONWEALTH of VIRGINIA

### DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET  
RICHMOND, VIRGINIA 23219-2000  
VirginiaDOT.org

**GREGORY A. WHIRLEY**  
ACTING COMMISSIONER

August 3, 2006

### MEMORANDUM

**To:** District Administrators  
District Construction Engineers  
District Maintenance Engineers  
Residency Administrators  
Area Construction Engineers  
District Environmental Managers

**From:** Malcolm T. Kerley, P.E.  
Chief Engineer

**Subject:** Road and Bridge Specification 107.14(a): Special Provision 107D,  
Department Erosion and Sediment Control Contractor Certification  
Requirements

**Application:** New and Existing VDOT Contracts and Land Use Permits Which  
Include Regulated Land Disturbing Activities

My November 8, 2005 memorandum provided a temporary suspension of the erosion and sediment control certification requirement of Section 107.14(a) of the VDOT Road and Bridge Specifications. This was necessary due to the suspension of VDOT's Erosion and Sediment Control Contractor Certification (ESCCC) training classes while the course material was being reevaluated, and a new agreement for administering the training was being negotiated with the Virginia Transportation Construction Alliance (VTCA).

I am pleased to announce that all outstanding issues regarding the ESCCC training classes have been resolved and it is VTCA's intent to schedule new classes beginning in August of this year. VTCA proposes to hold several classes throughout the State over the next few months.

Page Two  
August 3, 2006

Based on the reinstatement of the ESCCC training classes, and a schedule that will afford adequate opportunity for statewide participation by the end of the current year, my intention is to reinstate the erosion and sediment certification requirement of Section 107.14(a), effective January 1, 2007. The erosion and sediment control certification will be required for all contractors performing regulated land disturbing activities inside VDOT right of way, including those performing such work under a PPTA or Design Build agreement or a land use permit. The requirement will be applicable to all ongoing and future activities. Those contractors with personnel that require this training and certification should be advised to visit the VTCA web site ([www.vtca.org](http://www.vtca.org)) to determine scheduled dates and locations for the ESCCC classes.

If there are any questions concerning this issue, please contact Roy Mills (Location and Design Division) at 804-786-9013, or [roy.mills@vdot.virginia.gov](mailto:roy.mills@vdot.virginia.gov) or Ricky Woody (Environmental Division) at 804-786-4304 or [ricky.woody@vdot.virginia.gov](mailto:ricky.woody@vdot.virginia.gov).

Cc: Mr. Jeffrey C. Southard (VTCA)  
Mr. Thomas W. Witt (VTCA)  
Mr. Lee Hill (DCR)  
Ms. Constance S. Sorrell  
Mr. Richard L. Walton  
Mr. Mohammad Mirshahi, P.E.  
Mr. Earl T. Robb  
Mr. Quinton D. Elliott  
Mr. W. Byron Coburn, P.E.