

# **STORMWATER ENFORCEMENT RESPONSE PLAN**

## **Introduction**

This Enforcement Response Plan applies to illicit discharges to UNO's SMS4, or other violation of Construction or Post-Construction requirements defined in UNO's Storm Water Management Plan. For the purposes of this plan, there are five potential source categories of violations, as listed



compliance. EHS will also inform the on-site worker of the violation and need for immediate action to restore compliance. The Authority Having Jurisdiction will notify Contractor's management contact and insist that they take action to inform and educate their workers regarding provisions of UNO's Storm Water Management Plan. The Authority Having Jurisdiction will remind both the Contractor and the on-site worker that violations are a work performance deficiency and continued failure to adhere to requirements will negatively impact the Contractor's ability to qualify to do business with UNO.

If the Contractor continues to disregard UNO's Storm Water Management Plan, the Authority Having Jurisdiction will augment the above actions with a written "Notice of Violation" sent to the Contractor and will copy this to the UNO hiring department and the UNO authority in charge of awarding such contracts. The letter will reiterate that continued eligibility to do business with UNO is contingent upon future compliance with storm water requirements and demand that the Contractor provide a written plan of action to establish compliance and prevent future areas of noncompliance. The Authority Having Jurisdiction will also ask that the UNO hiring department consider the Contractor's failure to comply when awarding future contracts.

If the contractor continues to disregard UNO's Storm Water Management Plan, EHS will lobby the highest campus authority responsible for contract awards to have the Contractor banned from working on UNO projects that could impact storm water for an agreed upon time. In addition, EHS and/or FMP will contact University legal counsel to discuss potential claims against the Contractor.

## **UNO Employee Responsible for a Discharge**

When EHS becomes aware that a UNO employee has violated a requirement of UNO's Storm Water Management Plan, EHS will order the employee to immediately cease the non-conforming activity. EHS will then train the employee on applicable requirements and procedures and inform the employee that his/her actions are in violation of UNO policy, rule, or regulation, and/or federal, state, or local law and that UNO's Human Resource Policies require compliance with state and federal law, as well as published rules, regulations, policies, and procedures of his/her department and the University. The employee will be informed that continued or future failure to comply will cause EHS to report the violation to UNO Human Resources and the employee's supervisor for possible corrective action.

If the employee commits any further violations of UNO's Storm Water Management Plan, EHS will order the employee to immediately cease the non-conforming activity and will escalate reporting of the violation to UNO Human Resources and the employee's supervisor for corrective action as needed.

## **UNO Student Responsible for a Discharge**

When EHS becomes aware that a UNO student has violated a requirement of UNO's Storm Water Management Plan, EHS will order the student to immediately cease the non-conforming activity. EHS will then train the student on applicable requirements and procedures and inform the student that his/her actions are in violation of UNO policy, rule, or regulation, and/or federal, state, or local law and that it is a violation of the UNO Student Code of Conduct to violate any

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