

# EPA Construction Site Inspections



Misha Vakoc  
U.S. EPA  
Region 10

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## Introduction

- EPA is primarily responsible for issuing and enforcing the Construction General Permit in AK, DC, ID, MA, NH, NM, and PR; plus
  - All Indian land and federal facilities in some States
- All other States approved to issue/enforce NPDES permits
  - State enviro agencies – water quality concerns
  - Local agencies – ESC & other ordinances
  - Army Corps of Engineers – 404/wetlands permits

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## Introduction, Cont'd...

- Why would we show up at your site?
  - EPA pre-planned rounds of inspections in your area
  - Complaints from public
- This fall, EPA will increase construction site inspections in Alaska – this is a good time to make sure you are informed.

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## Topics

- What happens during an EPA inspection & what we are looking for (not a comprehensive list)
- What to expect after your EPA inspection
- Common problems seen on construction sites
- Tips for doing well in an inspection

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## What happens during an EPA inspection?

- Opening interview
- Site review/walk-through
- Closing interview

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## 1. Opening Interview

- Inspections are unannounced
- EPA inspector(s) present credentials & explain what they're there to do
- Ask to talk with owner and/or operator in charge of site & exchange contact information
- Gather info on site (project overview and size)
- Ask to see relevant documents required by permit

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## 1. Opening Interview – Document review

- Did owner and/or operator submit NOI?
- Copy of Discharge Authorization Letter from EPA
- Copy of Construction General Permit
- Copy of site-specific storm water pollution prevention plan (SWPPP)

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## 1. Opening Interview – SWPPP

- Both erosion & sediment controls have been planned for site
- SWPPP is up-to-date
- Erosion & sediment controls are being inspected regularly
- Site map showing entire site, with direction of flow, storm water discharge points, BMPs, etc.

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## 1. Opening Interview - Missing Paperwork

- No NOI submitted (owner and/or contractor)
- No copy of permit on site
- No SWPPP
- SWPPP underdeveloped/not site specific
- No sign at entrance of construction site
- No documentation of required BMP self-inspections

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## 2. Site Review/Walk- Through

- Look for erosion & sediment controls listed on site map
- Check for proper installation & maintenance
- Look for non-structural BMPs - phasing construction or preserving native vegetation
- Disturbed areas not under active construction – must be stabilized w/in 14 days
- Control of offsite soil tracking
- Housekeeping practices
- Storm water discharge points - water quality problems

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## Physical Problems

### on the Site

Even the best control measures won't work if you install them incorrectly, don't inspect them and don't maintain them properly.

The truest test of whether your BMPs are working is what's leaving your site.

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## 3. Closing Interview

- Inspector may point out problems seen on the site/may offer potential solutions
- Ask questions of inspector
- In near future, may get draft NOV or list of "areas of concern" from inspector

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## What Happens After the Inspection?

- EPA will respond in some way either informally -
  - Thank you letter
  - Warning letter (lists violations)
  - Information Request (requires response by a given deadline)
- Or formally -
  - Compliance Order (requires action by a given deadline)
  - Complaint (monetary penalty)

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## Penalties

- Administrative Cases (handled by EPA)
  - max. \$11,000 per day per violation
  - total penalty of up to \$137,500
- Judicial Cases (EPA refers to Department of Justice)
  - max. \$27,500 per day per violation
  - no limit on amount of penalty
  - usually requires “Injunctive Relief” (action above & beyond permit requirements)

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## Non-Structural Controls/BMPs

- Phase earthwork to limit amount of disturbed area open at one time
- Leave as much native vegetation undisturbed as possible - free erosion control!
- Schedule earthwork during dry season
- Good Housekeeping Practices
  - Keep garbage & hazardous materials from becoming a pollutant source













Result: Water Quality  
Impacts (e.g. from  
Concrete Truck Washout)



“Good Housekeeping”

## Structural Controls/BMPs

- Erosion Controls
  - Temporary & Permanent Stabilization
- Sediment Controls to trap sediment on site
  - Silt fences & Sediment basins
- Control of run-on and run-off water
  - Stream diversions
  - Stabilized ditches, inlets & outlets

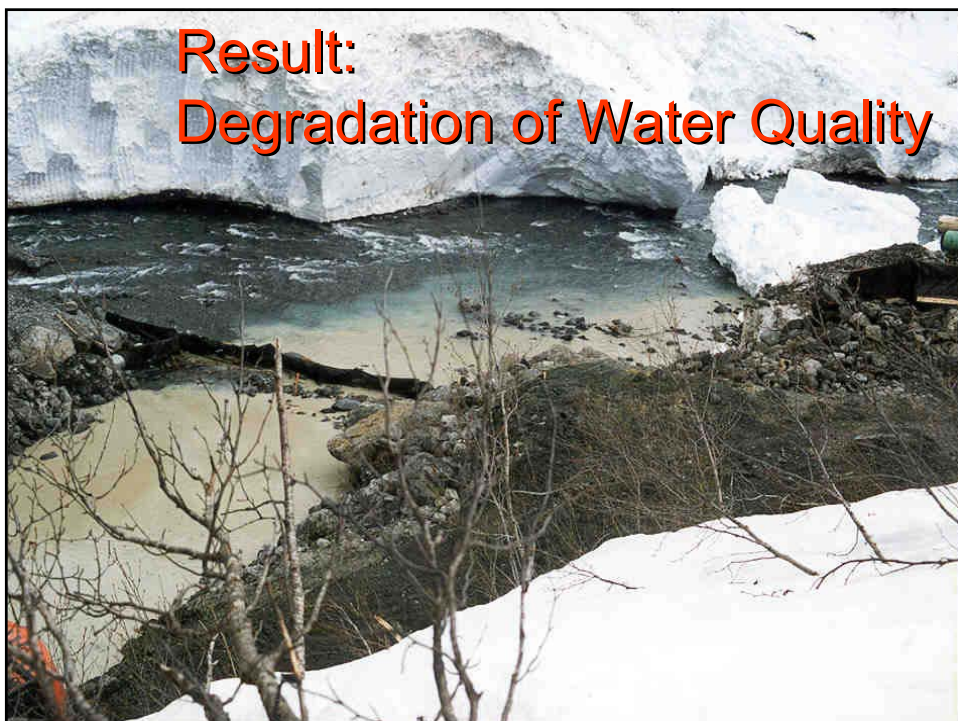
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**Erosion Control Blankets**



**Thoughtfully-Designed  
Erosion Controls /  
Stabilization**









## Non-Functional Sediment Basin



## Result: Stream Channel Siltation











## Divert Flows Through Stabilized Channels



## Inlet & Outlet Protection







## Tips for doing well in an inspection...

- Prepare -
  - research appropriate ESC techniques
  - make sure you have read, understood and followed the permit requirements
  - Know who's in charge and where your documents are
- Be responsive -
  - Listen to the inspectors concerns, take notes and ask questions

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## Q & A

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