

Department of
Transportation Stormwater
Management Program
MS4 Audit Preparation

July 2014
Scott McGowen
(and the MS4 Audit Workgroup)

White Paper
and Tools

Overview



Acknowledgment

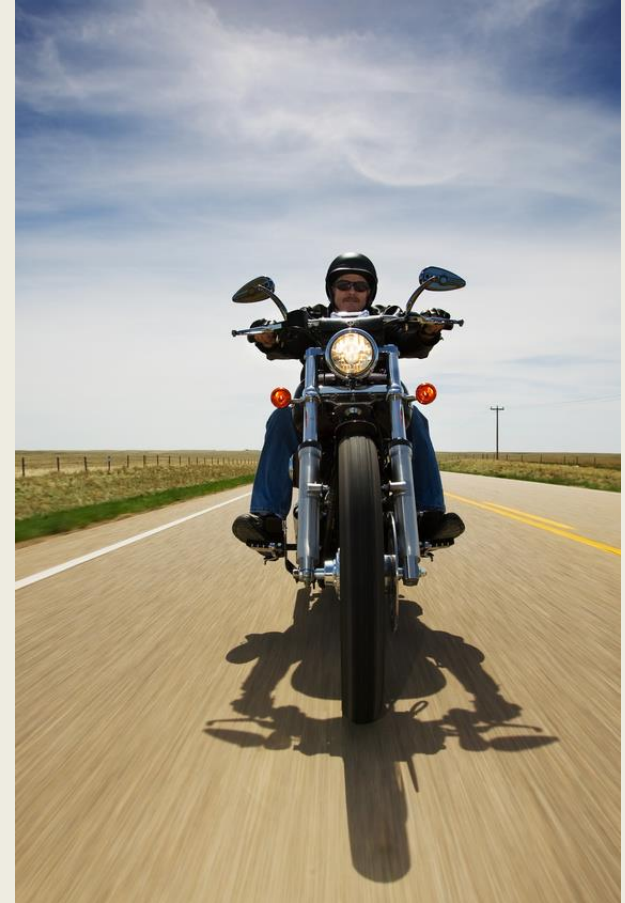
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Objectives of White Paper

- Provide DOTs with information about the audit process
- How to prepare for an audit
- What to expect during an audit
- What follow-up actions should be taken at the conclusion of the audit
- Products: White Paper (draft completed), Webinar (Sept 2014)

This report has been developed based on the audit process used by the USEPA, not state audits. However, the information may be useful for state audits.



Introduction

- Purpose of DOT MS4 Audit
 - Evaluate stormwater management program
 - Assess compliance with NPDES permit(s)
 - Assess current level of program implementation
- Who Conducts Audits?
 - Federal Regulator: U.S. EPA
 - State Environmental Regulator

Department of Transportation MS4 Audit Tools

Table of Contents

Acronyms.....	iii
1. Introduction.....	1
1.1. Approach.....	1
1.2. Use and Structure of Briefing Paper.....	2
2. The Audit Process – What to Expect.....	3
2.1. What is an MS4 Audit?.....	3
2.2. Benefits of an Audit.....	3
2.3. Audit Process Elements.....	4
2.4. Notice of Audit and Timeline.....	5
2.5. Document Request.....	6
2.6. Who Will Audit You?.....	7
2.7. Location and Duration of the Audit.....	7
2.8. Permit Types.....	7
3. Audit Preparation.....	8
3.1. How DOTs Prepare for an Audit.....	8
3.2. Recommended Preparation Approach.....	8
4. Lessons Learned.....	11
4.1. General Suggestions and Recommendations.....	11
4.2. Tools and Checklists.....	12
4.3. Update Your Program in a Timely Manner.....	12
Appendix A: EPA Document Request.....	15
Appendix B: History of DOT Audits.....	17
Appendix C: Suggested Orientation Presentation Outline.....	19

Figures

Figure 1: The Audit Process.
Figure 2: State DOT Stormw...

Tables

Table 1: Typical USEPA Audit
Table 2: List of USEPA-Req
Table 3: DOT Audit History...



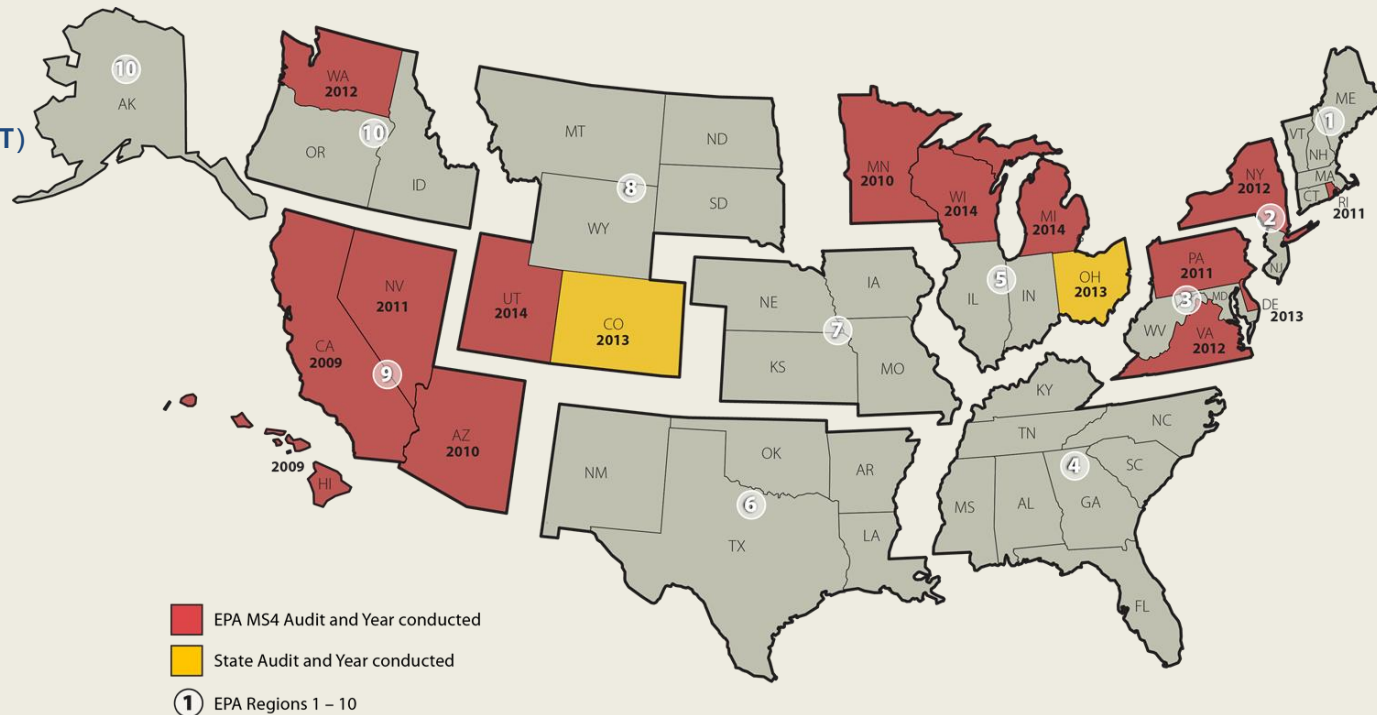
DOTs Audited

U.S. EPA Audits:

- Arizona DOT (ADOT)
- California DOT (Caltrans)
- Delaware DOT (DelDOT)
- Hawaii DOT (HDOT)
- Michigan DOT (MDOT)
- New York State DOT (NYSDOT)
- Minnesota DOT (MnDOT)
- Pennsylvania DOT (PennDOT)
- Rhode Island DOT (RIDOT)
- Utah DOT (UDOT)
- Virginia DOT (VDOT)
- Washington State DOT (WSDOT)

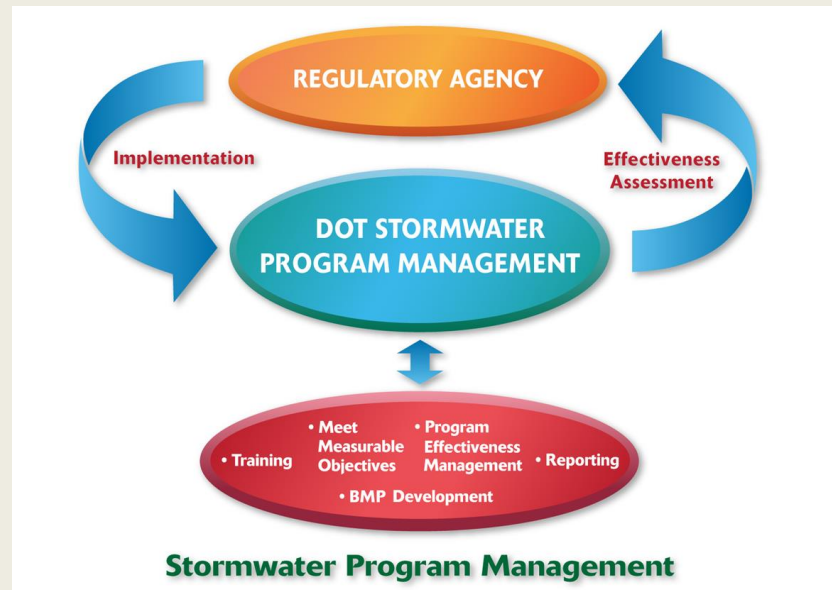
State Audits:

- Wisconsin DOT (WisDOT)
- Colorado DOT (CDOT)
- Nevada DOT (NDOT)
- Ohio DOT (ODOT)



Benefits of MS4 Audits

- Improve coordination and relationship with regulator(s)
- Increase DOT understanding of permit requirements
- Increase regulator understanding of DOT operations and challenges
- Clarify permit requirements and program planning
- Improve lines of communication between
 - DOT and regulator
 - DOT Districts or Divisions
 - Entire DOT agency



Elements of an Audit

- Management and organization
- Construction program
- Maintenance program
- Non-stormwater identification and elimination (IC/ID or IDDE)
- Training, education and outreach
- Program evaluation
- Reporting

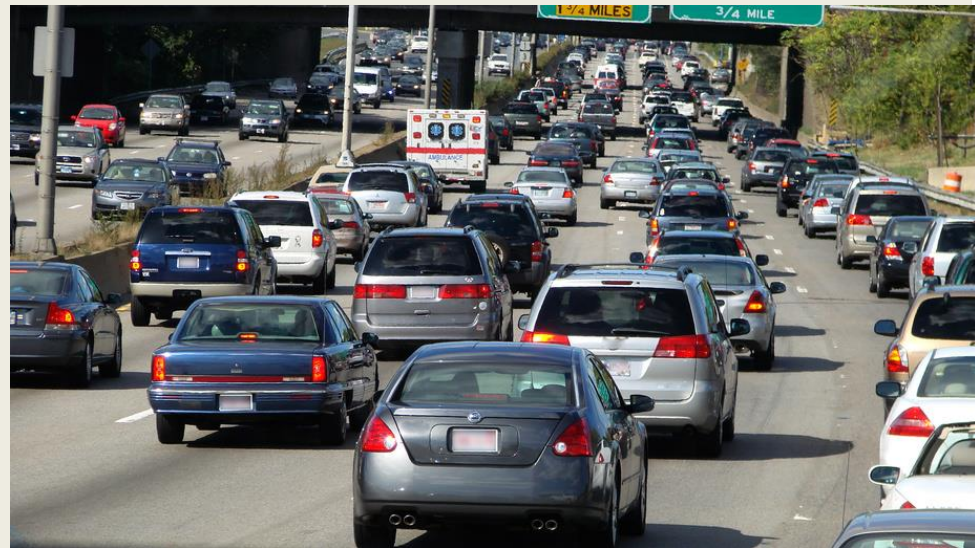


Typical USEPA Audit Schedule

EVENT	GENERAL TIMEFRAME
USEPA issues audit agenda, including office interviews and field visits	1 week before meeting
USEPA sends document requests ahead of audit for SWMP, annual report, maps, guidance and procedural documents, manuals, training records, etc.	2–4 weeks before audit
Headquarters (office) audit (with USEPA, audit consultants, and state regulator)	1 day
District or division (field) audits	2–3 days (more if needed)
Post-audit closing audit conference (with DOT and USEPA)	1 day (may be combined above)
Preliminary summary report provided to DOT listing deficiencies and positive program elements	1–2 months after audit
Formal report issued to DOT and state regulator and posted on USEPA website	4–6 months after audit
Administrative order of consent (if appropriate) issued by USEPA	6 months after audit
Enforcement to follow (depending on severity of issues and if needed) issued by the state regulator	6 months after audit (if applicable)

The Audit Process: What to Expect

- Audit agenda
- Schedule office interviews and field visits
- Document request and submittal
- Field audits
- Post-audit conference
- Audit summary report
- Administrative order of consent (potential)
- Enforcement



Preparing for the Audit

- Prepare staff – hold meetings and orientations to describe the process and expectations.
- Organize backup information that supports program implementation and be prepared to provide it during the audit.
- Prepare an overview presentation for auditors.
- Preselect field inspection locations to suggest to auditors.
- Inform management personnel of the audit, its importance, and what to expect. Ask top managers to attend the initial and closeout meetings with U.S. EPA.
- Use audit checklists.

Recommended Approach

1. Assemble Key Stormwater Program Documents

- Have electronic and paper copies, assemble in central location

2. Pre-Audit Coordination

- Coordinate efforts between management and staff
- Hold pre-audit meetings, discuss purpose and goals of audit
- Collect and review documents, prepare list of active construction sites, facilities, NOVs

3. Headquarters Audit Assistance

- Ensure clear understanding of organization structure, permit implementation responsibility, policies, guidance
- Effectiveness of tracking

4. District Audit Assistance

- Assess active construction sites, facilities, maintenance stations, BMP tracking, IC/ID (IDDE)

Recommendations for DOTs

- **Don't wait— Start preparing now!**
 - Start work on preparation as soon as you hear an audit is planned.
- **Know the weaknesses in your organization**
 - Identify problem areas and correct potential issues ahead of the audit.
- **Admit when you're wrong, but defend when you're right**
 - Spend the time to defend your program and your implementation of a permit element when appropriate.
- **Expect the possibility of enforcement action**
 - Treat the audit like a legal deposition. Bring appropriate staff to support and explain program implementation.
- **Start and end with good internal communication**
 - Be transparent, clearly identify, and understand roles and responsibilities.

Questions?

- More information to follow (Final White Paper, live Webinar, CEE Website to access)
- Questions? Ask the Technical Workgroup Participants!
- http://environment.transportation.org/center/products_programs/webinars/stormwater.aspx



Ken



Daryl Roy



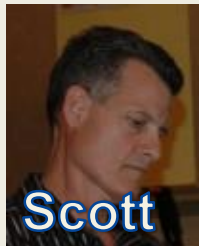
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Webinars

Stormwater Webinars

Click on link below to display the webinar. Click again to print the webinar, or use the close link.

- Connecting Stormwater Management through Collaboration in Stormwater Management (October 2012)
- Best Management Practice Selection – Runoff Management to Meet Quantitative Pollution Requirements (April 2012)
- Innovative and Innovative Strategies for Achieving Better Environmental Performance (June 2011)
- Construction Effluent Guidelines: Numerical Limits are Coming (April 2011)
- Construction and Development Effluent Guidelines (December 2009)

Overview
Infrastructure Adaptation Workshop Webinar
Climate Change Webinar Series
Stormwater Webinars
Practitioner's Handbooks Webinars
Integrating Transportation Planning & NEPA Decision-Making Webcast
Understanding Flexibility in the AASHTO Green Book: A Webinar on Geometric Design

Related Resources