

# Stormwater Practitioner's Meeting

## EPA Audits

Leigh Waite, CMS4S  
Stormwater Program Coordinator  
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# Regulated ADOT

## Key Dates

- ❑ ADEQ Primacy in 2002
- ❑ ADOT Consent Order in 2004
- ❑ ADOT Individual Permit in 2008
- ❑ ADOT Audited by EPA in 2010
- ❑ ADOT Administrative Order in 2013



# Arizona DOT

## Individual Permit

- ❑ **Statewide, except Indian Country, and covers municipal, construction, and industrial activities**
- ❑ **Comply with USEPA as appropriate on tribal lands**

# What EPA Saw

## Audit

- ❑ **Construction projects, maintenance yards, and industrial facilities** in the Flagstaff, Phoenix, Prescott and Tucson districts
- ❑ **Focused on**
  - program implementation
  - consistency at District level
  - housekeeping
  - inspections
  - enforcement



# Results

## Positive

### ❑ Several Elements

- knowledgeable of permit requirements and SWMP
- implemented sound monitoring and sampling procedures
- local environmental staff knew local stormwater features and issues



# Results

## Deficiencies

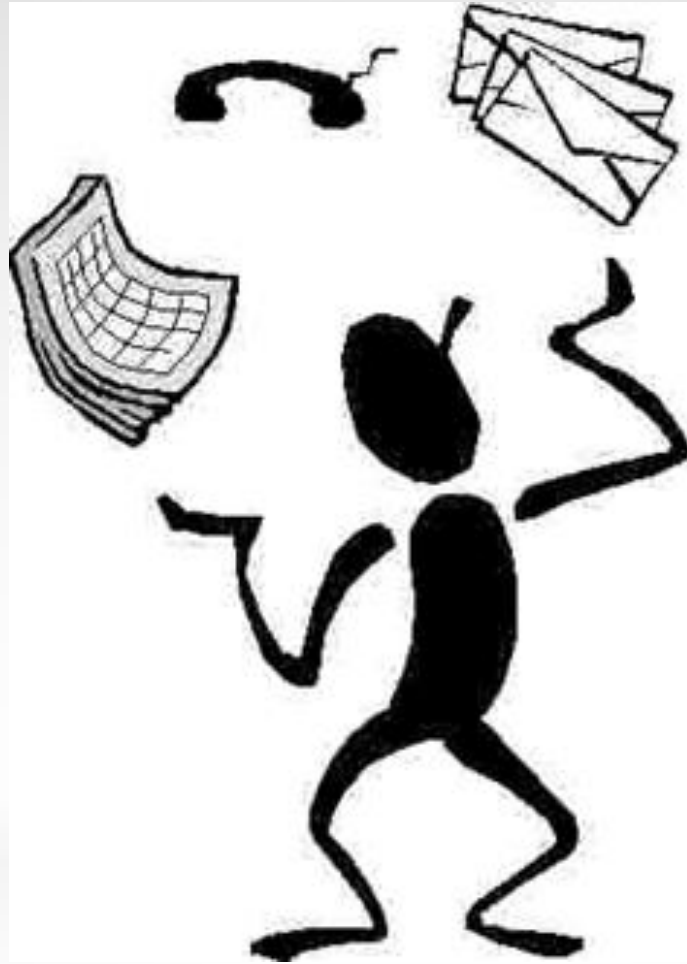


- ❑ **Employee education and training**
  - not fully developed and deployed to appropriate staff
- ❑ **Dry weather monitoring**
  - procedures on paper not implemented, storm drain system not 100% mapped, inadequate IDDE program
- ❑ **Encroachment permit (MS4)**
  - limited authority, improperly installed/ maintained BMPs
- ❑ **Contractor oversight and BMPs**
  - lack of signatures on SWPPPs, no delegated authority, limited proof of inspections
- ❑ **Maintenance yards**
  - housekeeping, inappropriate use of BMPs, track out, and material management

# ADOT Response

- ❑ **Mapping of outfalls**
  - completed 35% (of 44,000 drainage features)
- ❑ **Staffing to assist**
  - hired four new team members, anticipate two more
- ❑ **Environmental Management System**
  - purchased to track and report
- ❑ **Line by line**
  - explained program deficiencies
  - included supporting documentation







# Summer 2012 – Christmas Eve

- ❑ Teleconference with EPA/ADEQ
- ❑ Receive draft Administrative Order on Consent

**DRAFT: 12/10/2012**

**UNITED STATES**

**ENVIRONMENTAL PROTECTION AGENCY**

**REGION 9**

**IN THE MATTER OF:**

Arizona Department of Transportation

EPA Docket No. CWA-09-2012-2004

*Proceedings under Sections 308(a)*

**ADMINISTRATIVE ORDER ON CONSENT** *and 309(a) of the Clean Water Act, as amended, 33 U.S.C. §§ 1318(a) & 1319(a)*

# Administrative Order on Consent

- ❑ **Mapping of ADOT features: outfalls and post-construction best management practices (P-C BMPs)**
  - revised definition of outfall
  - reduced menu of P-C BMPs
- ❑ **Inspection and maintenance of outfalls and P-C BMPs**



# Administrative Order on Consent

- ❑ **Enforcement of construction project requirements**
  - placement of contractor oversight
  - oversee, direct, and conduct inspections of all construction activities initiated or controlled
  - take appropriate enforcement actions to ensure compliance with the CGP and IP



# Deliverables

## Three

- ❑ September 15, 2013
- ❑ November 15, 2013
- ❑ March 15, 2014

| ADMINISTRATIVE ORDER ON CONSENT<br>COMPLIANCE SCHEDULE |   |                          |
|--|---|--------------------------|
| Deadline   | Task  | Responsible Organization |
| 4/15/13  | Ensure placement of contractor oversight and compliance personnel in all nine districts.                                    | SEO                      |
|  | Submit a report with the name and contact information for the designated Resident Engineer or equivalent for each district. | SEO                      |
| 5/15/13  | Obtain a draft Water Quality Post-Construction BMP Manual from its consultant for review and comment.                       | ES (coord W/SEO)         |
| 6/30/13  | Provide comments on draft Water Quality Post-Construction BMP Manual to consultant.   | ES                       |
| 8/30/13  | Complete mapping of Task I AOC Outfalls (Globe, Holbrook, Phoenix).   | ES (coord W/FIS)         |
|  | Complete Water Quality Post-Construction BMP Manual modifications.  | ES                       |

# Tasks

## Also, Three

### ❑ **Outfall Task**

- mapping, verifying, inspecting, and maintaining

### ❑ **Post-Construction BMP Task**

- mapping, verifying, inspecting, and maintaining

### ❑ **Construction Oversight Task**

- tracking inspections and reporting the date, the findings, and the remedial actions

<http://www.azdot.gov/business/environmental-services-and-planning/water-quality/administrative-order-on-consent>

# Outfalls

- ❑ **Features Inventory System** (mapping)
  - Asset management for all ADOT features
  - Pipe openings, guardrail, signs
- ❑ **Desktop + Site Visit** (verifying & inspecting)
  - Basemap aerial
- ❑ **Documenting** (maintaining)
  - In FIS there is a rating; this will help staff prioritize the maintenance on a district or route level

# PC-BMPs

- ❑ **Revised PC-BMP Manual**
  - water quality benefit; only map if discharges
- ❑ **Priorities Established**
  - if a qualifying structure is associated with an outfall (PER AOC), map it

# Construction Oversight

- ❑ **Nine Districts**

- completing routine SWPPP inspections

- ❑ **Documenting EXCEL spreadsheet**

- AZCON #, date, finding, remediation



# Recommendations

- Mock Audit**
- Document All Communications**
- Commitment\*\***
- Funding**

**REMEMBER – the audit is intended to help ensure conformance**

# Questions