



# Inspections: What to Expect

Ann Murphy  
CWA Compliance Office  
EPA Region 9  
415-972-3640  
[murphy.ann@epa.gov](mailto:murphy.ann@epa.gov)



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# Outline

- Non-filers
- EPA Inspections
- Tools for Tribal Compliance Assistance



## **Increase in Construction Storm Water Non-compliance**

- Many construction sites on tribal lands do not have permit coverage.
- Those that do have permit coverage are not complying with permit requirements.
- Increase in complaints.
- Increase in incidents of large scale sediment discharges from tribal construction sites.



# **Clean Water Act Inspections**

- EPA conducts CWA inspections of tribal construction sites.
- Typically announced. A letter is sent to the tribal Chairperson.
- During an Inspection EPA will:
  - View the site
  - Review the SWPPP and other records
  - Interview operator and staff on site
  - Conduct a closing conference and identify potential violations.
- EPA may ask for information from the Tribe about the project.












Sediment is one  
of the leading  
water resource  
pollutants  
nationwide







# EPA uses information request authority to find out more information.

- Compliance Assistance letter, EPA Region 9 Liaisons
- “308 Letter”
  - Sites the Clean Water Act statutes and authorities.
  - Requests specific information with due dates.
  - EPA Regional Water Division Management
    - Alexis Strauss, Director





# **EPA Follow-up to CWA Violations at Tribal Construction Sites**

- **Non-tribal entities** – EPA proceeds with standard enforcement practices.
- **Tribal entities** – Follow EPA's Tribal Enforcement Policy
  - Issue a compliance assistance letter to the site contact and tribal chairperson.
  - Some violations require an Administrative Order on Consent because of long term requirements.



# **EPA's Authorities**

- 309(a) - Administrative Compliance Orders
- 309(g) - Administrative Penalty Orders
- 309(b) - Civil Actions
- 309(d) - Civil penalties
- 309(c) - Criminal Enforcement



# **The Compliance Office is here to help!**

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