Inspections: What to Expect

Ann Murphy
CWA Compliance Office
EPA Region 9
415-972-3640
murphy.ann@epa.gov

Inspections: What to Expect

Ann Murphy
CWA Compliance Office
EPA Region 9
415-972-3640
murphy.ann@epa.gov



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.

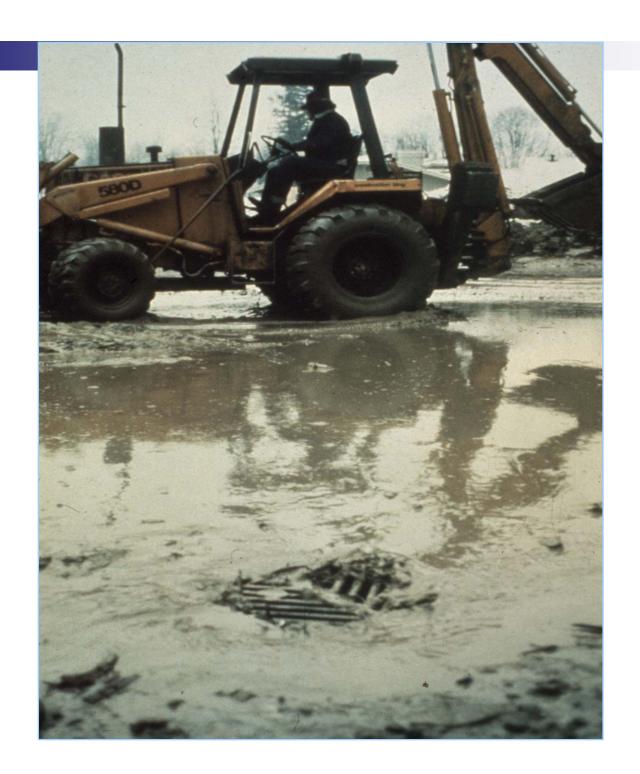






Sediment is one of the leading water resource pollutants nationwide







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!

Ann Murphy
CWA Compliance Office
EPA Region 9
415-972-3640
murphy.ann@epa.gov