

WDID 937C368067 (Corner at Twin Oaks Revegetation Project): 7 January 2016 Inspection

Chiu, Wayne@Waterboards

Sent: Monday, January 11, 2016 1:24 PM

To: Paul Metcalf [pmdevcon@sbcglobal.net]

Cc: Mike Absell [Mikes.absell@gmail.com]; Walsh, Laurie@Waterboards; Clemente, Chiara@Waterboards; Thornberry, Reed [RThornberry@san-marcos.net]

Attachments: 2016-0107 Inspection Photo~1.pdf (308 KB)

Mr. Metcalf:

My name is Wayne Chiu and I am a construction storm water inspector at the California Regional Water Quality Control Board. According to the Storm Water Multiple Application and Report Tracking System (SMARTS), you are listed as the Legally Responsible Person for the construction site located at 155 W San Marcos Blvd, San Marcos under Order No. 2009-0009-DWQ, the Statewide Construction General Storm Water Permit (CGP).

SMARTS indicates the site was determined to be a Risk Level 2 construction site, subject to the requirements in Attachment D to the CGP.

I conducted an inspection of the site on January 7, 2016 following multiple storm events, and before another predicted storm event. As there was no one on the site, I inspected the site from outside the perimeter and publicly accessible locations. Based on my observations, several requirements for a Risk Level 2 construction site were not implemented or inadequately implemented in compliance with the CGP. Following the inspection, I met with Mike Absell at another site who informed me that he is the contractor responsible for implementing the storm water BMPs at this site. I informed Mr. Absell of the deficiencies I observed at this construction site. He assured me that the site would be brought into compliance with the requirements of the CGP as soon as possible.

This email is to document my observations, as well as provide you an opportunity to provide information that will demonstrate the site has been brought into compliance with the requirements of the CGP. Attached are photos taken during the inspection showing examples of areas that need to be addressed to demonstrate compliance with the CGP requirements for a Risk Level 2 site.

1. All Risk Level 2 sites are required to implement effective soil cover for inactive areas. All Risk Level 2 sites are required to implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for active areas. Areas that were inactive should have had already had effective soil cover or soil stabilization implemented before the storm event. Runoff controls and soil stabilization are expected to be implemented prior to a predicted rain event for all active areas. Photos 1 through 8 show several areas of the site lacking evidence of effective soil cover or soil stabilization measures implemented to prevent erosion in preparation of the storm events that occurred or for the storm events predicted to occur. Photo 2 shows evidence of significant sediment transport, which is a clear indication that the site lacked appropriate erosion control BMPs to prevent erosion for inactive or active areas.
2. All Risk Level 2 sites are required to contain and securely protect stockpiles of waste and construction material from wind and rain at all times unless actively being used. Photos 3 through 7 show what appears to be a very large soil stockpile that evidently is not being used as there is no activity on the site, and does not have protection from rain or containment. Photo 5 shows evidence of rilling on the stockpile, indicating the stockpile has been exposed to storm water runoff that has caused significant erosion. Photo 8 also shows a waste stockpile without containment or protection.
3. All Risk Level 2 sites are required to effectively manage all run-on, all runoff within the site and all runoff that discharges from the site. Photos 1 through 8 and show a lack of controls to manage run-on (Photo 8) and all runoff within the site (Photos 1 through 7).
4. All Risk Level 2 sites are required to establish and maintain effective perimeter controls to sufficiently

control erosion and sediment discharges from the site. Photos 8 shows a lack of perimeter controls to prevent runoff that can cause erosion on the site and result in discharges of sediment from the site.

5. All Risk Level 2 sites are required to implement good housekeeping for vehicle storage to prevent oil, grease, or fuel to leak into the ground, storm drains, or surface waters. Photo 7 shows several vehicles lacking drip pans or other BMPs to prevent oil, grease, or fuel to leak into the ground.

Each of these violations of the CGP are subject to enforcement action and potential civil liabilities of up to \$10,000 per day per violation.

Please send me the following information and documentation, or a date by which you can provide the information, by COB Friday, **January 18, 2016**:

- 1) Copies of the weekly BMP inspection reports for the last 3 months.
- 2) Copies of the REAPs for the last 3 months.
- 3) Copies of any inspection reports or enforcement action issued to the site by City of San Marcos storm water inspectors.
- 4) A description of the BMPs that will be implemented on the site to address the deficiencies already identified in this email to comply with the BMP requirements for a Risk Level 2 construction site.
- 5) A schedule of when BMPs will be implemented.
- 6) Photo documentation of the BMPs after they have been implemented.

Please let me know if you have any questions.

Thanks,

Wayne Chiu, PE

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Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8