



## CONSTRUCTION STORMWATER GENERAL PERMIT INSPECTION REPORT

State of Washington Department of Ecology

### Section A: General Data

Ecology Inspector(s): Jess Eakens	On-Site Representative Name: Brandon Smith Title: Permittee Phone: 253-720-2813 Email: <a href="mailto:brandon@themilestonecompanies.com">brandon@themilestonecompanies.com</a>	Inspection Date and Entry/Exit Time: October 21, 2021, 09:53/11:10  Receiving waters: City of Lacey MS4	Inspection Type: Announced  Permit webpage: <a href="https://fortress.wa.gov/ecy/paris/FacilitySummary.aspx?FacilityId=63651">https://fortress.wa.gov/ecy/paris/FacilitySummary.aspx?FacilityId=63651</a>
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### Section B: Background

The Woodbrook Townhomes project is covered under the State of Washington's Construction Stormwater General Permit (CSWGP). The CSWGP is a National Pollutant Discharge Elimination System (NPDES) and a State Waste Discharge permit for discharge of construction-related stormwater. The purpose of this inspection is to conduct a compliance inspection and to provide technical assistance in response to turbid discharges observed by the City of Lacey. Brandon Smith, Permittee, Rod Hudson CESCL, and Dylan Call, City of Lacey inspector, were present during inspection and all observations and recommendations were discussed.

Ecology conducted previous compliance and technical assistance inspections on September 24, 2020, January 26, 2021, February 10, 2021, and February 24, 2021.

During the January 26, 2021 site inspection, Ecology issued a Corrections Required for violating permit conditions S9.D.4, S9.D.5, S9.D.7, S9.D.9, S9.D.11, and S9.D.12.

During the February 10, 2021, inspection, Ecology observed a lack adaptive management for addressing violations noted in the January 26th inspection. Ecology also sampled a discharge leaving the site, which measured 242 NTUs. Ecology issued a second corrections required for all of the same permit violations as the January 26th corrections required.

Discharge Monitoring Reports show that discharges exceeding 250 NTUs occurred on 11 days in January 2021. No Environment Report Tracking System (ERTS) was reported for these discharges. During the February 24, 2021, site inspection a Notice of Penalty (No. 01211) was issued for failure to comply with CSWGP conditions S9.D.4, S9.D.5, S9.D.7, S9.D.9, S9.D.11, S9.D.12, and S5.A.

Weather at time of inspection: Overcast and 50s

Precipitation in the past 24 hours?

- Yes  
 No

**Section C: Compliance**

**Inspection Checklist**

<u>Is the Permit Coverage Letter on-site?</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Is a copy of the CSWGP on-site?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Is the Site Log Book Current?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Is the Site Log Book Adequate?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>Are Site Inspections Recorded?</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Are Site Inspections Adequate?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Permittee has Prepared and Implemented a SWPPP?</u> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Is the SWPPP Adequate?</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<u>Violations and action required to achieve compliance</u>	<u>Complete or submit date</u>	<u>Guidance</u>
<p><u>S5.A High Turbidity Reporting</u>  <b>Failure to report high sediment discharge observed by City of Lacey.</b>  <b>Failure to meet S5.A:</b> Anytime sampling performed in accordance with Special Condition S4.C indicates turbidity has reached the 250 NTUs or more (or transparency less than or equal to 6 cm), high turbidity reporting level, the Permittee must notify Ecology within 24 hours of analysis by either calling the applicable Ecology Region’s Environmental Report Tracking System (ERTS) number by phone or by submitting an electronic ERTS report (through Ecology’s Water Quality Permitting Portal (WQWebPortal) – Permit Submittals when the form is available).</p>	<p><b>Within 24 hours</b> of analysis.</p>	<p>Ecology’s <a href="#">ERTS homepage</a></p>
<p><u>S5.G.1 Access to Plans and Records</u>  <b>Copy of current permit not available on-site.</b>  <b>Failure to meet S5.G.1:</b> The Construction Stormwater General Permit was not available onsite. Retain Plans and Records on site, or within reasonable access to the site for use by the operator or for on-site review by Ecology or the local jurisdiction.</p>	<p><b>7 days</b> from the date of this inspection.</p>	<p>Ecology’s <a href="#">Construction Stormwater General Permit</a></p>
<p><u>S4.A Site Log Book</u>  <b>Site logbook not available on-site.</b>  <b>Failure to meet S4.A:</b> The site maintenance log books are not current. Retain Plans and Records on site, or within reasonable access to the site for use by the operator or for on-site review by Ecology or the local jurisdiction.</p>	<p><b>7 days</b> from the date of this inspection.</p>	

<p><u>S4.A Site Log Book</u>  <b>Up to date site log book not being kept on-site.</b>  <b>Failure to meet S4.A:</b> The site maintenance log books are not adequate. Retain Plans and Records on site, or within reasonable access to the site for use by the operator or for on-site review by Ecology or the local jurisdiction.</p>	<p><b>7 days</b> from the date of this inspection.</p>	
<p><u>S4.B Site Inspections</u>  <b>Site inspection reports do not reflect turbidity sampling and results.</b>  <b>Failure to meet S4.B:</b> The site inspections are not adequate. Retain Plans and Records on site, or within reasonable access to the site for use by the operator or for on-site review by Ecology or the local jurisdiction.</p>	<p><b>7 days</b> from the date of this inspection.</p>	<p>Ecology's <a href="#">site inspection form template</a>.</p>
<p><u>S9.B SWPPP General Requirements</u>  <b>SWPPP does not reflect current on-site conditions.</b>  <b>Failure to meet S9.B:</b> Missing or incomplete construction phasing/sequence and general BMP implementation schedule., Missing or incomplete actions to be taken if BMP performance goals are not achieved, e.g. contingency plan for additional treatment The SWPPP is not adequate. Review the SWPPP for compliance with Special Condition S9 and make appropriate revisions within 7 days of this inspection, per S9.B.2.a.  <b>Unmaintained SWPPP map observed.</b>  <u>S9.E SWPPP – Map Contents and Requirements</u>  <b>Failure to meet S9.E:</b> SWPPP Map Contents and Requirements. S9.E.5: The SWPPP does not include locations of structural and nonstructural controls (BMPs) identified in the SWPPP. Review the SWPPP for compliance with Special Condition S9 and make appropriate revisions within 7 days of this inspection, per S9.B.2.a. The SWPPP map contents and requirements must be corrected to address these issue(s), per S9.E.</p>	<p><b>7 days</b> from the date of this inspection.</p>	<p>Ecology's <a href="#">Stormwater Pollution Prevention Plan (SWPPP) template</a> and <a href="#">SWMMWW Vol. II-2 SWPPP guidance</a>.</p>
<p><u>S9.D.2 Establish Construction Access</u>  <b>Track-out observed at site and lot- level.</b>  <b>Failure to meet S9.D.2.b:</b> Stabilize access points with a pad of quarry spalls, crushed rock, or other equivalent BMPs, to minimize tracking sediment onto roads.  <b>Unstabilized construction accesses observed.</b>  <b>Failure to meet S9.D.2.d:</b> If sediment is tracked off site, clean the affected roadway thoroughly at the end of each day, or more frequently as necessary (for example, during wet weather). Remove sediment from roads by shoveling, sweeping, or pickup and transport of the sediment to a controlled sediment disposal area. Install and maintain adequate construction access to prevent track-out off-site.</p>	<p>Clean the affected roadway thoroughly <b>at the end of each day</b>, or more frequently <b>as necessary</b>. Immediately begin. Address the problems <b>no later than 10 days</b> from the date of this inspection.</p>	<p><a href="#">BMP C105</a>, <a href="#">BMP C106</a>, <a href="#">BMP C107</a></p>

<p><u>S9.D.5 Stabilize Soils</u>  <b>Unstabilized, unworked soils observed throughout site.</b>  <b>Failure to meet S9.D.5.a:</b> The Permittee must stabilize exposed and unworked soils by application of effective BMPs that prevent erosion. Applicable BMPs include, but are not limited to: temporary and permanent seeding, sodding, mulching, plastic covering, erosion control fabrics and matting, soil application of polyacrylamide (PAM), the early application of gravel base on areas to be paved, and dust control.  <b>Failure to meet S9.D.5.b:</b> The Permittee must control stormwater volume and velocity within the site to minimize soil erosion.  <b>Failure to meet S9.D.5.d:</b> The Permittee must not allow soils to remain exposed and unworked for more than the time periods set forth below to prevent erosion west of the Cascade Mountains Crest: During the dry season (May 1 - September 30): 7 days or; During the wet season (October 1 - April 30): 2 days. Stabilize exposed and unworked soils, including stockpiles, by application of effective BMPs to prevent erosion, as set forth in permit condition S9.D.5.a and timeline in S9.D.5.d.</p>	<p>Permittee must not allow soils to remain exposed and unworked for more than the time periods set forth below to prevent erosion:                  During the wet season (October 1 - April 30): <b>2 days</b> from the date of this inspection.</p>	<p><a href="#">C120</a>, <a href="#">C121</a>, <a href="#">C122</a>, <a href="#">C123</a>, <a href="#">C124</a>, <a href="#">C125</a>, <a href="#">C126</a>, <a href="#">C130</a>, <a href="#">C131</a>, <a href="#">C140</a></p>
<p><u>S9.D.7 Protect Drain Inlets</u>  <b>Unmaintained inlet protection with sediment/ mud build-up observed.</b>  <b>Failure to meet S9.D.7.b:</b> Clean or remove and replace inlet protection devices when sediment has filled one-third of the available storage (unless a different standard is specified by the product manufacturer). Protect and maintain drain inlets, as set forth in permit condition S9.D.7.a.</p>	<p>Immediately begin. Address the problems <b>no later than 10 days</b> from the date of this inspection.</p>	<p><a href="#">C220</a></p>
<p><u>S9.D.9 Control Pollutants</u>  <b>Concrete and paint waste observed on ground, and in unlined pits.</b>  <b>Failure to meet S9.D.9.a:</b> Handle and dispose of all pollutants, including waste materials and demolition debris that occur on site in a manner that does not cause contamination of stormwater.  <b>High pH stormwater observed in unlined pits.</b>  <b>Failure to meet S9.D.9.g:</b> Adjust the pH of stormwater or authorized non-stormwater if necessary to prevent an exceedance of groundwater and/or surface water quality standards.  <b>Concrete waste dumped onto bare soils.</b>  <b>Failure to meet S9.D.9.h:</b> Assure that washout of concrete trucks is performed off-site or in designated concrete washout areas only. Do not wash out concrete truck drums onto the ground, or into storm drains, open ditches, streets, or streams. Washout of small concrete handling equipment may be disposed of in a formed area awaiting concrete where it will not contaminate surface or ground water. Do</p>	<p>Immediately begin. Address the problems <b>no later than 10 days</b> from the date of this inspection.</p>	<p><a href="#">C151</a>, <a href="#">C152</a>, <a href="#">C153</a>, <a href="#">C154</a>, <a href="#">C250</a>, <a href="#">C251</a>, <a href="#">C252</a></p>

<p>not dump excess concrete on site, except in designated concrete washout areas. Concrete spillage or concrete discharge directly to groundwater or surface waters of the State is prohibited. At no time shall concrete be washed off into the footprint of an area where an infiltration BMP will be installed. Design, install, implement and maintain effective pollution prevention measures to minimize the discharge of pollutants, as set forth in permit conditions S1.D.1, S9.D.9.</p>		
<p><u>S9.D.11 Maintain BMPs</u>  <b>Unmaintained stormwater channel, pond, and concrete washouts observed.</b>  <b>Failure to meet S9.D.11.a:</b> Permittee must maintain and repair all temporary and permanent erosion and sediment control BMPs as needed to assure continued performance of their intended function in accordance with BMP specifications. Maintain and repair all temporary and permanent BMPs, as set forth in permit condition S9.D.11.a.</p>	<p>Immediately begin. Address the problems <b>no later than 10 days</b> from the date of this inspection.</p>	<p>SWMMWW, Chapter II-3 <a href="#">Construction Stormwater BMPs, C150, C160</a></p>
<p><u>S9.D.12 Manage the Project</u>  <b>Unmaintained SWPPP reviewed.</b>  <b>Failure to meet S9.D.12.c:</b> Update, and implement the SWPPP in accordance with Special Conditions S3, S4 and S9. Manage the Project to include inspecting, maintaining and repairing BMPs as needed and maintaining the SWPPP, as set forth in permit conditions S9.D.12.a and S9.D.12.c.</p>	<p>Immediately begin. Address the problems <b>no later than 10 days</b> from the date of this inspection.</p>	<p><a href="#">C150, C160, C162</a></p>

For assistance with any of these compliance issues or recommendations regarding BMPs, please see the 2019 Stormwater Management Manual for Western Washington (SWMMWW), Volume II, Construction Stormwater Pollution Prevention which includes BMPs for [Source Control](#) and [Runoff Conveyance and Treatment BMPs](#). The full SWMMWW is available at: <http://www.ecy.wa.gov/programs/wq/stormwater/manual.html>.

The Department of Ecology has the authority to issue formal enforcement actions including issuance of orders and civil penalties of up to \$10,000 per day per violation for violations of your NPDES permit and/or state laws and regulations.

*Noncompliance with the limits, monitoring requirements, terms and/or conditions established in your permit may result in formal enforcement action by the Department of Ecology.*

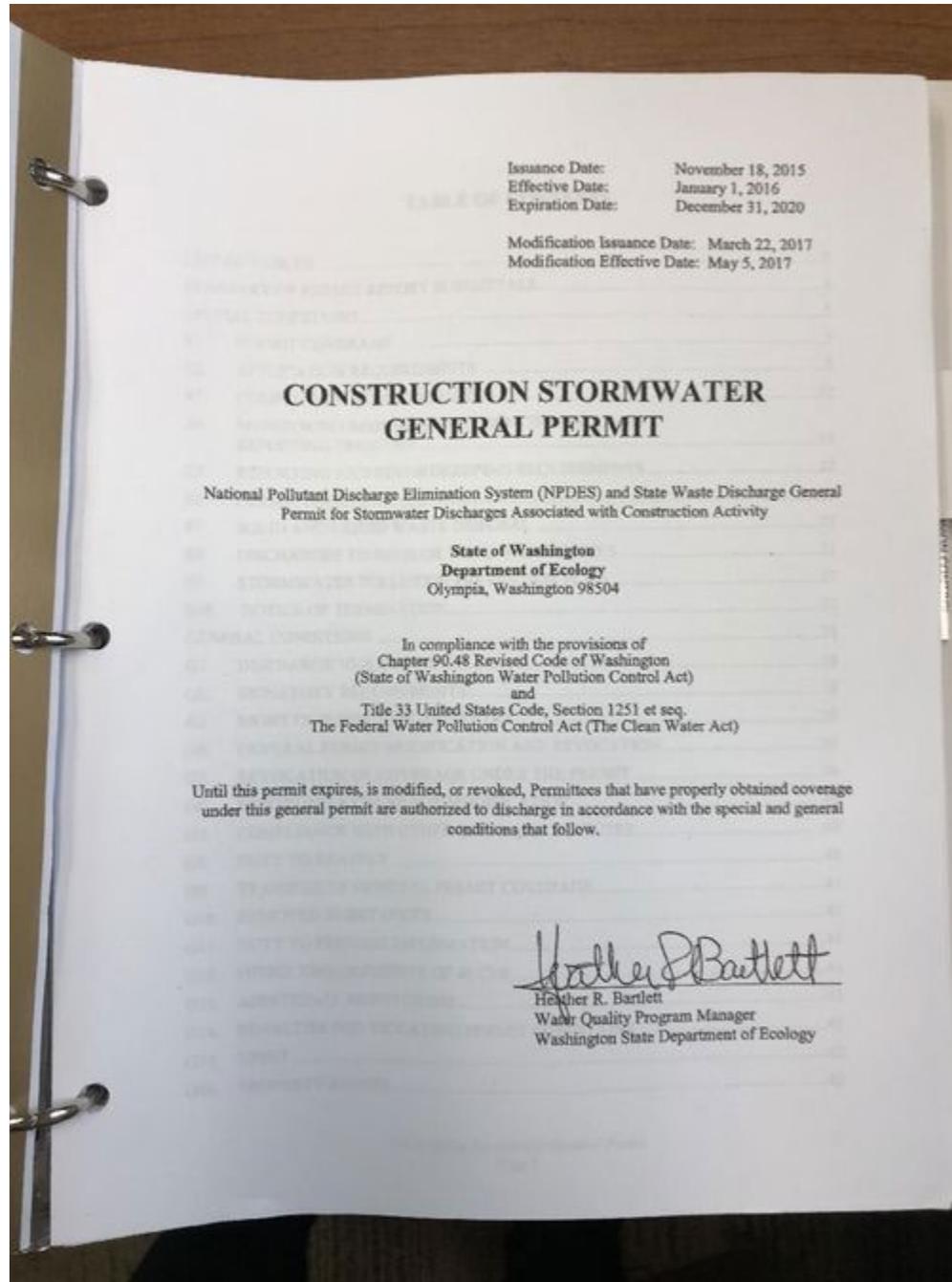
Ecology Inspector (signature): Jess Eakens Date: November 2, 2021  
 Ecology Inspector (print name): Jess Eakens

Water Quality Program  
 Southwest Regional Office  
 PO Box 47775 Olympia, WA 98504-7775  
 SWRO Tel: 360-407-6300

All photos taken by Jess Eakens

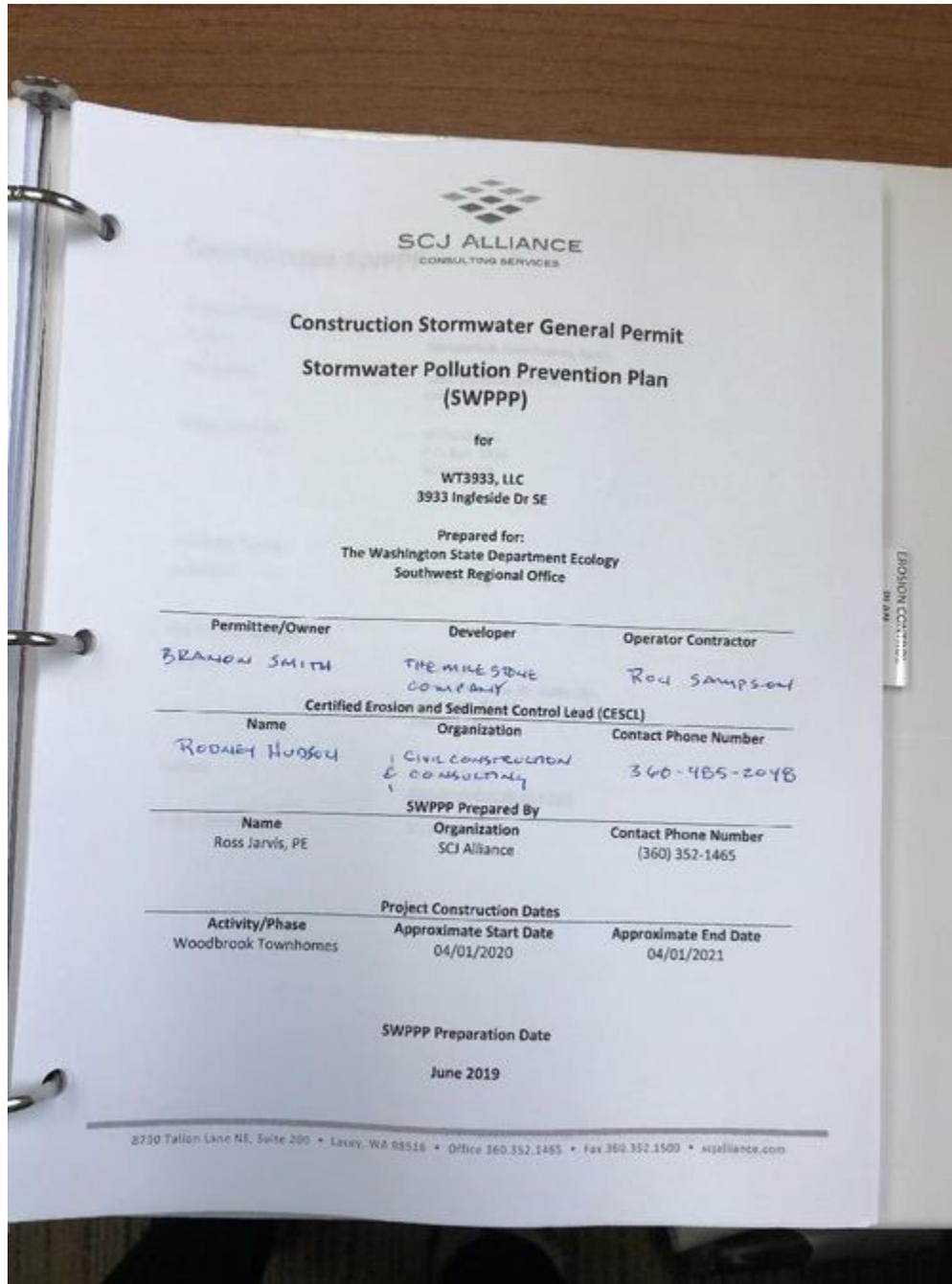
**Photo 1**

Photo Description: Current permit not available



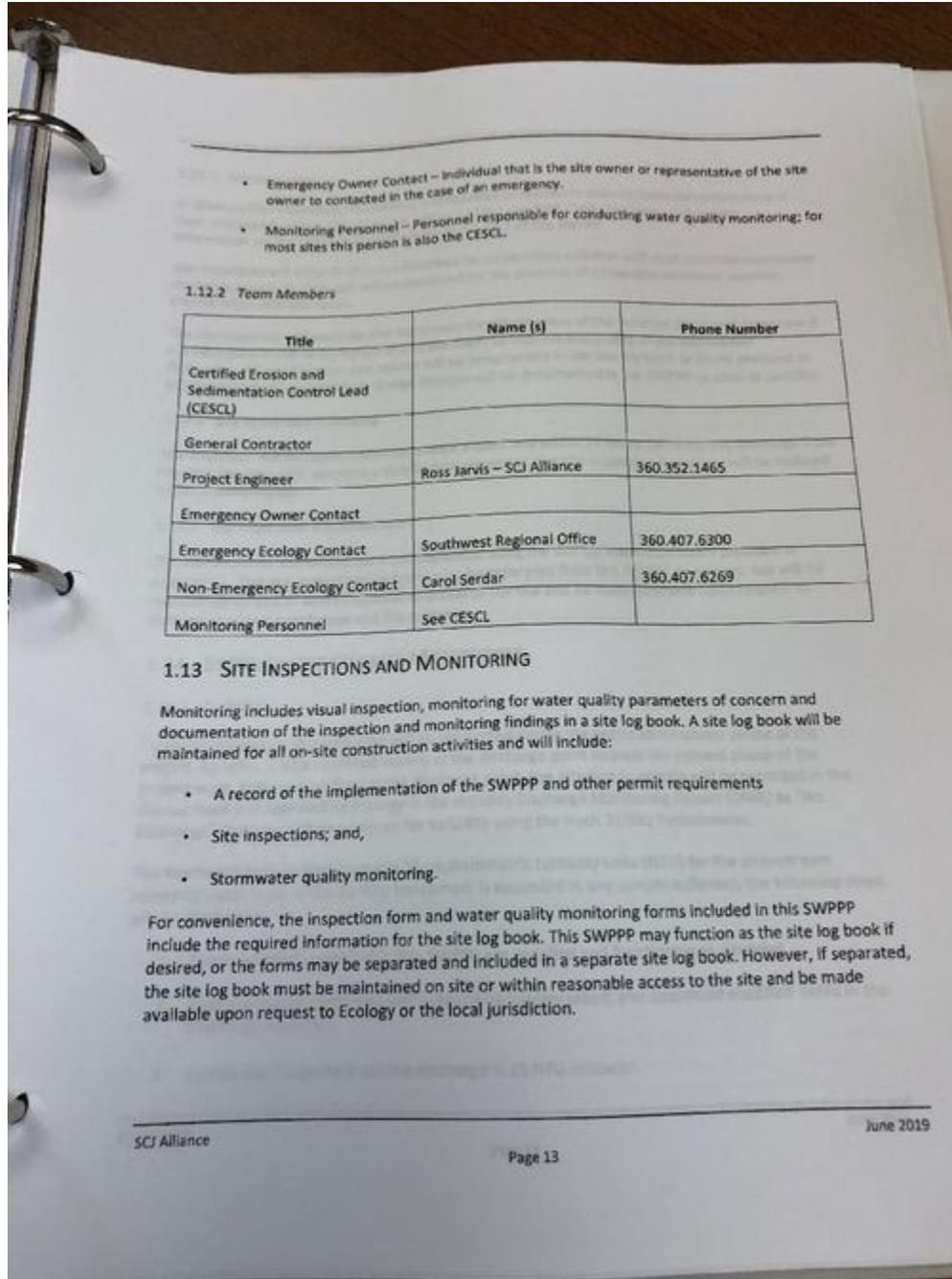
**Photo 2**

Photo Description: Unmaintained SWPPP



**Photo 3**

Photo Description: Inadequate/ Unmaintained SWPPP





**Photo 5**

Photo Description: Construction stormwater pond, note slope erosion





**Photo 7**

Photo Description: Stormwater pond; Note slope erosion, and sediment build-up at inlet pipe



**Photo 8**

Photo Description: City of Lacey MS4 (previous discharges noted at this location)



Photo 9

Photo Description: Unstabilized, unworked soils



**Photo 10**

Photo Description: Unstabilized, unworked soils



**Photo 11**

Photo Description: Unstabilized, unworked soils; Concrete waste dumped on bare soils



Photo 12

Photo Description: Inlet at primary construction access



**Photo 13**

Photo Description: Unmaintained inlet protection



Photo 14

Photo Description: Track-out (site-level)



Photo 15

Photo Description: Track-out (lot level)



Photo 16

Photo Description: Track-out



**Photo 17**

Photo Description: Turbid water collecting in on-site catch basins



Photo 18

Photo Description: Paint waste dumped in unlined pit



Photo 19

Photo Description: Paint/ construction waste dumped on bare soils



Photo 20

Photo Description: Unstabilized, unworked soils; Track-out







Photo 23

Photo Description: Unstabilized, unworked soils



**Photo 24**

Photo Description: Unmaintained inlet protection (on-site; discharges to stormwater pond)



Photo 25

Photo Description: Track-out; and sediment build-up around inlets



Photo 26

Photo Description: Petroleum sheen on pavement



**Photo 27**

Photo Description: Unmaintained stormwater channel ; Unstabilized, unworked soils



Photo 28

Photo Description: General view of site interior

