



FINDINGS and ALLEGED VIOLATIONS

Expedited Settlement Offer Worksheet

Consult instructions regarding eligibility criteria and procedures prior to use

version: June 2019

	LEGAL NAME(s) AND MAILING ADDRESS(ES)	TELEPHONE NUMBER(s)	NPDES Permit Number			
1	Operator 1		WAR312451			
	Cyle Boeck, Project Manager					
	HD Fowler SR-3 Industrial Stock Yard		Inspection Information			
	Intersection of SR-3 and SW Birt Drive		Inspector Agency:	EPA		
	Port Orchard, Washington 98642		Entrance Interview Conducted:		Yes	
			Exit Interview Conducted:		Yes	
	Operator 2:		Exit Interview given to:	Kyle Webb amd Reuben Halme		
	Kyle Webb, Superintendent		Exit Interview time:	12:00 PM	Date:	01/22/2024
	Tapani Inc.					
	Intersection of SR-3 and SW Birt Drive		Inspector Name:	Jon Klemesrud and Emily Siangkam		
	Port Orchard, Washington 98642					
	LOCATION AND ADDRESS OF SITE					
2	HD Fowler SR-3 Industrial Stock Yard					
	Intersection of SR-3 and SW Birt Drive					
	Port Orchard, Washington 98642					
	FACILITY DESCRIPTION / CONTACT NAMES					
3	Name of Site Contact (ESO Worksheet recipient):		Cyle Boeck, Project Manager; Kyle Webb, Superintendent with Tapani, Inc.; and Reuben Halme, Civil Superintendent with Tapani, Inc.			
	Name of Authorized Official (40 CFR 122.22):					
	Inspection Date:		01/22/2024			
	Start Construction Date:		09/01/2023			
	Estimated Completion Construction Date:		08/01/2024			
	If Unpermitted, Number of Months Unpermitted:					
	Name of Receiving Water Body (Indicate whether 303(d) listed):		Gorst Creek			
	Acres Disturbed Acres for Whole Common Plan:		8.16			
	Has Operator Requested Rainfall Erosivity or TMDL Waiver per 44 CFR 122.26(b)(15)?			No		

			Findings	CGP Citation	RCA*	No. of Deficiencies		Penalty Amount	Total
SWPPP REVIEW									
10		SWPPP does not include:							
11		Site Map							
	B	Site map does not include all elements required by the Permit. (Count each omission as one violation up to \$600.)	Additional discharge point location - catch basin that discharges to rip rap area at SR-3 roadside ditch not identified in facility's SWPPP site map.	S9.E.8		1	X	\$60	\$60
12		SWPPP does not:							
	B	Describe the specific controls to be implemented to meet the effluent limits for erosion and sediment controls. (Count one violation for each missing control measure up to a maximum of \$900.)	Missing controls for catch basin discharge to SR-3 roadside ditch that's required to be monitored and be within pH and turbidity limits and accumulated sediment observed at discharge location	S9.C.1, S9.D.4 and S9.D.10		1		\$300	\$300
21	A	SWPPP (including site map) has not been updated/modified as required by the Permit. (Count each omission as one violation.)	SWPPP not updated to include catch basin discharge and BMPs and required sampling to prevent pollution. SWPPP not updated to reflect dewatering discharge to onsite vegetative area for infiltration rather than to sedimentation trap or pond.	S9.B.2		2	X	\$60	\$120
INSPECTIONS									
26		Site inspection report does not include all information required by the Permit. (Count each omission as one violation.)	Weekly inspection reports do not include turbidity and pH sampling data for catch basin discharge point that discharges to SR-3 roadside ditch (rip rapped area) for each week there was at least 0.5" rain in any one day of that week between when the first DMR of permit coverage was due on July 15, 2023 up until EPA's inspection in January 22, 2024 = 14 weeks	S4		14	X	\$60	\$840
BEST MANAGEMENT PRACTICES									
28		General Maintenance Requirements:							
	A	Failure to ensure that all stormwater controls are maintained and remain in effective operating condition (i.e., all routine maintenance-and corrective actions are performed within the timeframes required by the Permit). (Count each failure to timely maintain each control as one violation.)	"Permittees 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." The Stormwater Management Manual for Western Washington (July 2019) lists maintenance standards for BMP C233 (Silt Fence) which includes: "Remove sediment deposits when the deposit reaches approximately one-third the height of the silt-fence or install a second silt-fence. At the time of inspection, a section of silt fence along the western perimeter was observed to be in need of maintenance based upon the written standard.	S9.D.11		1	X	\$300	\$300
		Control measures are not properly selected, installed or maintained:							

			Findings	CGP Citation	RCA*	No. of Deficiencies		Penalty Amount	Total
38		Failure to protect storm drain inlets by installing inlet protection measures that remove sediment from discharges prior to entry into a storm drain inlet. (Count each failure as one violation.)	Permit Condition S9.D.7. states: "Protect all storm drain inlets made operable during construction so that stormwater runoff does not enter the conveyance system without first being filtered or treated to remove sediment."; At the time of inspection, no inlet protection was observed to be installed for the identified catch basin that discharged to rip rap area at SR-3 roadside ditch.	S9.D.7		1	X	\$600	\$600
		Pollution Prevention Requirements							
SMALL BUSINESS EVALUATION									
52		Is the Owner/Operator a Small Business?	Yes					Yes or No	
		A <i>small business</i> is defined by EPA's Small Business Compliance Policy as: "a person, corporation, partnership, or other entity that employs 100 or fewer individuals (across all facilities and operations owned by the small business)." The number of employees should be considered as full-time equivalents on an annual basis, including contract employees (see 40 CFR 372.3). A full time employee unit is 2000 hours worked per year.							
TOTAL EXPEDITED SETTLEMENT:								\$2,220	