

Expedited Settlement Offer Worksheet**Findings and Alleged Violations**Consult instructions regarding eligibility criteria
and procedures prior to use

version: 2023 Construction Stormwater ESA



	LEGAL NAME AND MAILING ADDRESS OF OPERATOR	Telephone Number		NPDES Permit Number				
1	Balwinder Singh	908-720-7022		NJU332025/NJG0377287				
	38 Roxy Avenue	Inspector Name:		Patrick Whalen, Jasmine Guerra				
	Edison Twp, NJ 08820	Inspector Agency:		USEPA				
		Entrance Interview Conducted:		No				
		Exit Interview Conducted:		Yes				
	LOCATION AND ADDRESS OF SITE	Exit Interview given to:		Hizar Mojahed				
2	Singh SFR	Exit Interview date / time:		11/25/2025				
	24 Wychwood Way							
	Warren, New Jersey, 07059							
	FACILITY DESCRIPTION / CONTACT NAMES							
3	Name of Site Contact (ESO Worksheet recipient): Balwinder Singh, Permittee							
	Name of Authorized Official (40 CFR 122.22): Balwinder Singh							
	Inspection Date: 11/24/2025							
	Start Construction Date: 11/12/2024							
	Estimated Completion Construction Date:							
	If Unpermitted, Number of Months Unpermitted: 12							
	Name of Receiving Water Body (Indicate whether 303(d) listed): Dock Watch Hollow Brook tributary							
	Acres Disturbed Acres for Whole Common Plan: 1.65							
	Operator Requested Rainfall Erosivity or TMDL Waiver (44 CFR 122.26(b)(15))					NJDEP 5G3 Construction Activity Stormwater General Permit		
	PERMIT COVERAGE	CGP Citation	RCA*	No. of Deficiencies	Multiply	Penalty Amount	Total	Notes
4	Operator discharged stormwater without a permit on one or more days during 12 months (# of months with an unauthorized discharge equals number of violations)	CWA 301		12	X	\$600.00	\$7,200	Given the approximate start date of the construction being around November 12, 2024, the permittee operated on Site without 5G3 Permit coverage for about 12 months
	USE OF CATIONIC TREATMENT CHEMICALS (WHERE APPLICABLE)							
5	Proper notice was not provided for use of cationic treatment chemicals prior to submittal of the NOI. NOTE that this applies only to the failure to provide notice in the absence of a discharge to a storm drain or water.	1.1.9				\$300.00	\$0	
	POST NOTICE OF PERMIT COVERAGE							
6	A Sign/notice not posted as required. (If no sign/notice posted, leave element B blank.)	1.5		1		\$300.00	\$300	There was no signage posted on site as require by the 5G3
	B Sign/Notice was missing one or more elements required by the Permit. (Count each omission under B as one violation.)	1.5.a-d			X	\$60.00	\$0	
	SWPPP REVIEW							
7	No SWPPP prepared at time of inspection. (If no SWPPP, leave elements 8 - 21 blank)	7.1				\$6,000.00	\$0	

8		SWPPP prepared after construction start (# of months = # of violations with a maximum penalty of \$6,000). NOTE that elements 9 - 21 only apply to the months when the operator had a SWPPP. The maximum penalty for all SWPPP violations is \$6,000.	7.1			X	\$1,000.00	\$0	
9	A	SWPPP does not list all operators for the project site and the areas of the site over which each operator has control.	7.2.1				\$600.00	\$0	
	B	SWPPP does not identify stormwater team and respective responsibilities.	7.2.2				\$300.00	\$0	
10		SWPPP does not include:							
	A	Description of the nature of construction activities.	7.2.3.a				\$120.00	\$0	
	B	The size of the property; the total area expected to be disturbed by the construction activities; the maximum area expected to be disturbed at any one time including onsite and offsite construction support activity areas.	7.2.3.b, c, e				\$120.00	\$0	
	C	A description of any onsite/offsite construction support activities.	7.2.3.d				\$600.00	\$0	
	D	A description and projected schedule for each portion of the site that includes all elements/dates required by the Permit. (Count each omitted category as one violation.)	7.2.3.f			X	\$300.00	\$0	
	E	A list and description of all pollutant-generating activities.	7.2.3.g				\$300.00	\$0	
	F	Public Emergencies: Required information for public emergency situations. NOTE that operator has 30 days to complete SWPPP after commencing construction.	7.2.3.i & 1.4				\$300.00	\$0	
11		Site Map							
	A	Site map not included in SWPPP.	7.2.4				\$600.00	\$0	
	B	Site map does not include all elements required by the Permit. (Count each omission as one violation up to \$600.)	7.2.4.a-j			X	\$60.00	\$0	
12		SWPPP does not:							
	A	Identify all authorized non-storm water discharges that will or may occur.	7.2.5				\$600.00	\$0	
	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.)	7.2.6., 2.2				\$300.00	\$0	
		For each specific erosion and sediment control identified in the SWPPP, include all information required by the Permit. (Count 1 violation for each control with incomplete information.)	7.2.6			X	\$100.00	\$0	
	C	Describe the specific controls to be implemented to meet the effluent limits for pollution prevention. (Count one violation for each missing control measure up to a maximum of \$900.)	7.2.6, 2.3			X	\$300.00	\$0	
		For each specific pollution prevention control measure identified in the SWPPP, include all information required by the Permit. (Count each control with incomplete information as 1 violation.)	7.2.6			X	\$100.00	\$0	
	D	Describe the specific controls to be implemented to meet the effluent limits for construction dewatering.	7.2.6, 2.4			X	\$300.00	\$0	
		For each specific dewatering control measure identified in the SWPPP, include all information required by the Permit. (Count each control with incomplete information as 1 violation.)	7.2.8			X	\$300.00	\$0	
	E	Document for sites affected by unforeseen circumstances that delay initiation and/or completion of Vegetative Stabilization the circumstances and the schedule for initiating and completing stabilization.	7.2.6.b.vii.(d); 2.2.14				\$300.00	\$0	
13	A	SWPPP does not describe the procedures for Inspection, Maintenance and Corrective Action.	7.2.7; 2.1.4; 4; 5				\$600.00	\$0	
	B	Description of Inspection, Maintenance and Corrective Action procedures does not include all information required by the Permit. (Count each applicable omission as one violation.)	7.2.7.a-d			X	\$120.00	\$0	
14		SWPPP does not include documentation that required personnel were, or will be, trained in accordance with Permit requirements.	7.2.8; 6				\$300.00	\$0	
15		Threatened and Endangered Species Act documentation is not included in SWPPP.	7.2.8.a				\$600.00	\$0	
16		Historic Properties documentation is not included in SWPPP.	7.2.8.b				\$600.00	\$0	
17		SWPPP does not document contacts, where applicable, with UIC regulatory authority regarding compliance with SDWA UIC Requirements for Certain Subsurface Stormwater Controls.	7.2.8.c				\$600.00	\$0	

18		SWPPP not signed/dated/certified.	7.2.9				\$600.00	\$0	
19		Copy of NOI and relevant correspondence, acknowledgement letter received from NeT, or Permit (can be electronic) not included as part of SWPPP. (Count each omission as one violation.)	7.2.10 a-c			X	\$300.00	\$0	
20		Copy of SWPPP is not retained on site or otherwise easily accessible.	7.3				\$600.00	\$0	
21	A	SWPPP (including site map) has not been updated/modified as required by the Permit. (Count each omission as one violation.)	7.4.1			X	\$60.00	\$0	
	B	SWPPP modifications do not meet record keeping, approval or notification requirements. (Count each omission as 1 violation.)	7.4.2; 7.4.3; 7.4.4			X	\$60.00	\$0	
22		INSPECTIONS							
	A	Number of Inspections required if performed every 7 days:							
	B	Number of Inspections required if performed every 14 days:			0				
	C	If known, and if applicable, number of days of rainfall of > 0.25" :							
	D	Number of inspections required under a reduced frequency			0				
	E	TOTAL number of required inspections			0				
	F	TOTAL number of inspections conducted/documented			FALSE				
23	A	All required inspections were not conducted and timely documented. (If NO inspections were conducted and documented, then leave elements 24-28 blank)					True or False		
	B	Inspections not performed and timely documented. (Count each failure to inspect and document as one violation.)	4.2 - 4.4; 4.7.1		1	X	\$300.00	\$300	The 5G3 requires weekly routine inspections to be conducted and documented. Site documentation associated with the 5G3 was submitted to EPA on November 24, 2025, 10 days after obtaining 5G3 authorization. No documentation of the required routine inspection was provided.
24		Inspections not conducted by qualified personnel. (Count each inspection conducted without qualified personnel as one violation.)	4.1			X	\$60.00	\$0	
25		Areas to be inspected and signs and conditions to be checked for: Failed to inspect all required areas as identified in the Permit or to check for signs of erosion or sedimentation or to check for conditions that could lead to spills, etc. (Count each omission as one violation.)	4.5; 4.6.1			X	\$60.00	\$0	
26		Site inspection report does not include all information required by the Permit. (Count each omission as one violation.)	4.7.1.a-e			X	\$60.00	\$0	
27	A	Inspection reports not properly signed/certified. (Count each failure to sign/certify as one violation.)	4.7.2			X	\$60.00	\$0	
	B	Copies of inspection reports have not been retained onsite or at easily accessible location.	4.7.3; 4.7.4				\$600.00	\$0	
		BEST MANAGEMENT PRACTICES							
		General Maintenance Requirements:							
28	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.)	2.1.4; 2.2; 5.2		1	X	\$300.00	\$300	At the time of the CEI, the Site's Soil Erosion and Sediment Control Plan noted that all Site silt fence would be inspected and remedial maintenance performed by the contractor within 24 hours after each rain. According to rain data collected by the National Oceanic and Atmospheric Administration at Bounds Brook 2W weather observation station, approximately 0.18 inches of rain was measured on November 22, 2025 (See Attachment 4). At the time of the CEI, on November 24, 2025, EPA noted numerous areas of the Site silt fencing were down, ripped, torn, and or in need of maintenance
	B	Failure to complete a Corrective Action report when required in accordance with Permit requirements. (Count each missing/deficient report as 1 violation.)	5.4.1, 5.4.2, 5.4.4			X	\$300.00	\$0	
	C	Corrective Action Reports not properly signed. (Count each failure to sign as one violation.)	5.4.3			X	\$60.00	\$0	

		Control measures are not properly selected, installed or maintained:						
29		Failure to provide a 50-ft undisturbed natural buffer or equivalent erosion and sediment control when a water of the US is located within 50 feet of the site's earth disturbances. (Count each failure as one violation.)	2.2.1		X	\$600.00	\$0	
30		Failure to direct stormwater to vegetated areas to maximize infiltration and filtering (unless infeasible). (Count each failure as one violation.)	2.2.2		X	\$600.00	\$0	
31		Failure to install sediment controls along all perimeter areas of the site that will receive pollutant discharges (or, for linear construction sites where such controls are infeasible, to implement other appropriate practices). (Count each failure as one violation.)						
	A	If Common Drainage is 10+ acres	2.2.3		X	\$1,200.00	\$0	
	B	If Common Drainage is less than 10 acres	2.2.3	1	X	\$600.00	\$600	At the time of the CEI, the Site's Soil Erosion and Sediment Control Plan noted the Site's silt fence to be continuous and only having one (1) gap where the Site entrance, off of Wychwood Way, is located. EPA noted on the East side of the Site, a second gap in the silt fence was observed near a sediment stockpile.
32		Failure to minimize sediment trackout in accordance with Permit requirements. (Count each failure as one violation.)	2.2.4.a-d	1	X	\$600.00	\$600	According to guidance in the most recent version of "Standards for Soil Erosion and Sediment Control in New Jersey", the Site entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto roadways. All sediment spilled, dropped, washed, or tracked onto roadways (public or private) or other impervious surfaces must be removed immediately. At the time of the CEI, EPA noted off-site tracking of dust and material onto Wychwood Way
33		Failure to properly manage stockpiles or land clearing debris piles composed of sediment and/or soil. (Count each failure as one violation.)	2.2.5.a-d		X	\$600.00	\$0	
34		Failure to minimize dust through appropriate application of water or other dust suppression techniques. (Count each failure as one violation.)	2.2.6		X	\$600.00	\$0	
35		Failure to minimize disturbances of "steep slopes". (Count each failure as one violation.)	2.2.7		X	\$600.00	\$0	
36		Failure to preserve native topsoil (unless infeasible). (Count each failure as one violation.)	2.2.8		X	\$600.00	\$0	
37		Failure to minimize soil compaction in areas where final vegetative stabilization will occur or where infiltration practices will be installed. (Count each failure as one violation.)	2.2.9E102:J102		X	\$600.00	\$0	
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.)	2.2.10.a		X	\$600.00	\$0	
39		Failure to use erosion controls and velocity dissipation devices within and along the length of any stormwater conveyance channel and at any outlet to slow down runoff to minimize erosion. (Count each failure as one violation.)	2.2.11		X	\$600.00	\$0	
40		Failure to properly design or locate sediment basin or similar impoundment in accordance with Permit requirements. (Count each failure as one violation.)	2.2.12.a-e		X	\$1,200.00	\$0	
41		Failure to comply with Permit requirements for use of treatment chemicals. (Count each failure as one violation.)	2.2.13.a-f		X	\$200.00	\$0	
42		Failure to initiate and complete stabilization measures within the deadlines required by the Permit. (Count each failure as one violation.)	2.2.14.a		X	\$600.00	\$0	
43		Final Stabilization Criteria not achieved as required.	2.2.14.c			\$1,200.00	\$0	

44	Other needed control measures not properly selected or installed. (Each omission is 1 violation.)	2.1		1	X	\$600.00	\$600	According to guidance in the most recent version of "Standards for Soil Erosion and Sediment Control in New Jersey", the geotextile fabric of the silt fence shall be buried at least 6 inches deep in the ground. At the time of the CEI, the bottom edges of the Site's southern silt fencing were exposed and not dug into the ground
	Pollution Prevention Requirements							
45	Failure to provide effective controls for equipment and vehicle fueling and maintenance activities. (Count each failure as one violation.)	2.3.1.a-f			X	\$600.00	\$0	
46	Failure to effectively minimize the discharge of pollutants from equipment and vehicle washing. (Count each failure as one violation.) NOTE that discharges of soaps, solvents or detergents to a storm drain or receiving water are not eligible for an ESA.	1.2.2; 2.3.2.a-c			X	\$600.00	\$0	
47	Failure to implement appropriate controls to prevent/minimize the discharge of pollutants from any of the following: building materials/products; landscaping chemicals and materials; petroleum products and other chemicals; hazardous and toxic waste; construction and domestic wastes; and/or sanitary wastes. (Count each failure as one violation.) NOTE that any nonallowable, non-stormwater discharges to a storm drain or receiving water are not eligible for an ESA.	2.3.3.a-f		2	X	\$600.00	\$1,200	At the time of the CEI, EPA noted unlabeled barrels stored near a gap in silt wall without secondary containment in the East side of the Site. EPA also noted uncovered and uncontained waste material exposed to stormwater along the northern and western sides of the proposed dwelling
48	Failure to provide effective controls for concrete washout. NOTE that nonallowable, non-stormwater discharges to a storm drain or water are not eligible for an ESA.	2.3.4.a-c				\$1,000.00	\$0	
49	Failure to provide effective controls for washing applicators/containers for stucco, paint, form release oils, curing compounds or other materials. (Count each failure as one violation.) NOTE that nonallowable, non-stormwater discharges to a storm drain or receiving water are not eligible for an ESA.	2.3.4.a-c			X	\$600.00	\$0	
50	Failure to comply with requirements for application of fertilizers.	2.3.5.a-f				\$600.00	\$0	
51	Failure to comply with Permit requirements for construction dewatering in order to minimize the discharge of pollutants. (Count each failure as 1 violation.) Use of waters of the US as part of the treatment area is not eligible for an ESA.	2.4			X	\$600.00	\$0	
	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.							
							\$11,100	
	ADJUSTMENT FOR REPEAT VIOLATOR:							
54	For Repeat Violators, the Expedited Settlement Amount should be adjusted upward using the appropriate Escalation Factor. Enter either 0.25 (1st time Repeat Violator) or 0.5 (2nd or more times) into Column G. Leave this row blank if this is not a Repeat Violator.				X	\$11,100.00	\$0	

Total Expedited Settlement Amount	\$11,100
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*RCA: Requires Corrective Action