

S. EPA REGION 10 **HEARING CLERK**

UNITED ST

Expedited Settlement Offer Worksheet Findings and Alleged Violations Consult instructions regarding eligibility criteria and procedures prior to use Version: 2021 Washington State Construction Stormwater General Permit

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	LEGAL NAME AND MAILING ADDRESS OF OPERATOR		Tolonk	ono Nun	nhor		NPDES Per	mit Numbor	
	Brenda Donovan		Telephone Number			WAR313285			
			(253) 285-1859 Inspector Name:						
	BP Products North America				Emily Siangkam				
	P.O Box 6038		Inspector Agen	cy:		EPA Region 10 Yes		gion 10	
ŀ	Artesia, California 90702		Entrance Interv	iew Cond	ducted:			es	
r i				t Interview Conducted:			Ye		
1	LOCATION AND ADDRESS OF SITE		Exit Interview g			M		and Josh Smith	
			-			IV			
	Delridge Arco AM PM		Exit Interview d	ate / time	e:		September	16, 2024	
	7301 Delridge Way SW								
9	Seattle, Washington 98106								
						-			
						_			
ŀ	FACILITY DESCRIPTION / CONTACT NAMES								
		Name of Site Contact (ESO Worksheet recipient):	Jared Gallien						
		Name of Authorized Official (40 CFR 122.22):	Brenda Donova	n					
		Inspection Date:							
		Start Construction Date:							
		Estimated Completion Construction Date:	10/02/2024						
		If Unpermitted, Number of Months Unpermitted:	s Unpermitted:						
		· · · · · · · · · · · · · · · · · · ·	Longfellow C	reek (30)	3(d) listed for	r temnei	rature dissolv	ved oxygen, E.c	
I I		Name of Receiving Water Body (Indicate whether 303(d) listed):		(00)		al colifo		, goi, Li	
⊢┼									
Ш		Acres Disturbed Acres for Whole Common Plan:			0.12 Acres	s 0.851	Acres		
	Operator Requested Rainfall Erosivity or TMDL Waiver (44 CFR 122.2)	5(b)(15))							
					No. of		Demail		
F	PERMIT COVERAGE	Findings	CGP Citation	RCA*	Deficiencie	Mult-	Penalty	Total	
		-			S	imply	Amount		
r c	Operator discharged stormwater without a permit on one or more days		CWA 301;		1		\$600.00		
	duringmonths (# of months with an unauthorized discharge		S1.B.1		1	1	ψ500.00		
	equals number of violations)		51.0.1		1	1			
	USE OF CATIONIC TREATMENT CHEMICALS (WHERE								
	APPLICABLE)		00 5 6				0000 /-		
	Proper notice was not provided for use of cationic treatment chemicals		S9.D.9.i		I	1	\$300.00		
	prior to submittal of the NOI. NOTE that this applies only to the failure to				1	1			
P	provide notice in the absence of a discharge to a storm drain or water.				1	1			
	PUBLIC NOTICE OF PERMIT COVERAGE								
A	Notice not published as required. (If no sign/notice published, leave		S2.B				\$300.00		
	element B blank.)								
	Notice was missing one or more elements required by the Permit. (Count		S2.B.1-6				\$60.00		
	each omission under B as one violation.)				I	1			
	SWPPP REVIEW				Î	1			
	No SWPPP prepared at time of inspection. (If no SWPPP, leave		S9		1		\$6,000.00		
	elements 8 - 21 blank)		28		1	1	φ0,000.00		
	SWPPP prepared after construction start (# of months = # of violations		S3.B; S9		1	+	\$1,000.00		
	with a maximum penalty of \$6,000). NOTE that elements 9 - 21 only		00.D, 09		I	1	φ1,000.00		
					1	1			
	apply to the months when the operator had a SWPPP. The maximum penalty for all SWPPP violations is \$6,000.				1	1			
	SWPPP does not list all operators for the project site and the areas of the		S9.B.1.a;		 	+ +	\$600.00		
	SWPPP does not list all operators for the project site and the areas of the site over which each operator has control.		S9.B.1.a; S.9.B.1.d;		1	1	φυυυ.υυ		
s	ane over which each operator has control.				1	1			
	PM/DDD does not identify at most to to one of the fill		S.9.B.2	I		4	A000 0-		
	SWPPP does not identify stormwater team and respective		S4.B.1.b;		1	1	\$300.00		
	responsibilities.		S4.B.3						
	SWPPP does not include:								
A	Description of the nature of construction activities.		S9.B.1.d;			1 T	\$120.00		
			S9.B.2		<u> </u>				
	The size of the property; the total area expected to be disturbed by the		S9.E; S9.E.4				\$120.00		
	construction activities; the maximum area expected to be disturbed at any				1	1			
c	one time including onsite and offsite construction support activity areas.				1				
					1	1			
C /	A description of any onsite/offsite construction support activities.		S1.C.2; S9.E.6		ſ		\$600.00		
	A description and projected schedule for each portion of the site that		S9.B.1.d;		i		\$300.00		
D	includes all elements/dates required by the Permit. (Count each omitted		S9.B.2		I	1	<i>\$530.00</i>		
					1	1			
i	category as one violation.)					1			
i	category as one violation.)								
ii c			S9 B 2				\$300.00		
ii C E /	A list and description of all pollutant-generating activities.		\$9.B.2				\$300.00		
E F F	A list and description of all pollutant-generating activities. Public Emergencies: Required information for public emergency		S9.B.2 S5.F				\$300.00 \$300.00		
E F F s	A list and description of all pollutant-generating activities. Public Emergencies: Required information for public emergency situations. NOTE that operator has 30 days to complete SWPPP after								
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E A F F S o S	A list and description of all pollutant-generating activities. Public Emergencies: Required information for public emergency situations. NOTE that operator has 30 days to complete SWPPP after commencing construction. Site Map		S5.F				\$300.00		
E A F F S A	A list and description of all pollutant-generating activities. Public Emergencies: Required information for public emergency situations. NOTE that operator has 30 days to complete SWPPP after commencing construction. Site Map Site map not included in SWPPP.		S5.F S9.E				\$300.00 \$600.00		
F F S A S B	A list and description of all pollutant-generating activities. Public Emergencies: Required information for public emergency situations. NOTE that operator has 30 days to complete SWPPP after commencing construction. Site Map Site map not included in SWPPP. Site map does not include all elements required by the Permit. (Count	During the 9/16/2024 inspection, the inspector observed that 1) the vicinity	S5.F	X	3		\$300.00		
F F S A S B	A list and description of all pollutant-generating activities. Public Emergencies: Required information for public emergency situations. NOTE that operator has 30 days to complete SWPPP after commencing construction. Site Map Site map not included in SWPPP.	maps did not identify the receiving waters (Longfellow Creek) within one mile	S5.F S9.E	x	3		\$300.00 \$600.00		
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		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.)	During the 9/16/2024 inspection, the inspector observed potable water flowing down the driveway of the property from an air/water station. The SWPPP did not discuss that the discharge from potable water must undergo dechlorination to a concertation of 0.1 parts per million or less and pH adjustment to within 6.5-8.5 standard units, if necessary. This observation	S9.A.2; S9.C.4; S9.D.9; S1.C.3	x	1	\$300.00	\$300
		For each specific pollution prevention control measure identified in the	consititutes one violation of S1.C.3 of the permit.	S9.D.9.a-j			\$100.00	\$0
		SWPPP, include all information required by the Permit. (Count each control with incomplete information as 1 violation.) Describe the specific controls to be implemented to meet the effluent		S9.D.10			\$300.00	\$0
		limits for construction dewatering. For each specific dewatering control measure identified in the SWPPP,		S9.D.10.a-d			\$300.00	\$0
		include all information required by the Permit. (Count each control with incomplete information as 1 violation.)						
		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.		S9.D.5; S9.D.8			\$300.00	\$0
13	A	SWPPP does not describe the procedures for Inspection, Maintenance and Corrective Action.		S9.B.2; S9.D.12			\$600.00	\$0
Γ		Description of Inspection, Maintenance and Corrective Action procedures does not include all information required by the Permit. (Count each regulated the president of the pr		S4.B.2.c.2; S4.B.4.g a-l;			\$120.00	\$0
14		applicable omission as one violation.) SWPPP does not include documentation that required personnel were, or will be, trained in accordance with Permit requirements.		S9.B.1.e S4.B.1			\$300.00	\$0
15		Threatened and Endangered Species Act documentation is not included in SWPPP.		N/A			\$600.00	\$0
16 17		Historic Properties documentation is not included in SWPPP. SWPPP does not document contacts, where applicable, with UIC		N/A S3.D			\$600.00 \$600.00	\$0 \$0
		regulatory authority regarding compliance with SDWA UIC Requirements for Certain Subsurface Stormwater Controls.						
18 19		SWPPP not signed/dated/certified. Copy of NOI and relevant correspondence, acknowledgement letter		S9.D.12.c S5.C			 \$600.00 \$300.00	\$0 \$0
		received from NeT, or Permit (can be electronic) not included as part of SWPPP. (Count each omission as one violation.)						
20		Copy of SWPPP is not retained on site or otherwise easily accessible. SWPPP (including site map) has not been updated/modified as required		S5.C; S5.G.1.c			\$600.00	\$0
21		SWPPP (including site map) has not been updated/modified as required by the Permit. (Count each omission as one violation.)		S9.D.12.c			\$60.00	\$C
		SWPPP modifications do not meet record keeping, approval or notification requirements. (Count each omission as 1 violation.)	During the 9/16/2024 inspection, the inspector identified that the SWPPP had not been updated since construction began on May 28, 2024. 1) The June 2024 discharge monitoring report (DMR) indicated a turbidity sample had reached 164 NTUs for the week of 6/3/2024. The SWPPP was not modified to show the silt fences were replaced with straw wattles. 2) The July 2024 DMR documented a corrective action that a silt fence needed replacing. None of the changes or maintenance actions are reflected in the sites maps, nor are the revisions in the SWPPP narrative.3) the SWPPP was not modified to include Mr. Dennis Lindelof as an CECSL inspector. t. These observations constitute three violations of S9.B.2 and S4.B1.b of the Permit.	S9.B.2; S4.B1.b	x	3	\$60.00	\$180
22		INSPECTIONS						
ŀ	B	Number of Inspections required if performed every 7 days: Number of Inspections required if performed every 14 days:						
	C	If known, and if applicable, number of days of rainfall of > 0.25" : Number of inspections required under a reduced frequency						
	Е	TOTAL number of required inspections TOTAL number of inspections						
		All required inspections were not conducted and timely documented. (If NO inspections were conducted and documented, then leave		S4.B.1.b; S4.B.4			True or False	
-		elements 24-28 blank) Inspections not performed and timely documented. (Count each failure to		S4.B.2			\$300.00	\$0
		inspect and document as one violation.)						
24		Inspections not conducted by qualified personnel. (Count each inspection conducted without qualified personnel as one violation.)		S4.B			\$60.00	
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.)		S4.B.3			\$60.00	\$(
26		Site inspection report does not include all information required by the Permit. (Count each omission as one violation.)	During the 9/16/2024 Inspection, the inspector identified 1) that the most recent inspection report dated September 4, 2024 does not include an implementation schedule for the remedial action for the incorrect installation of the silt dike (photos 28-29). 2) The report did not include a reliable method of contact for the inspector. These observations constitute two violations of S.4.B.4.j and S4.B.4.m of the permit.	S4.B.4.a-m	×	2	\$60.00	\$12
27		Inspection reports not properly signed/certified. (Count each failure to sign/certify as one violation.)		S4.B.4.m			\$60.00	\$0
		Copies of inspection reports have not been retained onsite or at easily accessible location. BEST MANAGEMENT PRACTICES		S5.G.1.d			\$600.00	\$0
		General Maintenance Requirements:						
28		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.)	During the inspection on 9/16/2024 the inspector observed six sections of the silt fence in need of repair: 1) Two silt fences down on Delridge Way SW by the excavator (photo 9 in the inspection report), 2) Delridge Way SW (photo 10) 3) Facing north, toward the intersection of Delridge Way SW and SW Orchard Street (photo 11) 4) Facing north, toward the intersection of Delridge Way SW and SW Orchard Street (photo 12), 5) Facing the intersection of SW Orchard Street and Delridge Way SW (photo 13). Catch basin CB-2 was not cleaned or removed when sediment filled one-third of the available storage (photo 21). The EPA inspector observed the catch basin uses half-filled with leaves and sediment. There was a gap in triangular silt dikes along the fence by the site entrance, where it was observed by the EPA inspector that sediment had made it past the dike and fence. These observations constitute eight violations of S9.D.7, S9.D.11, and S9.D.9.b of the permit.	S3.C.2; S9.D.11	x	8	\$300.00	\$2,400

. –	Failura da annulada a Cama dina Antoni annuada d	 000			
в	Failure to complete a Corrective Action report when required in accordance with Permit requirements. (Count each missing/deficient report as 1 violation.)	S5.F		\$300.0	
C	Corrective Action Reports not properly signed. (Count each failure to sign as one violation.)	5.4.3		\$60.0	0 \$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.)	S9.D.1.a; S9.D.4.a		\$600.0	0 \$0
30	Failure to direct stormwater to vegetated areas to maximize infiltration and filtering (unless infeasible). (Count each failure as one violation.)	S9.D.4.e		\$600.0	0 \$0
31	and filtering (unless inteasible). (Count each failure as one violation.) 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	S9.D.4		\$1,200.0	
32 32	If Common Drainage is less than 10 acres Failure to minimize sediment trackout in accordance with Permit	S9.D.4 S9.D.2.d		\$600.0 \$600.0	
33	requirements. (Count each failure as one violation.) Failure to properly manage stockpiles or land clearing debris piles	S9.D.5.a;		\$600.0	
	composed of sediment and/or soil. (Count each failure as one violation.)	S9.D.5.f		φυσυι	- 40
34	Failure to minimize dust through appropriate application of water or other dust suppression techniques. (Count each failure as one violation.)	S9.D.5.a		\$600.0	0 \$0
35	Failure to minimize disturbances of "steep slopes". (Count each failure	S9.D.6		\$600.0	0 \$0
36	as one violation.) Failure to preserve native topsoil (unless infeasible). (Count each failure	S9.D.5.i;		\$600.0	0 \$0
37	as one violation.) Failure to minimize soil compaction in areas where final vegetative	S9.D.1.b S9.D.5.i;		\$600.0	0 \$0
38	stabilization will occur or where infiltration practices will be installed. (Count each failure as one violation.) Failure to protect storm drain inlets by installing inlet protection measures	S9.D.13.b S9.D.7		\$600.0	
	that remove sediment from discharges prior to entry into a storm drain inlet. (Count each failure as one violation.)				
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.)	S9.D.3; S9.D.8		\$600.0	
40	Failure to properly design or locate sediment basin or similar impoundment in accordance with Permit requirements. (Count each failure as one violation.)	S9.D.3.b; S9.D.4.f; S9.D.13.a		\$1,200.0	
41	Failure to comply with Permit requirements for use of treatment chemicals (Count each failure as one violation.)	S9.D.9.b/l; S9.D.5.a		\$200.0	90 \$0
42	Failure to initiate and complete stabilization measures within the deadlines required by the Permit. (Count each failure as one violation.)	S9.D.8.b; S9.D.5; S9.D.11.b		\$600.0	0 \$0
43	Final Stabilization Criteria not achieved as required.	S10.A		\$1,200.0	0 \$0
44	Other needed control measures not properly selected or installed. (Each omission is 1 violation.)	S3.B; S4.B.1.b; S9.B.2.b		\$600.0	0 \$0
45	Pollution Prevention Requirements				
45	Failure to provide effective controls for equipment and vehicle fueling and maintenance activities. (Count each failure as one violation.)	S9.D.2.a; S9.D.9.b-c; S1.D.5		\$600.0	
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.	S9.D.2.a; S9.D.9.b-c; S9.D.2.c; S1.D.6		\$600.0	
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.	S1.D; S7; S9.D.9.a-c		\$600.0	0 \$0
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.	S9.D.9.f-h; S1.D.1		\$1,000.0	0 \$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.	S1.D.2; S9.D.9.f		\$600.0	0 \$0
50	Failure to comply with requirements for application of fertilizers.	S9.D.9.e		\$600.0	
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.	S9.D.10		\$600.0	0 \$C
	SMALL BUSINESS EVALUATION		No		
52	Is the Owner/Operator a Small Business?			Yes or No	

	A small business 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:				\$3,180
	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.	Adjustment for Repeat Violator:			\$3,180.00	\$0
Total	Expedited Settlement Amount			•		\$3,180

*RCA: Requires Corrective Action