

Chiu, Wayne@Waterboards

From: Chiu, Wayne@Waterboards
Sent: Friday, January 08, 2016 4:01 PM
To: 'John La Raia'
Cc: 'Rob Furey'; Walsh, Laurie@Waterboards; Julie Ballesteros (BallesterosJ@sandiego.gov); Clemente, Chiara@Waterboards
Subject: WDID 937C374691 (The Boulevard): 6 January 2016 Inspection
Attachments: 2016-0106 Inspection Photos (The Boulevard).pdf

Mr. La Raia:

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 2030 El Cajon Blvd in the City of San Diego under Order No. 2009-0009-DWQ, the Statewide Construction General Storm Water Permit (CGP). According to information in SMARTS, 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 your site on January 6, 2016 following a storm event, and before another predicted storm event. As there was no one on the site, I inspected the site from 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.

Attached are photos taken during the inspection that show 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. 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 is expected to be implemented prior to a predicted rain event for all active areas. Photos 1 and 2 show 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 waste material from wind and rain at all times unless actively being used. Photo 3 shows what appears to be a waste stockpile that evidently is not being used as there is no activity on the site, and does not have and protection from rain or containment.
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, 2, 4 and 5 show a lack of controls to manage run-on (Photo 4), all runoff within the site (Photos 1 and 2) and runoff that is discharging from the site (Photo 5).
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. Photo 4 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 minimize or prevent pollutants in storm water discharges through the use of controls, structures, management practices that achieve BCT for conventional pollutants. Photo 5 shows discharges from storm water runoff with visible sediment being discharged to a storm drain inlet. The sediment in the discharge was observed to originate from runoff that flowed through the unprotected stockpile in Photo 3 and the unstabilized and unprotected soil berm in Photo 2.

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 15, 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 Diego 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

Water Resource Control Engineer

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California Regional Water Quality Control Board

San Diego Region

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Photo 1



Photo 2



Photo 3



Photo 4



Photo 5