

EPA Surprise Inspections

Attention: All VPDES/VSMP General Construction Permit Holders

All construction projects with greater than one acre of land disturbance are required to obtain a Virginia Stormwater Management Permit (formerly Virginia Pollutant Discharge Elimination System or VPDES). The Virginia authority responsible for the issuance and implementation of this permit program was transferred from the Department of Environmental Quality (DEQ) to the Department of Conservation and Recreation (DCR) in January of 2005. The VSMP General/Stormwater management permit fee is \$500 for sites or common plans of development equal to or greater than 5 acres and \$300 for sites greater than 1 acre and less than 5 acres. Permit requirements include the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP), in addition to the implementation, monitoring and associated documentation of the required management practices identified in the regulations and the SWPPP.

Recently, U.S. Environmental Protection Agency (EPA) staff began conducting direct surprise inspections on land disturbing projects throughout Virginia *with vigor*. The inspection program is not new but initially started in the DC/Maryland area

and has now moved into other states in the EPA Region (Region 3). The inspections have been coordinated with the DCR and localities. EPA staff indicate approximately 80% of the recent inspections have revealed projects which are in violation of the requirements. EPA inspections are not confined to any particular region, but are being conducted throughout Virginia. When projects are found to be in violation, EPA is directly issuing fines. According to the EPA, the inspections are used as a deterrent in order to raise awareness of permit requirements. Note that criminal penalties are also possible.

EPA staff indicate that the inspections focus on the required permit, SWPPP, approved erosion and sediment control plans, and components within the plans that dictate compliance including BMPs, tracking sediment from the site, and required site inspections and reports. WEG recommends that all permit holders evaluate their compliance with VSMP/VPDES permit requirements, including inspection and maintenance of required practices and updates/review of the required documentation.



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