



U.S. Environmental Protection Agency
Region 9
Enforcement Division
75 Hawthorne Street
San Francisco, CA 94105-3901

**MUNICIPAL SEPARATE STORM
SEWER SYSTEM (MS4)
COMPLIANCE INSPECTION**

**UNINCORPORATED
REGION OF RIVERSIDE COUNTY:
SANTA MARGARITA WATERSHED**

INSPECTION REPORT

**Inspection Dates:
August 12–13, 2014**

**Report Date:
November 7, 2014**

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Section 1.0 Executive Summary

On August 12–13, 2014, the U.S. Environmental Protection Agency (EPA) and staff from PG Environmental, LLC, an EPA contractor, collectively referred to as the EPA Inspection Team, conducted an inspection of the County of Riverside’s (County) municipal separate storm sewer (MS4) program implemented within the Santa Margarita Watershed in the unincorporated region of the County under the jurisdiction of the San Diego Regional Water Quality Control Board (Regional Board).

The EPA Inspection Team reviewed documents, interviewed staff, and conducted field activities to review the County’s MS4 program. The inspection focused on three components of the County’s program: (1) development planning, (2) construction sites, and (3) illicit discharge detection and elimination (IDDE). At the conclusion of the inspection, the EPA Inspection Team discussed preliminary observations with County representatives.

In this report, EPA identifies program recommendations for improvement. Specifically, EPA recommends that the County:

- Verify the accuracy of its inventory of post-construction BMPs and expand its documentation to include photographs of all constructed or installed post-construction BMPs.
- Review water quality management plans (WQMPs) prior to conducting inspections.
- Modify the County’s inspection forms and/or process for informing construction site owners and/or operators of noncompliance to ensure that corrective actions are implemented in a timely manner.
- Develop standard operating procedures (SOPs) for prioritizing construction sites for inspection, conducting follow-up inspections, pursuing enforcement actions at noncompliant sites, and tracking required corrective actions to resolution. EPA further recommends that the County develop an SOP describing communication procedures between its Health Department and the NPDES Coordinator.
- Update the County outfall selection process for discharges monitored by the Riverside County Flood Control and Water Conservation District (County Flood Control).
- Update its *Jurisdictional Runoff Management Program* (JRMP) to include any new jurisdictional runoff evidence obtained through stormwater investigations and enforcement cases.
- Maintain a construction site inspection frequency consistent with the Permit.

EPA identified one potential permit violation, that being:

- The County’s MS4 map was incomplete in that it did not include all County stormwater facilities, post-construction best management practices (BMPs),

conveyance structures, connections to other MS4s, or the location of all outfalls that discharge from its MS4.

Section 2.0 Unincorporated Riverside County Stormwater Program, Santa Margarita Watershed,

Discharges from the County's MS4, Flood Control and Water Conservation District's MS4, and three other municipalities are regulated under *Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the County of Riverside, the Incorporated Cities of Riverside County, and the Riverside County Flood Control and Water District within the San Diego Region*, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0108766 Order No. R9-2010-0016 issued November 10, 2010 (the Permit).

The Permit is the fourth NPDES MS4 permit. On July 16, 1990, the Regional Water Board adopted an NPDES permit under Order 90-38. This permit was reissued on May 13, 1998, and again on April 27, 1999. The current fourth term MS4 permit Order No. R9-2010-0016 (NDPES No. CAS0108766) became effective on November 10, 2010.

The current MS4 Permit is issued to the Copermittees - County of Riverside, Riverside County Flood Control and Water Conservation District, and the Cities of Murrieta, Temecula, and Wildomar as Copermittees. The Permit authorizes the Copermittees to discharge or contribute to discharges of stormwater from their respective Phase I MS4s into the watershed management areas of the Santa Margarita Watershed. The Santa Margarita Watershed includes the following impaired water bodies, as defined by the Clean Water Act Section 303: Murrieta Creek, Santa Gertrudis Creek, Santa Margarita Lagoon (Camp Pendleton), Santa Margarita River (Upper), Temecula Creek, and Warm Springs Creek.

Santa Margarita Watershed, Unincorporated Riverside County Information

The Santa Margarita Watershed in the unincorporated area of the County falls under the jurisdiction of the California Regional Water Quality Control Board, San Diego Region. According to the 2010 U.S. Census, the population of the County was 2,227,575, with the total population of the unincorporated regions (in all three watersheds) being approximately 356,633. The County of Riverside is the fourth most-populated county in California and the City of Riverside is the county seat. The Santa Margarita Watershed includes two major sub-basins that are drained by Temecula Creek and Murrieta Creek.

2.1 Program Areas Evaluated

This inspection entailed an evaluation of the County's compliance with three stormwater management components of the Permit:

- Development planning.
- Construction sites.
- Illicit discharge detection and elimination.

The EPA Inspection Team did not evaluate all components of the County's MS4 program, and this inspection report should not be considered a comprehensive evaluation of all individual program elements.

Section 3.0 Evaluation Findings

This section describes the EPA's findings with regards to the evaluation of the three stormwater management components identified above. Within each subsection, where applicable, EPA has identified potential Permit violations and recommendations for improvement. Potential permit violations are areas where the County is not fulfilling the requirements of the Permit. Although this report includes a potential permit violations, it is not a formal finding of violation.. This report also provides recommendations for improving program implementation.

The inspection findings are supported by interviews, observations, and photographic evidence gathered during the inspection, as well as documentation that may have been obtained before, during, or after the inspection. This inspection report does not attempt to comprehensively describe all aspects of the County's MS4 program or fully document all lines of questioning conducted during personnel interviews. The presentation of inspection findings in this report does not constitute a formal compliance determination or notice of violation; rather, it identifies areas of concern specific to Permit compliance. Additional inspection report materials, including an inspection agenda and sign-in sheet, are included in Appendix A.

Multiple documents were referenced by the EPA Inspection Team during the inspection process and development of this report (e.g., the Permit, MS4 annual reports). In addition, the County provided the EPA Inspection Team with multiple documents during the inspection process. A list of these reference materials is included as Appendix B. The documents identified in Appendix B have not been included in the submittal of this inspection report. Copies of the materials are maintained by EPA Region 9 and can be made available upon request.

3.1 Development Planning

Part F.1 of the Permit requires the County to implement a program that meets all the requirements of the Permit and (1) reduces development project discharges of stormwater pollutants from the MS4 to the maximum extent practicable, (2) prevents development project discharges to the MS4 from causing or contributing to a violation of water quality standards, (3) prevents illicit discharges to the MS4, and (4) manages development-project-caused increases in runoff discharge rates and durations that are likely to increase erosion of stream beds and banks, generate silt pollution, or cause other undesirable impacts to stream habitat due to increased erosive force.

At the time of the inspection, County representatives explained their water quality management plan (WQMP) approval process. The County stated that a "Project Application Form" must be completed for all projects. This form is submitted to the County's Planning Department, which then uses a checklist to determine if the project is a "priority development project." If the project is determined to be a priority development

project, then the applicant must develop a WQMP and the Environmental/Development Review Division of the Transportation Department reviews and approves the project for the unincorporated areas of the County. Figure 6-2, Flowchart of Project Review, Approval & Permitting Process, of the *Jurisdictional Runoff Management Program* (JRMP) shows a typical review and approval process, similar to the one described by County representatives. The County reported that public project reviews follow the same process and is completed “in-house” but might also be reviewed by consultants that are hired by the County.

3.1.1 Development Planning: BMP Maintenance Tracking

Part F.1.f of the Permit requires each Copermitee to “develop and maintain a watershed-based database to track and inventory all projects constructed within their jurisdiction that, have a final approved SSMP (SSMP projects), and its structural post-construction BMPs implemented therein since July, 2005.” Further, Part F.1.f.2 of the Permit requires that each Copermitee “verify that approved post-construction BMPs are operating effectively and have been adequately maintained...”

Section 6 of *The County of Riverside Santa Margarita River Region Jurisdictional Runoff Management Program* (JRMP) addresses Part F.1 Permit requirements. The JRMP states that the Transportation Department’s Environmental Compliance Division (ECD) is responsible for implementing a program to verify maintenance and effectiveness of the structural BMPs and for maintaining a watershed-based database to track and inventory all priority development projects.

During the inspection, County stormwater program staff demonstrated knowledge of the Permit requirements for development planning but did not appear to know the locations of public and private post-construction BMPs or understand the mapping requirements. ECD staff stated that four ECD inspectors perform private construction and post-construction BMP inspections. The inspectors use the “Land Management System (LMS) Tracking Database” to track private development inspections as well as an additional Excel spreadsheet. County representatives stated that “community complaints” are handled by the County Code Enforcement Division (Code Enforcement). Furthermore, since 2005 the County has become responsible for maintaining three public projects with WQMPs in the unincorporated area of the Santa Margarita Watershed.

The County provided a geographic information system (GIS)-generated map, which included inlets, outlets, culverts, swales, channels, basins, and one outfall. The map did not identify all the County-maintained post-construction BMPs, and a layer for private post-construction BMPs was not available at the time of the inspection. In addition, the County provided a “Structural Post-Construction Best Management Practices Database Format and Reporting” (Post-Construction BMP Inventory) which was not completely filled out, and there were discrepancies regarding the type of post-construction BMPs among the inspection forms, approved plans, and database (refer to Appendix D, Exhibit 1). For example, the “Project Area” and “Onsite Retention Required” columns were not completed.

During the site visit to Lake Oak Meadows Winery (refer to Appendix C, Photos 1 and 2), the EPA Inspection Team requested to review the as-built plans of the site (refer to Appendix C, Photos 3 and 4). The EPA Inspection Team noted that the plans showed a detention basin, which is what was observed onsite and on the final WQMP (refer to Appendix D, Exhibit 2), but the inspection sheet provided by the County described the BMP as an infiltration basin (refer to Appendix D, Exhibit 3).

Recommendation for Improvement:

EPA recommends the County verify that its inventory of both private and public post-construction BMPs is accurate and eliminate any inconsistencies in BMP identification and tracking. Further, EPA recommends the County incorporate photographs into its Post-Construction BMP Inventory for easier asset identification and tracking.

3.1.2 Development Planning Inspections

Part F.1.f(2)(b) of the Permit states, “Beginning July 1, 2012, each Copermittee must verify that the requested structural post-construction BMPs on the inventory of SSMP projects have been implemented, are maintained, and are operating effectively through inspections, self-certification, surveys, or other equally effective approaches” that meet the conditions listed in Part F.1.f(2)(b)(i)–(vii) of the Permit. The conditions in Part F.1.f(2)(b)(i)–(vii) describe the minimum required inspection schedules based on WQMP priority and also the follow-up measures to ensure the BMPs are providing the proper treatment.

County representatives stated that they use the inspection schedule for private development WQMP post-construction BMPs presented in Table 6-2 of the JRMP. The table is based on the Permit inspection requirements found in Part F.1.f(2)(b). The JRMP also states all County-owned projects with post-construction BMPs must be inspected annually. Although the County reported that it is using the JRMP priority inspection schedule, it also reported that it only began conducting inspections of post-construction BMPs approximately 90 days prior to the EPA inspection. At the time of the inspection, the County was using a standardized checklist for performing inspections and the County Inspector reported that the inspectors did not always review the WQMPs prior to going onsite.

ECD staff provided a copy of a completed “NPDES Post Construction WQMP Inspection Form” for a post-construction inspection at the Dakota Apartments (refer to Appendix C, Photo 5). The form included general site information (location, owner, date constructed, funding, contact name and information, weather, etc.), treatment control BMPs, source control BMPs, structural control BMPs, site conditions, and compliance status (refer to Appendix D, Exhibit 4). During the file review, the EPA Inspection Team noted that the inspection sheet for the Dakota Apartments listed the treatment control asset as a detention basin, but the Post-Construction BMP Inventory indicated that the site had an infiltration basin (refer to Appendix D, Exhibit 5).

Recommendation for Improvement:

EPA recommends the County review its BMP tracking documents for consistency and update as necessary. Prior to each inspection, the inspector should review the site's WQMP to be aware of site-specific BMPs and maintenance requirements before arriving onsite.

3.2 Construction Sites

Part F.2 of the Permit states that each Copermittee must (1) update its grading ordinance and other ordinances "as necessary to achieve full compliance with this Order," (2) maintain an updated, watershed-based inventory of all construction sites within its jurisdiction, (3) incorporate a site planning and project approval process that considers potential water quality impacts prior to approval and issuance of grading permits, (4) designate a minimum set of BMPs to be implemented at construction sites, and (5) inspect construction sites on a priority-based schedule and enforce Permit compliance using an escalating scale as necessary.

Section 7 of the JRMP supports the requirements of the Permit regarding the private development construction activities; it further defines construction site tracking requirements, site planning and approval processes, and construction site BMPs. Table 7.3.2 of the JRMP provides a list of the required, applicable, minimum BMPs for construction sites and indicates that the BMPs should be inspected on a regular basis. Table 7-1, titled "Construction Site Inspection Frequency," of the JRMP provides structured assessment guidelines for prioritizing construction-site inspections during the rainy season.

Section 7.5 of the JRMP summarizes the enforcement process of Part F.2 of the Permit, and states that the County has an escalating enforcement process that is designed to achieve prompt corrective actions for noncompliance at construction sites. These actions are further detailed in section 3.5, Enforcement/Compliance Strategy, of the JRMP. During the inspection, County representatives seemed knowledgeable about the inspection process but indicated that the different departments (Code Enforcement, Environmental Health and Safety Department (Health Department), and Transportation Department) followed different escalating enforcement procedures.

The EPA Inspection Team held discussions with County staff regarding the implementation status and documentation of the County's construction activities. Additionally, the EPA Inspection Team visited various construction sites, both private and public during the course of the inspection. The site visits included interviews with County inspectors, interviews with site proponent staff (e.g., general contractor or construction manager), and an assessment of the adequacy of temporary erosion and sediment control BMPs. It should be noted that the individual construction sites visited as a component of the inspection were not evaluated for compliance with the Construction General Permit.

3.2.1 Construction Site Tracking

Part F.2.b of the Permit requires each Copermittee to "maintain an updated watershed-based inventory of all construction sites within its jurisdiction." County representatives

stated that they used approved grading permits to track active, private construction sites. Tracking information is maintained in the “Land Management System (LMS) Tracking Database” and their “own” “Post-Construction Database,” which includes both private and public construction site tracking. At the time of the inspection, the County did not provide an electronic or hardcopy example of either database.

3.2.2 Construction Site Approval

Part F.2.c of the Permit states that the Copermittee must “incorporate consideration of potential water quality impacts prior to approval and issuance of construction and grading permits.” At the time of the inspection, County representatives provided the EPA Inspection Team with various forms, including a blank “Application for Land Use Project” (refer to [Appendix D, Exhibit 6](#)). The application includes general applicant information, property information, hazardous materials disclosure statement, a checklist for identifying if the project would require a WQMP, and instructions for completing the application.

County representatives stated that they determine if a project requires a WQMP by using the WQMP checklist included with the form. If the County determines that a WQMP is required, then it requires submission of a long-term maintenance plan. That plan must be approved by the County Planning Department prior to the beginning of construction. Before the building is occupied, County inspectors must verify any post-construction BMPs were constructed properly and to approved specifications.

3.2.3 Construction Site Inspections

Part F.2.e of the Permit states, “Each Copermittee must conduct construction site inspections for compliance with its ordinances (grading, storm water, etc.), permits (construction, grading, etc.), and this Order. Priorities for inspecting sites must consider the nature and size of the construction activity, topography, and the characteristics of soils and receiving water quality.” The Permit breaks down inspection requirements based on both the rainy and dry seasons.

At the time of the inspection, County representatives provided the EPA Inspection Team with completed “NPDES Construction Inspection Forms” (refer to [Appendix D, Exhibits 7 and 8](#)), explained their inspection and enforcement process, and accompanied the EPA Inspection Team to various active construction sites.

County representatives explained that funding for the site inspections comes from the permitting process fee of \$1,612.87 that is collected prior to issuing the grading permit. This fee covers the cost of performing inspections, including driving to the sites, onsite inspector time, and time spent writing reports. County representatives stated that they have the authority to go back and require additional funding for more inspections if the site-specific account is drawn down to a balance of zero.

County representatives explained that public and private site inspections have specific, dedicated forms and inspectors. At the time of the inspection the County provided an example of a completed public inspection report (refer to [Appendix D, Exhibit 9](#)). The

County stated that the public inspections are usually performed by County staff or by third-party, private consultants. They added that private inspections are performed by one of the four inspectors from the Transportation Department and are scheduled based on site priority or in response to a customer complaint. The determination of inspection priority is based on Part F.2.e of the Permit and section 7 of the JRMP. County representatives stated that private construction sites are inspected prior to a forecasted rain event. Additionally, low-priority sites are inspected in October or November; medium-priority sites are inspected at least once every 30 days; and high-priority sites are inspected at least once every two weeks. Further the County explained that site priority can be increased based on historic issues and rain events.

While visiting construction sites, the EPA Inspection Team spoke with site proponent staff, such as the general contractor or construction manager, and assessed the adequacy of temporary erosion and sediment control BMPs. The site supervisors verified that they see the County construction inspectors on a regular basis but seemed to be unaware of the details or issues identified on the inspection report forms.

While at the Legacy and Tradition at Heritage Ranch construction sites, the County Inspector and the EPA Inspection Team noted track out at the site entrance areas. The track-out control rock layer was sparse in some areas, and the rock appeared to be inadequately sized (refer to [Appendix C, Photo 6](#)). The County Inspector stated that he had previously communicated the track-out issue to the site supervisor on several occasions and had included the issue in the inspection report. The EPA Inspection Team was given a copy of the most recent inspection form for the site. The track out was noted but was documented within the narrative in the middle of the report (refer to [Appendix D, Exhibit 7](#)). Further the County did not indicate a timeframe for completion of corrective actions on the inspection forms.

The “Construction Inspection Form” dated August 7, 2014 for Heritage Ranch stated that a written notice had been issued and “correction issued” for sediment control BMP issues “throughout the site” (refer to [Appendix D, Exhibit 8](#)). The EPA Inspector noted that corrective measures for the track-out control had not been implemented and various BMPs were not properly installed /maintained or were missing completely at the site (refer to [Appendix C, Photos 7, 8, and 9](#)).

Recommendation for Improvement:

EPA recommends the County modify its inspection forms and/or its process for informing construction site owners/operators of noncompliance so that the information is provided in a clear and concise manner. Further, when a notice of correction or notice of violation is issued, EPA recommends the County include a standardized timeframe for corrective action and a follow-up inspection date.

EPA also recommends that County personnel who are conducting stormwater inspections complete all the fields on the inspection forms onsite and provide direct feedback on all

BMP and/or other compliance deficiencies requiring corrective action at the time of the inspection.

3.3 Illicit Discharge Detection and Elimination

Part F.4 of the Permit requires each Copermitttee to “implement a program that meets the requirements of this section to actively detect and eliminate illicit discharges and disposal into the MS4.” Further, the Permit states that each Copermitttee (1) must implement measures to prevent and detect illicit discharges, (2) maintain an MS4 map, (3) facilitate public reporting of illicit connections and/or illegal discharges (IC/ID) and (4) investigate and follow-up in areas of the MS4 that might reasonably contain IC/IDs.

Section 4.0 of the JRMP goes into detail about the specifics of the inspection processes and how the program connects to other Permit requirements. Further, section 4.3 of the JRMP states, “In the mid-1990s...Riverside County Copermitttees conducted reconnaissance surveys to identify IC/ID to the MS4s.” As a result of the investigations, 200 undocumented connections to the underground MS4 were found, but none were determined to be illicit connections. According to the JRMP, the County will no longer perform additional inspections of the underground MS4 facilities to identify illicit connections but will continue to routinely inspect open channel MS4 facilities.

Section 4.3.2, Public IC/ID Reports/Hotline, of the JRMP describes the mechanisms available to the general public for reporting potential IC/IDs including a 24-hour 1-800 hotline. At the time of the inspection, the County hotline did not work for the EPA Inspection Team, but County staff were able to connect with their cellular phones. County representatives stated that they had just transitioned to a new phone system and would look into correcting the matter as soon as possible.

County representatives seemed familiar with what the IDDE portion of the Permit entailed but stated that they are still in process of identifying the priority areas for inspection. The Transportation Department NPDES Coordinator stated that field crews have forms in their trucks for reporting IC/IDs and are trained to complete the forms for possible IC/IDs they observe and to submit the forms to the NPDES Coordinator. County Transportation Department staff enter the location of each potential IC/ID as reported on the form into the County’s GIS database. The County then tracks areas with repeated IC/IDs and determines priority inspection locations.

The Riverside County Flood Control and Water Conservation District (County Flood Control) Representative stated that she is responsible for field screening of outfalls, for the County, which takes place once each year. She also indicated that she gathers dry weather grab samples, which she tries to schedule randomly during the dry season.

3.3.1 Illicit Connection and Illicit Discharge Identification and Mapping

County representatives explained that identification and monitoring for illicit connections and illicit discharges is accomplished primarily by “field workers,” such as the County inspectors. If County staff observes something during routine work, they complete a field observation form or call either the Transportation Department NPDES Coordinator or the County Health Department. The NPDES Coordinator reported that the Transportation

Department construction inspectors are trained in IC/ID identification and that she provides an internal monthly bulletin designed to help employees identify potential IC/IDs. In addition, a public hotline is available to the general public for reporting IC/IDs. Further, the Health Department said that they also occasionally receive calls directly to their number from the general public about potential IC/IDs.

County staff stated that once a potential IC/ID is identified, they do their best to follow the response schedule included in section 4.4 of the JRMP. Further, the NPDES Coordinator stated that if the potential IC/ID poses an immediate risk to human or environmental health, multiple departments could show up to investigate the incident. These departments include the police department, fire department, Health Department, County Flood Control, and the Transportation Department.

As part of the stormwater monitoring program, in accordance with Part F.4.d of the Permit, County Flood Control field staff routinely monitors the MS4 outfalls during both wet and dry weather conditions. If the receiving water monitoring data indicates an illicit discharge, County Flood Control staff immediately notifies the County of the issue for response. The County stated that County Flood Control usually notifies them via e-mail and indicates which steps they need to follow in accordance with Permit requirements.

The Santa Margarita Watershed NPDES Municipal Stormwater Permit JRMP Annual Report for the fiscal year 2012–2013 indicated that County Flood Control sampled Outfall No. 902MS4263 as part of the dry weather screening on May 14, 2013, and found that it exceeded the action levels for several parameters. Further, the annual report stated that the Transportation Department had not geo-located the outfall associated storm drain infrastructure and catch basins in the adjacent housing development. At the time of the inspection, the County Flood Control representatives provided documentation of the processes, including notification to the County of the lab results and the follow-up investigation performed by Code Enforcement (refer to Appendix D, Exhibit 10).

At the time of the inspection, County representatives provided the EPA Inspection Team with a copy of the County, GIS-based map that focused on the section of the Santa Margarita Watershed under the jurisdiction of the San Diego Region; this included Outfall No. 902MS4263. The map depicted inlets, outlets, culverts, swales, channels, basins, and the outfall but did not show storm sewer pipes, direction of flow, or private BMPs. The EPA Inspection Team inquired about the single outfall that was represented on the map and was initially told that it was the only outfall in the watershed. Further discussion with County representatives indicated that the outfall was not the only outfall in the watershed, but rather it was the only outfall monitored by County Flood Control. County representatives provided a copy of a letter from County Flood Control, dated July 26, 2012, that requested the County to “identify and field verify at least three Major Outfalls for them by August 20th” so that they could evaluate each site’s potential for monitoring and sample collection (refer to Appendix D, Exhibit 11). County representatives stated that there were other outfalls in their jurisdiction, but at the time of the inspection, it did not appear that they knew where the outfalls were or if they routinely monitored or inspected them.

Recommendations for Improvement:

EPA recommends that the County continue to map all reported IC/IDs, identify priority areas for IC/ID investigations, and submit annual updates of its maps and outfalls to the Regional Board as part of its annual report.

EPA recommends that the County repeat the outfall selection process for the County Flood Control outfall monitoring program. The process should be completed in a transparent manner with justification of steps taken and mapping processes included.

The EPA recommends that identified outfalls should be added to the Santa Margarita River Watershed map and routinely inspected. It was unclear at the time of the inspection if the County was submitting annual updates of its maps and outfalls with the annual report. As maps are updated, the County should submit the information with the annual report to the Regional Water Board.

Potential Permit Violation:

Part F.4.b of the Permit states, “The MS4 map must include all segments of the storm sewer system owned, operated, and maintained by the Copermittee, as well as all known locations of inlets that discharge and/or collect runoff into the Copermittee’s MS4, all known locations of connections with other MS4s (e.g. Caltrans), and all known locations of all the outfalls that discharge runoff from the Copermittee’s MS4.”

At the time of the inspection, the County was unable to provide a map or GIS map layer that depicted all of the Permit-required features, including all outfalls. As mentioned above, the County provided a map depicting the one outfall that was being monitored by County Flood Control but it did not include other outfalls in the unincorporated areas of Riverside County. During the inspection, the EPA Inspection Team requested to see the GIS layer that included the other outfalls, and although the EPA Inspection Team was shown several additional GIS layers, it was unclear if all of the County’s outfalls were depicted in any of those layers. EPA also found that the County’s map, provided at the time of the inspection, did not show any known connections with other MS4s, such as CalTrans.

3.3.2 Illicit Connection and Illicit Discharge Investigation and Follow-up Procedures

The County reported several reactive mechanisms for following up on and investigating possible IC/IDs. Part F.4.e of the Permit states, “Each Copermittee must implement procedures to investigate and inspect portions of the MS4 that indicate a reasonable potential for contained illicit discharges, illicit connections or other sources of pollutants in non-stormwater.”

The County has implemented several proactive activities. For instance, the Transportation Department equipment operators clean catch basins on a regular basis and report any possible IC/IDs using the “Catch Basin Inspection/Illicit Discharge Form” (refer to Appendix D, Exhibit 12). The form provided by the County included general catch basin information (location, time, weather) and a section to indicate the suspected “Source of

Litter.” The Transportation Department maintains the completed forms and follows up on any issues. As stated above, the NPDES Coordinator is currently mapping the locations of the potential IC/IDs in order to create priority inspection locations.

County representatives indicated that the initial follow-up action to a complaint or observation depends on who reported it and to which department. If a Transportation Department employee observes a possible IC/ID, the employee is supposed to complete a “Highway Operations Illicit Connection/Illegal Discharge Observation Form,” which goes to the NPDES Coordinator. County representatives provided an example of a completed form, which included general location information, incident details, and photographs of the event (refer to Appendix D, Exhibit 13). If the site requires follow-up, the NPDES Coordinator assigns a trained IC/ID inspector to initially investigate the issue, or if she determines the IC/ID requires enforcement action, Code Enforcement might perform the initial investigation. The County stated that in some cases the Health Department might be notified first, and depending on the issue, the NPDES Coordinator might **not** be notified of the potential IC/ID.

The Health Department reported that it receives calls from various County and private entities when a spill is observed. The Health Department stated that call details are entered into a database tracking system, and a staff member is assigned to investigate. At the time of the inspection, the Health Department demonstrated the use of its database system, including its search mechanism. Health Department representatives stated that the database was not connected to the NPDES Coordinator’s database; the NPDES Coordinator relies on the Health Department to report any potential IC/IDs to the MS4 directly to her.

Recommendations for Improvement:

EPA recommends that the County update its JRMP to include the investigation and follow-up procedures that the Health Department and Code Enforcement are implementing with regards to potential IC/IDs.

EPA recommends that the County develop an SOP describing how the Health Department communicates with the NPDES Coordinator specific to complaints received on potential IC/IDs to ensure accurate reporting and tracking of IC/IDs.

3.3.3 Illicit Connection and Illegal Discharge Enforcement

Part F.4.f of the Permit requires each Copermittee to “take immediate action to initiate steps necessary to eliminate all detected illicit discharges, illicit discharge sources, and illicit connections after detection within its jurisdiction.”

The County reported that it was operating under section 4.4.1, Initial Response Timeframe and Requirements, of the JRMP. The JRMP states that “if a discharge is a threat to human health or the environment” it must be reported immediately by phone to the Cal OES (the California Governor’s Office of Emergency Service) and the executive officer of the Regional Water Board. Investigation of a potential IC/ID must start within one business day “if there are obvious Illicit discharges such as color, odor, or significant

exceedances of action levels.” Two business days are allowed for the start of an investigation if “Field Screening Data collected as part of the NAL Monitoring Program exceeds Action Levels, the County is coordinating with the District” unless document are provided to prove why the issue is not a threat. Lastly, if the laboratory analytical data results exceeds an action limit for any parameter, the County has five days to start their investigations.

At the time of the inspection the County indicated that the enforcement mechanism used by the Transportation Department starts with a written notice followed by a notice of violation (NOV). Gross noncompliance issues are forwarded to the Regional Water Board. Also, Code Enforcement might inspect sites with gross noncompliance issues, and it has the authority to give citations. The Code Enforcement representative stated that the department has the ability to issue citations and to pursue litigation. EHS representatives stated that their enforcement processes is slightly different from the Transportation departments since inspectors have the ability to bring the responsible party to a hearing and issue administrative fines. Further, they stated that if the party does not meet with them, they send the case to the District Attorney’s office.

Recommendations for Improvement:

EPA recommends that the enforcement protocols for all departments with responsibilities for compliance oversight of IC/IDs be revised to allow for more consistent enforcement response, and that all updated procedures be included in future updates of the JRMP.