UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

JUL 2 2 2013

Via Certified Mail:
No. 7000 0520 0021 6108 5511
Return Receipt Requested

Mr. Jay T. Spurgin, Director
Department of Public Works
City of Thousand Oaks
2100 Thousand Oaks Boulevard
Thousand Oaks, CA 91362

Re: City of Thousand Oaks Municipal Separate Storm Sewer System (MS4) Compliance Audit Report

Dear Mr. Spurgin:

Enclosed please find the final audit report for the City of Thousand Oaks Storm Water Management Program (Program). On June 28, 2012, EPA Region 9 (EPA) and representatives from PG Environmental, LLC, an EPA contractor, and the Los Angeles Regional Water Quality Control Board (Regional Board) conducted an audit of the City's Program. The purpose of the audit was to assess the City's compliance with the requirements contained within the NPDES Storm Water Permit and Waste Discharge Requirements for the Municipal Separate Storm Sewer Systems within Ventura County (NPDES Permit No. CAS004002).

EPA's audit focused on evaluation of the City's compliance with the development construction, and illicit connection and illicit discharge (IC/ID) elimination requirements of the Permit, and entailed a review of documents and interviews of program management and field staff. In addition, EPA's evaluation included a review of the *Ventura County Stormwater Quality Management Program 2010/2011 Water Quality Monitoring Report* and includes findings specific to the City's compliance with applicable receiving water limitations.

EPA found the following component of the City's Program noteworthy:

- The City demonstrated implementation of a robust IC/ID elimination program.

EPA also found potential permit violations. Most significantly, the City failed to:

- Ensure implementation of adequate BMPs at an active construction site as required by Part 4.F.I.2(a) of the Permit;

- Demonstrate an effective process to identify deficiencies at construction sites and take appropriate actions to achieve compliance as required by Part 4.F.I.8(a) and (b) of the Permit; and

- Submit a report to the Regional Board describing the additional BMPs that will be implemented to prevent or reduce the discharge of pollutants in its stormwater discharges found to be causing or contributing to persistent exceedances of applicable water quality standards as required by Part 2.3(a) of the Permit.

Please respond to the audit report with any updates on program enhancements or clarifying comments by Friday, September 13, 2013. Following receipt of the City's response, EPA will post the audit report along with the City's response on our website. Thereafter, EPA will follow-up with City management to ensure adequate resolution of all potential permit violations. If you have concerns or questions, please call me at (415) 972-3873, or refer staff to Greg Gholson at (415) 947-4209 or via email at gholson.greg@epa.gov.

Sincerely,

Kathleen H. Johnson, Director
Enforcement Division

Enclosure:
City of Thousand Oaks MS4 Audit Report (w/attachments)

Cc via email with enclosure:
Mohammad Fatemi, City of Thousand Oaks
Renee Purdy, LA RWQCB

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

CITY OF THOUSAND OAKS, CALIFORNIA

INSPECTION REPORT

Inspection Date:
June 28, 2012

Report Date:
July 18, 2013

CONTENTS

Section 1.0 Executive Summary

The U.S. Environmental Protection Agency (EPA) conducted an inspection on June 28, 2012, of the City of Thousand Oaks, California (hereinafter, City), Municipal Separate Storm Sewer System (MS4) Program.

EPA reviewed documents, met and interviewed staff to gather information on overall program management, and conducted field activities to review the City's MS4 Program. The inspection focused on the following three program elements (1) Development Construction Program, (2) Illicit Connections and Illicit Discharges (IC/ID) Elimination Program, and (3) Receiving Water Limitations. At the conclusion of the inspection, EPA discussed preliminary observations with City representatives.

In this report, where applicable, EPA has identified noteworthy aspects of the City's stormwater program, recommendations for improvement, program deficiencies, and potential permit violations. Although this report includes potential permit violations, it is not a formal finding of violation.

EPA found the following component of the City's current program noteworthy:

- The City demonstrated implementation of a comprehensive IC/ID Elimination Program including: the management of an illicit discharge public reporting hotline; use of a Geographic Information System (GIS) enabled database to track reports of illicit discharges along with the location of commercial activities that have the potential to impact storm water quality; development of a map identifying all known connections to its storm drain system for use in investigating suspected illicit connections; and issuance of enforcement actions addressing documented instances of non-stormwater discharges to its storm drain system.

EPA also found potential permit violations. Most significantly, the City failed to:

- Ensure implementation of adequate BMPs at an active construction site as required by Part 4.F.I.2(a) of the Permit.

- Demonstrate an effective process to identify deficiencies at construction sites and take appropriate actions to achieve compliance as required by Part 4.F.I.8(a) and (b) of the Permit.

- Submit a report to the Regional Water Quality Control Board (RWQCB or Regional Board) Executive Officer describing the additional BMPs that will be implemented to prevent or reduce the discharge of pollutants in its stormwater discharges found to be causing or contributing to persistent exceedances of applicable water quality standards (WQS) as required by Part 2.3(a) of the Permit.

Section 2.0 City of Thousand Oaks Stormwater Program

On June 28, 2012, representatives from EPA, the Los Angeles RWQCB and an EPA contractor, PG Environmental, LLC (hereinafter, collectively, the EPA Inspection Team) conducted an evaluation of the City of Thousand Oaks, California's (hereinafter, City), Municipal Separate Storm Sewer System (MS4) Program. EPA also evaluated the Ventura County Watershed Protection District (VCWPD) and the Cities of Santa Paula, Oxnard, and Simi Valley's MS4 Programs on June 27, July 24, July 25, and July 26, 2012, respectively.

Discharges from the City's MS4 and eleven other municipalities (hereinafter, Copermittees) are regulated under *Waste Discharge Requirements for Storm Water (Wet Weather) and Non-Storm Water (Dry Weather) Discharges from Small Municipal Separate Storm Sewer Systems Within the Ventura County Watershed Protection District, County of Ventura and the Incorporated Cities Therein,* National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004002, Order No. R4-2010-0108, (hereinafter, Permit), issued July 8, 2010. NPDES Permit No. CAS063339 was first adopted by the RWQCB in 1994 and re-issued in 2000 and 2009. The Permit is the third NPDES MS4 permit issued to the Copermittees. The Copermittees covered under the Permit are the Ventura County Watershed Protection District (Principal Copermittee), County of Ventura, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura (Ventura), Santa Paula, Simi Valley and Thousand Oaks.

The Permit authorizes the twelve Copermittees, including the City, to discharge stormwater from the MS4s into the Watershed Management Areas of Ventura River, Santa Clara River, Calleguas Creek, Malibu Creek, and various Ventura Coastal drainages within Ventura and Los Angeles Counties.

City Information

According to the 2010 U.S. Census, the City is approximately 55 square miles with a population of 126,683 people. The City is located in Ventura County along the Santa Monica Mountains and is surrounded by 15,125 acres of publicly-owned open space. The City is 12 miles inland from the Pacific Ocean and the primary receiving waters are Calleguas Creek and Malibu Creek.

2.1 Program Areas Evaluated

The inspection entailed an evaluation of the City's compliance with the following three stormwater management components required by the Permit:

- Development Construction Program
- Illicit Connection and Illicit Discharges (IC/IDs) Elimination Program
- Receiving Water Limitations

In addition, EPA's evaluation included a review of the *Ventura County Stormwater Quality Management Program 2010/2011 Water Quality Monitoring Report* and includes

findings specific to the City's compliance with applicable receiving water limitations. EPA did not, however, evaluate all components of the City's MS4 Program and this inspection report should not be considered a comprehensive evaluation of all individual program components.

Section 3.0 Evaluation Findings

This section is organized to generally follow the structure of the Permit. For each section in the report, where applicable, EPA has identified noteworthy aspects of the City's stormwater program, recommendations for improvement, program deficiencies, and potential permit violations. Potential permit violations are areas where the City is not fulfilling requirements of the Permit. Program deficiencies are areas of concern that may prevent successful program implementation or areas that, unless action is taken, have the potential to result in non-compliance in the future. This report also provides recommendations for improved program implementation. Although this report may include potential permit violations, it is not a formal finding of violation.

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 City's MS4 Program, fully document all lines of questioning conducted during personnel interviews, or document all in-field verification activities conducted during site visits.

Additional inspection report materials, including an inspection schedule, sign-in sheet, list of site visits conducted during the inspection, and site visit reports with photograph logs, are included in Appendix A.

Multiple documents were referenced by EPA during the inspection process and development of this inspection report (e.g., the Permit, MS4 annual reports). In addition, the City provided EPA 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 U.S. EPA Region 9 and can be made available upon request.

3.1 Development Construction Program

Part 4.F.I of the Permit requires the City to implement a development construction program that (1) prevents illicit construction-related discharges of pollutants into its MS4, (2) implements and maintains structural and non-structural best management practices (BMPs) to reduce pollutants in stormwater runoff from construction sites, (3) reduces construction site discharges of pollutants from the MS4 to the maximum extent practicable (MEP), and (4) prevents construction site discharges from the MS4 from causing or contributing to a violation of water quality standards. The program must include, at a minimum, the specific requirements in Part 4.F.I (1)–(10) of the Permit.

The City has adopted an ordinance establishing regulations for stormwater discharges and property uses impacting stormwater (see Appendix B, B.1). Title 7, Chapter 8 of the City's Municipal Code includes requirements for: the development of stormwater pollution prevention plans for development activity; proof of compliance with the State General Permit for Stormwater Discharges Associated with Construction Activity (hereinafter, Construction General Permit); implementation of BMPs to the MEP to prevent or reduce the discharge of pollutants to the City's storm drain system or local waterbodies; the scope of inspections by City staff; and procedures for enforcement and penalties. Furthermore, Title 7, Chapter 3, Section 3.09(b) of the Municipal Code includes requirements for appropriate and adequate dust control, and Title 7, Chapter 3, Section 3.09(h) includes additional restrictions for construction activities during the rainy season (i.e. November 1 – April 15).

The City's Right-of-Way and Construction Division and Land Development Engineering Division within its Public Works Department are responsible for implementing the construction-related requirements of the Permit. City staff provided EPA with an overview of the mechanisms established to regulate stormwater discharges, permitting and plan review processes, and the City's construction inspection program.

As a component of the evaluation, EPA conducted site visits to two active construction sites. The objectives of the site visits were to document site conditions and observe the City's process for conducting construction site inspections and its ability to meet Permit requirements. Individual site visit reports with photograph logs are included in Appendix A.4 and A.5. Summary observations pertaining to one of the sites are presented below where they directly pertain to the City's obligations under the Permit.

3.1.1 Permitting and Plan Review

Part 4.F.I.9 of the Permit requires the City to ensure that it does not issue any type of municipal authorization for earth disturbance requiring NPDES permit coverage unless appropriate coverage is obtained under an applicable NDPES permit. The City issues various permits that may involve land disturbance including encroachment, grading, and on-site improvement permits. According to City staff, the plan review process includes: review of construction plans against NPDES permit requirements; verification that sites over one acre have obtained coverage under the statewide CGP; review of site-specific stormwater pollution prevention plans (SWPPPs); coordination with the Qualified SWPPP Practitioner (QSP) and Qualified SWPPP Developer (QSD) as needed; and an assessment of a site's potential risk to water quality to determine if the Enhanced Construction BMP requirements of Section F.I.4 of the Permit apply.

3.1.2 BMP Implementation on Construction Sites

Part 4.F.I.2(a) of the Permit requires the City to ensure that construction site operates implement an effective combination of erosion and sediment control BMPs to prevent erosion, sediment loss and the discharge of construction wastes. Specifically, Tables 6 and 7 of the Permit outline BMPs required to be implemented at construction sites that are less than one acre and sites greater than one acre but less than 5 acres, respectively. During a site visit to a private development construction project, the EPA Inspection Team observed inadequate erosion and sediment control, and material storage BMPs as described below.

The EPA Inspection Team conducted a site visit to the Many Mansions affordable housing construction project located at 2736 East Hillcrest Drive. Construction activities observed extended from East Hillcrest Drive to Los Feliz Drive with approximately 2.25 acres of soil disturbance. City staff stated that site inspections are conducted daily at the project and are documented in a field notebook by the City inspector. The EPA Inspection Team observed the following with regard to erosion and sediment control, and material storage BMPs at the site: incomplete implementation of sediment and erosion controls along the property's southern boundary; inadequate stabilization of the construction entrance/exit on East Hillcrest Drive; and storage of gasoline containers without secondary containment (see Appendix A.4, Many Mansions Site Visit Report).

Potential Permit Violation

Failure to require the implementation of an effective combination of appropriate erosion and sediment control BMPs to prevent erosion and sediment loss, and the discharge of construction wastes at an active construction site. [Part 4.F.I.2(a)]

Based on EPA observations of the site and discussions with City staff specific to its construction site inspection and enforcement procedures, EPA determined the City had not demonstrated an effective process to require construction site operators to implement an effective combination of erosion and sediment control BMPs to prevent erosion and sediment loss, and the discharge of construction wastes at an active construction site.

3.1.3 Permit Tracking System for Construction Projects

Part 4.F.I.7(a) of the Permit requires the City to use an electronic system to track grading permits, encroachment permits, demolition permits, building permits, or construction permits (and any other municipal authorization to move soil and/or activities that involve land disturbance) issued by each Permittee. While the Permit encourages the use of a database or GIS system to satisfy the requirement for the electronic site tracking system, it is not required.

City staff stated that an electronic database is used to manage permit information. A demonstration of the database was not provided to the EPA Inspection Team as City staff explained it would take a long time to generate a report from the database. City staff indicated that the database had limited capabilities and could not be easily queried to

identify permitted in the City. Furthermore, City staff indicated that its field inspectors generate job lists daily and hard copy files for active projects are maintained in the field inspector's trucks. City staff provided an example of a job list to the EPA Inspection Team (see Appendix B, B.2).

Program Deficiency

The City lacked an effective database to track construction permits and other municipal authorizations for land disturbance as required by the Permit. [Part 4.F.I.7(a)]

Although the City maintains an electronic database to track construction-related permits and/or authorizations for land disturbance, the limited functionality of the database appears to have compromised the usefulness of the database as a tool for program management.

3.1.4 Construction Site Inspections

Part 4.F.I.8(a) of the Permit requires the City to inspect all construction sites to ensure proper implementation of stormwater quality controls a minimum of once during the wet season. City staff stated that construction inspections are conducted at least once during the wet season and provided EPA a copy of its stormwater inspection checklist (see Appendix B, B.3). Additionally, City staff stated that field inspectors personally deliver a letter to active construction site operators prior to the wet season reminding site personnel that erosion and sediment controls must be installed prior to and maintained throughout the wet season (see Appendix B, B.4).

City staff explained that Right-of-Way and Construction Division staff conducts all stormwater construction inspections for the City, which entail: review of site-specific SWPPPs to verify the size of the project, risk status, and proper incorporation of appropriate BMPs; pre-construction meetings after the SWPPP is approved by the City to discuss proper implementation of approved stormwater BMPs; site inspections to confirm full implementation of SWPPP requirements; and the issuance of formal enforcement actions to address non-compliance as needed.

Part 4.F.I.8(b) of the Permit requires the City to issue enforcement actions if compliance with municipal codes, ordinances, or permits has not been attained on construction sites. City staff provided EPA copies of model enforcement documents (i.e. "*Letter of Non-Compliance, Construction Site Stormwater Pollution Prevention*" and "*Letter of Non-Compliance, Dust Control*") for issuance to non-compliant construction site operators (see Appendix B, B.5 and B.6).

Potential Permit Violation

The City did not demonstrate an effective process to identify deficiencies at construction sites and take appropriate actions to achieve compliance. [Part 4.F.I.8(a) and (b)]

The EPA Inspection Team conducted a site visit at the Many Mansions construction project and identified multiple deficiencies associated with implementation of erosion and sediment control BMPs and good housekeeping practices as discussed above.

According to City staff, the City's field inspector conducts site inspections at the Many Mansions construction project daily and records observations regarding site conditions in a field notebook. Considering the frequency of the City's inspections and EPA's observations of site conditions, the City did not demonstrate an effective process to identify deficiencies and document site conditions. Furthermore, the City was unable to provide evidence of follow-up procedures to ensure corrective actions were implemented, or demonstrate the City's ability to take enforcement action. The City should ensure that its site inspections are adequately documented and develop a formal process for the issuance of enforcement actions.

3.2 Illicit Connections and Illicit Discharges Elimination Program

As stated at Part 4.H.I of the Permit, the City must implement a program to eliminate IC/IDs to the storm drain system. The program shall document, track, and report all such cases in accordance with the elements and performance measures specified in Part 4.H.I.1–4 of the Permit, including implementation and tracking of IC/IDs; public reporting; screening and response for illicit connections; and investigation, abatement and cleanup, and documentation for illicit discharges. City staff explained that the Resource Division in the Public Works Department was primarily responsible for implementing the City's IC/IDs Program.

3.2.1 Public Reporting of IC/ID Complaints

Part 4.H.I.2 of the Permit requires the City to establish and maintain a phone hotline to receive reports of IC/ID complaints. To address this requirement, the City established a 24-hour phone hotline for the public to report potential IC/ID incidents. According to City staff, employees in the Wastewater, Water, Landscape, and Streets sections staff the hotline and route calls to the appropriate City department for follow-up. City staff explained that the City Fire Department and County Environmental Health Department also receive reports of IC/IDs which are forwarded to the Public Works Department. Lastly, crews in the City's Streets Division periodically identify and report IC/IDs directly. According to City staff, the City's IC/ID procedures require response to all alleged IC/IDs within 24 hours of receipt of a complaint.

3.2.2 Storm Drain System Mapping

Part 4.H.I.3(a)(1)(A) of the Permit requires the City to develop a map showing the location and length of underground pipes 18 inches and greater in diameter and channels within their permitted area and operated by the permittee. City staff provided a demonstration of its GIS-based storm drain system map and explained that its entire storm drain system had been mapped prior to the May 7, 2014 compliance deadline. In addition, City staff stated its storm drain system map includes all inter-connections from the Ventura County and Caltrans storm drain systems to the City's storm drain system.

3.2.3 Response to IC/IDs

Part 4.H.I.3(b) and Part 4.H.I.4 of the Permit require the City to investigate, document, terminate, and cleanup or abate IC/IDs. The City relies on three inspectors in its Resource Division to respond to IC/IDs. To provide guidance on proper procedures for response to IC/IDs, the City's Public Works Department developed an "*Illicit Discharge and Spill Response Guide*" (see Appendix B, B.7). In addition, the City's Municipal Code provides the authority to issue warnings, notice of violations, administrative compliance orders, and cease and desist orders in response to documented IC/IDs. The Municipal Code also authorizes the City to recover costs and expenses incurred when formal enforcement actions are necessary to obtain compliance. City staff provided examples of case files in which warning letters or notice of violations were issued for discharges of non-stormwater to the storm drain system (see Appendix B, B.8 and B.9). The case files include incident reporting forms used by City inspectors to document the City's response to the IC/ID and the formal enforcement taken to eliminate the discharge if applicable.

3.2.4 Illicit Connections and Illicit/Illegal Discharge Training Program

Part 4.G.I.8(c) of the Permit requires the City train all employees and contractors with IC/ID responsibilities annually. Part 4.G.I.8(c) (1)-(6) of the Permit specifies that the training program address: identification; investigation; termination; cleanup; reporting of incidents; and documentation of incidents.

According to City staff, the IC/ID training program is implemented through on-the-job training, tailgate meetings, monthly in-house meetings held by the Engineering Division, and periodic Clean Water Act training. City staff stated that records of employee training are maintained in hard copy files. However, the City was unable to provide training records in response to the EPA Inspection Team's request.

Recommendation for Program Improvement

The City should develop and maintain an employee and contractor IC/ID training database. The database should be developed to allow the City to track all required elements of its IC/ID training program.

3.3 Receiving Water Limitations - Calleguas Creek Mass Emission Station WQS Exceedances (2010/2011 Monitoring Season)

Pursuant to the receiving water limitations specified within Part 2 of the Permit, discharges from the MS4 that cause or contribute to a violation of a water quality standard (WQS) are prohibited. If an exceedance of a WQS persists, not withstanding implementation of the Permit, the Copermittee is required to submit a report to the Regional Board describing BMPs currently implemented as well as additional BMPs that will be implemented to prevent or reduce the discharge of pollutants causing or contributing to the exceedance of a WQS.

Under the approach described by the Watershed Protection District in section 9.4.1 of the 2010/2011 Annual Report (p. 9-8), if a WQS is exceeded at a mass emission station, the upstream major outfall sample is evaluated to determine if the same pollutant is detected in that discharge. If so, the Copermittee discharging through the major outfall is considered to be responsible for causing or contributing to the exceedance of a WQS. If two or more WQS exceedances are detected for the same constituent within the same monitoring season, then the elevated level is determined to be persistent.

Based discussions with City staff and a review of the *Ventura County Stormwater Quality Management Program 2010/2011 Water Quality Monitoring Report* dated December 2011, the EPA Inspection Team learned that exceedances of the E. coli, fecal coliform and aluminum WQSs were detected at the Calleguas Creek mass emissions station (ME-CC) during all three 2010/2011 wet weather sampling events. Elevated levels of these same pollutants were detected at the Thousand Oaks major outfall monitoring station (MO-THO) during all wet weather sampling events and are therefore considered "likely caused or contributed to" by the MS4 discharge. These exceedances are considered "persistent" because elevated levels in receiving waters and urban runoff were detected during multiple wet weather sampling events within the same monitoring period. Therefore, the City of Thousand Oaks was required to submit a report to the Regional Board that describes existing BMPs and new BMPs that will be implemented to prevent or reduce the discharge of E. coli, fecal coliform, and aluminum in accordance with Parts 2.3(a) of the Permit. The submittal of this report is the first step in an iterative process described in Parts 2.3(a)-(d) of the Permit whereby the Regional Board Executive Officer has an opportunity to require modifications to the City's proposed additional BMPs. Permittees are to submit any required modifications to the report for the Executive Officer's approval, and implement the approved modified BMPs along with any required monitoring according to an approved schedule. After the additional BMPs are implemented, if there are still exceedances of Receiving Water Limitations, a report with another set of additional BMPs to be implemented is submitted for the Executive Officer's approval and another iteration of the process is implemented. When the required reports of additional BMPs are not submitted in the first place, there isn't implementation of the iterative process laid out in Parts 2.3(a)-(d) of the Permit to address exceedances of Receiving Water Limitations.

Potential Permit Violation

The City failed to submit a report to the RWQCB Executive Officer describing the additional BMPs that will be implemented to prevent or reduce the discharge of E. coli, fecal coliform, and aluminum in its stormwater discharges to address exceedances of receiving water limitations . [Part 2.3(a)]

The Annual Report, submitted by the VCWPD with input from the City of Thousand Oaks, included a description of the BMPs currently being implemented to address these pollutants but excluded any discussion of additional BMPs that will be implemented to prevent or reduce the concentration of pollutants identified as causing or contributing to exceedances of applicable WQSs.

Appendix A – Additional Inspection Report Materials

Page

A.1 – Inspection Schedule

Tentative Agenda for MS4 Program Inspection City of Thousand Oaks, California June 28, 2012		
Day	**Time**	**Program Area/ Agenda Item**
Thursday June 28, 2012	8:00 am – 8:30 am	Kick-off Meeting & Program Management Overview (Office)
	8:30 am – 10:00 am	Illicit Connections and Illicit Discharges (IC/IDs) Elimination Program (Office)
	10:00 am – 10:15 am	Break
	10:15 am – 11:45 pm	Development Construction Program (Office)
	11:45 am – 12:00 pm	Logistics Planning for Afternoon
	12:00 pm – 1:00 pm	Lunch Break
	1:00 pm – 3:00 pm	IC/ID Elimination Program and Development Construction Program (Field)
	3:00 pm – 4:00 pm	Open Period for Additional Activities[1] and Internal Discussion[2] (Tentative time slot)
	4:00 pm – 4:30 pm	Informal Out-brief (Tentative time slot)

[1] Open Period for Additional Activities – Will be decided by the EPA Audit Team during the audit activity in collaboration with City staff.
[2] Internal Discussion – Time for inspectors to arrange notes and prepare information to be discussed with City staff at the out-brief. City participation is not expected.

A.2 – Inspection Sign-in Sheet

MS4 PROGRAM EVALUATION SIGN-IN SHEET (PLEASE PRINT)

Permittee: City of Thousand Oaks Date conducted: 6/28/12

Permit No. CAS004002

Name	Title	Company	Department	Phone
Marteina Overton	Contractor US EPA	PG Environmental	MS4	808-372-2941
Mary Anne Van Zeyle	Engineering Technician II	City of Thousand Oaks	Public Works	805 449-2595
Cliff Finley	City Engineer	City of T.O.	Public Works	805-499-2349
Jim Tavlet	Sr. Civil Engr.	City of T.O.	Public Works/Develop.	805-449-2492
Alex Alimohammadi	WRCE	Regional Board LA	Storm water	(213) 620-2243
Paul Jorgensen	Sr Environmental Programs Inspector	City of T.O.	PW	805-469-1009
Mohammad Fatemi	Eng. Div. Mgr	City of TO	DPW	(805) 449-2449
JoAnne Kelly	Program Division Mgr.	City of T.O.	Public Works	805-449-2471
Greg Gherlsen	Env. Scientist	US EPA	CWA Compliance Office	(415) 947-4207
TED VLASCEM	Sr. Inspector	T.O.	PW	(805) 499-2425
Tom Pizzo	Environmental Div Manager	CTC	PW	805 497-2430

A.3 – List of Site Visits Conducted during the Inspection

The EPA Inspection Team visited the following sites during the inspection and generated site visit write-ups, which are included as Appendices A.4 and A.5:

- Many Mansions Construction Project
- Wendy Drive/101 Interchange Construction Project

A.4 – Many Mansions Construction Project Site Visit Report and Photograph Log

Site Name: Many Mansions Construction Project
Site Location: 1456 East Hillcrest Drive

Date of Visit: June 28, 2012
Entry Time: 1320 hrs (approx)
Exit Time: 1400 hrs (approx)

Site Owner and/or Operator: Dreyfuss Construction

Site Contact: Jorge Morales (General Superintendent), Rick Jones (Superintendent)

Conducted by: Marleina Overton (PG Environmental, LLC), Greg Gholson (U.S. EPA Region 9), and Alex Alimohammadi (RWQCB)

Accompanied by: Ted Ulaszek (City of Thousand Oaks), Mohammad Fatemi (City of Thousand Oaks), and Paul Jorgensen (City of Thousand Oaks)

Site Visit Report Prepared by: Marleina Overton (PG Environmental, LLC)

Site Summary

Many Mansions Construction Project was an affordable housing construction project approximately 2.25 acres. The project consisted of active construction of residential housing units, open areas, an asphalt paved road, and a construction trailer. During the site visit, the EPA Inspection Team focused on the areas of soil disturbance which would be exposed to stormwater. According to staff from the City, the City's field inspector checks the site daily and documents the site visits in a notebook. The facility had obtained coverage under the State General Permit for Stormwater Discharges Associated with Construction Activity and according to the superintendent all superintendents at the site were trained on performing site inspections and reports were uploaded to the states website. The EPA Inspection Team discussed challenges at the site with the superintendent and was told that dust from construction activities presented challenges.

Site Observations

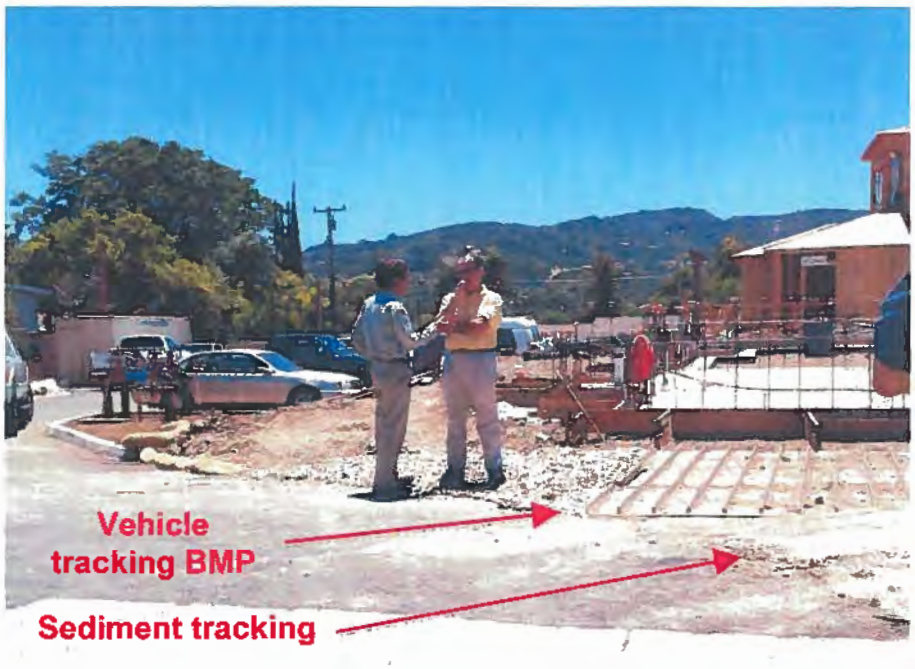
- The southern boundary of the project bordering Los Feliz Drive lacked erosion and sediment control BMPs (see Photographs 1, 2, and 3). According to City staff the contractor was asked to move the construction fence to provide a walkway for pedestrians, leaving an area previously included within the boundaries of the construction site exposed. The City staff also stated that a fire hydrant had recently been installed in the southwest corner of the project causing soil disturbance. The City staff and site superintendent discussed the need for BMPs along the boundary of the project.

- The construction entrance/exit on East Hillcrest Drive was not fully stabilized to prevent tracking from disturbed areas (see Photograph 4). The City staff and the site superintendent discussed moving the vehicle tracking BMP to prevent soil tracking from unstabilized areas. The EPA Inspection Team observed the contractor moving the vehicle tracking BMP to the unstabilized area.
- Gasoline containers used for filling construction equipment were observed on site without secondary containment (see Photographs 5 and 6). The City staff stated that the contractor was verbally asked by the City inspector to provide appropriate storage for the gasoline cans during a site inspection conducted the week prior to the EPA Inspection. The site superintendent told the EPA Inspection Team that the contractor responsible for leaving the gasonline container out (see Photograph 5) had to leave site for an emergency and would remove the container once he returned. A total of three gasoline containers without secondary containment were observed in separate areas of the site.
- Sediment control BMPs were not observed on portions of the retaining wall constructed along the perimeter of the south side of the site (see Photograph 7). According to City staff and the contractor on site, soil had been excavated to pave a road on site and the excess soil was used as fill along the southern perimeter of the project where the retaining wall had been constructed. Sand bags had been installed in some areas along the perimeter; but soil was observed overtopping the sand bags.
- Sediment control BMPs on site included fiber rolls placed along the perimeter of unstablized areas, (see Photograph 8). In most areas the edge of pavement was higher than the disturbed soil. However, the EPA Inspection Team observed fiber rolls crushed along the west boundary of the paved road shown in Photograph 8.
- Good housekeeping practices observed on site included geotextile installed on top of agrate inlet with sandbags placed around the edges, and visquine placed under a portable toilet with sand bags lining the edges (see Photographs 9 and 10).

Photograph 1. **Many Mansions Site Visit – View facing west on Los Feliz Drive of unstablized soil outside the perimeter construction fence.**

Photograph 2. **Many Mansions Site Visit – View facing east on Los Feliz Drive of unstablized soil outside the perimter construction fence.**

Photograph 3. Many Mansions Site Visit – View facing north on Los Feliz Drive of unstabilized soil outside the gate to the construciton site.



Photograph 4. Many Mansions Site Visit – View of a sediment tracking at the entrance to the project off East Hillcrest Drive.

Photograph 5. Many Mansions Site Visit – View of gasoline container without secondary containment.

Photograph 6. Many Mansions Site Visit – View of gasoline container without secondary containment.

Photograph 7. Many Mansions Site Visit – View of soil on top of a retaining wall without sediment control BMPs to prevent soil from overtopping the retaining wall.

Photograph 8. Many Mansions Site Visit – View of fiber rolls installed along the edge of pavement and perimeter of unstabilized area. Note the crushed fiber roll to the right of the pavement.

Photograph 9. Many Mansions Site Visit – View of grate inlet covered with geotextile and sand bags placed around the edge of the inlet.

Photograph 10. Many Mansions Site Visit – View of portable toilet on visquine and lined with sand bags.

A.5 – Wendy Drive/101 Interchange Construction Project Site Visit Report and Photograph Log

Site Name: Wendy Drive/101 Interchange Construction Project
Site Location: Wendy Drive and US 101

Date of Visit: June 28, 2012
Entry Time: 1412 hrs (approx)
Exit Time: 1450 hrs (approx)

Site Owner and/or Operator: City of Thousand Oaks

Site Contact: Nader Naderi, (AECOM Superintendent)

Conducted by: Marleina Overton (PG Environmental, LLC), Greg Gholson (U.S. EPA Region 9), and Alex Alimohammadi (RWQCB)

Accompanied by: Ted Ulaszek (City of Thousand Oaks), Mohammad Fatemi (City of Thousand Oaks), and Paul Jorgensen (City of Thousand Oaks)

Site Visit Report Prepared by: Marleina Overton (PG Environmental, LLC)

Site Summary

The Wendy Drive/101 Freeway Interchange project was an active construction project that included adding travel lanes, widening the northbound on ramp to US 101, widening the southbound off ramp of US 101, adding bike lanes, and modifying traffic signals. AECOM, a consultant to the City, was responsible for providing a QSP and QSD to perform site inspections. The superintendent accompanied the EPA Inspection Team and the staff from the City during the site visit. The superintendent told the EPA Inspection Team that active clearing and grubbing was occurring on the embankments; however, vegetation was maintained in some areas as a BMP.

Site Observations

- A vehicle tracking BMP was observed at the entrance to the material storage area and site of the construction trailers (see Photograph 1).
- A material stockpile was covered with visquine and fiber rolls had been installed at the base of the stockpile (see Photograph 2).
- Soil disturbance was observed on the east side of US 101 (see Photograph 3). According to the superintendent the area would be stabilized within seven days.
- Soil disturbance was observed between US 101 and the on ramp to US 101 (see Photograph 4). According to the superintendent earthwork was active on the embankment and vegetation was maintained at the toe of the slope.

- Fiber rolls were observed along the slope of the embankment (see Photograph 5). According to the superintendent, the contractor was notified that fiber rolls must be entrenched and corrective action was required within 72 hours of notification.

Photograph 1. Wendy Drive/101 Interchange Site Visit – View of a vehicle tracking BMP at the entrance to the material storage area.

Photograph 2. Wendy Drive/101 Interchange Site Visit – View of material stockpile covered with visquine and fiber rolls at the base of the stockpile.

Photograph 3. Wendy Drive/101 Interchange Site Visit – View facing north from the top of the overpass of open area east of US 101.

Photograph 4. Wendy Drive/101 Interchange Site Visit – View of open area between US 101 and the northbound on ramp to US 101.

Photograph 5. Wendy Drive/101 Interchange Site Visit – View of fiber rolls installed along the slope of the embankment on the north side of Wendy Drive.

Appendix B – Catalog of Reference Materials

The materials listed in this appendix are relevant to the evaluation but have not been included in the submittal of this inspection report. Copies of materials noted below are maintained in U.S. EPA Region 9 records and can be made available upon request.

B.1 – City of Thousand Oaks Stormwater Quality Management Regulations, dated October 1999

B.2 – Example of Job Contact List

B.3 – City of Thousand Oaks Construction Site NPDES/Stormwater Pollution Prevention Checklist, Rev. 02/24/04

B.4 – Erosion/Sediment Control Reminder

B.5 – Letter of Non-Compliance, Construction Site Stormwater Pollution Prevention

B.6 – Letter of Non-Compliance, Dust Control

B.7 – Illicit Discharge and Spill Response Guide, dated June 2011

B.8 – Illicit Discharge Notice of Violation, Incident Report, dated January 13, 2011

B.9 – Illicit Discharge Notice of Violation, Incident Report, dated March 31, 2011