US ERA ARCHIVE DOCUMENT

Appendix C EXHIBIT LOG

Evaluated by: Scott Coulson (PG Environmental, LLC)

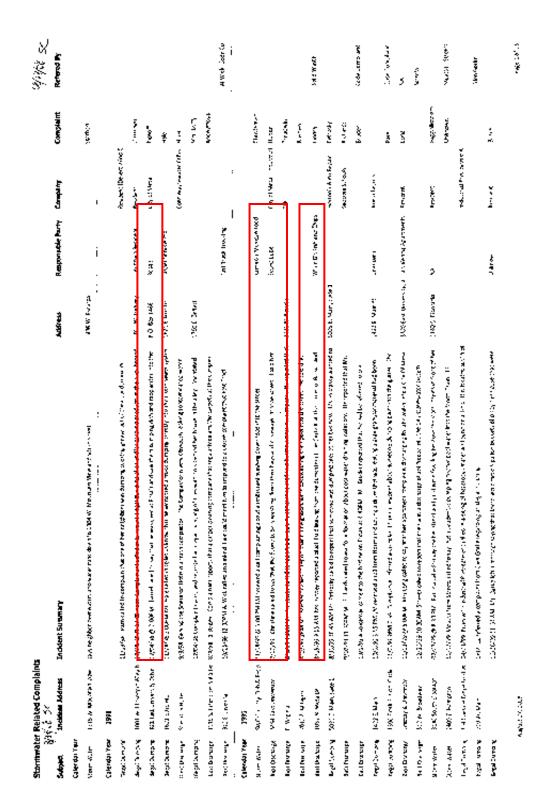


Exhibit 1a – Excerpt from the City's complaints database showing page 1 of a query prepared by Environmental Programs staff

Evaluation Dates: August 25-27, 2008 Page 2 of 10

Evaluated by: Scott Coulson (PG Environmental, LLC)

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Exhibit 1b – Excerpt from the City's complaints database showing page 2 of a query prepared by Environmental Programs staff

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Evaluated by: Scott Coulson (PG Environmental, LLC)

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Exhibit 1c – Excerpt from the City's complaints database showing page 3 of a query prepared by Environmental Programs staff

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Evaluated by: Scott Coulson (PG Environmental, LLC)

Description of procedures for site planning	STOAM MATER MANAGEMENT PLAN (Construction Sites) ACTIONS
which incomposate consideration of potential water quality impacts.	The City has developed an information packet which is issued to developers during their planning stages. This information packet describes compliance requirements for erosion control and storm water pollution reduction.
Description of requirements for structural and mon-structural best management practices.	All development is required to retain storm water runoff from a 100-year 2-hour storm. This will retain 99 percent of all stormwater falting on the site.
	The City has worked with the Flood Control District of Maricopa County and developed a manual titled "Rest Nanagement Practices and Erosion Control Manual for Maricopa County Arizona". This manual is available to all Contractors and lists numerous BMP's used on construction sites.

Exhibit 2 – The City's Part II Application, Table 4.4, description of BMP requirements, states that the City has worked with the Flood Control District to develop a BMP manual

Evaluation Dates: August 25-27, 2008

Evaluated by: Scott Coulson (PG Environmental, LLC)

8-5-2 X 5 3 (g) Pumped groundwater continuing no pathicians, (2774, Reso. 6828) (b) Fourtration and society digins, (2074-66-66, A\$28) Wetri from crawl space pumps; (2774 Reso. 6528). (j) Air conditioning sandersation and exaperative coafer musil, (2774 Result 6528) (k) Nytoral springs, (2774/Reso, 5528) Individual residential car washing, (2774/Resp., 6578) (iii) Flows from riporium habitats and well-aids, av Close areas are designated under applicable federal and Mate lows, (2774-Reso, 6125). (ii) Droblamouteð swimming pool discharges; (2774/Reso, 9528) (a) Ploves resulting from the lighting activities, or (2774 Reso. 6528). (n) Dust central watering (277/i/Reso. ii528). (D) No person shall cause a discharge, depetly of indigetly, in the City storm sewer system which is exempted under Subsection (C) of this Secrima if the Cury Linguises identifies and provides writing people to the person that the discharge from such person has the potential to be a swarce of pollutants to waters of the United States (2774 Reso 6528) (E) No person shall distribute, directly of indirectly, to the City storm sewer system where such discharge would result in or contribute to a violation of the NPDES Storm Water Permit systed to the City, extrer separately considered or when combined with other discharges, flushifting for any such discharge shall be the responsibility of the person cansing or responsible for the discharge, and the person shall defend, independy,

1-5-3: REDUCTION OF POLITITIANTS IN STORM WATER:

(A) All persons owning or operating facilities or engaged to activities which for flav contembly by expected to result in pollutaris entering the City starm sewer system, either directly or indirectly, shall undertake all transferable best management processes identified by the City Engancer to minimize such pollutaris. Such measures shall include the requirements imposed by all of the following: (2774/Reso 6628)

and hold harmless the Cay of all administrative or pulicial enforcement actions relating to such discharge.

(F) No person Call establish, use, countain, or continue any direct or indirect connection to the City's storm server system which has the potential to testify a profugning this Spiritor. This profithering is indicative and shall apply to connections made in the past, regardless of whether they were make tester a person or other neather estion or whether they were permissible under the law or practices applicable or prevailing at the time.

Time Section, (2774/Reset 6525).

of the connection (2774/Reso, 6528).

(2774/Reso 4628)

2. The applicable NPDSS Storm Water Permits and (2774 Resol 6528)

Exhibit 3a – The City storm water ordinance grants the City with broad authority to regulate both the actual discharge and the potential to discharge pollutants to the City MS4

Evaluation Dates: August 25-27, 2008 Page 6 of 10

Evaluated by: Scott Coulson (PG Environmental, LLC)

8-5-3 H-5-4

- Any written goodelines which pay be reveloped to referenced for general use by the City language. CCOM Resources.
- 40) No preson shall throw, deposit, rave, instituting keep, or period to be thrown, deposition, eff, manufaced, or kept, except on appropriate containers or or lawfully exceptively decoping grantels, any refuse, rubbish, partiege, or other distanced or chandresed objects, intules, and accumulations in in input any street alloys outerwals, success through could be son, conduct, or other dramage varieties, because place, or upon any public or private lot of land in the City so that the same becomes or could reasonably be expected to be some a political, (2774 Review 6528).
- (f) Persons overlags of operating a politicality, gas station packing, statinger, and fearling areas, or satural premises which are exposed to montal small clean those premises in a frequent and thorough maintains that staring water from such premises ideas not cause or contribute to a violation of Section 8-5-7, (2774 Ress) (6)28).
- (D) Any person performing construction that, use ail practicable nest management practices admitted by the City Engineer to instantize pattments as sediment from feating the construction site. All a management, the person shall do both of the following: (2774-Reso 1653).
 - 1. Not cause or committee to a violation of Section 8-5-2; and (2774/Reso, 0528)
- (2) Crosply with any written guidelines which may be developed or referenced for general use by the Crip Engineer, (27% Reso. 4528)
- (b) Persons causing cascharges who are required to saltimit to E.P.A. a notice of attent to comply with an NPOFS short. Water Permit shall provide a copy of such notice to the City Engineer after to beginning the construction of operation of an industrial websity which would cause the discharge (77.54 Reso, 6.228).

8-5-4: INSPECTIONS AND MUNITORING:

- (A) Upon presentation of oredeatals and at all necessary beans, all on beautiff engalogies of the Days shall have free agests only premises and to all tensions personant to those premises for purposes of crossing compliance with this Chapter Texpectant, copying, sampling, photographing, and other satisfies conducted on the premises shall be fromed to those which are reasonably needed by the City in determining coordinates with the requirements of this Chapter and of apparents in PDDS Storm Ware Propies continues. All persons shall allow such admitted by calculation and observations conductors with a numerical of delay (2774 Reso, 6528).
- (B) In addition to those activities described in Subsection (A) of this Section, authorized City employees small engage or monitoring necessary to costone conglitudate with this Chapter and all applicable NPDES Storm. Water Person conditions. At the City's expense, the City language may exhabitable promises such describes the City Engineer reasonably determines are recessary to conduct sampling or motiving operations. See A described installed so as to non-move the impact on the council of the personal City employee may take any tamples necessary to and to the personal of the inquiry or in the reconduction of the activities on the premises, (2774 Reso. 6528).
- (C) The City linguiseer may order any person engaged in any activity or owning or operating of any premises which may cause or contribute to discharges of atomic water in critistion of the Cityptes or any applicable NPDES shows Water Person conduct to endertake such pointering acrosses and analyses and formula such reports as the City Engineer reasonably may specify. The crisis of such acrossing, analyses, and reports shall be barter by the recipient of the other 12724 ResourceSo;

Exhibit 3b – Section 8-5-3 (D) of the City storm water ordinance also pertains to the regulation of construction activities

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6.0 ENFORCEMENT

6.1 PRIVATE PROJECTS – DUST CONTROL

6.1.1 Voluntary Compliance

The City has legal authority under the Particulate Pollution Sources ordinance to enforce compliance for violations and to pursue civit or criminal actions for non-compliance with the ordinance. However, the City only uses this authority when all other options have failed.

The City profess to operate under a voluntary compliance program. Written notification of required actions is usually provided with the City of Meas Environmental Compliance Review form (Appendix G). However, if a violation identified in an initial inspection remains unaddressed the City may take additional measures to compel compliance.

6.1.2 Permit Violation Referrals

For construction site operations that do not meet votuntary compliance schedules, and the violation is a violation of the City code and the rules ostablished by the MCAQD, the City reters these violations the MCAQD. This allows for a higher level of enforcement without placing the violator in "double-jeopardy" of enforcement actions from both the City and the MCAQD.

6.1.3 Legal Action by the City

For construction site operations that do not meet voluntary compliance schedules and/or the violation may cause an immediate hazard to the public, legal action may be taken by the City Attorney's office. The EPD Administrator is responsible for reporting these violations with approval from the Director of the Development Services Department.

6.2 PRIVATE PROJECTS - STORM WATER

6.2.1 Voluntary Compliance

The City has legal authority under the Storm Water Pollution Control ordinance to enforce compliance for violations and to pursue civil or criminal actions for non-compliance with the ordinance. However, the City only uses this authority when all other options have failed.

City of Mesa, Construction Site Inspection Standard Operating Procedures

Page 6-1

Exhibit 4a – The City Construction Site SOP, Section 6.2.1, states that the "City only uses this [enforcement] authority when all other options have failed"

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Evaluated by: Scott Coulson (PG Environmental, LLC)

The City prefers to operate under a voluntary compliance program. Written notification of required actions is usually provided with the City of Meas Environmental Compliance Review form (Appendix G). However, if a violation identified in an initial inspection remains unadd/essed the City may take additional measures to compet compliance.

6.2.2 Permit Violations

For construction site operations that do not meet voluntary compliance schedules, and the violation is a violation of the City code and the requirements set forth in the CGP, the City refers these violations to the ADEQ. This allows for a higher level of enforcement without placing the violator in "double-jeopardy" of enforcement actions from both the City and the ADEQ.

6.2.3 Legal Action by the City

For construction site operations that do not meet voluntary compliance schedules, and/or the violation may cause an immediate hazard to the public; legal action may be taken by the City Attorney's office. The EPD Administrator is responsible for reporting these violations with approval from the Director of the Development Services Department.

6.3 CITY PROJECTS

Enforcement of violations with dust control or storm water from city construction site projects is the responsibility of EPD. EPD may issue a **stop work order** at any time to prevent further pollutant discharges to either the air or storm system (City's MS4 or those owned and operated by others). However, the EPD inspector must coordinate with the Engineering Construction division's construction inspector and Chief Inspector prior to issuing a stop work order.

Oxy of Mosal, Construction Site Inspection Standard Operating Procedures

Page 6-2

Exhibit 4b – The City Construction Site SOP, Section 6.2.1, states that the "The City prefers to operate under a voluntary compliance program"

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Evaluated by: Scott Coulson (PG Environmental, LLC)

City of Mesa

2005/2007 Storm Water Annual Report

Summary of Enforcement Actions, Inspections and Public Education

Environmental Programs is responsible for coordinating the City's storm water program. Various elements of the program require enforcement, inspection and/or public education. This section is a summary of those actions.

Ouring the 2006/2007 reporting year no formal enforcement actions were taken by the City Environmental Programs was able to work cooperatively with responsible parties to remedy identified pollutant source problems

Environmental Programs performs inspections of both construction sites and industrial facilities as required in BMPs 14 and 15. Table 5-1 lists the industrial inspections that were conducted from July 1, 2006 through June 30, 2007

Sediment is the primary pollutant of concern at construction sites. Therefore, dust and storm water inspections are typically performed simultaneously. Twenty-eight construction sites were inspected from July 1, 2006 through June 30, 2007.

Many of the construction inspections are conducted in response to dust or track-out complaints. Some sites are immediately referred to Maricopa County for investigation and enforcement. Construction inspection reports for the 2006/2007 reporting period are available upon request.

Table F-2 summarizes the public education that has taken place during the 2006/2007 reporting year

Table F-1
Summary of Industrial Inspections

Company	SIC	Street	Inspection Date
Able Steel Fabricators	3441	4150 East Quartz Circle	06/17/07
American Metals Co., Inc.	5093	740 West Broadway Road	06/13/07
Door Mill, The	2431	440 E. Juanita	04/27/07
International Recifier EPI	3612	550 W. Juareta Ave.	01/25/07
Services			
Mark's Valley Grading	4953	2425 N. Center Street	06/14/07
P&H Mine Pro	3532	112 W. Iron	06/15/07
Trans-Matic Manufacturing Co.	3469	4250 East Oasis Street	06/13/07
Vyne Powdor Coating	3479	2452 W. Birtchwood,	06/13/07
		Suite 113	

F-1

Exhibit 5 – The City Annual Report 2006–2007), page F-1, states that "during the 2006/2007 reporting year no formal enforcement actions were taken by the City. Environmental Programs was able to work cooperatively with responsible parties to remedy identified pollutant source problems"

Evaluation Dates: August 25-27, 2008