



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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December 20, 2011

Jeff Walker
316 South Towerview
Columbia City, Indiana 46725

Dear Mr. Walker:

Re: Construction Run-Off MCM Audit/Inspection Report

The Construction Run-Off Minimum Control Measure is one of the six components that must be implemented by an MS4 in accordance with 327 IAC 15-13. Enclosed is the final Audit/Inspection Report for the Construction Run-Off Minimum Control Measure. The purpose of the Audit/Inspection process is to identify issues that the MS4 can utilize to improve the implementation of the Construction Run-Off Minimum Control Measure. The report provides general background information, observations, recommendations, and requirements. In addition, the report may also identify program deficiencies and/or violations of a permit that will require the MS4 to respond or address within specified timelines.

This correspondence includes the Audit/Inspection Summary and supporting documentation that was obtained during the program assessment. The Audit/Inspection Summary is a cumulative overview of the MS4 program for the Construction Run-Off Minimum Control Measure. Part of the audit/inspection may also include projects that are owned and operated by an MS4. These sites are inspected and evaluated based on requirements of 327 IAC 15-5. Compliance for these projects is recorded on the "On-Site Evaluation for Erosion and Sediment Control" form that is utilized by IDEM for all projects subject to the requirements of 327 IAC 15-5.

Please review the enclosed report. If you have any questions, please contact me at 317-234-5028 (rbeck@idem.in.gov) or Randy Braun at 317-234-3980 (rbraun@idem.in.gov).

Sincerely,

Rob Beck, CESSWI
Storm Water Specialist
Office of Water Quality, Watershed Planning Branch
Wetlands and Storm Water Section

Enclosures

cc: Randy J. Braun, CPESC, CMS4S, Section Chief
Reggie Korthals, MS4 Coordinator

**Audit/Inspection Summary Report
Construction Run-Off Minimum Control Measure
Regulated MS4 Entities (327 IAC 15-13)**

Date of Audit/Inspection: 10/27/2011

MS4 Name: Columbia City

MS4 Permit Number: INR040088

MS4 Operator/Contact:

Name: Jeff Walker

Address: 316 S. Towerview

City: Columbia City **State:** Indiana **Zip:** 46725

Phone: 260-248-5114

E-Mail: jpwalker@columbiacity.net

MS4 Participants:

Identify the all participants representing the MS4. Include the name, title, role (Inspector Construction Program Manager, etc.), contact information (e-mail and phone number) for each participant.

Name, Title, Role, Phone, E-Mail

- Jeff Walker, Operations Manager, 260-248-5114, jpwalker@columbiacity.net
- Gene Haskins, Whitley County SWCD, 260-244-6266x3, gene.haskins@in.nacdn.net

Section I - Baseline Information:

- **Construction Certification Date:** 10/29/2004
- **Post-Construction Certification Date:** 9/29/2005
- **Projects Regulated by MS4:**
 - ☒ All new projects are regulated upon the effective date of the construction site ordinance. The MS4 did not assume responsibility for projects that were active prior to passage of the local ordinance. These projects remain under the regulatory authority of IDEM.
 - ☐ All new and active projects within the MS4 area, including those where construction was initiated prior to the effective date of the construction site ordinance.
 - ☐ The MS4 is a non-traditional MS4 (University, Prison, College, etc.) and does not regulate projects within the MS4.
All projects that occur within the MS4 are considered to be owned and operated by the MS4. The MS4 is responsible to obtain a permit in accordance with 327 IAC 15-5 and manage the construction site.
- **MS4 Boundaries for Administration of the Construction Minimum Control Measure:**
 - ☐ **County MS4:**
 - ☐ Urbanized Areas Only
 - ☐ Entire County, Excluding Incorporated Areas

- ☒ **Municipality, City, Town:**
☒ **Urbanized Areas Only**
Within City Boundaries
☐ **Other:**

- **Enforcement Mechanism Available and Process (*Check all that apply and describe*):**

- ☒ **Fines** ☒ **Stop Work Orders** ☒ **Penalties** ☒ **Other:**

All initial inspections are conducted by the Whitley County SWCD and an inspection form is used. A violation can be triggered after one or more inspections that have deficiencies and depending on the severity of the violation. The severity is at the discretion of the inspector. Sites found to be in violation can be issued a stop work order. Stop work orders can be issued if land disturbing activity begins without a permit, if the erosion and sediment control plan is not being implemented in good faith, or if the conditions of the permit are not being met. Failure to comply with the stop work order may result in the MS4 to revoking the permit for the site and/or result in fines of up to \$2,500 per violation per day. Legal costs can also be charged to the responsible party.

- **Program Administration:**

The MS4 utilizes a paper filing system. The process requires a SWPPP review in the developmental plan approval for all building projects.

Complaints are handled through a paper form and received in-office. Building inspectors will normally investigate complaints within 24 hours.

Regulatory threshold is 1 acre disturbed. There is no prioritization of projects mostly due to the low volume of work.

- **Plan Review Process:**

The MS4 has contracted this work out to the Whitley County SWCD. All SWPPP reviews are conducted by Gene Haskins. He has been conducting plan reviews for the past year. The standard DNR plan review form is used. Deficiencies are addressed through email with the plan developer until they are resolved.

The following staff/personnel are part of the plan review program:

- Gene Haskins

- **Compliance Inspection Process:**

- **Regulated Projects:**

The following staff/personnel are part of the compliance inspection program:

- Gene Haskins

The frequency of compliance inspections is typically on a monthly basis during early phases of construction. The first inspection is always conducted during the initial grading phase.

Frequency decreases through the life of the project unless a complaint is made on the site.

A standardized inspection form is used by the inspector to conduct and guide inspections. The inspection form is the old DNR inspection form. Cameras are used on every inspection and photos are taken of all violations.

- **Projects Owned and Operated by the MS4:**

For projects owned and operated by the MS4, the project contractor is responsible for conducting the self monitoring inspections as required by 327 IAC 15-5-7 (18). These are performed according to the project contract requirements. The SWCD personnel still provide quality assurance checks of self monitoring inspections.

The Soil & Water Conservation District conducts reviews of all city-owned project SWPPP's.

- **Post-Construction Measures and/or Principles Applied:**

The Whitley SWCD, through the Agreement for Services with the MS4, is charged with developing and administering the post-construction program. The Long-Term Control Plan (LTCP) for Columbia City outlines several post-construction strategies for storm water management that will be implemented. Elements included in the plan focus on low impact development (LID) with practices to include rain gardens, bioretention systems, vegetated swales and buffers, rain barrels and cisterns, permeable pavers, and impervious surface reduction.

Section II - Field Audit/Inspection Summary:

This summary has been prepared based on the assessment of individual projects regulated by the MS4 and projects that are owned and operated by the MS4. The purpose of the Construction Minimum Control Measure Audit/Inspection is to identify the strengths and weaknesses of an MS4 program. The ultimate goal is to strengthen the ability for an MS4 to administer the Construction Run-Off Minimum Control Measure as required by 327 IAC 15-13.

- **Projects Owned and Operated by the MS4:**

All projects that are owned and operated by an MS4 are subject to the requirements of 327 IAC 15-5. Therefore, IDEM staff and/or agents of IDEM may choose to inspect these sites for compliance at a later date. It is the responsibility of the MS4 to comply with 327 IAC 15-5 and other state and federal regulations. This responsibility may extend beyond the local Department that administers the MS4 program and include other Departments within the MS4.

- **Project(s) Inspected:**

A. **No Active Projects available to inspect**

- **Observations:**

Not Applicable

- **Self Monitoring Form(s) and Other Correspondence:**

No Self-Monitoring Form is used by the MS4. It is the responsibility of the city-hired contractor to produce a form for use in their self-monitoring reports.

- **Projects Regulated by the MS4:**

- **Project(s) Evaluated to Assess the MS4 Regulatory Program:**

- A. **Senior Center Parking Lot Addition**

- B. **Parkview Health Center**

- **Plan Review - Observations:**

- The plan review process is efficiently managed and well administrated. SWPPP's are received and reviewed by the Whitley County SWCD.

The plan review process is somewhat similar to the process used by IDEM, being that it operates within the framework of the old IDNR Plan Review form and guidelines. The SWPPP's are thorough and cover the minimum requirements of the MS4 ordinance. The plan review process shows good communication between the SWCD personnel and the plan developers.

- **Plan Review Form(s) and Other Correspondence:**

- The plan review form is the standard DNR plan review form. Its functionality is adequate to the needs of the MS4.

Compliance Inspections - Observations:

- The inspector conducts inspections in an organized professional manner, is knowledgeable about the project and knows the contractors and responsible parties of the project.
- The MS4 utilizes a form to document deficiencies, but does not fill it out on-site. The form is filled out usually on return to the office.
- The MS4 inspector uses a camera to document potential deficiencies.
- The MS4 inspectors need to be more knowledgeable in the use and principles for a wider variety of the erosion and sediment control measures. A variety of measures are contained in the [Indiana Storm Water Quality Manual](#).

- **Compliance Inspection Form(s) and Other Correspondence:**

- The site report is a slightly modified DNR inspection form. It is adequate to the needs of the Columbia City MS4.

Section III - Program Assessment, Comments, Recommendations, and Requirements:

- **Overall Program Assessment:**

(S = Satisfactory, M = Marginal, U = Unsatisfactory, NE = Not Evaluated, NA = Not Applicable)

S M U NE NA

- | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The ordinance for the Construction Site Run-Off Control Minimum Control Measure meets the intent of 327 IAC 15-5.
<i>Comment: This item was not reviewed.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 reviews the Construction Site Run-Off MCM a minimum of once every five (5) years.
<i>Comment: The MS4 considers the Construction MCM adequate to the current needs of their program and has no plans to modify it.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 has developed requirements for the implementation of measures associated with erosion, sedimentation, and other waste on construction sites.
<i>Comment:</i> <ul style="list-style-type: none">▪ The MS4 utilizes the ‘Indiana Storm Water Quality Manual’ as a reference for technical standards.▪ The MS4 has additional city technical standards that include a list of preapproved practices with the option of additional practices that provide engineering review and feasibility evaluations for those practices. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 reviews and approves construction plans that are submitted in accordance with the local MS4 ordinance.
<i>Comment: Columbia City MS4 through the Whitley County SWCD reviews all plans in accordance with local ordinance.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 has procedures to administer an inspection program.
<i>Comment: The Columbia City MS4 through the Whitley County SWCD has procedures to administer their program with an Agreement for Services.</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 has procedures to enforce the Construction Run-Off MCM.
<i>Comment: Refer to the description of the enforcement process in Section I of this report.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 has procedures to identify priority sites for inspection and enforcement.
<i>Comment: Procedures were not evident. Due to low volume of projects, no prioritization process has been developed.</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | MS4 personnel responsible for plan review, inspection, and enforcement of construction activities attend annual training.
<i>Comment:</i> <ul style="list-style-type: none">▪ The MS4 personnel do attend some training, but it has been restricted to local events. Opportunities have been limited. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | The MS4 is effectively managing projects that are owned and operated by the MS4.
<i>Comment: The MS4 contracts with the Whitley County SWCD to manage any construction issues with its owned and operated sites and to conduct quality assurance checks on its contractors. The SWCD reviews storm water plans and conducts inspections, but self-inspections are handled by contractors for the MS4.</i> |

- **General Comments:**

- The MS4 must ensure that internal operations for construction projects owned and operated by the MS4 are compliant with 327 IAC 15-5. One area that is important and often overlooked is policy and procedures for the implementation of a Self Monitoring Program as required by 327 IAC 15-5-7 (18). The requirement to administer a Self Monitoring Program is a mechanism for the permitted entity to manage and operate a project site. This responsibility extends beyond the local Department that administers the MS4 program and includes other Departments within the MS4. The MS4 must work with other Departments to ensure that each is knowledgeable of the requirements associated with all local, state, and federal permits.

- **Recommendations:**

- Plan reviewer must be aware of potential jurisdictional water areas prior to review and approval of construction plans. These are delays for the owner, but also may impact the layout and design of a project with respect to infrastructure, storm water quality measures, and key elements of the project.

- **Requirements:**

- The MS4 field inspection staff and plan review staff should attempt to take advantage of training opportunities to further their understanding of erosion and sediment control and storm water management issues. Although only one session is required, it is also recommended that staff take advantage of all opportunities for training.

- **Further Action by IDEM:**

IDEM will perform follow-up inspections of projects owned and operated by the MS4 as they become active and will periodically re-visit projects sites that are regulated by the MS4. Additional projects will be visited with MS4 staff to further assess the Construction Run-Off Minimum Control Measure.

- **Report Prepared by: Rob Beck, CESSWI, Storm Water Specialist**

- **Questions regarding this report should be directed to:**

Rob Beck, CESSWI, Storm Water Specialist

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or

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