

Report on Results of U.S. EPA Post Inspection Construction Stormwater Pilot Project



September 15, 2008

EXECUTIVE SUMMARY

Background

The Environmental Protection Agency's (EPA's) Office of Compliance (OC) and the Stormwater Strategy Implementation Team (SIT) jointly developed and implemented the Post-Inspection Construction Stormwater Pilot project with the EPA regions. The pilot project was conducted from August 2006 through September 2007. It was a compliance assistance effort to provide owners and/or operators of construction sites with essential stormwater Web resources at a central location to help address any non-compliance issues after an inspection and to encourage these entities to go beyond compliance. The goal of the pilot was to determine if the post-inspection concept should be implemented across the Office of Enforcement and Compliance Assurance (OECA) national priority areas.

Implementation

The pilot involved the following steps:

- 1) Developing the Post-Inspection Construction Stormwater (PICS) Compliance Assistance Web site,
- 2) Creating the PICS Compliance Assistance Fact Sheet in English and Spanish,
- 3) Developing an implementation guidance memorandum,
- 4) Developing and implementing a data entry protocol for the compliance assistance module of the Integrated Compliance Information System (ICIS),
- 5) Coordinating implementation of the pilot with the regions, and
- 6) Conducting a survey of fact sheet recipients to measure the effectiveness of the pilot project. (The regions were given the flexibility of not submitting contact information for the phone survey if such action would potentially interfere with impending enforcement actions.)

Selecting the Stormwater national priority for the Post Inspection Pilot had both benefits and limitations. The universe of EPA stormwater inspections at construction sites was a

manageable number and there were many compliance assistance resources available to help support the pilot. The transient nature of the construction industry, however, is not representative of other industry sectors and presented challenges in measuring the success of this pilot. We believe this resulted in only 16 percent of the fact sheet recipients responding to the survey. Given the limited number of survey responses, survey results were not extrapolated to represent the entire pilot universe.

Survey Results

EPA distributed the fact sheet to 221 inspected entities, and was able to complete 36 surveys. For those who responded to the survey, 75 percent welcomed receiving the fact sheet after an inspection, and 89 percent indicated that having all compliance assistance materials on a Web site was helpful. The survey responses also indicated that many of the entities took actions to reduce, minimize or eliminate pollution as a result of using the Web resources.

Seventy eight percent (78%) of the respondents took a total of 95 actions; an average of 3.4 actions per respondent. While a high percentage of the respondents took action to reduce pollution, most were not able to estimate the amount of pollutants reduced.

Initial Recommendations

Although the construction industry has some unique attributes that make it a challenging sector for this approach, and survey results are limited, the fact that 78 percent of the survey respondents reported taking a total of 95 actions to improve environmental practices and achieve pollution reductions speaks well for OECA's integrated strategy of combining inspections with compliance assistance. Based on the lessons learned from this pilot and the results we were able to measure, replicating this approach may make sense in limited circumstances. Therefore, two recommendations are listed below for the Planning Council's consideration:

- 1) **The Planning Council should consider expanding the post inspection concept to a national priority area where the following criteria are met for those regions which choose to participate:** 1) compliance assistance materials already exist and

can be easily compiled and organized into a post inspection Web site; 2) the facilities to be inspected should have a permanent address with management personnel on site; 3) the environmental management practice changes can easily be understood and implemented; and 4) actions taken to improve environmental practices or achieve pollution reduction can be implemented at relatively low cost. In addition to the OECA national priorities, the regions are encouraged to consider implementing the Post Inspection concept for other regional priorities or core programs. When implementing such a program, the regions may want to follow the implementation strategy of the pilot project and consider withholding the fact sheet or avoid surveying the inspected entities if these activities would interfere with potential enforcement actions.

- 2) **OC should launch a Post Inspection Web site containing EPA Headquarters and regional post inspection information to assist regions and states that want to institute a post inspection program.** This Web site would describe the process of the pilot and highlight the lessons learned from the pilot and other regional post inspection programs. It should be used as a resource for regional or state programs interested in developing a post-inspection compliance assistance initiative or approach.

Final Decisions

A briefing for the Planning Council on the pilot results and recommendations was conducted on May 27, 2008. The Planning Council agreed with OC that the Post Inspection concept should be considered in the other OECA national priority areas if the criteria listed above are met. As a result, the schools focus area under the Tribal priority will add a Post Inspection compliance assistance component and the CAFO priority area will also implement a simplified Post Inspection approach. In addition, OC will design a web page to house all relevant documents developed for the Post Inspection pilot to assist future Post Inspection efforts.

TABLE OF CONTENTS

	Page
1.0 INTRODUCTION	1
2.0 IMPLEMENTATION OF THE PILOT	2
3.0 PILOT PROJECT RESULTS	3
3.1 Telephone and Online Survey Responses.....	3
3.2 Challenges of the Pilot.....	6
4.0 CONCLUSIONS.....	8
5.0 INITIAL RECOMMENDATIONS	10
6.0 FINAL DECISIONS.....	11
 Appendix A: COMPILED SURVEY RESULTS	
 Appendix B: POST INSPECTION FACT SHEETS	
 Appendix C: IMPLEMENTATION GUIDANCE	
 Appendix D: SURVEY QUESTIONS	
 Appendix E: ICIS DATA ENTRY GUIDE	

1.0 INTRODUCTION

In 2004, the Environmental Protection Agency (EPA) Region I received a Best Practices Award for its post inspection compliance assistance approach from the Office of Enforcement and Compliance Assurance (OECA). This post inspection approach involved mailing a compliance assistance letter after each inspection, which provided a list of on-line resources to help the inspected entities address any identified compliance problems, and measuring the effectiveness of this approach. The OECA Planning Council wanted the regions to explore the post-inspection concept for some of OECA's national priority areas. As a result, a post inspection pilot for the construction stormwater national priority area was launched.

The pilot was developed and implemented jointly by the Office of Compliance (OC), the Stormwater Strategy Implementation Team (SIT) and EPA regions. The pilot project was conducted from August 2006 through September 2007. It was a compliance assistance effort to provide owners and/or operators of construction sites with essential stormwater Web resources at a central location to help address any non-compliance issues after an inspection and to encourage these entities to go beyond compliance. The goal of the pilot was to determine if the post-inspection concept should be implemented across the Office of Enforcement and Compliance Assurance (OECA) national priority areas. To achieve this goal, OC conducted a survey to evaluate the effectiveness of the integrated approach of combining inspections with assistance, and to evaluate the usefulness of providing targeted compliance assistance materials on a Web site.

This report presents the survey results, project challenges, and recommendations based on information gathered from the pilot project. Detailed survey results are presented in Appendix A.

2.0 IMPLEMENTATION OF THE PILOT

In the summer of 2006, OC worked closely with the Stormwater SIT to launch the Post Inspection Construction Stormwater (PICS) Web site providing easy access to EPA and state stormwater and best management practices information. The intent of the PICS Web site was to highlight practical “how-to comply” type of information directed at construction sites where noncompliance might have been identified. The availability of other existing on-line stormwater resources allowed the pilot project team to quickly develop this Web site with minimal effort. The PICS Web site can be accessed at

<http://www.epa.gov/compliance/assistance/postinspection/construction/index.html>. In addition, the pilot project team developed a fact sheet (see Appendix B) highlighting the PICS Web resources to the inspected entities. This fact sheet was later translated into Spanish.

Key Activities for Pilot Implementation
<ul style="list-style-type: none">• Launched Post Inspection Web Site• Developed Fact Sheet• Modified Pilot to Address Regional Concerns• Developed Implementation Guidance for Regions• Collected Contact Information• Conducted Regular Meetings with the Regions• Developed ICIS guidance• Conducted Phone Survey

During the developmental phase of the pilot project, a few regions raised concerns regarding the additional workload the pilot would place on the regions and the appearance of potential interference with the enforcement process. To address these concerns, the format of Region I’s post inspection effort was modified for the pilot project. The regions were given the option to either hand out the fact sheet to a responsible official while the inspector was on-site, or mail the fact sheet following the inspection (similar to Region I’s approach). The regions were also given the flexibility of not submitting contact information for the follow-up phone survey if such action would potentially interfere with impending enforcement actions. In addition, regions that already had a Post Inspection program in place were only asked to add the PICS Web site address to their existing post inspection letter or fact sheet without further alterations to their programs. Final guidance for the pilot was outlined in the implementation memorandum issued by Michael Stahl, the Director of OC, to all ten regions on August 2, 2006 (see Appendix C).

Under the pilot, regions distributed the fact sheet after each construction stormwater inspection and provided the fact sheet recipients' contact information to OC for a follow-up phone survey (see Appendix D). An online survey was also placed on the PICS Web site for fact sheet recipients who preferred to respond anonymously. OC hosted regular conference calls with the regions throughout the pilot project to discuss implementation and Integrated Compliance Information System (ICIS) documentation issues. OC also developed an ICIS data entry guide for the regions and provided data support to help capture this compliance assistance activity in ICIS (see Appendix E).

3.0 PILOT PROJECT RESULTS

This section presents the pilot project's overall results and observations. Appendix A presents detailed survey responses.

3.1 Telephone and Online Survey Responses

EPA regions provided contact information for 221 completed inspections.¹ Twenty nine phone surveys and 7 on-line surveys were completed, for a total of 36 completed surveys. Figure 1 below presents a summary of the survey response rates. Most surveys were completed by managers, contractors, developers, or construction foremen. This response rate of 16 percent achieved for the pilot is comparable to response rates for mail surveys; however, it is less than average for phone surveys.² Non-responsive entities can be classified as follows:

- Ninety-five (95) entities could not be further pursued for the following reasons:
 - Forty-three (43) entities could not be reached due to incorrect contact information;
 - Seven (7) entities had non-English speaking individuals and therefore could not complete the phone survey, which was only available in English;
 - Fifteen (15) entities indicated they would try to complete the survey online; and
 - Thirty (30) entities were unwilling to participate.
- An additional ninety-seven (97) entities were unreachable after at least three attempts were made to contact them.

¹ For regional participation, see Table 1 in Appendix A.

² EPA Guide for Measuring Compliance Assistance Outcomes (Table 3-2), EPA 300-B-07-002, October 2007.

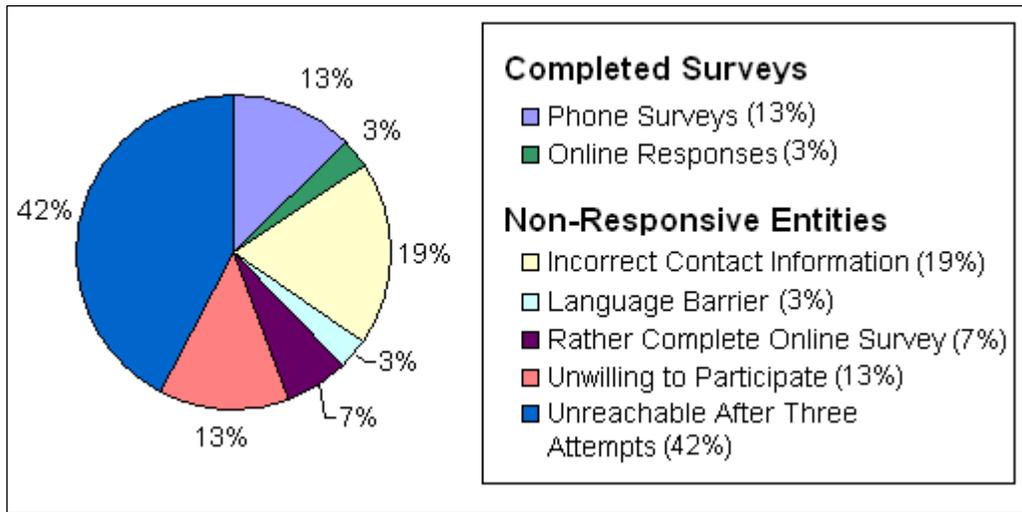


Figure 1. Summary of Survey Response Rates

Names of those with incorrect information were returned to the regions for adjustment. It is important to note that, often times, an individual was responsible for more than one site. In those cases, the individual completed the survey for each of the sites he or she was responsible for. The 36 surveys represented 24 unique respondents.

Seventy five (75) percent of the survey respondents agreed or strongly agreed that the post inspection fact sheet is a good way for EPA to provide compliance assistance information after an inspection. Furthermore, 89 percent of the respondents indicated that compiling and providing access to relevant construction stormwater information on a single Web site is helpful.

The survey results indicated that mailing the fact sheet after the inspection, as opposed to distributing the fact sheet during the inspection, may encourage the inspected entities to take additional actions to reduce pollution. Of the 36 survey responses, 10 respondents received the fact sheet during the inspection, and 12 respondents received the fact sheet in the mail from the regions after the inspections. The remaining 14 respondents received the fact sheet

through other means.³ A total of 15 respondents (42 percent) indicated they reduced, treated, or eliminated pollution as a result of using the Web resources.⁴ A larger percentage of those recipients that received the fact sheet in the mail reported reducing pollution than those who received the fact sheet during the inspection or through other means. Of the 15 respondents that reported pollution reduction, 67 percent of the recipients who received the fact sheet in the mail reported a reduction of water pollution discharges, while only 20 percent of the recipients who received the fact sheet during the inspection reduced water pollution. One contributing factor is that some regions, such as Region 2, sent the Post Inspection fact sheet with the Notice of Violations to the inspected entities. This provided a good incentive for the construction companies to use the compliance assistance materials to bring their sites back into compliance. The above findings are illustrated in Figure 2 below.

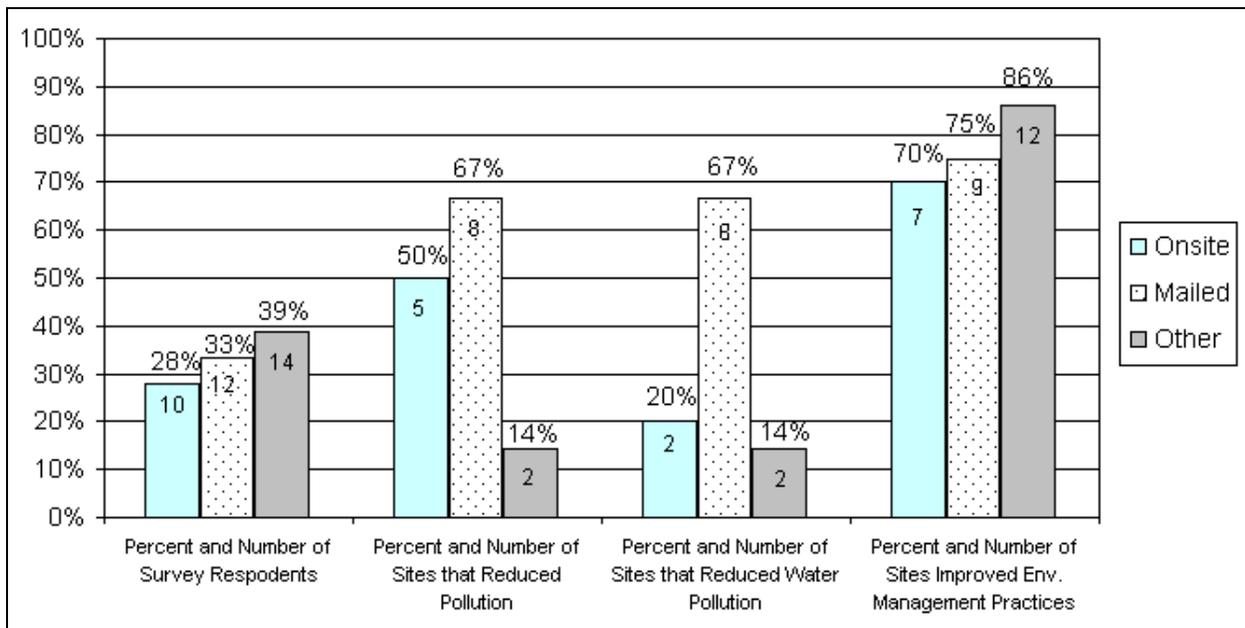


Figure 2. Impact of Fact Sheet Distribution Method on Pollution Reduction and Env. Management Practices

³ Examples of “other” means include: received from the contractor conducting the survey, from a colleague, searching EPA Web site, received a phone call, etc.

⁴ Only a few respondents were able to estimate quantities reduced, treated, or eliminated. One respondent estimated that s/he reduced or eliminated thousands of gallons of stormwater discharges to receiving waters, while another estimated that s/he achieved a 20 percent silt reduction.

Although only 39 percent of the respondents indicated that they used the PICS Web site to improve their understanding of environmental regulations, many found the “how-to” information provided on the Web site useful. The pilot project was designed to help entities return to compliance after an inspection; therefore, the inherent design of the PICS Web site was to provide step-by-step “how-to” resources to quickly bring the inspected entities back into compliance as opposed to educating entities on their compliance requirements. As a result, the PICS Web site helped many respondents learn what needed to be done at their construction sites and take actions to return to or go beyond compliance. After visiting the PICS Web site, 78 percent of the respondents (28 of 36 entities) reported taking a total of 95 actions to improve environmental management practices. Figure 2 above illustrates these findings.

The survey data also seem to indicate that more actions were taken at construction sites to improve environmental practices where the fact sheet was given to a responsible official⁵ as compared to when the fact sheet was given to an employee. A total of 76 actions were taken at sites where the fact sheet was given to a responsible official, and only 18 actions⁶ were taken at sites where the fact sheet was given to someone who was not in a position to affect changes on-site.

3.2 Challenges of the Pilot

Several challenges experienced during the pilot are described in the following sections.

Headquarters’ Challenges

Prior to initiating the pilot, several important activities had to be completed. These activities included developing the PICS Compliance Assistance Web site; creating the fact sheets in English and Spanish; developing an implementation guidance memorandum; and coordinating the pilot implementation with the regions. Each of these activities required time

⁵ Responsible officials include construction foremen, managers, owners, developers, consultants, and any others who have the responsibility or authority to affect changes at a construction site.

⁶ One survey respondent did not specify his/her job function; therefore, the associated action (1) was excluded from this sub-analysis.

and resources. For example, developing the Web site required compiling links to all relevant stormwater compliance assistance resources. For the pilot project, OECA was able to easily build off the existing Construction Industry Compliance Assistance Center (CICA Center) and other EPA stormwater resources; however, these types of resources may not be available for other sectors.

Regions' Challenges

Because the pilot required the regions to distribute the fact sheet either while the inspectors were on site or soon after the inspections, the project did increase the workload of regions that did not already have a post-inspection program in place. In addition, the regions were also asked to obtain and submit contact information for the fact sheet recipients to support the phone survey. Due to a combination of these two factors and some concerns raised about the appearance of potential interference with the enforcement process, two of the regions limited their participation in this pilot.

During the pilot, some regions encountered difficulties in transferring information from the inspectors to the Compliance Assistance Coordinators, causing delay in the submission of contact information to Headquarters. This delay, at times, contributed to the inability to contact fact sheet recipients because the recipients had moved to another job site or left the company.

Unique Challenges of the Construction Sector

Reaching fact sheet recipients for the phone survey was a challenge throughout the pilot. Typically, construction industry job sites are temporary and may not exist for more than a few months. In some cases, the telephone numbers of fact sheet recipients were no longer in service, or the individual who received the fact sheet was no longer with the company or at the job site. In addition, employees of the construction sector are rarely available by phone during typical business hours. Many spend most of their day in the field, having limited access to the Web site and making it difficult to reach them for the survey. EPA attempted to reach recipients at least three times, and also implemented several practices to improve response rates (e.g.,

placing calls earlier in the day, scheduling an appointment with individuals to conduct the survey), but EPA was still unable to reach 97 recipients.

Another challenge was in regards to the Spanish speaking community and the inability to successfully communicate the compliance assistance content on the Web site. Although they received a Spanish fact sheet, the information and resources on the PICS Web site were in English, making it difficult and at times impossible for some participants to take full advantage of the Post Inspection pilot.

4.0 CONCLUSIONS

After careful considerations of the survey data and other information collected during the pilot project, the following seven conclusions were reached:

- 1) Selecting the Stormwater national priority for the Post Inspection Pilot had both benefits and limitations. The universe of EPA stormwater inspections at construction sites was a manageable number and there were many compliance assistance resources available to help support the pilot. **The transient nature of the construction industry, however, is not representative of other industry sectors and presented challenges in measuring the success of this pilot.** We believe this resulted in only 16 percent of the fact sheet recipients responding to the survey. Given the limited number of survey responses, survey results were not extrapolated to represent the entire pilot universe.
- 2) The 36 survey respondents who used the PICS Web site and completed the survey, responded positively to receiving compliance assistance materials via the fact sheet and Web site after an inspection. The survey responses also indicated many of these entities have taken actions to reduce, minimize or eliminate pollution as a result of using the Web resources (78% of the respondents have taken a total of 95 actions; an average of 3.4 actions per respondent). **Although these data may not be representative of the entire pilot universe, they do support the importance of**

- capitalizing on the “teachable moment” following inspections and suggest that OECA’s integrated strategy approach works well.** Therefore, even though the survey results are limited and not necessarily representative of all construction sites and other industries, there is merit for OECA to consider broadening implementation of the post inspection activities to other sectors.
- 3) **Mailing the post inspection fact sheet after the inspections, instead of distributing the fact sheet on-site, has resulted in more instances where water and other pollution were reduced.**
 - 4) **Distributing the fact sheet to a responsible official (e.g., manager) instead of an employee resulted in more actions taken to improve environmental practices.**
 - 5) The environmental requirements for the construction industry are fairly straightforward and do not require significant capital investment. These factors might have contributed to the relative success of the pilot project. **It is uncertain if similar results can be achieved for industry sectors or priority areas that have more complicated requirements or require significant financial investment for pollution controls.**
 - 6) The pilot required a significant commitment of resources. However, future projects modeled after the pilot would not require such a significant investment, particularly if the criteria in Recommendation #1 are followed. For this pilot, approximately \$33,500 in extramural funds, 0.45 full-time equivalents (FTE) of OC staff time and 0.15 FTE of regional staff time were required to implement the pilot. Most of the resources were dedicated to developing guidance for the pilot, surveying the fact sheet recipients, and measuring pilot project results. Measurement was crucial for the pilot because the results will help the Planning Council determine if the post-inspection compliance assistance activity should be extended to other OECA priorities. **Targeted phone surveys used for the pilot are not recommended for future post inspection efforts. Instead, anonymous online surveys or analyses of**

the Web usage data could be used to determine the effectiveness of these programs.

- 7) Lastly, some regions were concerned that future post-inspection effort would place undue burden on the regions. **To help alleviate the potential burden, OC is willing to consider developing the necessary compliance assistance resources (e.g., Web sites and fact sheets) to support future national post inspection efforts should the Planning Council choose to expand the post inspection concept to other national priorities.** In addition, most of the implementation guidance developed for the pilot project could be used for future post inspection activities, thereby, substantially reducing the amount of resources required for future post inspection efforts.

5.0 INITIAL RECOMMENDATIONS

Although the construction industry has some unique attributes that make it a challenging sector for this approach, and survey results are limited, the fact that 78 percent of the survey respondents reported taking a total of 95 actions to improve environmental practices and achieve pollution reductions speaks well for OECA's integrated strategy of combining inspections with compliance assistance. Based on the lessons learned from this pilot and the results we were able to measure, replicating this

approach may make sense in limited circumstances. Therefore, two recommendations are listed below for the Planning Council's consideration:

Two (2) Recommendations
1) OECA should consider expanding the Post Inspection effort to other OECA national priorities if certain criteria are met.
2) A Post Inspection Web site should be launched to help Regions and States develop and implement future Post Inspection efforts.

- 1) **The Planning Council should consider expanding the post inspection concept to a national priority area where the following criteria are met for those regions which choose to participate:** 1) compliance assistance materials already exist and can be easily compiled and organized into a post inspection Web site; 2) the facilities

to be inspected should have a permanent address with management personnel on site, 3) the environmental management practice changes can easily be understood and implemented; and 4) actions taken to improve environmental practices or achieve pollution reduction can be implemented at relatively low cost. In addition to the OECA national priorities, the regions are encouraged to consider implementing the Post Inspection concept for other regional priorities or core programs. When implementing such a program, the regions may want to follow the implementation strategy of the pilot project and consider withholding the fact sheet or avoid surveying the inspected entities if these activities would interfere with potential enforcement actions.

- 2) **OC should launch a Post Inspection Web site containing EPA Headquarters and regional post inspection information to assist regions and states that want to institute a post inspection program.** This Web site would describe the process of the pilot and highlight the lessons learned from the pilot and other regional post inspection programs. It should be used as a resource for regional or state programs interested in developing a post-inspection compliance assistance initiative or approach.

6.0 FINAL DECISIONS

A briefing for the Planning Council on the pilot results and recommendations was conducted on May 27, 2008. The Planning Council agreed with OC that the Post Inspection concept should be considered in the other OECA national priority areas if the criteria listed above are met. As a result, the schools focus area under the Tribal priority will add a Post Inspection compliance assistance component and the CAFO priority area will also implement a simplified Post Inspection approach. In addition, OC will design a web page to house all relevant documents developed for the Post Inspection pilot to assist future Post Inspection effort.

APPENDIX A
COMPILED SURVEY RESULTS

Table 1 presents the number of surveys completed for each region. The EPA Region is listed as “Unknown” for online responses.

Table 1. Regional Distribution of Completed Surveys

	EPA REGION										
	1	2	3	4	5	6	7	8	9	10	Unknown
Fact Sheets Distributed	33	30	24	51	13	0	23	16	27	4	Unknown
Surveys Completed	0	1	1	8	2	0	5	4	8	0	7
Percent Completed	0%	3%	4%	16%	15%	0%	22%	25%	30%	0%	Not Applicable

A summary of the reasons why additional surveys could not be completed is as follows:

- Ninety-five (95) entities could not be further pursued for the following reasons:
 - Forty-three (43) entities could not be reached due to incorrect contact information;
 - Seven (7) entities had non-English speaking individuals and therefore could not complete the phone survey, which was only available in English;
 - Fifteen (15) entities indicated they would try to complete the survey online; and
 - Thirty (30) entities were unwilling to participate.
- An additional ninety-seven (97) entities were unreachable after at least three attempts were made to contact them.

Response Status of Respondents

- 36 surveys are complete
 - 29 were completed by telephone
 - 7 online responses were received
- 95 entities could not be further pursued for the following reasons:
 - 43 Incorrect contact information
 - 52 Unwilling to participate
 - Includes 7 non-English speaking individuals.
 - Includes 15 that indicated they would try to complete the survey online.

- 97 entities were unreachable after making at least three times to contact.

Survey Results

We analyzed results for the 29 phone surveys and 7 online surveys. Counts for the phone survey are presented first, followed by counts in parentheses for the online responses received [e.g., 4 (1)]. Overall responses received are summarized below:

- Question 1: Please choose the category that best describes you.
 - 6 SWPP Consultant
 - 4 Corporate Environmental Manager and Stormwater Program Manager
 - 3 Construction Foreman and Manager
 - 2 (3) Contractor
 - 4 (2) Developer
 - 1 Project Engineer
 - 1 Construction Foreman and Contractor
 - 1 Owner, Contractor, Developer
 - 1 Assistant
 - 2 (1) Corporate Environmental Manager
 - 1 Construction Foreman
 - 1 Project Manager
 - 2 Contract Manager
 - (1) Unknown
- Question 2: How did you hear about the Post-Inspection Stormwater Construction Web Site
 - 8 (2) Received the Post-Inspection Fact Sheet/Letter a few weeks after the inspection
 - 8 (3) Received the Post-Inspection Fact Sheet during the inspection
 - 1 I heard from a colleague who received the Fact Sheet/Letter
 - 1 Other: [The Inspector dropped it off later]
 - 2 Other: [Upon approval]
 - 9 Other: [Searching EPA Web site (1); ERG sent (8)]
 - (2) Other: [Contacted to complete survey over the phone and opted to complete the survey online]
- Question 3: The Post-Inspection Fact Sheet is a good way for EPA to follow up on the inspection.
 - 14 Agree
 - 7 (6) Strongly agree
 - 7 Neutral
 - 1 Disagree
 - (1) Strongly disagree
- Question 4: If the answer to question #3 is “disagree” or “strongly disagree,” please specify what is the best way to provide compliance assistance to you
 - 1 The Internet is not easily accessible

- (1) Claims never received the fact sheet
- Question 5: Providing all relevant stormwater construction information on one Web site is helpful
 - 20 (6) Strongly agree
 - 5 (1) Agree
 - 3 Neutral
 - 1 Disagree
- Question 6: Which part of the Post-Inspection Stormwater Web Site is most helpful to you and why? Please specify.
 - 6 (1) Violations
 - 5 (1) No specific section was helpful
 - 5 Searched for something related to the inspection
 - 3 (1) Acceptable BMP methods
 - 1 Does not recall
 - (1) Some of the pictures
 - 1 Permit processing
 - 4 (1) State specific area
 - 1 Directions on tools and manuals to use
 - (1) Having a comprehensive tool book of ideas and places to go
 - 1 The variety of information; all information was helpful
 - 2 Routine inspection information
 - (1) EPA's general enforcement process
- Question 7: The Post-Inspection Stormwater Web Site helps me understand the environmental regulations that apply to my industry
 - 20 Have never used the Post-Inspection Stormwater Web site for this purpose
 - 7 (4) Agree
 - 1 (2) Strongly agree
 - (1) Neutral
 - 1 Disagree
- Question 8: What action(s) have you taken to improve environmental practices, in whole or in part, due to information you have found through the Post-Inspection Stormwater Web Site
 - 13 (3) Changed a process or practice
 - 12 (3) Contacted a vendor
 - 11 (1) Took an action other than those listed to comply with a regulatory requirement
 - 10 (1) Changed the handling of waste or emission
 - 10 (1) Identified a pollution prevention opportunity
 - 7 Have never taken any action to improve an environmental practice as a result of using the Post-Inspection Stormwater Web Site
 - 7 Other: Provided training using the Website
 - 8 (3) Performed a self audit
 - 1 Contacted a regulatory agency

- 4 Other: Used the Web site to assess sites
 - 2 Obtained a permit or certification
 - (1) Did the repair work and then saw additional areas which could be an issue
 - 2 Hired a sub-contractor
 - 2 Took action on any non functioning stormwater procedures
- Total Number of Respondents that took an action to improve environmental practices, in whole or in part, due to information you have found through the Post-Inspection Stormwater Web Site: 28 respondents
 - Question 9: Please identify whether you reduced, treated, or eliminated water pollution as a result of using the Post-Inspection Stormwater Web Site
 - 20 (3) None
 - 6 (2) Prevented, reduced or eliminated stormwater discharges to receiving waters
 - 3 (3) Other, please specify *two other responses provided by one respondent
 - 1 (1) Reduced sediment
 - (1) Added secondary BMP's
 - (1) Reviewed criteria for application of currently installed BMP's
 - 2 Recycled water off streets
 - Question 9: Amount
 - 6 (4) Do not know the amount
 - 1 Estimated thousands of gallons
 - (1) Reduction of silt by 20%
 - **Question 10: Please identify whether you reduced, treated, or eliminated other pollutions as a result of using the Post-Inspection Stormwater Web Site:
 - 17 (4) None
 - 6 (1) Don't know
 - 4 Other, please specify
 - 3 Reduced silt and wastewater
 - 1 Reduced silt and dirt
 - 1 (1) Prevented, reduced or eliminated waste (solid/hazardous)
 - 1 (1) Prevented, reduced or eliminated air emissions (air, fugitive)
 - Question 10: Amount
 - 6 (1) Do not know the amount; No way to measure the amount.
 - Total Number of Respondents that Reduced, Treated, or Eliminated Pollution (i.e., answered Yes to either Question 9 or 10): 16
 - Question 11: Has using the Post-Inspection Stormwater Web Site, or the actions taken above, resulted in cost savings to you? (Cost includes time as well as dollars)

** For the initial two online responses, the online survey question 9 had not yet been split into two questions. Answers are split up to match with the current version of the survey.

- 14 (1) No [1 answered it definitely saves time]
 - 11 (4) Don't know [4 that answered Don't Know indicated that "It may save time"]
 - 4 (2) Yes ["Has saved time"]
- Question 11 Details:
 - 4 (1) It may save time
 - 2 (1) Has saved time
 - (1) Saves money, prevention of clean-ups
 - Costs incurred in the short term will result in long-term savings
 - 2 Wants to go above-and-beyond
- Question 12: What would you suggest to improve the Post-Inspection Stormwater Web Site?
 - 6 (2) No suggestion
 - 6 Post specific notice of violations within 5-10 business days of the event.
 - 6 Website should inform who/what qualified people are to design SWPPs and perform inspections.
 - 6 The Website should list EPA contacts and private organizations
 - 3 Simplify the website. Use training from EPA's prior inspections to explain what is considered an issue.
 - 2 Provide step-by-step information on the permitting process
 - 1 Provide an easy way to find information on report formatting
 - 3 (1) Elaborate on what to expect post inspection
 - 1 Make the site easy to navigate to from EPA's home page.
 - 1 Will use the site for training purposes.
 - 1 Send the link via email, for easier access.
 - 1 (2) Have a better way inform people of the web site
 - 1 There should be information on permits for sites on tribal lands
 - (1) Provide details on BMPs for contractors and sub-contractors.

APPENDIX B
POST INSPECTION FACT SHEETS



Fact Sheet on Post-Inspection Construction Stormwater Compliance Assistance Web Site

The U.S. Environmental Protection Agency developed the Post-Inspection Construction Stormwater Compliance Assistance Web site to provide compliance assistance information to recently inspected construction companies, whether or not deficiencies were found during the inspection. You are receiving this fact sheet as a follow-up to a recent stormwater inspection at one of your construction sites. The Web site is designed to provide information on stormwater regulations, to encourage better compliance with environmental laws, and to enable you to examine how your organization could improve overall environmental performance. EPA encourages you to review and use the information provided on the Web site to improve or enhance your operations.

Post-Inspection Construction Stormwater Compliance Assistance Web site:
<http://www.epa.gov/compliance/assistance/postinspection/>

Information provided on the Web site answers the following questions:

1) Did the inspector find deficiencies at your site? If so, information listed on the Post-Inspection Construction Stormwater Compliance Assistance Web site can help you determine:

- How to get a stormwater permit;
- What your state requirements are;
- How to develop a Stormwater Pollution Prevention Plan (SWPPP);
- How to avoid future violations at your site; and
- What Best Management Practices are applicable to your operations.

2) If the inspector did not find deficiencies at your site, the Best Management Practices information listed can help you further improve your operation.

3) Do you have questions on what comes next after the inspection?

The Web site provides information about EPA's general enforcement process for water violations.

4) Other than stormwater requirements, what other environmental responsibilities do you have?

The Web site provides information on other requirements a construction company needs to consider (e.g., waste generation and handling, dredge and fill, asbestos, and the Endangered Species Act).

5) What information does your EPA regional office or State has that may help you?

The Web site lists EPA regional and State stormwater Web pages that may provide additional information relevant to your construction site location.

6) Do you want to give EPA feedback on what you think of the Web site and this outreach effort?

If you would like to give EPA feedback on how it can better help you understand your environmental responsibilities, or would like to provide comments on the compliance assistance Web site, please fill out the online survey at the Web site to let EPA's Office of Compliance know how best to help you.

NOTE: This Fact Sheet is unrelated to any potential follow-up enforcement action, and the inspector is providing it without knowing whether any follow-up enforcement will occur. The Fact Sheet is being provided to all construction sites EPA inspects for compliance with the storm water regulations.



Hoja informativa sobre el sitio Web para asistencia post-inspección para el cumplimiento del reglamento de las aguas de escorrentía de las construcciones

La Agencia Federal de Protección Ambiental de los Estados Unidos (EPA, por sus siglas en inglés) ha establecido un sitio en su página Web para proporcionar información a las compañías de construcción recientemente inspeccionadas sobre la asistencia con el cumplimiento de los reglamentos para las aguas de escorrentía para así permitirle examinar cómo su organización puede mejorar su desempeño ambiental general. Usted está recibiendo esta hoja informativa como seguimiento a una reciente inspección en uno de sus proyectos (obras) de construcción. La página Web está diseñada para proveer información que la EPA le exhorta a revisar y usar para mejorar sus operaciones.

La página Web sobre asistencia post-inspección para el cumplimiento de los reglamentos sobre las aguas de escorrentía de las construcciones está en:

<http://www.epa.gov/compliance/assistance/postinspection/construction>

1) La siguiente información puede ayudarle a determinar cómo corregir las deficiencias que se encuentran comúnmente en los proyectos de construcción. Además puede ayudarle a mantener buenas prácticas de operación y cumplimiento con los reglamentos.

- ¿Cómo conseguir un permiso para aguas de escorrentía?
- ¿Cuáles son los requisitos del estado?
- ¿Cómo desarrollar un plan para la prevención de contaminación de las aguas por la escorrentía (SWPPP, por sus siglas en inglés)?
- ¿Cómo evitar futuras violaciones en sus obras de construcción?
- ¿Cuáles son las mejores prácticas de manejo que aplican a sus operaciones?

2) ¿Qué información tiene su oficina regional de la EPA o el estado que le puede ayudar?

- La página Web contiene enlaces a las páginas Web de las oficinas regionales de la EPA y de los estados sobre las aguas de escorrentía a fin de proporcionarle información adicional relevante al sitio de su proyecto de construcción.

3) ¿Qué otras responsabilidades ambientales tiene usted, además de los reglamentos para las aguas de escorrentía?

- Esta página Web le habrá de brindar información adicional sobre otras responsabilidades ambientales que usted tiene como la generación y manejo de desperdicios, dragado y relleno, asbestos y la Ley de Especies en Peligro de Extinción.

4) ¿Tiene usted preguntas sobre qué ocurre después de la inspección?

- La página Web resume el proceso general de aplicación de las leyes ambientales que la EPA seguirá si se determina que hay violaciones a los reglamentos sobre las aguas de escorrentía en su proyecto de construcción.

5) ¿Desea usted expresar su opinión o dar recomendaciones a EPA acerca de esta página Web y de este esfuerzo educativo?

- Complete la encuesta electrónica para ayudar a EPA a mejorar esta página Web y poder asistirlo mejor en el futuro. La EPA también podría conducir la encuesta por teléfono y determinar cómo la página Web le ha ayudado a usted a mejorar su desempeño ambiental en su proyecto de construcción.

NOTA: Esta hoja informativa no está relacionada con ninguna posible acción de seguimiento de aplicación de la ley ambiental y el inspector se la está entregando sin saber si ocurrirá dicha acción de seguimiento. La hoja informativa está siendo proveída a todos los proyectos de construcción que EPA inspecciona para hacer cumplir los reglamentos para las aguas de escorrentía.



Hoja Informativa para la Industria de la Construcción sobre el Portal Electrónico en la Internet para Asistencia a Cumplimiento con el Programa de Descargas de Aguas de Escorrentía

La Agencia Federal de Protección Ambiental de los Estados Unidos (EPA, por sus siglas en inglés) ha establecido un Portal Electrónico en la Internet para proporcionar asistencia técnica de cumplimiento a la industria de la construcción. Este Portal contiene información acerca de la reglamentación y permisos de descargas de aguas de escorrentía. Usted está recibiendo esta hoja informativa porque recientemente fué sujeto a una inspección en uno de sus proyectos de construcción. Exortamos a su organización ha examinar este Portal con el fin de mejorar sus operaciones y cumplimiento ambiental con la reglamentación y permisos de descarga de aguas de escorrentía.

La dirección del Portal Electrónico en la Internet es:

<http://www.epa.gov/compliance/assistance/postinspection/construction>

1) La siguiente información puede ayudarle a determinar cómo corregir las deficiencias que se encuentran comúnmente en los proyectos de construcción. Además puede ayudarle a mantener buenas prácticas de manejo y cumplimiento en sus operaciones.

- ¿Cómo conseguir un permiso de descargas de aguas de escorrentía?
- ¿Cuáles son los requisitos del estado?
- ¿Cómo desarrollar un plan para la prevención de la contaminación de las aguas de escorrentía (SWPPP, por sus siglas en inglés)?
- ¿Cómo evitar futuras deficiencias y violaciones en sus proyectos de construcción?
- ¿Cuáles son las mejores prácticas de manejo que aplican a sus actividades de construcción?

2) ¿Qué información tiene su oficina regional de la EPA o el estado que le pueden ayudar?

- El Portal contiene enlaces a los portales de las Regiones de la EPA y los estados. Estos portales pueden proporcionarle información adicional relevante a su proyecto de construcción.

3) ¿Qué otras responsabilidades ambientales tienen usted además de los requisitos de la reglamentación y permisos de descargas de aguas de escorrentía?

- El Portal contiene información sobre otras responsabilidades ambientales que usted podría tener. Por ejemplo, la generación y manejo de desperdicios, actividades de dragados y rellenos, manejo y disposición de asbestos y Ley de Especies en Peligro de Extinción.

4) ¿Tiene usted preguntas sobre qué ocurre después de la inspección?

- El Portal resume el proceso de aplicación de la ley ambiental que la EPA seguirá si se determina que hay infracciones a la reglamentación y/o permisos de descargas de aguas de escorrentía en su proyecto de construcción.

5) ¿Desea usted expresar su opinión o dar recomendaciones acerca del Portal Electrónico y de éste esfuerzo de asistencia a cumplimiento de la EPA?

- El Portal contiene una encuesta que puede completar electrónicamente. La EPA también podría comunicarse con usted por teléfono para conducir la encuesta y determinar cómo el Portal Electrónico le ha ayudado a usted a mejorar su desempeño ambiental en su proyecto de construcción.

NOTA: Esta hoja informativa no está relacionada a ninguna acción potencial de aplicación de la ley ambiental. El inspector se la está entregando sin saber si ocurrirá dicha acción en el futuro. La EPA está entregando esta hoja informativa en los proyectos de construcción que inspecciona con el propósito de hacer cumplir la reglamentación de descargas de aguas de escorrentía.

APPENDIX C
IMPLEMENTATION GUIDANCE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 2 2006

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Implementation Guide: Post Inspection Construction Storm Water Pilot Project

FROM: Michael Stahl, Director
Office of Compliance

A handwritten signature in black ink, appearing to read "Michael Stahl", written over the printed name and title.

TO: Regional Enforcement Division Directors
Regional Water Division Directors, Regions 1-10
Regional NPDES Enforcement Branch Chiefs, Regions 1-10

The purpose of this memorandum is to provide the regions with information describing the Post Inspection Construction Storm Water Pilot Project and provide guidance on its implementation.

Background

The Post Inspection Construction Storm Water Pilot Project is modeled after EPA New England's Post Inspection Letter Project. That project received OECA's Best Practices Award in 2004. Following this award, former Deputy Assistant Administrator, Phyllis Harris, working with the OECA Change Board, decided to expand this project as a pilot in all ten regions. At that time, it was determined that one of the OECA national priorities was most suitable for piloting this approach since these were agreed-upon OECA investment areas. The Storm Water national performance-based priority was selected. Following the implementation of this Storm Water pilot, other national priorities may be selected for post-inspection projects in future years.

The Post Inspection Construction Storm Water Project will pilot the use of a Fact Sheet to be distributed after EPA conducts stormwater inspections at construction sites. The Fact Sheet will direct inspected sites to a web site providing essential stormwater compliance assistance and Best Management Practices (BMP) materials. The goal of the Post Inspection Fact Sheet is to take advantage of the "teachable moment" and help

successfully adopted across the Regions, and to capture the potential resource implications on regional implementation.

Purpose and Use of the Fact Sheet

- The Post Inspection Construction Storm Water Pilot Project is an EPA compliance assistance effort intended to provide owners and/or operators of construction sites with publicly-available information regarding compliance with the stormwater regulations. It is designed to encourage them to return to, and go beyond compliance.
- The Fact Sheet contains an overview and a web link to a dedicated construction storm water website designed for this Pilot to provide easy access to compliance assistance resources, and regional contact information. A Spanish language version of the Fact Sheet will be sent to the regions after it has been finalized.
- Distribution of the Fact Sheet offers the opportunity to maximize beneficial environmental impact of the Agency's compliance inspections at stormwater sites. It promotes OECA's "Smart Enforcement" approach, which envisions greater environmental benefit from more strategic and effective inspections, and a combined use of assistance and monitoring tools.
- The Fact Sheet would be provided to a responsible official (e.g., owner, developer, and contractor) of the construction site either: 1) at the end of the compliance inspection, usually during the closing conference, or 2) at a later date from the EPA regional office. This would only occur if the EPA inspector cannot identify a responsible official.
- For sites receiving an Expedited Settlement offer, the follow-up letter and Fact Sheet should be sent no later than 21 days after the completion of the storm water inspection.
- The Fact Sheet attached to this Guide includes language dealing with potential follow-up enforcement.
- The Regions that currently send post-inspection letters to inspected facilities can continue to do so instead of using the fact sheet. The letter, however, should be modified based on instruction provided in the "Current Regional Post-Inspection Effort" section on page 3 of this memo.
- OECA will conduct a follow-up phone survey of construction sites that have received the Fact Sheet or post-inspection letter. It is critical that the regions provide Emily Chow of OECA with the phone number and the name of the responsible official who received the Fact Sheet or letter within 30 days after it was distributed.
- The information sent by the regions will be used by OECA to conduct the follow-up phone survey to measure the success of the Pilot. Regions are allowed to screen facilities, on a case-by-case basis, from being included in the follow-up phone survey, using the following criteria to maximize consistency across the regions: potential criminal violations; serious environmental events that have

occurred at the facility (e.g., large storm water sediment release); situations involving imminent and substantial endangerment to human health or the environment; or observed egregious violations. Generally, we expect that few construction sites would be screened from the follow-up phone survey due to potential enforcement using the criteria above.

FY 2006/2007 Inspection Universe

In the FY 2006 Annual Commitment System (ACS), the regions committed to conduct 352 construction storm water inspections. **Beginning two weeks from the date on this memorandum**, it is expected the regions will provide the Fact Sheet or the post-inspection letter to each construction site inspected by EPA employees, EPA contractors, or EPA Senior Environmental Employees (SEEs) during the remainder of FY 2006. This pilot will continue for any construction storm water inspections conducted through the end of FY 2007. The universe of construction sites for the FY2007 inspections and related regional commitment have not been determined at this time.

National Website

The Fact Sheet provides the web address of the Post Inspection Construction Storm Water Compliance Assistance Web Site developed by the Office of Compliance (Compliance Assistance and Sector Programs Division). This web site provides links to regional stormwater information. The website includes:

- Resources that can help the construction sites return to compliance.
- Best Management Practices information to help the sites go beyond compliance.
- EPA regional stormwater resources.
- Other regulatory requirements affecting the construction industry.
- Additional compliance assistance resources (e.g., the Construction Compliance Assistance Center).
- Links to State and local stormwater resources.
- Description of the general enforcement process.
- An on-line survey to provide EPA feedback on the website and the post inspection fact sheet/letter.

The national website will be housed by the OECA server to measure success of the Storm Water Post Inspection Pilot Project. The URL for the website is <http://epa.gov/compliance/assistance/postinspection-construction/>

Current Regional Post-Inspection Efforts

At least two regions (New England and X) currently send post-inspection letters to all EPA inspected facilities. In addition, some regions send post-inspection letters to facilities inspected in certain media programs (e.g., FIFRA and Oil Pollution Act). It is not the intention of this Pilot or the Implementation Guide to significantly modify the current practices used by these regions. Instead, regions currently sending post-inspection letters to inspected facilities only need to modify their letter to include

information contained in the Headquarters-developed Fact Sheet (at a minimum, the URL of the Post Inspection Construction Storm Water Compliance Assistance Web Site).

Measuring Success

An important aspect of this Pilot will be measuring the effectiveness of distributing the Fact Sheet or the letter, subsequent use of the web site, and whether real environmental improvement or pollutant reductions were achieved (e.g., person(s) receiving the Fact Sheet or the letter filed for a permit, modified or developed a Storm Water Pollution Prevention Plan, or modified how Best Management Practices were implemented at the site). It is important to track the types of compliance resources that inspected facilities accessed through the Post Inspection web site. Here are the specific activities that need to be performed to measure success:

- Each region provides a single regional point of contact (e.g., Compliance Assistance Coordinator, Enforcement Branch Chief) responsible for overseeing the implementation of this pilot in the region to Emily Chow of OECA.
- Each region sends the following information to Emily Chow of OECA via either e-mail or regular mail. The name, address and phone number of the person who received the Fact Sheet/letter during the inspection or at a later date, or a spreadsheet with the contact information. Emily's e-mail address is chow.emily@epa.gov. A hard copy of the spread sheet can be also mailed to Emily Chow, U.S.E.P.A, Office of Enforcement and Compliance Assurance, Office of Compliance, Mail code is 2224-A, 1200 Pennsylvania Avenue, Washington, D.C. 20460.
- OECA will develop/maintain a list of all stormwater construction sites receiving the Fact Sheet/letter during the inspection or at a later date (except for construction sites screened out based on the above criteria.)
- OECA evaluates the effectiveness of the national Post Inspection Construction Storm Water Web Site by monitoring and analyzing user statistics (e.g., Web Trends data).
- OECA conducts a follow-up phone survey of the construction sites that received the Fact Sheet/letter during the inspection or at a later date (except for sites screened out by the regions) to assess increased knowledge, behavior change, pollutant reduction, and cost savings attributable to the Stormwater Post Inspection Pilot project (OECA has developed an Information Collection Request to collect the information). The phone survey questions are focused on determining the value and usefulness of the Storm Water Construction Post-Inspection Website and are attached to this memorandum. NOTE: Regions are allowed to screen facilities, on a case-by-case basis, from being included in the follow-up phone survey, using the following criteria to maximize consistency across the regions: potential criminal violations; serious environmental events that have occurred at the facility (e.g., large storm water sediment release); situations involving imminent and substantial endangerment to human health or the environment; or observed egregious violations. Generally, we expect that few

construction sites would be screened from the follow-up phone survey due to potential enforcement using the criteria above.

- OECA prepares a report that summarizes the results of the Pilot.

If you have questions regarding this guidance, contact Emily Chow at 202-564-7071 at chow.emily@epa.gov or Ken Gigliello at gigliello.kenneth@epa.gov. Thank you for your attention to this memo.

cc: Regional Enforcement Coordinators, Regional Compliance Assistance Coordinators

Attachments: Fact Sheet

Follow-up Phone Survey Questions

APPENDIX D
SURVEY QUESTIONS

Survey Questions

1. Please choose the category that best describes you:

- Corporate Environmental Manager
- Owner of a construction site
- Developer
- Contractor
- Sub-contractor
- Construction Foreman

2. How did you hear about the Post-Inspection Stormwater Construction Web Site:

- I received the Post-Inspection Fact Sheet during the inspection
- I received the Post-Inspection Fact Sheet/Letter a few weeks after the inspection
- I heard from a colleague who received the Fact Sheet/Letter
- I heard from my trade association
- Other _____ (Please specify)

3. The Post-Inspection Fact Sheet is a good way for EPA to follow up on the inspection.

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

4. If the answer to question #3 is “disagree” or “strongly disagree,” please specify what is the best way to provide compliance assistance to you:

5. Providing all relevant stormwater construction information on one web site is helpful.

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree

6. Which part of the Post-Inspection Stormwater Web Site is most helpful to you and why? Please specify.

7. **The Post-Inspection Stormwater Web Site helps me understand the environmental regulations that apply to my industry.**

- Strongly Agree
- Agree
- Neutral
- Disagree
- Strongly Disagree
- Have never used the Post-Inspection Stormwater Web Site for this purpose

8. **What action(s) have you taken to improve environmental practices, in whole or in part, due to information you have found through the Post-Inspection Stormwater Web Site: (Select all that apply)**

- Contacted a vendor
- Changed the handling of waste or emission
- Performed a self audit
- Contacted a regulatory agency
- Changed a process or practice
- Obtained a permit or certification
- Took an action other than listed above to comply with a regulatory requirement
- Identified a pollution prevention opportunity
- Other:
- I have never taken an action to improve an environmental practice as a result of using the Post-Inspection Stormwater Web Site

9. **Please identify whether you reduced, treated, or eliminated water pollution as a result of using the Post-Inspection Stormwater Web Site:**

- Prevented, reduced or eliminated stormwater discharges to receiving waters
- Other, please specify
- None
- Don't know

If possible, please provide the amount of pollution you prevented, reduced or eliminated. _____

10. **Please identify whether you reduced, treated, or eliminated other pollutions as a result of using the Post-Inspection Stormwater Web Site:**

- Prevented, reduced or eliminated waste (solid/hazardous)
- Prevented, reduced or eliminated air emissions (air, fugitive)
- Other, please specify
- None
- Don't know

If possible, please provide the amount of pollution you prevented, reduced or eliminated. _____

11. Has using the Post-Inspection Stormwater Web Site, or the actions taken above, resulted in cost savings to you? (Cost includes time as well as dollars)

Yes No Don't know

If yes, please provide details.

12. What would you suggest to improve the Post-Inspection Stormwater Web Site?

APPENDIX E
ICIS DATA ENTRY GUIDE

Instructions for Entering Post Inspection Stormwater Fact Sheets into the Compliance Assistance Module of ICIS

Guidance Objective: To assist Compliance Assistance Coordinators (CACs) in entering mid-year and end-of-year records into the “Actual Compliance Assistance” area of the Compliance Assistance Module of ICIS. Specifically, the following is a step-by-step listing of key data entry features needed to record distribution by the regions of the Post Inspection Construction Storm Water Fact Sheets and the associated follow-up measurement performed by Headquarters:

1. Enter CAC contact information (or the contact information of the project lead if not the CAC).
2. The “Compliance Assistance Name” must begin with “Post Inspection Construction Fact Sheet –” then the title of your activity (e.g. Post Inspection Construction Fact Sheet – Region 5 Midyear 2007).
3. The Activity Type is “Outreach Distributed – Targeted”
4. Activity Quantity should be 1. Remember, this ICIS field is referring to the individual activity. There was only one activity – the post inspection fact sheet was distributed. Note: Distribution of the fact sheet during the inspection and distribution of the fact sheet via mailing after the inspection constitute one distribution activity because only one item was distributed. If you distributed both the English and Spanish version, then the Activity Quantity would be 2.

The screenshot shows a web-based data entry form for the ICIS Compliance Assistance Module. The form is divided into several sections:

- *Compliance Assistance Name:** A text input field containing "Inspection Construction Fact Sheet – Region 5 Midyear 2007".
- *Compliance Assistance Activity Type:** A dropdown menu with "Outreach Distributed - Targeted" selected.
- *Activity Quantity:** A text input field containing "1".
- Additional Purpose of Activity:** A list box with options: "Audit", "Conduct Baseline / Data Collection", "Economically Significant Regulations", "Environmental Management Review (Fed Facilities)", and "Environmental Management Systems Review". "Audit" is selected.
- *Location(s):** A list box with options: "Region 10", "Region 2", "Region 3", "Region 4", and "Region 5". "Region 5" is selected.
- *Region:** A dropdown menu with "Region 5" selected.
- *Project/Initiative Description:** A text area containing the text: "During storm water construction inspections, if the responsible official was not present, the fact sheet was mailed after the inspection. This ICIS compliance assistance record takes into consideration both forms of outreach – hand delivered and mailed fact sheets. Follow up outcome measurement was derived by conducting phone surveys to the responsible official within 60 days of inspection."
- If your activity is financed by the EPA through a grant, cooperative agreement, please identify the category that best describes the recipient:** A dropdown menu.

5. **Project/Initiative Description:** Distributed Post Inspection Construction Storm Water fact sheet in English (and Spanish if needed) to the responsible official during storm water construction inspections. If the responsible official was not present, the fact sheet was mailed after the inspection. This ICIS compliance assistance record takes into consideration both forms of outreach – hand delivered and mailed fact sheets. Follow up outcome measurement was derived by conducting phone surveys to the responsible official within 60 days of inspection.

- Select the appropriate statute (CWA) and section (CWA : 308 [A][B] : Records and Reports; Inspections: NPDES – Stormwater – Construction) as shown below:

The screenshot shows a form with three input fields. The first field, labeled 'Federal Statutes:', contains the text 'CWA - Clean Water Act'. The second field, labeled 'Law Sections:', contains the text 'CWA : 308[A][B] : Records and Reports; Inspections'. The third field, labeled 'Programs:', contains the text 'NPDES - Stormwater - Construction'.

- Select Sector “Commercial and Institutional Building Construction” NAICS code 236220.
- Select the “2007 Wet Weather – Stormwater - Industrial Construction” National Priority

The screenshot shows a dropdown menu titled 'National MOA Priority'. The menu is open, displaying a list of options. The selected option is '2007 - Wet Weather - Stormwater - Industrial Construction'. Other options include '2007 - Wet Weather - CAFO', '2007 - Wet Weather - Combined Sewer Overflow (CSO)', '2007 - Wet Weather - Sanitary Sewer Overflow (SSO)', and '2007 - Wet Weather - Stormwater - MS4'.

- The field “Pollutant/Chemicals Addressed” is not mandatory. If you choose to enter this information, please select from the drop down list “Sediment in storm water runoff”.
- Indicate “yes” to the “Have you planned/conducted measurement for this activity” question.
- When the record is created initially during mid year use 10/01/06 as the actual start date, leave the actual completion date blank.
- For the end-of-year data set do not alter the actual start date and use 7/31/07 as the actual end date (this will be the end of this data set as follow up for activities after this date may not occur in the same fiscal year).
- Enter the number of facilities reached with the fact sheet within the above specified dates.
- Indicate “yes” to the “Did you provide assistance to a small entity” question if any of the fact sheets were distributed to a site that is operated by a company with ≤ 100 employees. If the size of the company is unknown, then indicate “no.”
- For the “Assistance Provided to Question” select “Regulated Entity” from the drop down list.

Reporting Information

Note: *One Actual Date is Required.

Actual Start Date: 10/01/2006

Actual Completion Date:

Estimated Hours spent on the activity:

Note: If your Compliance Assistance Activity Type is 'Tools Developed' you are required to save the record.

*Number of Entities Reached: 12

*Did you provide assistance to a small entity?: Yes

*Assistance Provided To:

- Regulated Entity
- Regulated Entity - Facility located in EJ Community
- Regulated Entity - Facility on Tribal land
- Regulated Entity - Federal Facility
- Regulated Entity - Local government (>3300 res.)

16. Select "Phone Survey" in the "measurement" drop down list.

Measurement:

- Mail Survey
- On-site Revisit
- On-site Visit
- Phone Survey
- Pre Survey/Post Survey

17. Enter the number of respondents to each individual measurement question and the number of respondents who answered yes to the measurement question in the following field(s). You will see that there are three sets of data. In the first box enter the total number who responded to the question. In the second box enter the number that answered the question "yes." These data will be provided by the Headquarters contractor (see example below).

Number of Respondents answering the Increased Understanding Question:

Of these respondents, number reporting an Increase in Understanding:

Number of Respondents answering the Improved Environmental Management Practices Question:

Of these respondents, number reporting a change in Environmental Management Practices:

Number of Respondents answering the Reduction in Pollution Question:

Of these respondents, number reporting a Reduction in Pollution:

Data will be provided by the contractor in the following format:

Region	Number of Entities Reached	Phone Survey Question #7		Phone Survey Question # 8				Phone Survey Questions #9 and	
		Number of Respondents Answering the Increased Understanding Question	Of these Respondents, Number Reporting an Increase in Understanding	Number of Respondents Answering the Change in Environmental Management Practices Question	Of these Respondents, Number Reporting a Change in Environmental Management Practices	Indication that One or More Respondents Implemented New/Improved Management Practices	Indication that One or More Respondents Requested/ Applied for Permit	Number of Respondents Answering the Reduction in Pollution Question	Of these Respondents Number Report a Reduction in Pollution
1	1	NA	NA	NA	NA	NA	NA	NA	NA
2	NA	NA	NA	NA	NA	NA	NA	NA	NA
3	NA	NA	NA	NA	NA	NA	NA	NA	NA
4	29	4	0	4	0			4	4
5	10	1	0	1	0			1	0
6	NA	NA	NA	NA	NA	NA	NA	NA	NA
7	10	4	4	4	4	✓	✓	4	1
8	5	1	0	1	0			1	0
9	17	1	0	1	1	✓		1	1
10	NA	NA	NA	NA	NA	NA	NA	NA	NA

For Question 8, if a check mark is not provided, do not pick anything from the drop down menu. Leave it blank.