Enforcement and Inspection Method

AKA
Inspections, Complaints, and Enforcement

Robert van den Akker
Stormwater Quality Program Supervisor
Quality and Compliance Division
Maricopa County Environmental Services Department
VISION STATEMENT:
As the recognized regional environmental leader, we will develop and foster innovative environmental health protection programs for the safety of our residents and their environment.

MISSION STATEMENT:
The mission of the Environmental Services Department is to provide safe food, water, waste disposal and vector borne disease reduction controls to the people of Maricopa County so that they may enjoy living in a healthy and safe community.
Training Objectives

• Understand
  – MC SWQP Authority
  – Inspection activities
  – Enforcement ability
  – Take home idea
Maricopa County

• Phase II Permittee
• Urbanized Unincorporated Area
SWMP / MCM

1. Public education
2. Public participation
3. Illicit discharge detection and elimination
4. Construction site stormwater runoff control
5. Post-construction stormwater management
6. Pollution prevention for municipal operations
SWMP / MCM

1. Public education
2. Public participation
3. Illicit discharge detection and elimination
4. Construction site stormwater runoff control
5. Post-construction stormwater management
6. Pollution prevention for municipal operations
Authority

• Stormwater Quality Regulation
  – Maricopa County Stormwater Quality Management and
  Discharge Control Regulation

• Health Code
  – Maricopa County Environmental Health Code
Stormwater Quality Regulation

• Prohibits pollutants to the storm system
• Covers the UUA
• Provides enforcement ability
Health Code

- Prohibits pollutants to any water and any drainage system
- Covers the entire county
- Provides enforcement ability
Quality and Compliance Division

- QA/QC
  - Stormwater Compliance
  - Training/Liaison
  - Environmental Related Illnesses

- Enforcement
  - Permitted Enforcement
  - NPRC Enforcement
  - Complaint Center
Enforcement Program Scope

Environmental Services

- Quality & Compliance
- Vector Control
- Water and Waste Management
- Environmental Health
- Departmental Services
Why an Enforcement Program?
Enforcement

- Serve the entire Department
- Standardized Process
- Consistency in Procedure
Quality and Compliance Division

- QA/QC
  - Stormwater Compliance
  - Training/Liaison
  - Environmental Related Illnesses

- Enforcement
  - Permitted Enforcement
  - NPRC Enforcement
  - Complaint Center
Inspections

• Pro-Active
• Construction
• Complaint Response
Inspections

• Pro-Active
  – Known areas (MCM3)
    o Historic “Resolved” Complaints
    o Commercial
  – Municipal Operations and MS4 (MCM6)
  – Permitted Stormwater Structures (MCM5)

• Complaints (MCM3)

• Construction - E&S control (MCM4)
Inspections

• Pro-Active

• Complaints (MCM3)
  – In house or from the public
  – 5 days or less response time

• Construction (MCM4)
  – Initial
  – Follow-up
Complaint
Process

*Consult includes assistance with data, rule interpretation, inspections, and education to the public

**When a case is handed between programs, an email and notes in ACCELA will be written to clearly define why responsibility has been transferred. If a facility is permitted or involves a permitted operation, other divisions may need to be involved.
Complaint Process

- Public
- Any County Staff
- Stormwater Inspectors
- Other

Complaint Recorded in department wide database

- Stormwater
- Enforcement
Stormwater Quality Regulation

- 1001 – Violations
- 1002 – Letter of Outstanding Violation
- 1003 – Consent Order
- 1004 – Compliance Order
- 1005 – Cease and Desists Order
- 1006 – Injunctive Relief
- 1007 – Suspension and Revocation of Approvals or Permits
- 1008 – Civil Penalties
- 1009 – Criminal Violations
- 1010 – Abatement Assessment and Lien
Stormwater Quality Regulation

- 1001 – Violations
- 1002 – Letter of Outstanding Violation
  - 1003 – Consent Order
  - 1004 – Compliance Order
  - 1005 - Cease and Desists Order
  - 1006 - Injunctive Relief
- 1007 – Suspension and Revocation of Approvals or Permits
- 1008 – Civil Penalties
- 1009 – Criminal Violations
- 1010 – Abatement Assessment and Lien
Inspection

• **Violation Observed**
  – Investigate
  – Educate
  – Declare a violation

• **Letter of Outstanding Violation**

• **Responsible Party Action**
  – Respond with clarity or cease the discharge
  – Do nothing
Enforcement

• LAR - Legal Action Request form

  1. Detailed time line
  2. Pictures
  3. Property ownership information
  4. Maps and aerial pictures
Stormwater Quality Regulation

- 1001 – Violations
- 1002 – Letter of Outstanding Violation
- 1003 – Consent Order
- 1004 – Compliance Order
- 1005 – Cease and Desists Order
- 1006 – Injunctive Relief
- 1007 – Suspension and Revocation of Approvals or Permits
- 1008 – Civil Penalties
- 1009 – Criminal Violations
- 1010 – Abatement Assessment and Lien
Enforcement

• Administrative Hearings
  – Uniform Administrative Process
  – Administrative Law Judge
  – Court Reporter/or audio recorder
Enforcement

• Court Action
  – State court
  – a trial
  – Guilty or Not Guilty
    • penalties imposed by judge.
Take home idea

- Have a Code
- Have a written process
- Train staff
Take home idea

• Administrative Buy In
  – Create code and authority
  – Commitment to enact process

• Supervisory Buy In
  – Create process
  – Educate staff
  – Ensure staff follow procedure / process

• Staff Buy In
  – Knowledge
  – Tools
  – Boots on the ground
Illicit Discharge
Contact The Stormwater Program

Robert van den Akker, RS, CPM, CPO
Stormwater Program Supervisor | Stormwater Quality Program
Maricopa County Environmental Services Department
15023 N. 75th Street | Scottsdale, AZ 85260
Cell: 602.525.1799 | Fax: 480.483.5009
Email: rvandenakker@mail.maricopa.gov | esd.maricopa.gov
Questions?