Enforcement for Construction Sites

Flow Chart

CONDUCT OVERSIGHT INSPECTION → **COMPLIANT?**

- **YES** → **DOCUMENT INSPECTION, SEND TO OPERATOR**
- **NO** → **Immediate threat?**

COMPLIANT? → **OPERATOR ELECTRONIC SITE INSPECTION NOT SUFFICIENT TO DETERMINE COMPLIANCE*** → **48-HOURS ADVANCED NOTICE**** → **ON-SITE OVERSIGHT INSPECTION** → (back to COMPLIANT?)

Immediate threat?
- **Yes** → **Stop Work Order**
- **NO** → **NOV 1: VIOLATION** — **REINSPECT***** — **COMPLIANT?**
  - **YES** — **Document Inspection**
  - **NO** → **NOV 2: WARNING** — **REINSPECT***** — **COMPLIANT?**
    - **YES** — **Document Inspection**
    - **NO** → **NOV 3: FINE** — **REINSPECT***** — **COMPLIANT?**
      - **YES** — **Document Inspection**
      - **NO** → **Imminent threat?**
        - **NO** → **MS4 may assess fines per day per occurrence** → (Notify MS4 Enforcement Authority)
        - (Yes) → **Notify MS4 Enforcement Authority**

Notify MS4 Enforcement Authority

Seek guidance to determine next actions and contact appropriate personnel to protect/remedy imminent storm water concern(s). Operator may be charged for time and material. Follow all applicable codes and standards. See Enforcement for Construction Sites SOP for fines assessment.

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*Cases in which an on-site oversight inspection may be warranted are listed in the *Inspections of Permitted Construction Sites SOP*

**48-hours advanced notice only required if the operator has not opted out of electronic site inspections.

***Reinspection by the MS4 is required to verify that each violation has been corrected. The method of reinspection could be through reinspection photos, documentation, etc. Communicate to the operator how and when verification of correction will be performed.

A reinspection should be performed as soon as practicable after the timeline for correction has passed. A timeline is nugatory without timely follow up action from the oversight authority.