



# STORIES OF PROGRESS IN ACHIEVING HEALTHY WATERS

## EPA Region 3 Water Protection Division

### VA Agency Agrees to Stormwater Controls

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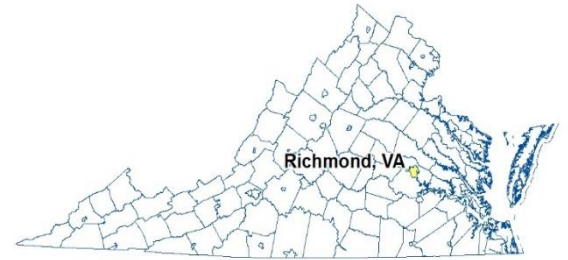
*In agreements with EPA, the Virginia Department of Transportation (VDOT) has made a state- and agency-wide commitment to improve stormwater pollution controls and practices for roads, facilities and construction sites it manages.*

Under two related agreements, the VDOT will address widespread Clean Water Act violations of municipal and construction stormwater general permits observed during an October 2012 statewide inspection. The VDOT will implement \$600,000 in environmentally beneficial projects, including the repaving of a park-and-ride lot with permeable material, and land conservation. The state agency will also pay a civil penalty of \$36,000.

The 2012 inspection was led by the EPA Mid-Atlantic Water Protection Division's National Pollutant Discharge Elimination System (NPDES) Enforcement Branch. It covered extensive document review, inspection of 11 construction sites and nine maintenance yards, and coordination with state inspectors using four teams operating in seven counties – all within one week.

The team found violations of Virginia's NPDES General Permit for Discharges of Stormwater from Construction Activities and Virginia's General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4). EPA determined the VDOT did not provide annual inspection reports of all of its post-construction stormwater management facilities nor fully implement programs to detect and eliminate illicit discharges or prevent pollution from its maintenance facilities. EPA also found that the VDOT did not consistently maintain required erosion and sediment controls at its construction sites or record all required inspections of the sites.

Under an administrative order on consent, the VDOT has agreed to implement the pollution reduction and prevention projects within the next two years, and develop and execute a statewide plan to prevent future violations of Virginia's construction general permit and MS4 permits. The projects will include the park-and-ride, salt water runoff recycling, the purchase of trading credits for land conservation, and a pilot program at maintenance yards to study the effectiveness of stormwater drains. In a related administrative consent agreement, the VDOT will pay a \$36,000 cash penalty for the violations. Chuck Schadel of the NPDES Enforcement Branch said that since the 2012 inspection, the VDOT has been proactive in upgrading its stormwater management program. The region's Office of Regional Counsel worked with the NPDES team to negotiate and secure the agreements with VDOT.



#### AT A GLANCE

- *Virginia DOT commits to improve stormwater controls and practices*

