

CHAPTER 4: DEVELOPING A BUSINESS/SITE INSPECTION PROGRAM

PART OF THE SOURCE CONTROL (BUSINESS/SITE) INSPECTION PROGRAM GUIDANCE MANUAL

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4. DEVELOPING A BUSINESS/SITE INSPECTION PROGRAM

This chapter includes guidance for developing a source control (business/site) inspection program and provides information and options on developing policies and procedures, staffing, funding, inspection frequency, and strategies for coordination with other inspection programs. The guidance provided in this chapter was developed through interviews with selected permittees and review of existing inspection programs. Supplemental resources to support this chapter can be found in the [Source Control Online Resource Library \(SCORL\) for Chapter 4](#).

4.1. PERMIT REQUIREMENTS

[Chapter 1: Background and Regulatory Requirements](#) of this manual provided an overview of the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit requirements related to developing a business/site inspection program.

The inspection program is focused on preventing and reducing pollutants in runoff (Western Washington 2019-2024 Phase II Permit, S5.C.8.a):

"The Permittee shall implement a program to prevent and reduce pollutants in runoff from areas that discharge to the MS4 [municipal separate storm sewer system]."

The inspection program shall include source control best management practices (BMPs) that help to achieve that purpose (Western Washington 2019-2024 Phase II Permit, S5.C.8.a.i):

"Application of operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land uses and activities."

The inspection program should also include the following components (Western Washington 2019-2024 Phase II Permit, S5.C.8.a.ii-iv):

“ii. Inspections of pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.

iii. Application and enforcement of local ordinances at sites, identified pursuant to S5.C.8.b.ii, including sites with discharges authorized by a separate NPDES permit...

iv. Practices to reduce polluted runoff from the application of pesticides, herbicides, and fertilizers from the sites identified in the inventory.”

An additional NPDES Municipal Stormwater Permit requirement allows inspectors to work with the owner/operator to implement source control BMPs in the Washington State Department of Ecology (Ecology) Stormwater Management Manual for Western Washington (SWMMWW) or an approved equivalent Phase I stormwater manual. BMPs can be adapted when guidance is lacking (Western Washington 2019-2024 Phase II Permit, S5.C.8.b.i).

“i. The requirements of this subsection are met by using the source control BMPs in the SWMMWW, or a Phase I Program approved by Ecology. In cases where the manual(s) lack guidance for a specific source of pollutants, the Permittee shall work with the owner/operator to implement or adapt BMPs based on the best professional judgement of the Permittee.”

Source control BMPs can be implemented using education and technical assistance or progressive enforcement (Western Washington 2019-2024 Phase II Permit, S5.C.8.b.i):

“i. Applicable operational source control BMPs shall be required for all pollutant generating sources. Structural source control BMPs, or treatment BMPs/facilities, or both, shall be required for pollutant generating sources if operational source control BMPs do not prevent illicit discharges or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls. Implementation of source control requirements may be done through education and technical assistance programs, provided that formal enforcement authority is available to the Permittee and is used as determined necessary by the Permittee...”

The source control inspection program is required to be implemented by January 1, 2023 (Western Washington 2019-2024 Phase II Permit, S5.C.8.b.iii):

"No later than January 1, 2023, Permittees shall implement an inspection program for sites identified pursuant to S5.C.8.b.ii, above."

4.2. POLICIES AND PROCEDURES

Developing inspection program standard operating procedures (SOPs) will promote consistency, effectiveness, efficiency, and transparency of the inspection and enforcement process. Table 4.1 provides recommendations on key sections to consider when developing SOPs, decisions to be made, and references to other chapters in this manual that provide additional context. SOPs must at least be as restrictive as the SWMMWW or an approved equivalent Phase I stormwater manual, or more restrictive if the jurisdiction prefers. The SOPs are intended to be periodically reviewed, revised, and updated over time to remain in alignment with new practices or revisions to the SWMMWW or approved equivalent Phase I stormwater manual. See [SCORL Supplemental Resources 4C and 4D](#) for example SOPs.

Example letters to businesses/sites describing the source control (business/site) inspection program, documenting deficiencies, and/or documenting actions needed are included as [SCORL Supplemental Resources 4A, 4B, and 4E](#).

Table 4.1. Recommended Content for Standard Operating Procedures.		
Section	Recommended Content and Considerations^a	Guidance Manual Reference (if applicable)
Program purpose	Describe the key program drivers	Chapter 1: Background and Regulatory Requirements
Program overview	Summary of business/site inspection program elements	
Roles and responsibilities	Describe the major responsibilities of program managers, inspectors, code enforcement staff, and supervisors	Section 4.3: Staff Roles and Responsibilities
Coordination with other programs and regulations	<ul style="list-style-type: none"> ● Describe what programs will require coordination ● Describe when coordination will occur ● Determine benefits and challenges of coordination 	Section 4.5: Program Coordination Strategies
Training requirements	List required trainings, schedule, and applicable staff	Chapter 8: Training
Safety considerations	<ul style="list-style-type: none"> ● Set the expectations for safety ● Determine situations when inspectors will work in pairs ● Describe how to handle unsafe situations 	
Developing and updating a business/site inventory	<ul style="list-style-type: none"> ● Describe the process for developing and updating the inventory ● Describe the frequency for updating the inventory 	Chapter 3: Source Control Inventory Development, Updates, and Prioritization

Table 4.1 (continued). Recommended Content for Standard Operating Procedures.		
Section	Recommended Content and Considerations^a	Guidance Manual Reference (if applicable)
Communication plan	<ul style="list-style-type: none"> ● Describe when outreach materials are needed ● Describe how information will be delivered 	<i>SCORL Supplemental Resource 4E; Chapter 7: Education and Outreach Materials</i>
Business/site prioritization and inspection frequency	<ul style="list-style-type: none"> ● Determine if and how businesses/sites will be prioritized ● Determine frequency of business/site inspections 	<i>Chapter 3: Source Control Inventory Development, Updates, and Prioritization</i>
Pre-inspection	<ul style="list-style-type: none"> ● Determine the process and steps prior conducting a business/site inspection ● Include a diagram of the pre-inspection process 	<i>Chapter 5: Conducting Business/Site Inspections</i>
Equipment checklist	List the materials, tools, and equipment required for a business/site inspection	<i>Chapter 5: Conducting Business/Site Inspections</i>
During inspection	<ul style="list-style-type: none"> ● Determine what general items will be inspected ● Address photo documentation and general approach to the business/site inspection ● Include a diagram of the inspection process 	<i>Chapter 5: Conducting Business/Site Inspections</i>
Post-inspection	<ul style="list-style-type: none"> ● Determine the key components prior to leaving the business/site and closing summary with the owner/manager ● Include a diagram of the post-inspection process 	<i>Chapter 5: Conducting Business/Site Inspections</i>
Data management/documentation	<ul style="list-style-type: none"> ● Identify inspection documentation procedures ● Determine record storage requirements ● Include a diagram of the data management workflow 	<i>Chapter 6: Data Management and Recordkeeping</i>
Follow-up inspection	Describe when follow-up inspections would be performed (if applicable)	<i>Chapter 2: Developing Source Control Code/Ordinances and Enforcement Policies</i>
Progressive enforcement	<p>Clearly describe enforcement procedures which may include:</p> <ul style="list-style-type: none"> ● Verbal coaching ● Deficiency letter ● Follow-up inspection ● Final deficiency letter ● Enforcement action 	<i>SCORL Supplemental Resource 4E; Chapter 2: Developing Source Control Code/Ordinances and Enforcement Policies</i>
Appendices	<p>Develop templates for example letters:</p> <ul style="list-style-type: none"> ● General BMP information and expectations ● Summary of deficiencies and timeline for action items ● Immediate action items ● Notification prior to penalty ● Enforcement 	<i>SCORL Supplemental Resource 4E</i>

^a Content and level of detail included in SOPs will vary depending on whether the content is used to supplement an operational manual or if the SOP is developed as part of an operational manual. This table is intended as a comprehensive list of recommendations. Jurisdictions can develop streamlined SOPs suited to their programs.

4.3. STAFF ROLES AND RESPONSIBILITIES

Program managers and inspectors will be responsible for developing, managing, and implementing the inspection program. The number and type of staff will determine the budget required to support the inspection program. Staffing levels will depend on the following factors:

- Level of effort anticipated to develop the initial inventory
- Level of effort for inventory updates
- Level of effort anticipated to develop the inspection program policies and procedures
- Level of coordination with other inspection programs and code enforcement
- Target annual number of inspections (20 percent of the initial inventory) and amount of time estimated per inspection
- Estimated number of legitimate complaints (100 percent of which will require inspections)
- Business/site complexity (businesses and sites with multiple potential pollutant-generating activities will require more time than less complex businesses/sites)
- Range of site sizes (larger sites will take more time)
- Initial inspection (takes more time) vs. follow-up inspection (focused on one or two action items)

Table 4.2 summarizes example roles and responsibilities that may be assigned to a program manager or supervisor, an inspector, code enforcement staff, and owners/site managers. For most Phase II jurisdictions, staff will have multiple roles and responsibilities related to implementation of the NPDES Municipal Stormwater Permit requirements.

Table 4.2. Example Roles and Responsibilities.	
Role	Responsibilities Related to the Business/Site Inspection Program
Business/Site Inspection Program Manager or Supervisor	<ul style="list-style-type: none"> ● Develop an inspection program budget and work plan ● Hire staff ● Conduct/coordinate training (see Chapter 8: Training) ● Coordinate with other departments/programs (see Section 4.5) ● Develop, review, revise, and update inspection program SOPs (see Section 4.2) ● Ensure NPDES Municipal Stormwater Permit compliance ● Prepare Annual Reports (summary of business/site inspections conducted and other NPDES Municipal Stormwater Permit requirements met) ● Elevate difficult issues/cases to upper management ● Ensure that inspection program goals are met

Role	Responsibilities Related to the Business/Site Inspection Program
Business/Site Inspector	<ul style="list-style-type: none"> ● Develop and refine the inventory (see Chapter 3: Source Control Inventory Development, Updates, and Prioritization) ● Prepare for inspections including conducting background research for pre-inspections ● Schedule inspections (if required for the sector or by the program) ● Assemble equipment and materials for conducting business/site inspections ● Conduct initial business/site inspections, compliant response inspections, and follow-up inspections (see Chapter 5: Conducting Business/Site Inspections) ● Manage inspection data (see Chapter 6: Data Management and Recordkeeping) ● Coordinate with code enforcement staff as needed
Code Enforcement Staff	<ul style="list-style-type: none"> ● Assist business/site inspectors with code violation correspondence ● Organize and maintain enforcement files and data (see Chapter 6: Data Management and Recordkeeping) ● Assist business/site inspectors with follow-up inspections if needed (see Chapter 5: Conducting Business/Site Inspections)
Owner/Site Manager (property owners, business owners, managers, staff, etc.)	<ul style="list-style-type: none"> ● Allow business/site inspector access to the property ● Share records relevant to compliance ● Address action items identified by the business/site inspector within established timeframe to achieve compliance

NPDES = National Pollutant Discharge Elimination System

SOP = standard operating procedure

The annual target number of business/site inspections will help to determine the full time equivalent (FTE) staffing level required to meet the NPDES Municipal Stormwater Permit requirements. Phase I and II permittees report a range between 100 to 400 business/site inspections that can be conducted by a business/site inspector each year. This number includes initial business/site inspections, complaint response inspections, and follow-up inspections. Approximately 200 sites per year is the average and most commonly cited value for business/site inspectors. This number can be used to estimate the number of business/site inspectors that may be needed (based on 20 percent of the businesses and/or sites listed in the source control inventory requiring inspections each year and an estimate of the number of complaint response inspections).

When hiring business/site inspectors, jurisdictions should seek collaborative, people-forward staff that are interested in forming relationships within the business community and working together to achieve water quality goals. Technical qualifications for business/site inspectors typically include:

- Graduation from high school supplemented by college-level course work in business, science, or engineering
- Two years of experience in an environmental, scientific, or ecological field

- Familiarity with reading and interpreting engineering plans, especially related to stormwater BMPs/facilities

Other useful knowledge and skills for a business/site inspector include:

- Experience resolving customer complaints
- Recordkeeping skills
- Knowledge of common wastewater, stormwater, and surface water terminology
- Oral and written communication skills
- Strong interpersonal skills with a focus on collaboration
- Independent work ethic

See [SCORL Supplemental Resource 4F](#) for an example job description for a business/site inspector.

4.4. FUNDING

Most business/site inspection programs are funded by stormwater/surface water utility rates. However, some programs receiving funding from Ecology's Pollution Prevention Assistance (PPA) program can overlap with the required inspections in the NPDES Municipal Stormwater Permits. Additional grant funding can be obtained from [Ecology's Stormwater Capacity Grants](#) which are offered periodically with funding amounts typically ranging from \$50,000 to \$75,000 and can be used for meeting permit requirements.

Another grant funding opportunity is the [Ecology Water Quality Combined Funding Program](#). The Stormwater Financial Assistance Program (SFAP) is operated within this program and may be applicable for new programs or programs that seek to go above and beyond the permit requirements. The Fiscal Year (FY) 2021 funding guidelines included developing a new local business inspection program as an eligible item for grant and/or loan funding. Contact [Ecology grant program managers](#) for specific details and to confirm eligibility.

Another funding option is to charge a fee to the business owner for the inspection. The structure would be similar to the existing fees required for inspections related to home and business construction, fire marshal inspection, or restaurant operations. Inspection fees may need to be incorporated into the jurisdiction's code, policy, or fee schedule. Some jurisdictions may choose to waive fees for businesses/sites that achieve compliance (see discussion of inspection fees and additional costs assessment in [Chapter 2: Developing Source Control Codes/Ordinances and Enforcement Policies](#)).

4.5. PROGRAM COORDINATION STRATEGIES

During development of the source control (business/site) inspection program, coordination with other complementary programs could provide opportunities to realize efficiencies but may also present new challenges. Coordination may be in either of two forms:

1. Adding components required for source control inspections to the duties of an existing inspection group (e.g., private stormwater BMP/facility maintenance), or
2. Coordinating joint inspections between two complementary programs (e.g., industrial pretreatment and source control inspections).

Table 4.3 summarizes some of the advantages and disadvantages of program coordination.

Advantages	Disadvantages
Business will experience less disruption due fewer inspections	Requires increased coordination between inspection groups; one type of inspection may overshadow the other
Business will experience a reduction in the number of contacts the owner/manager will encounter	Inspectors from different programs may have different approaches or styles resulting in reduced effectiveness
Increase of inspector job interest because of greater diversity of issues to inspect	Different programs may have incompatible data management systems and/or reporting requirements
Business will encounter consistent messaging from multiple agencies/divisions/departments	Lack of consistency in safety training and equipment between different programs may cause issues
Joint inspections can address multiple issues at problematic sites at one time	Tracking budget and time may be challenging between different programs

Coordination strategies will be different for each jurisdiction and will be dependent on the structure of the programs within the stormwater/surface water utility. Complementary programs or partners could include the local wastewater utility, PPA program, health department/district, Ecology Industrial Stormwater Program, and local drinking water utilities (Table 4.4). Building relationships between programs and partners will be important, so a memorandum of understanding (MOU) or another type of coordination agreement may be needed. This is also an important consideration for developing a data management system (see [Chapter 6: Data Management and Recordkeeping](#)) to allow access and data sharing across programs (e.g., Illicit Discharge Detection and Elimination [IDDE]; fats, oils, and grease [FOG], or other recent inspections).

Table 4.4. Inspection Program or Partner Coordination.

Inspection Program/ Partner	Inspection Program/Partner Description/Notes	Inspection Program/Partner Lead Entity	Additional Training Needed	Joint Program Inspection Feasible
Illicit discharge complaint response	Illicit discharge complaint response is conducted to identify and remove an illicit discharge or connection at a business.	Stormwater/ Surface Water	Low	Yes
Stormwater BMP/facility maintenance inspections	Stormwater BMP/facility maintenance inspections are conducted to ensure that proper maintenance is performed.	Stormwater/ Surface Water	Low	Yes
Neighboring jurisdiction	Neighboring jurisdictions conduct complaint response of businesses operating in multiple jurisdictions.	Stormwater/ Surface Water at another City/County	Low	Yes
FOG inspection program	FOG program inspectors conduct inspections for grease interceptor maintenance and other potential grease discharges to the sanitary sewer system.	Wastewater	Moderate	Yes
Industrial wastewater/ pretreatment inspections	Pretreatment inspectors conduct inspections for discharge to sanitary sewer systems. Stormwater inspection components could be added.	Wastewater	Moderate	Yes
ISGP and/or Industrial Stormwater Individual Permit	Ecology inspectors conduct site visits approximately every 3 to 5 years.	Ecology	Low	Partially (not all businesses covered)
Health department/ district inspections	Health inspectors conduct inspections at restaurants and other retail food establishments to ensure that employees follow safe food handling practices and have adequate kitchens.	Health Department/ District	High	Partially (not all businesses covered)
Pollution Prevention Assistance (PPA)	PPA inspectors conduct inspections of small quantity generators (SQGs) that generate dangerous waste or toxic waste.	Stormwater/ Surface Water, Health Department/District	Low	Partially (not all businesses covered)
Illicit discharge field screening	IDDE program staff conduct field screening of the storm drainage system in the public right-of-way and may result in observations of spills, connections, or other discharges related to a specific business/site.	Stormwater/ Surface Water	Low	No
Fire marshal inspections	Fire marshals conduct inspections at businesses for potential fire risks and other safety hazards.	Fire Department	High	No
Cross connection control (CCC) inspections	Drinking water system inspectors conduct inspections at businesses with backflow prevention assemblies.	Drinking Water	High	No

BMP = best management practice

CCC = cross-connection control

FOG = fats, oils, and grease

ISGP = Industrial Stormwater General Permit

IDDE = Illicit Discharge Detection and Elimination

SQG = Small Quantity Generators

PPA = Pollution Prevention Assistance

Inspection coordination may be the easiest for programs and/or partners in stormwater/surface water utility. This includes IDDE complaint response activities and the private and/or public stormwater BMP/facility maintenance inspection programs. If possible, combining inspector roles across these programs can address overlapping requirements (e.g., business/site inspections are required for legitimate complaints).

Programs and/or partners that may be beneficial to coordinate with, but have different inspection goals, requirements, and lead entities include Ecology's industrial stormwater permit inspections, health department/district inspections, and PPA inspections. Inspectors within these programs may be covering large geographic areas with limited capacity for coordinating on business/site inspections.

Programs and/or partners that are least likely for coordination with the source control inspection program include inspection programs without a stormwater focus and programs that are conducted outside the stormwater/surface water utility. This includes inspections by the fire marshal and cross connection control inspections conducted on the drinking water system for businesses that have backflow prevention assemblies.

For any of the aforementioned coordination scenarios, inspector capacity to assist with business/site inspections may be limited and should be discussed at early stages of the planning process to determine if coordination will be feasible.