



## The Certified Inspector of Sediment and Erosion Control Newsletter

### Special Interest Articles:

- Inspector Ethics – How Ethical Are You?
- Know Your BMPs
- Meet the New Director
- Opening on Board of Directors
- Michael Andrew Caliendo
- Tip of the Month

## What's Going on in California?

By Jeanne Duarte  
CISEC # 0160

Many of you have probably heard by now that the State Water Resources Control Board (the agency responsible for administering the Clean Water Act in California) is in the process of renewing its Construction General Permit (CA-CGP). This permit is setting the bar at a whole new level for the construction industry. In the past, the CA-CGP has been primarily BMP driven, meaning that as a permitted construction site, you implemented BMPs to the maximum extent practicable and monitor the effectiveness of those BMPs. If additional BMPs are

warranted, or different BMPs need to be implemented, that's what was done.

The proposed CA-CGP sets numeric effluent limits for pH and turbidity on all construction sites, with the requirement to sample most storm events and, in some cases, receiving waters. It requires that projects go through a risk assessment that will set the risk level for each project. Each risk level has a certain compliance standard that must be met. Additional inspection and sampling activities have been identified in the new permit; as well the requirement of electronic reporting of all documents and reports. The EPA is closely watching this permit as it considers the

adoption of numeric effluent limits for the Federal CGP.

California has identified specific education and certification programs that they believe will meet the required qualifications of construction storm water management. CISEC, Inc. has one of the certification programs that will be recognized by the State of California. As a result, CISEC, Inc. is setting up classes in California for late summer/early fall to start getting qualified inspectors in the field. If you are located in California and are interested in sponsoring a class/exam in your area, let us know.

## Four of the Nation's Largest Home Builders Settle Storm Water Violations

From: U.S. EPA with edits  
by J.S. Fifield,  
CISEC No. 0006

Four of the nation's largest home builders (Centex Homes, KB Home, Pulte Homes, and Richmond American

Homes) have agreed to pay civil penalties totaling \$4.3 million to resolve alleged violations of the Clean Water Act, the Justice Department and Environmental Protection Agency. Each company

will pay the following penalties:

- Centex: \$1,485,000
- KB Home: \$1,185,000
- Pulte: \$877,000
- Richmond: \$795,000

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## Inspector Ethics-How Ethical Are You?

By Timothy Zimmerly,  
CISEC #0038

As part of the Code of Ethics under the CISEC Program, each CISEC agrees to be guided by the highest standards of ethics, personal honor, and professional conduct. A compromise of our ethics is often thought of as an egregious situation such as soliciting or being solicited for money or gifts in exchange for a favorable report. However, it is most often the subtle and everyday inspection experiences that place an inspector in a situation with the potential to violate their ethics.

During your inspections, you may experience one or more of the following:

- After working well together with a contractor, he may try to use that “friendship” to persuade you to not document the

deficiency or non-compliance or to “give him another chance”.

- You may be asked you if you would like to settle the problem between the two of you and not report it.
- You may get asked to look the other way and let it go this time.
- Someone in a position of authority may try to guilt you or intimidate you into not reporting something because it will taint the status of the project.
- You may be asked why you have to document a finding since it may be minor and insignificant with respect to harming the environment.

While it’s true that not all deficiencies may not present an immediate harm to the environment or may not be severe enough to require immediate attention, one must be consistent in

documenting the observations and information found during the inspection. The inspector’s reports are one of the key pieces of documentation that are reviewed during a regulatory compliance inspection. A compromise of ethics will undermine the credibility of an inspector and eventually destroy any relationship of trust and respect that has been established with a contractor.

No matter how big or small the deficiency or non-compliance, inspectors must maintain a code of ethics to document and report observations and information found during the inspection. Maintaining your ethical standards will show your dedication and commitment to having a quality inspection program.



## Know Your BMPs

By Terrill Lemke,  
CISEC #0037

While a CISEC should not mandate the BMPs to be used on a site, contractors, designers, and developers frequently look us for suggestions on applicable BMP types and products. This is justifiable as we should be the leaders in our industry and staying abreast of new products and technology. However, a CISEC needs to do their homework on the BMPs they are discussing.

When learning about and evaluating BMPs, you

should consider the following:

- Where was it developed and how does that location compare with my site climate and conditions?
- Where and under what conditions was the performance data generated?
- Where has this product primarily been used and has it been used or applied under the site and climate conditions similar to my locale or site?

For example, a hydraulic mulch product developed

and primarily used in northern California may not yield the same successful results in the desert southwest or the high altitude of the Rocky Mountains. Likewise, a BMP from a company in Florida may experience some difficulties when placed in the extreme cold of a Midwest winter. BMP literature and even conversations with a company representative about the merits of their product may not yield all of the information you need. Remember, new BMPs are often developed  
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## Four of the Nation's Largest Home Builders...(cont.)

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The government complaints allege a common pattern of violations that was discovered by reviewing documentation submitted by the companies and through federal and state site inspections. The alleged violations include

not obtaining permits until after construction had begun, failing to obtain the required permits, and failure to minimize the discharge of pollutants, such as silt and debris, in storm water runoff. The companies must also properly train construction managers and

contractors, and have trained staff at each construction site. In addition, they must implement a management and internal reporting system to improve oversight of on-the-ground operations and submit annual reports to EPA.



## Know Your BMPs (cont.)

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in response to a local problem and then marketed on a larger scale. Look for information on and ask about conditions unique to your locale such as rainfall patterns and intensity,

temperature and climate extremes, soil conditions, elevation, UV exposure, and length of growing season.

When discussing BMP types and products know enough about them to provide accurate

information and to be comfortable discussing their performance. Don't speculate or overstate, and if you don't have the information asked for say so. The bottom line is: know your BMPs!

## Meet Your New Director, Jeanne Duarte

*By Tina Evans  
CISEC #0095*

Mrs. Duarte is the managing partner and President of Storm Water Resources. She attended UCLA as a Biology major and recently received her Certified Profession of Erosion and Sediment Control (CPESC) and Certified Inspector of Sediment and Erosion Control (CISEC) certifications.

Prior to starting Storm Water Resources, Jeanne's experience included two years as the Storm Water Inspector for The Newhall Land and Farming Company managing environmental compliance on construction sites, and ten years with the City of Santa Clarita. Five of those years were spent developing, implementing, and managing the City's

Storm Water Management Program.

Mrs. Duarte's accomplishments in this area include participating in the development of the Los Angeles County NPDES permit in 1996, the development and successful implementation of the City of Santa Clarita's first Storm Water Program.

She was instrumental in the formation of the City's Storm Water Utility Enterprise fund, created to meet the financial needs of the storm water requirements placed upon the city.

More recently, Jeanne has spent her time building Storm Water Resources into an industry leader in the storm water field. With a client base that stretches from Kern County to San Bernardino County, the company has

developed a strong client base that includes some of the top builders and land development companies in the nation.

Mrs. Duarte has recently started a new venture with her husband in addition to her ongoing stormwater work. They are planting a vineyard and starting a small winery in Southern California where they will be growing and producing grapes for a high end wine product in the near future.

Professional Activities:

- Member, International Erosion Control Association
- Member, Building Industry Association
- Member, Valley Industrial Association
- Member, Santa Clarita Valley Chamber of Commerce
- Director, CISEC, Inc. Board of Directors





## **CISEC, Inc.**

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**We're on the Web!**

See us at:

[www.cisecinc.org](http://www.cisecinc.org)

## **Opening on Board of Directors**

CISEC, Inc. is seeking volunteers willing to spend time on the Board of Directors to ensure professional development of the CISEC program. Such individuals have to meet the following criteria:

- Be a current CISEC in good standing.
- Have experience in the field of sediment and erosion control.
- Able to assist with development of policy and making decisions for a non-profit organization.
- Willing to spend professional time to provide guidance and assistance in developing the CISEC program.

In November 2008, the CISEC program will be

officially two years old! While the organization has made great strides since its inception in 2005, it has many plateaus yet to reach.

CISEC, Inc. is seeking two dedicated individuals that are willing to serve on the Board of Directors and work with five existing directors to guide our nonprofit organization into future endeavors. A commitment of at least two years is necessary.

Board members must be willing to potentially spend up to four hours weekly on CISEC business. Tasks may include contacting other professionals, participating in conference calls, writing opinions, answering e-mails, attending conferences,

working on committee assignments, and so forth.

While the pay is great (there is none), the rewards of being on the ground floor for developing and guiding CISEC, Inc. into prominence within the inspection profession is a great opportunity to demonstrate your leadership ability.

If you are willing to commit the necessary time for such a professional development, please send a letter of interest to CISEC, Inc. expressing why you want to be a Board member along with your qualifications, resume, and history of experience.

## **Michael Andrew Caliendo, CISEC #129** February 20, 1967 – June 28, 2008

*By Jeanne Duarte*  
CISEC # 0160

It is with a sadden heart to inform our registrants that Michael Caliendo of Simi Valley, CA, and CISEC #129 died Saturday June 28, 2008. Mike was born

February 20, 1967 in Los Angeles and has been a resident of Simi Valley most of his life. In addition to his profession as the Environmental Health and Safety Manager for The Newhall Land and Farming

Company, Mike was also an avid motorcyclist and devoted father. He enjoyed weight training, sports and had a passion for Ducati motorcycles. He leaves his wife Tracy, and their two daughters Sydney and Amber.

## **Tip of the Month**

Some overlooked items about EPA requirements for SWPPPs include:

- They must be completed before submitting an NOI application,
- They must be amended within seven (7) days after a change in the design, construction, operation, or
- maintenance at the construction site has a significant effect on the discharge of pollutants to the waters of the United States,
- They must be amended if discharges are causing water quality "exceedances" or the BMPs are ineffective in minimizing pollutants in

storm water discharging from the construction site, and

- They must be revised within seven (7) calendar days following an inspection when additions and/or modifications to BMPs are necessary to correct observed problems.