

CHAPTER 102 PROGRAM EVALUATION REPORT

Version 1.0

County: Beaver	Evaluation Date: 04/23/2019 & 04/24/2019
DEP Regional Office: <input type="checkbox"/> SERO <input type="checkbox"/> NERO <input type="checkbox"/> SCRO <input type="checkbox"/> NCRO <input checked="" type="checkbox"/> SWRO <input type="checkbox"/> NWRO	
Date of Delegation Agreement: 12/12/2016	Date of Last Evaluation: 09/22/2006
Level of Delegation: <input type="checkbox"/> Level I <input checked="" type="checkbox"/> Level II <input type="checkbox"/> Level III	
PCSM Delegation: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Type of Evaluation: <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Follow-up
Period of Evaluation: From 01/01/2014 To 03/31/2019

STAFF RESOURCES

1. Retain sufficient personnel.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>Based upon this evaluation, Beaver County Conservation District (District) has not retained sufficient personnel to implement the Chapter 102 delegated program. Previous District staff fell short of properly implementing the program; however, new staff have demonstrated better program implementation (for example, properly documenting technical deficiencies and retaining those letters in the file).</p>					
2. Training attended.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>New staff have attended the Spring 2019 Basic Training in State College and have attended small group training with other area district staff. However, based upon the programmatic implementation deficiencies, additional training is needed. Only one staff member has completed courses in the Clean Water Academy. One staff member has not completed any courses in Clean Water Academy, and another has not signed up for a Clean Water Academy account.</p>					

3. Staff changes.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The "Current Staff Resources" form attached to the Delegation Agreement ("Attachment B") for one staff member appears to have been sent within the identified timeframe of 30 days. The Attachment B for another was not able to be located and was not found in the records at Central Office.</p> <p>It is recommended that the District ensure that staffing changes are being provided to DEP and that Attachment B from the Delegation Agreement is being utilized in a timely manner.</p>					

DELEGATION DUTIES

LEVEL I – EDUCATION/INFORMATION AND OUTREACH					
District Duties:					
A. Provide education and outreach services on the Erosion and Sediment Control (E&S) Program, the Post Construction Stormwater Management (PCSM) Program, and the National Pollutant Discharge Elimination System (NPDES) Program.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evaluator's Comments: A rating of Unsatisfactory is identified for the District Duties related to the Level I delegation. The rating was based upon the education and outreach programs concerning the E&S, PCSM and NPDES Programs, not having an adequate supply of forms on hand (or not having a link to the forms on the District's website), and not attempting to maintain agreements with other agencies.					
Required Output Measures (ROMs):					
A. Develop and conduct programs concerning the E&S, PCSM, and NPDES Programs. This also includes Agriculture E&S.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evaluator's Comments: For this ROM a combined score of Unsatisfactory was given, primarily due to the District not performing any new programs and accompanied by the District's substandard information/educational events.					
1. Conduct a minimum of two informational and/or educational programs per calendar year.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evaluator's Comments: The District held a workshop in 2018 related to the forestry industry, which included Chapter 102 permitting for timber harvesting activities (this was not reported by the District in their Quarterly Reports). Two workshops were held in 2017 for E&S BMPs and program updates (this is consistent with the information reported by the District in their Quarterly Reports). The District identified 1 event in 2014, 3 events in 2015, and 2 events in 2016 related to informational and educational programs on their Quarterly Reports; however, information on what was included in these events was not available nor provided by the District. To date for 2019, the District has not reported any events.					
2. Issue a minimum of two news releases per calendar year.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evaluator's Comments: The District staff identified that no news releases were provided for the years evaluated. This is consistent with the information reported by the District in their Quarterly Reports.					

B. Maintain an adequate supply of up-to-date applications and other forms developed by the department on the E&S, PCSM and NPDES Programs.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The District did not have paper forms available and did not provide links to the forms on their website. However, staff did identify that they could print out the forms if someone asked for them.</p>					
C. Maintain and update all E&S, PCSM, and NPDES Program agreements in affect between the District and municipalities and/or other governmental agencies.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The District does not have any agreements with municipalities and/or other governmental agencies. However, the finding is that the District is not attempting to create any such agreements.</p>					
D. Provide the department with the Program quarterly reports that detail accomplishments under their level of delegation.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The District submitted 20 Quarterly Reports between 2014 and 2018. Twenty percent of the reports were submitted past the 15th day following the end of the quarter. However, three (3) of the late reports were only 2 days past the required reporting time. Only one (1) report was submitted significantly late (76 days past the end of the quarter). Additionally, the content in the reports was inaccurate (e.g., a large number of E&S permits were reported to have been issued, but this data is not supported by the Region's information that a small number of E&S permits were issued across the entire Region).</p>					
E. Provide the department with other reporting data as requested.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>No additional reporting data has been requested.</p>					
F. Refer complaints received to the appropriate agency within 8 business days of receipt.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>Based upon the review of the complaints received, it appeared that no complaints received needed to be referred to another agency.</p>					

LEVEL II – PROGRAM ADMINISTRATION AND COMPLIANCE					<input type="checkbox"/> N/A
District Duties:					
B. Maintain a system, developed by the department, including appropriate files for the receipt, assessment and resolution of complaints.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>Evaluators reviewed the complaint tracking systems for Chapter 102/105 complaints and agricultural complaints.</p> <p>Chapter 102/105 complaints are managed electronically, and the files exist for 2016 – present. Between 2016 and 2019, a total of 39 complaint folders exist on the District's 102/105 complaint server. Of those 39, 10 folders contained a completed (signed and dated) copy of an inspection report. For 2019, there are 11 complaint folders and 9 of those folders contain a completed inspection report. The remainder of complaint file folders generally contained a complaint referral form, property photographs from Google, and/or StreamStats reports. Very few files contained a word document of a partially completed draft inspection report.</p> <p>Evaluators performed a detailed review of 10 complaint inspection reports located on the 102/105 complaint server. Evaluators selected complaints that had a completed (signed and dated) 102 and/or 105 inspection report saved on the complaint's server. Of the 10 complaint inspection reports selected, four complaints had a corresponding complaint form that identifies when the complaint was received and the nature of the complaint. These four complaints were referred by the Department using the Department's complaint tracking form. The remaining six complaints were filed directly with the District via phone call. The Resource Conservationist stated that a "Complaint Handling and Problem Assessment Form" was completed for those complaints, but that it was discarded upon complaint investigation (this information should have been retained with the complaint information). All 10 complaint inspections reviewed were recorded on the appropriate Department inspection form. Three of the complaint inspection reports noted violations but did not include any compliance assistance measures. One complaint inspection report included complainant information (as complainant information is confidential) in the narrative section of the report. Two complaint inspection reports did not include a responsible party or a mailing address for the responsible party, indicating that these reports were not completed and mailed. Only five complaint inspection reports were properly completed, noted appropriate compliance measures, and contained photographs.</p> <p>Agricultural complaint files are maintained by the Agricultural Conservationist. From 2016 to present, there have been three agricultural complaints. These complaints are logged on the "Complaint Handling and Problem Assessment Form" and maintained in the complaint file. Two of the agricultural complaints were investigated and have a corresponding completed "Pa Agricultural Investigation Form." The third agricultural complaint was received within the last seven days and has not yet been investigated.</p> <p>For the time period prior to 2016, no files existed at the District Office for complaints.</p>					

C. Receive, process, and review all permit application forms/NOIs for NPDES construction stormwater permits and E&S permits. Complete the review process and timeframes in accordance with the ROMs and Standard Operating Procedures (SOPs).

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Based upon the lack of information/documentation/evidence of these items in the files, a score of Unsatisfactory is given. DEP is concerned about the level of scrutiny related to the review of permit applications, as there were a significant number of files reviewed that contained potential issues and/or deficiencies.

The score of Unsatisfactory was given due to an almost complete lack of permit review documentation in the majority of the files. Because of this lack of documentation, DEP was not able to determine if the District was meeting these duties.

1. Conduct completeness reviews for all permits with 15 business days of receipt. Provide notification to applicant within 20 business day timeframe. Consult with appropriate DEP Regional Office and elevate when necessary, inconsistencies related to the technical elements of the PCSM plan.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Approximately half of the files reviewed did not contain a completeness notification letter; therefore, it is difficult for DEP to confirm compliance. However, in the files that were reviewed, it appears that some of the completeness review timeframes were being met. The District's internal tracking spreadsheet does not include completeness reviews (deemed incomplete or complete).

A score of Unsatisfactory was given due to the lack of information contained within the files, resulting in DEP not being able to confirm that the District is fulfilling the required duties.

2. Conduct initial technical E&S plan review for General NPDES permits within 22 business days after completeness notification. Notify the regional office of permit coverage or technical E&S plan deficiencies. Total processing timeframe for General NPDES permit without deficiencies is 77 business days.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Based upon the files reviewed there was little to no documentation or evidence in the files concerning the technical review timeframes. Additionally, there were very few files that contained documentation of technical deficiencies or whether such were being conveyed to the applicant.

It is DEP's experience that the vast majority of permit applications/E&S Plans have some technical deficiencies (whether minor or major in nature); however, there is little to no evidence that technical deficiencies are being/have been identified by the District. Based upon the review of the files, the District does appear to be improving in this aspect with new staff; however, the lack of documentation from the previous years cannot be overlooked.

3. Conduct a second technical review, where necessary, within 17 business days from receipt of E&S plan resubmittal. If E&S plan meets technical requirements, approve coverage under the General NPDES permit within the 17 business day timeframe. If the E&S plan is deemed inadequate, make a recommendation to the appropriate DEP Regional Office within the 17 business day timeframe to deny permit coverage.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Due to a lack of information in the files related to second technical reviews for General NPDES permits, DEP cannot confirm if this timeframe was being met.

4. Conduct initial technical E&S plan review for Individual NPDES permits and E&S permits within 47 business days after completeness notification. Total processing timeframe for an individual NPDES permit without deficiencies is 107 business days.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Due to a lack of information in the files related to the initial technical reviews of Individual NPDES and E&S permits, DEP cannot confirm if this timeframe was being met.

5. If the E&S Plan meet the technical requirements, make a permit recommendation to the DEP Regional Office to issue the permit within the 47 business day timeframe. If the E&S Plan does not meet the technical requirements, notify the regional office of the deficiencies within the 47 business day timeframe, and request E&S plan resubmission within 60 calendar days of the date of the deficiency letter.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

It appeared that the recommendation letters were being retained in the files; however, a recommendation was being made before coordination with DEP to ensure all technical deficiencies were being addressed.

The lack of information within the file made compliance confirmation of this Duty not possible for DEP.

6. Conduct a second technical E&S plan review, where necessary, within 22 business days from receipt of E&S plan resubmittal. Notify the region if the E&S plan is either adequate or inadequate, and recommend either issuance or denial of the permit to the appropriate DEP Regional Office within the 22 business day timeframe.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

There was little to no documentation that second technical reviews were being performed by the District.

D. Receive, process, and review ESCGP permits for Oil and Gas activities. Complete the review process and timeframes in accordance with the ROMs and SOPs.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Based upon the lack of information/documentation in the files, a score of Unsatisfactory is given. DEP is concerned about the level of scrutiny related to the review of permit applications, as there were a significant number of files, reviewed that contained potential issues and/or deficiencies.

The District needs to be more aware of the different types of oil and gas activities to ensure that the appropriate office is reviewing the permit application. DEP Waterways and Wetlands Program/Districts should only be reviewing permit applications for transmission facilities, all other oil and gas activities should be reviewed by DEP Oil and Gas Management (e.g., gathering lines).

1. Conduct completeness reviews for ESCGP permits within 15 business days of receipt. The Permit Review Process timeframe of 43 business days will be based upon the date of the completeness notification.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Based upon the files reviewed, the completeness reviews were accomplished with ten (10) business days of being received.

However, there were many files reviewed that did not contain any documentation of proper permit reviews being accomplished.

2. Conduct initial technical E&S plan review for ESCGP permits within 18 business days after completeness notification. Any technical deficiencies should be documented in a technical deficiency letter. The letter will include the requirement that revised plans should be submitted within 60 calendar days of the date of the technical deficiency letter.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

There was little to no information/documentation in the files that would indicate a technical review of the E&S Plan was conducted.

3. Conduct a second technical E&S plan review, where necessary, within 10 business days from the date of the resubmittal.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Again, there was little to no information related to the District performing second technical reviews of the E&S Plans.

E. Conduct E&S Plan reviews pursuant to other DEP regulations and notify the appropriate party of E&S Plan adequacy or inadequacy within 35 business days of receipt.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The files related to these reviews contained little documentation of the notification of any deficiencies, which does not reflect content. However, the reviews appeared to be performed within the identified timeframes.</p>					
F. Perform E&S Plan reviews under agreements with municipalities or other governmental agencies.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The District has no official agreements with municipalities or other governmental agencies to review E&S Plans. However, the finding is that the District is not actively seeking to enter such agreements.</p>					
G. Receive, process, and acknowledge co-permittee/transferee applications forms within 20 business days for receipt of a complete submittal. Receive, process, and conduct a site inspection for notices of termination (NOT) forms within 20 business days of receipt.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The co-permittee files reviewed appeared that they were being processed within the timeframe identified; however, DEP is concerned with the apparent lack of co-permittee information. The District is reminded that an operator is required (by regulation and permit condition) to become a co-permittee; therefore, the majority of permits should have at least one (1) co-permittee.</p> <p>The NOT files reviewed appeared to adhere to the timeframe identified. However, the one (1) NOT that was denied did not use the letter template for denial.</p>					
ROMs:					
A. Respond to all complaints within 8 business days of their receipt. Within 10 business days of receipt, refer problems outside of the Program to DEP or other appropriate governmental agencies.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>Evaluators reviewed 18 complaint files to determine timeframes for responding to 102/105 and agricultural complaints. 10-102/105 complaint files did not contain a corresponding complaint form that identified the date the complaint was received or referred to the district by the Department. Of the eight complaints that contained a corresponding complaint form, six complaints were followed up within the required eight business days. Two complaints were investigated greater than 8 business days of receipt - a 102 complaint that was received on February 27, 2017 was investigated on March 21, 2017, and a 102 complaint that was received on December 19, 2018 was investigated on January 15, 2019.</p>					
B. Document all complaints utilizing forms provided by DEP.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>The findings for this portion of the evaluation are as identified in the findings for Level II Duty B.</p>					

C. For activities under the authority of the Delegation Agreement, schedule and make site visits to access the situation, conduct inspections of earth disturbance activity, document site conditions and violations on standard inspection report forms, and attempt to attain voluntary compliance. When voluntary compliance cannot be attained, refer these cases to the appropriate DEP Regional Office.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

The review of the electronic complaint files from 2016 to present showed an inconsistent response to complaints and/or a response to complaints with an inconsistent retention of complaint inspection reports. As stated in the comments for Level II Duty B, a total of 50 complaint folders were found from 2016 – present, but only 19 completed inspection reports were found. This indicates that either inspections were never conducted for 31 complaints or inspections were conducted but reports were not written, or inspections were conducted and inspection reports were written, but the reports have not been retained.

Of the 10 inspection reports reviewed in-depth, four were found to have serious violations (Shad Hollow Road Complaint, Cable Timber Harvest, Clearview Timber Harvest, and Black Hawk Road). The only complaint that had a follow up inspection report was the Black Hawk Road complaint. District staff referred the Shad Hollow Road complaint to the PA Fish and Boat Commission for follow up. District staff stated that a follow up inspection occurred at the Clearview Road Timber Harvest, but the report could not be located. District staff expressed a concern for their safety, which is why they did not return to the Cable Road Timber Harvest site, so a follow up inspection was not conducted. However, the District did not identify their personal safety concerns to the Regional Office for assistance in the matter.

D. Respond to and document situations where sediment pollution, or a danger thereof, is being observed or a violation of applicable laws or regulations has occurred.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

This was evaluated as part of ROM C.

E. Use the criteria established by DEP for documentation and preparation of enforcement actions.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

Not applicable as no enforcement actions were referred by current district staff.

F. Conduct site inspections of earth disturbance activities and document site conditions and violations of applicable laws and regulations.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

A total of 20 permit files were reviewed (six individual permits and 14 general permits). Of the 20 permit files reviewed, only eight contained inspection reports. The Resource Conservationist stated he was not aware of the requirements to routinely inspect permitted sites.

1. Inspect all active E&S permitted and Individual NPDES permitted sites once within the first 20 business days of commencement of earth disturbance activities, and then once every 65 business days at a minimum during active construction.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Six individual permit files were reviewed – PAI050415001, PAD040002, PAI0504160001, PAD370003, PAD040004, and PAD040003

PAI050415001: The permit file contained one inspection report dated 10/19/17. The file did not contain the final issued permit, so it could not be determined if the inspection was conducted within the first 20 business days. No subsequent inspection reports could be located for this permit.

PAD040002: The permit file did not contain any inspection reports or the final issued permit.

PAI0504160001: The permit file contained the permit, which was issued on March 30, 2017. The file also contained an inspection report dated May 31, 2017. There was no indication in the file when earth disturbance activities commenced at the site, therefore it could not be determined if the inspection was conducted within the first 20 business days. No subsequent inspection reports could be located for this permit.

PAD370003: The permit file contained the permit, which was issued on November 6, 2017. No inspection reports could be located for this permit.

PAD040004: The permit file did not contain the final issued permit but did include an inspection report dated March 13, 2019. The inspection report was properly completed and noted violations. No subsequent inspection reports could be located for this permit.

PAD040003: The permit file did not contain the final issued permit or any inspection reports. The evaluators could not determine from the file if the permit had been issued.

2. Conduct more frequent inspections where there is higher pollution potential, sensitive environmental resources, continuing violations, or when the permittee has shown lack of ability or intention to comply.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

District staff could only identify one project that required and had more frequent inspections – Revolution Pipeline Project. Fifteen inspection reports were provided that were conducted between May 15, 2017 and May 29, 2018. These reports were properly completed, contained detailed descriptions and photographs, and appropriate compliance assistance measures. It was evident from these reports that more frequent inspections were conducted because of continuing violations and pollution potential. The District properly referred this project to DEP for the continued violations.

3. Inspect active General NPDES permitted sites involving 5 or more acres of earth disturbance once within the first 35 business days of the earth disturbance activity and then on an as-needed basis.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Nine General NPDES permitted sites involving 5 or more acres of earth disturbance were reviewed – PAG02000414013, PAG02000415013, PAC040012, PAC040040, PAC040037, PAC040018, AHN Beaver County Center (No permit # found), PAC040013, and PAC040022

PAG02000414013, PAC040040, PAC040037, PAG0200415003, and PAC040022: These permit files contained no inspection reports.

PAC040012: The permit file contained the permit which was issued on May 1, 2017 and an inspection report dated January 25, 2018. There was no indication in the file when earth disturbance activities commenced at the site, therefore it could not be determined if the inspection was conducted within the first 35 business days. The inspection report noted violations, but no subsequent inspection reports could be located for this permit.

PAC040018: The permit file contained the permit which was issued on June 12, 2017 and two inspection reports dated February 21, 2017 and August 10, 2017. The first inspection conducted on February 21, 2017 noted that work commenced without notice to BCCD and without a preconstruction meeting. The follow up inspection on August 10, 2017 noted that the site appeared stable.

AHN Beaver County Center: The file did not contain the final issued permit or any inspection reports.

PAC040013: The file did not contain the final issued permit. The permit was issued on May 4, 2017 and an inspection was conducted on August 10, 2017. There was no indication in the file when earth disturbance activities commenced at the site, therefore it could not be determined if the inspection was conducted within the first 35 business days. No violations were noted in the report and the file did not contain any follow up inspection reports.

4. Inspect active General NPDES permitted sites involving 1 to less than 5 acres of earth disturbance on an as-needed basis. Inspections should be prioritized based on E&S Plan review, complaints, pollution potential, sensitive environmental resources, continuing violations, or a history of non-compliance.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Five General NPDES permitted sites involving 1 to less than 5 acres of earth disturbance were reviewed – PAG02000414012, PAG02000416005, PAG02000416012, PAC040041, and PAG02000415012.

PG02000414012, PAG02000416012, and PAG02000415012: These permit files contained no inspection reports.

PAG02000416005: The permit file contained the permit which was issued on June 22, 2016 and an inspection report dated August 28, 2018. The inspection report noted violations related to permanent stabilization. No subsequent inspection reports could be located for this permit.

PAC040041: The permit file contained the permit which was issued on July 24, 2018 and an inspection report dated March 13, 2019. The inspection report noted no violations.

Less than 50% of permitted sites reviewed were inspected and district staff did not have any justification for the inspections not being performed.

5. Follow-up site inspections on sites with either major or severe violations should be conducted within 20 business days of the previous site visit. Inspections and re-inspections at active non-permitted sites are to be conducted on an as-needed or complaint drive basis.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Of all the inspection reports reviewed, six were deemed to have major or severe violations: Revolution Pipeline, Kane Apartments, Shad Hollow Road complaint, Cable Timber Harvest complaint, Clearview Timber Harvest complaint, and Black Hawk Road complaint. Follow up

inspections were conducted for the Revolution Pipeline, Kane Apartments, the Black Hawk Road complaint and the Shad Hollow Road complaint was referred to the PA Fish and Boat Commission. No follow up inspection reports could be provided for the Cable Timber Harvest complaint and the Clearview Timber Harvest complaint.

Very few initial inspections were conducted to identify major and/or severe violations.

- G. Establish and maintain separate District Clean Water Fund account for the deposit of any and all base administrative filing fees. Fees must be deposited within 10 calendar days of receipt of the permit application package. The fees shall be used by the District to support the E&S and NPDES Programs.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

This item was not evaluated.

- H. The District shall remit any and all disturbed acre fee under the E&S and NPDES Programs to the DEP Regional Office.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluator's Comments:

Based upon the evaluation, there is no evidence that this is not properly occurring.

LEVEL III – PROGRAM ENFORCEMENT					<input checked="" type="checkbox"/> N/A
District Duties:					
A. Prepare, commence, and execute summary proceedings, issue notices of violation, schedule and conduct administrative enforcement conferences, seek civil penalties and available remedies thru consent assessments of consent adjudications, and related actions.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
B. Retain its own legal counsel, except for those services related to delegated programs as set forth in Section 4, Subsection 2. Of the Conservation District Law. For those services related to the delegated programs, the District may utilize DEP's legal counsel.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
District Legal Counsel:					
Evaluator's Comments:					
ROMs:					
A. Advise DEP of all enforcement actions initiated and provide this information on DEP's quarterly report form detailing final compliance agreements, penalties and other actions. Provide copies of all final enforcement documents used to resolve cases to DEP Regional Office. Forward all penalties collected to the DEP Regional Office within 8 business days of receipt.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
B. Prior to initiations of any equity action, civil penalty action or any other court proceeding, notify DEP in writing of filing and prosecution of such action or proceeding. For summary or misdemeanor prosecutions, the District must obtain approval from their County District Attorney's Office.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					

PCSM DELEGATION					<input checked="" type="checkbox"/> N/A
Professional Engineer employed by the District:					
License Number:					
District Duties:					
A. Provide education and outreach services on the PCSM Program and the NPDES Program.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
B. Maintain a system, developed by DEP, including appropriate files, for the receipt, assessment, and resolution of PCSM complaints associated with active NPDES permitted sites prior to the submittal and acknowledgement of the Notice of Termination (NOT).					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
C. Conduct technical (engineering) review for PCSM Plans. PCSM Plans using standards and design criteria other than those contained in the PA Stormwater BMP Manual shall be forwarded to the Department Regional Office for review. The technical review and review timeframes shall be conducted in accordance with the items listed below or the most current, approved SOPs and checklists.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
1. For Individual NPDES Permits, the technical review of both the E&S Plan and the PCSM plan will be completed within 47 business days of the date the permit application is considered complete.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
2. If the PCSM Plan meets the regulatory requirements, make a permit recommendation along with the other necessary items to the DEP Regional Office to issue the permit within the 47 business day timeframe. If the PCSM Plan does not meet the technical requirements, notify DEP of the deficiencies within the 47 business day timeframe, and request PCSM Plan resubmission within 60 calendar days of the date of the technical deficiency letter.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					

3. Conduct a second technical review of the E&S Plan and PCSM Plan, where necessary, within 22 business days of receipt of resubmittal. Any technical deficiencies that remain in both the E&S and PCSM plans should be documented in a letter attached to an email to the DEP application manager.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

4. If the PCSM plan is found to be technically adequate for an Individual NPDES permit, the conservation district will forward the appropriate information and documents to the regional office.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

5. Conduct initial technical (engineering) PCSM Plan reviews for General NPDES Permits within the timeframes allotted for the General NPDES Permit review process as staff resources and other responsibilities permit.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

- D. Perform PCSM Plan reviews under agreements with municipalities or other governmental agencies.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

- E. Conduct inspections of PCSM BMPs during the construction phase of the project. Conduct an inspection of installed PCSM BMPs when performing a final site inspection in conjunction with n NOT. After project construction is complete and an NOT has been acknowledged, forward all complaints related to PCSM BMPs to the appropriate DEP Regional Office.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

- F. In coordination with the appropriate DEP regional office, Level III delegated conservation districts may initiate enforcement actions on active NPDES permitted sites prior to the submittal and acknowledgment of the NOT.

Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluator's Comments:

ROMs:					
A. Develop and conduct programs concerning the PCSM Program.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
1. Conduct PCSM educational programs in conjunction with E&S educational programs when and where applicable.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
2. Issue a minimum of two news releases per calendar year.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
B. Maintain an adequate supply of up-to-date applications and other forms developed by the Department on the PCSM Program.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
C. Respond to all PCSM complaints within 8 business days of their receipt on active construction projects with NPDES permits. For completed construction projects refer PCSM complaints to the appropriate Department Regional Office within 5 business days of receipt.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
D. Document all complaints utilizing forms developed by the Department.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					

E. Conduct site inspections of the active earth disturbance activity under the authority of this agreement to include NPDES active permitted sites and associated PCSM BMPs prior to the submittal and acknowledgement of the NOT. Document site conditions and violations of applicable laws and regulations on standard inspection report forms and attempt to attain voluntary compliance. When voluntary compliance cannot be attained, refer these cases to the appropriate Department Regional Office.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
F. Respond to and document situations where sediment pollution, or a danger thereof, is being observed, or where stormwater runoff water quality or quantity is not in compliance with the approved PCSM Plan or a violation of applicable laws or regulations has occurred.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
G. Use the criteria established by the Department for documentation and preparation of enforcement actions. Documentation could include actions, reports, letters of correspondence and other forms of documentation, including personal observations.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					
H. The PE employed by the conservation district to conduct the engineering review of the PCSM plan will provide the Department with a record of decision.					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluator's Comments:					

SUPPLEMENTAL COMMENTS/RECOMMENDATIONS

Information, Education, and Written Materials:

☐ N/A

Periodically check and make sure forms linked on your website are up to date. The County could work with other counties nearby to provide educational sessions for Contractors and/or Engineers.

The District should partner with other nearby districts to hold joint training and/or educational events. Additionally, the District can work in Chapter 102 related information to their educational programs which currently focus strictly on aquatic resources (related to Chapter 105).

It is recommended that the District can include articles related to Chapter 102 in their newsletter to meet the Level ROM related to news releases.

The District should provide links to the Chapter 102 NOIs/Applications and to DEP's Construction Stormwater website.

Permit Processing:

☐ N/A

The District needs to adhere to the identified timeframes for reviews in the Delegation Agreement. Proper documentation of the permit review process needs to be made by the District; for example, identifying when deficiencies are identified (either formally through a letter or informally through an email).

The District will need to revise their Fee Schedule, specifically item *C. Timber Harvest E&S Plans*, as the fee schedule identifies that the disturbed acreage fee is \$150 per acre. The proper disturbed acreage fee is \$100 per acre. The name of the permit is an "Erosion and Sediment Control Permit" not an "Earth Disturbance Permit".

The District Manager should be the person signing the permit authorization cover letters and the cover page of the General Permit. This was conveyed to all Districts in the Chapter 102 Updates from the Bureau of Clean Water dated April 2017.

Relationship with Municipalities and other Governmental Agencies:

☐ N/A

Create a workshop for Municipal authorities to go over stormwater requirements and go over ordinances that many may have and suggest an MOU or MOA for the Conservation District to review those details for them. See Allegheny County Conservation District for an example of an MOU.

Records Retention, Activity Reports, and Filing System:

☐ N/A

The current excel spreadsheet that is being utilized for activities could be expanded and a separate list for each project be attached to the cover of the project folder. Include copies of letters and correspondence in the project file. Ensure copies of completed (signed and dated) inspection reports are all kept within the permit/complaint files. Emails that are germane to the permit application review will need to be kept within the file (i.e., printed out and retained hard copy).

DEP Policies and Procedures:

☐ N/A

Technicians should continue to review the E&S and NPDES Administrative Manual and keep up to date on DEP's guidance and SOPs for the Chapter 102 program.

The District's Expedited Review fee is in direct conflict with DEP's Permit Review Process and Permit Decision Guarantee Policy. DEP's PRP/PDG Policy identifies that permit applications will be reviewed on a hierarchy basis. However, the District's fee policy identifies that an expedited review will be placed at the top of the queue. The District needs to revise their Expedited Review policy such that it

is not in direct conflict with DEP's PRP/PDG Policy (a recommendation is that the additional fee is used to pay for staff overtime outside of normal working hours to review expedited plans).

The District should include when they are sending the disturbed acreage fee to the Regional Office. If this information is not tracked by the District, this may be viewed as not being able to properly evaluate this part of the delegation agreement and the District may be scored accordingly.

Completeness Reviews: ☐ N/A

Technicians should continue to be trained by Central Office Engineer and attending yearly training opportunities.

Technical E&S Plan Reviews: ☐ N/A

Technicians should utilize the Clean Water Academy and other in-person training opportunities provided by Central Office Engineers.

Technical PCSM Plan Reviews: ☒ N/A

The District is not PCSM delegated.

Complaint Handling: ☐ N/A

Recommend creating a tracking spreadsheet for complaints to ensure timely inspection and follow up of sites with violations. Technicians should ensure that inspection reports are completed properly, mailed, and retained at the district.

Site Inspections: ☐ N/A

Schedule some site inspections with the Regional Compliance staff to become familiar with the various aspects of a site inspection. Photo taking, wording, etc.

Create a system for routine inspections of permitted sites to ensure obligations with delegation agreement are being met. Note in site inspections when the preconstruction meeting was held and when earthwork commenced at the site (as per site representatives).

Enforcement: ☐ N/A

It is understood that few enforcement actions have been referred to the Department due to a historical lack of regional compliance staff. The region has increased its compliance staff over the past 6 months, so technicians should refer compliance cases to region in accordance with the established procedures.

Other: ☐ N/A

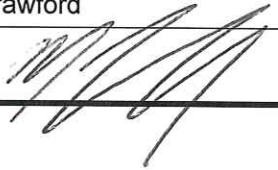
Assistance and training can be obtained from DEP, whether from Central Office or the Southwest Regional Office. Another option for the District is to reach out to other CD's in the area and build a network of people that can be asked questions on various topics (e.g., additional training for site inspections).

Anyone person employed by the District that is involved in the Chapter 102 Program should sign up for a Clean Water Academy account. The Clean Water Academy is DEP's online training portal and warehouse for programmatic information (e.g., E&S and NPDES Administrative Manual); therefore, if a person does not have an account they cannot stay up to date on programmatic updates and trainings.

The District's website related to their Erosion and Sediment Control page needs to be revised based upon the following:

- First item under Program Highlights: for an earth disturbance activity that is 5,000 sf or more a written E&S plan needs to be developed. Per Chapter 102, this written plan is not required to be reviewed and approved by the District or DEP.

- Fifth item under Program Highlights: BMPs are required for any earth disturbance (not recommended).
- Second paragraph under Chapter 102-Erosion and Sediment Pollution Control Update: a PPC is not required to be submitted with a permit application.
- Third paragraph under Chapter 102-Erosion and Sediment Pollution Control Update: Update the information related to riparian buffers based upon the Act 162 information and guidance.
- Fourth paragraph under Chapter 102-Erosion and Sediment Pollution Control Update: earth disturbance activities for agriculture plowing and tilling and animal heavy use areas do not require Chapter 102 permitting.

PROGRAM EVALUATION SUMMARY					
Outstanding	Commendable	Satisfactory	Needs Improvement	Unsatisfactory	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Evaluator's Comments:</p> <p>Beaver County Conservation District is only delegated to Level II and not PCSM delegated; therefore, they were not evaluated on the Level III and PCSM sections. These sections are intentionally left blank.</p> <p>Due to the overall lack of performance from the District, an overall rating of Unsatisfactory is being given. The poor records retention made a proper evaluation almost impossible; therefore, the District was not able to demonstrate that they were meeting their obligations under the delegation agreement. This evaluation solely focused on the Chapter 102 delegation agreement.</p> <p>In addition to the items evaluated herein, the Department is aware of situations in which the District has shown a lack of sound judgement in recent years.</p> <p>In one instance, the District reviewed and authorized permit coverage for the Falcon pipeline project. This project traversed the District's property, where the District received a payment for an easement across their property. The District should have contacted the DEP Regional Office for guidance related to the potential conflict of interest.</p> <p>The District reviewed and authorized permit coverage for the Revolution pipeline project. However, that project is not a transmission facility, and the permit should have been reviewed by DEP's Oil and Gas Management program.</p> <p>The DEP Regional Office identified to the District that the permits for the National Fuel Gas project were going to be coordinated due to the pending Water Quality Certification being reviewed by DEP. However, the District authorized the coverage under the Chapter 102 and 105 permits before being told by DEP that they could be authorized.</p>					
Evaluation Performed by:					
Name:		Office:			
William Himes		DEP – CO Bureau of Clean Water			
Howard Kellick		DEP – SWRO Waterways & Wetlands Program			
Aileen Evan		DEP – SWRO Waterways & Wetlands Program			
Mary Martha Truschel		DEP – Office of Chief Counsel			
Nathan Crawford		DEP – CO Bureau of Clean Water			
Lead Evaluator: Nathan Crawford					
Lead Evaluator Signature: 				Date: 8/15/19	