

Expedited Settlement Offer Worksheet

Findings and Alleged Violations

*Consult instructions regarding eligibility criteria
and procedures prior to use*



1 Legal Name and Mailing Address of Operator	Telephone Number	NPDES Permit Number

2 Location and Address of Site

Name of Site Contact (ESO Worksheet recipient):	
Name of Authorized Official (40 CFR 122.22):	
Inspection Date:	
Start Construction Date:	
Estimated Completion Construction Date:	
If Unpermitted, Number of Months Unpermitted:	
Name of Receiving Water Body (Indicate whether 303(d) listed):	
Acres Disturbed (whole common plan):	
Is Site Eligible for Rainfall Erosivity or TMDL Waiver per 44 CFR 122.26(b)(15)?	

	Texas Citation Reference*	National Permit Citation Reference**	No. of Violations	Violation Amount	Settlement Offer
3 Operator(s) in control of site specifications unpermitted for _____ months (# of months = # of violations)	CWA 301	CWA 301	0	\$500.00	\$0.00
4 Operator(s) in control of day-to-day activities unpermitted for _____ months (# of months = # of violations)	CWA 301	CWA 301	0	\$500.00	\$0.00
5 SWPPP not prepared (If no SWPPP, leave elements 6 - 31 blank)	TXCGP III.	CGP 3.1.A	0	\$4,000.00	\$0.00
6 SWPPP prepared but prepared after construction start (# of months = # of violations)	TXCGP III.C.1.(a)	CGP 3.1.A	0	\$75.00	\$0.00
7 SWPPP does not identify all potential sources of pollution to include: porta-pottys, fuel tanks, staging areas, waste containers, chemical storage areas, concrete cure, paints, solvents, etc...	TXCGP III.F.1.(a)	CGP 3.1.B	0	\$250.00	\$0.00
8 SWPPP does not identify all operators for the project site and the areas of the site over which each operator has control	TXCGP III.A.1.-2.	CGP 3.3.A	0	\$500.00	\$0.00
9 SWPPP does not have site description, as follows:					
A Nature of activity in description	TXCGP III F.1.(a)	CGP 3.3.B.1	0	\$100.00	\$0.00
B Intended sequence of major activities	TXCGP III F.1.(b)	CGP 3.3.B.2	0	\$100.00	\$0.00
C Total disturbed acreage	TXCGP III F.1.(c)	CGP 3.3.B.3	0	\$100.00	\$0.00
D General location map	TXDGP III.F.1.(e)	CGP 3.3.B.4	0	\$100.00	\$0.00
E Site map	TXDGP III.F.1.(f)	CGP 3.3.C	0	\$500.00	\$0.00
F Site map does not show drainage patterns, slopes, areas of disturbance, locations of major controls, structural practices shown, stabilization practices, offsite materials, waste, borrow or equipment storage areas, surface waters, discharge points, areas of final stabilization (count each omission under 9F as 1 violation)	TXCGP III F.1.(f)(i)-(vii)	CGP 3.3.C 1 - 8	0	\$50.00	\$0.00
G. Location/description industrial activities, like concrete or asphalt batch plants	TXCGP III.F.1.(g)	CGP 3.3.D	0	\$500.00	\$0.00
10 SWPPP does not:					
A Describe all pollution control measures (e.g. BMPs)	TXCGP III.F.2.(a)(ii)	CGP 3.4.A	0	\$750.00	\$0.00
B Describe sequence for implementation	TXCGP III.F.2.	CGP 3.4.A	0	\$250.00	\$0.00
C Detail operator(s) responsible for implementation	TXCGP III.A.2.	CGP 3.4.A	0	\$250.00	\$0.00
11 SWPPP does not describe interim stabilization practices	TXCGP III.F.2.(b)	CGP 3.4.B	0	\$250.00	\$0.00
12 SWPPP does not describe permanent stabilization practices	TXCGP III.F.2.(b).(i)	CGP 3.4.B	0	\$250.00	\$0.00
13 SWPPP does not describe a schedule to implement stabilization practices	TXCGP III.F.2.(b).(ii)	CGP 3.4.B	0	\$250.00	\$0.00
14 Following dates are not recorded: major grading activities; construction temporarily or permanently ceased; stabilization measures initiated (count each omission under 14 as 1 violation)	TXCGP III.F.2.(b).(ii).(a)	CGP 3.4.C.1-3	0	\$250.00	\$0.00
15 SWPPP does not have description of structural practices to divert flows from exposed soils, retain flows, or limit runoff from exposed	TXCGP III.F.3	CGP 3.4.D	0	\$500.00	\$0.00

areas						
16	SWPPP does not have a description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur AFTER construction operations have been completed	TXCGP III.F.4	CGP 3.4.E	<input type="text" value="0"/>	\$500.00	\$0.00
17	SWPPP does not describe measures to prevent discharge of solid materials to waters of the US, except as authorized by 404 permit	TXCGP III.F.5.	CGP 3.4.F	<input type="text" value="0"/>	\$500.00	\$0.00
18	SWPPP does not describe measures to minimize off-site vehicle tracking and generation of dust	TXCGP III.F.5.(a)	CGP 3.4.G	<input type="text" value="0"/>	\$500.00	\$0.00
19	SWPPP does not include description of construction or waste materials expected to be stored on site w/updates re: controls used to reduce pollutants from these materials	TXCGP III.F.5.(b)	CGP 3.4.H	<input type="text" value="0"/>	\$250.00	\$0.00
20	SWPPP does not have description of pollutant sources from areas other than construction (asphalt or concrete plants) w/ updates re: controls to reduce pollutants from these materials	TXCGP III.F.5.(c)	CGP 3.4.I	<input type="text" value="0"/>	\$500.00	\$0.00
21	SWPPP does not identify allowable sources of non-storm water discharges listed in subpart 1.3.B of the CGP	TXCGP III.F.5.(c)	CGP 3.5	<input type="text" value="0"/>	\$500.00	\$0.00
22	SWPPP does not identify/ensure implementation of pollution prevention measures for non-storm water discharges	TXCGP III.F.5.(c)	CGP 3.5	<input type="text" value="0"/>	\$500.00	\$0.00
23	Endangered Species Act documentation is not in SWPPP	Not Required	CGP 3.7	<input type="text" value="0"/>	\$500.00	\$0.00
24	Historic Properties (Reserved)	Not Required	CGP 1.3.C.7	<input type="text" value="0"/>	\$500.00	\$0.00
25	Copy of permit and/or NOI not in SWPPP (count each omission under 25 as 1 violation)	TXCGP III.F.1.(i)	CGP 3.8	<input type="text" value="0"/>	\$250.00	\$0.00
26	SWPPP is not consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management plans or site permits approved by State, Tribal or local officials (e.g., MS4 requirements)	TXCGP III.F.6.(a)	CGP 3.9	<input type="text" value="0"/>	\$750.00	\$0.00
27	SWPPP has not been updated to remain consistent with changes applicable to protecting surface waters in State, Tribal or local erosion plans	TXCGP III.F.6.(b)	CGP 3.9	<input type="text" value="0"/>	\$250.00	\$0.00
28	Copies of inspection reports have not been retained as part of the SWPPP for 3 years from date permit coverage terminates	TXCGP V.1.-3.	CGP 3.10.G	<input type="text" value="0"/>	\$500.00	\$0.00
29	SWPPP has not been updated/modified to reflect change at site effecting discharge, or where inspections identify SWPPP/BMPs as ineffective, updates to SWPPP regarding modifications to BMPs not made within 7 days of such inspection (count each omission under 29 as 1 violation)	TXCGP III.F.8.(c)	CGP 3.11.C	<input type="text" value="0"/>	\$50.00	\$0.00
30	Copy of SWPPP not retained on site	TXCGP III.D.2.(d)	CGP 3.12.A	<input type="text" value="0"/>	\$500.00	\$0.00
	A SWPPP not made available upon request	TXCGP III.D.1.	CGP 3.12.C	<input type="text" value="0"/>	\$500.00	\$0.00
31	SWPPP not signed/certified	Not Required	CGP 3.12.D	<input type="text" value="0"/>	\$500.00	\$0.00
32	Inspections not performed either once every 7 days, or once every 14 days and within 24 hours after storm event greater than 0.5 inches or greater (not required if: temp stabilization; runoff unlikely due to winter conditions; construction during arid periods in arid areas)	TXCGP III.F.8.(a)	CGP 3.10.A, 3.10	<input type="text" value="0"/>	\$75.00	\$0.00
33	Inspections not conducted by qualified personnel	TXCGP III.F.8.(a), (d)	CGP 3.10.D	<input type="text" value="0"/>	\$500.00	\$0.00
34	All areas disturbed by construction activity or used for storage of materials and which exposed to precipitation not inspected	TXCGP III.F.8.(a)	CGP 3.10.E.	<input type="text" value="0"/>	\$50.00	\$0.00
35	All pollution control measures not inspected to ensure proper operation	TXCGP III.7.	CGP 3.10.E.	<input type="text" value="0"/>	\$500.00	\$0.00
36	Discharge locations are not observed and inspected	Not Required	CGP 3.10.E.	<input type="text" value="0"/>	\$50.00	\$0.00
37	For discharge locations that are not accessible, nearby locations are not inspected	Not Required	CGP 3.10.E.	<input type="text" value="0"/>	\$50.00	\$0.00
38	Entrance/exit not inspected for off-site tracking	TXCGP III.F.8.(a)	CGP 3.10.E.	<input type="text" value="0"/>	\$500.00	\$0.00
39	Site inspection report does not include: date, name and qualifications of inspector, weather information, location of sediment/pollutant discharge, BMP(s) requiring maintenance, BMP(s) that have failed, BMP(s) that are needed, corrective action required including changes/updates to SWPPP and schedule/dates (count each omission under 39 as 1 violation)	TXCGP III.F.8.(d)	CGP 3.10.G	<input type="text" value="0"/>	\$50.00	\$0.00
40	Inspection reports not properly signed/certified (count each failure to to sign/certify as 1 violation)	TXCGP III.F.8.(d)	CGP 3.10.G	<input type="text" value="0"/>	\$50.00	\$0.00
41	Sign/notice not posted	TXCGP III D.2	CGP 3.12.B	<input type="text" value="0"/>	\$250.00	\$0.00
	A Does not contain copy of complete NOI	TXCGP III D.2.(a)	CGP 3.12.B	<input type="text" value="0"/>	\$50.00	\$0.00
	B Location of SWPPP or contact person for scheduling viewing times where on-site location for SWPPP unavailable not noted on sign	TXCGP III D.2.(b)	CGP 3.12.B	<input type="text" value="0"/>	\$50.00	\$0.00
42	No velocity dissipation devices located at discharge locations or outfall channels to ensure non-erosive flow to receiving water	TXCGP III F.5.(d)	CGP 3.13.F	<input type="text" value="0"/>	\$500.00	\$0.00
43	Control measures are not properly:					
	A Selected	TXCGP III F.2.(a)(ii)	CGP 3.13.A	<input type="text" value="0"/>	\$500.00	\$0.00
	B Installed	TXCGP III F.2.(a)(ii)	CGP 3.13.A	<input type="text" value="0"/>	\$500.00	\$0.00
	C Maintained	TXCGP III F.2.(a)(ii)	CGP 3.13.A	<input type="text" value="0"/>	\$500.00	\$0.00
	1. Maintenance not performed prior to next anticipated storm event (count each failure of operator to properly select, install, or maintain each BMP as 1 violation)	TXCGP III F.2.(a).(iv)	CGP 3.6.B	<input type="text" value="0"/>	\$250.00	\$0.00
44	When sediment escapes the site, it is not removed at a frequency	TXCGP III F.2.(a).(iv)	CGP 3.13.B	<input type="text" value="0"/>	\$500.00	\$0.00

	necessary to minimize off-site impacts					
45	Litter, construction debris, and construction chemicals exposed to storm water are not prevented from becoming a pollutant source (e.g. screening outfalls, pickup daily, etc.)	TXCGP III F 2.(a).(v)	CGP 3.13.C	<input type="text" value="0"/>	\$500.00	\$0.00
46	Stabilization measures are not initiated as soon as practicable on portions of the site where construction activities have temporarily or permanently ceased within 14 days after such cessation	TXCGP III F.2.(b).(iii)	CGP 3.13.D	<input type="text" value="0"/>	\$500.00	\$0.00
	*Exceptions:					
	(a) Snow or frozen ground conditions	TXCGP III F.2.(b).(iii).(ε	CGP 3.13.D.1			
	(b) Activities will be resumed within 14 days	TXCGP III F.2.(b).(iii).(t	CGP 3.13.D.2			
	(c) Arid or Semi-arid areas (<20 inches per year)	TXCGP III F.2.(b).(iii).(c	CGP 3.13.D.3			
47	Common Drainage of 10+ acres does not have a sedimentation basin for the 2 year, 24 hour storm, or 3600 cubic ft. storage per acre drained	TXCGP III F.3.(a)	CGP 3.13.E.1	<input type="text" value="0"/>	\$1,000.00	\$0.00
	A Where sedimentation basin not attainable, smaller sediment basins, sediment traps, or erosion controls not implemented for downslope boundaries	TXCDP II.F.3.(a)	CGP 3.13.E.2	<input type="text" value="0"/>	\$1,000.00	\$0.00
	B Sediment not removed from sediment basin or traps when design capacity reduced by 50% or more	TXCGP III F 2.(a).(iii)	CGP 3.6.C	<input type="text" value="0"/>	\$500.00	\$0.00
48	Common Drainage less than 10 acres does not have sediment traps, silt fences, vegetative buffer strips, or equivalent sediment controls for all down slope boundaries (not required if sedimentation sediment basin meeting criteria in 47 above)	TXCGP III F.3.(b)	CGP 3.13.E.3	<input type="text" value="0"/>	\$500.00	\$0.00
	A Sediment not removed from sediment trap when design capacity reduced by 50% or more	TXCGP III F 2.(a).(iii)	CGP 3.6.C	<input type="text" value="0"/>	\$500.00	\$0.00

Total Expedited Settlement: **\$0**

* TPDES General Permit No. TXR150000, Texas Water Code 26.040, Clean Water Act Section 402, issued by TCEQ on March 5, 2003

** NPDES General Permit, 68 FR 39087, issued by EPA on July 1, 2003, <http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>