

REPORT OF CONSTRUCTION STORM WATER INSPECTION

AT

**HWY 75 N. Turning Lanes and New Street (Grading, Paving, Utilities)
3800 Block of Hwy 75 N. South of 41st Street
Sioux City, Iowa 51108**

NPDES GP2: IA 44230-43821

BY

**U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 7
ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION (ECAD)
WATER BRANCH / DRINKING WATER AND INSPECTIONS SECTION (WB/DWIS)**

AUGUST 22 AND 27, 2024

Introduction

At the request of the Water Branch (WB), Enforcement and Compliance Assurance Division (ECAD), a Compliance Evaluation Inspection (Construction Stormwater) was conducted on August 22, 2024, at the HWY 75 N. Turning Lanes and New Street project, in Sioux City, Iowa. The inspection was conducted under the authority of Section 308 of the Clean Water Act, as amended. It was conducted in accordance with the U.S. Environmental Protection Agency (EPA) Region 7 Standard Operating Procedures for Compliance Inspections (ENST SOP No. 2332). This narrative report presents the findings of the inspection. Arah Montagne with the city of Sioux City-Municipal Separate Stormwater System (MS4), and Tom Roos and Daniel Morse with the Iowa Department of Natural Resources, Field Services & Compliance Bureau-Field Office #3 were present during the inspection.

Participants

Site General Contractor- Lieber Construction

- Sean Van Boven, Lieber Construction seanvanboven@lieberinc.com

DGR Engineering

- Bryan Wells, Department Head/ Vice President bryan.wells@dgr.com

City of Sioux City, Iowa

- Gordon Phair, City Engineer gphair@sioux-city.org
- Brittany Anderson, Senior Civil Engineer branderson@sioux-city.org
- Arah Montagne, Environmental Services Manager (MS4) amontagne@sioux-city.org

Iowa Department of Natural Resources, Field Services & Compliance Bureau FO#3

- Tom Roos, Environmental Specialist Senior tom.roos@dnr.iowa.gov
- Daniel Morse, Environmental Specialist daniel.morse@dnr.iowa.gov

U.S. Environmental Protection Agency (EPA), Region 7

- Naji J. Ahmad, Environmental Engineer, ECAD/WB/DWIS ahmad.naji@epa.gov

Procedures

I, Naji Ahmad, along with Ms. Arah Montagne, and Messrs. Tom Roos and Daniel Morse arrived at the HWY 75 N. Turning Lanes project site at 10:15 A.M. on Augst 22, 2024. At the time of our arrival, workers were excavating/constructing the north stormwater basin. Ms. Montagne was able to get hold of Ms. Gordon Phair, City Engineer, and contractor. We agreed on meeting at the site after lunch around 1:00 PM. Just before I left the site, I took photos of the site.

We returned to the site at 1:00 PM. We witnessed site contractors installing silt fence on the east perimeter of the site, and in the middle of the site (west-east). Then we met with site personnel. We introduced ourselves and presented our credentials. I explained the purpose and procedures of the industrial stormwater compliance evaluation inspection. These included completing the Region 7 Industrial Stormwater Worksheet (Attachment 1), evaluating self-monitoring and stormwater management practices, and conducting a facility walk-through with photographs (Attachment 4).

I started the inspection by discussing with site personnel the requirements of the NPDES permit and the SWPPP. Site personnel provided me with the site plans that included the SWPPP.

Soon after, site personnel escorted us on a visual inspection of the site. I noted to site personnel that the contractors were installing the silt fence in the middle of the site (west-east) which was unnecessary and was not required by the SWPPP. Site personnel stopped the contractor and asked him to reposition the silt fence on the east side of the site (north-south) along the drainageway that leads to the Floyd River.

At the end of the day, I held a formal exit meeting with site personnel, and I discussed my preliminary observations of the site. I informed them that I will issue a Notice of Preliminary Findings (NOPF) and email it to the City.

On August 27, 2024, I emailed Ms. Phair the NOPF that included two citations. On August 27, 2024, I received an email from Ms. Brittany Anderson that included the signed SWPPP and the owner and contractor's certification (Attachment 3). There were no self-site inspection reports.

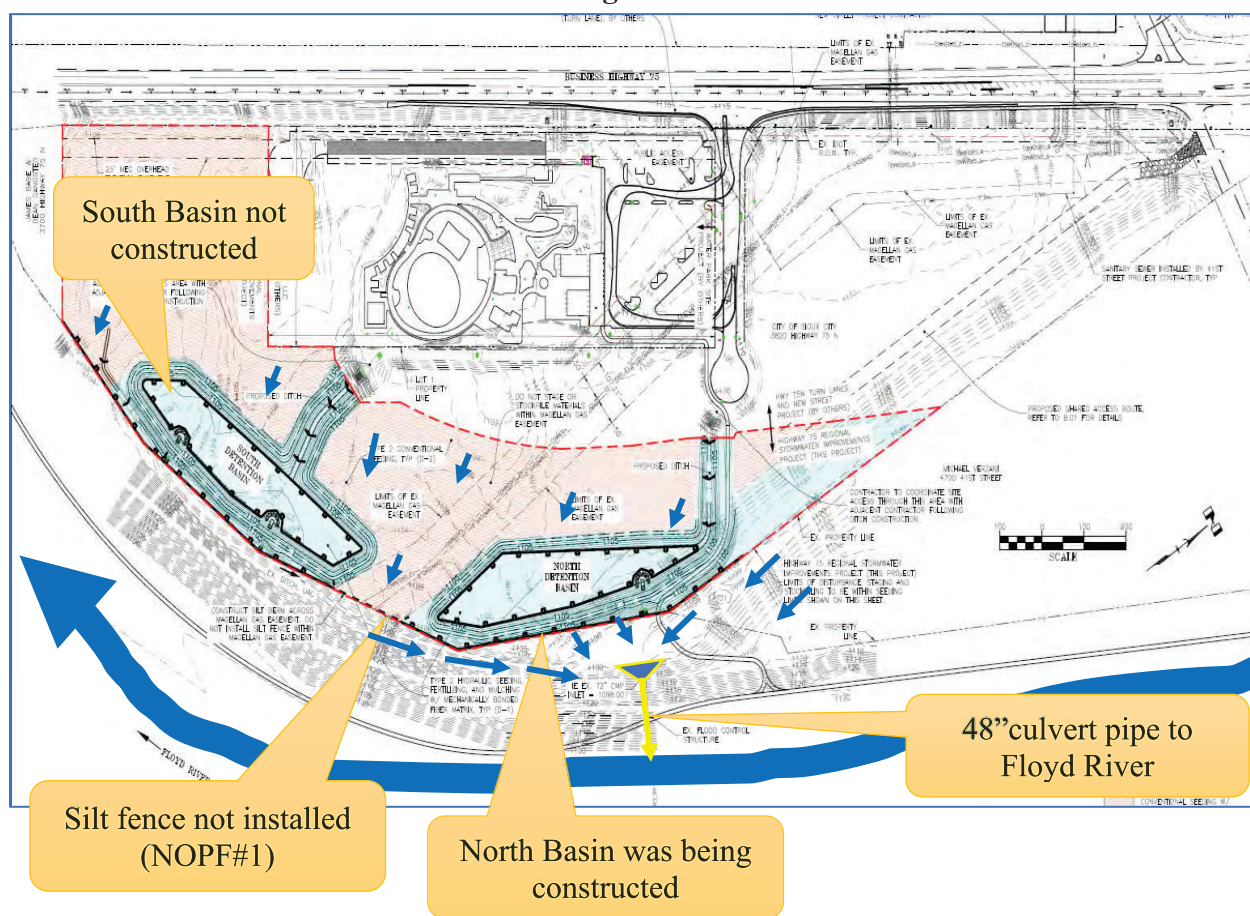
On August 30, 2024, I received an email from Ms. Brittany Anderson that included the signed NOPF and the city of Sioux City's response to the August 22, 2024, NOPF (Attachment 5).

Site Description

The project is part of a larger project by the city of Sioux City to build a water park attraction (Siouxland Splash) on a city owned property of 43.58 acres (42.536777, -96.353371) at the 3800 Block of Hwy 75 N. South of 41st Street west of the Floyd River in the north part of Sioux City, Iowa. There are two active projects on this property by two separate developers for a total of 19.8 acres of disturbed area. One of these is 10 acres to build the water park under authorization

This project consists of building turn lanes to highway 75 N. and two regional storm water basins. Work includes grading, utilities work, paving, and storm sewer outlets. The city initially submitted a notice of intent (NOI) to the Iowa Department of Natural Resources (IDNR) for the disturbance of 4.0 acres for the turn lanes and utilities work. But on May 31, 2024, the city submitted an amendment adding 5.8 acres to the disturbed area for the two stormwater basins project. The IDNR granted the amendment to the April 9, 2024, stormwater authorization number 44230-43821 (Attachment 2). The authorization was granted for one year and will expire on August 15, 2025. Figure 1 below shows surface runoff and construction boundaries of the entire 9.8-acre property.

Figure 1



Findings and Observations

All findings and observations of this inspection concern the site's status of compliance with the requirements of the Iowa NPDES GP2 and the SWPPP. These findings are based on our interview with site personnel, my review of the SWPPP, and our visual observations of the site. All observations were discussed in detail with site personnel throughout the inspection and during the formal exit meeting on August 22, 2024. All photos taken during the inspection on August 22, 2024, are included as Attachment 4 to this report.

1. The site was active, and contractors were excavating the area and constructing the North Basin. The site area appeared to have been recently disturbed (Photo 1). Site personnel indicated that work on land disturbance activities started on August 21, 2024, the day before my inspection.
2. I issued Notice of Preliminary Finding Number 1 (NOPF #1) because site operators failed to install erosion/sediment controls along the east perimeter of the site where the area was disturbed. There were at least 2,000 linear feet of silt fence missing along the drainage way that leads to the Floyd River (photo 2).

Photo 1. Construction of the north Basin



Photo 2, Land disturbance along the drainageway



3. Site personnel called erosion/sediment control contractors while we were off site waiting to meet with them at 1:00 PM. Upon our return to the site, I noticed that silt fence was being

installed along the east perimeter (photo 4) and in the middle of the site in the west-east direction. I pointed out to site personnel that fence installation in the middle of the site is unnecessary and is not required by the SWPPP. Site personnel asked the erosion/sediment control contractors to remove this section of the silt fence.

Photo 4, Contractor installing the silt fence along the east perimeter



4. I issued NOPF #2 because site personnel started land disturbance activities without installing the initial erosion and sediment controls. The SWPPP (Attachment 3), under CONTROL MEASURE MASTER INDEX, requires site operator/contractor to use this index to track the status of all erosion and sediment controls on site as they relate to the current construction phase. The index calls for initial erosion control (silt fence/silt berm) and controls during grading (silt fence).

Conclusion

The site had no erosion & sediment controls at the time of the inspection. However, site personnel initiated installation of the silt fence during the afternoon hours on the day of my inspection soon after my observation of the site in the morning. Site personnel indicated that the erosion control contractor was supposed to install the silt fence on August 21, 2024.

NAJI AHMAD Digitally signed by NAJI AHMAD
Date: 2024.09.17 11:18:44 -05'00'

Naji J. Ahmad
Environmental Engineer, WB/DWIS

NICOLE MORAN Digitally signed by NICOLE MORAN
Date: 2024.09.20 14:43:54 -05'00'

Nicole Moran
Section Supervisor, WB/DWIS

Attachments.

1. Region 7 Industrial Storm Water Worksheet (Construction)

2. Authorization NPDES permit
3. Site plans and SWPPP
4. Photo log
5. Response to the NOPF
6. E-mails