

## § 56.30 INSPECTIONS AND MAINTENANCE.

### (A) *Permittee-performed inspections and maintenance.*

(1) Permittee-performed inspections (self inspections) must be performed by a qualified professional.

(2) Inspections shall be performed at all control measures every seven days and within 24 hours of a one-half inch rain event. The inspections will determine the overall effectiveness of the SWPPP and grading plan, needed maintenance activities and the need for additional control measures.

(3) All inspections shall be documented in written form and be made available to the city or submitted at the time interval specified in the approved permit.

(4) Inspections shall be performed consistent with a visual maintenance checklist approved by the city.

(5) Documentation of permittee performed inspections and inspection findings shall be kept on site, if appropriate facilities (such as a project trailer or building) are available.

(6) Documentation of permittee performed inspections and inspection findings shall be made available within 48 hours of a request by the city or designated representative. Failure to post or timely submit documentation, as requested, shall indicate that inspections were not performed and the city has discretion to implement enforcement procedures.

### (B) *Oversight inspections.*

(1) The city, or the city's designated representative, has the authority to periodically inspect the site of land disturbing activities for which permits have been issued. The city may make inspections of the site at its discretion and shall either approve the portion of the work completed or shall notify the permittee wherein the work fails to comply with the SWPPP as approved or is ineffective (regardless of consistency with an approved plan).

(2) The city or its designated representative's inspections and findings will be presented and reviewed with the permittee at the time of inspection (as available to site personnel), and be available in the city permit file within seven normal business days.

(3) In order to obtain inspections, the permittee shall make a written request at least two normal business days before the following activities:

(a) PCP inspection. After perimeter protection, erosion prevention and sediment control practices have been installed, but prior to disturbance of the remaining site; and

(b) Upon completion of the project in order to receive approval to cease permittee inspections in compliance with the SWQMP.

(4) The city or its designated representative may identify any repairs, sediment/debris removal or replacement of all or portions of the stormwater system(s) necessary to comply with the objectives of this subchapter and the SWQMP.

(5) The city or its designated representative may develop and require the implementation of an action plan to prevent the premature system failure that exceeds the SWQMP provisions, but are necessary to prevent stormwater pollution from leaving the site.

(C) *Qualified professional registration and certification.*

(1) A qualified professional is required to perform routine inspections and direct and/or supervise maintenance activities to ensure that the SWQMP provisions are being implemented properly.

(2) All qualified professionals performing inspections or overseeing maintenance activities under this subchapter must be registered with the city prior to execution of those actions. All applicants must file an application with the city. Applicants must demonstrate knowledge of:

(a) Construction practices;

(b) Operational standards;

(c) Cause and failure indicators; and

(d) Maintenance measures used to prevent and correct failures.

(3) Applicants who can demonstrate one or more of the following will be considered for registration:

(a) Professional engineer license in good standing in the State of Indiana with demonstrated experience in erosion prevention and sediment control on construction sites;

(b) Professional land surveyor license in good standing in the State of Indiana with demonstrated experience in erosion prevention and sediment control on construction sites;

(c) Landscape architect license in good standing in the State of Indiana with demonstrated experience in erosion prevention and sediment control on construction sites;

- (d) Certified Professional in Erosion and Sediment Control (CPESC) in good standing;
- (e) Certified Professional in Stormwater Quality Control (CPSQC) in good standing;
- (f) Erosion Prevention and Sediment Control (EPSC) Inspector Certification in good standing from Louisville and Jefferson County Metropolitan Sewer District;
- (g) Similar certification of any other similar program in the State of Indiana or in the United States so long as that program requires the applicant to pass a written test; and
- (h) Documentation demonstrating the above will be required by the city before registration is granted.

(D) *Suspension and revocation.* The city shall suspend or revoke the registration of a qualified professional for activities not consistent with the policies and procedures identified in this subchapter. This may include registration suspension for submittal of false or misleading information or for repeated incompetence or negligent actions. The city shall issue a written warning and evaluate subsequent actions before suspending or revoking the registration.

(E) *Appeals.*

- (1) The city shall give written notice to a qualified professional whose registration is subject to an action for suspension or revocation.
- (2) The city shall provide the qualified professional an opportunity at an informal meeting with the city to demonstrate why no action is warranted.
- (3) Any qualified professional whose registration is revoked or suspended may appeal that decision to the city's Stormwater Board.

(F) *Reinstatement.* A qualified professional whose registration has been suspended or revoked may apply for reinstatement upon completing the requirements established in this section after a period of at least one year.

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