LUZERNE
CONSERVATION DISTRICT

E&S Inspection Reporting Requirements

Presented by Luzerne Conservation District's E&S Team

Conserving Natural Resources for Our Future

2024 PAG-02 General NPDES Permit

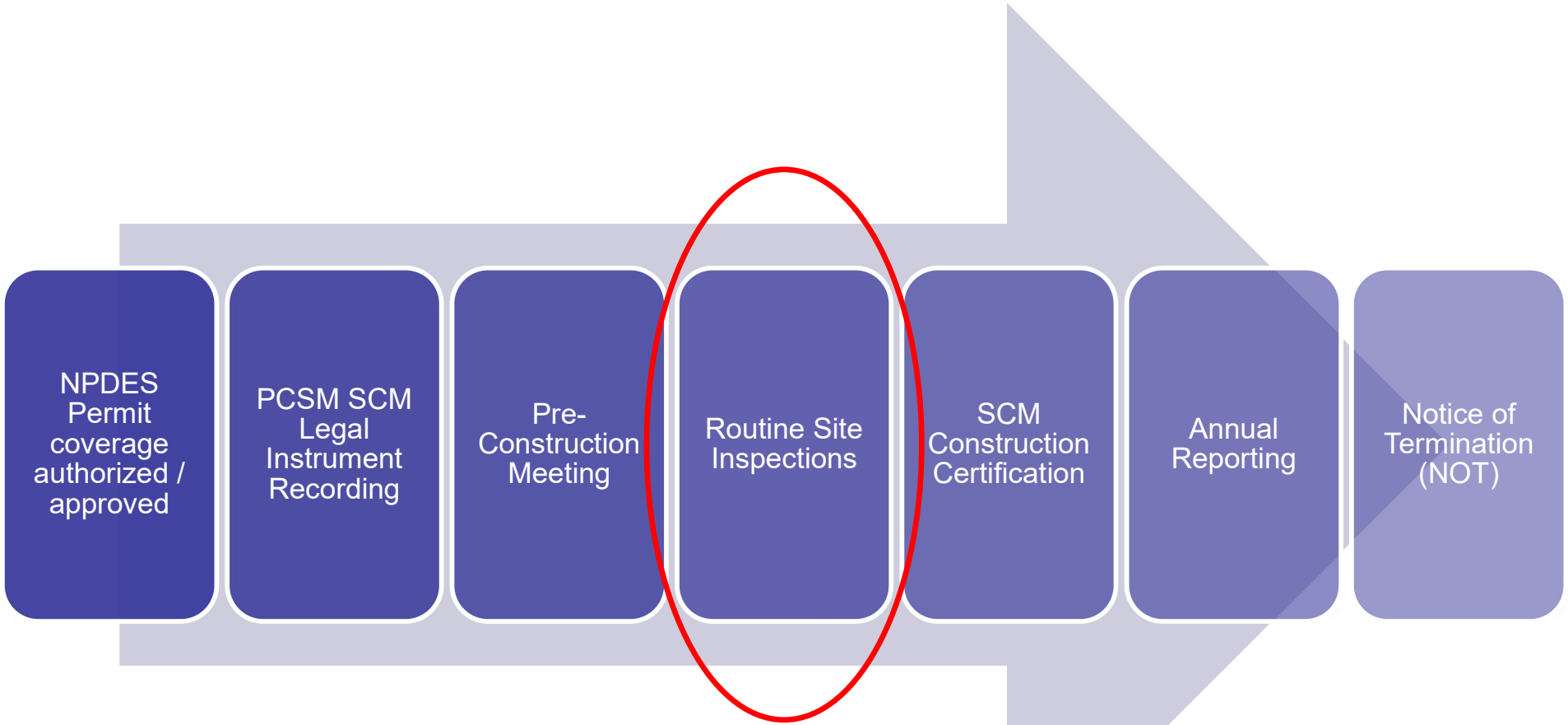
- The PAG-02 NPDES General Permit became effective **December 8, 2024** and will expire **December 7, 2029**.

- Key updates include terminology changes (“Stormwater Control Measures”, or “SCM,” instead of “BMP”), annual reporting, recorded PCSM submission timing, “qualified personnel” inspection reqs, SCM construction certification, and confirmation testing for infiltration SCMs

- New PAG-02 permit conditions were incorporated into the NPDES Individual Permit for Discharges of Stormwater Associated with Construction Activities in March 2025.

- Enforcement deadlines of new permit conditions were staggered through December 8, 2025.

Active Permit Lifecycle



- Weekly
- Within 24 hours after measurable storm event (≥0.25 inches over 24-hour period)
- Corrective Measures

Site Inspector Qualifications

- Effective December 8, 2025, site inspections must be performed by qualified personnel that are trained and experienced in E&S and PCSM BMP construction, function, and maintenance and are familiar with the E&S and PCSM Plans for the project site.
- A person is qualified when one or more of the following conditions are satisfied:
  - They have **completed the Qualified Visual Site Inspector (QVSI) Training Program** in DEP's Clean Water Academy
  - **Certified Professional in Erosion and Sediment Control (CPESC)** or as **a Certified Erosion, Sediment, and Stormwater Inspector (CESSWI)**
  - Can demonstrate to the satisfaction of DEP/CCD that they have **qualifications equivalent to or exceeding those identified above.**



- Training certificate is valid for 2 years.
  - For those learners that completed the QVSI on or before December 8, 2025, DEP is granting a 6-month extension for QVSI training refresher.
    - For example, if the QVSI training was completed on June 1, 2025, refresher training would not be required until December 1, 2027 (i.e., 2 years and 6 months from the date of completion).

DEP is working on a QVSI Refresher Training Program that will be available late 2026.

Site Inspections

- Document inspections on DEP's Chapter 102 Visual Site Inspection Report (VSIR)
- The permittee must take color photographs of E&S BMPs and PCSM SCMs at least monthly, unless otherwise approved in writing by DEP/CCD. The photographs must have a date and time stamp and be made available for DEP/CCD review upon request.



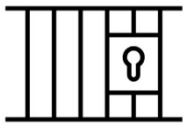
Site Inspections

Best Time for Inspection?  During rain event

What about snow?  Inspect when snow melts enough to cause a discharge.

When should I correct my deficiencies? Within 24 hrs.
Take photos of deficiencies and corrective measures.

Failure of VSIR to adequately reflect current site conditions is a violation and possible criminal offense.



Visual Site Inspection Report (VSIR)

3800-FM-BCW0271d Rev. 4/2025
Inspection Report

Pennsylvania Department of Environmental Protection

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

CHAPTER 102 VISUAL SITE INSPECTION REPORT

GENERAL INFORMATION

Project Site Name: _____ Permit No.: _____

Permit Type: ☐ PAG-01 ☐ PAG-02 ☐ Individual NPDES ☐ Individual E&S ☐ ESCGP

Approval Date: _____ Expiration Date: _____

Permittee Name: _____ Municipality: _____

Inspector Name: _____ County: _____

Inspector Firm: _____ Inspector Title: _____

Inspector Email: _____ Inspector Phone: _____

☐ The inspector named above is qualified *(check the appropriate box below)*

☐ DEP's Clean Water Academy Program ☐ CPESC ☐ CESSWI ☐ Other (equivalent)

Visual Site Inspection Report (VSIR)

3800-FM-BCW0271d Rev. 4/2025
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☐ The inspector named above is qualified *(check the appropriate box below)*

☐ DEP's Clean Water Academy Program ☐ CPESC ☐ CESSWI ☐ Other (equivalent)

Provide this documentation at pre-construction meeting.

Visual Site Inspection Report (VSIR)

INSPECTION INFORMATION

Inspection Date: _____ Inspection Time: _____ AM / PM Inspection No.: _____

Precipitation (Previous 24 hrs): _____ inch(es) Source: _____

Current Site Conditions: ☐ Active Earth Disturbance ☐ Fully Stabilized ☐ Snow Covered ☐ Other

Current Weather Conditions: ☐ Rain/Sleet/Snow ☐ Overcast ☐ Sunny/Partly Sunny

Inspection Type: ☐ Routine (Weekly) ☐ Post-Storm (≥ 0.25 inch) ☐ Corrective Action

Source Examples: on site rain gauge (recommended), Apps (RainDrop), etc.

Corrective Action Inspection – Expectations

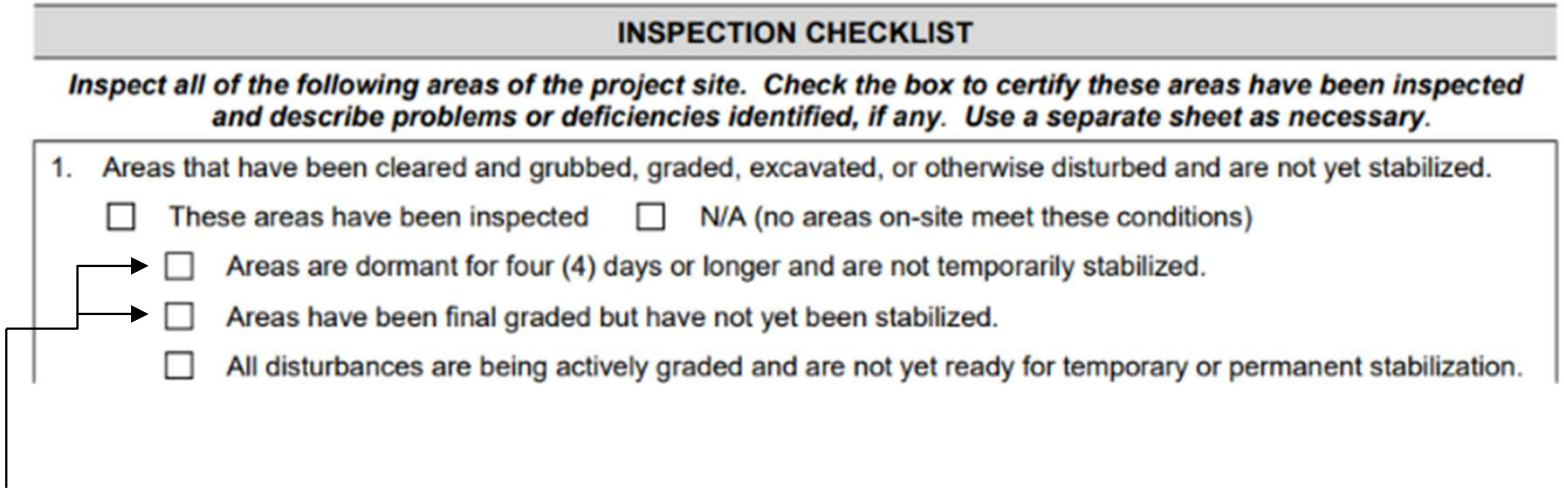
Corrective Action Inspection

Based on permit conditions (overview during pre-con meeting).

Initiate repair or replacement of the BMP or SCM as follows:

- Immediate - Has resulted in or likely to result in pollution. Complete within 24 hours.

Visual Site Inspection Report (VSIR)



INSPECTION CHECKLIST

Inspect all of the following areas of the project site. Check the box to certify these areas have been inspected and describe problems or deficiencies identified, if any. Use a separate sheet as necessary.

1. Areas that have been cleared and grubbed, graded, excavated, or otherwise disturbed and are not yet stabilized.

☐ These areas have been inspected ☐ N/A (no areas on-site meet these conditions)

☐ Areas are dormant for four (4) days or longer and are not temporarily stabilized.

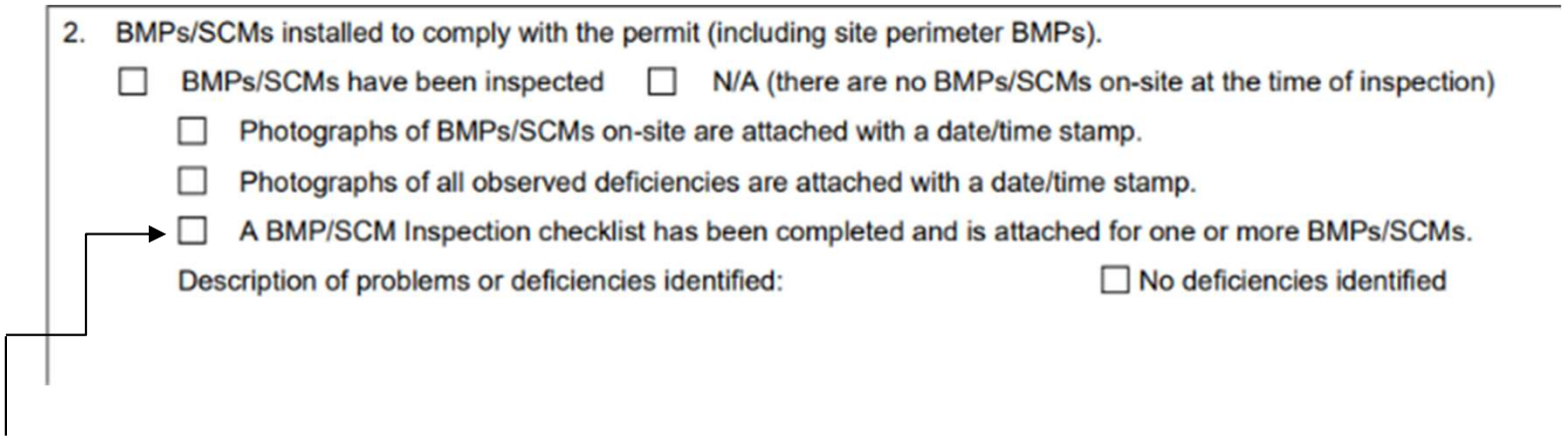
☐ Areas have been final graded but have not yet been stabilized.

☐ All disturbances are being actively graded and are not yet ready for temporary or permanent stabilization.

If either of these are checked, a plan should be in place to stabilize.

When the first box is checked, document the subsequent stabilization efforts in a corrective action inspection report.

Visual Site Inspection Report (VSIR)



2. BMPs/SCMs installed to comply with the permit (including site perimeter BMPs).

☐ BMPs/SCMs have been inspected ☐ N/A (there are no BMPs/SCMs on-site at the time of inspection)

☐ Photographs of BMPs/SCMs on-site are attached with a date/time stamp.

☐ Photographs of all observed deficiencies are attached with a date/time stamp.

☐ A BMP/SCM Inspection checklist has been completed and is attached for one or more BMPs/SCMs.

Description of problems or deficiencies identified: ☐ No deficiencies identified

This is optional, but highly recommended to use as a reference at a minimum.

Example Description of Problem: CFS-5 damaged, no longer has required effective height. Needs to be repaired (or repaired today).

If Problems are documented and corrected in the same day, this can all be documented on one report and negate the need for a subsequent Corrective Action report.

Report problems here, corrective actions in section 20.

Visual Site Inspection Report (VSIR)

3. Material, waste, borrow and equipment storage and maintenance areas covered by permit or E&S Plan approval.

☐ These areas have been inspected ☐ N/A (no areas on-site meet these conditions)

Description of problems or deficiencies identified: ☐ No deficiencies identified

Even off-site waste areas need to be inspected as part of the permit.

This section should also be used for concrete washout areas.

Visual Site Inspection Report (VSIR)

4. Areas where stormwater flows within the site, including drainageways designed to divert, convey and/or treat stormwater.

☐ These areas have been inspected

Description of problems or deficiencies identified: ☐ No deficiencies identified

EX: diversion channels, collector channels, storm pipes, etc.

Is stormwater going where it is supposed to (ex: sediment basin)?

Is it causing erosion in channel itself?

Visual Site Inspection Report (VSIR)

5. Discharge points (DPs) on-site (i.e., is there evidence of accelerated erosion or sedimentation).

☐ DPs have been inspected ☐ N/A (there are no DPs at the time of inspection)

Description of problems or deficiencies identified: ☐ No deficiencies identified

Current standards separate DP's and POA's.
DP's should be labeled on drawings.

Problems may require short-term and/or long-term solutions

Visual Site Inspection Report (VSIR)

6. Locations where stabilization measures have been implemented.

☐ These locations have been inspected ☐ N/A (there is no temporary or permanent stabilization)

Description of problems or deficiencies identified: ☐ No deficiencies identified

Is the seed germinating?

Has mulch/hay eroded away? Is the cover dense enough?

Permanent implementation - Appear to be growing uniform 70%?

Visual Site Inspection Report (VSIR)

Answer the following questions by selecting the appropriate box for Yes, No, or Not Applicable (N/A).

7.	Are the approved E&S and PCSM Plans including drawings available on-site? *	☐ Yes	☐ No	
	Location of Plans: Date of Last Plan Revision:			
8.	Are pollutants are being stored, used and/or transported onto, on or from the project site?	☐ Yes	☐ No	
	If Yes, has a PPC Plan been developed and is the plan being implemented? *	☐ Yes	☐ No	☐ N/A
9.	Is all earth disturbance within the permitted limit of disturbance? *	☐ Yes	☐ No	☐ N/A
10.	Is the approved construction sequence being followed? *	☐ Yes	☐ No	☐ N/A
	Current Stage:			
11.	Are areas intended for infiltration-based PCSM SCMs being protected from compaction? *	☐ Yes	☐ No	☐ N/A
12.	Do all discharges from the site consist solely of stormwater? *	☐ Yes	☐ No	
13.	Are stormwater discharges, if occurring during inspection, free of floating solids, foam, scum, sheen, or substances that result in observed deposits or produce an observable change in the color, taste, odor, or turbidity of the receiving water? *	☐ Yes	☐ No	
	If No, contact DEP/CCD by phone immediately			

Visual Site Inspection Report (VSIR)

14.	Are critical stages of implementation of the PCSM Plan occurring at the time of inspection?	☐ Yes ☐ No	
	If Yes, is a licensed professional or designee present on-site to oversee critical stages? *	☐ Yes ☐ No	☐ N/A
15.	Has any fill material been imported to the site since the last inspection?	☐ Yes ☐ No	
	If Yes, has environmental due diligence been conducted on the imported fill? *	☐ Yes ☐ No	☐ N/A
16.	Have construction dewatering activities occurred since the last inspection?	☐ Yes ☐ No	
	If Yes, have discharges been treated by a series of at least two BMPs? *	☐ Yes ☐ No	☐ N/A

17. Explain all answers of "No" below or on a separate sheet for questions marked with asterisks (*).

Documenting Operators

18. Identify the names and addresses of all new operators that have commenced work on the project site since the last inspection was conducted (see 25 Pa. Code § 102.1 for the definition of "operator").

Name:		Name:	
Address:		Address:	
City, State, ZIP:		City, State, ZIP:	
Phone:		Phone:	
Email:		Email:	
Responsibilities:		Responsibilities:	

19. Identify the names and addresses of all operators that have ceased work on the project site since the last inspection was conducted.

Name:		Name:	
Address:		Address:	
City, State, ZIP:		City, State, ZIP:	
Phone:		Phone:	
Email:		Email:	
Responsibilities:		Responsibilities:	

With exception of IP's approved/last renewed prior to March 2025, Co-Permittee Forms no longer used.

Visual Site Inspection Report (VSIR)

20. **Corrective Action** – Describe any corrective actions that will be or have been taken by the permittee to comply with the permit and the date the corrective actions will be or have been completed.

21. Are additional pages attached to this report? ☐ Yes ☐ No

I certify under penalty of law (see 18 Pa.C.S. § 4904 (relating to unsworn falsification)) that the information reported herein was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the information, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Inspector Signature **Date of Signature**

Additional pages should reference the numeric section they apply to.

Visual Site Inspection Report (VSIR)

PHOTOGRAPHS
Any problem or corrective action documented in the report should have a coinciding photo.
(CAPTION)

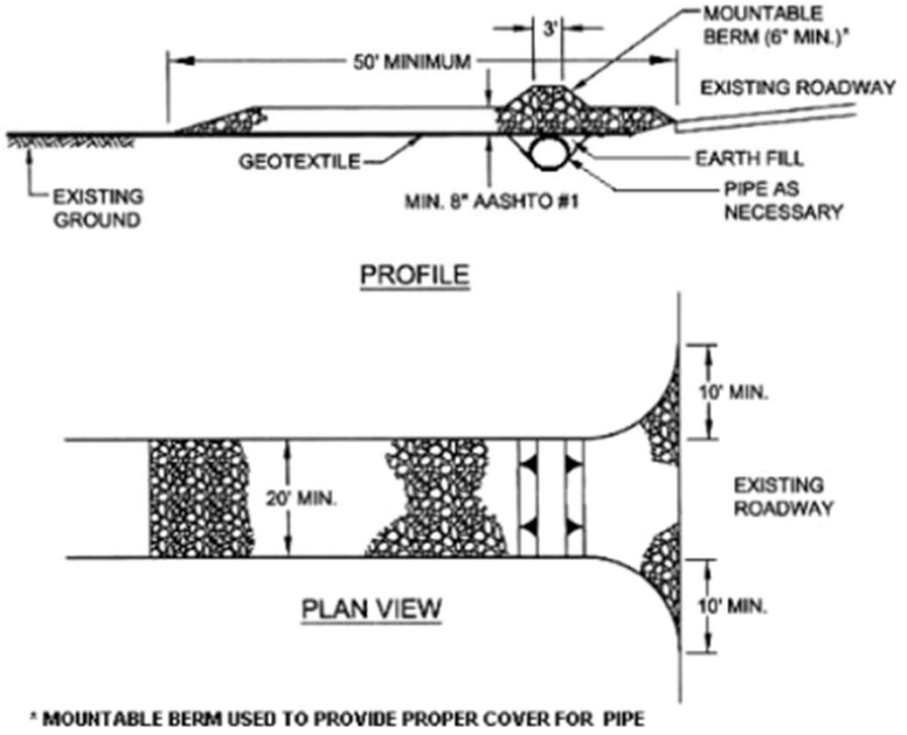
Common Violations

- Lack of filter media
- Watertight seals-Butyl Mastic. Mortar and rubber fail over time.
- No inlet berms
- Lack of fresh stone at entrance
- Water supply
- Sock in concentrated flow
- Rock filter for E&S in concentrated flows
- Lack of self reporting (they'll fine me)

Common Violations

- RCE Not Maintained
  - Sediment tracked onto roadway
  - Keep a stockpile nearby
  - Have a streetsweeper on site or available





Common Violations

- Failure to stabilize
- Vegetation and mulch/hay/straw are our primary erosion controls
- Following stabilization requirements will minimize maintenance needs on sedimentation controls

FIGURE 11.4
Straw Mulch Applied at 3 Tons/Acre



PA DEP

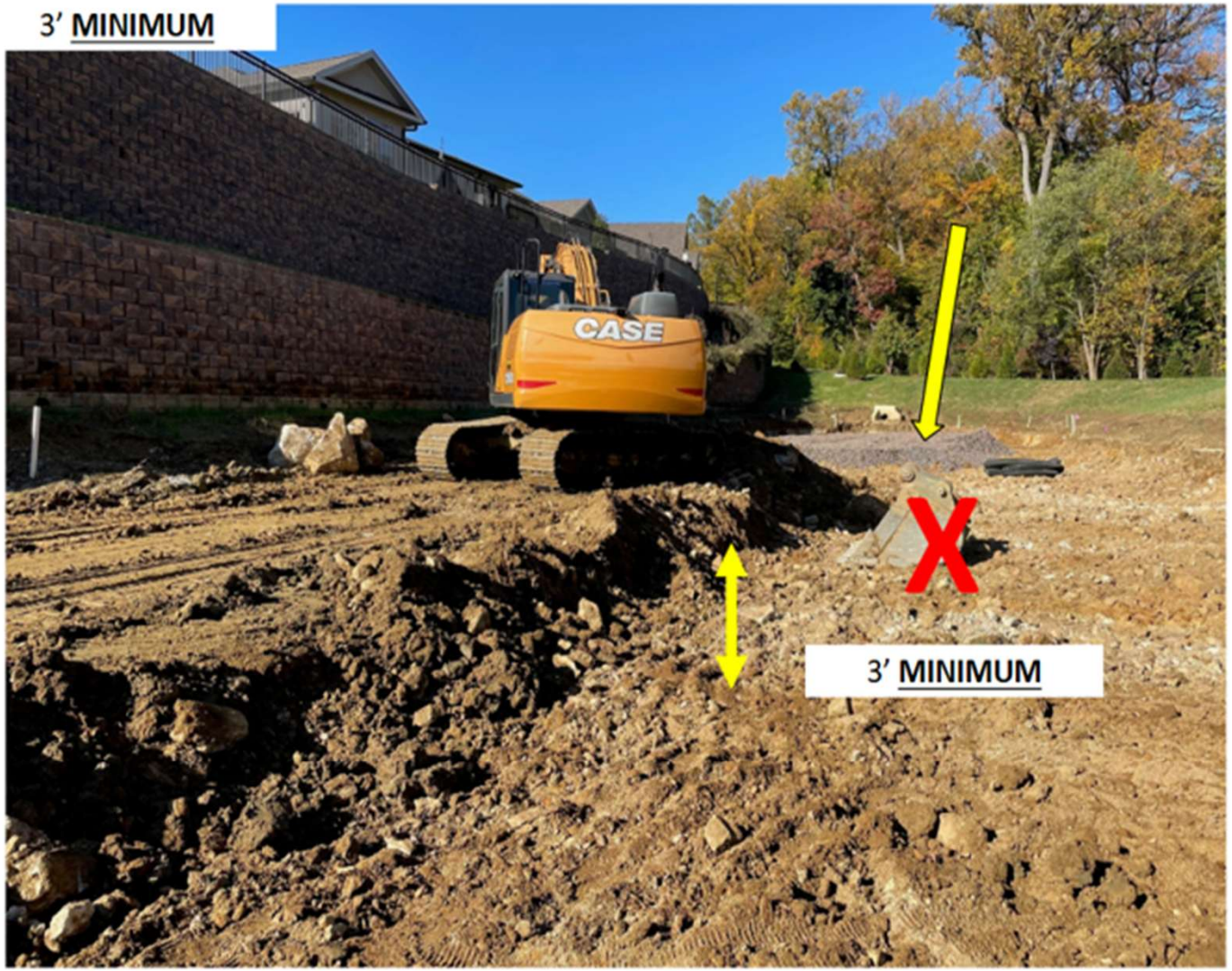
Rule of thumb: If you are seeing a lot of bare ground, there is not enough straw.
(Caution: Too much straw can be as harmful as too little straw.)

Common Violations

- Basins not dewatering as per plan?



Common Violations



Never store equipment or materials in SCM footprint

Common Violations

Low Ground Pressure: Defined

- Low Ground Pressure (LGP) Equipment meets all of the following:
  1. Weight < 5 tons/axle (include all attachments & materials)
  2. Low tire pressure: maximum 7 psi tires and 5 psi track*
  3. "Turf Tread" tires and/or larger diameter tires
     - Dual and triple tire arrangements may be used
  4. Outriggers must spread load to 7 psi max

* Except mowing equipment which must use lowest possible psi;
Mower maximum = 20 psi tire, 5 psi track, see routine maintenance slides in this lesson



Common Violations

Heavy Equipment: not LGP!

- Heavy Equipment
  - Weight ≥ 5 tons/axle, or
  - High tire or track pressure, or
  - High axle loading
  - Aggressive tire tread
- Examples of Heavy Equipment:
  - Tractors*
  - Backhoe
  - Excavator
  - Loader
  - Vacuum Truck
  - Dump Truck

* Except mowing equipment which must use lowest possible psi; low pressure, turf tires such as small garden tractor



Heavy Equipment Example: Excavator (Gradall)
NOT LOW GROUND PRESSURE!
Image c/o PennDOT

SCM & LGP Techniques



SCM Construction & Maintenance Procedures:

- Only work when SCM is dry (applies to all SCM types)
- Perform work with equipment outside SCM infiltrating/filtrating area

When working from outside of an infiltration or filtration SCM is not possible:



- Always use LGP equipment, selecting lightest option available
- Minimize number of times equipment enters the SCM
- Follow same wheel tracks each time*
- Use cell construction*
- Use matting*



- Check for compaction when work is complete

* Activities other than mowing

Water tight seals

Butyl Mastic Riser Seal

This properly installed butyl mastic seal in this riser joint can be seen bulging out due to the weight of the concrete riser section.



Water tight seals

Unsealed Inlet = 80% WQ volume lost





Butyl Mastic Seal = Proper Seal!



Water tight seal

A look down the riser when an SCM is full of water to check for leaks:

Again, NO SEALANT installed!



Rock filters in concentrated flow (SCM)

Vegetated Swales with Check Dams



Rock filters in concentrated flow (E&S)

Another Rock "Filter" Example:

- Check dams should not be needed
- Select correct rolled erosion control product



Licensed Professional Oversight

- The permittee must ensure that a licensed professional or a designee is present on-site and is responsible for oversight of critical stages of implementation of approved PCSM SCMs

- The permittee must document the implementation of each structural PCSM SCM using DEP's SCM Construction Certification Form (3800-FM-BCW0271j) and submit the completed form to CD within 30 days of the completion of SCM construction.



Critical stages must be clearly defined in the E&S/PCSM Plans' construction sequence

Licensed Professional Oversight

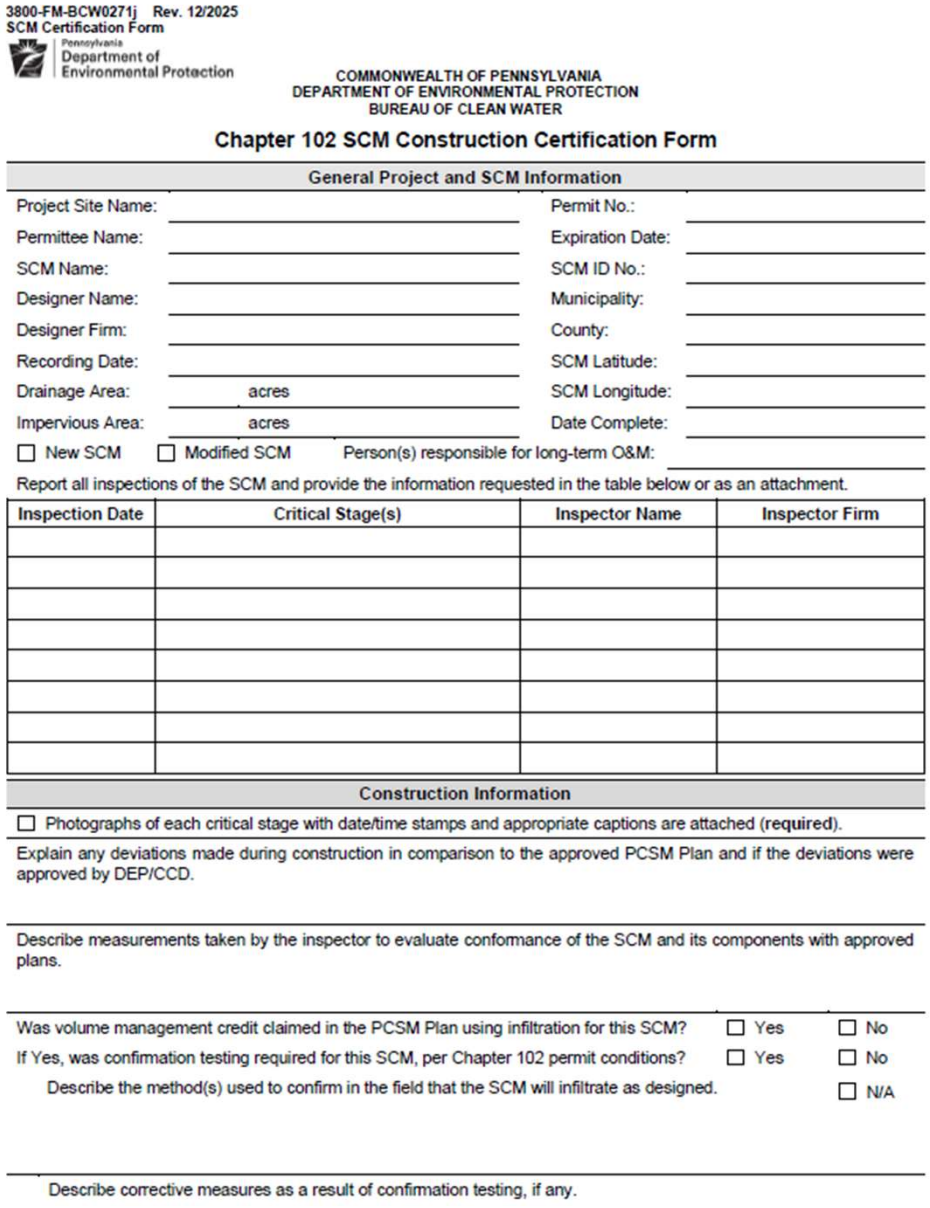
- Could be costly.....once stone is placed over underground SCM, system will need re disturbed for full inspection.

LGP-Low Ground Pressure Equipment

Heavy equipment in infiltration SCMs for maintenance should be garden tractors, etc. & entered when SCM is dry i.e. 3 days after it has emptied.

SCM Construction Certification Form

- An SCM Construction Certification Form is needed for any structural SCM that is documented in the PCSM Spreadsheets and/or PCSM Plan as providing volume, water quality, and/or peak rate management credit.
- Photographs of each SCM critical stage with date/time stamps and appropriate captions must be attached to form.
- SCMs should be considered complete when final grades are achieved; embankments are complete; components such as inlets, outlets, spillways, etc. have been installed; media has been placed; testing, as applicable, has been completed. For vegetated SCMs, the SCM should be seeded and/or planted. Vegetation does not need to be fully established.



3800-FM-BCW0271j Rev. 12/2025
SCM Certification Form
Pennsylvania Department of Environmental Protection

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

Chapter 102 SCM Construction Certification Form

General Project and SCM Information

Project Site Name:		Permit No.:	
Permittee Name:		Expiration Date:	
SCM Name:		SCM ID No.:	
Designer Name:		Municipality:	
Designer Firm:		County:	
Recording Date:		SCM Latitude:	
Drainage Area:	acres	SCM Longitude:	
Impervious Area:	acres	Date Complete:	

☐ New SCM ☐ Modified SCM Person(s) responsible for long-term O&M:

Report all inspections of the SCM and provide the information requested in the table below or as an attachment.

Inspection Date	Critical Stage(s)	Inspector Name	Inspector Firm

Construction Information

☐ Photographs of each critical stage with date/time stamps and appropriate captions are attached (**required**).

Explain any deviations made during construction in comparison to the approved PCSM Plan and if the deviations were approved by DEP/CCD.

Describe measurements taken by the inspector to evaluate conformance of the SCM and its components with approved plans.

Was volume management credit claimed in the PCSM Plan using infiltration for this SCM? ☐ Yes ☐ No

If Yes, was confirmation testing required for this SCM, per Chapter 102 permit conditions? ☐ Yes ☐ No

Describe the method(s) used to confirm in the field that the SCM will infiltrate as designed. ☐ N/A

Describe corrective measures as a result of confirmation testing, if any.

Infiltration Confirmation Testing

- Effective December 8, 2025, confirmation testing is required to verify that infiltration SCMs will perform as designed anytime:
  - The area of an infiltration SCM has not been protected, as determined by a licensed professional or DEP/CCD, and
  - An E&S BMP will be converted to a PCSM SCM and used for infiltration.
- Confirmation testing is a critical stage of SCM construction that must be overseen by a licensed professional or designee.
- Testing should be done after major earth disturbance is complete and the drainage area (pervious and impervious) to the SCM is permanently stabilized.

- Confirmation testing methods
  - simulated runoff test using a ponding depth of no less than six (6) inches within the SCM;
  - inspection during and after a storm event that produces a ponding depth of no less than six (6) inches within the SCM;
  - infiltration testing using methods from the Pennsylvania Stormwater BMP Manual



Annual Reporting

- The permittee must submit an Annual Report to DEP/CCD by December 7 each year using DEP's Annual Report template. The Annual Report must address activities under this General Permit for the reporting period of October 1 – September 30.

- The first Annual Report is due by December 7 following the <u>first full year of General Permit coverage.</u>
  - Example: If a PAG-02 permit is authorized February 17, 2026, the first Annual Report would be due December 7, 2027.



3800-PM-BCW0405e Rev. 12/2024
Annual Report
Pennsylvania Department of Environmental Protection

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES
ANNUAL REPORT

FOR THE PERIOD _____ TO _____

GENERAL INFORMATION

Project Site Name:		Permit No.:	
Permittee Name:		Issuance Date:	
Permittee Address:		Expiration Date:	
Permittee City, State, ZIP:		Municipality:	
Permittee Contact:		County:	
Contact Email:		Contact Phone:	

Permittee contact information that has changed since the last report:

☐ The permittee intends to continue operating under an Individual NPDES Permit or PAG-02 General Permit coverage during the next reporting period.

☐ The permittee <u>does not</u> intend to continue operating under an Individual NPDES Permit or PAG-02 General Permit coverage and requests termination of permit coverage. A complete NOT is attached (3800-PM-BCW0229b).

Have any lots or parcels within the project site that contain or will contain PCSM SCMs been sold during the reporting period? ☐ Yes ☐ No

If Yes, have New Property Owner Notification form(s) been provided to the new owner and submitted to DEP/CCD? ☐ Yes ☐ No

PROJECT STATUS INFORMATION

1. Describe the status of the project (i.e., what work has been completed to date and what remains to be completed).

2. Explain which step of the construction sequence as identified in the E&S and/or PCSM Plans you are presently on.

3. During the reporting period were any deviations made from the approved E&S and/or PCSM Plans? ☐ Yes ☐ No
   If Yes, describe the deviation(s) and indicate the date(s) the deviation(s) were approved by DEP/CCD.

   Latest Approved Revision Date for E&S Plan Drawings: PCSM Plan Drawings:

4. Projected date by which the site will be permanently stabilized and an NOT will be submitted:

5. Have visual site inspections been completed weekly and after measurable storm events throughout the reporting period?
   ☐ Yes ☐ No If No, explain:

6. Have any PCSM SCMs been constructed during the reporting period? ☐ Yes ☐ No
   If Yes, was a licensed professional or designee on-site to provide oversight of critical stages? ☐ Yes ☐ No
   If Yes, was an SCM Construction Certification Form submitted to DEP/CCD? ☐ Yes ☐ No

CD/DEP Enforcement of Permit Conditions

2024 Permit Conditions added to DEP Chapter 102 Inspection Report.

3800-FM-BCW0271g Rev. 12/2024
Chapter 102 Inspection Report

Permit No.: _____
Report No.: _____

aa.	☐	Failure to remove building materials and/or wastes from the site for recycling or disposal in accordance with DEP regulations as required by the permit (CSL § 402(b)).
bb.	☐	Failure to comply with DEP regulations or the Clean Streams Law (CSL § 611).
cc.	☐	Failure to take necessary measures to prevent pollutants from reaching waters of the Commonwealth (§ 91.34(a)).
dd.	☐	Failure to notify DEP of new or expanded earth disturbance not identified in an NPDES permit application (§ 92a.24(b)).
ee.	☐	Failure to notify and/or obtain authorization from DEP/CCD for changes to NPDES permitted activities (§ 92a.41(a)(12)).
ff.	☐	Failure to minimize the extent and duration of the earth disturbance, maximize protection of existing drainage features and vegetation, and/or minimize soil compaction (§ 102.4(b)(4)).
gg.	☐	Failure to provide notification to DEP/CCD in writing at least 3 days prior to commencing bulk earth disturbance activities as required by the permit (CSL § 402(b)).
hh.	☒	Failure to submit a complete SCM Construction Certification Form within 30 days of the completion of SCM construction as required by the permit. (CSL § 402(b)).
ii.	☒	Failure to submit a complete New Property Owner Notification Form to DEP/CCD for any property containing a PCSM SCM within 30 days of sale as required by the permit (CSL § 402(b)).
jj.	☒	Failure to submit a complete annual report to DEP/CCD by the deadline established in the permit (CSL § 402(b)).
kk.	☒	Failure of the permittee to use a qualified inspector for visual site inspections as required by the permit (CSL § 402(b)).

E&S Program Contact Info

QUESTIONS?

Hunter Bednarczyk
Conservation Coordinator
570-674-7991 ext 1003
hunter@luzcd.org

Heather Graham
Conservation Coordinator
570-674-7991 ext 1002
heather@luzcd.org

Keith George, CPESC
Deputy Director
570-674-7991 ext 1006
keith@luzcd.org

