

Local Program Review Status

Once review of the site is complete, recap the entire review with the Local Program. If you need to confer with the Regional Office staff, do this before following up with the Local Program. Discuss with the Local Program the good things and not so good things about their local program. Let them know that you will be making a report to the Sedimentation Control Commission at the next commission meeting. Also let them know that staff makes a recommendation to continue delegation, place the Local Program on probation, revoke delegation, or continue the review until a later date. The latter should not be used except in cases where the program may be deficient in one area, but it is taking the necessary steps to bring the sites into compliance. These recommendations call for escalated levels of oversight as listed below:

Level 1 – Continue Delegation: No oversight is needed; overall, the program is successfully implementing their requirements.

Level 2 – Continue Delegation with Review: Periodic oversight and follow-up from our review is needed; DEQ, DEMLR staff will communicate more frequently with the local program on its requirements or may request documentation of program actions to review for adherence to the SPCA. This may include submittals of inspection reports, decision letters, or enforcement documents. The DEMLR may conduct a second in-person review(s) based on recommendations given from the first review.

Level 3 – Place on Probation: Frequent oversight and follow-up from our review is needed; DEMLR staff will communicate more frequently with the local program on its requirements or may request documentation of program actions to review for adherence to the SPCA. Plan reviews or inspections may be required to be conducted with assistance from DEMLR regional staff. Enforcement documents may be required to be reviewed by DEMLR central office staff prior to (or subsequent to, if time is of the essence) their delivery to the financially responsible party or his designee. The DEMLR will conduct a second in-person review(s) based on recommendations given from the first review.

Level 4 – Revoke Delegation: This recommendation would remove the authority of a local program to implement the requirements of the SPCA. Implementation, including enforcement, of the SPCA would fall under the jurisdiction of the DEQ or another local program.

Before you leave, make the Local Program aware of the recommendation that staff will be making to the Sedimentation Control Commission.