



# Environmental Compliance Services Overview



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Las Vegas' Premier Environmental  
Compliance Experts



## Introduction

### Regulatory Agencies



Stormwater compliance can be difficult to achieve if you are not familiar with the regulations and the enforcement agencies. In order to be in compliance, we have to know and apply all of the “rules”. In Las Vegas, we must comply with local, state, and federal regulations and know each of their roles in enforcing the regulations.

The Federal Environmental Protection Agency (EPA) is the ultimate governing body. They have set the foundation of the regulations through the Clean Water Act of 1972 and the National Pollutant Discharge Elimination System (NPDES). Through these programs the EPA has created the baseline regulations spelled out in the General Construction Permit (GCP) that all of us must follow. If we fail to comply with EPA regulations, we can face penalties up to \$32,500 per incident, per day. This can add up to millions, as was seen in the Wal-Mart case in 2004, which resulted in a \$3.1 million fine.

The next level that we must comply with is the State of Nevada. They are delegated by the EPA to help enforce the EPA’s regulations. Nevada Department of Environmental Protection (NDEP) is the agency responsible for this. They have established their own rules that exceed the federal EPA’s regulations.

In addition to the Federal EPA and State EPA, the final level that we must comply with is the County. As with NDEP, they can adopt their own ordinances that exceed the state and federal EPA. Clark County Department of Environmental Quality Management (DEQM) is the entity that enforces these ordinances. They utilize their air quality inspectors to also patrol stormwater.

Eros Environmental is extremely knowledgeable with all levels of regulations and enforcement, and can assist you in meeting these regulations.

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## Experience

For over 8 years, Eros Environmental's President, Tony Brighi has been serving the Erosion & Sediment Control industry with his knowledge, passion, and servant leadership.

Tony joined the International Erosion Control Association (IECA) in 1998 and began gaining education on all aspects of Sediment & Erosion Control.



From 1998 to 2004, Tony worked primarily on the construction side of stormwater, specializing in Best Management Practice (BMP), development, installation, and maintenance.



In 2004, Tony was recruited and hired by the Nation's Largest Stormwater Compliance Engineering and Consulting firm. Tony excelled due to his vast knowledge of Erosion & Sediment control and extensive experience. Tony was given the prestigious "Leadership" award for being the top Consultant in the nation and was promoted to Senior Stormwater Consultant, and was the only person that held that position.

In May of 2006, Tony earned his Certified Professional in Erosion and Sediment Control (CPESC) certification. Tony is the only person in Las Vegas to have this prestigious accreditation.

In July of 2007, Tony started Eros Environmental, LLC. This allowed Tony the flexibility to not only assist his clients more intimately, but also provide unmatched serviced at an affordable cost. Eros Environmental's success is driven by Tony's vision, passion, and servant's heart.

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## Training

Stormwater Compliance training is not only one of the most important components of your Storm water program, it is also required by the EPA. The EPA requires that all site personnel and project managers be trained and qualified in stormwater compliance practices. All of these people must be knowledgeable in all aspects of stormwater.

Eros Environmental has several training programs to certify your personnel in Stormwater Compliance. In addition to the programs outlined below, Eros can customize a training to fit your specific needs. Training can be conducted with or without handouts, depending on your specific budget.

### **Stormwater Compliance Training (101)**

This 3-4 hour class covers all of the basics of Stormwater Compliance. Each student will receive a certificate showing their qualifications. Testing can be conducted at the client's request, although this is not normally required to receive their certification.

### **Stormwater Compliance Training (201)**

This 3-4 hour class expounds on the topics discussed in the 101 training class. This class is classroom style, with an on-site training as well. Each student will receive a certificate showing their qualifications. Testing can be conducted at the client's request, although this is not normally required to receive their certification.

### **Cost Savings Workshop**

This 2 hour course is designed for the Environmental Manager or person(s) responsible for the budgets and implementation of a SWPPP program. This training is concluded with a half hour brain-storming session.

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## Audits

One of the ways to gauge how your program is working is to audit that program. One of the best ways to Audit a program is to audit your projects. Eros Environmental utilizes the same tools that the EPA uses to inspect or audit a project. First, we audit the Storm Water Pollution Prevention Plan (SWPPP), using the EPA's SWPPP checklist. This will evaluate if your SWPPP (or contract) is compliant with local, state, and federal requirements.

Next, we will audit the site conditions and the paperwork, using the EPA's Expedited Settlement Offer (ESO). This is field ticketing system that the EPA uses to calculate your fine. By utilizing this tool, we will be able to show you if, and/or how much of a fine you could be facing if the EPA were to visit your site.

Besides the SWPPP checklist & ESO, Eros Environmental will take pictures of site conditions, so you can visualize what is and is not working on your project. This is helpful for the Environmental Manager or Higher level Management to "see" the conditions of their projects, without having to visit the site.

Once all of the data is collected at the project, Eros Environmental will prepare a comprehensive report detailing the findings. Eros will also provide suggestions on how you can improve your program.

Once the audit is complete and has been delivered to the client, it is deleted from our files. Eros Environmental will not keep, share, or forward your audit. This ensures that this information is confidential and not used in a derogatory way. In addition to project audits, Eros Environmental can also perform complete program audits that will analyze your entire program.

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## Permits

Before a project over one acre can be started, a Notice of Intent (NOI) must be filed with Nevada Division of Environmental Protection (NDEP). This is your “Permission to Discharge Stormwater” from your site. Without this permit, an operator cannot begin construction.

If an operator has multiple projects, not part of an umbrella project, each project must have its own permit. An operator is defined as a company that has operational control over the plans and specifications. If the owner is different than the operator, they must be named on the permit, as well.

Your stormwater permit is not your grading or dust permit, however, like these other permits, you can be fined or shut down if you begin soil disturbing activities without one.

Strategic Permitting is an important part of your Stormwater Compliance Program. Limiting your liability is Key. Eros Environmental can assist you with this process by strategically preparing and filing the necessary paperwork, so you may obtain a NOI that keeps you in compliance, while limiting your liability.

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## SWPPPS

A Stormwater Pollution Prevention Plan (SWPPP) is your “Contract” with the Nevada Division of Environmental Protection (NDEP). The SWPPP specifically outlines what you will be doing on your project, how this could affect stormwater runoff, and what you will be doing to prevent pollution.

Like a contract, the SWPPP is a binding agreement. The SWPPP is used by the EPA as evidence, more than any other item. The on-site conditions of a project change every minute, so it is harder for the regulators to fine you for a messy site. However, the SWPPP is spelled out in black and white, what you are agreeing to do. If you do not do what you said you would do, then the regulators have rock-solid evidence against you that can be very costly.

A few years ago, it was sufficient to just use a basic template to prepare a SWPPP. Today, the SWPPP is the most scrutinized component of a stormwater compliance program. The EPA can assess you fines for your project, just by visiting your trailer and going thru the SWPPP.

Like a contract, the SWPPP should be prepared by someone that is knowledgeable with the requirements of the SWPPP. A SWPPP is complex and must be prepared without mistakes. Mistakes can be costly and increase your liability. In addition, a SWPPP is a living document that must be updated and changed regularly depending on changing site conditions.

Eros Environmental is the only company in Las Vegas, who utilizes a Certified Professional in Erosion & Sediment Control (CPESC) to prepare the SWPPPs from beginning to end. This ensures that the SWPPP is prepared by a knowledgeable professional and that you are adequately protected.

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## Inspections

Routine inspections for the site are required to ensure that the SWPPP is working and that the operators are not polluting “Waters of the US”. Nevada Department of Environmental Protection (NDEP) requires that inspections for the project be conducted every seven (7) days and within twenty-four (24) hours of a half inch or more rain event.

Inspections allow you to know if your program is working and, if there are weaknesses, give you some direction to correct those problems. Inspections are an integral part of the SWPPP, as well. A SWPPP is created to outline what is “expected” to happen on site. What actually happens and what was “expected” are commonly different. The inspection allows you to regularly check for differences and update the SWPPP accordingly.

There are no requirements on who can perform the inspections, however, the EPA does require the inspector to be “qualified”. To be qualified, the EPA requires that they be knowledgeable in several areas relating to stormwater. The inspector has to be able to prove they are qualified. These areas are:

- 🏠 Clean Water Act
- 🏠 National Pollutant Discharge Elimination System
- 🏠 Stormwater Pollution Prevention Plans
- 🏠 Best Management Practices
- 🏠 Historical Preservation
- 🏠 Endangered Species

Eros Environmental can assist you with your required inspections. All of our inspectors are not only “Qualified”, but also “Certified”. Eros Environmental allows you to concentrate on what you do best, while we assist you with what we do best. We have several inspection options to choose from depending on your desired participation and budget.

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## Cost-Saving Consultation

One of the biggest challenges of managing an effective stormwater program is budgets and cost. If the money is not included in the budget, it ends up coming out of the bottom line. Also, if the program is not properly managed, those budgets could be exceeded.

Two years ago, the main concern of most builders was the risk involved with stormwater compliance. Today, studies show that most builders are most concerned with the costs associated with complying with local, state, and federal regulations.

For most companies, stormwater compliance is relatively new and they have not yet had the opportunity to fully understand how to balance compliance and cost. It's a fine line that most companies end up on either side, sometimes nowhere near the line.

Eros Environmental understands the costs associated with stormwater compliance and can help analyze and reduce those costs. With over 8 years in the industry, Eros Environmental can assist you with the analysis of your cost and can recommend and track cost-saving solutions.

Times have changed and there are better, more efficient ways to obtain compliance, without breaking the bank. Eros Environmental can help you keep up with the newest trends in cost-saving compliance solutions.

Eros Environmental has helped builders save up to 30-40% in their compliance costs, without compromising their compliance efforts.

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