



# GUAM ENVIRONMENTAL PROTECTION AGENCY

AHENSIAŃ PRUTEKSIÓN LINA'LA GUAHAN

EDDIE BAZA CAIVO  
GOVERNOR OF GUAM

RAY TENORIO  
LT. GOVERNOR OF GUAM

17-3304 MARINER AVENUE TIYAN, BARRIGADA, GUAM 96913-1617 FIND US ONLINE AT EPA.GUAM.GOV

## NOTICE OF VIOLATION

Inspection Date: Nov. 28, 2018 Time: 10:00 AM

GEPA Inspector: Mr. Johnny Abedania and Jun Quezada

## PROJECT

Project Name: P-102 HARMON POWER UPGRADE Location: Along Route 3 and 9

GEPA Permit Number / DPW Building Permit No: Military Project

Permittee: HENSEL PHELPS CONSTRUCTION COMPANY

Name of permittee's on site representative: Ms. Samantha

Contact Number or e-mail address: 482-8815

## VIOLATION(S):

On the basis of the site inspection conducted on the date noted above, the following provisions and standards of the Guam Soil Erosion and Sediment Control Regulations (22 GAR Chapter 10) and the CNMI and Guam Stormwater Management Manual Guam (as implemented under Executive Order No 2012-02) were observed to have been violated:

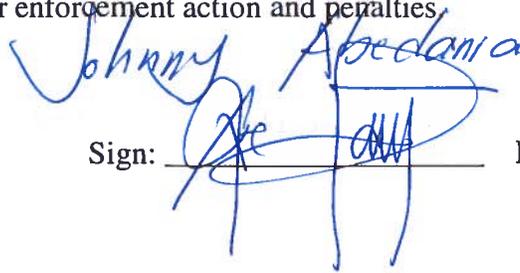
- E&SC Standard 1 No clearing, Grading or Stockpiling permit/clearance issued by Guam EPA.
- E&SC Standard 2 Minimize unnecessary clearing and grading from all construction sites. Clearing and grading shall only be performed within areas needed to build the project, including structures, utilities, roads, recreational amenities, post-construction stormwater management facilities, and related infrastructure. Clearing should only be scheduled during the dry season if possible. Mass clearing during the wet season should be avoided.
- E&SC Standard 3 Erosion and sediment control practices shall be aggressively maintained throughout all phases of construction. All erosion and sediment control plans shall have an enforceable operation and maintenance agreement to ensure that practices are maintained during the construction process.
- E&SC Standard 4 Rivers, streams (ephemeral, intermittent, and perennial), ponds, and wetlands shall be protected by limiting clearing within the riparian corridor (minimum of 25 feet from top of bank, more may be required for steep slopes) and applying perimeter sediment controls between disturbed areas and this riparian corridor. Existing and proposed drainage ways should also be protected by ensuring that flow velocities are non-erosive.

- E&SC Standard 5** Disturbed areas shall be stabilized as soon as feasibly possible after construction is completed within a designated construction area, and in no case longer than 14 days after completion of active construction.
- E&SC Standard 6** Steep slopes shall be protected from erosion by limiting clearing of these areas in the first place or, where grading is unavoidable, by providing special techniques to prevent upland runoff from flowing down a steep slope and through immediate stabilization to prevent gullying. A steep slope is defined as any slope over 20% (5:1) in grade over a length of 50 feet.
- E&SC Standard 7** Perimeter sediment controls shall be applied to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves a construction site. Upland runoff should be diverted around excavations where possible.
- E&SC Standard 8** Sediment trapping and settling devices shall be employed to trap and/or retain suspended sediments and allow time for them to settle out in cases where perimeter sediment controls (e.g., silt fence) are deemed to be ineffective in trapping suspended sediments on-site.

**MITIGATION:**

If the above noted violations are not corrected by (time) 8: am on (date) Dec. 14, 2018, Guam EPA may pursue further enforcement action and penalties.

GEPA Enforcement Officer(s)

*Johnny Abedanica*  


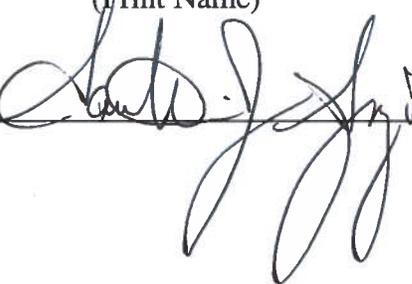
Sign: \_\_\_\_\_

Date: 11-29-18

**ACKNOWLEDGEMENT:**

I, SAMANTHA SPRINGER have received and understand this notice of violation.  
 (Print Name)

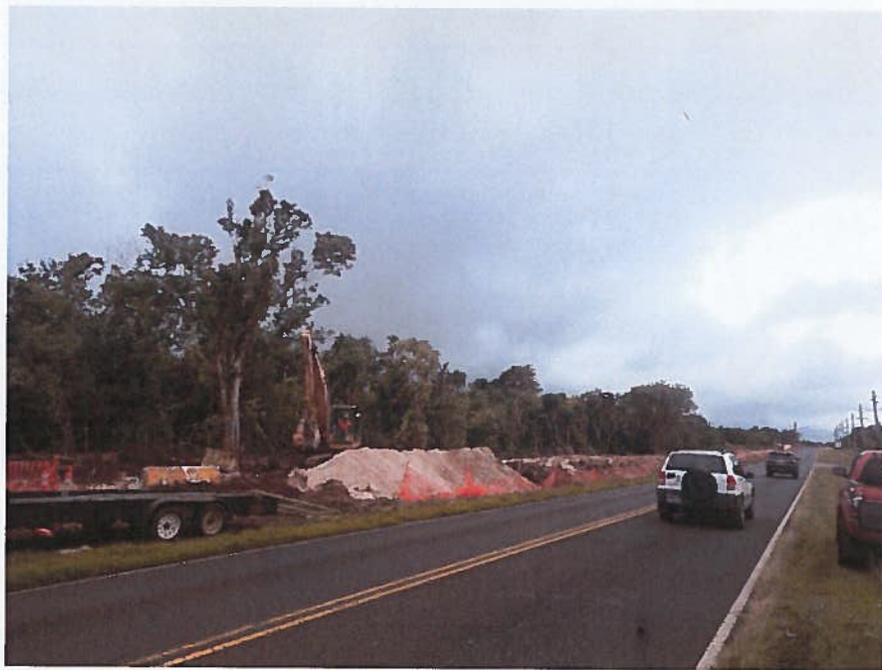
Signed: \_\_\_\_\_



Date: 11-29-2018

Time: \_\_\_\_\_

(a.m./p.m.)







Subject: Along Route 3 Thru 9 Route project  
Nov. 28, 2018 @ 10:30 AM

