



# GUAM ENVIRONMENTAL PROTECTION AGENCY

AHENSIAAN PRUTEKSION LINA'LA GUAHAN

EDDIE BAZA CALVO  
GOVERNOR OF GUAM

RAY TENORIO  
LT. GOVERNOR OF GUAM

ERIC M. PALACIOS  
ADMINISTRATOR, GUAM EPA, ENERGY OFFICE

P.O. BOX 22439 BARRIGADA, GU 96921

EPA.GUAM.GOV

## NOTICE OF VIOLATION

Inspection Date: 10-29-18 Time: 2:31 PM

GEPA Inspector: JUN QUEZADA

### PROJECT

Project Name: 4 BR RESIDENTIAL UNITS Location: BARRIGADA

GEPA Permit Number / DPW Building Permit No: B17000603 / B17000602

Permittee: XIANG WANG CONSTRUCTION

Name of permittee's on site representative: HILL H XU

### 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** 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 2** 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 3** Whenever practicable and feasible, construction shall be phased to limit disturbance to only one area of active construction at a time. Future phases shall not be disturbed until construction of prior phases is complete and the land area is stabilized.
- E&SC Standard 4** 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 5** 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 6** 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 7** 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.
- E&SC Standard 8** All construction site managers (or superintendents) shall provide documentation that they have received adequate training in the application and maintenance of erosion and sediment control practices.
- E&SC Standard 9** All construction site managers must participate in a pre-construction meeting with the applicable authority to review the provisions of the erosion and sediment control plan and make any field adjustment necessary to implement the intent of the plan to minimize erosion and maximize sediment retention on-site throughout the construction process.
- E&SC Standard 10** Construction should be scheduled to minimize soil exposure in the rainy season (July 1<sup>st</sup>– Nov. 30<sup>th</sup>) and during periods of coral spawning.
- E&SC Standard 11** 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.

**MITIGATION:**

If the above noted violations are not corrected by (time) 4:00 PM on (date) 10-31-18, Guam EPA may pursue further enforcement action and penalties.

GEPA Enforcement Officer(s)

Sign:  Date: 10-29-18

I, HILL H XU have received and understand the notice of violation  
(Print Name)

Signed:  Date: 10-29-18 Time: 2:53 a.m./p.m.