



# CSEP

## One Solution for Improving Construction Stormwater Compliance

Presented by:

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# Where Does Construction Stormwater Compliance Go Wrong?

## The 5 Critical Failures

that lead to CDPS non-compliance in the Construction Industry

# 5 Critical Failures

1. Inadequate Corporate Commitment to Compliance
2. Lack of Systematic Approach
3. No Performance Measurement System
4. Failure to Understand Compliance Expectations
5. Lack of Accountability

# 5 Critical Failures

## 1. Inadequate **Corporate Commitment** to Compliance

- Perception of what “compliance” is varies widely throughout the construction industry. Why?
  - Many contractors still don’t see their activities as having any significant impact on water quality
  - Multiple permits including EPA, State and MS4, give the impression of regulatory inconsistency. Apparent confusion provides builders with an excuse
  - Inconsistent messages being sent by regulators at the same level, or between different levels, of authority
  - Enforcement is inconsistent or seen as non-existent
  - Enforcement penalties are often lower than the savings achieved by little or no compliance effort

# 5 Critical Failures

2. Lack of **Systematic Approach** organization-wide
  - Widely varying project compliance results
  - Inconsistent training
  - Uncertain expectations between projects
  - Poor recordkeeping
- Contractors can be deemed to have “**systemic**” non-compliance problems which can lead to larger fines, consent orders and even criminal charges in extreme cases

# 5 Critical Failures

## 3. No standard Measurement System

- It is difficult to manage effectively what you don't measure!
- Most builders believe compliance is too subjective to measure accurately (not true)
- If builders don't regularly and consistently measure their own compliance performance, they run the risk of regulators measuring it for them

# 5 Critical Failures

## 4. Failure to Understand Compliance Expectations

- Regulatory Expectations
- Organizational (internal) Expectations
  - Weak Internal Communication Systems
- Inadequate Knowledge (training)
- Providing adequate training is important...  
motivating people to learn is critical !!
  - What **MOTIVATES** people?

**ACCOUNTABILITY !**

# 5 Critical Failures

## 5. Lack of ACCOUNTABILITY

- Most companies lack unbiased, consistent performance assessments (critical to improvement)
  - Communication gap between management and field is common in most companies
  - Internal politics often lead to inaccurate performance reporting
- Responsibility for compliance is often not defined clearly
- Performance expectations and consequences



# 5 Critical Failures

## Review

1. Inadequate Commitment to Compliance
2. Lack of Systematic Approach
3. No Standard Measurement System
4. Failure to Understand Compliance Expectations
5. Lack of ACCOUNTABILITY

**How do Most Contractors Deal  
With Environmental  
Compliance?**

# Common Compliance Approaches

## Bad

- Maintain business-as-usual and hope for the best

## Better

- Identify the weakest links in a stormwater compliance program on a project-by-project basis and address only the most severe or urgent shortfalls on each
  - Conduct a few random, internal performance audits (these usually confirm that compliance is adequate)
  - Send just a few lower-level field folks to a basic training and turn them loose with minimal support
  - Issue threats to jobsite personnel outlining nasty consequences should they ever fail a regulatory inspection
  - Prioritize structural BMPs at the exclusion of all else

**The Best Approach**  
to achieve immediate and continuous  
compliance improvements

**Colorado Stormwater  
Excellence Program  
(CSEP)**

# CSEP

Is an industry-wide, standardized, EMS-based compliance approach that, when properly implemented, provides:

- Solutions to all five critical failures
- Dramatic and documented compliance improvement
- Cost-effective approaches to achieving compliance
- Compliance methods that work in any jurisdiction
- Alternatives to “command & control” regulatory approach
- Opportunity for Public and Private to work together to achieve water quality goals
- Opportunity for awards and recognition

# CSEP

## IS NOT:

- A replacement for state or local permit compliance
- A “get out of jail free” or enforcement immunity program
- An easy program for many companies to implement (It is always difficult in the beginning and always challenging to subject any organization to ongoing, strict performance accountability)
- A new program (Started in early 2005)
- Exclusive. Three consultancies are now trained to perform CSEP monthly audits; SRM, Kitchell Environmental and CMS

# Colorado Stormwater Excellence Program (CSEP) Guiding Principles

**Principle 1:** Corporate Commitment

**Principle 2:** Pollution Prevention & Compliance  
Assurance

**Principle 3:** Measurable Results & Continuous  
Improvement

**Principle 4:** Accountability Structures

**Principle 5:** Enabling Systems

# Colorado Stormwater Excellence Program (CSEP)

## Systems and Tools

1. CSEP Corporate Commitment/Participation Agreement
2. Third-party CR, monthly detailed compliance audits
3. Monthly jobsite training & compliance assistance
4. Industry standardized compliance performance scoring system
5. 24/7 CSEP database access & report retrieval
6. CSEP Advisory Board oversight
7. Uniform Stormwater Management System (USMS)
8. USMS audit form

For all details, go to the CSEP public website at:

<http://csep.stormwatermm.com/>



# Uniform Stormwater Management System (USMS)

## Systems and Tools

1. Pre-construction planning/budgeting systems
2. 23-step weekly compliance system & forms follows EMS "Plan-Do-Check-Act" process
3. Regulation Checklists (State, Watershed, MS4, etc)
4. Standard field management binder system
5. 3-days of fully integrated USMS training
6. Ongoing AGC/C training & assistance, train-the-trainer programs

**NOTE:** Provide your MS4 contact/email information on the AGC/C information request form and we will send you access instructions to view the full USMS training site

<http://usms.stormwaterm.com/>

# CSEP Educational Opportunities

## AGC

USMS Basic Stormwater Compliance \*\*

USMS Advanced Stormwater Manager Certification \*\*

Stormwater for Preconstruction Services

## Red Rocks Community College

Dewatering Class

UDFCD Working in Waterways Certification

CDOT Erosion Control Supervisor Certification \*\*

\*\* CSEP Minimum Required Courses or Accepted Alternative for USMS Basic

# Discussion Topics

## CSEP Questions?

How can the CSEP be of more benefit to the MS4 Community?

What type of Compliance Assistance do MS4s need (or want) for their own programs?

**THANK YOU !**