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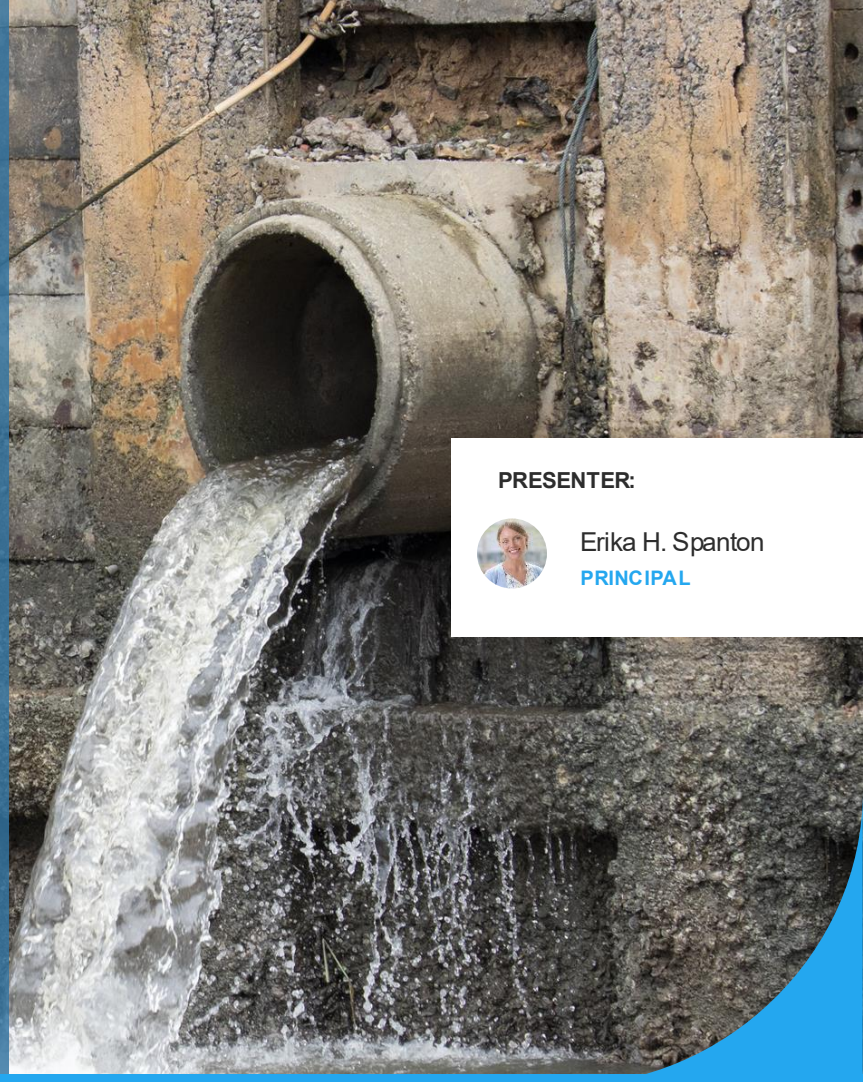
ISGP Enforcement and Best Practices

Managing Stormwater in Washington

March 3, 2026



PRESENTER:

Erika H. Spanton

PRINCIPAL

Overview

- Who Can Enforce
- How Can the ISGP be Enforced
- Enforcement Best Practices

Who Can Enforce?

In Washington, the NPDES program is administered by state under authorization from EPA

Ecology has day-to-day enforcement authority

EPA retains co-enforcement authority

Citizens

Three General ISGP Enforcement Mechanisms

Civil and administrative enforcement by EPA and/or Ecology

Criminal enforcement by EPA and/or Ecology

Citizen Suits

Closer Look at Citizen Suits

The scope of citizen suit authority albeit broad is limited to the specific grounds set forth in Section 505 of the CWA

- The most common contexts in which we see CWA citizen suits is where a regulated entity allegedly fails to obtain a NPDES permit or fails to comply with the terms of its NPDES permit.

Three types of recovery available in a citizen suit

- Injunctive relief
- Payments in lieu of penalty
- Litigation costs

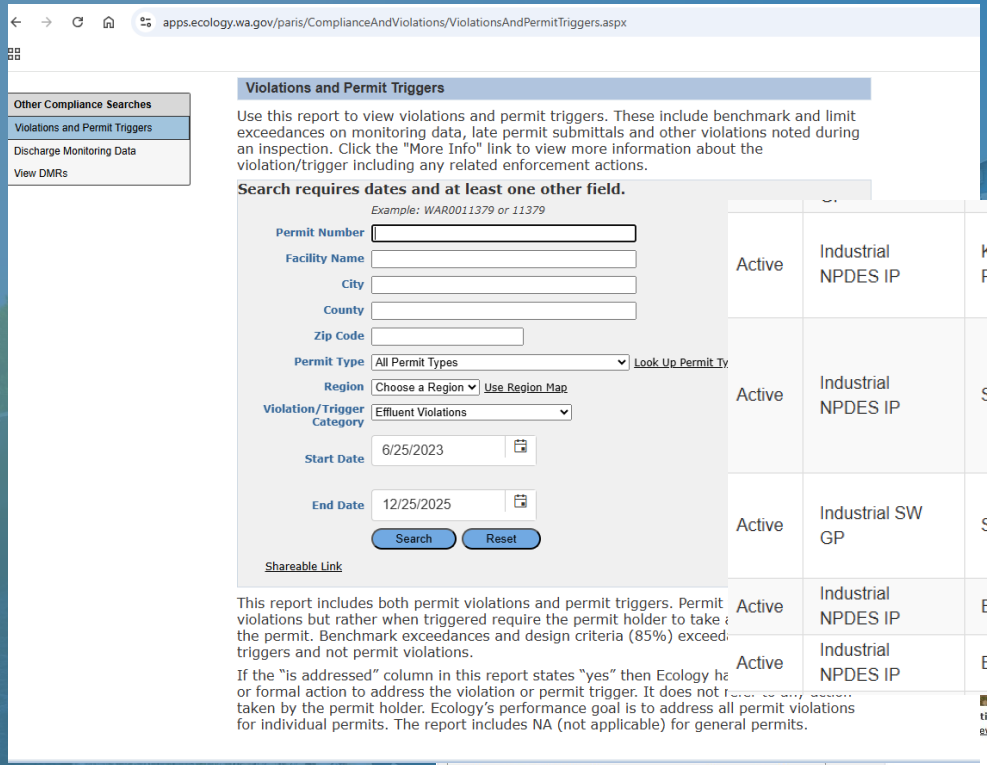
Common Pre-Enforcement Inputs and Data Points

Section 308 requests

Ecology inspections or records reviews

Perimeter walks, drones, samples

PARIS reporting (or lack thereof)



Active	Industrial NPDES IP	KETTLE FALLS	Stevens	12/19/2025	N/A	Reporting Violations	Improper/ Incorrect Reporting	
Active	Industrial NPDES IP	SUNNYSIDE	Yakima	12/19/2025	N/A	Reporting Violations	Failure to submit required report (non-DMR, non-pretreatment)	
Active	Industrial SW GP	SPOKANE	Spokane	12/17/2025	N/A	Reporting Violations	Late Submittal	
Active	Industrial NPDES IP	BELLINGHAM	Whatcom	12/16/2025	N/A	Reporting Violations	Late Submittal	
Active	Industrial NPDES IP	BELLINGHAM	Whatcom	12/16/2025	N/A	Reporting Violations	Late Submittal	

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WAR000518	Industrial SW GP	7	1/1/2015	12/31/2019
WAR000518	Industrial SW GP	8	1/1/2020	12/31/2024
WAR000518	**Industrial SW GP**	**9**	**1/1/2025**	**12/31/2029**

Permit Number	Violations/Triggers	Inspections	Enforcements
SO3000518	3	2	0
WA0003701	919	20	104
WAR000518	15	5	4

These counts represent "all time". Click to view the details of these values. Links will

Enforcement Best Practices

- Civil enforcement (Ecology and/or EPA)
- Criminal
- Citizen suit organization(s)

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Questions?

Thank you!

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7
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