

GUIDELINES FOR MAJOR SITING INSPECTIONS

Commonwealth of the Northern Mariana Islands Multi Agency Inspection Team

Division of Coastal Resources Management, Lead Agency/Facilitator

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Purpose

The purpose of the multi-regulatory agency cohort is to establish a unified team comprised of regulatory and relevant government agencies of the Commonwealth of the Northern Mariana Islands that supports collaborative enforcement efforts through information sharing and multi-regulatory monitoring and compliance for all major developments on Saipan, Tinian, and Rota.

Inspection Team Composition

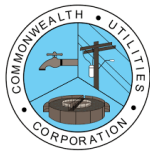
Each agency shall designate two members to act as the agency’s representative in the CNMI Multi agency Inspection Team (CMIAT). The team will be responsible for conducting scheduled site inspections, project status and compliance monitoring, conduct public education and outreach functions, and when necessary, initiate enforcement actions for projects that are not in compliance with CNMI laws. These appointed individuals will be responsible for completing site inspections, generate reports, and keeping records of all reports, citations, and any other documentations in a shared online system dedicated for the use and management of the CMIAT. Each agency will have one “Lead Inspector” to represent them in all CNMI Multi-Agency Inspection Team (CMAIT) matters and site inspections. In the event in which the Lead Enforcement Officer is unable to perform their duties, each agency shall also designate one alternate Inspector to participate at the CMAIT monthly meetings and site inspections.

Below is a list of the CRM Agencies that serve as the CRM Board. The CRM Board reviews and approves all major siting permit applications received by the DCRM Permitting Office. Below is a list of the CRM Agencies that serves as partnering agencies of the CMAIT. Other agencies (i.e. Department of Public Lands, Zoning Office, etc.) will be invited as partnering agencies once this cohort effort is established with the full support of the CRM Agency Board.

Partnering Agencies

CRM Agency Members

- Commonwealth Utilities Corporation (CUC)
- Department of Public Works (DPW)
- Department of Commerce (Commerce)
- Department of Lands & Natural Resources (DLNR)
- Division of Environmental Quality (DEQ)
- Historical Preservation Office (HPO)



Non-CRM Agency Members (Optional)

Department of Public Lands (DPL)

CNMI Zoning Office (Zoning)

Department of Fire & Emergency Management Services (DFEMS)

Bureau of Environmental Health (BEH)

Commonwealth Ports Authority (CPA)

CNMI Boating Safety (DPS-Boating Safety)

Marianas Islands Nature Alliance (MINA)

Inspections

DCRM, DEQ, CUC, DLNR, DPW, Commerce, and HPO will provide collaborative site and record inspections of Major Siting Projects within the CNMI.

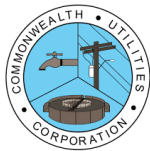
Each participating CMAIT Agency will have access to a list of Major Siting projects including copies of permits and permit amendments, the permitting mapping system for reference when conducting inspections. Inspection forms and other relevant tools have been developed to assist during an inspection. Forms or documents include Project Review MEMOS, inspection forms, Citation Booklet, site inspection checklist, maps, construction design plans, and other documents will be made available to the inspection team.

Notifications of scheduled inspections will be sent out to CMAIT agencies via e-mail. Site inspections may take place cooperatively with multiple agencies, or as a single media inspection, if preferred.

During inspection, the Lead Inspector, from their perspective agencies, will execute necessary observations, examinations to assure that the project is in compliance with their agency's programs and regulations. Each agency's Lead Inspector will be responsible for recording all necessary information, documents, photos during site inspections, as well as completing a site inspection reports.

A shared file will be created for each agency to input their inspection reports on Projects that they have executed inspections for. The file will be accessible to all agencies and members of the CNMI Multi Agency Inspection Team for reference purposes.

Follow-up inspections shall vary depending on compliance of permit conditions. If a project is in total compliance of DCRM Permit conditions and regulations, inspection frequency shall be done on a monthly basis. Projects that have one or more permit condition violations shall have an increased inspection frequency of weekly or bi-weekly inspections to monitor remediation until the project is back in compliance of permit conditions and all regulations.



For every follow up inspection, a new folder shall be created. The same Inspection Report ID Number will be used but labeled with the follow up number and date. *i.e.*: CMAIT-INS22-0001 John Doe Hotel-3 12012022 (third follow up inspection for John Doe Hotel).

When a project has been completed, CMAIT Lead Inspectors will conduct a final Site Inspection of the project to assure that the permittee has completed the project in compliance to the conditions of the issued permit.

Reporting

After completing a site inspection, an inspection report shall be completed by each agency's lead inspector. The report shall consist of chronologically detailed explanation of what was observed during inspection, information such as names and titles of all who were present during the inspection, and any incidents or any non-compliance should also be added to the inspection report.

All ongoing and completed inspection reports shall be filed in CMAIT shared drive for recording and reference purposes. A file shall be created for each inspection completed and shall be saved with the Date of inspection, Inspection Report ID Number, and name of the project, as the folder name.



Each agency will use the Multi-Agency Inspection Field Inspection Report template, as shown below.

FOR INTER-AGENCY USE ONLY AND NOT FOR DISTRIBUTION

Division of Coastal Resources Management Case No.: CMAIT-INS22-0000
 MULTI-AGENCY INSPECTION FIELD Issuance Date: [---]
 INSPECTION REPORT Inspection Date(s): [---]
 [Permit Holder] / [Permit Number] Inspection Site: [---]

I. Relevant Provisions of CRM Rules and Regulations
 2 CMC §§ 1501-1543; NMIAC Chapter 15-10, 40 Com. Reg. 40514 (Jan. 28, 2018)

II. Purpose and Scope NMIAC § 15-10-605
 The purpose of issuing CRM permits subject to specific conditions is to ensure that a permitted project complies with part 300, Standards for CRM Permit Issuance, and CRM program policies. Any lawful requirement consistent with the standards and policies referred to above may be the basis of a CRM permit condition.

III. CRM Permit Conditions and Inspection Monitoring
 In accordance with NMIAC § 15-10-610(a), the DCRM Director or his/her designee shall have the right to make reasonable inspections of the out-of-doors portions of a permitted project site at any reasonable time in order to assess compliance with the CRM permit and its conditions.

Inspection Type: General Compliance / Compliance Assistance (Follow-up)
 Inspection Media: Single Media / Multimedia

Interagency Agency List (list all programs taking part in inspection)

Member / Contact Information
DCRM Enforcement
DEQ Wastewater, Earthmoving & Erosion Control
Solid & Toxic Waste Management
Air Quality Control
Water Quality Control & NPS
Safe Drinking Water
Site Assessment & Remediation
Storage Tanks

DPW	
Building Code	
DFW	
Forestry	
Endangered Species	
CEC	
Water & Wastewater	
Power Distribution	
DPL	
Compliance	
ZONING	
HPO	

Project Site Representative _____
 (Name / Title / Contact Information)

Pre-Inspection Conference

Inspection Frequency
 (Note: different sections of a site may be subject to different inspection frequencies; Check all that apply)

a. Standard Frequency: Monthly 3 Months 6 Months
 b. Increased Frequency: Daily Weekly Bi-weekly
 c. Special Needs: Immediate / Single Time event

UAS used to collect aerial data: Yes No
 If yes indicate specific data points of interest that will be observed using UAS: _____

REPORT

1. Initial Inspection: 00/00/2021
 (Names of officers/inspectors), arrived at the permitted project site on (day, date and time) for a site inspection of the (Name of Project) as described and conditioned under Permit No. _____.

If in compliance, Based on our assessment of the project site and ongoing activities, the project is found to be in compliance with its permit conditions as of _____

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Case No.:
[Permit Holder]
[Permit No.]

the date of this inspection. However, since the project is still ongoing, monthly site inspections will continue until project completion.

If not in compliance: Based on our assessment of the project site and ongoing activities, the project is found to be in non-compliance of Permit No. _____. The findings of Non-Compliance are as follows:

- List all Non-Compliance and associated permit conditions or other discoveries here. Include required corrective actions for each violation.

2. 1st Follow Up Inspection: 00/00/0000
 (Names of officers/inspectors), arrived at the permitted project site on (day, date and time) for a follow up site inspection of the (Name of Project) as described and conditioned under Permit No. _____ including all other information and documentations attached to the CRM permit application package.

If in compliance: Based on our assessment of the project site and ongoing activities, the project is found to be in compliance with its permit conditions as of the date of this inspection. However, since the project is still ongoing, monthly site inspections will continue until project completion.

If not in compliance: Based on our assessment of the project site and ongoing activities, the project is found to continue to be in non-compliance of Permit No. _____. The findings of Non-Compliance of the project remains unchanged as described in the initial inspection findings dated (insert date here). As a result, this project will be pursued with further enforcement action including other remedies stipulated under NMIAC § 15-10-805, NMIAC § 15-10-820, and § 15-10-830.

3. 2nd Follow Up Inspection: 00/00/0000
 (Complete this part only if project is still in compliance or has been brought into compliance after the "Notice of Enforcement")

(If the project is still ongoing, follow up site inspections will continue twice a month for each project until completion. For completed projects, complete Final Inspection Report below.)

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MAJ ID:
[Permit Holder]
[Permit No.]

4. Final Inspection: 00/00/0000
 (Names of officers/inspectors), arrived at the permitted project site on (day, date and time) for a final site inspection of the (Name of Project) as described and conditioned under Permit No. _____ including all other information and documentations attached to the CRM permit application package.

Based on our assessment of the permitted project and project site, the project is found to be completed and in compliance with its permit conditions as of the date of this inspection. Since DCRM's permit conditions are perpetual, as noted in the mandatory conditions, site inspections will be scheduled every six (6) months to ensure project compliance.

Unsafe Conditions for Inspection
 List any site area not inspected due to unsafe condition per 29 CFR 1926.

Did any inspector find any section, part, or area of the site unsafe to inspect?
 Yes No

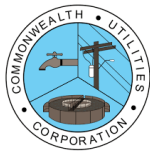
If yes, describe the specific condition that prevented inspection with specific location.

Closing Conference
 Opportunity for inspection site representative to volunteer additional information or to answer specific questions on discoveries made during inspection.

 Date: _____
 DCRM Lead Project Inspector

 Date: _____
 Sam Sablan
 Permitting & Compliance Chief, DCRM

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MAJ ID:
[Permit Holder]
[Permit No.]



Violations

For violations of a CMAIT Agency's conditions as stated on the face of an APC Permit or Major Siting Permit, each CMAIT Agency Each CMAIT under the One Start Permit Program may issue its respective Agency permit without requiring an applicant to go through the One Start Permit process.

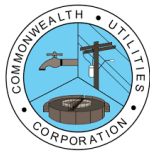
For violations of a CMAIT Agency's respective regulations, each CMAIT Agency may pursue enforcement action without requiring the approval or agreement of the Lead Agency.

If any permit violations are found during inspection and a citation is issued, it shall be indicated in the respective Inspection Report. The report folder shall include detailed report of the nature of the violation including photos. Further review and corrective measures shall also be included in citation and inspection report. Seven (7) business days shall be given to take corrective measures. If no corrective measures were made, a Notice of Violation will be issued and fines may be implemented.

During the follow up inspection after the initial finding of non-compliance, if corrective action has been taken and the violation is remediated, this shall be noted and declared on the inspection report. A brief explanation of how the violation was corrected shall be inputted along with photos into the follow-up inspection report, to indicate that the permittee is in compliance following the corrective actions.

If a violation continues without any corrective measures done, a Notice of Enforcement (NOE) shall be issued to the Permit holder. This may include fines per violation per day.

Violations shall be recorded and filed in the CMAIT shared drive. Each Agency will have a folder to file scanned copies of citations issued. There will also be a field citation index where each citation will be logged into.



Any Field Citations issued during an inspection will use Citation Ticket shown below

Commonwealth of the Northern Mariana Islands
OFFICE OF THE GOVERNOR
Bureau of Environmental and Coastal Quality
Division of Coastal Resources Management

FIELD CITATION **0000**
NOTICE OF VIOLATION

Date Issued: ___/___/___ Time: ___:___ AM/PM
Enforcement Area: 1 2 3 4 5 6
Location/ Lot No.: _____
Permitted Activity: YES ___ NO ___
Permit No. _____
Permit Holder: _____
(Individual, Project, or Company Name)

**§15-10-810 WARNING:
ENFORCEMENT OF THE
TERMS AND CONDITIONS OF A CRM PERMIT**

Failure to complete construction within the time frame specified on the permit
 Failure to inform DCRM of untrue statements in application, unforeseen adverse environmental impacts, or transfers of interest
 Failure to maintain compliance with other governmental permits
 Failure to comply with permit condition(s) _____
 Other: _____

You are required to perform corrective action to address this violation.
 Standard period to perform corrective action – 7 days
 Where public health and/or safety is threatened – immediate
 Extension – ___ days

**§15-10-915 WARNING:
ACTIVITIES WITHOUT A REQUIRED CRM PERMIT**

APC permit
 Temporary permit for emergency repairs
 Major siting permit
 Marine sports operating permit

You are required to perform corrective action to address this violation within ___ days.

Corrective Measures: _____

Failure to take corrective action and/or continued violation may result in a written enforcement notice under §15-10-815 or intent to undertake legal proceedings under §15-10-920. Further enforcement action could result in penalties of up to \$10,000 per day per violation.

Offender: _____
(Print and Sign) Refused to Sign _____

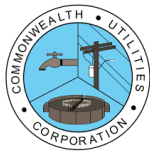
Issuing Officer: _____
(Print and Sign)

All questions can be directed to DCRM ENFORCEMENT (670) 664-8305
White - Receiving Party | Yellow - Enforcement Section | Pink - Permitting Section

Records

A Site Inspection Log sheet or index will be accessible in the CMAIT Shared Drive, where inspection reports will be logged in for recording.

All inspection files shall be saved in a folder on the Multi-Agency Inspection Team Drive. The folder will be named with a Report Identification Number, followed by the Permit Holder, and name of project.



Folders shall include the Inspection Report, Photos taken during inspection, and scanned copies of Field Citations (if issued).

Quarterly CMAIT Meeting

Within the first week of every quarter of the fiscal year, the CNMI Multi-Agency Inspection Team will hold a meeting to discuss the progress, status, and issues regarding Major Siting Projects.

Any significant findings and updates from each agency's perspective conditions shall be discussed and deliberated. Also, any, plans or suggestions to improve efficiency, and feedback in regards to the operation of the multi-agency inspection team will be discussed and implemented if agreed upon by all CMAIT Agencies.

Points of Contact for Lead Agency

Ms. Sam Sablan, DCRM Permitting & Compliance Chief, 664-8300, ssablan@dcrm.gov.mp.

Mr. Julius Reyes, DCRM Enforcement, CMAIT Coordinator, 664-8307, jreyes@dcrm.gov.mp.