

Ohio EPA
Division of Surface Water
Inspections and Enforcement
Program



What will we review today?

- Recent developments
- Inspection types
- Inspection selection
- How to prepare for an inspection
- Compliance Evaluation inspection
- Ohio EPA Enforcement Program
- Proposed enforcement for General Lab Criteria deficiencies
- Avoiding escalating enforcement actions



Recent Developments

- You have a new inspector!
- Renewed emphasis on follow up on inspection findings and Notices of Violation.
- New look to inspection reports and cover letters.



New Look To Inspection Reports And Cover Letters



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

Certified Mail

May 6, 2015

John Doe, Superintendent Public Works
Anywhere WWTP
PO Box 1234
Anywhere, OH 12345

Re: Anywhere WWTP
Inspection
NOV
NPDES
Some County
1PC00999

NOTICE OF VIOLATION

Subject: Ohio Environmental Protection Agency NPDES Inspection



Inspection Types and Purposes

- Compliance Evaluation
- Compliance Sampling and related Reconnaissance
- Reconnaissance
- Pretreatment Compliance
- Pretreatment Audit
- Storm water
- MS4



Types of Facilities Inspected



Types of Facilities Inspected



Types of Facilities Inspected



Types of Facilities Inspected



Types of Facilities Inspected



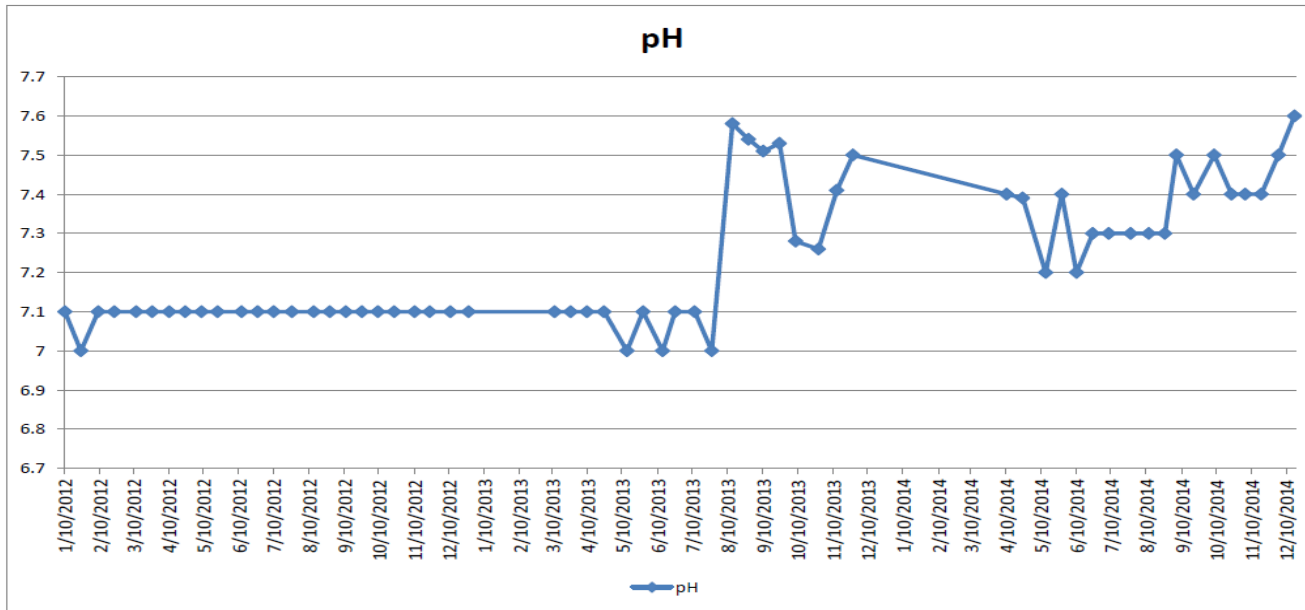
Inspection Selection

- Compliance problems
- Length of time since the previous inspection
- NPDES permit renewal
- Commitments to USEPA



Inspection Selection (cont.)

- Odd data



Inspection Selection (cont.)

- New facilities
- Facility upgrades
- Complaints
- Other



How You Can Prepare For An Inspection

- Review the previous inspection reports
- Review permit requirements
- Organize your files



Typical CEI Procedure

- Opening meeting
- Interview and records review.
- Plant Tour and visit to outfall(s)
- Closing meeting



Review of Inspection Criteria

- Verify permit information
- Compliance
- Operations and Maintenance
- Biosolids (sludge) treatment and disposal



Review of Inspection Criteria (cont.)

- Self Monitoring Program
- General Lab Criteria review
 - Case history – inaccurate data can impact discharge limits



Review of Inspection Criteria (cont.)

- Plant Tour and Outfall visit



Plant Tour Observations



Plant Tour Observations



Plant Tour Observations



Plant Tour Observations



Plant Tour Observations



Plant Tour Observations



Outfall Observations



Outfall Observations



Outfall Observations



Outfall Observations



Outfall Observations



Outfall Observations



Outfall Observations



Review of Inspection Criteria (cont.)

- Closing meeting



What happens now?

- Within 30 days of the inspection;
- Inspection Report mailed to permittee.
 - Identifying areas needing improvement.
 - Violations discovered will require a response from the permit holder.
- Permittee response;
 - Needs description of actions to be taken to address findings.
 - With target completion dates.



Next step(s)

- It all depends.....
- If the response adequately addresses the issues.
- If it does not; there will be follow up from Ohio EPA.



Enforcement Procedures

- Documentation of attempts to get the facility back into compliance.
- Directors Final Findings and Orders
- Referral to the Attorney General for prosecution
- Exceptions to Enforcement Procedures



Proposed Enforcement involving General Lab Criteria deficiencies

Certified Operator and Permittee

- Inspection Report and identifying of deficiencies
- NOV to Certified Operator \ Permittee
 - Certified Operator (Ohio Administrative Code 3745-7-09(B) and Ohio Revised Code 6111.07)
 - Permittee (NPDES permit Part III Item 5 and Ohio Revised Code 6111.07)



Proposed Enforcement involving General Lab Criteria deficiencies (cont.)

- NOV to Certified Operator \ Permittee
- Directors Final Findings and Orders
- Referral to Attorney General for prosecution
- Exceptions to Enforcement Procedures



Directors Final Findings and Orders for Certified Operators

Ohio Administrative Code 3745-7-12 (A)...

The director may suspend or revoke the certificate of an operator, issued under this chapter, upon finding that the operator has:

- Performed the duties of an operator in a negligent or incompetent manner, or
- Knowingly or negligently submitted misleading, inaccurate, or false reports, documents, or applications to any governmental organization or their employer



Potential escalating enforcement actions

- Falsification
- Operations and Maintenance Records
- Non-compliance Reports



Potential escalating enforcement actions (cont.)

- Bypass Events
- Laboratory Records
- Wastewater Treatment Operations



Potential Consequences

- Facilities
 - Notices of violation
 - Criminal and Civil investigations
 - Fines, Penalties, etc.



Potential Consequences (cont.)

- Certified Operators
 - Notices of violation
 - Criminal and Civil investigations
 - Suspension of the WW operator license
 - Revocation of the WW operator license



How to reduce the risk of enforcement

- Address previous inspection findings
- Make measurable progress
- Comply with reporting requirements
- Comply with the record keeping requirements
- Communicate with Ohio EPA inspector



Questions?



Contact Information

Martyn Burt

Ohio EPA, SWDO

(937) 285-6034

martyn.burt@epa.ohio.gov

Bob Ostendorf

Ohio EPA, SWDO

(937) 285-6107

robert.ostendorf@epa.ohio.gov

