

What to Expect During an Ohio EPA DSW Virtual Inspection

Operator Training Committee of Ohio

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Surface Water Inspection Preparation



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Welcome!

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CEU's Available

Continuing Education Units approved for this session:

- 0.75 hours of Registered Sanitarian/Sanitarian-In-Training credit *(Please include your RS/SIT number on the survey if seeking this credit)*
- 0.75 BMP hour for C&DD Operator Certification *(Submit attendance certificate with Certified Operator application/renewal)*
- 0.75 hours of Wastewater Operator Certification

Learning Objectives

- Overview of inspection process for air, wastewater/stormwater, and hazardous waste
- Identify what air, water, and waste inspectors look for
- How to prepare for an inspection (physical/virtual)
- Identify common violations found during an inspection
- Do's and don'ts during the inspection

Basic Permit Requirements

- Know the location of your permit(s)
 - Maintain copies of your permit(s)
- Read your permit(s)
 - Make certain to read your permit(s) - at a minimum, annually or as much as needed
 - Highlight requirements - make notes
 - Evaluate permit requirements and compare those to your activities
- Communicate
 - Inform staff of requirements
 - Contact others, if confused about permit terms

Ohio EPA Inspections

Different divisions in Ohio EPA have their own inspectors:

- Surface Water (direct discharge & stormwater)
- Drinking & Ground Water
- Waste (hazardous, solid, infectious)
- Air Pollution Control (Ohio EPA or Air Locals)
- Environmental Response & Revitalization

A business may be inspected by different inspectors representing different programs over time. Inspectors may talk to each other. Some entities may undergo a multimedia inspection where two or more inspectors may visit at the same time.

How are inspections selected?

- Routine inspections (U.S. EPA grant commitments)
 - Major Dischargers (≥ 1 MGD) – every 2 years
 - Minor Dischargers (< 1 MGD) – every 5 years
- Complaint investigations
- Significant noncompliance
- Special inspection initiatives (mobile home parks, contract operator, watersheds, stormwater controls at construction sites)

Inspections can be scheduled in advance or unannounced per division policy. Most complaint-driven inspections are unannounced.

Inspection Types During Pandemic

- Traditional Physical Inspections
- Virtual Site Visits (VSVs)
- Desktop Compliance Reviews

Physical Inspection Process

Opening Meeting

Facility Walk-Through

Records Review

Closing Meeting

Letter

Virtual Site Visits (VSVs)

- Logistics During Pandemic
- Fact Sheet *Overview of Ohio EPA Virtual Site Visits (6/2020)*
- Pre-Meeting and Information Requested Before Visit
 - Inspection Type (annual, complaint, special, etc.)
 - Availability/reliability of internet/software (Zoom, Teams, others)
 - Contingencies if call disconnected (who calls whom)
 - Who is attending (Ohio EPA, facility, consultants, health departments)
 - Plant records: logbook excerpts, licenses, flow diagrams, training, and inspection records
 - Production information (if applicable)
 - Stormwater pollution prevention plan and records (if applicable)
 - Plant flow diagram/water balance
 - Other documents if required by Authorizing Documents
- Dry Run Before Visit
 - See fact sheet
 - Steady hand holding camera/phone

Virtual Site Visit Inspection Process



Before any Inspection, Have a Plan

- Who will talk to the inspector?
 - Plant Manager, EHS Manager
 - Wastewater Treatment Plant Superintendent
 - Contract Operator or Facility Plant Operator
 - Utilities Director (if public entity)
- Have a camera that works. The inspector may take pictures – you can request copies, too.
- Know how you will describe your operations, all wastewater flows, discharges, etc. to the inspector.
- Know where environmental compliance records are kept.

When the Inspector Arrives

- Find out why the inspection is being done (in many cases it is routine if you are a permitted entity).
- Request the identification of the inspector and ask for the inspector's business card.
- Tell the inspector about safety requirements of your plant.
- Take a deep breath and relax. Our main focus is compliance and compliance assistance.
- Answer the inspector's questions. Don't guess or make things up. If you don't have an answer, say so. Future follow up is acceptable.

Surface Water Regulatory Authority

- National Pollutant Discharge Elimination System (NPDES)
 - Point Sources
 - Water Resource Recovery Facilities (WRRFs) aka WWTPs
 - Industrial facilities (e.g., non-contact cooling water)
 - Other discharges of pollutants reaching state waters
 - Stormwater (Point and Nonpoint Sources)
 - Industrial sites based on Standard Industrial Classification (SIC) Sectors such as scrap yards
 - Construction sites which disturb 1 acre or greater
 - Municipal Separate Storm Sewer Systems (MS4)
 - General (Statewide) Permits and Individual Permits

Surface Water Regulatory Authority

- Permits-to-Install (PTI)
 - Sewer mains, pump stations, force mains
 - WRRFs or modifications to WRRFs (onsite & discharging)
 - Industrial pretreatment systems, surface impoundments
 - Non-discharging treatment systems ($\leq 1,000$ gpd) may be delegated to local health departments
- Indirect Discharges (industrial wastewater which is directed to centralized sewers)
 - Some WRRFs have approved pretreatment programs that Ohio EPA regulates
 - Other indirect dischargers are regulated directly by Ohio EPA

Surface Water Regulatory Authority

- Wetland and stream modifications
 - 401 Water Quality Certification Program
 - Army Corps of Engineers regulates filling of wetlands/streams (404 Program)
- Complaint investigations related to surface waters
 - Unannounced typically
 - May involve other agencies (Agriculture, ODNR, U.S. Fish and Wildlife, or other Ohio EPA divisions)

Common Regulated Discharges 1 of 3

Spent Solutions



Cooling Water



Equipment Cleaning



Rinse Waters



Municipal Sewage



Process Solutions



Common Regulated Discharges 2 of 3



APC Blowdown



Purge/Flush Wastes



General Housekeeping



Floor Drains

Common Regulated Discharges 3 of 3

Sanitary Wastewater



Water Treatment Backwash



Construction Stormwater



Industrial Stormwater



Surface Water Program Inspections

- When do inspections occur?
 - Site Evaluations: Changes in wastewater sources or adding new sources.
 - Routinely for our point sources. Expect once every two to five years (depending on compliance history, non-compliance = more frequent inspection).
 - Frequently for construction stormwater permits.
 - Complaints (as needed).

Surface Water Program Inspections

- What do we look for?
 - Assess compliance with terms and conditions of NPDES permit, indirect discharge permit, or PTI.
 - Changes or proposed changes in waste streams (i.e., volume or chemistry).
 - Treatment system modifications.
 - Pretreatment Program: Administering per Ohio EPA Rules.
- Sampling?
 - Rarely.
- Problems?
 - **Please communicate!** Communication generates trust and understanding between the regulator and the regulated community.

Facility Walk-Through (VSV or In-Person)

- Permit records and compliance
 - May be asked for these beforehand for VSVs
- Expect a process-based inspection
 - For industrial facilities, operations that generate wastewater or stormwater will be scrutinized
 - Conveyance systems, drains, sumps, pits, pumps, tanks, sanitary and storm sewer lines, site drainage, and outfalls are investigated
 - Treatment systems, function, and maintenance
 - Ancillary operations such as sludge management



Facility Walk-Through (VSV or In-Person)

- Sampling procedures
 - Calibration records, proper sample storage
- Stormwater management
 - Discharge visual inspections
 - Quarterly facility inspections
 - Certifications and training records
 - SWPPP maintained and updated
- General housekeeping
 - Following SOPs



Desktop Compliance Review

- Reserved for facilities not in SNC
- Extensive Records Request
- Reply as a Document to Upload to eDOC
- Comprehensive Records Review
- Compliance Letter Issued

Common Program Violations

- Failure to obtain an NPDES permit or PTI
 - Unauthorized indirect (to sewers) or direct (to waters of the state) wastewater or stormwater discharges without a permit
 - Installing new wastewater treatment equipment or wastewater conveyance (sewers) without a PTI
 - Process water changes without notifying Ohio EPA
 - Failure to apply for and obtain a stormwater permit or no exposure certification
 - Changes in production above what is in permit (for specific industries)
- Discharging process wastewater to a septic system, dry well, cesspool, or other “injection well”



Common Program Violations

- Sampling

- Failure to provide sample results for permitted outfalls
- Failure to ensure proper sampling (preservation, type, method, records) and analysis
- Failure to provide notification for exceeding permit limits
- Monitoring instrument calibrations



- Failure to have an Operator of Record

- Condition of PTI or NPDES permit
- Notification if change in operator or permit holder
- Collection System Operator for Class 1-4 WWTPs



Common Program Violations

- Failure to Operate and Maintain Wastewater Treatment Equipment

- Equipment calibration records
- Equipment manufacturer's maintenance



- Sanitary Plant Records

- Copy of permit and facility logbook
- Operations and maintenance manuals
- Operator licenses and contract or service contract



Common Program Violations

- Stormwater Plant Records
 - Stormwater plan not updated (living document)
 - Stormwater discharge visual inspections, quarterly facility inspections not done or documented
 - Annual certification, training records missing
- Industrial Pretreatment Program Records
 - Failure to timely renew permits to Industrial Users (IUs)
 - Surcharge vs. Permit Limits
 - Failure to timely inspect IUs
 - Failure to re-survey IUs for any changes

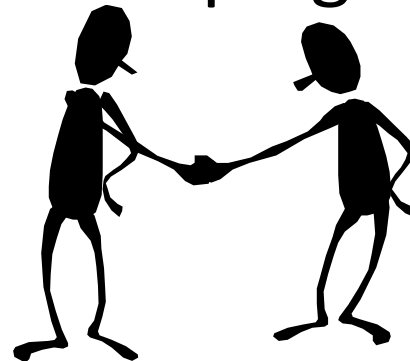
Are you prepared for an Ohio EPA surface water inspection?

- Understand your NPDES permit including water use and wastewater generation practices, compliance schedule requirements, and effluent testing requirements (**READ YOUR PERMIT**)
- Know locations of all sewers and drains and where they go (if you don't know you need to find out)
- Have records available documenting treatment, management, and disposal of waste streams (including sludges)
- Avoid surprises and non-compliance by preparing and educating employees regarding standard operating procedures
- When in doubt – double check
Communicate problems to your inspector



Helpful Hints

- Ohio EPA's goal is compliance, **NOT** enforcement
- Make recordkeeping as simple as possible
- Develop a pattern for recordkeeping and reports
- Foster a good relationship with neighbors



After the Inspection

DO contact the inspector if:

- You have questions about the Inspection Letter or NOV
- The facts in the Inspection Letter or NOV are wrong
- You do not understand what is needed to correct the violations
- You have questions on the compliance process or need more time to respond

After the Inspection

DO NOT:

- Ignore the Inspection Letter or NOV
- Wait until the last day to respond to correspondence
- Cut off communication with the inspector – they are a resource for helping you resolve violations

After the Inspection

- Most violations are resolved without legal actions or fines
- Take steps to avoid enforcement by resolving the violation(s) in a timely matter

Resolution of Violation (ROV) Letter

- Only if an NOV was issued
- Identifies how the violations were resolved

Compliance Assistance Resources

- Various program compliance assistance documents
- Office of Compliance Assistance and Pollution Prevention (OCAPP) at (800) 329-7518
<http://www.epa.ohio.gov/ocapp>
- Customer Support Center
<https://ohioepa.custhelp.com/app/answers/list>
- Local District Office
<http://www.epa.ohio.gov/Districts>

Presentation Takeaways

- Have a plan and designate a backup environmental contact if needed.
- Know your processes (including emissions, discharges, and wastes) and permits.
- Be honest, do not speculate.
- Retain documents to demonstrate compliance and keep them organized.
- If found, address violations in a timely manner.

Questions?



Thank You For Attending!

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