

# Ohio EPA Inspections and Enforcement Program



# What will we review today?

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



# Inspection Types and Purposes

- Compliance Evaluation
- Compliance Sampling
- Reconnaissance
- Pretreatment Compliance
- Pretreatment Audit



# Inspection Selection



# Inspection Selection



# Inspection Selection



# Inspection Selection



# Inspection Selection



# Inspection Selection

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



# Inspection Selection (cont.)

- Odd data
- New facilities
- Facility upgrades
- Complaints
- Other



# How to prepare for an inspection

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



# Typical CEI Procedure

- Opening meeting
- Interview, 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
- Plant Tour and Outfall visit
- Closing meeting



# Enforcement Procedures

- Inspection Report identifying deficiency
- Notice of Violation (NOV)
- NOV and development of Compliance and Enforcement Plan (CEP)
- Directors Final Findings and Orders
- or 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 develop Compliance and Enforcement Plan (CEP)
- Directors Final Findings and Orders
- or 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?

