

#### **Collection System Inspections and Enforcement**

#### March 2012 Update

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## Background (PART 1)

1.1 Who is inspecting?

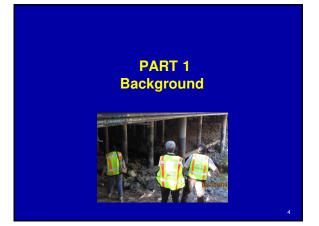
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- Why are we inspecting?
- 1.3 Inspections conducted to date
- 1.4 Common violations/areas of concern + examples
- Systems likely to be inspected 1.5
- 1.6 2012 inspection commitments

### **Details (PART 2)**

- 2.1 Areas likely to be checked
- 2.2 Post-inspection follow-up
- 2.3 Tips on Being Prepared
- **Current Enforcement Response** 2.4
- 2.5 Sample Enforcement Actions
- 2.6 SSMP Self Audit Information





#### 1.1 Who is inspecting?

- Regional Water Boards
- State Water Board, Office of Enforcement
  - 5 Investigators dedicated for SSO enforcement
  - ~ Often accompanied by regional board staff
- US EPA, Region IX, Clean Water Act Compliance
   Partnering with State/Regional Boards
   SSSWDRs provides tool for program evaluation (CIWQS data and metrics, SSMP, MRP compliance, data audits to verify SSO reporting accuracy, etc.)
- US EPA IX Contractors: <u>20</u> inspections (CY2012)

#### 1.2 Why are we inspecting?

- Assist Enrollees in <u>reducing</u> SSOs and their impacts on public health and the environment
- Evaluate adequacy of discharger SSO preparedness and field response activities if event(s) occur
- ID violations and/or areas of concern
- Fast, firm, fair enforcement where needed
- Establish "compliance baseline" since most systems have never been inspected

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#### 1.2 Why are we inspecting? (cont'd)

- Promote program compliance and conformity
- Check "accuracy" of SSO reporting including interviews with collections staff to assess discharger's reported data and assess SSMP implementation
- Evaluate discharger's inspection and maintenance procedures, including record keeping practices, methodologies, and calculations for estimating SSO volume discharged



#### 1.2 Why are we inspecting? (cont'd)

- Identify and document positive SSO response, mitigation, and prevention strategies
- ID SSSWDR enforceability issues to support permit review process
- Increase staff knowledge about Best Management Practices (BMPs) to document, reduce and/or eliminate SSOs



1.3 Inspections conducted to date

#### 1.3 Inspections Conducted to Date

- ~ 30 sites
- Most conducted "unannounced" to evaluate sites as close to "normal operations" as possible
- Statewide coverage; small, medium and large systems
- Some informal and formal enforcement actions pending

### 1.4 Common Violations/Areas of Concern

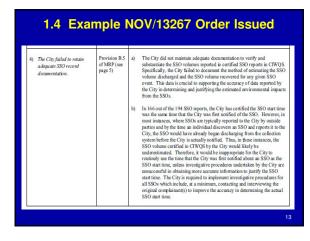
SUBJECT: Notice of Violation of Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Sanitary Sewer Order), Order No. 2008-0002-EXEC, State Water Board Order Adopting Amended Monitoring and Reporting

Applicable Order Requirements The City owns and operates a collection system subject to the Sanitary Sewer Order<sup>4</sup> and the Amended MRP. The City signed a Notice of Intent to comply with the terms of the Sanitary Sewer Order and any subsequent amendments on September 16, 2006. The Sanitary Sewer Order prohibits any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States or reates a unisance as defined in California Water Code (CWC) section 13050(m), (See Prohibitions C. 1 and C.2, respectively, of the Sanitary Sewer Order.) Permittees under the Sanitary Sewer Order are required to peropt SSOs to the State's California Integrated Water Quality System (CIWQS). The Amended MRP establishes monitoring, record keeping.

itary Sewer Order is available at www.waterbaards.ca.gow/baard\_decisions/adopted\_orders/water\_quality/2006/wqo/wqo/2006\_0003.pdf mdd MPR is navillable at www.waterbaards.ca.gow/baard\_decisions/adopted\_orders/water\_quality/2006/wuo/wuo/2008\_0002\_exec.rdf

### **1.4 Common Violations**

- <u>Amended MRP:</u> Failure to identify and report all SSOs (including sewer backups into structures caused by SSOs)
- <u>Amended MRP:</u> Failure to maintain adequate records to support data certified in CIWQS (volume estimations, start/end times, etc.)
- <u>Provision D.8:</u> Failure to adequately maintain sewer assets (pump stations, force mains, sewer lines, etc.) to "properly manage, operate, and maintain all parts of the sanitary sewer system"
- Provision D.13: Failure to adequately address SSMP . elements, including data collection, measurements and performance info needed for SSMP audit (2-year)

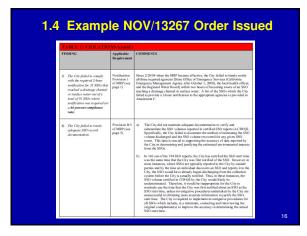


#### 1.4 Common Violations (cont'd)

- <u>Amended MRP:</u> False "No Spill" reporting
- <u>Amended MRP:</u> Failure to meet required 2-hour notification and reporting requirements for discharges to surface waters/drainage channels
- Provision D.13: Failure to implement needed sewer programs or to enhance existing practices to align with committed goals, objectives, and strategies in SSMP

TABLE 1: VIOLATIONS						
FINDING	Applicable Requirement	COMMENTS				
SSO DISCHARGES						
<ol> <li>Based on the review of CWQS<sup>1</sup> data between 5/207 and 10/12/11, the City certified 195 Sanitary Sener Overflows (SSOb) of which 95 (or 49 percent of the total SSOb) were "Category 1<sup>2+</sup> and 100 (or 51 percent) were "Category 2<sup>2</sup>."</li> </ol>	Prohibitions C.1 and C.2 of Sanitary Sewer Order (see page 7)	All of the Citagen 1 SSCs that discharged is outer of the Using Batter are in obtained of Pholihomics of the Samiry Sec or Order. In addition, all SSOs (Cratgory 1 and 2) results a meanse as defined by CWE earlier 108400h fmbrinding C2 of the Samiry Sover (Yaler, AC WUR) and a straight of the State of the Samiry Sover (Yaler, AC WUR) and the Samiry Sover (Yaler, AC WUR) and the Samiry Sover (Yaler, AC WUR) Performance Report generated by CIWQS is provided in Altachment D.				
SSO NOTIFICATION, REPOR	TING and DOC	UMENTATION				
<ol> <li>Between 5/207 and 10/12/11, the City failed to timely certify 80 out of a total of 95 "Category 1" CIWQS SO reports (or a 16 percent compliance rate) and 66 out of setal of 100 "Category 2" CIWQS SSO reports (or a 33 percent compliance rate).</li> </ol>	Provision A.4 and A.5 of MRP (see page 2)	The Gip yangined to complete a find, exhibited power through CHWQS within 15 molecular with the complete and the complete and the complete 15 molecular, and within 26 days after the complete power and the complete and the complete and the complete and the complete transformed interfaces on the complete and the complete and the required timeframes is presented in Attachments E1 (Category 1) and E2 (Category 2).				

### 1.4 Example NOV/13267 Order Issued



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FE	NDING	Applicable Requirement	COMMENTS
9	Based on the review of CIWQS data, the Oo fatled to submit the no SSOs certification statement for four different months within the required timeframe of the General WDR.	Provision A.7 of the MRP (see page 2)	The City is required to submit a certification statement online to CWOS within 30 days after the end of the sub-calandar month is whole how SSOs occurred. International control of the submitted statement of the submitted statement in statistical for distantian (1954 days, 2014 days, 2014 days, progetoridy), the salition, the City madverteshy submitted two entries for April 2009. The Cyty should contact the CWOS highline at 1466-782-4077 to get one of hear entries removed.)
69	The City falled to update its CIWQS "Collection System Questionnaire" to accurately reflect current information at least every 12 months.	Provision G.3 of Sanitary Sewer Order (see page 18)	The City is required to update its collection system quantionraite at least every 12 months to accurately reflect current information. In addition, the inspection revealed deficiencies in the accuracy of the required information submittal Dy the City's in its "Collection System Quantionative", but updated by the City on 122/10. The approximate incorrectly takes the City's programmed and the value of the City material during the impection that its population is 160,0240 based on the 2010 Census.
SF.	WER SYSTEM MANAGEM	ENT PLAN (SS	MP)
ŋ	The City failed to develop a complete an adequate SSMP within the time functor identified in July 2003 Order. In addition, the City failed to present the SSMP to its governing board for approval ar a public meeting and failed to make a caps of the SSMP publicly available at the Op's office and/or available on the bierner pummant to the Santrary Sever Order.	July 2005 Order: Providens D.11, D.13, D.14 and D.15 of Sanitary Sewer Order (see pages 9- 15)	Parameter to de July 2000 Order, he for you en registral is complete in SSMF estimation in SSMF and SSMF estimation is the SSMF and SSMF estimation is the SSMF and SSMF estimation is the SSMF prove Table (1) and (
89	The City failed to include all of the information required of the "Organization" SSMP clement.	Provision D.13(ii) of Sanitary Sewer Order (see page 10)	The City's SSMP did not identify the numes and seleptone numbers for the management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP.

### 1.4 Common Areas of Concern

- Failure to implement SSMP goals, objectives, and strategies
- Failure to keep SSMP current
- Lack of procedures/protocols to ensure quality SSO data collection, reporting, and error-free certification

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### 1.4 Common Areas of Concern (cont'd)

- Inadequate external communication with upstream/downstream collection system(s)
- Inadequate internal coordination between O&M and engineering (review and approval of sewer capital projects, maintenance, rehab, repairs, etc.)
- Failure of enrollee to review SSO data submitted and utilize information (CCTV data, field reports, etc.) to demonstrate program effectiveness



#### 1.5 Systems Most Likely to be Inspected



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- Systems failing to enroll, comply with reporting requirements, and certify/implement an adequate SSMP
- Systems with <u>suspect reporting</u>, including those reporting few spills or none
- Follow-up investigation based on records audits

#### 1.5 Systems Most Likely to be Inspected (cont'd)

- Systems reporting high volume and/or chronic SSOs
- At Regional Board request
- In response to complaints
- Other factors

#### 1.5 Systems Most Likely to be Inspected (cont'd)

Collection System Inspection Ranking Model

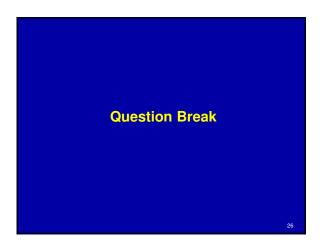
- Developed by Water Boards permitting/enforcement staff to prioritize statewide inspection & enforcement
- Considers:
  - ✓ Agency SSO risks & threats (system size, population, Agency SSO fisks a fileats (system size, population pipe lengths, etc.)
     Agency SSMP compliance history
     Agency SSO reporting history
     Agency Questionnaire compliance
     Agency SSOs & "No Spill Certification" metrics

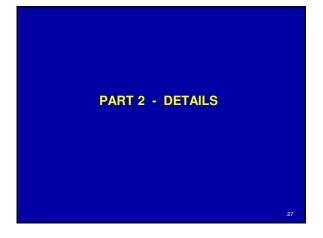
     Data "normalized" to capture outliers (high/low)
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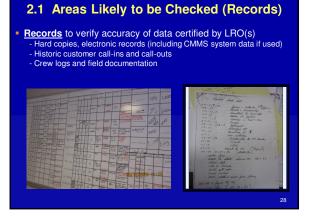
1.6 2012 Inspection Commitments

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- ~30 site inspections (mostly unannounced)
- ~50 "records audits" (onsite or remote to verify accuracy of SSO records, SSMP and/or CIWQS data)
- Statewide coverage
- Small, medium and large systems







#### 2.1 Areas Likely to be Checked (Records)

- Sewer System Management Plan (SSMP) implementation.
- Examples include:
  - ✓ Procedures to ensure staff/contractors follow OERP: D.13(vi)(d)
  - ✓ Process to maintain up-to-date map of the sewer system: D.13(iv)(a)
  - ✓ Process to evaluate service area for FOG control program: D.13(vii)
  - ✓ Section of sewers causing SSOs due to insufficient capacity: D.13(viii)

# 2.1 Areas Likely to be Checked (Records) (cont'd)

- Work Service Orders, maintenance and related records
- Records to justify SSO volumetric estimates certified in CIWQS
- Staff training records
- Agency financial information
- Logbooks (incoming complaints, maintenance activities, etc.)
- Other records

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### 2.1 Areas Likely to be Checked (Procedures)

- Standard Operating Procedures (SOPs) for asset inspections and maintenance activities (pump station checks, force main air valve inspections/O&M, backup generator exercising, pump station high level alarm testing, etc.)
- Agency SSO Emergency Operating Procedures (EOPs) and Overflow Emergency Response Plan and usage during SSOs
- Other procedures to eliminate/reduce SSOs and their impacts
- Procedures to ensure only authorized representatives certify data in CIWQS

#### 2.1 Areas Likely to be Checked (Assets)

- Assets identified posing highest risks/threats for SSOs
  - Lift/pumping facilities
  - Force main systems



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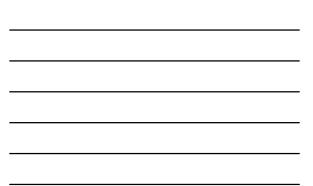
- Other assets
- Assets located at problem sites and/or former SSO locations (pump stations, mainlines, manholes, laterals, etc.)

#### 2.1 Samples of Assets Checked

Lift station located adjacent to storm drain inlet and a major waterway (State Water Project Canal)







2.1 Samples of Assets Checked

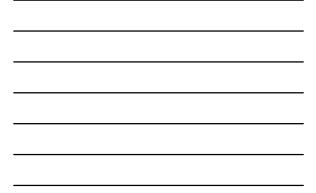
Lift station located in major residential home subdivision







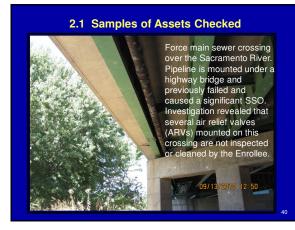






#### 2.1 Samples of Assets Checked





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#### 2.1 Areas Likely to be Checked (Equipment, etc.)

- Sewer equipment, vehicles, SOPs
- SSO emergency/backup equipment and crew knowledge and experience with using the equipment
- Equipment repair manifests/logs
- Spare part inventories
- Other equipment

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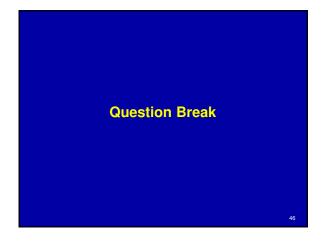
### 2.1 Areas Likely to be Checked (Staff Interviews)

- Adequacy of agency SSMP implementation
- Familiarity with the SSSWDRs, Amended MRP and SSMP (see section E. requirements on page 17 of permit)
- Adequacy of field records and data collection activities to ensure compliance with Amended MRP
- Competency with agency O&M and emergency response activities [see sections D.13(iv)(d) and D.13(vi)(d)]
- Adequacy of activities and actions in responding to SSO event(s) under investigation



#### 2.2 Post-Inspection Follow-up

- Post-Inspection Briefing
  - ✓ At time of inspection or later, depending on schedule
- Possible follow-up enforcement action



#### 2.3 Tips on Being Prepared

- 1. Quarterly review (at minimum) of SSSWDRs, Amended MRP, and agency's SSMP
- 2. Quarterly review (at minimum) to check <u>accuracy</u> of all of your agency's SSO data certified by LRO in CIWQS
- Quarterly review (at minimum) of files, documents and records required to be maintained by agency per Amended MRP requirements (see section B on page 5)

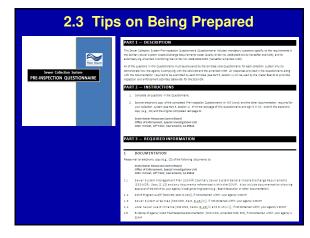
### 2.3 Tips on Being Prepared

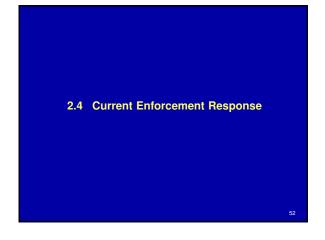
- Maintain all related files and information to demonstrate <u>HOW</u> agency is implementing SSMP
- 5. Call SSO Program Managers or the Office of Enforcement if you have questions!

## 2.3 Tips on Being Prepared

6. Complete "Pre-Inspection Questionnaire" developed by State Water Board, Office of Enforcement

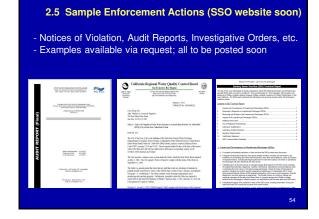
2.3 Tips	on Being Prepared
Grue Calculos System REINSPECTION QUESTIONNARE	PART 1 - DESCRIPTION         3           PART 2 - REQUESTIONS         3           PART 3 - REQUESTIONS         4           PART 3 - REQUESTIONS         7           PART 3 - REQUESTIONS         8           PART 3 - REQUESTIONS         8





#### 2.4 Current Enforcement Response

- 1. Pre-Inspection Questionnaires: being sent now
- 2. Enforcement Case Examples (not inclusive of all cases):
  - a. Enrolled but not participating in program (14 cases)
  - b. False "No Spill" reports (4 cases)
  - c. Failure to report SSOs (4 cases)
  - d. Large SSOs (several cases)
  - e. SSMP violations (several cases)
  - f. Failure to enroll for coverage (several cases)





#### 2.6 SSMP Self Audit Information

(REMINDER: Self Audits are required every 2 years)

http://bacwa.org/Portals/0/BACWA\_SSMP%20Audits\_OE\_ppt-12-08-11.pdf



#### **Program Contacts & Info**

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SSO Main Website:

http://www.waterboards.ca.gov/water\_issues/programs/sso/index.shtml

List Serve Sign-Up:

http://www.waterboards.ca.gov/resources/email\_subscriptions/swrcb\_subscribe.shtml